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

1st Legislative Day Friday, January 4, 2019

Prayer

By the chaplain, Father Joseph Vigil, St. Joseph's Parish, Pueblo.

Presentation of Colors

By the Pueblo Fire Department, IAFF Local 3.
Members: Ken Kilcullen, Jeff Aube, Joey Gutierrez, John Dorland, and Adam Haman.
Attending: Chief Shawn Shelton.

Pledge of Allegiance

By Senator Garcia's sons, Jeremiah and Xan, and his nieces and nephews, Emmalyn, Jacquline, Jasmine, Kourtney, Jake, and Logan.

Musical Presentation

By The Sankey Sisters, Chelse Rollins and Chenia Sankey, from Pueblo. Performing "The Star-Spangled Banner" and a medley "America the Beautiful/God Bless America".

Call to Order

The hour of 10:00 a.m. having arrived, the Senate of the 72nd General Assembly of the State of Colorado, pursuant to law, was called to order by Senator Kevin J. Grantham, President of the Senate of the 71st General Assembly of the State of Colorado.

LETTERS OF RESIGNATION

December 4, 2018

Effie Ameen, Secretary of the Senate
Max Majors, Assistant Secretary of the Senate
State Capitol Building
200 E. Colfax Avenue
Denver, Colorado 80203

RE: Resignation letter

This is to inform you that I am resigning my seat representing Senate District 17 in the Colorado state legislature effective the end of the day on January 1, 2019. Representing east Boulder County in the State Senate has been one of the highlights of my life and I am honored to represent such wonderful, engaged and caring people.

Sincerely,
(signed)
Matt Jones

cc: Senate President-elect Leroy Garcia
Senate Minority Leader-elect Chris Holbert
Sharon Eubanks, Director of the Office of Legislative Legal Services

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December 5, 2018

Colorado Senate Secretary
200 E. Colfax, Room 271
Denver, CO 80203

Dear Madame Secretary,

I write this letter to formally resign from the Colorado State Senate as the SD-14 Senator, effective at the close of business on January 2, 2019. Please consider this my official letter of resignation pursuant to C.R.S. 1-12-203(4).

I am deeply honored and humbled to have represented the people of Fort Collins and Larimer County in the Colorado General Assembly - six years in the Senate and six years in the House. These past 12 years have been an extraordinary journey that has granted me the privilege and opportunity to serve the people. Public service and civic engagement are hallmarks of a healthy and resilient representative democracy, and I've done my best to walk the talk. I've worked hard to unite folks and find common ground to affect policies that achieve systemic change in order to make meaningful differences in our communities and in the lives of individuals and families.

I am grateful to have worked side by side with you and our non-partisan team members, as well as the entire advocacy and political community - inside and outside the Capitol. Legislative Council and Legal Services staff members are dedicated, brilliant, hard working and very nice professionals - across the board. They exemplify - to the highest degree - public servants who care that we do our jobs well and serve the people of Colorado effectively. Honestly, I am going to miss you all, and I have a lot of mixed emotions; guess I will focus on gratitude.

The Larimer County Democratic Vacancy Committee for SD-14 will convene after you receive this letter and notices go out to committee members who will be charged with selecting my replacement according to rules and state laws. and always with an eye towards transparency and accountability. My goal is to have a qualified individual in place on January 4, 2019 - opening day of the First Regular Session of the 72nd General Assembly who will work hard and represent all the people of SD-14 with fairness, honesty and integrity. Thank you for your tireless commitment to good governance and to the people of Colorado. It has been one heck of a journey.

Sincerely,
(Signed)
John M. Kefalas
State Senator, Fort Collins (District 14)

COMMUNICATIONS FROM THE 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 Nomination by Vacancy Committee as filed in this office on January 2, 2019 by the Democratic 14th Senate District Vacancy Committee, appointing Joann Ginal to fill the vacancy in the office of Colorado State Senate, District 14, caused by the resignation of the honorable John Kefalas.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this fourth day of January 2019.

(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 2, 2019 by Joann Ginal, accepting the appointment of the Democratic 14th Senate District Vacancy Committee to fill the vacancy in the office of Colorado State Senate, District 14, caused by the resignation of the honorable John Kefalas.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this fourth day of January 2019.

(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 Nomination by Vacancy Committee as filed in this office on January 2, 2019 by the Democratic 17th Senate District Vacancy Committee, appointing Mike Foote to fill the vacancy in the office of Colorado State Senate, District 17, caused by the resignation of the honorable Matt Jones.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this fourth day of January 2019.

(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 2, 2019 by Mike Foote, accepting the appointment of the Democratic 17th Senate District Vacancy Committee to fill the vacancy in the office of Colorado State Senate, District 17, caused by the resignation of the honorable Matt Jones.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this fourth day of January 2019.

(signed)
Wayne W. Williams
Secretary of State

Roll Call

The roll call of holdover Senators was called with the following result: Present--Court, Crowder, Fenberg, Fields, Gardner, Hill, Kagan, Marble, Moreno, Priola, Smallwood, Tate, Todd, Williams, Zenzinger -- 15; Excused--Baumgardner -- 1; Total: 16.

COMMUNICATIONS FROM THE SECRETARY OF 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 72nd General Assembly by the qualified electors of the State of Colorado in the November 6, 2018 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 11th day of December 2018.

(signed)
Wayne W. Williams
Secretary of State

Colorado General Election Results
November 6, 2018

State Senator - District 1

Counties: CHEYENNE, ELBERT, KIT CARSON, LINCOLN, LOGAN, MORGAN, PHILLIPS, SEDGWICK, WASHINGTON, WELD, YUMA

	Vote Totals	Percentage
Jerry Sonnenberg (REP)	**52,311**	**79.01 %**
Debra Gustafson (DEM)	13,894	20.99 %

State Senator - District 2

Counties: CLEAR CREEK, EL PASO, FREMONT, PARK, TELLER

	Vote Totals	Percentage
Beth "Hart" Harz (DEM)	22,583	34.68 %
Dennis Hisey (REP)	**42,531**	**65.32 %**

State Senator - District 3

Counties: PUEBLO

	Vote Totals	Percentage
Leroy M. Garcia (DEM)	**39,768**	**73.62 %**
John Pickerill (LIB)	14,253	26.38 %

State Senator - District 5

Counties: CHAFFEE, DELTA, EAGLE, GUNNISON, HINSDALE, LAKE, PITKIN

	Vote Totals	Percentage
Kerry Donovan (DEM)	**41,838**	**60.45 %**
Olen Lund (REP)	27,375	39.55 %

State Senator - Disttict 6

Counties: ARCHULETA, DOLORES, LA PLATA, MONTEZUMA, MONTROSE, OURAY, SAN JUAN, SAN MIGUEL

	Vote Totals	Percentage
Guinn Unger Jr. (DEM)	33,208	45.31 %
Don Coram (REP)	**40,088**	**54.69 %**

State Senator - District 7

Counties: MESA

	Vote Totals	Percentage
Chris Kennedy (DEM)	24,205	36.38 %
Ray Scott (REP)	**42,327**	**63.62 %**

State Senator - District 9

Counties: EL PASO

	Vote Totals	Percentage
Gil Armendariv (DEM)	25,892	29.68 %
Paul Lundeen (REP)	**61,341**	**70.32 %**

State Senator - District 11

Counties: EL PASO

	Vote Totals	Percentage
Pete Lee (DEM)	**28,015**	**61.96 %**
Pat McIntire (REP)	17,200	38.04 %

State Senator - District 13

Counties: WELD

	Vote Totals	Percentage
John Cooke (REP)	**33,026**	**58.71 %**
Phil Kelley (DEM)	21,453	38.14 %
Eric E. Joss (LIB)	1,776	3.16 %

State Senator - District 15

Counties: LARIMER

	Vote Totals	Percentage
Rebecca Cranston (DEM)	39,256	46.91 %
Rob Woodward (REP)	**44,434**	**53.09 %**

State Senator - District 16

Counties: BOULDER, DENVER, GILPIN, JEFFERSON

	Vote Totals	Percentage
Tammy Story (DEM)	**47,403**	**55.67 %**
Tim Neville (REP)	35,154	41.28 %
James Gilman (LIB)	2,597	3.05 %

State Senator - District 20

Counties: JEFFERSON

	Vote Totals	Percentage
Christine Jensen (REP)	39,102	42.36 %
Jessie Danielson (DEM)	**49,974**	**54.13 %**
Charles Messick (LIB)	3,239	3.51 %

State Senator - District 22

Counties: JEFFERSON

	Vote Totals	Percentage
Brittany Pettersen (DEM)	**42,747**	**58.16 %**
Tony Sanchez (REP)	30,754	41.84 %

State Senator - District 24

Counties: ADAMS

	Vote Totals	Percentage
Beth Martinez Humenik (REP)	27,068	39.80 %
Faith Winter (DEM)	**35,578**	**52.32 %**
Donald Osborn (LIB)	2,033	2.99 %
Adam Matkowsky (UNA)	3,328	4.89 %

State Senator - District 30

Counties: DOUGLAS

	Vote Totals	Percentage
Julia Varnell-Sarjeant (DEM)	34,604	41.56 %
Chris Holbert (REP)	**43,948**	**52.78 %**
Steve Peterson (IND)	4,710	5.66 %

State Senator - District 32

Counties: DENVER

	Vote Totals	Percentage
Robert Rodriguez (DEM)	**53,307**	**71.99 %**
Mark Calonder (REP)	17,294	23.36 %
Peter Lucas Smith (IND)	3,446	4.65 %

State Senator - District 34

Counties: DENVER

	Vote Totals	Percentage
Julie Gonzales (DEM)	**54,312**	**83.13 %**
Gordon Alley (REP)	11,018	16.87 %

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 6, 2018 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 11th day of December 2018.

(signed)
Wayne W. Williams
Secretary of State

Colorado General Election Results
November 6, 2018

State Senator - District 1

	Vote Totals	Percentage
Jerry Sonnenberg (REP)	**52,311**	**79.01 %**

4465 CR 63
Sterling, CO 80751

State Senator - District 2

	Vote Totals	Percentage
Dennis Hisey (REP)	**42,531**	**65.32 %**

24 Circle C Rd
Fountain, CO 80817

State Senator - District 3

	Vote Totals	Percentage
Leroy M. Garcia (DEM) 41 Portero Dr Pueblo, CO 81005	**39,768**	**73.62 %**

State Senator - District 5

	Vote Totals	Percentage
Kerry Donovan (DEM) 4207 Columbine Dr #5 Vail, CO 81657	**41,838**	**60.45 %**

State Senator - Disttict 6

	Vote Totals	Percentage
Don Coram (REP) 67850 Ogden Rd Montrose, CO 81401	**40,088**	**54.69 %**

State Senator - District 7

	Vote Totals	Percentage
Ray Scott (REP) 2253 Kingston Rd Grand Junction, CO 81507	**42,327**	**63.62 %**

State Senator - District 9

	Vote Totals	Percentage
Paul Lundeen (REP) 19210 Sixpenny Ln Monument, CO 80132	**61,341**	**70.32 %**

State Senator - District 11

	Vote Totals	Percentage
Pete Lee (DEM) 216 N Sheridan Ave Colorado Springs, CO 80909	**28,015**	**61.96 %**

State Senator - District 13

	Vote Totals	Percentage
John Cooke (REP) 1930 Prospect Pl Greeley, CO 80631	**33,026**	**58.71 %**

State Senator - District 15

	Vote Totals	Percentage
Rob Woodward (REP) 1502 West Shore Dr Loveland, CO 80538	**44,434**	**53.09 %**

State Senator - District 16

	Vote Totals	Percentage
Tammy Story (DEM) 8283 Bell Ranch Rd Evergreen, CO 80439	**47,403**	**55.67 %**

State Senator - District 20

	Vote Totals	Percentage
Jessie Danielson (DEM) 4550 Vance St Wheat Ridge, CO 80033	**49,974**	**54.13 %**

State Senator - District 22

	Vote Totals	Percentage
Brittany Pettersen (DEM) 1718 S Cody St Lakewood, CO 80232	**42,747**	**58.16 %**

State Senator - District 24

	Vote Totals	Percentage
Faith Winter (DEM) 11676 Osceola St Westminster, CO 80031	**35,578**	**52.32 %**

State Senator - District 30

	Vote Totals	Percentage
Chris Holbert (REP) 10138 Severn Ln Parker, CO 80134	**43,948**	**52.78 %**

State Senator - District 32

	Vote Totals	Percentage
Robert Rodriguez (DEM) 1845 S Clermont St Denver, CO 80222	**53,307**	**71.99 %**

State Senator - District 34

	Vote Totals	Percentage
Julie Gonzales (DEM) 2240 N Clay St #203 Denver, CO 80211	**54,312**	**83.13 %**

Credentials Committee

On motion of Majority Leader Fenberg, 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 Fenberg, Chair, Fields, and Holbert 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 4, 2019

Mr. President:

Your committee on credentials, to which was referred the list of the members of the Senate for the 72nd General Assembly of the State of Colorado, transmitted by the Secretary of State, begs leave to report that the persons named therein constitute 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 72nd General Assembly of the State of Colorado.

(signed)
Majority Leader Fenberg, Chair
Assistant Majority Leader Fields
Minority Leader Holbert

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

On motion of Majority Leader Fenberg, and with unanimous consent of the Senate, a committee of three was appointed by the President as the Committee to wait upon Chief Justice Nathan B. Coats of the Colorado Supreme Court and request him to administer the oath of office to the Senators-elect.

The President appointed Senators Danielson, Gardner, and Lee as members of the Committee and announced that the Senate would be in recess until the return of the Committee with Chief Justice Coats.

Senate in recess. Senate reconvened.

The Senate Chief Sergeant-at-Arms, Frank Lombardi, announced the arrival of the Committee and the Chief Justice.

Oath of Office

Chief Justice Nathan B. Coats of the Colorado Supreme Court 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--Cooke, Coram, Danielson, Donovan, Foote, Garcia, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Pettersen, Rodriguez, Scott, Sonnenberg, Story, Winter, Woodward -- Total: 19.

Quorum

The President announced the temporary roll call of the Senate--34 present, 0 absent, and 1 excused, and that a quorum was present.

On motion of Majority Leader Fenberg, 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 Fenberg and seconded by Minority Leader Holbert, Senator Leroy M. Garcia was nominated as President of the Senate.

Majority Leader Fenberg moved that the nominations for President of the Senate be closed and that a unanimous vote be cast for Senator Leroy M. Garcia. The motion was adopted by unanimous vote.

Senator Kevin J. Grantham, President of the Senate in the 71st General Assembly of the State of Colorado presented the gavel to Senator Leroy M. Garcia, President of the Senate in the 72nd General Assembly of the State of Colorado.

Election of President *Pro Tempore*

On motion of Majority Leader Fenberg and seconded by Minority Leader Holbert, Senator Lois Court was nominated as President *Pro Tempore* of the Senate.

Majority Leader Fenberg moved that the nominations for President *Pro Tempore* of the Senate be closed and that a unanimous vote be cast for Senator Lois Court. The motion was adopted by unanimous vote.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR19-001 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett, Becker, Neville--Concerning the adoption of the Joint Rules as the temporary Joint Rules of the Seventy-second General Assembly.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

SR19-001 by Senator(s) Fenberg, Garcia, Holbert--Concerning the temporary Rules of the Senate.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Election of Secretary

On motion of Majority Leader Fenberg, Cindi L. Markwell was nominated to serve as Secretary of the Senate during the First Regular Session of the Seventy-second General Assembly of the State of Colorado.

Oath of Office

The President administered the oath of office to Cindi L. Markwell.

A majority of all members elected to the Senate having voted in the affirmative, the motion for the election of Cindi L. Markwell as Secretary of the Senate was adopted.

On motion of Majority Leader Fenberg, and with unanimous consent of the Senate, the President appointed Senators Lundeen, Rodriguez, and Story 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 Fenberg, and with unanimous consent of the Senate, the President appointed Senators Gonzales, Kagan, and Smallwood 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.

MESSAGE FROM THE HOUSE

January 4, 2019

Mr. President:

The House has adopted and transmits herewith HJR19-1001, as printed in House Journal, January 4, 2019.

The House has adopted and returns herewith SJR19-001.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS (cont'd)

HJR19-1001 by Representative(s) Garnett, Becker, Neville; also Senator(s) Fenberg, Garcia, Holbert--Concerning a Joint Session of the House of Representatives and the Senate of the Seventy-second General Assembly for the purpose of canvassing the votes for certain officials at the election held November 6, 2018.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

COMMITTEE APPOINTMENTS

January 3, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:
**********REVISED**********
As you know, Senate rules require that as the Majority Leader, I determine the committee composition and the majority party's appointments to the 2019 Legislative Committees of Reference. Below are the committee compositions and the Majority's appointments.

	Majority	Minority	Committee Size
Agriculture and Natural Resources	3	2	5
Appropriations	6	4	10
Business, Labor and Technology	3	2	5
Education	3	2	5
Finance	4	3	7
Health and Human Services	3	2	5
Judiciary	3	2	5
Local Government	3	2	5
State Affairs	3	2	5
Transportation and Energy	4	3	7

Agriculture and Natural Resources
Senator Kerry Donovan - Chair
Senator-elect Jessie Danielson - Vice Chair
Senator-elect Joann Ginal

Appropriations
Senator Rachel Zenzinger - Chair
Senator-elect Julie Gonzales
Senator Dominick Moreno - Vice Chair
Senator-elect Mike Foote
Senator-elect Robert Rodriquez
Senator Nancy Todd

Business, Labor and Technology
Senator Angela Williams - Chair
Senator-elect Jessie Danielson - Vice Chair
Senator-elect Tammy Story

Education
Senator Nancy Todd - Chair
Senator-elect Tammy Story - Vice Chair
Senator Daniel Kagan

Finance
Senator Lois Court - Chair
Senator-elect Pete Lee - Vice Chair
Senator Nancy Todd
Senator-elect Julie Gonzales

Health and Human Service
Senator Rhonda Fields - Chair
Senator-elect Brittany Pettersen - Vice Chair
Senator-elect Faith Winter

Judiciary
Senator-elect Pete Lee - Chair
Senator-elect Julie Gonzales - Vice Chair
Senator-elect Robert Rodriguez

Local Government
Senator Joann Ginal - Chair
Senator Angela Williams - Vice Chair
Senator Daniel Kagan

State Affairs
Senator Mike Foote - Chair
Senator Lois Court - Vice Chair
Senator Rhonda Fields

Transportation and Energy
Senator-elect Faith Winter - Chair
Senator-elect Brittany Pettersen - Vice Chair
Senator Mike Foote
Senator Kerry Donovan

I am happy to answer any questions you may have.

Sincerely,
(signed)
Steve Fenberg
Majority Leader

Cc: The Honorable Leroy M. Garcia, Jr, Senate President-designate
The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable KC Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Office of the Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

December 7, 2018

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to Senate Rules, the Minority Leader is responsible for assigning members of the Senate Minority Caucus to Senate Committees of Reference. For the Seventy-Second General Assembly, the Minority members of the Senate Committees of Reference are:

Senate Agriculture and Natural Resources
Senator Jerry Sonnenberg, Ranking Member
Senator Don Coram

Senate Appropriations
Senator-elect Dennis Hisey, Ranking Member
Senator Jerry Sonnenberg
Senator Bob Gardner
Senator-elect Rob Woodward

Senate Business, Labor and Technology
Senator Jack Tate, Ranking Member
Senator Kevin Priola

Senate Education
Senator Owen Hill, Ranking Member
Senator-elect Paul Lundeen

Senate Finance
Senator-elect Paul Lundeen, Ranking Member
Senator Jack Tate
Senator-elect Rob Woodward

Senate Health and Human Services
Senator Jim Smallwood, Ranking Member
Senator Larry Crowder

Senate Judiciary
Senator Bob Gardner, Ranking Member
Senator John Cooke

Senate Local Government
Senator Larry Crowder, Ranking Member
Senator Don Coram

Senate State, Veterans and Military Affairs
Senator Vicki Marble, Ranking Member
Senator Jerry Sonnenberg

Senate Transportation
Senator Ray Scott, Ranking Member
Senator John Cooke
Senator Kevin Priola

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

January 3, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that, pursuant to C.R.S. § 2-3-301, I am appointing Senators Leroy Garcia, Steve Fenberg, Lois Court, Angela Williams and Senator Dominick Moreno to serve on Legislative Council effective immediately.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

November 14, 2018

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to 2-3-301, CRS, I am pleased to appoint Senators John Cooke, Ray Scott, and Vicki Marble to serve with me on the Legislative Council for the 72nd General Assembly. These Appointments are effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader, 71st General Assembly
Senate Minority Leader, 72nd General Assembly

Cc: The Honorable Leroy Garcia, Senate President-elect
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker-designee
The Honorable Patrick Neville, House Minority Leader
The Honorable Vicki Marble
The Honorable Ray Scott
The Honorable John Cooke
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk of the House of Representatives
Susan Liddle, Legislative Council Staff
Sharon Eubanks, Director OLLS

January 2, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that, pursuant to CRS § 2-3-502, I am appointing Senators-elect Pete Lee Robert Rodriguez, and Mike Foote to serve on the Committee on Legal Services effective immediately.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

November 14, 2018

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to 2-3-502, CRS, I am pleased to appoint Senators Bob Gardner and John Cooke to serve on the Committee on Legal Services for the 72nd General Assembly. These Appointments are effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

Cc: The Honorable Leroy Garcia, Senate President-elect
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker-designee
The Honorable Patrick Neville, House Minority Leader
The Honorable Bob Gardner
The Honorable John Cooke
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk of the House of Representatives
Susan Liddle, Legislative Council Staff
Sharon Eubanks, Director OLLS

January 3, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that, pursuant to C.R.S. § 2-3-101, I am appointing Senators Rhonda Fields and Nancy Todd to serve on Legislative Audit Committee effective immediately.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

November 14, 2018

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to 2-3-101, CRS, I am pleased to appoint Senator Jim Smallwood and Senator-elect Paul Lundeen to serve on the Legislative Audit Committee for the 72nd General Assembly.

These appointments are effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

Cc: The Honorable Leroy Garcia, Senate President-elect
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker-elect
The Honorable Patrick Neville, House Minority Leader
The Honorable Jim Smallwood
The Honorable Paul Lundeen
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk of the House of Representatives
Susan Liddle, Legislative Council Staff
Sharon Eubanks, Director OLLS

December 19, 2018

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that, pursuant to CRS §2-3-1302, I am appointing Senator Rhonda Fields and Senator-elect Tammy Story to serve on the Capital Development Committee effective December 15, 2018.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Max Majors, Assistant Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

November 14, 2018

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to 2-3-1302, CRS, I am pleased to appoint Senator Jerry Sonnenberg to serve on the Capital Development Committee for the 72nd General Assembly. This appointment is effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

Cc: The Honorable Leroy Garcia, Senate President-elect
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker-designee
The Honorable Patrick Neville, House Minority Leader
The Honorable Jerry Sonnenberg
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk of the House of Representatives
Susan Liddle, Legislative Council Staff
Sharon Eubanks, Director OLLS

January 2, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that, pursuant to CRS §2-3-1702, I am appointing Senator Nancy Todd and Senator Lois Court to serve on the Joint Technology Committee effective immediately.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

November 14, 2018

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to 2-3-1702, CRS, I am pleased to appoint Senator Jack Tate to serve on the Joint Technology Committee for the 72nd General Assembly.

This appointment is effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

Cc: The Honorable Leroy Garcia, Senate President-elect
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker-elect
The Honorable Patrick Neville, House Minority Leader
The Honorable Jack Tate
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Chief Clerk of the House of Representatives
Susan Liddle, Legislative Council Staff
Sharon Eubanks, Director OLLS

APPOINTMENTS TO STATUTORY COMMITTEES

Legislative Council

Pursuant to Section 2-3-301, C.R.S., the President and Minority Leader appointed President Garcia and Senators Fenberg, Holbert, Cooke, Court, Marble, Moreno, Scott, and Williams as members of the Legislative Council Committee.

Majority Leader Fenberg moved that the appointments to the Legislative Council Committee be confirmed. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Legal Services

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

Majority Leader Fenberg moved that the appointments to the Committee on Legal Services be confirmed. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Legislative Audit

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

Majority Leader Fenberg moved that the appointments to the Legislative Audit Committee be confirmed. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Capital Development

Pursuant to Section 2-3-1302, C.R.S., the President and Minority Leader appointed Senators Fields, Sonnenberg, and Story as members of the Capital Development Committee.

Majority Leader Fenberg moved that the appointments to the Capital Development Committee be confirmed. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	E	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

On motion of Majority Leader Fenberg, 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 Leroy M. Garcia and Senate Minority Leader Chris Holbert.

Senate in recess.

The text of President Garcia's remarks follow.

Mr. Minority Leader. Mr. Majority Leader. Madam President Pro Tempore. Friends. Loved Ones. Honored Guests.

Good morning. It is an honor and privilege for me to welcome you to the Senate chamber as we open the 72nd General Assembly.

I want to welcome our returning members and especially congratulate our newly elected Senators. Will each of you please stand as I call your name:

- o Senator Dennis Hisey;
- o Senator Paul Lundeen;
- o Senator Pete Lee;
- o Senator Joann Ginal;
- o Senator Rob Woodward;
- o Senator Tammy Story;
- o Senator Mike Foote;
- o Senator Jessie Danielson;
- o Senator Brittany Pettersen;
- o Senator Faith Winter;
- o Senator Robert Rodriguez;
- o And Senator Julie Gonzales.

Please join me in giving them a warm welcome to this historic chamber.

If you look around, you might notice that this body looks a little different than it has in the past. That is because not only do we have a majority of women in the Democratic Caucus, but we also have one of the most demographically and geographically diverse caucuses in recent history.

New leaders bring bold solutions that will carry our great state forward. Institutional knowledge combined with new perspectives will move us towards a better future for every Coloradan.

As my returning colleagues know, it is a unique honor and privilege to work in this body and serve the people of this great state. It is a privilege each of you have worked extremely hard for and overwhelmingly earned.

But you would not be here if it were not for the love and support of your families and friends.

Let us take a moment to show our appreciation for everyone who made your leadership possible.

In that spirit, I too would like to give a special thank you to my family.

To my parents who are with us today - thank you for teaching my brothers and me the importance of respecting others, treating all with compassion, and always living with love in your heart!

To my brothers - Jake and Evan. I know it took both of you a little longer than me to learn those values I just spoke about, but you both finally got them! But all kidding aside, thank you for your service to our country.

While many of you may know that I served in the Marine Corps, you may not know that Jake and Evan also served in the Marines in Iraq and Afghanistan.

If there are any members who have served our country either in the armed services, as a member of law enforcement, or public safety, would you please stand so that we may thank you for your service.

To my sons - Jeremiah and Xan. I am so incredibly proud of the young men you have become. Jeremiah recently received a nomination to West Point and the Merchant Marines and Xan is following in his brother's footsteps with exceptional grades and is also becoming quite the soccer player.

To the love of my life - My wife Michelle. I am so grateful for your love and support. Not only for everything you do as the rock of our family, but for the amazing person you are, day-in and day-out, through your work assisting families and youth. You are truly an amazing woman and I am so grateful that you asked me to marry you. I love you.

Finally, I would like to thank all of the special guests who have joined us today to ring in the 2019 legislative session.

As a sixth generation Coloradan, I have deep roots and a strong commitment to our state.

My family came to the United States, and eventually settled in southern Colorado. Like so many immigrants, they came in search of greater opportunity. Even though my family only spoke Spanish at the time, it did not slow them down or discourage them. Not one bit.

My great grandfathers worked the coal mines and the fields where they lived and learned the value of hard work. They lived their American Dream - a dream that would become a reality by providing a better life for their families.

This value of hard work has been passed down from generation to generation, eventually shared with my parents who started a small, modest business in Pueblo.

They worked hard to provide a good life for my brothers and me. Watching them, we too learned the value of hard work, which was an invaluable lesson that served us well when we enlisted in the Marine Corps.

For me, it was during that time that I learned not only the importance of service and honor, but to care for and respect my brothers and sisters in arms, regardless of where they came from or what their political views were. That was never truer than when I served in Iraq.

It did not matter who was to your left or right. We understood that we had a collective mission - and we had to have each other's back!

It is that understanding of hard work and spirit of collaboration that we must bring back to the Capitol.

For too long, we have allowed political party to divide us. As a result, ego and politics determined what bills moved forward - not the merits of the policy.

Our state deserves better.

Our constituents expect more of us.

Unlike in Washington, D.C. - this Senate must bring a new energy that will yield a standard of trust and respect. We must engage in dialogue and collaboration. This is how we will find common ground and solutions to the bread and butter issues facing everyday Coloradans.

Coloradans did not elect us to engage in gamesmanship. They elected us to work, to reach across the aisle, and to have an open and working government that finds solutions to help them live their American Dream.

Make no mistake - Colorado is growing and prospering, but not everyone feels that growth and prosperity.

Too many cannot afford the healthcare they need.

Too many have died at the hands of opioids, and many more struggle with drug abuse and addiction.

Too many earn lesser pay for equal work.

Too many children in Colorado do not have equal access to a quality K-12 education.

And too many are saddled with tens of thousands of dollars of student loan debt.

But Coloradans do not give up in the face of challenges like these, and neither can we. Colorado is a special place - it is a state filled with people who innovate and find solutions, and I am absolutely confident that this body will be able to find many of those solutions.

Solutions that build on the steps we have taken to address the opioid epidemic by making greater investments into programs with a proven record of success.

Solutions that ensure student loan servicers do not take advantage of students in Colorado.

Solutions that help lower the cost of healthcare by increasing price transparency for prescription drugs.

And solutions that show Colorado can be a state that not only creates a booming business climate and grows good-paying jobs, but one that also values workers and pays them fairly.

I know each member of this Senate is different. And while we may disagree and debate about the solutions to the issues facing our state, we cannot allow our political differences to get in the way of our shared goals: to serve with honor and to improve the lives of hardworking Coloradans.

We - Democrats and Republicans - can accomplish these goals if we put our egos aside. I have no doubt that all of us can agree that we are most successful when we work together.

So, let us today mark a new day for the Colorado State Senate. A Senate where we return to our tradition of honor, trust, and integrity.

A Senate that has an unwavering commitment to take care of every Coloradan, no matter where they live.

Political parties do not determine what improves the lives of Coloradans. Good policy does, and no one party has a monopoly on good ideas.

That is why we should be willing to work with anyone - regardless of party - who has a solution to the serious issues that Colorado faces.

If we are willing to work hard and collaborate, we can empower every Coloradan to live their American Dream - just like my family and so many families in this room have been able to do - and ensure we pass on a better Colorado to our children and grandchildren.

It is a big task, but I know we can do it.

So, let's get to work.

President Garcia recognized Minority Leader Holbert to address the Senate.

The text of Minority Leader Holbert's remarks follow.

Thank you, Mr. President.

Mr. President, Mr. Majority Leader, members, family, and guests. Welcome.

To the people of Colorado:

Your state Senate has convened for the first regular session of the Seventy-Second General Assembly. Today, we begin the 143rd legislative year of the great state of Colorado.

Each General Assembly is seated for a two-year term. Seventy-two times two equals one hundred and forty-four. That will take us through next year, 2020, the 144th year since statehood in 1876.

There is great history here at our state Capitol, much of which points to a time fifteen years before statehood, to 1861. Colorado became a United States Territory on February 28 of that year. Four days later, Abraham Lincoln, known as a "Man of the West," was inaugurated as the fourteenth President of the United States and, the first President inaugurated during the existence of the new Colorado Territory. Just a few weeks after that, on April 12, 1861, the first shots rang out at Fort Sumter in the harbor of Charleston South Carolina and the Civil War began.

If you visit the west steps of the Capitol, you'll find a Civil War Memorial. The figure of a Union solider stands atop that memorial. Upon close inspection, you will find an inscription that explains that, while the population of the new Colorado Territory was relatively small, a higher percentage of that newly established Territory went to fight in the Civil War than of any state of that time.

Since the beginning, Colorado has been a place to which people are drawn and from which people are willing to give.

Imagine if you will, the struggle of one person, one man or woman, let alone a family, to cross the Great Plains. Whether by wagon or horseback, some by foot, to cross Missouri or Iowa, then Kansas or Nebraska, then all the way across Senate District One, which stretches from Kansas and Nebraska to the eastern suburbs of Metro Denver. And, for those courageous individuals to finally reach the foothills and to see the majestic Rocky Mountains for the first time.

Those risk takers began to establish new homes, roads, industry, and schools. Then, upon hearing that war had broken out, many turned back and made that journey again by wagon, horseback, or foot.

Again, since the beginning, Colorado has been a place to which people are drawn and from which people are willing to give.

Ultimately, that Great Civil War was won and the Union preserved. One great General of that time led the Union Army straight down the middle of the south, burned Atlanta, and drove all the way to Savannah Georgia. That General was William Tecumseh Sherman.

Another great General of that time later became the 18th President of the United States. On August 1, 1876, one hundred years and twenty-eight days after the Declaration of Independence, President Ulysses S. Grant signed the Proclamation that admitted Colorado into the Union as the thirty-eighth state, the Centennial State.

Now, to treasures hidden in plain sight.

Note the street that borders our state Capitol to the west. It is, of course, Lincoln Street. To the east, Grant Street borders the Capitol. And, for those of us blessed to serve here in the Colorado Senate, when we come here to the well to speak, we stand above what would be the centerline of Sherman Street, which intersects the Capitol Building north-to-south.

So many have struggled and died to defend this nation and the Constitution upon which it is founded. Most know the Constitution of these United States. "We the People of the United States, in order to form a more perfect union…" But, some people never consider the fact that each state has its own Constitution. And, few have likely read their state Constitution. Here in Colorado, ours is more an evolving book than a lasting foundational document as is the US Constitution.

The People of Colorado have, over time, amended our state Constitution many times in many ways. Just this past year, we the People of Colorado amended our state Constitution to provide for more transparent redistricting of Congressional and state legislative districts. We, finally, removed reference to slavery. And, we shed a state-specific definition of hemp.

Ours is a complex and unique constitution. For example, here in Colorado, our state Constitution protects your right to keep and bear arms and your right to grow up to six marijuana plants. Like I said, it's an evolving book.

Over the years, the People of Colorado have also amended our state constitution to create a rather unique legislature. One that offers some points of certainty that are rare among the states and, which in culmination, have established a truly unique state legislature.

Starting on Wednesday, November 1, 1876 until 1950, the Colorado General Assembly met every-other-year. Since 1951, the General Assembly has met every year. As you can learn in the Hall of Presidents, located just outside the office of the Senate President, from 1876 until 1974, the Lieutenant Governor served as President of the Senate in a role similar to how the Vice President of the United States serves as President of the United States Senate. Then, in November 1974, the People of Colorado voted to amend Article V, Section 10, of our state Constitution. That amendment, as we witnessed here this morning, allows us, the thirty-five Senators, to elect one of our own to serve as Senate President.

In 1988, the People of Colorado voted to amend our state constitution to limit the amount of time that we, the members of the General Assembly, may meet each year in general session to no more than 120 days. While it is common for states to limit general session length, many states allow their Governor, legislature, or some combination of the two, to extend session time. Not so here in Colorado.

One thing that is certain is that this general session will end at or before midnight, Friday, May third, the one hundred and twentieth day of this session. Nothing we might do past that moment would be constitutional. There cannot be a one hundred and twenty-first day of this session. Even via a special session, there can be no additional time added to a Colorado general session.

As I like to share with school kids who tour our Capitol, at or before midnight of the one hundred and twentieth day, our crystal carriage of law-making authority will turn back into a pumpkin and we citizen legislators will be citizens again, just like everyone else. Why? Because, the People of Colorado wanted it that way.

The People of Colorado also voted in 1988 to approve a Constitutional amendment known as "GAVEL," an acronym for "Give a Vote to Every Legislator." Seventy-two percent of the people who voted that year did so in support of GAVEL. So, what did that amendment do? It removed pocket veto from our legislative process. Here in Colorado, no one legislator can kill a bill. Not the Speaker of the House or the President of the Senate, neither of the Majority Leaders, nor any committee chairperson.

No, here in Colorado, either a simple majority of committee members present at the time of a vote or a simple majority of all members elected to a chamber is required to pass or kill a bill. In Congress and probably in some other state legislatures, if a committee chairperson does not agree with a bill, then he or she can simply not schedule that bill for a hearing. Thus, an issue, a bill, that is important to a member, probably one of a Minority Caucus, would never be heard. There would be no contentious hearing or divisive press resulting from such a bill. It simply wouldn't happen and the bill would be quietly dismissed.

Here in Colorado, GAVEL requires that every bill that is introduced must receive a hearing. In Colorado, hearings before House or Senate Committees of Reference are

public events where anyone can offer his or her perspective, for or against, a bill. Thus, this General Assembly is sometimes described as being one of or possibly the most contentious of all state legislatures. I say, no to such observations.

Yes, our committee hearings can last many hours, occasionally through an entire night, with significant numbers of people voicing their support or opposition. In Congress one must be invited, summoned, or even subject to subpoena in order to testify before a committee. Not so here in Colorado. Whether one is a member of the Majority or the Minority, his or her bills must be heard. And, whether a constituent agrees or disagrees with that bill, he or she will also be heard.

It isn't a matter of Coloradans being more contentious, it's that our state constitution requires us to have those conversations and to allow the People their say on each and every bill. Why? Because the People of Colorado wanted it that way.

Another constitutional certainty is that we will, once again, pass a budget this year. It's the one bill that our state constitution requires of us. Mr. President, if it's acceptable to you, might we take up the Long Bill today, pass it quickly, and adjourn sine die before month end?

Not only will we pass a budget again this year, given the make up of the Joint Budget Committee, we will pass that budget with bi-partisan support. And, that budget will be balanced because, again, our state constitution requires it. Why? Because the People of Colorado wanted it that way.

In November 1992, the People of Colorado voted to amend our state Constitution to include the Taxpayer's Bill of Rights or "TABOR." Thus, unlike Congress in Washington, DC, this legislative body does not have the authority to create a new tax without a vote of the People. We cannot raise an existing tax rate without a vote of the People. Why? Because the majority of People who voted in 1992, 54% actually, wanted it that way. They amended our state constitution to take such power away from elected officials throughout Colorado and reserve it to them, the People.

Mr. President that fact gives me confidence. Looking back to the elections last November, it is clear that the People of Colorado voted with you when it came to candidates and they voted with me when it came to issues.

The People have given you and your Party majority control of both chambers of our state legislature for the next two years and that of the Governor's office for the next four years. They also said "No" to tax increases, unequal taxation, and to government taking and redistributing a larger portion of their success.

The message that I hear is that the People of Colorado expect us, their state legislature, to be more accountable, to provide greater return to them, for the already increasing number of dollars we currently take from them. Once again, the People of Colorado have said "No" to higher rates of taxation until we provide better return for their current tax payments.

Again, Mr. President, this gives me confidence. As has been stated annually by prior Minority Leaders, we will have our say, but not our way. We have the voice, but not the votes.

Mr. President, I believe that we here in the Senate, have a unique opportunity over the next two hundred and thirty-nine session days to demonstrate effective leadership, to honor the will of the People in both who and what they supported last November.

For example, fifty-five percent of those who voted last November agreed with their neighbors, family, and friends who work in the Colorado oil and gas industry. They recognized the irreplaceable value of severance taxes to their schools. They embraced the importance of a well-regulated industry that accounts for, by some estimates, over $30 billion dollars of positive annual economic impact here in Colorado.

Mr. President, a majority of those voters supported your candidates. And, a majority of those same voters said "No" to Proposition 112. Once again, we have witnessed a fascinating outcome in a Colorado election. Moving forward, will we work together this session and next to prove them right on their policy positions or will we prove them wrong on their support of candidates?

Mr. President, seeing you take that gavel this morning gives me confidence that the "adults in the room" as referenced by former capitol reporter Peter Marcus, will continue to be found here in the upper chamber, the Senate.

Mr. President, you know better than any other current member of this body the risk of alienating constituents, of pushing too far. Not that you have done those things yourself. No, like me you were a witness to the events of 2013 and you deserve credit for the time and effort you have devoted to healing relationships and to restore trust among constituents. Mr. President, you accomplished that by the way you have represented the People of Senate District three since your election to the Senate in 2014.

Mr. President, the Minority Caucus looks to you, your even hand, and your experience, to be the gauge for how far left or right we might journey over the next two years. For the past four sessions, Senate Republicans served to balance House Democrats and vice a versa. Most bills, a high point of 62% of all bills introduced in 2017, passed through both chambers. Governor Hickenlooper vetoed just two bills that year. Nothing too far left or right made it to his desk. And, it was that way for six of the eight years that he served as our Governor.

Now, Mr. President, that balance rests with you and I'm grateful that you hold that gavel.

Mr. Majority Leader, congratulations on achieving what is in my opinion, the best position in this chamber and having done so after only two years in the Senate. With term limits, it is more common to see members serve in that capacity during their final two years in this chamber, which makes you and I rather rare exceptions.

As we have discussed previously, I stand ready to work with you to keep the Senate on track, within the rules, and for our work here to be accomplished by midnight of the one hundred and twentieth day.

Yours is a fascinating job that requires you to juggle the demands of thirty-four other members, a Calendar controlled by Rule, a clock that never stops ticking, and an army of critics who think that you have far more power than you actually do. Make good motions, Mr. Majority Leader, and know that I'm here to help if you need me.

Mr. Majority Leader, I take confidence in your leadership too. I'm not offended when someone disagrees with me. Over the past two years, I've witnessed you return that same courtesy to me and to others.
This process is not about demanding compliance to some particular ideology. We are not just allowed to disagree here in this chamber. No, we are sent here, each of us, to represent one thirty-fifth of the population of Colorado. To represent their differing views - or at least the majority of those in each district - on hundreds of issues each year.

Our constitution establishes that we come here as thirty-five co-equal members. We aren't just allowed to disagree; it's not just something to be tolerated. No, the unique perspectives of the people who live in diverse communities throughout Colorado deserve equal consideration here in this place. Why? Because the People of Colorado wanted it that way.

Last session, the General Assembly conducted a survey of the Members of the Legislative Workplace. Participants included legislators, partisan and non-partisan staff, security officers, lobbyists, and others who regularly work and conduct business in the Capitol complex. Of those participants, eighty-three percent responded that they would recommend to a family member or friend the Capitol complex as a place to work. Eighty-seven percent responded that they feel respected here in the Capitol complex. Ninety-three percent responded that they feel comfortable working here and ninety-five percent responded that they feel safe working here.

But, Mr. President, we agree that ninety-five percent isn't good enough. We agree with your call for higher standards. We offer thanks to Senators Moreno, Gardner, Winter, and former Senator Martinez-Humenik, along with former Speaker Duran and Representative Ransom for their work on the Legislative Workplace Interim Study Committee. That committee produced a list of policy recommendations that had received their unanimous support. Those recommendations were delivered to the prior Executive Committee, which approved those policy changes unanimously. Moving forward, now that the President and the Speaker have been elected and our current Executive Committee is seated, we will move forward to address those recommendations made by the Interim Committee that did not receive unanimous support during the Interim.

Mr. President, Mr. Majority Leader, I look forward with working with you and our House counterparts to finalize the policy and, ultimately, Rule changes necessary to improve the process by which complaints are handled. Ultimately, Mr. President, that we provide a workplace where all who participate here in the Capitol complex are respected and included.

Colleagues, I look forward to hearing your perspectives and learning how the constituents who you represent see the world, how they view the hundreds of issues, the bills, that we will consider over the next 119 days.

What will Republicans do over the next two years? We will stand for this Constitution and we will stand with the People who gave it to us.

We will continue our efforts to fund roads and bridges with existing revenues. We have heard from Governor-elect Polis that he does not support new proposals for a sales tax increase. We agree with him. He has stated that he does not support further bonding proposals. On that, we disagree.

Last year, Senate Bill One proposed bonding as a solution to an estimated nine billion dollars of transportation infrastructure need.
Initially, Senate Bill One received zero bi-partisan support here in the Senate. Ultimately, however, the amended version of Senate Bill One received unanimous support in this very chamber.

When we gathered with Governor Hickenlooper in the Big Thompson Canyon for the signing of Senate Bill One into law, we celebrated that significant bi-partisan accomplishment. We continue to credit the good Senator from District 19 for her tenacity, leadership, and patience in her effort to amend Senate Bill 18-001.

The amended version of the bonding proposal from Senate Bill One is now law and we support the opportunity for the People of Colorado to consider that option on their ballot this November. No, it is not a duplication of Proposition 109, which failed last November. It is disappointing to hear that the Majority may intend to remove that bonding opportunity from statute with new legislation this session while Senate Republicans support the opportunity for voters to answer that different bonding question.

Senate Republicans will continue to support additional funding for roads and bridges. For the past two years, we have called on at least three hundred million dollars of General Fund revenue for roads and bridges. We have advocated that using that amount from the General Fund as the revenue source to pay for bonding. And, we have invited feedback by asking those who disagree with our proposal, if not $300 million per year for bonding, then how much for how long?

This session, like the last, it appears that tax revenues will exceed the prior year by over one billion dollars. Some estimates put that additional, new, revenue amount at one point two billion dollars.

To that point, Senators Scott and Cooke will introduce a bill to add three hundred thirty-six million dollars for roads and bridges. That funding would enhance the amount already provided by Senate Bill One from last session.

To K-12 education, we propose allocating that same amount, three hundred and thirty-six million dollars to buy down the so-called budget stabilization factor, previously known as the negative factor. That IOU was written to Colorado's 178 school districts in 2009. The amount of that IOU currently rests at six hundred seventy-two million dollars. Our proposal for three hundred and thirty-six million would cut that in half this year.

It's time that we take a bold step in allocating equal portions of that 1.2 billion dollars additional revenue to buy down the negative factor and improve Colorado roads and bridges.

To address another chronic K-12 education issue, Senator Hill will bring legislation to reduce compliance requirements for the 147 Colorado rural school districts. How many times have members of the House or Senate Education Committees heard from a rural school principal who drives a school bus, shovels the sidewalks, plows the parking lot, and coaches the team before he or she sits down to write a grant request and complete the numerous reports that we require of him or her? Colleagues, with every dollar strained to meet the growing needs of Colorado students and their teachers, it's time for us to get government out of the way by allowing them to teach more and administer less.

During my first session working here at the Colorado Capitol, I became familiar with the Sunrise Application process then used by the Department of Regulatory Agencies ("DORA"). That process was developed by the late Representative Jerry Kopel, a Denver Democrat, as a means to limit the growth of government. That application was required of any group of previously unregulated businesspersons seeking to be regulated through registration or licensing.

Back in 2002, the Sunrise Application started by asking the "what is the problem that you're trying to solve. And, second, should government be involved in solving that problem? Too often, in my opinion, the second question defaults to how government will be involved in solving that problem. For Senate Republicans, we remain open to the possibility that government should not, in certain cases, presume to be the solution; that sometimes, the private sector deserves space to be the solution.

Such is the case when we consider an expensive and inflexible requirement that employers provide paid family leave. Such a benefit when provided on a voluntary basis could make certain employers more competitive and attractive to potential employees. However, requiring Colorado employers to provide such a benefit will, by default, make the cost of employing a person more expensive.

We understand the desire to help, but this is an example of where requiring such expense is not the answer. Yes, encourage employers to offer such a benefit, allow them to be unique and competitive in the marketplace, provide some incentive to employers for offering such a benefit. But, we urge you colleagues, don't require conditions that will ultimately lead to government forcing one company after another out of business, one job after another to no longer exist.

We also respect the desire to help those caught up in the opioid crisis. We are grateful to those members who have given their time to interim committee consideration of how government can best be involved in addressing this painful scar on our culture. I respect the personal experiences of the good Senator from District 22. I too have dealt with a parent who has struggled with addiction. But, we hear the concerns of constituents who recognize the danger of government-sanctioned injection sites. Constituents who rightly recognize the dangers of facilitating heroin use in their communities and who reject the notion that such is somehow safe.

Senate Republicans will also honor the Fourth Amendment of the United States Constitution which states, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

We urge you, colleagues, to consider those words. Rather than empower government to search for things that our courts or law enforcement may not know actually exist in one or more locations known or unknown, let's work together to provide greater mental health resources to those in need. Rather than empower government to seize property, let's focus on securing help for those persons who need our help the most.

For opioid addition, red flag scenarios, and other instances when people cry out for help, let us avoid rewarding bad behavior or trampling on the Constitution. Rather, let us work together to provide more and better mental health resources including beds, mental and physical health care, and healing for those who need our help the most.

Mr. President, the Senate Minority Caucus understands that bills are made of words and numbers on paper. We understand that if you are seeking one hundred something's, and we are advocating fifty something's, then maybe seventy-five something's would be a reasonable place to compromise.

We also understand that when dealing in the medium of words, that bills have dozens, hundreds, or even thousands of them… words. If we agree on the problem to be solved and if we agree that a given bill is generally a good way to solve that problem, then the discussion turns to which word or words cause our disagreement? Is it a word, a sentence, paragraph, section, page, or pages? How might we edit, amend, those words to a point where we can agree on the proposed solution?

This is a fascinating process of listening, learning, and negotiating that we launch into today. Mr. President, Mr. Majority Leader, colleagues, we Senate Republicans welcome the opportunity to serve with you here in the Colorado Senate. Why? Because the People of Colorado wanted it this way.

May God bless each of you, your family, friends, and those who helped bring you to this chamber. May God bless the state of Colorado. And, may God bless America.

And now, Mr. President, let's get to work.

Thank you, Mr. President.

Senate reconvened.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-001 by Senator(s) Garcia; --Concerning the expansion of the medication-assisted treatment expansion pilot program, and, in connection therewith, shifting administration of the program from the college of nursing to the center for research into substance use disorder prevention, treatment, and recovery support strategies; expanding the counties that may participate in the program; extending the duration of the program; and increasing the funding for the program.
Health & Human Services

SB19-002 by Senator(s) Winter and Fenberg; --Concerning the regulation of student education loan servicers.
Education

SB19-003 by Senator(s) Zenzinger and Coram; also Representative(s) McLachlan and Wilson, Rankin--Concerning the educator loan forgiveness program to address educator shortages.
Education

SB19-004 by Senator(s) Donovan; also Representative(s) Roberts--Concerning measures to address the high costs of health insurance in the state, and, in connection therewith, authorizing the state personnel director to implement a pilot program to allow residents of a specified region to participate in state employee medical benefit plans and modifying the health care coverage cooperatives laws to include consumer protections and allow consumers to collectively negotiate rates directly with providers.
Health & Human Services

SB19-005 by Senator(s) Rodriguez and Ginal; also Representative(s) Jaquez Lewis--Concerning wholesale importation of prescription pharmaceutical products from Canada for resale to Colorado residents.
Health & Human Services

SB19-006 by Senator(s) Williams A.; also Representative(s) Kraft-Tharp and Van Winkle--Concerning an electronic sales and use tax simplification system, and, in connection therewith, requiring the department of revenue to conduct a sourcing method for the development of the system and establishing the implementation of the system for the acceptance of returns and processing of payments for the sales and use tax levied by the state and any local taxing jurisdictions.
Finance

SB19-007 by Senator(s) Pettersen and Winter; also Representative(s) McLachlan and Buckner--Concerning the prevention of sexual misconduct on higher education campuses.
Education

SB19-008 by Senator(s) Moreno and Priola, Pettersen; also Representative(s) Kennedy and Singer--Concerning treatment of individuals with substance use disorders who come into contact with the criminal justice system, and, in connection therewith, making an appropriation.
Judiciary

SB19-009 by Senator(s) Todd, Coram; also Representative(s) McLachlan and Wilson--Concerning providing financial incentives for educators to work in rural areas.
Education

SB19-010 by Senator(s) Fields; also Representative(s) McLachlan and Valdez D.--Concerning professional behavioral health services for schools.
Health & Human Services

SB19-011 by Senator(s) Williams A. and Tate, Cooke, Priola, Fenberg; also Representative(s) Garnett and McKean, Arndt, Hansen, Kraft-Tharp, Roberts, Singer, Soper, Titone, Gray--Concerning the conversion of certain fermented malt beverage licenses issued under the "Colorado Beer Code" to malt liquor licenses issued under the "Colorado Liquor Code".
Business, Labor, & Technology

SB19-012 by Senator(s) Court; also Representative(s) Melton--Concerning the use of mobile electronic devices while driving.
Transportation & Energy

SB19-013 by Senator(s) Marble; also Representative(s) Hooton and Ransom--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding a condition for which a physician could prescribe an opiate to the list of disabling medical conditions for medical marijuana use.
Health & Human Services

SB19-014 by Senator(s) Coram; also Representative(s) Carver--Concerning measures to reduce incidents of theft from retail establishments.
Business, Labor, & Technology

SB19-015 by Senator(s) Ginal; also Representative(s) Beckman--Concerning the creation of the statewide health care review committee to study health care issues that affect Colorado residents throughout the state.
Health & Human Services

SB19-016 by Senator(s) Donovan and Coram; also Representative(s) Esgar and Saine, Roberts, Arndt, Catlin--Concerning the methodology to distribute money in the severance tax operational fund after core departmental programs are funded without changing the transfers to the natural resources and energy grant programs.
Agriculture & Natural Resources

SB19-017 by Senator(s) Zenzinger, Ginal, Todd; also Representative(s) Roberts, McLachlan--Concerning the exemption of the department of transportation from existing reporting and transportation commission approval requirements when it acquires land needed for specified highway-related purposes by means other than condemnation.
Transportation & Energy

SB19-018 by Senator(s) Scott and Marble, Todd; also Representative(s) McLachlan and Saine, Buck, Lewis--Concerning the age requirement to drive a commercial vehicle in interstate commerce.
Transportation & Energy

SB19-019 by Senator(s) Fields; also Representative(s) Gray, Hooton--Concerning the power of a county to restrict the use of fireworks during the period between May 31 and July 5 of any year.
Local Government

SB19-020 by Senator(s) Coram and Fields, Cooke, Marble; also Representative(s) McLachlan, Hooton--Concerning development of a system to patrol the airspace above wildland fires.
State, Veterans, & Military Affairs

SB19-021 by Senator(s) Moreno, Zenzinger; also Representative(s) McKean--Concerning eliminating the requirement that the state board of health approve the retention of counsel in certain circumstances.
Health & Human Services

SB19-022 by Senator(s) Lundeen, Gardner, Hill; --Concerning support for local education providers to provide monetary rewards for teachers rated highly effective, and, in connection therewith, creating the highly effective teacher bonus program.
Education
Finance

SB19-023 by Senator(s) Tate and Fenberg; also Representative(s) Kraft-Tharp--Concerning exemptions from the securities laws for cryptocurrencies, and, in connection therewith, enacting the "Colorado Digital Token Act".
Finance

SB19-024 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt and Hooton, McKean--Concerning the payment of taxes by electronic funds transfers.
Finance

SB19-025 by Senator(s) Smallwood; --Concerning providing information to public school students regarding laws that provide for the safe abandonment of newborn children.
State, Veterans, & Military Affairs

SB19-026 by Senator(s) Cooke; --Concerning postconviction remedy proceedings.
Judiciary

SB19-027 by Senator(s) Crowder; also Representative(s) Valdez D.--Concerning authorization for a county to use any lawful method to give final disposition to an unclaimed dead body.
Local Government

SB19-028 by Senator(s) Holbert; also Representative(s) McKean--Concerning the authority of licensing authorities to continue to issue certain fermented malt beverage retail licenses in rural areas.
Business, Labor, & Technology

SB19-029 by Senator(s) Crowder; --Concerning the Colorado income tax liability of an individual in active duty military service.
State, Veterans, & Military Affairs

SB19-030 by Senator(s) Gonzales; --Concerning a remedy for improperly entered guilty pleas.
Judiciary

SB19-031 by Senator(s) Gardner, Court; also Representative(s) Lontine and Liston--Concerning the composition of the child welfare allocations committee.
Health & Human Services

SB19-032 by Senator(s) Scott; also Representative(s) McCluskie--Concerning the routing of hazardous materials being transported on the roadways of the state.
Transportation & Energy

SB19-033 by Senator(s) Hill, Gardner, Lundeen, Sonnenberg; --Concerning automatic waivers of law for rural school districts.
State, Veterans, & Military Affairs

SB19-034 by Senator(s) Moreno; also Representative(s) Arndt--Concerning a local government's authority to establish standards for the use of environmentally discardable food containers, and, in connection therewith, authorizing a local government to establish standards for the use of ready-to-eat food containers that may be discarded through recycling or composting.
Local Government

SB19-035 by Senator(s) Court; also Representative(s) Benavidez--Concerning enforcement measures available to the department of revenue for the collection of delinquent taxes.
Finance

SB19-036 by Senator(s) Lee and Cooke; also Representative(s) Benavidez and Carver--Concerning requiring the state court administrator to administer a program to remind criminal defendants to appear in court as scheduled.
Judiciary

SB19-037 by Senator(s) Woodward; --Concerning measures to mitigate wildfires, and, in connection therewith, permitting county personnel to enter land owned by the federal or state government to remove wildfire fuel sources and appropriating money for the use of the forest restoration and wildfire risk mitigation grant program.
State, Veterans, & Military Affairs

SB19-038 by Senator(s) Sonnenberg, Crowder; also Representative(s) Pelton--Concerning an exception to the requirement that a motor vehicle clear a port of entry for vehicles transporting agricultural commodities.
Transportation & Energy

SB19-039 by Senator(s) Story and Zenzinger; also Representative(s) Michaelson Jenet--Concerning allowing interdistrict transportation of students only by adjacent school districts subject to the school districts' mutual consent.
Education

SB19-040 by Senator(s) Hisey; --Concerning the establishment of the Colorado fire commission.
Agriculture & Natural Resources

SB19-041 by Senator(s) Smallwood; --Concerning a required contract provision regarding the payment of premiums by a policyholder to a health insurance carrier for each individual covered under a health insurance policy.
Health & Human Services

SB19-042 by Senator(s) Foote; also Representative(s) Sirota and Arndt--Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote.
State, Veterans, & Military Affairs

SB19-043 by Senator(s) Lee, Gardner, Cooke; also Representative(s) Herod and Carver, Weissman, Arndt--Concerning an increase in the number of district court judges in certain judicial districts.
Judiciary

SB19-044 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt, McKean--Concerning the statewide emergency medical and trauma care system in the department of public health and environment, and, in connection therewith, eliminating the requirement that the state board of health cooperate with the department of personnel in adopting certain criteria.
Health & Human Services

SB19-045 by Senator(s) Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean--Concerning clarifying that members of the radiation advisory committee are reimbursed for expenses incurred for authorized business of the committee.
Health & Human Services

SB19-046 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an amendment to the definition of "appraisal management company" to align with the definition in federal law.
Business, Labor, & Technology

INTRODUCTION OF MEMORIALS

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

SJM19-001 by Senator(s) Crowder; also Representative(s) Esgar--Memorializing the United States Congress to fulfill the commitment of the federal government to provide funding for the Arkansas Valley Conduit project.
Agriculture & Natural Resources

SJM19-002 by Senator(s) Crowder and Coram; also Representative(s) Esgar and Catlin, Roberts--Concerning memorializing the United States Congress to enact legislation directing the United States Army Corps of Engineers, in conjunction and cooperation with the Lower Arkansas Valley Water Conservancy District, to dredge a portion of the Arkansas River.
Agriculture & Natural Resources

TRIBUTES

Honoring:

Chief Terry Clark -- By Senator Kerry Donovan.
The El Paso County Medal of Honor Monument -- By Senator Kent Lambert.
Nate Weber -- By Senator Beth Martinez Humenik.
Deborah Christian -- By Senator Kevin Lundberg.
Sidney Eugene Goudeau, Jr. -- By President Kevin Grantham.
Spc. Gabriel D. Conde -- By Senator Kevin Lundberg.
John Hower -- By Senator Rhonda Fields.
Bill and JoAnn Abel -- By Senator Leroy Garcia.
Wallace Pyle -- By Senator Leroy Garcia.
Ted and Clara Trani -- By Senator Leroy Garcia.
Deputy Cassandra Gonzales -- By Senator Leroy Garcia.
Deputy Dante Guadagnoli -- By Senator Leroy Garcia.
Windy Ridge Land LLC -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Longacre Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Koberstein Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
The Gray Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gergen Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Bond Metz Farm, Inc. -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Chesnut Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.

Ashcraft Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
The Whitney Place -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Wailes Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Vigil Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Sporleder Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Smith Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Schaal Cattle Company -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
The R.M. Hythorn Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Prussman-Hofmeister Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Oestman Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Willam J. Merwald Revocable Trust -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Kravig Homestead Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Koppenhafer Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Koch Farms and Ranch, Inc. -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
James P. Brophy Homeplace -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Harold G. Vickerman Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Bieser Family Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Dale J. and Denice Seufer Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Frank Greenlee Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gillham's Rim Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Cottonwood Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Hamilton Feed and Livestock -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Murphy Creek P-8 -- By Senator Rhonda Fields.
The Dracon Family Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gebauer Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Ray and Leotus Seybold -- By Senator Leroy Garcia.
The Consulate of Mexico in Denver -- By Senator Leroy Garcia.
Dave and Sara McKinsey -- By Senator Leroy Garcia.
Rachel Ogaz -- By Senator Leroy Garcia.
Arsenio and Theresa Sanchez -- By Senator Leroy Garcia.
Eutimio Pineda -- By Senator Leroy Garcia.
Eugene Muniz -- By Senator Leroy Garcia.
Adolph Gallardo -- By Senator Leroy Garcia.
Richard Borrego -- By Senator Leroy Garcia.
Larry Alvarado -- By Senator Leroy Garcia.
Donald Benavidez -- By Senator Leroy Garcia.
Jack Hermann -- By Senator Jerry Sonnenberg.
Kris Gorshe -- By Senator Leroy Garcia.
Pastor Dennis Leonard -- By Senator Rhonda Fields.
Belleview Christian Girl's Middle School Basketball Team -- By President Kevin Grantham.
Adrena Rocha -- By Senator Rachel Zenzinger.
Rusty Owston -- By Senator Rachel Zenzinger.
Lisa Ragon -- By Senator Rachel Zenzinger.
Maxlene Augustin -- By Senator Rachel Zenzinger.
Anjoleena L. -- By Senator Leroy Garcia.

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, January 7, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

4th Legislative Day Monday, January 7, 2019

Prayer — By the chaplain, Rev. Dr. Brian Henderson, First Baptist Church of 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 Moreno, reading of the Journal of Friday, January 4, 2019, was dispensed with and was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-001, 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, and 046; SJM19-001 and 002; SJR19-001; SR19-001.
Correctly Engrossed: SJR19-001; SR19-001.
Correctly Revised: HJR19-1001.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SR19-002 by Senator(s) Fenberg, Garcia, Holbert--Concerning the appointment of officers and employees for the Senate convened in the First Regular Session of the Seventy-second General Assembly.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Baumgardner	Y	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 7, 2019

Mr. President:

The House has adopted and transmits herewith HJR19-1002, as printed in House Journal, January 7, 2019.

The House has adopted and transmits herewith HJR19-1003, as printed in House Journal, January 7, 2019.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS (cont'd)

HJR19-1002 by Representative(s) Garnett, Becker, Neville; also Senator(s) Fenberg, Garcia, Holbert--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor Jared Polis, and appointing a committee to escort the Governor.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Baumgardner	Y	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Co-sponsor(s) added: Court, Crowder, Fields, Gardner, Ginal, Gonzales, Kagan, Lee, Pettersen, Rodriguez, Story, Todd, Williams A., Winter, and Zenzinger.

HJR19-1003 by Representative(s) Garnett, Becker, Neville; also Senator(s) Fenberg, Garcia, Holbert--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 Fenberg, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Baumgardner	Y	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Co-sponsor(s) added: Cooke, Crowder, Gardner, Ginal, Kagan, Lee, Marble, Story, Todd, Winter, and Woodward.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR19-001 and SR19-001.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR19-003 by Senator(s) Fenberg--Concerning changes to the rules of the Senate regarding committees of reference.

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:

SB19-047 by Senator(s) Hisey; also Representative(s) Buentello--Concerning removal of unauthorized persons from vacant land.
Local Government

SB19-048 by Senator(s) Holbert; also Representative(s) Ransom--Concerning protecting public school students from electronically accessing harmful material.
Judiciary

SB19-049 by Senator(s) Fields; also Representative(s) Michaelson Jenet--Concerning increasing the statute of limitations for certain failure to report child sexual abuse crimes.
Judiciary

SB19-050 by Senator(s) Gardner; --Concerning the compensation of attorneys working in the office of a district attorney.
Judiciary

Journal correction:

Page 31, line 50, insert:

"

TRIBUTES

Honoring:

Chief Terry Clark -- By Senator Kerry Donovan.
The El Paso County Medal of Honor Monument -- By Senator Kent Lambert.
Nate Weber -- By Senator Beth Martinez Humenik.
Deborah Christian -- By Senator Kevin Lundberg.
Sidney Eugene Goudeau, Jr. -- By President Kevin Grantham.
Spc. Gabriel D. Conde -- By Senator Kevin Lundberg.
John Hower -- By Senator Rhonda Fields.
Bill and JoAnn Abel -- By Senator Leroy Garcia.
Wallace Pyle -- By Senator Leroy Garcia.
Ted and Clara Trani -- By Senator Leroy Garcia.
Deputy Cassandra Gonzales -- By Senator Leroy Garcia.
Deputy Dante Guadagnoli -- By Senator Leroy Garcia.
Windy Ridge Land LLC -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Longacre Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Koberstein Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
The Gray Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gergen Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Bond Metz Farm, Inc. -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Chesnut Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Ashcraft Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
The Whitney Place -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Wailes Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Vigil Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Sporleder Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Smith Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Schaal Cattle Company -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
The R.M. Hythorn Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Prussman-Hofmeister Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.

Oestman Farm and Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Willam J. Merwald Revocable Trust -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Kravig Homestead Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Koppenhafer Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Koch Farms and Ranch, Inc. -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
James P. Brophy Homeplace -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Harold G. Vickerman Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Bieser Family Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Dale J. and Denice Seufer Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Frank Greenlee Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gillham's Rim Ranch -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Cottonwood Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Hamilton Feed and Livestock -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Murphy Creek P-8 -- By Senator Rhonda Fields.
The Dracon Family Farm -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gebauer Farms -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Ray and Leotus Seybold -- By Senator Leroy Garcia.
The Consulate of Mexico in Denver -- By Senator Leroy Garcia.
Dave and Sara McKinsey -- By Senator Leroy Garcia.
Rachel Ogaz -- By Senator Leroy Garcia.
Arsenio and Theresa Sanchez -- By Senator Leroy Garcia.
Eutimio Pineda -- By Senator Leroy Garcia.
Eugene Muniz -- By Senator Leroy Garcia.
Adolph Gallardo -- By Senator Leroy Garcia.
Richard Borrego -- By Senator Leroy Garcia.
Larry Alvarado -- By Senator Leroy Garcia.
Donald Benavidez -- By Senator Leroy Garcia.
Jack Hermann -- By Senator Jerry Sonnenberg.
Kris Gorshe -- By Senator Leroy Garcia.
Pastor Dennis Leonard -- By Senator Rhonda Fields.
Belleview Christian Girl's Middle School Basketball Team -- By President Kevin Grantham.
Adrena Rocha -- By Senator Rachel Zenzinger.
Rusty Owston -- By Senator Rachel Zenzinger.
Lisa Ragon -- By Senator Rachel Zenzinger.
Maxlene Augustin -- By Senator Rachel Zenzinger.
Anjoleena L. -- By Senator Leroy Garcia."

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, January 8, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

5th Legislative Day Tuesday, January 8, 2019

Prayer — By the chaplain, Mr. Terry Knight, Spiritual Leader, Ute Mountain Ute Tribe, Towaoc.

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

Roll Call — Present--33
Excused--2, Holbert, Pettersen.
Present later--1, Pettersen.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Monday, January 7, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-047, 048, 049, and 050; SR19-002 and SR19-003.
Correctly Engrossed: SR19-002.
Correctly Revised: HJR19-1002 and 1003.
Correctly Enrolled: SJR19-001; SR19-001.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR19-002 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Buckner, Esgar, McKean, Van Winkle--Concerning the officers and employees of the First Regular Session of the Seventy-second general assembly.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	Y	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

SR19-003 by Senator(s) Fenberg--Concerning changes to the rules of the Senate regarding committees of reference.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	Y	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	Y	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	Y		

Co-sponsor(s) added: Cooke, Marble, and Tate.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-051 by Senator(s) Scott and Cooke, Baumgardner, Coram, Crowder, Gardner, Hill, Hisey, Holbert, Lundeen, Marble, Smallwood, Woodward; --Concerning the dedication of additional general fund money to fund transportation needs.
Transportation & Energy
Appropriations

SB19-052 by Senator(s) Garcia; --Concerning expansion of an emergency medical service provider's scope of practice.
Health & Human Services

SB19-053 by Senator(s) Cooke; --Concerning a prohibition on the air quality control commission adopting air quality control standards for motor vehicles that are more stringent than the federal standards.
Health & Human Services

SB19-054 by Senator(s) Crowder; also Representative(s) Valdez D.--Concerning the regulation of demilitarized motor vehicles for the purposes of operation on the highway.
State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR19-002.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Pettersen replaced Senator Moreno as a Senate joint prime sponsor on SB19-008 with Senator Priola and Representatives Kennedy and Singer.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, January 9, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

6th Legislative Day Wednesday, January 9, 2019

Prayer — By the chaplain, Pastor Ryan Wassell, Redeeming Grace Church, Lakewood.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Tuesday, January 8, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-051, 052, 053, and 054; SJR19-002.
Correctly Engrossed: SJR19-002; SR19-003.
Correctly Enrolled: SR19-002 and 003.

MESSAGE FROM THE HOUSE

January 9, 2019

Mr. President:

The House has adopted and returns herewith SJR19-002, as printed in House Journal, January 9, 2019.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR19-003.

Senate in recess. Senate reconvened.

MESSAGE FROM THE GOVERNOR

January 4, 2019

The Honorable General Assembly
State Capitol
200 E. Colfax Avenue
Denver, Colorado 80203

Dear Members of the General Assembly:

This clemency report is submitted to you on behalf of Governor Hickenlooper as required under Article IV, Section 7, of the Colorado Constitution. I am attaching copies of the 134 executive orders granting clemency in 2018 after the adjournment of the 2018 Colorado General Assembly. These orders were made available to the public at the time they were issued. I am also attaching 134 letters that accompanied the clemency decisions.

In 2018 after the adjournment of the 2018 Colorado General Assembly, Governor Hickenlooper granted 116 pardons and 18 sentence commutations. The following persons were granted clemency:

1. Channing Barrett, for the 1986 crime of Attempted Theft, committed in Teller County;
2. Lawrence Espinoza, for the 1996 crime of Menacing with a Deadly Weapon, committed in Pueblo County;
3. Ernesto Hernandez, for the 2007 crime of Harassment, committed in El Paso County;
4. LaShaun Key, for the 2000 crime of Harassment - Strike, Shove, Kick, committed in El Paso County;
5. Ronald Moon, for the 1975 crime of Theft over $100, committed in Baca County;
6. Dustin Moran, for the 2005 crime of Contributing to the Delinquency of a Minor, committed in Routt County;
7. Chad Peele, for the 1992 crime of Theft, committed in Pueblo County;
8. Jeffrey Swedlund, for the 1993 crime of Third Degree Assault, committed in Boulder County;
9. Doug Wood, for the 1990 crime of First Degree Burglary and the 1992 crime of Possession of a Controlled Substance, committed in Larimer County;
10. Steven Yelton, for the 2000 crime of Theft, committed in Montrose County;
11. David Zallar, for the 1973 crime of Theft by Receiving, committed in El Paso County;
12. Jason Grossling, for the 1995 crimes of Possession Under One Ounce of Marijuana, Possession of Drug Paraphernalia, Possession of One up to Eight Ounces of Marijuana, committed in Gunnison County;
13. Robert Munyon, for the 1995 crimes of Menacing and Robbery, committed in Jefferson County;
14. Stephen Richards, for the 1990 crime of Possession of Schedule II Controlled Substance, committed in Boulder County;
15. Richard G. Schmidt, for the 1975 crime of Felony Conspiracy to Sell Narcotics, committed in La Plata County;
16. Mary Ann Santistevan, for the 1993 crime of Fraud by Check, committed in Las Animas County;
17. Michael Vitez, for the 1984 crime of First Degree Criminal Trespass, committed in Larimer County;
18. Brad Starr, for the 1999 crime of Possession of Marijuana with Intent to Distribute, committed in Mesa County;
19. Dan Russell, for the 1997 crimes of Vehicular Eluding and Reckless Driving, committed in Larimer County;
20. Adam Koziolkowsky, for the 1998 crime of Unlawful Use of a Schedule I Controlled Substance, committed in Routt County;
21. Michael Cejka, for the 1999 crimes of False Reporting and Possession or Consumption of Alcohol Underage, committed in Arapahoe County;
22. Justin Gourley, for the 1997 crime of Harassment by Stalking: Credible Threat, committed in Boulder County;
23. Christopher Dickson, for the 2001 crime of Possession of Marijuana, Under One Ounce, committed in Arapahoe County, and for the 2002 crime of Possession of Marijuana, Eight Ounces or More, committed in Mesa County;
24. Cecilia Sanchez, for the 1996 crime of Criminal Attempt, committed in Pitkin County;
25. Timothy Simpson, for the 1994 crimes of Criminal Mischief and Fourth Degree Arson, committed in Jefferson County;
26. Vannen Crabtree, for the 1993 crimes of theft, and Issuance of a Bad Check, and for the 1996 crime of Theft, More than $100 but less than $400, committed in El Paso County;
27. Michelle Terrazas, for the 1994 crime of Attempted Criminal Possession of Four or more Financial Transaction Devices, committed in El Paso County;
28. Scott Wright, for the 1995 crimes of Possession of Controlled Substance and Harassment, committed in Arapahoe County, and for the 1996 crime of Criminal Impersonation, committed in Douglas County;
29. Steven Young, for the 1988 crime of First Degree Criminal Trespass, committed in Jefferson County;
30. Michael Gehrke, for the 2000 crime of Criminal Conspiracy to Commit Theft from a person, committed in Adams County;
31. Scott Brann, for the 2004 crime of Vehicular Assault - Criminal Attempt, committed in Jefferson County;

32. Brent Krolicki, for the 1997 crime of First Degree Criminal Trespass, committed in Jefferson County;
33. Kimberly Martinez, for the 1992 crime of Fraudulent Use of a Credit Device, committed in Mesa County;
34. Mark Medvedeff, for the 1976 crime of Accessory After the Fact to Simple Robbery, committed in El Paso County;
35. Wilson Rains, for the 2000 crime of Defrauding a Secured Debtor, committed in Larimer County;
36. Scott Wassam, for the 2001 crimes of Forgery-Check/Commercial Instrument, committed in Adams County, and for the crime of Criminal Possession of a Forged Instrument, committed in Jefferson County;
37. Bobbie Wilson, for the 1997 crime of Misdemeanor Theft, committed in Arapahoe County;
38. Andres LuOvano, for the 2002 crime of Aggravated Robbery - Possession of Real/Simulated Weapon, and for the 2003 crimes of Theft - Under $100, Criminal Impersonation, and Disorderly Conduct - Fighting in Public, committed in Mesa County;
39. Jacob McManis, for the 2002 crimes of Controlled Substance - Possession Schedule II and Possession of Marijuana 1-8 ounces, committed in Arapahoe County;
40. Clesson Connelly, for the 1998 crime of Criminal Mischief, committed in Jefferson County;
41. Donald Ertle, for the 1991 crime of Distribution of a Controlled Substance - Schedule II, committed in Adams County;
42. Tiffany Ghere, for the 2003 crime of Possession of a Controlled Substance - Schedule II, committed in Montezuma County;
43. Richard Keels, for the 2004 crime of Theft, committed in El Paso County;
44. April Koski, for the 2002 crimes of Forgery and Attempted Theft, the 2003 crime of Harassment - Strike, Shove, Kick, and the 2005 crime of Disorderly Conduct, committed in Garfield County;
45. Melanie Roth, for the 1998 crime of First Degree Forgery, committed in Morgan County;
46. Sunder Morgan, for the 1995 crimes of False Reporting and Theft, committed in Boulder County;
47. Brett Rossi, for the 1986 crime of Possession of Schedule II Controlled Substance, committed in Jefferson County;
48. Cristobal Aragonez, for the 1991 crime of Assault in the Third Degree, committed in Denver County;
49. Matt Bowen, for the 2001 crime of Conspiracy to Possess a Schedule II Controlled Substance, committed in Jefferson County;
50. Chad Armenta, for the 2003 crimes of Possession of a Schedule II Controlled Substance, Manufacture of a Schedule II Controlled Substance, and Theft - Under $100, committed in Chaffee County.
51. Jordan Ashton, for the 2003 crime of Conspiracy to Commit Menacing and the 2004 crime of Restraining Order Violation - Criminal, committed in Arapahoe County;
52. Jordan Baucke, for the 2005 crime of Distribution of a Schedule III Controlled Substance, committed in Boulder County;
53. Tammy Bellofatto-Bowman, for the 2005 crime of Manufacturing a Schedule II Controlled Substance, committed in Jefferson County, and the 2006 crime of Theft and Possession of a Forged Instrument, committed in Denver County;
54. Jacob Bergener, for the 2005 crime of Third Degree Assault of an At-Risk Person, committed in Denver County;
55. Brandon Bloodsaw, for the 2004 crime of Possession with Intent to Distribute Marijuana, committed in Mesa County;
56. Adam Bode, for the 1990 crimes of First Degree Criminal Trespass, Theft, and Second Degree Aggravated Motor Vehicle Theft, and the 1992 crime of Third Degree Assault, committed in Larimer County;
57. Alisyn Bukowski, for the 2005 crime of Third Degree Assault, and the 2006 crime of Protection Order Violation - Criminal Attempt, committed in Jefferson County;
58. Jordan Burkholder, for the 2000 crime of Theft, committed in Weld County;
59. Matthew Carroll, for the 2003 crimes of Second Degree Aggravated Motor Vehicle theft $500-$15,000 and Eluding a Police Officer, committed in El Paso County;
60. Jacklin Churgin, for the 1995 crimes of Forgery of Money, Stamps, or Securities and Theft of Less Than $100, committed in Garfield County;
61. Joshua Crabtree, for the 1994 crime of Attempted Third Degree Assault, committed in Denver County;
62. Jacqueline Doyle, for the 1987 crime of Theft of Rental Property, committed in Larimer County, and the 1989 crime of Theft between $50 and $300, committed in Boulder County;
63. Elizabeth Guess, for the 2002 crime of Marijuana - distribution, committed in El Paso County;

64. Jamie Hackney, for the 2007 crime of Possession of Less Than One Gram of a Schedule II Controlled Substance, committed in El Paso County, and the 2009 crime of Possession of Drug Paraphernalia, committed in El Paso County;
65. Molly Hegge, for the 2005 crime of Possession of a Schedule II Controlled Substance Over One Gram, committed in Arapahoe County;
66. Ross Hennerman, for the 1991 crime of theft, committed in Jackson County;
67. James Jennings, for the 1994 crimes of Theft and Providing False Information to a Pawnbroker, committed in Jefferson County;
68. Taylor Karp, for the 2008 crime of Possession of a Schedule IV Controlled Substance Over One Gram, committed in Boulder County;
69. William Keelin, for the 1974 crime of Theft, committed in Routt County;
70. Trent Keller, for the 2002 crime of Third Degree Burglary, committed in Jefferson County;
71. Troy Kirby, for the 1990 crime of Attempted Theft, committed in El Paso County;
72. Alyssa Klugh, for the 2004 crime of Harassment, committed in Chaffee County, and the 2005 crime of Aggravated Motor Vehicle Theft, committed in Chaffee County;
73. Andrea Knoebel, for the 1997 crimes of Use of a Controlled Substance Schedule I/II and Child Abuse, committed in El Paso County;
74. Paul Marcotte, for the 1984 crime of Possession of a Schedule II Controlled Substance, committed in Boulder County;
75. Bobby Martinez, for the 1999 crimes of Theft $500-$15,000 and Theft Under $100, committed in Mesa County, and the 2000 crime of Forgery - Commercial Checks, committed in Mesa County;
76. Shane McDermott, for the 1987 crime of Aggravated Robbery, committed in Arapahoe County, and the 1990 crime of First Degree Burglary, committed in Chaffee County, which was later changed to Escape per an agreement with the District Attorney;
77. Tonya Mooningham, for the 2003 crimes of Possession of 1-8 Ounces of Marihuana and Distribution of 25-40 Grams of a Schedule II Controlled Substance, committed in El Paso County, and the 2004 crime of Unlawful Use of a Schedule II Controlled Substance, committed in El Paso County;
78. Huan Nguyen, for the 1996 crimes of Forgery and Multiple Thefts in 6 Months: $400+ Felony Theft Series, in Jefferson County;
79. Loi Nguyen, for the 1992 crimes of Aggravated Robbery and Vehicular Eluding, committed in Jefferson County;
80. Francisco Piedra, for the 2004 crime of Possession of a Schedule V Controlled Substance, committed in Adams County;
81. Damian Roque, for the 1994 crime of Forgery - Government Instruments of Value, committed in Pueblo County;
82. Lindsay Ryan-Buck, for the 2003 crime of Possession of a Schedule II Controlled Substance Over One Gram, committed in Jefferson County, and the 2005 crime of Possession of a Schedule IV Controlled Substance Over One Gram, committed in Denver County;
83. Richard Schmidt, Jr., for the 1987 crimes of Second Degree Burglary and Misdemeanor Theft, committed in Jefferson County;
84. Harry Schneider, for the 2001 crime of Second Degree Trespass of an Enclosed or Fenced Property, committed in Arapahoe County, and the 2002 crime of Reckless Driving, committed in Douglas County, and the 2003 crime of Theft/Receiving $500$15,000, committed in Lincoln County;
85. William Smith, for the 1984 crime of Third Degree Assault, committed in El Paso County;
86. Frank Smith, for the 1993 crime of Third Degree Assault, committed in Moffat County;
87. Joshua Smith, for the 2000 crime of Contributing to a Delinquency of a Minor, committed in Prowers County;
88. Wesley Spice, for the 1979 crime of Second Degree Burglary, committed in Adams County;
89. David Stone, for the 1989 crime of Possession of a Controlled Substance, committed in Arapahoe County;
90. Scott Stone, for the 1985 crime of Theft $200-$10,000, committed in Denver County;
91. James Sumers, for the 1993 crime of Criminal Attempt-theft of Rental Property, committed in Arapahoe County;
92. Richard Toth, for the 1993 crime of Harassment, committed in Adams County;
93. Michael Waneka, for the 1991 crime of theft, committed in Weld County;
94. Sherry Wang, for the 2010 crime of theft - $500-$1,000, committed in Larimer County;
95. Robert Willis, for the 1989 crime of Theft, committed in La Plata County, and the 1990 crime of Criminal Attempt to Commit Second Degree Burglary, committed in Arapahoe County;
96. Sandra Booker, for the 1988 crime of Menacing with a Deadly Weapon, committed in Pueblo County;

97. Larry Bryson, for the 1991 crime of First Degree Criminal Trespass, committed in Adams County;
98. James Faseag, for the 1980 crime of First Degree Criminal Trespass, and for the 1981 crime of Second Degree Burglary, committed in Boulder County;
99. Randy Hedrick, for the 1982 crime of Robbery, committed in Mesa County;
100. Stephen Hernandez, for the 1998 crimes of First Degree Trespass and Second Degree Aggravated Motor Vehicle Theft, committed in Jefferson County;
101. Brian Macdonald, for the 1989 crime of Attempted Possession and Sale of a Schedule II Controlled Substance, committed in Boulder County;
102. Edward Maynard, for the 2008 crime of Possession of 1 Gram or Less of a Schedule 1 Controlled Substance, committed in El Paso County;
103. Jennifer McBride, for the 1995 crime of Third Degree Assault, committed in Larimer County;
104. William Neusteter, for the 1994 crime of Aggravated Robbery, committed in Denver County;
105. Marcus Nunez, conditional pardon for the 1988 crime of Menacing, committed in Denver County;
106. Bert Poulton, for the 1989 crime of Second Degree Arson, and for the 1993 crime of Prohibited Use of Weapons, committed in La Plata County;
107. Shawn Powell, for the 1991 crimes of Second Degree Burglary Aggravated Motor Vehicle Theft, committed in Larimer County;
108. Paul Pruett, for the 1998 crime of Possession/Sale of Schedule II Controlled Substance, committed in Baca County;
109. Chad Renick, for the 2005 crime of Possession of a Schedule II Controlled Substance Over One Gram, committed in Arapahoe County; for the 2006 crimes of Possession of a Schedule II Controlled Substance Over One Gram and Possession of a Schedule IV Controlled Substance, committed in Adams County; and for the 2006 crime of Theft/Receiving $500 - $15,000, committed in Denver County;
110. John Reynolds, for the 1991 crime of Attempted Third Degree Assault, committed in Jefferson County;
111. Michael Salah, for the 1992 crimes of Possession of a Schedule II Controlled Substance and Passing Where Prohibited, committed in Jefferson County;
112. Eric Smith, for the 2006 crime of Attempted First Degree Trespass, committed in Broomfield County;
113. Jeannine Steckler, for the 1986 crime of Distribution of a Schedule II Controlled Substance, committed in Jefferson County; and for the 1988 crime of Unlawful Use of Schedule II Controlled Substance, committed in Arapahoe County;
114. Antonio Vitale, for the 2008 crimes of Bribery-Attempt to Influence Public Servant and Fraud-Offering False Instrument/Recording, committed in Adams County;
115. Andrew Work, for the 1993 crimes of Second Degree Assault with Recklessness and Illegal Possession of Handgun by Juvenile, committed in Summit County; and for the 1994 crimes of Second Degree Assault: Use of Deadly Weapon, Menacing, and Criminal Mischief, committed in El Paso County;
116. Promise Lee, conditional pardon for the 1975 crime of Second Degree Murder, committed in El Paso County, Colorado;
117. Curtis Brooks, for the 1995 crime of First Degree Murder, committed in Arapahoe County;
118. Monir Wood, for the 1997 crime of First Degree Murder, committed in Adams County;
119. Brian Lee, for the 1992 crime of First Degree Murder, committed in Denver County;
120. William Lee. for the 1992 crime of First Degree Murder, committed in Denver County;
121. Eric Lightner, for the 1992 crime of First Degree Murder, committed in Denver County;
122. John Lopez, for the 1993 crime of First Degree Murder, committed in Adams County;
123. Dwight O. Anderson, for the 1995 crime of First Degree Murder, committed in Denver County;
124. Paul A. Burkhart, for the 2003 crime of Controlled Substance Possession and Manufacturing, committed in El Paso County;
125. David L. Coleman, for the 1986 crime of First Degree Murder, committed in Arapahoe County;
126. Paul A. Fernandez, for the 1999 crimes of First Degree Burglary, Aggravated Robbery, and Menacing, committed in Denver County;
127. Ronald Johnson, for the 1998 crimes of violating the Colorado Organized Crime Control Act, committed in Denver County;
128. Bruce C. Mingo, for the 1998 crime of First Degree Murder, committed in Denver County;
129. Robert B. Mittler Jr., for the 1993 crimes of Aggravated Robbery, First Degree Burglary, and Theft in Arapahoe County, and for the 2006 crime of Unlawful Use of Marijuana In a Detention Facility in Lincoln County;

130. Rory B. Robinson, for the 1985 crimes of Second Degree Burglary of a Dwelling and Motor Vehicle Theft, and the 1991 crimes of Aggravated Robbery, committed in Arapahoe County;
131. John P. Sherman, for the 1986 crime of First Degree Murder, committed in Denver County;
132. Terrance S. Wilder, for the 1998 crimes of First Degree Murder and Second Degree Murder, committed in Arapahoe County;
133. Nathan G. Ybanez, for the 1998 crime of First Degree Murder, committed in Douglas County;
134. Christine A. Zimdahl, for the 2008 crime of Controlled Substance Possession with Intent, committed in El Paso County.

Please feel free to contact the Governor's Office should you have any questions regarding the clemency process. Thank you.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR19-002; HJR19-1001, 1002, 1003.

TRIBUTES

Honoring:

Father Joseph Dang -- By Senator Robert Rodriguez.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, January 10, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

7th Legislative Day Thursday, January 10, 2019

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--33
Excused--2, Lundeen, Sonnenberg.
Present later--1, Lundeen.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Wednesday, January 9, 2019, 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 **SB19-011** 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 Enrolled: SJR19-002.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-055 by Senator(s) Sonnenberg; also Representative(s) Pelton--Concerning a reduction of the state income tax rate.
Finance

SB19-056 by Senator(s) Hisey; also Representative(s) Carver--Concerning the ability of private employers to give preference to veterans when making certain employment decisions.
State, Veterans, & Military Affairs

SB19-057 by Senator(s) Story and Fenberg, Moreno, Zenzinger; also Representative(s) McCluskie--Concerning information relating to employee eligibility for student loan repayment programs.
Education

SB19-058 by Senator(s) Lee, Gardner; also Representative(s) Herod--Concerning the enactment of the Colorado Revised Statutes 2018 as the positive and statutory law of the state of Colorado .
Judiciary

SB19-059 by Senator(s) Moreno; --Concerning creation of an automatic enrollment in advanced courses grant program in the department of education.
Education

SB19-060 by Senator(s) Hill; --Concerning a state income tax credit related to educators' personal expenses.
Finance

SB19-061 by Senator(s) Tate; also Representative(s) Arndt and Hooton--Concerning standards for the certification of certain types of respirators equipped with pressure vessels.
Health & Human Services

SB19-062 by Senator(s) Sonnenberg; --Concerning a requirement that an executive agency obtain an additional statutory grant of rule-making authority to change the substantive impact of an existing agency rule unless circumstances that undermine the legality of the existing agency rule are present.
State, Veterans, & Military Affairs

SB19-063 by Senator(s) Priola and Story; also Representative(s) Buentello and Valdez A.--Concerning a strategic action plan to address infant and family child care home shortages in Colorado.
Health & Human Services

SB19-064 by Senator(s) Lee; also Representative(s) Weissman--Concerning retention of criminal justice programs funding.
Judiciary

SB19-065 by Senator(s) Garcia; --Concerning the creation of a peer health assistance program for emergency medical service providers.
Health & Human Services

SB19-066 by Senator(s) Todd; also Representative(s) Buentello--Concerning high-cost special education grants awarded from a trust fund established for that purpose.
Finance
Appropriations

SB19-067 by Senator(s) Coram; --Concerning the creation of the rural development grant program, and, in connection therewith, making an appropriation.
Finance
Appropriations

SB19-068 by Senator(s) Zenzinger and Tate, Coram, Court, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hisey, Lee, Moreno, Pettersen, Priola, Rodriguez, Story, Todd, Williams A., Winter; also Representative(s) Weissman--Concerning expanded disclosure about electioneering communications.
State, Veterans, & Military Affairs

SB19-069 by Senator(s) Lundeen; also Representative(s) Wilson--Concerning nonpublic schools' authority to operate certain teacher development programs.
Education

SB19-070 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an update to statutory language authorizing the department of natural resources to receive donations to be credited to the Colorado natural resources foundation fund.
Agriculture & Natural Resources

SB19-071 by Senator(s) Fields; also Representative(s) Roberts--Concerning expanding the admission of out-of-court statements of a child.
Judiciary

SB19-072 by Senator(s) Holbert; --Concerning establishing a bill of rights for persons protected through a guardianship.
Judiciary

SB19-073 by Senator(s) Ginal, Court; also Representative(s) Landgraf--Concerning a statewide system of advance medical directives.
Health & Human Services

SB19-074 by Senator(s) Lundeen; --Concerning monetary support to provide literacy enrichment for early-grade students who are identified as having a significant reading deficiency, and, in connection therewith, creating the literacy enrichment scholarship program.
Education
Finance

SB19-075 by Senator(s) Donovan; also Representative(s) Buentello--Concerning the display of the Colorado constitution in the state capitol building.
State, Veterans, & Military Affairs

SB19-076 by Senator(s) Scott; --Concerning the procurement of consulting engineer services for department of transportation construction projects.
Transportation & Energy

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, January 11, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

8th Legislative Day Friday, January 11, 2019

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--32
Excused--3, Hill, Scott, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Thursday, January 10, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, and 076.

MESSAGE FROM THE HOUSE

January 10, 2019

Mr. President:

The House has adopted and transmits herewith HJR19-1004, as printed in House Journal, January 11, 2019.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR19-1004 by Representative(s) Garnett; also Senator(s) Fenberg--Concerning changes to the joint rules of the Senate and House of Representatives regarding oversight responsibilities of committees of reference.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Baumgardner	Y	Foote	Y	Lundeen	Y	Story	Y
Cooke	Y	Gardner	Y	Marble	Y	Tate	Y
Coram	Y	Ginal	Y	Moreno	Y	Todd	Y
Court	Y	Gonzales	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Hill	E	Priola	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Kagan	Y	Smallwood	Y	President	Y
Fields	Y	Lee	Y	Sonnenberg	E		

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.
Business, Labor, & Technology

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, January 14, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

11th Legislative Day Monday, January 14, 2019

Prayer — By the chaplain, Rev. Michael Blackwood, United Church of Broomfield.

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

Roll Call — Present--34
Vacant--1, Senate District 26.
Present later--1, Bridges.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Friday, January 11, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

LETTER OF RESIGNATION

December 5, 2018

Office of the Secretary of the Senate
State Capitol
200 East Colfax Avenue
Denver
Colorado 80203

Via Hand-Delivery

Re: Resignation of Senator Daniel Kagan

Dear Secretary,

I hereby resign from the Senate, with intent that the resignation shall take effect on January 11, 2019.

Respectfully submitted,
(signed)
Daniel Kagan

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of State

UNITED STATES OF AMERICA, ss. CERTIFICATE
STATE OF COLORADO

I, Jenny Flanagan, Deputy 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 12, 2019 by the Democratic 26th Senate District Vacancy Committee, appointing Jeff Bridges to fill the vacancy in the office of Colorado State Senate, District 26, caused by the resignation of the honorable Daniel Kagan.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this fourteenth day of January 2019.

(signed)
Jenny Flanagan
Deputy Secretary of State

State of Colorado
Department of State

UNITED STATES OF AMERICA, ss. CERTIFICATE
STATE OF COLORADO

I, Jenny Flanagan, Deputy 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 12, 2019 by Jeff Bridges, accepting the appointment of the Democratic 26th Senate District Vacancy Committee to fill the vacancy in the office of Colorado State Senate, District 26, caused by the resignation of the honorable Daniel Kagan.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this fourteenth day of January 2019.

(signed)
Jenny Flanagan
Deputy Secretary of State

The Senate Chief Sergeant-at-Arms, Frank Lombardi, announced the arrival of the Chief Justice of the Colorado Supreme Court.

Oath of Office

Chief Justice Nathan B. Coats of the Colorado Supreme Court administered the Oath of Office to Jeff Bridges, Senate District 26.

Senate in recess. Senate reconvened.

At the order of the President, Senator Bridges was added to the current roll call.

SENATE SERVICES REPORT

Correctly Revised: HJR19-1004.

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:

SB19-011 by Senator(s) Williams A. and Tate, Cooke, Priola, Fenberg; also Representative(s) Garnett and McKean, Arndt, Hansen, Kraft-Tharp, Roberts, Singer, Soper, Titone, Gray--Concerning the conversion of certain fermented malt beverage licenses issued under the "Colorado Beer Code" to malt liquor licenses issued under the "Colorado Liquor Code".

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 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
Baumgardner	Y	Fields	Y	Lundeen	Y	Story	Y
Bridges	Y	Foote	Y	Marble	Y	Tate	Y
Cooke	Y	Gardner	Y	Moreno	Y	Todd	Y
Coram	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Court	Y	Gonzales	Y	Priola	Y	Winter	Y
Crowder	Y	Hill	Y	Rodriguez	Y	Woodward	Y
Danielson	Y	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-011.

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 8, 2019

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 January 10, 2019 for a term expiring at the pleasure of the Governor:

Angie Paccione of Littleton, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Education

January 8, 2019

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 HEALTH CARE POLICY AND FINANCING

for a term expiring at the pleasure of the Governor:

Kim Bimestefer of Parker, Colorado, to serve as executive director of the Colorado Department of Health Care, Policy and Financing, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

January 8, 2019

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 LOCAL AFFAIRS

effective immediately for a term expiring at the pleasure of the Governor:

Richard “Rick” M. Garcia of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Local Government

January 8, 2019

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:

COMMISSIONER OF THE
DIVISION OF INSURANCE

effective immediately for a term expiring at the pleasure of the Governor:

Michael Eugene Conway of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

January 8, 2019

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 LABOR AND EMPLOYMENT

effective immediately for a term expiring at the pleasure of the Governor:

Joseph M. Maximo Barela of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, & Technology

January 8, 2019

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 PUBLIC SAFETY

effective immediately for a term expiring at the pleasure of the Governor:

Stanley Alan Hilkey of Arvada, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

January 8, 2019

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 CORRECTIONS

for a term expiring at the pleasure of the Governor:

Dean Richard Williams of Eagle River, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-078 by Senator(s) Donovan; also Representative(s) Hansen and Herod--Concerning the protection of the open internet, and, in connection therewith, disqualifying an internet service provider from receiving high cost support mechanism money or other money received to finance broadband deployment if the internet service provider engages in certain practices that interfere with the open internet, requiring an internet service provider that engages in such practices to refund any such money received, and requiring a governmental body contracting for broadband internet access service to give preference to an internet service provider that certifies that it will not engage in practices that interfere with the open internet.
State, Veterans, & Military Affairs

SB19-079 by Senator(s) Todd and Priola, Cooke, Coram, Court, Fenberg, Ginal, Moreno, Williams A., Winter, Zenzinger; also Representative(s) Esgar and Landgraf--Concerning a requirement that certain practitioners prescribe controlled substances electronically.
Business, Labor, & Technology

SB19-080 by Senator(s) Zenzinger, Moreno; also Representative(s) Arndt, Hooton, McKean--Concerning eliminating the authority of the state board of health to adopt rules establishing standards to ensure that certain entities are prepared for an emergency epidemic.
Health & Human Services

SB19-081 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt--Concerning the repeal of the "Colorado Cancer Drug Repository Act".
Health & Human Services

SB19-082 by Senator(s) Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Hooton--Concerning clarification that the state board of health has no authority over money allocated to the department of public health and environment.
Health & Human Services

SB19-083 by Senator(s) Zenzinger, Moreno; also Representative(s) McKean, Hooton--Concerning the repeal of obsolete provisions regarding air quality control, and, in connection therewith, eliminating the requirement that the state board of health supervise certain air quality control programs and removing statutory provisions relating to the air pollution variance board and the air quality hearings board.

Health & Human Services

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, January 15, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

12th Legislative Day Tuesday, January 15, 2019

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, Crowder, Tate.
Present later--1, Crowder.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Monday, January 14, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-078, 079, 080, 081, 082, and 083.
Correctly Engrossed: SB19-011.

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

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

SB19-011 by Senator(s) Williams A. and Tate, Cooke, Priola, Fenberg; also Representative(s) Garnett and McKean, Arndt, Hansen, Kraft-Tharp, Roberts, Singer, Soper, Titone, Gray--Concerning the conversion of certain fermented malt beverage licenses issued under the "Colorado Beer Code" to malt liquor licenses issued under the "Colorado Liquor Code".

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Baumgardner	Y	Fields	Y	Lundeen	Y	Story	Y
Bridges	Y	Foote	Y	Marble	Y	Tate	E
Cooke	Y	Gardner	Y	Moreno	Y	Todd	Y
Coram	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Court	Y	Gonzales	Y	Priola	Y	Winter	Y
Crowder	Y	Hill	Y	Rodriguez	Y	Woodward	Y
Danielson	Y	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	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, Fields, Gardner, Ginal, Hill, Lee, Lundeen, Marble, Scott, Sonnenberg, Story, Todd, Woodward, and Zenzinger.

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 17, 2018

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
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective January 7, 2019, for a term expiring on January 9, 2023:

John Charles Gavan of Paonia, Colorado, an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/17/18
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation & Energy

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-020** be referred to the Committee on Appropriations with favorable recommendation.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, January 16, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

13th Legislative Day Wednesday, January 16, 2019

Prayer By the chaplain, Randle Loeb, Community Minister, Denver.

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

Roll Call Present--34
Excused--1, Hill.

Quorum The President announced a quorum present.

Pledge By Senator Priola.

Reading of the Journal On motion of Senator Smallwood, reading of the Journal of Tuesday, January 15, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB19-011.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-084 by Senator(s) Gardner; --Concerning an authorization of remote notarization, and, in connection therewith, enacting the 2018 amendments to the "Revised Uniform Law on Notarial Acts".
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 8, 2019

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 TRANSPORTATION

for a term expiring at the Pleasure of the Governor:

Shoshana Miriam Lew of Denver, Colorado to serve as executive director of the Colorado Department of Transportation, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation & Energy

January 8, 2019

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 AGRICULTURE

January 8, 2019 for a term expiring at the pleasure of the Governor:

Kathryn Beyer Greenberg of Durango, Colorado, to serve as executive director of the Colorado Department of Agriculture, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture & Natural Resources

January 8, 2019

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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REGULATORY AGENCIES

effective immediately for a term expiring at the pleasure of the Governor:

Patricia Salazar of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/11/19
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, & Technology

COMMITTEE APPOINTMENTS

January 14, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that I am appointing Senator Jeff Bridges, upon the resignation of Senator Daniel Kagan, to serve on the Education Committee effective immediately.

Sincerely,
(signed)
Steve Fenberg
Senate Majority Leader

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

January 14, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that I am appointing Senator Jeff Bridges, upon the resignation of Senator Daniel Kagan, to serve on the Local Government Committee effective immediately.

Sincerely,
(signed)
Steve Fenberg
Senate Majority Leader

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

January 14, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that I am appointing Senator Jeff Bridges replacing Senator Lois Court to serve on the Joint Technology Committee effective immediately.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

TRIBUTES

Honoring:

Serene Singh -- By Senator Steve Fenberg.
Hung Pham -- By Senator Robert Rodriguez.
Chad Jeffries -- By President Leroy M. Garcia.
Jeremy Matthews -- By President Leroy M. Garcia.
Seth Jensen -- By President Leroy M. Garcia.
Chad Garcia -- By President Leroy M. Garcia.
Roman Castro -- By President Leroy M. Garcia.
Kasey Hegler -- By President Leroy M. Garcia.
Jacob Alfonso -- By President Leroy M. Garcia.
Marc McCulloch -- By President Leroy M. Garcia.
Shelly Taylor -- By President Leroy M. Garcia.
Samuel Burnett -- By President Leroy M. Garcia.
Franklyn Ortega -- By President Leroy M. Garcia.
Stephen Biggs -- By President Leroy M. Garcia.
Manuel Pedrazza -- By President Leroy M. Garcia.
William Doyle -- By President Leroy M. Garcia.
Todd Whittemore -- By President Leroy M. Garcia.
Timothy Torres -- By President Leroy M. Garcia.
Mario Diaz -- By President Leroy M. Garcia.
Brandon Beauvais -- By President Leroy M. Garcia.
Andrew Cohen -- By President Leroy M. Garcia..
Richard Jones -- By President Leroy M. Garcia.
Nicholas Lile -- By President Leroy M. Garcia.
Thomas DeCesaro -- By President Leroy M. Garcia.
Vincent Nash -- By President Leroy M. Garcia.
Justin Preedy -- By President Leroy M. Garcia.
Brittany Furgeson -- By President Leroy M. Garcia.
Jordan Roberts -- By President Leroy M. Garcia.
John Trivett -- By President Leroy M. Garcia.
Edward Slattery -- By President Leroy M. Garcia.
Patrick Cancino -- By President Leroy M. Garcia.
Brian Gowin -- By President Leroy M. Garcia.
Nathaniel Gonzales -- By President Leroy M. Garcia.
Adam Quintana -- By President Leroy M. Garcia.
Ronald Nash -- By President Leroy M. Garcia.
Randell Ramos -- By President Leroy M. Garcia.
Alan Wilson -- By President Leroy M. Garcia.
Christopher D'Amour -- By President Leroy M. Garcia.
Roger Schnieder -- By President Leroy M. Garcia.
Dennis Furbush -- By President Leroy M. Garcia.
Michael Sincerbox -- By President Leroy M. Garcia.
Peg Powell -- By President Leroy M. Garcia.
Richard Reyes -- By President Leroy M. Garcia.
Bernadette Lambert -- By President Leroy M. Garcia.
Julie Trujillo -- By President Leroy M. Garcia.
Jonathan McCluskey -- By President Leroy M. Garcia.
Michael Bellamy -- By President Leroy M. Garcia.
Gregory Golden -- By President Leroy M. Garcia.
Eufracio Ortiz -- By President Leroy M. Garcia.
Stephanie Perales -- By President Leroy M. Garcia.
Jonathan Bell -- By President Leroy M. Garcia.
Lisa Wilker -- By President Leroy M. Garcia.
Caitlin Grist -- By President Leroy M. Garcia.

Edward Atencio -- By President Leroy M. Garcia.
David Forster -- By President Leroy M. Garcia.
Don Naccarato -- By President Leroy M. Garcia.
Jack Lubbers -- By President Leroy M. Garcia.
Jane Rawlings -- By President Leroy M. Garcia.
Lindsay Diamond -- By Senator Steve Fenberg.
Raymond and Sherrell VanBuskirk -- By President Leroy M. Garcia.
Joseph and Marie Marcovecchio -- By President Leroy M. Garcia.
Mary Chamberlain -- By Senator Dennis Hisey and Representative James Wilson.
Kate Lacroix -- By Senator Steve Fenberg.
Curry n Kebob -- By Senator Steve Fenberg.
Big Red F -- By Senator Steve Fenberg.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, January 17, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

14th Legislative Day Thursday, January 17, 2019

Prayer — By the chaplain, Rev. Bradley Laurvick, Highlands United Methodist Church, Denver.

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

Roll Call — Present--34
Excused--1, Court.
Present later--1, Court.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Wednesday, January 16, 2019, 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 **SB19-021** 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 **SB19-044** 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 **SB19-045** 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 appointment and recommends that the appointment be placed on the consent calendar and confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

effective immediately for a term expiring at the pleasure of the Governor:

Joseph M. Maximo Barela of Denver, Colorado, appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB19-028** 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 **SB19-033** be postponed indefinitely.

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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF CORRECTIONS

for a term expiring at the pleasure of the Governor:

Dean Richard Williams of Eagle River, Colorado, appointed.

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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC SAFETY

effective immediately for a term expiring at the pleasure of the Governor:

Stanley Alan Hilkey of Arvada, Colorado, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-058** 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: SB19-084.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SJM19-001** be referred to the Senate for final action and with a recommendation that it be placed on the Consent Calendar.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SJM19-002** be referred to the Senate for final action and with a recommendation that it be placed on the Consent Calendar.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-016** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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 January 10, 2019 for a term expiring at the pleasure of the Governor:

Angie Paccione of Littleton, Colorado, appointed.

Local Government

The Committee on Local Government 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 LOCAL AFFAIRS

effective immediately for a term expiring at the pleasure of the Governor:

Richard "Rick" M. Garcia of Denver, 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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

for a term expiring at the pleasure of the Governor:

Kim Bimestefer of Parker, Colorado, to serve as executive director of the Colorado Department of Health Care, Policy and Financing, 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:

COMMISSIONER OF THE
DIVISION OF INSURANCE

effective immediately for a term expiring at the pleasure of the Governor:

Michael Eugene Conway of Denver, Colorado, appointed.

Local Government

After consideration on the merits, the Committee recommends that **SB19-027** 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 12 through 25 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 15-19-302, **add** (4) and (5) as follows:

15-19-302. Duty of public officers as to unclaimed bodies - definition. (4) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A CORONER MAY RETAIN THE BODY OF A DECEASED PERSON FOR SEVENTY-TWO HOURS TO DISCOVER IF THE DECEASED PERSON HAS ANY RELATIVE, FRIEND, OR REPRESENTATIVE.

(5) FOR THE PURPOSES OF THIS SECTION, "BURIAL" MEANS ANY LAWFUL METHOD, INCLUDING CREMATION, OF DISPOSING OF A DEAD HUMAN BODY.".

Strike pages 3 and 4.

Page 5, strike lines 1 and 2.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-085 by Senator(s) Danielson and Pettersen, Fields, Donovan, Winter, Gonzales, Court, Zenzinger, Todd, Story, Ginal, Williams A., Rodriguez, Lee, Moreno, Garcia, Fenberg, Foote, Bridges; also Representative(s) Buckner and Gonzales-Gutierrez, Benavidez, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Titone, Valdez A., Weissman--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities.
Judiciary

SB19-086 by Senator(s) Lee; also Representative(s) Bird--Concerning updates to the laws governing business entities.
Judiciary

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 14, 2019

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 PUBLIC HEALTH AND ENVIRONMENT

effective January 28, 2019 for a term expiring at the Pleasure of the Governor:

Jill Hunsacker Ryan, MPH of Edwards, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/15/19
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

January 14, 2019

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 immediately for a term expiring at the pleasure of the Governor:

Major General Michael A. Loh of Highlands Ranch, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/15/19
Cindi L. Markwell, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

January 14, 2019

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 January 16, 2019 for a term expiring at the pleasure of the Governor:

Dan Gibbs of Silverthorne, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/15/19
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture & Natural Resources

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR19-1004.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, January 18, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

15th Legislative Day Friday, January 18, 2019

Prayer — By the chaplain, Pastor David Armstrong, Northside Baptist Church, Northglenn.

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

Roll Call — Present--30
Absent--1, Lundeen.
Excused--4, Baumgardner, Coram, Court, Hill.
Present later--2, Court, Lundeen.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Thursday, January 17, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-085 and 086.

COMMITTEE OF REFERENCE REPORTS

Education — After consideration on the merits, the Committee recommends that **SB19-039** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB19-022** be postponed indefinitely.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB19-031** 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 **SB19-015** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB19-010** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike line 14 and substitute "state-certified school nurse, SCHOOL psychologist, SCHOOL social worker, SCHOOL counselor, or".

Page 4, line 10, strike "(3)(e), and (6);" and substitute "and (3)(e);".

Page 5, strike lines 4 through 6 and substitute:

"(e) The extent to which the education provider has seen increased incidence of disciplinary actions for drug use or selling drugs, SUICIDE ATTEMPTS, DEATHS BY SUICIDE, BULLYING, ADVERSE".

Page 6, strike lines 2 through 4 and substitute:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $3,000,000 is appropriated to the department of education for use by the state board of education. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501, C.R.S. To implement this act, the state board may use this appropriation for the school health professionals grant program.".

Renumber succeeding section accordingly.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 18, 2019

Mr. President:

The House has adopted and transmits herewith HJR19-1006, as printed in House Journal, Friday, January 18, 2019.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR19-1006 by Representative(s) Melton and Herod, Buck, Buckner, Coleman, Exum, Jackson; also Senator(s) Fields and Williams A., Marble--Concerning the commemoration of the birthday of the Reverend Dr. Martin Luther King, Jr.

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Baumgardner	E	Fields	Y	Lundeen	Y	Story	Y
Bridges	Y	Foote	Y	Marble	Y	Tate	Y
Cooke	Y	Gardner	Y	Moreno	Y	Todd	Y
Coram	E	Ginal	Y	Pettersen	Y	Williams A.	Y
Court	Y	Gonzales	Y	Priola	Y	Winter	Y
Crowder	Y	Hill	E	Rodriguez	Y	Woodward	Y
Danielson	Y	Hisey	Y	Scott	E	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Moreno, Pettersen, Priola, Rodriguez, Smallwood, Sonnenberg, Story, Tate, Todd, Winter, Woodward, and Zenzinger.

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor Jared Polis was read and assigned to committee as follows:

January 18, 2019

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
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective immediately, for a term expiring on January 9, 2023:

John Charles Gavan of Paonia, Colorado, an Unaffiliated, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/18/19
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation & Energy

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Ginal was added as a Senate joint prime sponsor with Senator Marble and Representatives Hooton and Ransom on SB19-013.

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Tuesday, January 22, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

18th Legislative Day Monday, January 21, 2019

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF MARTIN LUTHER KING, JR. DAY

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

19th Legislative Day Tuesday, January 22, 2019

Prayer — By the chaplain, Rabbi Joe Black, Temple Emmanuel, Denver.

Call to Order — By the President at 11:00 a.m.

Roll Call — Present--33
Excused--1, Hill.
Vacant--1, Senate District 8.

Quorum — The President announced a quorum present.

Pledge — By Senator Danielson.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Friday, January 18, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Revised: HJR19-006.

Upon request of Majority Leader Fenberg, **SB19-027** was removed from the General Orders--Second Reading of Bills--Consent Calendar of Tuesday, January 22, 2019, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, January 22, 2019.

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:

SB19-045 by Senator(s) Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean--Concerning clarifying that members of the radiation advisory committee are reimbursed for expenses incurred for authorized business of the committee.

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

SB19-028 by Senator(s) Holbert; also Representative(s) McKean--Concerning the authority of licensing authorities to continue to issue certain fermented malt beverage retail licenses in rural areas.

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

SB19-058 by Senator(s) Lee, Gardner; also Representative(s) Herod--Concerning the enactment of the Colorado Revised Statutes 2018 as the positive and statutory law of the state of Colorado .

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

SB19-016 by Senator(s) Donovan and Coram; also Representative(s) Esgar and Saine, Roberts, Arndt, Catlin--Concerning the methodology to distribute money in the severance tax operational fund after core departmental programs are funded without changing the transfers to the natural resources and energy grant programs.

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 Moreno, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-045, SB19-028, SB19-058, SB19-016.

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, and Senator Moreno 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:

SB19-027 by Senator(s) Crowder; also Representative(s) Valdez D.--Concerning authorization for a county to use any lawful method to give final disposition to an unclaimed dead body.

Laid over until Wednesday, January 23, retaining its place on the calendar.

SB19-021 by Senator(s) Moreno, Zenzinger; also Representative(s) McKean--Concerning eliminating the requirement that the state board of health approve the retention of counsel in certain circumstances.

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

SB19-044 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt, McKean--Concerning the statewide emergency medical and trauma care system in the department of public health and environment, and, in connection therewith, eliminating the requirement that the state board of health cooperate with the department of personnel in adopting certain criteria.

Laid over until Wednesday, January 23, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-021.
Laid over until Wednesday, January 23: SB19-027, SB19-044.

CONSIDERATION OF MEMORIALS -- CONSENT CALENDAR

SJM19-001 by Senator(s) Crowder; also Representative(s) Esgar--Memorializing the United States Congress to fulfill the commitment of the federal government to provide funding for the Arkansas Valley Conduit project.

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

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Donovan, Garcia, Gardner, Ginal, Gonzales, Hisey, Lee, Lundeen, Marble, Moreno, Pettersen, Story, Tate, Todd, Williams A., and Woodward.

SJM19-002 by Senator(s) Crowder and Coram; also Representative(s) Esgar and Catlin, Roberts--Concerning memorializing the United States Congress to enact legislation directing the United States Army Corps of Engineers, in conjunction and cooperation with the Lower Arkansas Valley Water Conservancy District, to dredge a portion of the Arkansas River.

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

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

Co-sponsor(s) added: Cooke, Donovan, Garcia, Gardner, Ginal, Lee, Lundeen, Marble, Scott, Story, Tate, and Todd.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

effective immediately for a term expiring at the pleasure of the Governor:

Joseph M. Maximo Barela of Denver, Colorado, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF CORRECTIONS

for a term expiring at the pleasure of the Governor:

Dean Richard Williams of Eagle River, Colorado, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC SAFETY

effective immediately for a term expiring at the pleasure of the Governor:

Stanley Alan Hilkey of Arvada, Colorado, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
COLORADO DEPARTMENT OF HIGHER EDUCATION
AND THE EXECUTIVE DIRECTOR OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

effective January 10, 2019 for a term expiring at the pleasure of the Governor:

Angie Paccione of Littleton, Colorado, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LOCAL AFFAIRS

effective immediately for a term expiring at the pleasure of the Governor:

Richard "Rick" M. Garcia of Denver, Colorado, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

for a term expiring at the pleasure of the Governor:

Kim Bimestefer of Parker, Colorado, to serve as executive director of the Colorado Department of Health Care, Policy and Financing, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

COMMISSIONER OF THE
DIVISION OF INSURANCE

effective immediately for a term expiring at the pleasure of the Governor:

Michael Eugene Conway of Denver, Colorado, appointed.

YES	33	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Fields	Y	Lundeen	Y	Story	Y
Cooke	Y	Foote	Y	Marble	Y	Tate	Y
Coram	Y	Gardner	Y	Moreno	Y	Todd	Y
Court	Y	Ginal	Y	Pettersen	Y	Williams A.	Y
Crowder	Y	Gonzales	Y	Priola	Y	Winter	Y
Danielson	Y	Hill	E	Rodriguez	Y	Woodward	Y
District 8	V	Hisey	Y	Scott	Y	Zenzinger	Y
Donovan	Y	Holbert	Y	Smallwood	Y	President	Y
Fenberg	Y	Lee	Y	Sonnenberg	Y		

COMMITTEE APPOINTMENTS

January 22, 2019

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Pursuant to 2-3-1602, CRS, and according to a vote of the Senate Minority Caucus, I am pleased to appoint Senator-elect Bob Rankin to the Joint Budget Committee for the 72nd General Assembly, replacing Senator Dennis Hisey, effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

cc: The Honorable Leroy Garcia, President of the Senate
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker of the House of Representatives
The Honorable Alec Garnett, House Majority Leader
The Honorable Patrick Neville, House Minority Leader
Senator Dennis Hisey
Senator-elect Bob Rankin
Sharon Eubanks, Director of the Office of Legislative Legal Services
John Ziegler, Director, Joint Budget Committee
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Susan Liddle, Legislative Council Staff

January 22, 2019

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Please be advised that I am appointing Senator Bob Rankin to the Senate Appropriations Committee, replacing Senator Jerry Sonnenberg, effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

cc: The Honorable Leroy Garcia, President of the Senate
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker of the House of Representatives
The Honorable Alec Garnett, House Majority Leader
The Honorable Patrick Neville, House Minority Leader
Sharon Eubanks, Director of the Office of Legislative Legal Services
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Susan Liddle, Legislative Council Staff

January 22, 2019

Ms. Natalie Mullis
Executive Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Director Mullis,

Please be advised that I am appointing Senator Dennis Hisey to the Senate Transportation Committee, replacing Senator John Cooke, effective immediately.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

cc: The Honorable Leroy Garcia, President of the Senate
The Honorable Stephen Fenberg, Senate Majority Leader
The Honorable KC Becker, Speaker of the House of Representatives
The Honorable Alec Garnett, House Majority Leader
The Honorable Patrick Neville, House Minority Leader
Sharon Eubanks, Director of the Office of Legislative Legal Services
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Chief Clerk, House of Representatives
Susan Liddle, Legislative Council Staff

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, January 23, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

20th Legislative Day Wednesday, January 23, 2019

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community Mennonite Church, Englewood.

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

Roll Call — Present--32
Excused--2, Holbert, Smallwood.
Vacant--1, Senate District 8.
Present later--3, Holbert, Rankin, Smallwood.

Quorum — The President announced a quorum present.

Pledge — By Senator Danielson.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Tuesday, January 22, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Fenberg, 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.

LETTER OF RESIGNATION

December 17, 2018

Office of the Secretary of the Senate
Colorado State Capitol
200 East Colfax Avenue
Denver, CO 80203

Dear Secretary -

It has been the honor of my life to serve the residents of both House District 57 and Senate District 8 over the last ten years. I am humbled by the support I have received in my elections and even more so by those that have been positively affected by legislation I have worked on.

My time in the State Capitol has been rewarding beyond belief as I've had the opportunity to fight for good government, great people, and by far the most glorious State that God gave to the United States.

During my time under the Golden Dome, I've learned many lessons, with none being as important as to always put your family first. My family's resilience and love have given me the grace to continue forward under the most difficult of circumstances, and in light of new opportunities, I must put them first in order to fulfill my obligations as a father and as a husband.

To all I have worked with in the State Capitol - House and Senate - I give you my sincere gratitude for the amazing experiences and opportunities that I've had. They will stay with me for the rest of my life.

Effective on the 21st of January, at 12:01 A.M., I hereby retire as a Colorado State Senator for the 8th District. May God continue to bless the United States of America and the great State of Colorado.

With Gratitude -
(signed)
Randy Baumgardner
Colorado State Senator, District 8
Father and Husband

COMMUNICATIONS FROM THE SECRETARY OF STATE

State of Colorado
Department of State

UNITED STATES OF AMERICA, ss. CERTIFICATE
STATE OF COLORADO

I, Jenny Flanagan, Deputy 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 21, 2019 by the Republican 8th Senate District Vacancy Committee, appointing Bob Rankin to fill the vacancy in the office of Colorado State Senate, District 8 caused by the resignation of the honorable Randy Baumgardner.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 23rd day of January 2019.

(signed)
Jenny Flanagan
Deputy Secretary of State

State of Colorado
Department of State

UNITED STATES OF AMERICA, ss. CERTIFICATE
STATE OF COLORADO

I, Jenny Flanagan, Deputy 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 21, 2019 by Bob Rankin, accepting the appointment of the Republican 8th Senate District Vacancy Committee to fill the vacancy in the office of Colorado State Senate, District 8, caused by the resignation of the honorable Randy Baumgardner.

In testimony whereof I have set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver this 23rd day of January 2019.

(signed)
Jenny Flanagan
Deputy Secretary of State

The Senate Chief Sergeant-at-Arms, Frank Lombardi, announced the arrival of the Chief Justice of the Colorado Supreme Court.

Oath of Office

Chief Justice Nathan B. Coats of the Colorado Supreme Court administered the Oath of Office to Bob Rankin, Senate District 8.

Senate in recess. Senate reconvened.

At the order of the President, Senator Rankin was added to the current roll call.

COMMITTEE OF REFERENCE REPORTS

Transportation & Energy

The Committee on Transportation & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective immediately, for a term expiring on January 9, 2023:

John Charles Gavan of Paonia, Colorado, an Unaffiliated, appointed.

Transportation & Energy

After consideration on the merits, the Committee recommends that **SB19-017** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 17, strike "report," and substitute "report AND AFTER PROVIDING WRITTEN NOTICE TO THE AFFECTED LANDOWNER OF THE DATE, TIME, AND LOCATION OF THE COMMISSION MEETING AT WHICH A RESOLUTION TO AUTHORIZE A PROPOSED ACTION AND THE FILING OF A PETITION IN CONDEMNATION FOR LAND WILL BE CONSIDERED, WHICH NOTICE SHALL BE SENT BY FIRST CLASS MAIL TO THE MAILING ADDRESS, IF ANY, OF THE LAND THAT IS THE SUBJECT OF THE RESOLUTION AND ANY OTHER MAILING ADDRESS OF THE LANDOWNER USED FOR PURPOSES OF NEGOTIATIONS WITH THE LANDOWNER, AND PROVIDING THE LANDOWNER WITH AN OPPORTUNITY TO BE HEARD AT THE MEETING,".

Transportation & Energy

After consideration on the merits, the Committee recommends that **SB19-032** 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 4, after "THE" insert "DEPARTMENT OF PUBLIC SAFETY, INCLUDING REPRESENTATIVES OF THE DIVISION OF FIRE PREVENTION AND CONTROL AND THE".

Page 4, line 6, strike "AND".

Page 4, after line 6 insert:

"(i) COLORADO SKI COUNTRY USA; AND".

Reletter succeeding paragraph accordingly.

Transportation & Energy

After consideration on the merits, the Committee recommends that **SB19-018** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Transportation & Energy

After consideration on the merits, the Committee recommends that **SB19-038** be postponed indefinitely.

Finance

After consideration on the merits, the Committee recommends that **SB19-024** 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 **SB19-035** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB19-023** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB19-006** 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 8, strike "constitution." and substitute "constitution; and".

Page 3, after line 8 insert:

"(e) It is the task force's intent that the cost of the initial funding and ongoing maintenance of the electronic sales and use tax simplification system be paid for from the additional sales tax revenues that the state is receiving as a result of the United States Supreme Court's decision in *South Dakota v. Wayfair, Inc., et al.*, which allowed states to require retailers without physical presence in the state to collect sales tax on purchases made by in-state customers so long as the sales tax system in the state is not too burdensome for the out-of-state retailer.

SECTION 2. In Colorado Revised Statutes, 39-26-123, **amend** (3) as follows:

39-26-123. Receipts - disposition - transfers of general fund surplus - sales tax holding fund - creation - definitions. (3) For any state fiscal year commencing on or after July 1, 2013, the state treasurer shall credit eighty-five percent of all net revenue collected under the provisions of this ~~article~~ ARTICLE 26 to the old age pension fund created in section 1 of article XXIV of the state constitution. The state treasurer shall credit to the general fund the remaining fifteen percent of the net revenue, less ten million dollars, which the state treasurer shall credit to the older Coloradans cash fund created in section 26-11-205.5 (5). ~~C.R.S.~~ THE GENERAL ASSEMBLY SHALL MAKE ANY NECESSARY APPROPRIATIONS FOR THE INITIAL FUNDING AND ONGOING MAINTENANCE OF THE ELECTRONIC SALES AND USE TAX SIMPLIFICATION SYSTEM DESCRIBED IN SECTION 39-26-802.7 FROM ANY NET REVENUE THAT IS CREDITED TO THE GENERAL FUND.".

Renumber succeeding sections accordingly.

Page 3, after line 20 insert:

"(c) "OFFICE OF INFORMATION TECHNOLOGY" OR "OFFICE" MEANS THE OFFICE OF INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103.".

Reletter succeeding paragraph accordingly.

Page 3, line 24, after "THE" insert "OFFICE OF INFORMATION TECHNOLOGY, ON BEHALF OF THE".

Page 4, line 1, after "THE" insert "OFFICE AND THE".

Page 4, line 21, before "DEPARTMENT" insert "OFFICE AND THE".

Page 1, line 103, strike "**DEPARTMENT OF REVENUE**" and substitute "**OFFICE OF INFORMATION TECHNOLOGY**".

Page 1, line 104, strike "**ESTABLISHING**" and substitute "**REQUIRING THE DEPARTMENT OF REVENUE TO ESTABLISH**".

SENATE SERVICES REPORT

Correctly Engrossed: SB19-016, 021, 028, 045, and 058; SJM19-001 and 002.

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:

SB19-045 by Senator(s) Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean--Concerning clarifying that members of the radiation advisory committee are reimbursed for expenses incurred for authorized business of the 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Priola, and Tate.

SB19-028 by Senator(s) Holbert; also Representative(s) McKean--Concerning the authority of licensing authorities to continue to issue certain fermented malt beverage retail licenses in rural 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Hill, Hisey, Lundeen, Marble, Priola, Rankin, Scott, Sonnenberg, Story, Tate, Todd, Winter, Woodward, and Zenzinger.

SB19-058 by Senator(s) Lee, Gardner; also Representative(s) Herod--Concerning the enactment of the Colorado Revised Statutes 2018 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Cooke, Garcia, Holbert, Marble, Priola, Rankin, Scott, Smallwood, and Tate.

SB19-016 by Senator(s) Donovan and Coram; also Representative(s) Esgar and Saine, Roberts, Arndt, Catlin--Concerning the methodology to distribute money in the severance tax operational fund after core departmental programs are funded without changing the transfers to the natural resources and energy grant 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gardner, Ginal, Marble, Priola, Rankin, Scott, Sonnenberg, Tate, Todd, Woodward, 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:

SB19-021 by Senator(s) Moreno, Zenzinger; also Representative(s) McKean--Concerning eliminating the requirement that the state board of health approve the retention of counsel 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gardner, Priola, and Tate.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

SB19-027 by Senator(s) Crowder; also Representative(s) Valdez D.--Concerning authorization for a county to use any lawful method to give final disposition to an unclaimed dead body.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, January 17, page 69 and placed in members' bill files.)

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

Strike the Local Government Committee Report, dated January 17, 2019, and substitute:

"Amend printed bill, page 2, strike lines 19 and 20 and substitute "A PUBLIC OFFICER OF, EMPLOYEE OF, OR AGENT OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE; A CORONER; OR A PERSON WHO HAS charge or control over".

Page 3, line 1, strike "twenty-four hours" and substitute "~~twenty-four hours~~ FIVE DAYS".

Page 3, strike lines 6 through 9 and substitute "~~into his or her possession, charge, or control. In any county that is entirely located more than one hundred fifty miles from any accredited medical or dental school, the minimum period of notification shall be extended to forty-eight hours. The officers, agents, or other persons~~ THE PERSON WHO".".

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

SB19-044 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt, McKean--Concerning the statewide emergency medical and trauma care system in the department of public health and environment, and, in connection therewith, eliminating the requirement that the state board of health cooperate with the department of personnel in adopting certain criteria.

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

Majority Leader Fenberg moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 4:00 p.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

January 23, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-011.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1012, 1020, 1059.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1015, 1029, 1011 amended as printed in House Journal, January 18, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

January 23, 2019

We herewith transmit:

Without comment, HB19-1012, 1020, and 1059.
Without comment, as amended, HB19-1011, 1015, and 1029.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Gardner was added as a Senate joint prime sponsor with Senator Lee and Representatives Herod and Carver on SB19-043.

Upon announcement of President Garcia, Senator Bridges was added as a Senate joint prime sponsor with Senator Holbert and Representative McKean on SB19-028.

Upon announcement of President Garcia, Senator Winter was added as a Senate joint prime sponsor with Senator Crowder and Representative Valdez on SB19-027.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR19-1006.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Committee of the Whole

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

Committee of the Whole reconvened.

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:

SB19-031 by Senator(s) Gardner, Court; also Representative(s) Lontine and Liston--Concerning the composition of the child welfare allocations committee.

Laid over until Monday, January 28, retaining its place on the calendar.

SB19-039 by Senator(s) Story and Zenzinger; also Representative(s) Michaelson Jenet--Concerning allowing interdistrict transportation of students only by adjacent school districts subject to the school districts' mutual consent.

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

SB19-039 by Senator(s) Story and Zenzinger; also Representative(s) Michaelson Jenet--Concerning allowing interdistrict transportation of students only by adjacent school districts subject to the school districts' mutual consent.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardener floor amendment, (L.005) to SB 19-039, did pass.

Amend printed bill, page 2, after line 119 insert:

"**SECTION 2. Effective date.** This act takes effect upon passage; except that section 1 of this act does not take effect if an appellate court reverses the Denver district court's December 14, 2018, ruling in *Arapahoe County school district No. 1, et al., v. state of Colorado, et al.*, case number 2018CV32901.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	E	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.007) to SB 19-039, did pass.

Amend printed bill, page 2, line 103, strike "(4)" and substitute "(4); and **add** (6)".

Page 2, after line 119, insert:

"(6) THE PROVISIONS OF SUBSECTIONS (1)(c) AND (4) OF THIS SECTION DO NOT APPLY TO A STUDENT IN OUT-OF-HOME PLACEMENT, AS DEFINED IN SECTION 22-32-138, AN UNACCOMPANIED HOMELESS CHILD, AS DEFINED IN SECTION 22-33-103.5, OR AN AT-RISK PUPIL, AS DEFINED IN SECTION 22-54-103.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	E	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.008) to SB 19-039, did pass.

Amend printed bill, page 2, strike line 103 and substitute "(1)(c) and (4); and **add** (6) as follows:".

Page 2, after line 119 insert:

"(6) EACH SCHOOL DISTRICT SHALL CREATE AND PUBLICLY POST THE PROCESS FOR PROVIDING TRANSPORTATION FOR STUDENTS IN OUT-OF-HOME PLACEMENT AND OTHER HIGHLY MOBILE STUDENTS WHO ARE MOVING INTO THE DISTRICT.".

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	17	EXCUSED	1	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	E	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.009) to SB 19-039, did pass.

Amend printed bill, page 2, strike line 103 and substitute "(1)(c) and (4); and **add** (6) as follows:".

Page 2, after line 119 insert:

"(6) EACH SCHOOL DISTRICT SHALL HAVE A POLICY IN PLACE TO ENSURE THAT A STUDENT IN OUT-OF-HOME PLACEMENT AND OTHER HIGHLY MOBILE STUDENTS DO NOT MISS A SINGLE DAY OF SCHOOL DUE TO INTERRUPTIONS IN TRANSPORTATION.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	E	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.010) to SB 19-039, did pass.

Amend printed bill, page 2, line 114, strike "district, BUT" and substitute "district; EXCEPT THAT".

Page 2, line 118, strike "RESIDENCE." and substitute "RESIDENCE EXCEPT DURING THE PERIOD IN WHICH THE CONSENT OF THE DISTRICT IS PENDING.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	E	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.012) to SB 19-039, did pass.

> Amend printed bill, page 2, line 105, strike "may" and substitute "SHALL".
>
> Page 2, line 109, strike "AND IF" and substitute "UNLESS".
>
> Page 2, line 110, strike "CONSENTS TO" and substitute "ADOPTS A POLICY PREVENTING".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	E	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	E	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-027 as amended, SB19-044, SB19-039.
Laid over until Monday, January 28: SB19-031.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-087 by Senator(s) Woodward, Lundeen; --Concerning students who have been subjected to a school safety incident.
State, Veterans, & Military Affairs

SB19-088 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the adoption of the "Revised Uniform Unclaimed Property Act".
Business, Labor, & Technology

SB19-089 by Senator(s) Woodward; --Concerning the exemption from regulation by the private occupational school division approved by a professional organization that primarily benefits the organization's membership.
State, Veterans, & Military Affairs

SB19-090 by Senator(s) Scott, Donovan; --Concerning the operation of peer-to-peer motor vehicle sharing businesses.
Business, Labor, & Technology

SB19-091 by Senator(s) Fields and Cooke; also Representative(s) Singer--Concerning support of peace officers involved in a use of force incident.
State, Veterans, & Military Affairs

SB19-092 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Liston--Concerning a prohibition on using an illuminated check engine light as the sole criterion for failure of an emissions test.
Transportation & Energy

SB19-093 by Senator(s) Marble; also Representative(s) Buentello--Concerning firearm possession by persons who lawfully use medical marijuana.
State, Veterans, & Military Affairs

SB19-094 by Senator(s) Lundeen and Todd, Gardner, Hill, Sonnenberg, Zenzinger; also Representative(s) Garnett, Buckner--Concerning the legislative interim committee on school finance.
Education

SB19-095 by Senator(s) Todd and Holbert, Bridges, Lundeen, Rankin, Story, Zenzinger; also Representative(s) Hansen--Concerning the review of the funding formula for institutions of higher education.
Education

SB19-096 by Senator(s) Donovan; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals.
Transportation & Energy

SB19-097 by Senator(s) Story and Coram, Todd, Donovan, Fields, Gonzales, Rodriguez; also Representative(s) McCluskie and Soper--Concerning a grant program for area technical colleges.
Education

SB19-098 by Senator(s) Crowder; --Concerning a cost-based system of reimbursement for rural hospitals providing outpatient hospital services pursuant to Colorado's program of medical assistance.
Finance
Appropriations

SB19-099 by Senator(s) Todd; also Representative(s) Tipper--Concerning the "Revised Uniform Athlete Agents Act (2015)".
Business, Labor, & Technology

SB19-100 by Senator(s) Gardner; --Concerning the creation of the "Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act".
State, Veterans, & Military Affairs

SB19-101 by Senator(s) Lundeen, Gardner, Hisey; also Representative(s) Carver--Concerning prerequisites for the construction of managed lanes on state highways.
Transportation & Energy

SB19-102 by Senator(s) Zenzinger, Todd, Donovan, Fenberg, Fields, Moreno, Pettersen, Rodriguez, Williams A.; also Representative(s) Titone--Concerning permitting a public school to include operation as a community school in its innovation plan.
Education

SB19-103 by Senator(s) Williams A. and Tate, Cooke, Coram, Court, Crowder, Danielson, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rodriguez, Story, Todd, Winter, Woodward, Zenzinger; also Representative(s) Coleman and Carver, Van Winkle, Arndt, Baisley, Beckman, Buck, Catlin, Geitner, Gonzales-Gutierrez, Humphrey, Landgraf, Larson, Lewis, Lontine, McKean, Neville, Ransom, Rich, Saine, Sandridge, Soper, Williams D., Wilson--Concerning the ability of a minor to operate a business on a limited basis without obtaining the approval of a local government.
Business, Labor, & Technology

SB19-104 by Senator(s) Holbert; also Representative(s) Baisley--Concerning the elimination of duplicate regulation of the property of a school district, district charter school, or institute charter school.
State, Veterans, & Military Affairs

SB19-105 by Senator(s) Rodriguez; also Representative(s) Tipper--Concerning the "Colorado Uniform Directed Trust Act".
Finance

HB19-1011 by Representative(s) Hooton, Arndt, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning clarification of the scope of an existing sales tax exemption for manufactured homes.
Local Government

HB19-1012 by Representative(s) Beckman and Valdez A., Roberts; also Senator(s) Fields, Sonnenberg, Story--Concerning the flexibility of the department of personnel to administer the payment of controlled maintenance projects from the proceeds of lease-purchase agreements executed pursuant to Senate Bill 17-267.
Finance

HB19-1015 by Representative(s) Arndt; also Senator(s) Ginal--Concerning the recreation of the Colorado water institute.
Agriculture & Natural Resources

HB19-1020 by Representative(s) Roberts and Beckman, Valdez A.; also Senator(s) Fields and Story, Sonnenberg--Concerning the clarification of certain administrative matters of the capital development committee.
Finance

HB19-1029 by Representative(s) Arndt; also Senator(s) Crowder--Concerning the Republican river water conservation district, and, in connection therewith, expanding the boundaries of the district and adjusting the meeting schedule of the district's board of directors.
Agriculture & Natural Resources

TRIBUTES

Honoring:

Alyssa Durning -- By President Leroy M. Garcia.
Pueblo Crime Stoppers -- By President Leroy M. Garcia.
Tri-State -- By President Leroy M. Garcia.
Guided by Humanity -- By Senator Robert Rodriguez.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, January 24, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

21st Legislative Day Thursday, January 24, 2019

Prayer — By Senator Bridges.

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 Danielson.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Wednesday, January 23, 2019, 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 **SB19-083** 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 **SB19-082** 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 **SB19-081** 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 **SB19-080** 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 **SB19-042** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB19-029** 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 **SB19-025** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 15 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 22-25-103, **amend** the introductory portion, (3) introductory portion, (3)(l), and (3)(m); and

add (3)(n) as follows:

22-25-103. Definitions. As used in this ~~article~~ ARTICLE 25, unless the context otherwise requires:

(3) "Comprehensive health education" means a planned, sequential health program of learning experiences in preschool, kindergarten, and grades one through twelve ~~which shall~~ THAT MUST include, but ~~shall~~ IS not ~~be~~ limited to, the following topics:

(l) High-risk behaviors and concerns; ~~and~~

(m) Age-appropriate instruction on family roles and expectations, child development, and parenting; AND

(n) AGE-APPROPRIATE INFORMATION CONCERNING SECTIONS 18-6-401 (9) AND 19-3-304.5, OR ANY SUCCESSOR LAWS, REFERRED TO GENERALLY AS "SAFE HAVEN LAWS", RELATING TO THE SAFE ABANDONMENT OF A CHILD TO A FIREFIGHTER AT A FIRE STATION, OR TO A STAFF MEMBER AT A HOSPITAL OR A COMMUNITY CLINIC EMERGENCY CENTER, WITHIN THE FIRST SEVENTY-TWO HOURS OF THE CHILD'S LIFE.".

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 confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REGULATORY AGENCIES

effective immediately for a term expiring at the pleasure of the Governor:

Patricia Salazar of Denver, Colorado, appointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-046** 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 Printed: SB19-087, 088, 089, 090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, 104, and 105.
Correctly Engrossed: SB19-027, 039, and 044.
Correctly Reengrossed: SB19-016, 021, 028, 045, and 058.
Correctly Enrolled: SB19-011.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1059 by Representative(s) Arndt, Hooton, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning removing redundant language in the educator licensing statute regarding requirements for out-of-state applicants.
Education

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:

SB19-027 by Senator(s) Crowder and Winter; also Representative(s) Valdez D.--Concerning authorization for a county to use any lawful method to give final disposition to an unclaimed dead body.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Coram, Court, Gardner, Ginal, Hisey, Marble, Moreno, Priola, Tate, Todd, and Williams A.

SB19-044 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt, McKean--Concerning the statewide emergency medical and trauma care system in the department of public health and environment, and, in connection therewith, eliminating the requirement that the state board of health cooperate with the department of personnel in adopting certain criteria.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Marble, Priola, Scott, Tate, Todd, and Woodward.

SB19-039 by Senator(s) Story and Zenzinger; also Representative(s) Michaelson Jenet--Concerning allowing interdistrict transportation of students only by adjacent school districts subject to the school districts' mutual consent.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Fields, Garcia, Ginal, Moreno, Todd, Williams A., and Winter.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary — After consideration on the merits, the Committee recommends that **SB19-026** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB19-048** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB19-043** be referred to the Committee on Appropriations with favorable recommendation.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture & Natural Resources — The Committee on Agriculture & Natural Resources 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 AGRICULTURE

January 8, 2019 for a term expiring at the pleasure of the Governor:

Kathryn Beyer Greenberg of Durango, Colorado, to serve as executive director of the Colorado Department of Agriculture, appointed.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **SB19-070** 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 10, strike "**foundation**" and substitute "**gifts, grants, and donations**".

Page 2, line 11, strike "~~or reject gifts and devises~~ GIFTS," and substitute "or reject gifts, ~~and devises~~".

Page 2, line 15, after "sell," insert "EXPEND,".

Page 2, lines 17 and 18, strike "public as specified in this section." and substitute "public. ~~as specified in this section.~~".

Page 2, line 22, strike "department in the provision and" and substitute "department. ~~in the provision and~~".

Page 2, strike line 23 and substitute "~~maintenance of parks, recreational areas, or scenic or natural areas and for~~".

Page 2, line 24, strike "related uses." and substitute "~~related uses.~~".

Page 3, line 6, strike "foundation" and substitute "~~foundation~~ GIFTS, GRANTS, AND DONATIONS".

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor Jared Polis was read and assigned to committee as follows:

January 22, 2019

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
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2021:

David Leroy Bomberger of Castle Rock, Colorado, who has experience in insurance disability claims, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-011.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, January 25, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

22nd Legislative Day Friday, January 25, 2019

Prayer — By the chaplain, Pastor Stephen Monroe, First Baptist Church, Gypsum.

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

Roll Call — Present--30
Absent--1, Williams.
Excused--4, Bridges, Ginal, Priola, Tate.
Present later--3, Priola, Tate, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Danielson.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Thursday, January 24, 2019, 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 **SB19-063** 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 24 insert:
"(b) "EXEMPT FAMILY CHILD CARE HOME PROVIDER" HAS THE SAME MEANING AS SET FORTH IN SECTION 26-6-102 (12).".

Renumber succeeding subsection accordingly.

Page 4, line 4, strike "HOMES" and substitute "HOMES, EXEMPT FAMILY CHILD CARE HOME PROVIDERS,".

Page 4, line 24, after "REQUIREMENTS," insert "INCLUDING EXEMPTIONS FROM LICENSING AND EXEMPT FAMILY CHILD CARE HOME PROVIDERS,".

SENATE SERVICES REPORT

Correctly Reengrossed: SB19-027, 039, and 044.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-106 by Senator(s) Cooke and Zenzinger; also Representative(s) Tipper--Concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments.
Finance

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-018 by Senator(s) Scott and Marble, Todd; also Representative(s) McLachlan and Saine, Buck, Lewis--Concerning the age requirement to drive a commercial vehicle in interstate commerce.

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

SB19-024 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt and Hooton, McKean--Concerning the payment of taxes by electronic funds transfers.

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

SB19-006 by Senator(s) Williams A.; also Representative(s) Kraft-Tharp and Van Winkle--Concerning an electronic sales and use tax simplification system, and, in connection therewith, requiring the department of revenue to conduct a sourcing method for the development of the system and establishing the implementation of the system for the acceptance of returns and processing of payments for the sales and use tax levied by the state and any local taxing jurisdictions.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, January 23, page 90 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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	E	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-018, SB19-024, SB19-006 as amended.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

SB19-032 by Senator(s) Scott; also Representative(s) McCluskie--Concerning the routing of hazardous materials being transported on the roadways of the state.

Laid over until Monday, January 28, retaining its place on the calendar.

SB19-035 by Senator(s) Court; also Representative(s) Benavidez--Concerning enforcement measures available to the department of revenue for the collection of delinquent taxes.

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

SB19-023 by Senator(s) Tate and Fenberg; also Representative(s) Kraft-Tharp--Concerning exemptions from the securities laws for cryptocurrencies, and, in connection therewith, enacting the "Colorado Digital Token Act".

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	E	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-035, SB19-023.
Laid over until Monday, January 28: SB19-032.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education After consideration on the merits, the Committee recommends that **SB19-003** 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 8 through 13 and substitute "EDUCATION; THE NUMBER OF APPLICATIONS RECEIVED AND the number of participants ~~in the program~~ AWARDED LOAN FORGIVENESS, THE PUBLIC SCHOOLS IN WHICH THE PARTICIPANTS ARE EMPLOYED, AND DEMOGRAPHIC INFORMATION FOR THE PARTICIPANTS; THE APPROVED TEACHER PREPARATION PROGRAM ATTENDED BY THE PARTICIPANTS; AND the amount of ~~funds~~ MONEY applied toward loan forgiveness and the sources of ~~those funds~~ THE MONEY. THE REPORT MUST ALSO INCLUDE, FOR ALL PARTICIPANTS AWARDED LOAN FORGIVENESS, THE LENGTH OF TIME EACH PARTICIPANT HAS REMAINED IN THE PROGRAM AND HAS REMAINED TEACHING IN THE PUBLIC SCHOOL OR WITHIN THE SAME SCHOOL DISTRICT. The commission shall provide notice".

Education After consideration on the merits, the Committee recommends that **SB19-009** be referred to the Committee of the Whole with favorable recommendation.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments Calendar (Public Utilities Commission) of Friday, January 25, was laid over until Monday, January 28, retaining its place on the calendar.

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, January 28, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

25th Legislative Day Monday, January 28, 2019

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

Call to Order — By the President at 11:00 a.m.

Roll Call — Present--32
Excused--3, Coram, Holbert, Zenzinger.

Quorum — The President announced a quorum present.

Pledge — By Senator Hisey.

Reading of the Journal — On motion of Senator Lee, reading of the Journal of Friday, January 25, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-106.
Correctly Engrossed: SB19-006, 018, 023, 024, and 035.

MESSAGE FROM THE HOUSE

January 25, 2019

Mr. President:

The House has adopted and transmits herewith HJR19-1005, as printed in House Journal, January 25, 2019.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR19-003 by Senator(s) Garcia; --Concerning the fifty-first anniversary of the capture of the U.S.S. Pueblo by North Korea.

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

On motion of Majority Leader Fenberg, 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:

SB19-018 by Senator(s) Scott and Marble, Todd; also Representative(s) McLachlan and Saine, Buck, Lewis--Concerning the age requirement to drive a commercial vehicle in interstate commerce.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Donovan, Gardner, Ginal, Hisey, Moreno, Priola, Rodriguez, Smallwood, Sonnenberg, Tate, and Woodward.

SB19-024 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt and Hooton, McKean--Concerning the payment of taxes by electronic funds transfers.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Todd.

SB19-006 by Senator(s) Williams A.; also Representative(s) Kraft-Tharp and Van Winkle--Concerning an electronic sales and use tax simplification system, and, in connection therewith, requiring the office of information technology to conduct a sourcing method for the development of the system and requiring the department of revenue to establish the implementation of the system for the acceptance of returns and processing of payments for the sales and use tax levied by the state and any local taxing jurisdictions.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Donovan, Fenberg, Garcia, Gardner, Ginal, Gonzales, Hill, Lee, Lundeen, Marble, Moreno, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Winter, and Woodward.

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:

SB19-035 by Senator(s) Court; also Representative(s) Benavidez--Concerning enforcement measures available to the department of revenue for the collection of delinquent taxes.

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

YES	28	NO	4	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	N	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Fields and Todd.

SB19-023 by Senator(s) Tate and Fenberg; also Representative(s) Kraft-Tharp and McKean--Concerning exemptions from the securities laws for cryptocurrencies, and, in connection therewith, enacting the "Colorado Digital Token Act".

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Fields, Garcia, Hill, Lundeen, Marble, Priola, Rankin, Scott, Todd, and Woodward.

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:

SB19-083 by Senator(s) Zenzinger, Moreno; also Representative(s) McKean, Hooton--Concerning the repeal of obsolete provisions regarding air quality control, and, in connection therewith, eliminating the requirement that the state board of health supervise certain air quality control programs and removing statutory provisions relating to the air pollution variance board and the air quality hearings board.

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

SB19-082 by Senator(s) Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Hooton--Concerning clarification that the state board of health has no authority over money allocated to the department of public health and environment.

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

SB19-081 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt--Concerning the repeal of the "Colorado Cancer Drug Repository Act".

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

SB19-080 by Senator(s) Zenzinger, Moreno; also Representative(s) Arndt, Hooton, McKean--Concerning eliminating the authority of the state board of health to adopt rules establishing standards to ensure that certain entities are prepared for an emergency epidemic.

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

SB19-029 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning the Colorado income tax liability of an individual in active duty military service.

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

SB19-046 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an amendment to the definition of "appraisal management company" to align with the definition in federal law.

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

SB19-070 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an update to statutory language authorizing the department of natural resources to receive donations to be credited to the Colorado natural resources foundation fund.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, January 24, page 104 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 Fields, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-083, SB19-082, SB19-081, SB19-080, SB19-029, SB19-046, SB19-070 as amended.

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, and Senator Fields 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:

SB19-031 by Senator(s) Gardner, Court; also Representative(s) Lontine and Liston--Concerning the composition of the child welfare allocations committee.

Laid over until Tuesday, January 29, retaining its place on the calendar.

SB19-032 by Senator(s) Scott; also Representative(s) McCluskie--Concerning the routing of hazardous materials being transported on the roadways of the state.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, January 23, page 89 and placed in members' bill files.)

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

Amend the Transportation & Energy Committee Report, dated January 22, 2019, page 1, line 1, strike "Amend printed bill, page 4," and substitute:

"Amend printed bill, page 3, line 19, strike "19-_____," and substitute "19-032,".

Page 3, line 26, after "GEORGETOWN," insert "SILVER PLUME,".

Page 4, after line 1 insert:

"(e) CLEAR CREEK FIRE AUTHORITY;".

Reletter succeeding paragraphs accordingly.

Page 4,".

Page 1 of the report, strike lines 4 through 7 and substitute:

"Page 4, line 7, strike "LOVELAND" and substitute "COLORADO SKI INDUSTRY, INCLUDING REPRESENTATIVES OF THE KEYSTONE, LOVELAND,".".

Amendment No. 3(L.005), by Senator Scott.

Amend printed bill, page 3, line 17, strike "2019," and substitute "2020,".

Page 5, line 19, strike "2020." and substitute "2021.".

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

SB19-042 by Senator(s) Foote; also Representative(s) Sirota and Arndt--Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote.

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.)

SB19-025 by Senator(s) Smallwood; --Concerning providing information to public school students regarding laws that provide for the safe abandonment of newborn children.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, January 24, page(s) 101-102 and placed in members' bill files.)

As amended, laid over until Tuesday, January 29, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB19-042 by Senator(s) Foote; also Representative(s) Sirota and Arndt--Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that SB 19-042 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	13	NO	18	EXCUSED	4	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	E	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	E	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.008) to SB 19-042, did pass.

Amend printed bill, page 7, strike line 27 and substitute:

"SECTION 2. Refer to people under referendum. At the election held on November 3, 2020, 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 the state adopt an agreement among the states to elect the president of the United States by national popular vote?" 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.".

Page 8, strike lines 1 through 9.

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	16	EXCUSED	4	ABSENT	0
Bridges	Y	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	E	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	E	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	Y	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-032 as amended, SB19-042.
Laid over until Tuesday, January 29: SB19-031, SB19-025 as amended.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REGULATORY AGENCIES

effective immediately for a term expiring at the pleasure of the Governor:

Patricia Salazar of Denver, Colorado, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF AGRICULTURE

January 8, 2019 for a term expiring at the pleasure of the Governor:

Kathryn Beyer Greenberg of Durango, Colorado, to serve as executive director of the Colorado Department of Agriculture, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Winter, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

effective immediately, for a term expiring on January 9, 2023:

John Charles Gavan of Paonia, Colorado, an Unaffiliated, appointed.

YES	18	NO	13	EXCUSED	4	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	E	Scott	N	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

MESSAGE FROM THE HOUSE

January 28, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1060.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1008, 1050, 1036, 1041, 1014, 1077, 1044, amended as printed in House Journal, January 28, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

January 28, 2019

We herewith transmit:

Without comment, HB19-1060.
Without comment, as amended, HB19-1008, 1014, 1036, 1041, 1044, 1050, and 1077.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, January 25, 2019, at 10:00 a.m.:
SB19-011.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, January 29, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

26th Legislative Day Tuesday, January 29, 2019

Prayer — By the chaplain, Rev. Kelly Dignan, Unitarian Universalist Church of Boulder.

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

Roll Call — Present--34
Excused--1, Pettersen.
Present later--1, Pettersen.

Quorum — The President announced a quorum present.

Pledge — By Senator Hisey.

Reading of the Journal — On motion of Senator Lee, reading of the Journal of Monday, January 28, 2019, 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 **SB19-064** 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 19 insert:
"(IV) (A) AS SOON AS PRACTICABLE AFTER JULY 1, 2020, THE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED AS OF JUNE 19, 2020, TO THE DEPARTMENT FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (7).
(B) THIS SUBSECTION (7)(e)(IV) IS REPEALED, EFFECTIVE JULY 1, 2021.".

Renumber succeeding subparagraph accordingly.

Page 3, after line 11 insert:
"(d) (I) AS SOON AS PRACTICABLE AFTER JULY 1, 2020, THE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE FUND ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED AS OF JUNE 30, 2020, TO THE DEPARTMENT FOR THE GRANT PROGRAM DEVELOPED PURSUANT TO THIS SUBSECTION (9).
(II) THIS SUBSECTION (9)(d) IS REPEALED, EFFECTIVE JULY 1, 2021.".

Renumber succeeding paragraph accordingly.

Page 4, line 11, after "2019," insert "AND JULY 1, 2020,".

Page 4, line 14, after "2019," insert "AND JULY 1, 2020,".

Page 4, strike line 17 and substitute "2021."

Page 5, line 6, after "2019," insert "AND JULY 1, 2020,".

Page 5, line 9, after "2019," insert "AND JULY 1, 2020,".

Page 5, strike line 12 and substitute "2021.".

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 immediately 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 **SB19-062** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-037** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SJR19-003.
Correctly Engrossed: SB19-029, 032, 042, 046, 070, 080, 081, 082, and 083.
Correctly Reengrossed: SB19-006, 018, 023, 024, and 035.

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:

SB19-083 by Senator(s) Zenzinger, Moreno; also Representative(s) McKean, Hooton--Concerning the repeal of obsolete provisions regarding air quality control, and, in connection therewith, eliminating the requirement that the state board of health supervise certain air quality control programs and removing statutory provisions relating to the air pollution variance board and the air quality hearings 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Priola, Smallwood, Tate, Todd, and Williams A.

SB19-082 by Senator(s) Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Hooton--Concerning clarification that the state board of health has no authority over money allocated to the department of public health and environment.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Marble, Priola, Rankin, Smallwood, and Todd.

SB19-081 by Senator(s) Zenzinger, Moreno; also Representative(s) Hooton, Arndt--Concerning the repeal of the "Colorado Cancer Drug Repository 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Pettersen, Priola, Smallwood, Story, and Todd.

SB19-080 by Senator(s) Zenzinger, Moreno; also Representative(s) Arndt, Hooton, McKean--Concerning eliminating the authority of the state board of health to adopt rules establishing standards to ensure that certain entities are prepared for an emergency epidemic.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Ginal, Pettersen, Priola, Smallwood, and Todd.

SB19-029 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning the Colorado income tax liability of an individual in active duty military 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Danielson, Donovan, Garcia, Gardner, Ginal, Hill, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

SB19-046 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an amendment to the definition of "appraisal management company" to align with the definition in federal 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder.

SB19-070 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an update to statutory language authorizing the department of natural resources to receive donations to be credited to the Colorado natural resources foundation 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Crowder, Donovan, Fenberg, Ginal, Pettersen, Priola, and Story.

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:

SB19-032 by Senator(s) Scott; also Representative(s) McCluskie--Concerning the routing of hazardous materials being transported on the roadways of the 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Donovan, Garcia, Gardner, Ginal, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Priola, Smallwood, Sonnenberg, Story, Tate, Todd, Woodward, and Zenzinger.

SB19-042 by Senator(s) Foote; also Representative(s) Sirota and Arndt--Concerning adoption of an agreement among the states to elect the president of the United States by national popular vote.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Gonzales, Moreno, Pettersen, and Williams A.

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, and Senator Moreno 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:

SB19-031 by Senator(s) Gardner, Court; also Representative(s) Lontine and Liston--Concerning the composition of the child welfare allocations committee.

Laid over until Thursday, January 31, retaining its place on the calendar.

SB19-025 by Senator(s) Smallwood; --Concerning providing information to public school students regarding laws that provide for the safe abandonment of newborn children.

(Amended in general orders as printed in Senate journal, January 28, page 116.)

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

> Amend the State, Veterans, & Military Affairs Committee Report, dated January 23, 2019, page 1, line 14, strike "AGE-APPROPRIATE" and substitute "IF NOT INCLUDED IN OTHER CURRICULUM OR PROGRAMS PROVIDED TO STUDENTS, AGE-APPROPRIATE".

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

SB19-009 by Senator(s) Todd, Coram; also Representative(s) McLachlan and Wilson--Concerning providing financial incentives for educators to work in rural areas.

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 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-025 as amended, SB19-009.
Laid over until Thursday, January 31: SB19-031.

CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR

The title of the following resolution was publicly read:

SJR19-003 by Senator(s) Garcia; also Representative(s) Esgar and Buentello--Concerning the fifty-first anniversary of the capture of the U.S.S. Pueblo by North Korea.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Cooke, Court, Crowder, Fields, Foote, Gardner, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Todd, Williams A., Winter, Woodward, and Zenzinger.

RECONSIDERATION OF SJR19-003

SJR19-003 by Senator(s) Garcia; also Representative(s) Esgar and Buentello--Concerning the fifty-first anniversary of the capture of the U.S.S. Pueblo by North Korea.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Consideration of Resolutions -- Consent Calendar, on **SJR19-003**.

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

CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR (cont'd)

The title of the following resolution was publicly read,:

SJR19-003 by Senator(s) Garcia; also Representative(s) Esgar and Buentello--Concerning the fifty-first anniversary of the capture of the U.S.S. Pueblo by North Korea.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Coram, Danielson, Donovan, Fenberg, Ginal, Pettersen, and Tate.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

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

HJR19-1005 by Representative(s) Roberts; also Senator(s) Donovan--Concerning water projects eligibility lists.
Agriculture & Natural Resources

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-107 by Senator(s) Donovan; --Concerning the installation of broadband internet service infrastructure.
Business, Labor, & Technology
Local Government

SB19-108 by Senator(s) Lee and Gardner; also Representative(s) Michaelson Jenet and Soper--Concerning changes to improve outcomes for youth in the juvenile justice system.
Judiciary

HB19-1008 by Representative(s) Kraft-Tharp and Larson, Soper; also Senator(s) Todd and Lundeen--Concerning the provision of grants for career and technical education capital construction through the "Building Excellent Schools Today Act".
Education

HB19-1014 by Representative(s) Singer and Bird; also Senator(s) Ginal--Concerning the retail food establishment inspection process, and, in connection therewith, detailing the process for the suspension of a retail food establishment's license or certification of license.
Business, Labor, & Technology

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.
Education

HB19-1041 by Representative(s) Buckner; also Senator(s) Rodriguez--Concerning the prevention of human exposure to surgical smoke during surgery at certain licensed health care facilities.
Health & Human Services

HB19-1044 by Representative(s) Kraft-Tharp and Landgraf; also Senator(s) Todd and Coram--Concerning advance behavioral health orders determining the scope of treatment an adult wishes to receive under certain behavioral health circumstances.
Health & Human Services

HB19-1060 by Representative(s) McKean, Arndt, Hooton; also Senator(s) Zenzinger, Moreno, Tate--Concerning conforming amendments necessitated by the transfer of certain safety authorities from the department of public health and environment to the department of public safety pursuant to House Bill 12-1268.
Judiciary

HB19-1077 by Representative(s) Roberts; also Senator(s) Tate and Pettersen--Concerning authorization for a pharmacist to dispense a chronic maintenance drug to a patient without a current prescription in limited circumstances.
Health & Human Services

On motion of Senator Winter, the Senate adjourned until 9:00 a.m., Wednesday, January 30, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

27th Legislative Day Wednesday, January 30, 2019

Prayer — By the chaplain, Rev. Dr. Brian Henderson, First Baptist Church of Denver.

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

Roll Call — Present--30
Excused--5, Gardner, Holbert, Scott, Smallwood, Winter.
Present later--4, Gardner, Holbert, Scott, Winter.

Quorum — The President announced a quorum present.

Pledge — By Senator Hisey.

Reading of the Journal — On motion of Senator Lee, reading of the Journal of Tuesday, January 29, 2019, 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 **SB19-055** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB19-107 and 108.
Correctly Engrossed: SB19-009 and 025; SJR19-003.
Correctly Reengrossed: SB19-029, 032, 042, 046, 070, 080, 081, 082, and 083.

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:

SB19-025 by Senator(s) Smallwood; also Representative(s) Hooton--Concerning providing information to public school students regarding laws that provide for the safe abandonment of newborn children.

Laid over until Thursday, January 31, retaining its place on the calendar.

SB19-009 by Senator(s) Todd, Coram; also Representative(s) McLachlan and Wilson--Concerning providing financial incentives for educators to work in rural areas.

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

YES	31	NO	0	EXCUSED	4	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hisey, Lee, Moreno, Pettersen, Priola, Rankin, Rodriguez, Sonnenberg, Story, Tate, Williams A., Winter, and Zenzinger.

TRIBUTES

Honoring:

IDD Awareness Day -- By Senator Rachel Zenzinger, Senator Bob Rankin, Representative Bri Buentello, and Representative Hugh McKean.
Sylvia Proud -- By President Leroy M. Garcia.
Jaxon Garoutte -- By President Leroy M. Garcia.
Walt Pickard -- By President Leroy M. Garcia.
Colorado 4-H -- By Senator Jerry Sonnenberg and Representative Rod Pelton.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, January 31, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

28th Legislative Day Thursday, January 31, 2019

Prayer — By Senator Holbert.

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

Roll Call — Present--30
Absent--2, Bridges, Rankin.
Excused--3, Coram, Danielson, Sonnenberg,
Present later--5, Bridges, Coram, Danielson, Rankin, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Hisey.

Reading of the Journal — On motion of Senator Lee, reading of the Journal of Wednesday, January 30, 2019, 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 **SB19-056** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB19-068** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB19-084** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB19-057** 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 9, strike "DISTRIBUTE" and substitute "FACILITATE THE DISTRIBUTION OF".

Page 5, line 2, strike "DISTRIBUTE" and substitute "FACILITATE THE DISTRIBUTION OF".

Page 5, line 6, after "EMPLOYEES" insert "OR HUMAN RESOURCES DIRECTORS".

Page 5, line 7, strike "SENT TO STATE EMPLOYEES".

Page 5, line 15, after "SERVICER" insert "OR AN OMBUDSMAN AT THE STATE IF ONE EXISTS".

Page 5, strike lines 16 through 18 and substitute "ADDITIONAL INFORMATION.".

Education After consideration on the merits, the Committee recommends that **SB19-069** 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 **SB19-094** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Reengrossed: SB19-009.

INTRODUCTION OF RESOLUTIONS

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

SJR19-004 by Senator(s) Sonnenberg and Fields; --Concerning the designation of February 4 as "Missing Persons Day" in Colorado.

Laid over until Monday, February 4, 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:

SB19-025 by Senator(s) Smallwood; also Representative(s) Hooton--Concerning providing information to public school students regarding laws that provide for the safe abandonment of newborn children.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Fields, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB19-031) of Thursday, January 31, was laid over until Tuesday, February 5, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
MILITARY AND VETERANS AFFAIRS AND
ADJUTANT GENERAL

effective immediately for a term expiring at the pleasure of the Governor:

Major General Michael A. Loh of Highlands Ranch, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

COMMITTEE OF REFERENCE REPORTS (cont'd)

Transportation & Energy

The Committee on Transportation & 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 OF THE
DEPARTMENT OF TRANSPORTATION

for a term expiring at the Pleasure of the Governor:

Shoshana Miriam Lew of Denver, Colorado to serve as executive director of the Colorado Department of Transportation, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-030** 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** 18-1-110.5 as follows:

18-1-410.5. Relief from improperly entered guilty pleas - legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) A CRIMINAL DEFENDANT CANNOT CHALLENGE AN UNCONSTITUTIONAL GUILTY PLEA WHEN THAT PLEA HAS BEEN WITHDRAWN AND THE UNDERLYING CHARGES DISMISSED FOLLOWING THE SUCCESSFUL COMPLETION OF A DEFERRED JUDGMENT;

(b) BASED ON THE STATUTORY LANGUAGE OF SECTION 18-1.3-102, TOGETHER WITH THE WRITTEN DEFERRED JUDGMENT AGREEMENT AND COURT COLLOQUY THAT ACCOMPANIES SUCH AGREEMENTS, MANY NONCITIZEN DEFENDANTS DID NOT UNDERSTAND THAT THE GUILTY PLEA WOULD CONTINUE TO CONSTITUTE A CONVICTION FOR IMMIGRATION PURPOSES AND RESULT IN ADVERSE IMMIGRATION CONSEQUENCES, DESPITE THE SUBSEQUENT WITHDRAWAL OF THE GUILTY PLEA AND DISMISSAL OF THE CHARGES UPON SUCCESSFUL COMPLETION OF THE DEFERRED JUDGMENT; AND

(c) IN THE ABSENCE OF AN APPROPRIATE MECHANISM, MANY NONCITIZEN DEFENDANTS HAVE BEEN UNFAIRLY DEPRIVED OF THE OPPORTUNITY TO CHALLENGE GUILTY PLEAS THAT WERE ENTERED IN VIOLATION OF THE CONSTITUTION OR LAWS OF THE UNITED STATES OR OF THIS STATE THAT RESULTED IN ADVERSE IMMIGRATION CONSEQUENCES.

(2) AT ANY TIME FOLLOWING THE WITHDRAWAL OF THE GUILTY PLEA AND DISMISSAL OF THE CHARGES UPON SUCCESSFUL COMPLETION OF A DEFERRED JUDGMENT, A CRIMINAL DEFENDANT MAY CHALLENGE THE GUILTY PLEA ON THE GROUNDS SET FORTH IN SUBSECTION (3) OF THIS

SECTION. THE COURT IN WHICH THE GUILTY PLEA WAS ORIGINALLY ENTERED HAS JURISDICTION AND AUTHORITY TO DECIDE THE MOTION.

(3) A DEFENDANT MOVING TO VACATE A GUILTY PLEA THAT HAS ALREADY BEEN WITHDRAWN FOLLOWING THE SUCCESSFUL COMPLETION OF A DEFERRED JUDGMENT MUST, IN GOOD FAITH, ALLEGE THE FOLLOWING:

(a) AS A RESULT OF THE GUILTY PLEA, THE DEFENDANT HAS SUFFERED, IS CURRENTLY SUFFERING, OR WILL SUFFER, AN ADVERSE IMMIGRATION CONSEQUENCE; AND

(b) THE GUILTY PLEA WAS OBTAINED IN VIOLATION OF THE CONSTITUTION OR LAWS OF THE UNITED STATES OR OF THIS STATE UNDER ONE OR MORE OF THE FOLLOWING GROUNDS:

(I) THE DEFENDANT WAS NOT INFORMED THAT THE GUILTY PLEA WOULD CONTINUE TO RESULT IN ADVERSE IMMIGRATION CONSEQUENCES DESPITE THE SUBSEQUENT WITHDRAWAL OF THE GUILTY PLEA AND DISMISSAL OF THE CHARGES WITH PREJUDICE;

(II) THE DEFENDANT WAS NOT ADEQUATELY ADVISED OF THE IMMIGRATION CONSEQUENCES OF THE GUILTY PLEA; OR

(III) THE GUILTY PLEA WAS CONSTITUTIONALLY INFIRM FOR ANY OTHER REASON SET FORTH IN SECTION 18-1-410 (1).

(4) (a) UPON RECEIPT OF THE MOTION, THE COURT SHALL DIRECT THE PROSECUTION TO RESPOND WITHIN TWENTY-ONE DAYS OR REQUEST ADDITIONAL TIME FOR GOOD CAUSE SHOWN. IF A RESPONSE IS NOT FILED, THE MOTION IS DEEMED UNOPPOSED, AND THE COURT SHALL GRANT THE MOTION. IF THE PROSECUTION OPPOSES THE MOTION, IT SHALL ALLEGE, IN GOOD FAITH, THE FACTS UPON WHICH IT BASES ITS OPPOSITION. IF THE RESPONSE RAISES AN ISSUE OF MATERIAL FACT, THE COURT SHALL SET THE MATTER FOR AN EVIDENTIARY HEARING.

(b) UNLESS THE PROSECUTION PROVES BY A PREPONDERANCE OF THE EVIDENCE THAT THE DEFENDANT WILL NOT SUFFER AN IMMIGRATION CONSEQUENCE OR THAT THE GUILTY PLEA WAS CONSTITUTIONALLY ENTERED, THE COURT SHALL GRANT THE MOTION.

(c) FOR CLAIMS RAISED PURSUANT TO SUBSECTION (3)(b)(I) OF THIS SECTION, THE PROSECUTION CAN NEITHER RAISE AN ISSUE OF MATERIAL FACT TO OBTAIN AN EVIDENTIARY HEARING NOR DEFEAT A CLAIM AT THE HEARING BY RELYING ON WRITTEN DOCUMENTS, SUCH AS A DEFERRED JUDGMENT AGREEMENT, PLEA PAPERWORK, OR TRANSCRIPT OF A COURT COLLOQUY, UNLESS THOSE DOCUMENTS CLEARLY SHOW THAT THE DEFENDANT WAS INFORMED THAT THE IMMIGRATION CONSEQUENCES RESULTING FROM A GUILTY PLEA WOULD REMAIN DESPITE THE SUBSEQUENT WITHDRAWAL OF THAT GUILTY PLEA AND THE DISMISSAL OF THE CHARGES WITH PREJUDICE.

(5) IF THE DEFENDANT SUCCEEDS IN CHALLENGING A GUILTY PLEA UNDER SUBSECTION (3) OF THIS SECTION, THE COURT SHALL VACATE THE GUILTY PLEA AS CONSTITUTIONALLY INFIRM. THE ORDER CONSTITUTES AN ADDITIONAL INDEPENDENT BASIS FOR THE VACATUR OF THE GUILTY PLEA AND DOES NOT RESULT IN THE REINSTATEMENT OF CHARGES.

SECTION 2. Applicability. This act applies to charges dismissed before, 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.".

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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 January 16, 2019 for a term expiring at the pleasure of the Governor:

Dan Gibbs of Silverthorne, Colorado, appointed.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **HJR19-1005** be referred to the Senate for final action and with a recommendation that it be placed on the consent calendar.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **HB19-1015** be referred to the Committee of the Whole with favorable recommendation.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-040** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 7, strike "NINETEEN" and substitute "TWENTY-FOUR".

Page 3, strike lines 16 through 18 and substitute:

"(V) THE DIRECTOR OF THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, OR THE DIRECTOR'S DESIGNEE;

(VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND".

Renumber succeeding subparagraph accordingly.

Page 3, line 19, strike "FOURTEEN" and substitute "EIGHTEEN".

Page 4, line 2, strike "TWO" and substitute "FOUR".

Page 4, line 3, after "WITH" insert "AT LEAST".

Page 4, line 4, after "AND" insert "AT LEAST".

Page 4, line 10, strike "ONE" and substitute "TWO".

Page 4, line 12, strike "ONE" and substitute "TWO".

Page 4, strike lines 16 and 17 and substitute:

"(I) ONE MEMBER OF THE 9-1-1 ADVISORY TASK FORCE ESTABLISHED BY THE PUBLIC UTILITIES COMMISSION.".

Page 4, lines 19 and 20, strike "STATEWIDE ORGANIZATION REPRESENTING PUBLIC SAFETY ANSWERING POINTS." and substitute "NONPROFIT ORGANIZATION WITH EXPERTISE IN NATIONALLY RECOGNIZED SAFETY STANDARDS.".

Page 4, after line 24 insert:

"(III) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE NONVOTING EX OFFICIO MEMBER WHO REPRESENTS THE INSURANCE INDUSTRY.".

Renumber succeeding subparagraph accordingly.

Page 5, line 18, strike "(3)(a)(VI)(C) TO (3)(a)(VI)(F)" and substitute "(3)(a)(VII)(C) TO (3)(a)(VII)(F)".

Page 5, line 23, strike "(3)(a)(VI)" and substitute "(3)(a)(VII)".

Page 7, line 14, strike "DEVELOPING" and substitute "IN COOPERATION WITH THE COLORADO STATE FOREST SERVICE AND OTHER AFFECTED STAKEHOLDERS, DEVELOPING".

Page 8, lines 18 and 19, strike "AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES" and substitute "RURAL AFFAIRS AND AGRICULTURE".

Page 8, line 20, strike "AGRICULTURE, NATURAL RESOURCES, AND ENERGY" and substitute "AGRICULTURE AND NATURAL RESOURCES".

MESSAGE FROM THE HOUSE

January 31, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1043, 1068, 1070, 1071, 1104, 1047.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1001, 1035, 1042, 1062, 1082, amended as printed in House Journal, January 31, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

January 31, 2019

We herewith transmit:

Without comment, HB19-1043, 1047, 1068, 1070, 1071, and 1104.
Without comment, as amended, HB19-1001, 1035, 1042, 1062, and 1082.

APPOINTMENT LETTER

January 31, 2019

Ms. Natalie Mullis
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Ms. Natalie Mullis:

Please be advised that I, along and in consultation with the Speaker of the House of Representatives, together are appointing or reappointing the following individuals to serve on Commission on Uniform State Laws to be enacted through a Senate Joint Resolution.

Senator Pat Steadman, Denver, CO, reappointed
Senator Bob Gardner, Colorado Spring, CO, reappointed
Representative Claire Levy, Boulder, CO, reappointed

Representative Kerry Tipper, Lakewood, CO, appointed to replace Representative Cole Wist
Sara S Scott, Esq., Denver, CO, appointed to replace Representative Anne McGihon
Joseph R. Whitfield, Esq., Aurora, CO, appointed to replace Senator Brandon Schaffer

These appointments shall be effective as per the terms of the enabling legislation.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate President

(signed)
K.C. Becker
Speaker of the House

Cc: The Honorable Chris Holbert, Senate Minority Leader
The Honorable John Cooke, Senate Assistant Minority Leader
The Honorable K C Becker, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Cindi Markwell, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle
Thomas Morris

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-109 by Senator(s) Fenberg; also Representative(s) Garnett--Concerning adjustments to limitations on damages to reflect the effects of inflation.
Judiciary

SB19-110 by Senator(s) Crowder; also Representative(s) Pelton--Concerning the regulation of facilities performing medical procedures outside of a hospital setting.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 18, 2019

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
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS

for a term expiring July 1, 2022:

Victoria McColm of Colorado Springs, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 18, 2019

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, 2021:

Megan Marie Strong of Thornton, Colorado, representing employers who have demonstrated good risk management experience with respect to their workers' compensation insurance, reappointed;

Carl Joseph Herrmann of Wellington, Colorado, representing employers who have demonstrated good risk management experience with respect to their workers' compensation insurance, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 18, 2019

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, 2022:

John D. Craco of Arvada, Colorado, a person engaged in the construction of residential or commercial buildings as a plumbing contractor, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 18, 2019

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 MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2022:

Charles Patterson "Buzz" Moore of Grand Junction, Colorado, a licensed mortgage loan originator, reappointed;

Fred Joseph of Denver, Colorado, a member of the public at large, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 22, 2019

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, 2019:

Samuel McCullough Forsyth of Louisville, Colorado, appointed;

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)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

On motion of Senator Williams, the Senate adjourned until 9:00 a.m., Friday, February 1, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

29th Legislative Day Friday, February 1, 2019

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

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 Hisey.

Reading of the Journal — On motion of Senator Lee, reading of the Journal of Thursday, January 31, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education — After consideration on the merits, the Committee recommends that **SB19-059** 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 13 and 14.

Renumber succeeding subsections accordingly.

Page 3, after line 16 insert:
"(4) "LOCAL EDUCATION PROVIDER" MEANS A PUBLIC SCHOOL AS DESCRIBED IN SECTION 22-1-101, A SCHOOL DISTRICT, OR A BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF THIS TITLE 22.".

Renumber succeeding subsections accordingly.

Page 3, line 24, strike "COLORADO OR AN INSTITUTE CHARTER" and substitute "COLORADO.".

Page 3, strike line 25.

Page 4, line 24, strike "SCHOOL DISTRICTS" and substitute "LOCAL EDUCATION PROVIDERS".

Page 5, line 3, strike "DISTRICT" and substitute "LOCAL EDUCATION PROVIDER".

Page 5, line 5, strike "DISTRICT" and substitute "LOCAL EDUCATION PROVIDER".

Page 5, line 12, strike "**Eligible school districts**" and substitute "**Eligibility**".

Page 5, strike line 13 and substitute: "**grant money - report.** (1) (a) A LOCAL EDUCATION PROVIDER MAY APPLY FOR A GRANT PURSUANT TO THIS SECTION; EXCEPT THAT, WHEN A SCHOOL DISTRICT SUBMITS AN APPLICATION AND IS ELIGIBLE FOR A GRANT PURSUANT TO THIS PART 2, A SCHOOL OPERATING WITHIN THAT DISTRICT MAY NOT SUBMIT AN

APPLICATION.

(b) AN APPLICATION FROM AN INDIVIDUAL SCHOOL MUST BE SUBMITTED BY THE CHIEF ADMINISTRATIVE OFFICER OF THE SCHOOL AND, IF THE SCHOOL IS NOT A CHARTER SCHOOL, THE SCHOOL MUST NOTIFY THE SUPERINTENDENT OF THE SCHOOL DISTRICT OF THE APPLICATION.

(2) (a) A LOCAL EDUCATION PROVIDER IS ELIGIBLE FOR THE".

Renumber succeeding subsections accordingly.

Page 5, strike line 16 and substitute: "COURSE BASED ON ANY OF THE FOLLOWING CRITERIA:

(I) THE STUDENT".

Page 5, line 22, strike "(I)" and substitute "(A)".

Page 5, line 25, strike "(II)" and substitute "(B)".

Page 6, line 2, strike "(III)" and substitute "(C)".

Page 6, line 4, strike "STUDIES." and substitute "STUDIES; OR

(II) ANY OTHER MEASURE, APPLIED TO ALL STUDENTS ENROLLED IN A LOCAL EDUCATION PROVIDER, THAT, IN THE JUDGMENT OF THE LOCAL EDUCATION PROVIDER, IS AN INDICATOR THAT A STUDENT DEMONSTRATES THE ABILITY TO SUCCEED IN AN ADVANCED COURSE.".

Page 6, line 19, strike "SCHOOL DISTRICT'S" and substitute "LOCAL EDUCATION PROVIDER'S".

Page 6, line 23, strike "SCHOOL DISTRICT'S" and substitute "LOCAL EDUCATION PROVIDER'S".

Page 6, line 27, strike "(3)" and substitute "(4)".

Page 7, lines 12 and 13, strike "IN THE SCHOOL DISTRICT" and substitute "WITH THE LOCAL EDUCATION PROVIDER".

Page 7, line 15, strike "SCHOOL DISTRICTS THAT RECEIVE" and substitute "A LOCAL EDUCATION PROVIDER THAT RECEIVES".

Strike "SCHOOL DISTRICT" and substitute "LOCAL EDUCATION PROVIDER" on: **Page 4**, lines 14, 15, and 22; **Page 5**, lines 8 and 14; **Page 6**, lines 18 and 25; **Page 7**, lines 6 and 20.

Strike "AN ELIGIBLE SCHOOL DISTRICT" and substitute "A LOCAL EDUCATION PROVIDER" on: **Page 6**, lines 5, 9, 12, and 14 and 15; **Page 7**, line 2.

Education

After consideration on the merits, the Committee recommends that **SB19-074** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-005** 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 5 insert:

"**SECTION 2.** In Colorado Revised Statutes, 25.5-1-201, **amend** (1) introductory portion, (1)(f), and (1)(g); and **add** (1)(h) as follows:

25.5-1-201. Programs to be administered by the department of health care policy and financing. (1) ~~Programs to be administered and functions to be performed by~~ The department of health care policy and financing shall ~~be as follows~~ ADMINISTER THE FOLLOWING PROGRAMS AND PERFORM THE FOLLOWING FUNCTIONS:

(f) The old age pension health and medical care program, as specified in section 25.5-2-101; ~~and~~

(g) Programs, services, and supports for persons with intellectual and developmental disabilities, as specified in article 10 of this ~~title~~ TITLE 25.5; AND

(h) ANY PROGRAM CONCERNING THE WHOLESALE IMPORTATION OF PRESCRIPTION DRUGS PURSUANT TO PART 2 OF ARTICLE 2.5 OF THIS TITLE 25.5.".

Renumber succeeding sections accordingly.

Page 3, after line 20 insert:

"(4) "LICENSED PROVIDER" MEANS A PERSON WHO IS LICENSED TO PRESCRIBE PHARMACEUTICAL PRODUCTS TO CONSUMERS BY A HEALTH CARE PRESCRIBER BOARD DESCRIBED IN SECTION 24-34-112 (1)(a).".

Renumber succeeding subsection accordingly.

Page 3, line 25, strike "JANUARY" and substitute "JULY".

Page 4, after line 10 insert:

"(a) DESIGNATE AN OFFICE OR DIVISION OF A STATE AGENCY THAT SHALL BECOME A LICENSED PHARMACEUTICAL WHOLESALER OR CONTRACT WITH A PHARMACEUTICAL WHOLESALER LICENSED PURSUANT TO PART 3 OF ARTICLE 42.5 OF TITLE 12;".

Reletter succeeding paragraphs accordingly.

Page 5, strike lines 23 through 26 and substitute:

"(m) SET A MAXIMUM PROFIT MARGIN SO THAT A WHOLESALER, DISTRIBUTOR, PHARMACY, OR OTHER LICENSED PROVIDER PARTICIPATING IN THE IMPORTATION PROGRAM MAINTAINS A PROFIT MARGIN THAT IS NO GREATER THAT THE PROFIT MARGIN THAT THE WHOLESALER, DISTRIBUTOR, PHARMACY, OR OTHER LICENSED PROVIDER WOULD HAVE EARNED ON THE EQUIVALENT NONIMPORTED DRUG;".

Page 6, line 6, after "PUB.L. 113-54;" add "AND".

Page 6, line 13, strike "SAVINGS; AND" and substitute "SAVINGS.".

Page 6, strike lines 14 and 15.

Page 6, line 16, strike "**hearings**" and substitute "**meetings**".

Page 6, line 17, strike "JANUARY" and substitute "JULY".

Page 6, line 20, strike "PROGRAM;" and substitute "PROGRAM AND ANY OTHER IMPORTATION OPTIONS THE STATE DEPARTMENT MAY DESCRIBE;".

Page 7, line 3, strike "HEARINGS" and substitute "MEETINGS".

Page 7, line 4, strike "HEARING" and substitute "MEETING".

Page 7, line 5, strike "HEARING" and substitute "MEETING".

Page 7, line 7, strike "HEARINGS" and substitute "MEETINGS".

Page 7, line 8, strike "APRIL" and substitute "NOVEMBER".

Page 7, line 17, strike "MAY" and substitute "DECEMBER".

Page 7, lines 19 and 20, strike "MAY 1, 2020," and substitute "JANUARY 1, 2021,".

Page 8, line 27, strike "TITLE 24," and substitute "TITLE 24 AND SECTION 25.5-1-108,".

Finance

After consideration on the merits, the Committee recommends that **SB19-066** 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, strike "**report.**" and substitute "**report - repeal.**".

Page 3, strike line 17 and substitute "ONE MILLION DOLLARS FROM THE MARIJUANA TAX CASH FUND, CREATED IN SECTION 39-28.8-501, TO THE TRUST FUND.".

Page 3, strike lines 18 through 24 and substitute:

"(II) ON AUGUST 1, 2019, AND EACH AUGUST 1 THEREAFTER, THE STATE TREASURER SHALL TRANSFER TWO MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE MARIJUANA TAX CASH FUND, CREATED IN SECTION 39-28.8-501, TO THE TRUST FUND; EXCEPT THAT, THE TRANSFER IN THE 2020-21 FISCAL YEAR AND IN EACH FISCAL YEAR THEREAFTER SHALL BE AN AMOUNT EQUAL TO THE AMOUNT TRANSFERRED IN THE PREVIOUS FISCAL YEAR INCREASED BY TEN PERCENT.".

Page 5, strike lines 2 and 3 and substitute "SECTION, IN THE PRECEDING BUDGET YEAR TO MEET THE NEEDS OF A SINGLE STUDENT WITH AN IEP; AND".

Page 5, line 5, strike "THREE" and substitute "ONE".

Page 5, strike lines 6 through 9 and substitute:

"(B) TWO AND ONE-HALF PERCENT OF THE ADMINISTRATIVE UNIT'S ANNUAL AUDITED OPERATING EXPENSES FOR THE PRECEDING BUDGET YEAR.".

Page 5, strike lines 11 through 14 and substitute ""EXPENDITURES" INCLUDES ITEMS THAT ARE ALLOWABLE SPECIAL EDUCATION EXPENDITURES PURSUANT TO STATE AND FEDERAL LAW. AN ADMINISTRATIVE UNIT".

Page 5, strike lines 23 and 24.

Renumber succeeding subparagraphs accordingly.

Page 6, line 19, strike "REPORT TO" and insert "INCORPORATE THE FOLLOWING INFORMATION REGARDING THE SPECIAL EDUCATION TRUST FUND GRANT INTO THE ANNUAL SPECIAL EDUCATION FISCAL ADVISORY COMMITTEE REPORT TO THE STATE BOARD OF EDUCATION AND".

Page 6, lines 20 and 21, strike "COMMITTEES, THE FOLLOWING INFORMATION:" and substitute "COMMITTEES:".

Page 7, after line 6 insert:

"(5) (a) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2027.

(b) PRIOR TO SUCH REPEAL, THE STATE TREASURER SHALL:

(I) TRANSFER ANY UNEXPENDED AND UNENCUMBERED TRUST FUND INTEREST AND INCOME TO THE GENERAL FUND; AND

(II) TRANSFER ANY REMAINING MARIJUANA TAX CASH FUND MONEY TRANSFERRED TO THE TRUST FUND PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION TO THE MARIJUANA TAX CASH FUND, CREATED IN SECTION 39-28.8-501.".

Page 7, line 10, after "(6)" insert "(a)".

Page 7, after line 14 insert:

"(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2027.".

Page 7, line 18, strike "**declaration.**" and substitute "**declaration - repeal.**".

Page 8, strike lines 2 through 8 and substitute:

"(4.5) (a) ON JUNE 30, 2019, ON AUGUST 1, 2019, AND ON AUGUST 1 OF EACH YEAR THEREAFTER, THE STATE TREASURER SHALL TRANSFER FROM THE FUND TO THE HIGH-COST SPECIAL EDUCATION TRUST FUND, CREATED IN SECTION 22-20-114.7, THE AMOUNTS SPECIFIED IN SECTION 22-20-114.7 (2)(b).".

Page 8, after line 8 insert:
"(b) THIS SUBSECTION (4.5) IS REPEALED, EFFECTIVE JULY 1, 2027.".

SENATE SERVICES REPORT

Correctly Printed: SB19-109 and 110.
Correctly Reengrossed: SB19-025.

MESSAGE FROM THE GOVERNOR

January 31, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

S.B. 19-011 - Concerning the conversion of certain fermented malt beverage licenses issued under the "Colorado Beer Code" to malt liquor licenses issued under the "Colorado Liquor Code."

Approved January 31, 2019 at 1:03 p.m.

Sincerely,
(signed)
Jared Polis
Governor
State of Colorado

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 1, 2019

Mr. President:

The House has adopted and transmits herewith HJRs19-1007, 1008, 1009, 1010, as printed in House Journal, February 1, 2019.

The House has adopted and returns herewith SJR19-003.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR19-1007 by Representative(s) Michaelson Jenet and Carver; also Senator(s) Story and Gardner--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

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

HJR19-1008 by Representative(s) Exum and Buckner, Coleman, Herod, Jackson, Melton; also Senator(s) Williams A. and Fields--Concerning recognition of African-American veterans.

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

HJR19-1009 by Representative(s) Weissman and Landgraf; also Senator(s) Court and Crowder--Concerning the recognition and remembrance of military veterans in Colorado who served in the Vietnam War.

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

HJR19-1010 by Representative(s) Duran and Geitner; also Senator(s) Fields and Hill--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 bill was read by title and referred to the committee indicated:

HB19-1050 by Representative(s) Titone; also Senator(s) Priola and Winter--Concerning the promotion of water-efficient landscaping on property subject to management by local supervisory entities.
Local Government

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, February 4, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

32nd Legislative Day Monday, February 4, 2019

Prayer — By the chaplains, Dilpreet Jammu, Colorado Sikhs, Parker; and Rev. Mark Tidd, Highlands Church, Denver.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Lundeen.

Reading of the Journal — On motion of Senator Pettersen, reading of the Journal of Friday, February 1, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-111 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of corrections.
Appropriations

SB19-112 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.
Appropriations

SB19-113 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of health care policy and financing.
Appropriations

SB19-114 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of human services.
Appropriations

SB19-115 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the judicial department.
Appropriations

SB19-116 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of law.
Appropriations

SB19-117 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of local affairs.
Appropriations

SB19-118 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of military and veterans affairs.
Appropriations

SB19-119 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of personnel.
Appropriations

SB19-120 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of public health and environment.
Appropriations

SB19-121 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of public safety.
Appropriations

SB19-122 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of regulatory agencies.
Appropriations

SB19-123 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of revenue.
Appropriations

SB19-124 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of state.
Appropriations

SB19-125 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--Concerning a supplemental appropriation to the department of transportation.
Appropriations

SB19-126 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of the treasury.
Appropriations

SB19-127 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.
Appropriations

SB19-128 by Senator(s) Moreno and Todd, Zenzinger, Rankin; also Representative(s) Esgar and McLachlan, Hansen, Ransom--Concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, and, in connection therewith, making and reducing appropriations.
Appropriations

On motion of Majority Leader Fenberg, 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

SJR19-004 by Senator(s) Sonnenberg and Fields; also Representative(s) Valdez D. and Pelton--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

Senate in recess. Senate reconvened.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Foote 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:

SB19-069 by Senator(s) Lundeen; also Representative(s) Wilson--Concerning nonpublic schools' authority to operate certain teacher development programs.

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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-069.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Foote 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:

SB19-068 by Senator(s) Zenzinger and Tate, Coram, Court, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hisey, Lee, Moreno, Pettersen, Priola, Rodriguez, Story, Todd, Williams A., Winter; also Representative(s) Weissman--Concerning expanded disclosure about electioneering communications.

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

SB19-057 by Senator(s) Story and Fenberg, Moreno, Zenzinger; also Representative(s) McCluskie--Concerning information relating to employee eligibility for student loan repayment programs.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, January 31, page 131 and placed in members' bill files.)

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

HB19-1015 by Representative(s) Arndt; also Senator(s) Ginal--Concerning the recreation of the Colorado water institute.

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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-068, SB19-057 as amended, HB19-1015.

Upon request of Majority Leader Fenberg, **HJR19-1010** was removed from the Consideration of Resolutions--Consent Calendar of Monday, February 4, 2019, and was placed at the end of the Consideration of Resolutions Calendar of Monday, February 4, 2019.

CONSIDERATION OF RESOLUTIONS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following resolutions were **adopted** by the following roll call votes:

HJR19-1005 by Representative(s) Roberts; also Senator(s) Donovan--Concerning water projects eligibility lists.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Cooke, Coram, Court, Crowder, Danielson, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hisey, Lee, Lundeen, Marble, Moreno, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

HJR19-1007 by Representative(s) Michaelson Jenet and Carver; also Senator(s) Story and Gardner--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

HJR19-1008 by Representative(s) Exum and Buckner, Coleman, Herod, Jackson, Melton; also Senator(s) Williams A. and Fields--Concerning recognition of African-American veterans.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Winter, Woodward, and Zenzinger.

HJR19-1009 by Representative(s) Weissman and Landgraf; also Senator(s) Court and Crowder--Concerning the recognition and remembrance of military veterans in Colorado who served in the Vietnam War.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

CONSIDERATION OF RESOLUTIONS (cont'd)

HJR19-1010 by Representative(s) Duran and Geitner; also Senator(s) Fields and Hill--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 Senator Hill, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF TRANSPORTATION

for a term expiring at the Pleasure of the Governor:

Shoshana Miriam Lew of Denver, Colorado to serve as executive director of the Colorado Department of Transportation, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR
COLORADO DEPARTMENT OF NATURAL RESOURCES

effective January 16, 2019 for a term expiring at the pleasure of the Governor:

Dan Gibbs of Silverthorne, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 4, 2019

Mr. President:

The House has adopted and returns herewith SJR19-004.

INTRODUCTION OF BILLS -- FIRST READING (cont'd)

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

SB19-129 by Senator(s) Story, Danielson; also Representative(s) Froelich, Bird, Kipp--Concerning the regulation of online schools.
Education

SB19-130 by Senator(s) Gardner; also Representative(s) Rich and Larson, Liston--Concerning sales tax administration, and, in connection therewith, simplifying the collection of sales tax by retailers without physical presence and reversing the department of revenue's destination sourcing rule for Colorado retailers.
Finance

SB19-131 by Senator(s) Woodward, Tate; also Representative(s) Van Winkle and Arndt, Larson--Concerning an exemption for certain businesses from the destination sourcing rule for sales tax collection requirements.
Finance

SB19-132 by Senator(s) Gardner, Hisey, Lundeen, Woodward; also Representative(s) Carver--Concerning the preservation of the senior property tax exemption of a senior who changes primary residences due to medical necessity.
Finance

HB19-1001 by Representative(s) Kennedy; also Senator(s) Moreno and Rankin--Concerning hospital transparency measures required to analyze the efficacy of hospital delivery system reform incentive payments.
Health & Human Services

HB19-1035 by Representative(s) Rich and Roberts; also Senator(s) Woodward and Ginal--Concerning an increase in the flexibility to set fees for electrical inspections that are not conducted by the state.
Local Government

HB19-1042 by Representative(s) Gonzales-Gutierrez; also Senator(s) Gonzales--Concerning expanding the jurisdiction of the courts for certain vulnerable youth.
Judiciary

HB19-1043 by Representative(s) Galindo; also Senator(s) Danielson--Concerning the ability of life care institutions to post a surety bond as a form of required reserve.
Business, Labor, & Technology

HB19-1047 by Representative(s) Buentello; also Senator(s) Danielson--Concerning the authority of a metropolitan district to levy a sales tax for the purpose of providing fire protection in the areas of the district in which the tax is levied.
Local Government

HB19-1062 by Representative(s) Rich; also Senator(s) Scott--Concerning the Grand Junction regional center campus.
State, Veterans, & Military Affairs

HB19-1068 by Representative(s) Arndt, Hooton; also Senator(s) Moreno, Zenzinger--Concerning the elimination of the requirement that the state board of health comply with certain statutory requirements concerning the preparation of operational planning functions as if the state board were the executive director of the department of public health and environment.
Health & Human Services

HB19-1070 by Representative(s) Arndt, Hooton, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning the repeal of statutory provisions requiring the department of public health and environment to test substances that are purported to have value in the treatment of cancer.
Health & Human Services

HB19-1071 by Representative(s) McKean, Arndt, Hooton; also Senator(s) Zenzinger, Moreno--Concerning the repeal of obsolete provisions regarding water quality control, and, in connection therewith, eliminating the requirement that the state board of health approve a municipality's entrance into a joint operating agreement with an industrial enterprise for work relating to sewerage facilities and clarifying that the board of directors of a water conservancy district must comply with the rules of the water quality control commission concerning the manner in which watercourses of the district are used for waste disposal.
Agriculture & Natural Resources

HB19-1104 by Representative(s) Ransom; also Senator(s) Lee--Concerning the rights of persons represented by an attorney through the office of the respondent parents' counsel.
Judiciary

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR19-003.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, February 5, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

33rd Legislative Day Tuesday, February 5, 2019

Prayer — By the chaplain, Rev. Dr. John Roberts, First Baptist Church of Sterling.

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

Roll Call — Present--34
Excused--1, Story.
Present later--1, Story.

Quorum — The President announced a quorum present.

On motion of Majority Leader Fenberg, 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 Harper Pagnozzi, a third grade student at Prospect Valley Elementary School.

Musical Presentation — By Sound of the Rockies, performing "The Star-Spangled Banner".

Reading of the Journal — On motion of Senator Pettersen, reading of the Journal of Monday, February 4, 2019, 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 **SB19-043** 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 26 insert:

"**SECTION 11. Appropriation.** For the 2019-20 state fiscal year, $9,693,205 is appropriated to the judicial department. This appropriation is from the general fund and is based on an assumption that the department will require an additional 78.0 FTE. To implement this act, the department may use this appropriation as follows:

Courts administration, central appropriations	
Health, life, and dental	$437,570
Short-term disability	$3,872
S.B. 04-257 amortization equalization disbursement	$187,666
S.B. 06-235 supplemental amortization equalization disbursement	$187,666
Courts administration, centrally-administered programs	
Courthouse furnishings and infrastructure maintenance	$1,671,645
Trial courts	
Trial court programs	$5,156,028 (55.2 FTE)
Office of the state public defender	
Personal services	$1,356,910 (22.8 FTE)
Health, life, and dental	$224,512
Short-term disability	$2,304
S.B. 04-257 amortization equalization disbursement	$60,658
S.B. 06-235 supplemental amortization equalization disbursement	$60,658

Operating expenses	$21,850
Capital outlay	$117,950
Leased space and utilities	$201,066
Attorney registration	$2,850.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**DISTRICTS.**" and substitute "**DISTRICTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **SB19-111** 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 **SB19-112** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB19-113** 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 **SB19-114** 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 **SB19-115** 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 **SB19-116** 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 **SB19-117** 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 **SB19-118** 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 **SB19-119** 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 **SB19-120** 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 **SB19-121** 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 **SB19-122** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB19-123** 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 **SB19-124** 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 **SB19-125** 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 **SB19-126** 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 **SB19-127** 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 **SB19-128** 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 **SB19-086** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 10, line 13, strike "PROVISION;" and substitute "PROVISIONS;".

Page 23, line 5, strike "CORPORATION," and substitute "ENTITY,".

Page 23, line 7, strike "A SHAREHOLDER" and substitute "AN OWNER".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-089** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-087** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-091** 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 17 insert:

"(d) THE DIVISION OF PARKS AND WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES CREATED PURSUANT TO SECTION 24-1-124;".

Reletter succeeding paragraphs accordingly.

Page 6, line 4, after "POLICE," insert "THE NATIONAL SHERIFFS' ASSOCIATION, THE FRATERNAL ORDER OF POLICE,".

Page 7, after line 22 insert:

"(d) THE DIVISION OF PARKS AND WILDLIFE WITHIN THE DEPARTMENT OF NATURAL RESOURCES CREATED PURSUANT TO SECTION 24-1-124;".

Reletter succeeding paragraphs accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-079** 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 26, strike "OR".

Page 4, line 3, strike "CONDITION." and substitute "CONDITION; OR
(XI) THE PODIATRIST DEMONSTRATES ECONOMIC HARDSHIP IN ACCORDANCE WITH RULES ADOPTED BY THE BOARD PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.".

Page 4, line 7, strike "RULES DEFINING" and substitute "RULES:
(a) DEFINING".

Page 4, line 9, strike "SECTION." and substitute "SECTION; AND
(b) DEFINING ECONOMIC HARDSHIP FOR PURPOSES OF SUBSECTION (1)(a)(XI) OF THIS SECTION AND ESTABLISHING:
(I) THE PROCESS FOR A PODIATRIST TO DEMONSTRATE ECONOMIC HARDSHIP, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED TO ALLOW THE BOARD TO MAKE A DETERMINATION;
(II) THE PERIOD DURING WHICH THE ECONOMIC HARDSHIP EXCEPTION IS EFFECTIVE, WHICH PERIOD SHALL NOT EXCEED ONE YEAR; AND
(III) A PROCESS FOR A PODIATRIST TO APPLY TO RENEW AN ECONOMIC HARDSHIP EXCEPTION, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED THAT DEMONSTRATES THE PODIATRIST'S CONTINUING NEED FOR THE EXCEPTION.".

Page 6, line 22, strike "OR".

Page 6, line 26, strike "CONDITION." and substitute "CONDITION; OR
(k) THE DENTIST DEMONSTRATES ECONOMIC HARDSHIP IN ACCORDANCE WITH RULES ADOPTED BY THE BOARD PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.".

Page 6, line 27, strike "RULES DEFINING" and substitute "RULES:
(a) DEFINING".

Page 7, line 2, strike "SECTION." and substitute "SECTION; AND
(b) DEFINING ECONOMIC HARDSHIP FOR PURPOSES OF SUBSECTION (1)(k) OF THIS SECTION AND ESTABLISHING:
(I) THE PROCESS FOR A DENTIST TO DEMONSTRATE ECONOMIC HARDSHIP, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED TO ALLOW THE BOARD TO MAKE A DETERMINATION;
(II) THE PERIOD DURING WHICH THE ECONOMIC HARDSHIP EXCEPTION IS EFFECTIVE, WHICH PERIOD SHALL NOT EXCEED ONE YEAR; AND
(III) A PROCESS FOR A DENTIST TO APPLY TO RENEW AN ECONOMIC HARDSHIP EXCEPTION, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED THAT DEMONSTRATES THE DENTIST'S CONTINUING NEED FOR THE EXCEPTION.".

Page 9, line 24, strike "OR".

Page 10, line 2, strike "CONDITION." and substitute "CONDITION; OR
(XI) THE PHYSICIAN OR PHYSICIAN ASSISTANT DEMONSTRATES ECONOMIC HARDSHIP IN ACCORDANCE WITH RULES ADOPTED BY THE BOARD PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.".

Page 10, line 7, strike "RULES DEFINING" and substitute "RULES:
(a) DEFINING".

Page 10, line 9, strike "SECTION." and substitute "SECTION; AND
(b) DEFINING ECONOMIC HARDSHIP FOR PURPOSES OF SUBSECTION (1)(a)(XI) OF THIS SECTION AND ESTABLISHING:
(I) THE PROCESS FOR A PHYSICIAN OR PHYSICIAN ASSISTANT TO DEMONSTRATE ECONOMIC HARDSHIP, INCLUDING THE INFORMATION

REQUIRED TO BE SUBMITTED TO ALLOW THE BOARD TO MAKE A DETERMINATION;

(II) THE PERIOD DURING WHICH THE ECONOMIC HARDSHIP EXCEPTION IS EFFECTIVE, WHICH PERIOD SHALL NOT EXCEED ONE YEAR; AND

(III) A PROCESS FOR A PHYSICIAN OR PHYSICIAN ASSISTANT TO APPLY TO RENEW AN ECONOMIC HARDSHIP EXCEPTION, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED THAT DEMONSTRATES THE PHYSICIAN'S OR PHYSICIAN ASSISTANT'S CONTINUING NEED FOR THE EXCEPTION.".

Page 13, line 6, strike "OR".

Page 13, strike line 11 and substitute "CONDITION; OR

(XI) THE ADVANCED PRACTICE NURSE DEMONSTRATES ECONOMIC HARDSHIP IN ACCORDANCE WITH RULES ADOPTED BY THE BOARD PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.".

Page 13, line 16, strike "RULES DEFINING" and substitute "RULES:

(a) DEFINING".

Page 13, line 18, strike "SECTION." and substitute "SECTION; AND

(b) DEFINING ECONOMIC HARDSHIP FOR PURPOSES OF SUBSECTION (1)(a)(XI) OF THIS SECTION AND ESTABLISHING:

(I) THE PROCESS FOR AN ADVANCED PRACTICE NURSE TO DEMONSTRATE ECONOMIC HARDSHIP, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED TO ALLOW THE BOARD TO MAKE A DETERMINATION;

(II) THE PERIOD DURING WHICH THE ECONOMIC HARDSHIP EXCEPTION IS EFFECTIVE, WHICH PERIOD SHALL NOT EXCEED ONE YEAR; AND

(III) A PROCESS FOR AN ADVANCED PRACTICE NURSE TO APPLY TO RENEW AN ECONOMIC HARDSHIP EXCEPTION, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED THAT DEMONSTRATES THE ADVANCED PRACTICE NURSE'S CONTINUING NEED FOR THE EXCEPTION.".

Page 16, line 18, strike "OR".

Page 16, line 22, strike "CONDITION." and substitute "CONDITION; OR

(XI) THE OPTOMETRIST DEMONSTRATES ECONOMIC HARDSHIP IN ACCORDANCE WITH RULES ADOPTED BY THE BOARD PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.".

Page 16, line 26, strike "RULES DEFINING" and substitute "RULES:

(a) DEFINING".

Page 17, line 1, strike "SECTION." and substitute "SECTION; AND

(b) DEFINING ECONOMIC HARDSHIP FOR PURPOSES OF SUBSECTION (1)(a)(XI) OF THIS SECTION AND ESTABLISHING:

(I) THE PROCESS FOR AN OPTOMETRIST TO DEMONSTRATE ECONOMIC HARDSHIP, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED TO ALLOW THE BOARD TO MAKE A DETERMINATION;

(II) THE PERIOD DURING WHICH THE ECONOMIC HARDSHIP EXCEPTION IS EFFECTIVE, WHICH PERIOD SHALL NOT EXCEED ONE YEAR; AND

(III) A PROCESS FOR AN OPTOMETRIST TO APPLY TO RENEW AN ECONOMIC HARDSHIP EXCEPTION, INCLUDING THE INFORMATION REQUIRED TO BE SUBMITTED THAT DEMONSTRATES THE OPTOMETRIST'S CONTINUING NEED FOR THE EXCEPTION.".

SENATE SERVICES REPORT

Correctly Printed: SB19-111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, and 132.
Correctly Engrossed: SB19-057, 068, and 069; SJR19-004.
Correctly Revised: HB19-1015; HJR19-1005, 1007, 1008, 1009, and 1010.
Correctly Enrolled: SJR19-003.

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

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

SB19-069 by Senator(s) Lundeen; also Representative(s) Wilson and Buentello--Concerning nonpublic schools' authority to operate certain teacher development 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Crowder, Fields, Garcia, Gardner, Hill, Hisey, Holbert, Lee, Marble, Priola, Rankin, Scott, Smallwood, Sonnenberg, Tate, Todd, Winter, Woodward, 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:

SB19-068 by Senator(s) Zenzinger and Tate, Coram, Court, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Hisey, Lee, Moreno, Pettersen, Priola, Rodriguez, Story, Todd, Williams A., Winter; also Representative(s) Weissman--Concerning expanded disclosure about electioneering communications.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges and Danielson.

SB19-057 by Senator(s) Story and Fenberg, Moreno, Zenzinger; also Representative(s) McCluskie--Concerning information relating to employee eligibility for student loan repayment programs.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fields, Garcia, Ginal, Gonzales, Lee, Pettersen, Priola, Rodriguez, Todd, Williams A., and Winter.

HB19-1015 by Representative(s) Arndt; also Senator(s) Ginal--Concerning the recreation of the Colorado water institute.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Fields, Garcia, Gonzales, Lee, Moreno, Rodriguez, Story, Todd, and Winter.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Foote 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:

SB19-031 by Senator(s) Gardner, Court; also Representative(s) Lontine and Liston--Concerning the composition of the child welfare allocations committee.

Amendment No. 1(L.001), by Senator Gardner.

Amend printed bill, page 2, strike line 3 and substitute "(2)(a), (2)(b), and (2)(c); and **add** (2)(e) as follows:".

Page 2, line 8, strike "department." and substitute "DEPARTMENT, AND THE COMMITTEE CONSISTS OF TWO NONVOTING MEMBERS WHO MUST BE APPOINTED BY THE STATE DEPARTMENT.".

Page 2, line 11, after the period add "THE TWO NONVOTING MEMBERS APPOINTED BY THE STATE DEPARTMENT MUST HAVE KNOWLEDGE AND EXPERIENCE IN THE FOLLOWING AREAS, INCLUDING BUT NOT LIMITED TO:
(I) FEDERAL FUNDING RELATED TO CHILD WELFARE;
(II) THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT OF 2018", AS DEFINED IN SECTION 26-5-101 (4.5);
(III) INTERESTS OF INDIVIDUALS WITH A DISABILITY; OR
(IV) INTERESTS OF INDIVIDUALS EXPERIENCING POVERTY.".

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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-031 as amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR19-004.

MESSAGE FROM THE HOUSE

February 5, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-028, 058.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1066, 1034, amended as printed in House Journal, February 5, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

February 5, 2019

We herewith transmit:

Without comment, as amended, HB19-1034 and 1066.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-133 by Senator(s) Ginal and Todd; also Representative(s) Michaelson Jenet--Concerning the regulation of genetic counselors.
Health & Human Services

HB19-1082 by Representative(s) Catlin and Valdez D.; also Senator(s) Coram--Concerning the rights of a water rights easement holder.
Agriculture & Natural Resources

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 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, 2021:

David Leroy Bomberger of Castle Rock, Colorado, who has experience in insurance disability claims, reappointed.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, February 6, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

34th Legislative Day Wednesday, February 6, 2019

Prayer — By Senator Fields.

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

Roll Call — Present--33
Excused--2, Court, Moreno.
Present later--2, Court, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Lundeen.

Musical Presentation — By the Heritage Christian Center Choir, performing "King Jesus is Listening" and "Lift Every Voice".

Reading of the Journal — On motion of Senator Pettersen, reading of the Journal of Tuesday, February 5, 2019, 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 **SB19-019** 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 2, line 15, after "ENTITY," insert "LOCALIZED EVIDENCE OF LOW FUEL MOISTURE CONTENT,".

Page 3, line 6, strike "section;" and substitute:

"section. HOWEVER, IF THE COUNTY ADOPTS A RESOLUTION SPECIFYING THAT THE ORDINANCE REMAINS IN EFFECT FOR SUCH PERIOD, OR ANY PORTION OF SUCH PERIOD, AND SUBSEQUENT TO THE ADOPTION OF THE RESOLUTION, A CHANGE IN THE WEATHER OCCURS RESULTING IN COMPETENT EVIDENCE THAT THE HIGH FIRE DANGER IS NOT PRESENT AND NO LONGER WILL BE PRESENT DURING THE REMAINDER OF THE PERIOD, THE COUNTY SHALL ENDEAVOR TO PROMPTLY CONSIDER WHETHER TO EXERCISE ITS LEGISLATIVE DISCRETION TO RESCIND THE RESTRICTIONS IT HAS ADOPTED ON THE SALE, USE, AND POSSESSION OF FIREWORKS. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (1)(n.7), THE ORDINANCE REMAINS IN EFFECT AND IS FULLY ENFORCEABLE UNTIL THE RESTRICTIONS HAVE BEEN RESCINDED.".

Local Government — After consideration on the merits, the Committee recommends that **HB19-1011** be referred to the Committee of the Whole with favorable recommendation.

Local Government — After consideration on the merits, the Committee recommends that **SB19-047** be postponed indefinitely.

Trans-portation & Energy — After consideration on the merits, the Committee recommends that **SB19-092** be referred to the Committee of the Whole with favorable recommendation.

On motion of Majority Leader Fenberg, 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 Printed: SB19-133.
Correctly Engrossed: SB19-031.
Correctly Reengrossed: SB19-057, 068, and 069.
Correctly Rerevised: HB19-1015.
Correctly Enrolled: SB19-028 and 058; SJR19-004.

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:

SB19-031 by Senator(s) Gardner, Court; also Representative(s) Lontine and Liston--Concerning the composition of the child welfare allocations 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Hisey, Marble, Priola, Rankin, Rodriguez, Smallwood, Tate, Todd, Williams A., and Winter.

Senate in recess. Senate reconvened.

On motion of Majority Leader Fenberg, 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 (cont'd)

Finance After consideration on the merits, the Committee recommends that **SB19-105** 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 **SB19-060** be postponed indefinitely.

MESSAGE FROM THE HOUSE

February 6, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1063.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1100, 1033, amended as printed in House Journal, February 6, 2019.

The House has passed on Third Reading and returns herewith SB19-045.

MESSAGE FROM THE REVISOR OF STATUTES

February 6, 2019

We herewith transmit:

Without comment, HB19-1063.
Without comment, as amended, HB19-1033 and 1100.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-111, SB19-113, SB19-114, SB19-115, SB19-116, SB19-117, SB19-118, SB19-119, SB19-120, SB19-121, SB19-123, SB19-124, SB19-125, SB19-126, SB19-127, SB19-128, and SB19-079, were made Special Orders -- Consent Calendar at 10:45 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 10:45 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:

SB19-111 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of corrections.

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

SB19-113 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
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.

SB19-114 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of human services.

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

SB19-115 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the judicial department.

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

SB19-116 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of law.

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

SB19-117 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of local affairs.

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

SB19-118 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
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.

SB19-119 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of personnel.

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

SB19-120 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of public health and environment.

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

SB19-121 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of public safety.

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

SB19-123 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of revenue.

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

SB19-124 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of state.

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

SB19-125 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--
Concerning a supplemental appropriation to the department of transportation.

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

SB19-126 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--
Concerning a supplemental appropriation to the department of the treasury.

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

SB19-127 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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.

SB19-128 by Senator(s) Moreno and Todd, Zenzinger, Rankin; also Representative(s) Esgar and McLachlan, Hansen, Ransom--Concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, and, in connection therewith, making and reducing appropriations.

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

SB19-079 by Senator(s) Todd and Priola, Cooke, Coram, Court, Fenberg, Ginal, Moreno, Williams A., Winter, Zenzinger; also Representative(s) Esgar and Landgraf--Concerning a requirement that certain practitioners prescribe controlled substances electronically.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 5, pages 158-159 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 Williams, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-111, SB19-113, SB19-114, SB19-115, SB19-116, SB19-117, SB19-118, SB19-119, SB19-120, SB19-121, SB19-123, SB19-124, SB19-125, SB19-126, SB19-127, SB19-128, SB19-079 as amended.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-043, SB19-112, SB19-122, and SB19-091 were made Special Orders at 10:52 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 10:52 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, and Senator Williams 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:

SB19-043 by Senator(s) Lee and Gardner, Cooke; also Representative(s) Herod and Carver, Weissman, Arndt--Concerning an increase in the number of district court judges in certain judicial districts.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 5, pages 155-156 and placed in members' bill files.)

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

SB19-112 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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.

SB19-122 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of regulatory agencies.

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

SB19-091 by Senator(s) Fields and Cooke; also Representative(s) Singer--Concerning support of peace officers involved in a use of force incident.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 5, page 147 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 Williams, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-043 as amended, SB19-112, SB19-122, SB19-091 as amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR19-1005, 1007, 1008, 1009, 1010.

TRIBUTES

Honoring:

Bishop Dennis Leonard -- By Senator Rhonda Fields.
The Scientific and Cultural Facilities District -- By Senator Rachel Zenzinger.
Dr. Barbara Shannon-Banister -- By Senator Nancy Todd and Senator Rhonda Fields.
Tarver Elementary -- By Senator Faith Winter.
Skyview Elementary -- By Senator Faith Winter.
Silver Creek Elementary -- By Senator Faith Winter.
Stargate School -- By Senator Faith Winter.
Hulstrom K-8 -- By Senator Faith Winter.
Mary Pacifico-Valley -- By President Leroy M. Garcia.
Gertrude Jordan -- By President Leroy M. Garcia.
Ted Lopez -- By President Leroy M. Garcia.
Pueblo County Wrestling Team -- By President Leroy M. Garcia.
Hermilo Roman -- By President Leroy M. Garcia.
Jack Chick -- By President Leroy M. Garcia.
Matt Peulen -- By President Leroy M. Garcia.
Joy Morauski -- By President Leroy M. Garcia.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, February 7, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

35th Legislative Day Thursday, February 7, 2019

Prayer — By Senator Williams.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Lundeen.

Reading of the Journal — On motion of Senator Pettersen, reading of the Journal of Wednesday, February 6, 2019, 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 **SB19-013** 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 "(2.5)(i)(I)" and substitute "(2.5)(i)(I); and **add** (2.5)(j)".

Page 3, line 3, strike "CONDITION;" and substitute "CONDITION. IF THE RECOMMENDING PHYSICIAN IS NOT THE PATIENT'S PRIMARY CARE PHYSICIAN, THE RECOMMENDING PHYSICIAN SHALL REVIEW THE RECORDS OF A DIAGNOSING PHYSICIAN OR A LICENSED MENTAL HEALTH PROVIDER ACTING WITHIN THEIR SCOPE OF PRACTICE.".

Page 3, after line 3, insert:
"(j) A PATIENT WITH A DISABLING MEDICAL CONDITION WHO IS UNDER EIGHTEEN YEARS OF AGE SHALL USE MEDICAL MARIJUANA ONLY IN A NONSMOKEABLE FORM WHEN USING MEDICAL MARIJUANA UPON THE GROUNDS OF THE PRESCHOOL OR PRIMARY OR SECONDARY SCHOOL IN WHICH THE STUDENT IS ENROLLED, OR UPON A SCHOOL BUS OR AT A SCHOOL-SPONSORED EVENT.".

Health & Human Services — After consideration on the merits, the Committee recommends that **SB19-073** 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** article 51 to title 25 as follows:

ARTICLE 51
Statewide System for Advance
Health Care Directives

25-51-101. Definitions. AS USED IN THIS ARTICLE 51, UNLESS THE CONTEXT OTHERWISE REQUIRES:
(1) (a) "ADVANCE HEALTH CARE DIRECTIVE" MEANS:
(I) A DIRECTIVE CONCERNING MEDICAL ORDERS FOR SCOPE OF TREATMENT EXECUTED PURSUANT TO ARTICLE 18.7 OF TITLE 15;
(II) A DECLARATION AS TO MEDICAL TREATMENT EXECUTED

PURSUANT TO SECTION 15-18-104;

(III) A DIRECTIVE RELATING TO CARDIOPULMONARY RESUSCITATION EXECUTED PURSUANT TO ARTICLE 18.6 OF TITLE 15;

(IV) A MEDICAL DURABLE POWER OF ATTORNEY EXECUTED PURSUANT TO SECTION 15-14-506; OR

(V) ANY OF THE ADVANCE HEALTH CARE DIRECTIVES LISTED IN SUBSECTIONS (1)(a)(I) TO (1)(a)(IV) OF THIS SECTION OR THIS SUBSECTION (1)(a)(V) THAT HAS BEEN PROPERLY EXECUTED IN ANOTHER STATE.

(b) A POWER OF ATTORNEY FORM EXECUTED PURSUANT TO SECTION 15-14-741 IS NOT AN ADVANCE HEALTH CARE DIRECTIVE FOR THE PURPOSES OF THIS ARTICLE 51.

(2) "AUTHORIZED SURROGATE DECISION-MAKER" MEANS A GUARDIAN APPOINTED PURSUANT TO ARTICLE 14 OF TITLE 15, AN AGENT APPOINTED PURSUANT TO A MEDICAL DURABLE POWER OF ATTORNEY, A PROXY DECISION-MAKER FOR MEDICAL TREATMENT DECISIONS APPOINTED PURSUANT TO ARTICLE 18.5 OF TITLE 15, OR A SIMILARLY AUTHORIZED SURROGATE, AS DEFINED BY THE LAWS OF ANOTHER STATE, WHO IS AUTHORIZED TO MAKE MEDICAL DECISIONS FOR AN INDIVIDUAL WHO LACKS DECISIONAL CAPACITY.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED AND EXISTING PURSUANT TO SECTION 24-1-119.

(4) "HEALTH INFORMATION ORGANIZATION NETWORK" MEANS A COLORADO ORGANIZATION THAT HAS EXPERIENCE IN OVERSEEING AND GOVERNING THE EXCHANGE OF HEALTH-RELATED INFORMATION AMONG ORGANIZATIONS ACCORDING TO COLORADO LAW AND NATIONALLY RECOGNIZED STANDARDS INCLUDING BUT NOT LIMITED TO THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED.

(5) "INDIVIDUAL" MEANS THE INDIVIDUAL WHOSE MEDICAL TREATMENT IS THE SUBJECT OF THE ADVANCE HEALTH CARE DIRECTIVE.

(6) "QUALIFIED PROVIDER" MEANS A PERSON OR ENTITY THAT MAY USE OR DISCLOSE PROTECTED HEALTH INFORMATION FOR TREATMENT PURPOSES IN ACCORDANCE WITH GUIDELINES UNDER THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED.

25-51-102. Statewide system for advance directives created - rules. (1) THE DEPARTMENT HAS THE FOLLOWING POWERS AND DUTIES WITH RESPECT TO THE PROVISION OF A STATEWIDE ELECTRONIC SYSTEM, REFERRED TO IN THIS SECTION AS THE "SYSTEM", THAT ALLOWS QUALIFIED INDIVIDUALS TO UPLOAD AND ACCESS ADVANCE MEDICAL DIRECTIVES:

(a) TO ENSURE THAT QUALIFIED INDIVIDUALS MAY ACCESS THE SYSTEM FOR TREATMENT PURPOSES THAT ARE ALLOWED UNDER THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED;

(b) TO CONTRACT WITH ONE OR MORE HEALTH INFORMATION ORGANIZATION NETWORKS FOR THE CREATION, ADMINISTRATION, AND MAINTENANCE OF THE SYSTEM; AND

(c) TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 TO OVERSEE THE PROVISIONS OF THIS ARTICLE 51, INCLUDING BUT NOT LIMITED TO RULES ESTABLISHING:

(I) CRITERIA FOR QUALIFIED INDIVIDUALS TO HAVE ACCESS TO THE SYSTEM AND ADVANCE MEDICAL DIRECTIVES;

(II) PROCEDURES BY WHICH A QUALIFIED INDIVIDUAL MAY ADD OR REMOVE AN ADVANCE MEDICAL DIRECTIVE TO OR FROM THE SYSTEM;

(III) PROCEDURES BY WHICH A QUALIFIED INDIVIDUAL MAY ACCESS AND DOWNLOAD AN ADVANCE MEDICAL DIRECTIVE FROM THE SYSTEM; AND

(IV) PROCEDURES AND SAFEGUARDS FOR ENSURING THE CONFIDENTIALITY AND SECURE STORAGE OF THE INFORMATION CONTAINED IN AN ADVANCE MEDICAL DIRECTIVE THAT IS ADDED TO AND MAINTAINED IN THE SYSTEM.

(2) (a) UPON THE REQUEST OF AN INDIVIDUAL, OR AUTHORIZED SURROGATE DECISION-MAKER, A QUALIFIED PROVIDER THAT HAS AN AGREEMENT WITH THE HEALTH INFORMATION ORGANIZATION NETWORK

AS REQUIRED UNDER THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED, MAY UPLOAD THE INDIVIDUAL'S ADVANCE HEALTH CARE DIRECTIVE TO THE SYSTEM. THE ADVANCE HEALTH CARE DIRECTIVE SHALL ONLY BE UPLOADED TO THE SYSTEM BY A QUALIFIED PROVIDER AFTER THE INDIVIDUAL OR AUTHORIZED SURROGATE DECISION-MAKER HAS CONSULTED WITH THE QUALIFIED PROVIDER IN PERSON OR THROUGH TELEHEALTH, AS DEFINED IN SECTION 10-16-123 (4)(e)(I). A QUALIFIED PROVIDER WHO UPLOADS AN ADVANCE HEALTH CARE DIRECTIVE TO THE SYSTEM IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR REGULATORY SANCTION FOR ACTION TAKEN IN ACCORDANCE WITH THIS SUBSECTION (2).

(b) PRIOR TO THE UPLOAD OF AN ADVANCE HEALTH CARE DIRECTIVE TO THE SYSTEM, THE INDIVIDUAL, OR AUTHORIZED SURROGATE DECISION-MAKER, SHALL SIGN AN ELECTRONIC AFFIDAVIT IN THE PRESENCE OF A QUALIFIED PROVIDER AFFIRMING THE ADVANCE HEALTH CARE DIRECTIVE IS APPROPRIATELY EXECUTED, CURRENT, AND ACCURATE. SIGNING THE ELECTRONIC AFFIDAVIT REVOKES ANY PRIOR ADVANCE HEALTH CARE DIRECTIVES OF THE SAME TYPE PREVIOUSLY UPLOADED TO THE SYSTEM.

(c) THE INDIVIDUAL, OR AUTHORIZED SURROGATE DECISION-MAKER, IS RESPONSIBLE FOR ENSURING THAT THE ADVANCE HEALTH CARE DIRECTIVE UPLOADED TO THE SYSTEM IS APPROPRIATELY EXECUTED, CURRENT, AND ACCURATE.

(3) EMERGENCY MEDICAL SERVICE PERSONNEL, AN INDIVIDUAL HEALTH CARE PROVIDER, A HEALTH CARE FACILITY, OR ANY OTHER PERSON OR ENTITY THAT COMPLIES WITH AN ADVANCE HEALTH CARE DIRECTIVE ACCESSED FROM THE SYSTEM IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY OR REGULATORY SANCTION FOR ACTION TAKEN IN ACCORDANCE WITH THE ADVANCE HEALTH CARE DIRECTIVE, UNLESS THE PERSON OR ENTITY HAS ACTUAL KNOWLEDGE OF AN ADVANCE HEALTH CARE DIRECTIVE PROPERLY EXECUTED AFTER THE DATE OF THE ADVANCE HEALTH CARE DIRECTIVE THAT IS UPLOADED TO THE SYSTEM.

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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 **SB19-061** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-099** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 5 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **repeal** part 2 of article 16 of title 23.

SECTION 2. In Colorado Revised Statutes, **add** article 4.5 to title 12 as follows:

ARTICLE 4.5
Revised Uniform Athlete Agents Act (2015)".

Page 2, line 6, strike "**23-16-201.**" and substitute "**12-4.5-101.**".

Page 2, line 8, strike "**23-16-202.**" and substitute "**12-4.5-102.**".

Page 4, after line 16 insert:

"(4) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF PROFESSIONS AND OCCUPATIONS CREATED IN THE DEPARTMENT OF REGULATORY AGENCIES PURSUANT TO SECTION 24-34-102 (1)(b), OR THE DIRECTOR'S DESIGNEE.".

Renumber succeeding subsections accordingly.

Page 7, line 1, strike "**23-16-203.**" and substitute "**12-4.5-103.**".

Page 7, line 6, strike "**23-16-204.**" and substitute "**12-4.5-104.**".

Page 7, line 25, strike "**23-16-205.**" and substitute "**12-4.5-105.**".

Page 13, line 8, strike "**23-16-206.**" and substitute "**12-4.5-106.**".

Page 13, line 12, strike "23-16-205 (1)." and substitute "12-4.5-105 (1).".

Page 13, line 15, strike "23-16-205 (1)" and substitute "12-4.5-105 (1)".

Page 14, line 1, strike "23-16-214;" and substitute "12-4.5-114;".

Page 14, line 26, strike "23-16-205 (3)" and substitute "12-4.5-105 (3)".

Page 15, line 15, strike "**23-16-207.**" and substitute "**12-4.5-107.**".

Page 15, line 18, strike "23-16-206 (1)" and substitute "12-4.5-106 (1)".

Page 15, line 20, strike "23-16-206 (2)." and substitute "12-4.5-106 (2).".

Page 15, line 22, strike "23-16-205" and substitute "12-4.5-105".

Page 15, line 23, strike "23-16-206 (5)" and substitute "12-4.5-106 (5)".

Page 15, line 26, strike "23-16-206 (2)." and substitute "12-4.5-106 (2).".

Page 15, line 27, strike "**23-16-208.**" and substitute "**12-4.5-108.**".

Page 16, line 4, strike "**23-16-209.**" and substitute "**12-4.5-109.**".

Page 16, line 8, strike "**23-16-210.**" and substitute "**12-4.5-110.**".

Page 18, line 20, strike "**23-16-211.**" and substitute "**12-4.5-111.**".

Page 21, line 4, strike "**23-16-212.**" and substitute "**12-4.5-112.**".

Page 21, line 17, strike "**23-16-213.**" and substitute "**12-4.5-113.**".

Page 22, line 3, strike "**23-16-214.**" and substitute "**12-4.5-114.**".

Page 22, line 27, strike "23-16-213;" and substitute "12-4.5-113;".

Page 23, line 1, strike "23-16-204;" and substitute "12-4.5-104;".

Page 24, line 3, strike "**23-16-215.**" and substitute "**12-4.5-115.**".

Page 24, line 4, strike "23-16-214" and substitute "12-4.5-114".

Page 24, line 9, strike "**23-16-216.**" and substitute "**12-4.5-116.**".

Page 25, line 6, strike "**23-16-217.**" and substitute "**12-4.5-117.**".

Page 25, line 12, strike "**23-16-218.**" and substitute "**12-4.5-118.**".

Page 25, line 16, strike "**23-16-219.**" and substitute "**12-4.5-119.**".

Page 25, line 23, strike "**23-16-220. Athlete agents registration fund**" and substitute "**12-4.5-120. Fees**".

Page 25, line 24, strike everything after "(a)".

Page 25, strike line 25.

Page 25, line 26, strike "STATE TREASURY".

Page 26, strike lines 1 through 7 and substitute "SHALL CREDIT THEM TO THE DIVISION OF PROFESSIONS AND OCCUPATIONS CASH FUND, CREATED IN SECTION 24-34-105 (2)(b)(I), REFERRED TO IN THIS SECTION AS THE "FUND".".

Reletter succeeding paragraph accordingly.

Page 26, line 15, strike "23-16-205" and substitute "12-4.5-105".

Page 26, line 21, strike "**23-16-211. Repeal of part.**" and substitute "**12-4.5-121. Repeal of article.**".

Page 27, line 1, strike "23-16-210" and substitute "12-4.5-110".

Page 27, line 5, strike "23-16-210 (3)," and substitute "12-4.5-110 (3),".

Page 28, line 3, strike "PART 2 OF ARTICLE 16 OF TITLE 23." and substitute "ARTICLE 4.5 OF TITLE 12.".

Page 28, line 9, strike "PART 2 OF ARTICLE 16 OF TITLE 23." and substitute "ARTICLE 4.5 OF TITLE 12.".

Strike "PART 2" and substitute "ARTICLE 4.5" on: **Page 2**, lines 6, 8, and 16; **Page 6**, line 11; **Page 7**, lines 3, 5, 10, and 12; **Page 12**, line 19; **Page 13**, line 3; **Page 15**, lines 8 and 14; **Page 20**, line 27; **Page 22,** line 25; **Page 23**, line 12; **Page 24**, line 13; **Page 25**, lines 4, 9, 17, and 27; and **Page 26**, lines 10, 13, 14 and 15, 21, and 22.

Strike "SECRETARY OF STATE" and substitute "DIRECTOR" on: **Page 7**, line 3; **Page 8**, lines 1 and 2; **Page 11**, lines 25 and 26; **Page 12**, lines 4, 13, 15 and 16, and 25; **Page 13**, lines 10, 13, 15, and 18 and 19; **Page 14**, lines 14 and 21 and 22; **Page 15**, lines 1 and 2, 4, 4 and 5, 16, 21, 24, and 27; **Page 16**, line 7; **Page 21**, line 1; **Page 22**, line 1; **Page 25**, line 26; and **Page 26**, lines 9, 11, and 16.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-014** 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 18.

Page 3, strike lines 1 through 4 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** 18-4-421 as follows:

18-4-421. Organized retail theft. (1) A PERSON COMMITS ORGANIZED RETAIL THEFT IF HE OR SHE:

(a) ACTS IN CONCERT WITH ONE OR MORE PERSONS TO STEAL MERCHANDISE FROM ONE OR MORE MERCHANTS' PREMISES OR ONLINE MARKETPLACES WITH THE PURPOSE OF RESELLING OR OTHERWISE RE-ENTERING THE MERCHANDISE IN COMMERCE, INCLUDING CONVEYING THE MERCHANDISE TO A MERCHANT IN EXCHANGE FOR ANYTHING OF VALUE;

(b) ACTS IN CONCERT WITH TWO OR MORE PERSONS TO RECEIVE, PURCHASE, OR POSSESS MERCHANDISE DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION, KNOWING OR BELIEVING IT TO HAVE BEEN STOLEN;

(c) ACTS AS AN AGENT OF ANOTHER INDIVIDUAL OR GROUP OF INDIVIDUALS TO STEAL MERCHANDISE FROM ONE OR MORE MERCHANTS' PREMISES OR ONLINE MARKETPLACES AS PART OF AN ORGANIZED PLAN TO COMMIT THEFT; OR

(d) RECRUITS, COORDINATES, ORGANIZES, SUPERVISES, DIRECTS, MANAGES, OR FINANCES ANOTHER TO UNDERTAKE ANY OF THE ACTS

DESCRIBED IN SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION OR ANY OTHER STATUTE DEFINING THEFT.

(2) FOR THE PURPOSE OF DETERMINING WHETHER THE DEFENDANT ACTED IN CONCERT WITH ANOTHER PERSON OR PERSONS IN ANY PROCEEDING, THE TRIER OF FACT MAY CONSIDER ANY COMPETENT EVIDENCE, INCLUDING, BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

(a) THAT THE DEFENDANT HAS PREVIOUSLY ACTED IN CONCERT WITH ANOTHER PERSON OR PERSONS IN COMMITTING ACTS CONSTITUTING THEFT, OR ANY RELATED OFFENSE, INCLUDING ANY CONDUCT THAT OCCURRED IN COUNTIES OTHER THAN THE COUNTY OF THE CURRENT OFFENSE, IF RELEVANT TO DEMONSTRATE A FACT OTHER THAN THE DEFENDANT'S DISPOSITION TO COMMIT THE ACT;

(b) THAT THE DEFENDANT USED OR POSSESSED AN ARTIFICE, INSTRUMENT, CONTAINER, DEVICE, OR OTHER ARTICLE CAPABLE OF FACILITATING THE REMOVAL OF MERCHANDISE FROM A RETAIL ESTABLISHMENT WITHOUT PAYING THE PURCHASE PRICE, AND USE OF THE ARTIFICE, INSTRUMENT, CONTAINER, OR DEVICE OR OTHER ARTICLE IS PART OF AN ORGANIZED PLAN TO COMMIT THEFT; OR

(c) THAT THE PROPERTY INVOLVED IN THE OFFENSE IS OF A TYPE OR QUANTITY THAT WOULD NOT NORMALLY BE PURCHASED FOR PERSONAL USE OR CONSUMPTION AND THE PROPERTY IS INTENDED FOR RESALE.

(3) (a) EXCEPT AS PROVIDED IN SUBSECTION (3)(b) OF THIS SECTION, ORGANIZED RETAIL THEFT IS A CLASS 1 MISDEMEANOR;

(b) IF A PERSON WHO HAS PREVIOUSLY BEEN CONVICTED OF A VIOLATION OF THIS SECTION HAS SUBSEQUENTLY VIOLATED SUBSECTION (1) OF THIS SECTION ON THREE OR MORE SEPARATE OCCASIONS WITHIN A SIX-MONTH PERIOD AND THE AGGREGATED, FULL VALUE OF MERCHANDISE STOLEN, RECEIVED, PURCHASED, OR POSSESSED WITHIN THAT SIX-MONTH PERIOD MERCHANDISE IS:

(I) TWO THOUSAND DOLLARS OR MORE BUT LESS THAN FIVE THOUSAND DOLLARS, ORGANIZED RETAIL THEFT IS A CLASS 6 FELONY;

(II) FIVE THOUSAND DOLLARS OR MORE BUT LESS THAN TWENTY THOUSAND DOLLARS, ORGANIZED RETAIL THEFT IS A CLASS 5 FELONY;

(III) TWENTY THOUSAND DOLLARS OR MORE BUT LESS THAN ONE HUNDRED THOUSAND DOLLARS, ORGANIZED RETAIL THEFT IS A CLASS 4 FELONY;

(IV) ONE HUNDRED THOUSAND DOLLARS OR MORE BUT LESS THAN ONE MILLION DOLLARS, ORGANIZED RETAIL THEFT IS A CLASS 3 FELONY; AND

(V) ONE MILLION DOLLARS OR MORE, ORGANIZED RETAIL THEFT IS A CLASS 2 FELONY.

(4) UPON A CONVICTION PURSUANT TO THIS SECTION, THE COURT SHALL CONSIDER ORDERING, AS A CONDITION OF PROBATION IF ORDERED, THAT THE DEFENDANT STAY AWAY FROM RETAIL ESTABLISHMENTS WITH A REASONABLE NEXUS TO THE CRIME COMMITTED.

(5) IN A PROSECUTION UNDER THIS SECTION, THE PROSECUTOR IS NOT REQUIRED TO CHARGE ANY OTHER CO-PARTICIPANT OF THE ORGANIZED RETAIL THEFT.

(6) NOTHING IN THIS SECTION PRECLUDES PUNISHMENT PURSUANT TO ANY OTHER SECTION OF LAW.".

Page 4, line 3, strike "CLASS 2 MISDEMEANOR;" and substitute "CLASS 3 MISDEMEANOR;".

Page 4, line 4, strike "CLASS 6 FELONY." and substitute "CLASS 2 MISDEMEANOR.".

Page 5, strike lines 18 through 25.

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-093** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-075** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-100** 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 5, after line 13 insert:

"(5) THIS SECTION IS NOT THE EXCLUSIVE REMEDY FOR AN INTENTIONAL DISCLOSURE OR THREATENED DISCLOSURE OF AN INTIMATE IMAGE, A PLAINTIFF MAY ALSO BRING ANY OTHER AVAILABLE COMMON LAW OR STATUTORY CLAIMS.".

Page 6, line 16, strike "MADE" and substitute "MADE, POSSESSED, OR DISTRIBUTED".

SENATE SERVICES REPORT

Correctly Engrossed: SB19-043, 079, 091, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, and 128.
Correctly Reengrossed: SB19-031.
Correctly Enrolled: SB19-045.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

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:

SB19-111 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	31	NO	3	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Gonzales.

SB19-113 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of health care policy and financing.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

SB19-114 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Pettersen and Todd.

SB19-115 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

SB19-116 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

SB19-117 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of local 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-118 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges and Todd.

SB19-119 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Pettersen.

SB19-120 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of public health and environment.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Gonzales.

SB19-121 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Cooke and Todd.

SB19-123 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-124 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-125 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Garcia, Gonzales, Lee, Pettersen, Story, Tate, Todd, Williams A., and Winter.

SB19-126 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of the treasury.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-127 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

SB19-128 by Senator(s) Moreno and Todd, Zenzinger, Rankin; also Representative(s) Esgar and McLachlan, Hansen, Ransom--Concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges and Story.

SB19-079 by Senator(s) Todd and Priola, Cooke, Coram, Court, Fenberg, Ginal, Moreno, Williams A., Winter, Zenzinger; also Representative(s) Esgar and Landgraf--Concerning a requirement that certain practitioners prescribe controlled substances electronically.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Garcia, Lee, Story, 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:

SB19-043 by Senator(s) Lee and Gardner, Cooke; also Representative(s) Herod and Carver, Weissman, Arndt--Concerning an increase in the number of district court judges in certain judicial districts, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Court, Fields, Garcia, Hill, Hisey, Holbert, Lundeen, Marble, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Woodward.

SB19-112 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	E	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Fenberg, Fields, Garcia, Ginal, Gonzales, Lee, Rodriguez, Story, and Williams A.

SB19-122 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of regulatory agencies.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	E	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

SB19-091 by Senator(s) Fields and Cooke; also Representative(s) Singer--Concerning support of peace officers involved in a use of force incident.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Fenberg, Foote, Gardner, Ginal, Hisey, Lundeen, Priola, Rankin, Scott, Sonnenberg, Tate, Williams A., Winter, and Zenzinger.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBER OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2021:

David Leroy Bomberger of Castle Rock, Colorado, who has experience in insurance disability claims, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary — After consideration on the merits, the Committee recommends that **SB19-050** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB19-049** 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 7 and 8 and substitute "A MANDATORY REPORTER HAS REASONABLE CAUSE TO KNOW OR SUSPECT THAT A CHILD HAS BEEN SUBJECTED TO UNLAWFUL SEXUAL BEHAVIOR OR OBSERVED THE CHILD BEING SUBJECTED TO CIRCUMSTANCES OR CONDITIONS THAT WOULD REASONABLY RESULT IN UNLAWFUL SEXUAL BEHAVIOR UNLESS THE".

Page 2, line 10, strike "FIVE" and substitute "THREE".

Judiciary — After consideration on the merits, the Committee recommends that **SB19-071** 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 8, strike "CRIMINAL OR DELINQUENCY" and substitute "CRIMINAL, DELINQUENCY, OR CIVIL".

Page 3, line 27, after "a" insert "PRETRIAL."

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1029** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

February 7, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1028, 1113, amended as printed in House Journal, February 7, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

February 7, 2019

We herewith transmit:

Without comment, as amended, HB19-1028 and 1113.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1033 by Representative(s) Tipper and Kennedy; also Senator(s) Fields and Priola--Concerning a local government's authority to regulate products containing nicotine.
Health & Human Services

HB19-1034 by Representative(s) Sullivan and Esgar; also Senator(s) Danielson--Concerning a requirement that a common carrier engaged in the transportation of property by railroad have at least two crew members aboard a freight train while the freight train is moving.
Transportation & Energy

HB19-1063 by Representative(s) Kraft-Tharp and Larson; also Senator(s) Gardner and Lee--Concerning the ability to share information between county adult protective services with county child protective services as well as at-risk adults obtaining their own information.
Judiciary

HB19-1066 by Representative(s) Buentello and Kipp; also Senator(s) Foote--Concerning counting a student who is enrolled in special education services in the graduation rate in the school year in which the student completes the minimum graduation requirements.
Education

HB19-1100 by Representative(s) Geitner; also Senator(s) Bridges and Lundeen--Concerning prohibiting a school district board of education from including a use restriction on certain transactions involving the school district's property that would restrict the property from being used as a school for any grade from preschool through the twelfth grade.
Education

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING (cont'd)

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

SB19-134 by Senator(s) Fields and Tate, Williams A.; also Representative(s) Soper, Larson--Concerning the provision of out-of-network health care services.
Health & Human Services

On motion of Senator Rodriguez, the Senate adjourned until 9:00 a.m., Friday, February 8, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

36th Legislative Day Friday, February 8, 2019

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
Absent--1, Hill.
Excused--1, Coram.
Present later--1, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Lundeen.

Reading of the Journal — On motion of Senator Pettersen, reading of the Journal of Thursday, February 7, 2019, 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 **SB19-063** 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 7, after line 1 insert:

"**SECTION 3. Federal funds.** For the 2019-20 state fiscal year, the general assembly anticipates that the department of human services will receive $50,688 in federal funds to implement this act. This figure is included for informational purposes only.".

Renumber succeeding section accordingly.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-017** 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 **SB19-002** 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:

"**SECTION 1. Legislative declaration.** (1) The general assembly hereby:
(a) Finds that:
(I) Student loan debt has reached a crisis point. More than 44,000,000 individuals in the United States owe some amount of student loan debt. Total student loan debt in the United States currently exceeds $1.48 trillion, surpassing both the amount of credit card debt and car loans. With tuition and other college costs on the rise, student loan debt continues to rise, with no clear reduction in sight.
(II) According to the Institute for College Access and Success, 52

percent of Colorado's students graduate with student loan debt, with an average balance of $26,530. There are approximately 761,000 student loan borrowers in Colorado, and the total student loan debt outstanding for Coloradans is approximately $26 billion.

(III) Student loan debt is a hindrance to the state's economy, preventing borrowers from achieving financial independence, buying property, starting businesses, and otherwise investing in Colorado's economy;

(b) Determines that:

(I) Student loan servicers administer student loans, serving as a critical link between borrowers and lenders in managing accounts, processing payments, and communicating directly with borrowers. Despite this critical relationship, according to the federal consumer financial protection bureau (CFPB), there are no consistent, market-wide federal standards for student loan servicing.

(II) The CFPB released a report in September of 2015 that found that student loan borrowers encounter servicers that discourage borrower-friendly alternative payment plans, fail to respond to questions and payment processing errors, and fail to provide sufficient information to borrowers regarding payments, benefits, interest rates, and other charges; and

(III) A report released in March of 2017 found that Coloradans complained to the CFPB 124 times about their student loan servicers in 2017 alone, and that nationally, complaints against servicers had increased by 429 percent compared to data collected in 2016; and

(c) Declares that it intends by the enactment of the "Colorado Student Loan Servicers Act" to promote all of the following:

(I) Meaningful access to federal affordable repayment and loan forgiveness benefits;

(II) Reliable information about student loans and loan repayment options;

(III) The public interest in furtherance of the state's historic police powers to protect the health, welfare, and safety of the state and, in furtherance of the public interest, the act should be liberally construed to effectuate that intent; and

(IV) Quality customer service and fair treatment.

SECTION 2. In Colorado Revised Statutes, **add** article 20 to title 5 as follows:

ARTICLE 20
Colorado Student Loan Servicers

5-20-101. Short title. THE SHORT TITLE OF THIS ARTICLE 20 IS THE "COLORADO STUDENT LOAN SERVICERS ACT".

5-20-102. Scope of article. THIS ARTICLE 20 APPLIES TO ANY PERSON ENGAGED IN SERVICING A STUDENT EDUCATION LOAN OWED BY AN INDIVIDUAL WHO IS A RESIDENT OF THIS STATE. FOR THE PURPOSES OF THIS ARTICLE 20, THE RESIDENCE OF AN INDIVIDUAL IS THE ADDRESS GIVEN BY THE INDIVIDUAL AS THE INDIVIDUAL'S RESIDENCE TO THE CREDITOR OR TO THE STUDENT LOAN SERVICER. UNTIL AN INDIVIDUAL NOTIFIES THE CREDITOR OR THE STUDENT LOAN SERVICER OF A NEW OR DIFFERENT ADDRESS, THE GIVEN ADDRESS IS PRESUMED TO BE UNCHANGED.

5-20-103. Definitions. AS USED IN THIS ARTICLE 20, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ADMINISTRATOR" MEANS THE ADMINISTRATOR DESIGNATED IN SECTION 5-6-103.

(2) "CONSUMER REPORTING AGENCY" HAS THE MEANING ESTABLISHED IN SECTION 5-18-103 (4).

(3) "EDUCATION EXPENSES" MEANS ANY OF THE EXPENSES THAT ARE INCLUDED AS PART OF THE COST OF ATTENDANCE OF A STUDENT AS DEFINED IN 20 U.S.C. SEC. 1087ll, REGARDLESS OF WHETHER THE EXPENSES ARE FOR POSTSECONDARY EDUCATION.

(4) "RECORD" MEANS INFORMATION THAT IS INSCRIBED ON A TANGIBLE MEDIUM OR THAT IS STORED IN AN ELECTRONIC OR OTHER MEDIUM AND IS RETRIEVABLE IN PERCEIVABLE FORM.

(5) "SERVICING" MEANS:

(a) (I) RECEIVING ANY SCHEDULED PERIODIC PAYMENTS FROM A BORROWER OR NOTIFICATION OF SUCH PAYMENTS; AND

(II) APPLYING PAYMENTS TO THE BORROWER'S ACCOUNT PURSUANT TO THE TERMS OF A STUDENT EDUCATION LOAN OR OF THE CONTRACT GOVERNING THE SERVICING;

(b) DURING A PERIOD WHEN NO PAYMENT IS REQUIRED ON A STUDENT EDUCATION LOAN:

(I) MAINTAINING ACCOUNT RECORDS FOR THE STUDENT EDUCATION LOAN; AND

(II) COMMUNICATING WITH THE BORROWER REGARDING THE STUDENT EDUCATION LOAN, ON BEHALF OF THE LOAN'S HOLDER; OR

(c) INTERACTIONS WITH A BORROWER, INCLUDING ACTIVITIES TO HELP PREVENT DEFAULT ON OBLIGATIONS ARISING FROM STUDENT EDUCATION LOANS, CONDUCTED TO FACILITATE THE ACTIVITIES DESCRIBED IN SUBSECTION (5)(a) OR (5)(b) OF THIS SECTION.

(6) "STUDENT EDUCATION LOAN":

(a) MEANS A LOAN THAT IS MADE, INSURED, OR GUARANTEED UNDER TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT OF 1965", 20 U.S.C. SEC. 1070 ET SEQ., AS AMENDED, OR THAT IS EXTENDED TO A STUDENT LOAN BORROWER FOR THE PURPOSE OF FUNDING, IN WHOLE OR IN PART, EDUCATION EXPENSES, REGARDLESS OF WHETHER THE EXPENSES ARE FOR POSTSECONDARY EDUCATION. THE TERM INCLUDES A LOAN THAT IS EXTENDED IN ORDER TO REFINANCE OR CONSOLIDATE A STUDENT LOAN BORROWER'S EXISTING STUDENT EDUCATION LOANS.

(b) DOES NOT INCLUDE A LOAN UNDER AN OPEN-END CREDIT PLAN, AS DEFINED IN REGULATION Z, 12 CFR 1026.2 (a)(20), OR A LOAN THAT IS SECURED BY REAL PROPERTY, REGARDLESS OF THE PURPOSE FOR THE LOAN.

(7) "STUDENT LOAN BORROWER" OR "BORROWER" MEANS:

(a) AN INDIVIDUAL WHO HAS RECEIVED OR AGREED TO PAY A STUDENT EDUCATION LOAN; OR

(b) AN INDIVIDUAL WHO SHARES RESPONSIBILITY WITH THE INDIVIDUAL SPECIFIED IN SUBSECTION (7)(a) OF THIS SECTION FOR REPAYING THE STUDENT EDUCATION LOAN.

(8) "STUDENT LOAN SERVICER":

(a) MEANS A PERSON THAT:

(I) (A) RECEIVES ANY SCHEDULED PERIODIC PAYMENTS FROM A STUDENT LOAN BORROWER OR NOTIFICATION OF THE PAYMENTS; AND

(B) APPLIES PAYMENTS TO THE STUDENT LOAN BORROWER'S ACCOUNT PURSUANT TO THE TERMS OF THE STUDENT EDUCATION LOAN OR OF THE CONTRACT GOVERNING THE SERVICING;

(II) DURING A PERIOD WHEN NO PAYMENT IS REQUIRED ON A STUDENT EDUCATION LOAN:

(A) MAINTAINS ACCOUNT RECORDS FOR THE LOAN; AND

(B) COMMUNICATES WITH THE STUDENT LOAN BORROWER REGARDING THE LOAN, ON BEHALF OF THE LOAN'S HOLDER; OR

(III) INTERACTS WITH A STUDENT LOAN BORROWER, INCLUDING ACTIVITIES TO HELP PREVENT DEFAULT ON OBLIGATIONS ARISING FROM EDUCATION LOANS, CONDUCTED TO FACILITATE THE ACTIVITIES DESCRIBED IN SUBSECTION (8)(a)(I) OR (8)(a)(II) OF THIS SECTION;

(b) DOES NOT INCLUDE:

(I) A BANK, TRUST COMPANY, OR INDUSTRIAL LOAN COMPANY DOING BUSINESS UNDER THE AUTHORITY OF, OR IN ACCORDANCE WITH, A LICENSE, CERTIFICATE, OR CHARTER ISSUED BY THE UNITED STATES OR ANY STATE, DISTRICT, TERRITORY, OR COMMONWEALTH OF THE UNITED STATES THAT IS AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE;

(II) A FEDERALLY CHARTERED SAVINGS AND LOAN ASSOCIATION, FEDERAL SAVINGS BANK, OR FEDERAL CREDIT UNION THAT IS AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE;

(III) A SAVINGS AND LOAN ASSOCIATION, SAVINGS BANK, OR CREDIT UNION ORGANIZED UNDER THE LAWS OF THIS OR ANY OTHER STATE THAT IS AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE; OR

(IV) A COLLECTION AGENCY, AS DEFINED IN SECTION 5-16-103 (3), THAT IS LICENSED PURSUANT TO SECTION 5-16-120 AND WHOSE STUDENT LOAN DEBT COLLECTION BUSINESS INVOLVES COLLECTING OR ATTEMPTING TO COLLECT ON DEFAULTED STUDENT LOANS; EXCEPT THAT A COLLECTION AGENCY THAT ALSO SERVICES NONDEFAULTED STUDENT LOANS AS PART OF ITS BUSINESS IS A STUDENT LOAN SERVICER. FOR THE PURPOSE OF THIS SUBSECTION (8)(b)(IV), "DEFAULTED STUDENT LOANS"

MEANS FEDERAL STUDENT LOANS FOR WHICH NO PAYMENT HAS BEEN RECEIVED FOR TWO HUNDRED SEVENTY DAYS OR MORE OR PRIVATE STUDENT LOANS IN DEFAULT ACCORDING TO THE TERMS OF THE LOAN DOCUMENTS. THIS SUBSECTION (8)(b)(IV) DOES NOT EXEMPT A COLLECTION AGENCY FROM COMPLYING WITH THE REQUIREMENTS OF THE "COLORADO FAIR DEBT COLLECTION PRACTICES ACT", ARTICLE 16 OF THIS TITLE 5.

5-20-104. Student loan ombudsperson - report - fund - rules - repeal. (1) THE ADMINISTRATOR SHALL DESIGNATE, SUPPORT, AND MAINTAIN A STUDENT LOAN OMBUDSPERSON TO PROVIDE TIMELY ASSISTANCE TO STUDENT LOAN BORROWERS. THE STUDENT LOAN OMBUDSPERSON, IN CONSULTATION WITH THE ADMINISTRATOR, SHALL:

(a) **Complaints.** RECEIVE, REVIEW, AND ATTEMPT TO RESOLVE COMPLAINTS FROM STUDENT LOAN BORROWERS, INCLUDING IN COLLABORATION WITH INSTITUTIONS OF HIGHER EDUCATION, STUDENT LOAN SERVICERS, AND ANY OTHER PARTICIPANTS IN STUDENT LOAN LENDING, INCLUDING ORIGINATORS SERVICING THEIR OWN STUDENT EDUCATION LOANS;

(b) **Data.** COMPILE AND ANALYZE DATA ON STUDENT LOAN BORROWER COMPLAINTS AS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION;

(c) **Assistance.** ASSIST STUDENT LOAN BORROWERS IN UNDERSTANDING THEIR RIGHTS AND RESPONSIBILITIES UNDER THE TERMS OF STUDENT EDUCATION LOANS;

(d) **Information.** PROVIDE INFORMATION TO THE PUBLIC, AGENCIES, LEGISLATORS, AND OTHERS REGARDING THE PROBLEMS AND CONCERNS OF STUDENT LOAN BORROWERS AND MAKE RECOMMENDATIONS FOR RESOLVING THOSE PROBLEMS AND CONCERNS;

(e) **Laws, rules, and policies.** ANALYZE AND MONITOR THE DEVELOPMENT AND IMPLEMENTATION OF FEDERAL, STATE, AND LOCAL LAWS, ORDINANCES, REGULATIONS, RULES, AND POLICIES RELATING TO STUDENT LOAN BORROWERS AND RECOMMEND ANY NECESSARY CHANGES;

(f) **Student loan history.** REVIEW THE COMPLETE STUDENT EDUCATION LOAN HISTORY FOR A STUDENT LOAN BORROWER WHO PROVIDES WRITTEN CONSENT FOR THE REVIEW;

(g) **Availability.** DISSEMINATE INFORMATION CONCERNING THE AVAILABILITY OF THE STUDENT LOAN OMBUDSPERSON TO ASSIST STUDENT LOAN BORROWERS AND POTENTIAL STUDENT LOAN BORROWERS, INCLUDING DISSEMINATING THE INFORMATION TO INSTITUTIONS OF HIGHER EDUCATION, STUDENT LOAN SERVICERS, AND ANY OTHER PARTICIPANTS IN STUDENT EDUCATION LOAN LENDING WITH ANY SERVICING CONCERNS;

(h) **Education course.** ESTABLISH AND MAINTAIN A STUDENT LOAN BORROWER EDUCATION COURSE WITHIN EXISTING RESOURCES THAT INCLUDES EDUCATIONAL PRESENTATIONS AND MATERIALS REGARDING STUDENT EDUCATION LOANS. THE COURSE MUST INCLUDE AT LEAST KEY LOAN TERMS, DOCUMENTATION REQUIREMENTS, MONTHLY PAYMENT OBLIGATIONS, INCOME-BASED REPAYMENT OPTIONS, LOAN FORGIVENESS, AND DISCLOSURE REQUIREMENTS.

(i) **Other actions.** TAKE ANY OTHER ACTIONS NECESSARY TO FULFILL THE DUTIES OF THE STUDENT LOAN OMBUDSPERSON AS SET FORTH IN THIS SECTION.

(2) (a) **Annual report.** THE ADMINISTRATOR SHALL SUBMIT A REPORT BY JANUARY 1 OF EACH YEAR TO THE COMMITTEES OF REFERENCE OF THE GENERAL ASSEMBLY HAVING JURISDICTION OVER EDUCATION, INSURANCE, AND FINANCIAL SERVICES MATTERS. THE REPORT MUST INCLUDE:

(I) **Implementation.** A DESCRIPTION OF ACTIONS TAKEN WITH RESPECT TO THE IMPLEMENTATION OF THIS SECTION;

(II) **Effectiveness.** AN ASSESSMENT OF THE OVERALL EFFECTIVENESS OF THE STUDENT LOAN OMBUDSPERSON; AND

(III) **Additional steps.** RECOMMENDATIONS REGARDING ADDITIONAL STEPS FOR THE ADMINISTRATOR TO GAIN REGULATORY CONTROL OVER LICENSING AND ENFORCEMENT WITH RESPECT TO STUDENT LOAN SERVICERS.

(b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1,

2023.

(3) **Student loan ombudsperson and student loan servicer licensing fund.** (a) THE STUDENT LOAN OMBUDSPERSON AND STUDENT LOAN SERVICER LICENSING FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF LICENSING AND INVESTIGATION FEES COLLECTED PURSUANT TO SECTION 5-20-107, CIVIL PENALTIES COLLECTED PURSUANT TO SECTIONS 5-20-114 AND 5-20-117, ANY OTHER MONEY REQUIRED BY LAW TO BE DEPOSITED IN THE FUND, AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(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) ALL MONEY HELD IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF LAW. THE ADMINISTRATOR SHALL EXPEND MONEY HELD IN THE FUND TO ADMINISTER THIS ARTICLE 20.

5-20-105. License required. A PERSON SHALL NOT ACT AS A STUDENT LOAN SERVICER, DIRECTLY OR INDIRECTLY, WITHOUT FIRST OBTAINING A STUDENT LOAN SERVICING LICENSE FROM THE ADMINISTRATOR PURSUANT TO THIS ARTICLE 20.

5-20-106. Licensure of student loan servicers. (1) **Automatic issuance of license for federal student loan servicing contractors.** (a) A PERSON SEEKING TO ACT WITHIN THIS STATE AS A STUDENT LOAN SERVICER IS EXEMPT FROM THE APPLICATION PROCEDURES DESCRIBED IN SUBSECTION (2) OF THIS SECTION UPON A DETERMINATION BY THE ADMINISTRATOR THAT STUDENT LOAN SERVICING PERFORMED IN THIS STATE IS CONDUCTED PURSUANT TO A CONTRACT AWARDED BY THE UNITED STATES SECRETARY OF EDUCATION UNDER 20 U.S.C. SEC. 1087f. THE ADMINISTRATOR SHALL PRESCRIBE THE PROCEDURE TO DOCUMENT ELIGIBILITY FOR THE EXEMPTION.

(b) **Automatic license.** A PERSON DEEMED EXEMPT BY THE ADMINISTRATOR PURSUANT TO THIS SUBSECTION (1) SHALL, UPON PAYMENT OF THE FEES REQUIRED BY SECTION 5-20-107, AUTOMATICALLY BE ISSUED A LICENSE FROM THE ADMINISTRATOR AND SHALL BE CONSIDERED BY THE ADMINISTRATOR TO HAVE MET ALL REQUIREMENTS SET FORTH IN SUBSECTION (2) OF THIS SECTION.

(c) **Procedural exemptions.** A PERSON ISSUED A LICENSE PURSUANT TO THIS SUBSECTION (1) IS EXEMPT FROM SUBSECTIONS (3) TO (9) AND (11) OF THIS SECTION. A PERSON ISSUED A LICENSE PURSUANT TO THIS SUBSECTION (1) SHALL COMPLY WITH THE RECORD REQUIREMENTS IN SUBSECTION (10) OF THIS SECTION EXCEPT TO THE EXTENT THAT THE REQUIREMENTS ARE INCONSISTENT WITH FEDERAL LAW.

(d) **Notice.** A PERSON ISSUED A LICENSE PURSUANT TO THIS SUBSECTION (1) SHALL PROVIDE THE ADMINISTRATOR WITH WRITTEN NOTICE WITHIN SEVEN DAYS AFTER NOTIFICATION OF THE EXPIRATION, REVOCATION, OR TERMINATION OF ANY CONTRACT AWARDED BY THE UNITED STATES SECRETARY OF EDUCATION UNDER 20 U.S.C. SEC. 1087f. THE PERSON HAS THIRTY DAYS AFTER NOTIFICATION TO SATISFY ALL REQUIREMENTS ESTABLISHED UNDER SUBSECTION (2) OF THIS SECTION IN ORDER TO CONTINUE TO ACT WITHIN THIS STATE AS A STUDENT LOAN SERVICER. AT THE EXPIRATION OF THE THIRTY-DAY PERIOD, IF THE PERSON SEEKING TO ACT WITHIN THIS STATE AS A STUDENT LOAN SERVICER HAS NOT SATISFIED THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION, THE ADMINISTRATOR SHALL SUMMARILY SUSPEND ANY LICENSE GRANTED TO THE PERSON UNDER THIS SECTION IN ACCORDANCE WITH SECTION 24-4-104 (4); EXCEPT THAT THE FULL INVESTIGATION REQUIREMENT SPECIFIED IN SECTION 24-4-104 (4)(a) DOES NOT APPLY.

(e) **Preservation of authorities.** WITH RESPECT TO STUDENT LOAN SERVICING NOT CONDUCTED PURSUANT TO A CONTRACT AWARDED BY THE UNITED STATES SECRETARY OF EDUCATION UNDER 20 U.S.C. SEC. 1087f, NOTHING IN THIS SECTION PREVENTS THE ADMINISTRATOR FROM ISSUING, OR FILING A CIVIL ACTION FOR, AN ORDER TO TEMPORARILY OR PERMANENTLY PROHIBIT OR BAR ANY PERSON FROM ACTING AS A STUDENT LOAN SERVICER OR VIOLATING APPLICABLE LAW.

(2) **Other student loan servicers.** (a) A PERSON SEEKING TO ACT WITHIN THIS STATE AS A STUDENT LOAN SERVICER, OTHER THAN A PERSON DEEMED EXEMPT BY THE ADMINISTRATOR PURSUANT TO SUBSECTION (1)

OF THIS SECTION, MUST APPLY TO THE ADMINISTRATOR FOR AN INITIAL LICENSE IN THE FORM THE ADMINISTRATOR PRESCRIBES. THE APPLICATION MUST BE ACCOMPANIED BY:

(I) A FINANCIAL STATEMENT PREPARED BY A CERTIFIED PUBLIC ACCOUNTANT OR A PUBLIC ACCOUNTANT, A GENERAL PARTNER IF THE APPLICANT IS A PARTNERSHIP, A CORPORATE OFFICER IF THE APPLICANT IS A CORPORATION, OR A MEMBER DULY AUTHORIZED TO EXECUTE FINANCIAL STATEMENTS IF THE APPLICANT IS A LIMITED LIABILITY COMPANY OR ASSOCIATION;

(II) INFORMATION REGARDING THE HISTORY OF CRIMINAL CONVICTIONS OF THE FOLLOWING:

(A) THE APPLICANT;

(B) PARTNERS OF THE APPLICANT, IF THE APPLICANT IS IN A PARTNERSHIP;

(C) MEMBERS OF THE APPLICANT, IF THE APPLICANT IS A LIMITED LIABILITY COMPANY OR ASSOCIATION; OR

(D) OFFICERS, DIRECTORS, AND PRINCIPAL EMPLOYEES OF THE APPLICANT, IF THE APPLICANT IS A CORPORATION.

(b) THE INFORMATION SUBMITTED PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION MUST BE SUFFICIENT, AS DETERMINED BY THE ADMINISTRATOR, TO MAKE THE FINDINGS REQUIRED UNDER THIS SECTION.

(3) **Investigation of applicant.** (a) UPON THE FILING OF AN APPLICATION FOR AN INITIAL LICENSE AND THE PAYMENT OF THE FEES FOR LICENSING AND INVESTIGATION PURSUANT TO SECTION 5-20-107, THE ADMINISTRATOR SHALL INVESTIGATE THE FINANCIAL CONDITION AND RESPONSIBILITY, FINANCIAL AND BUSINESS EXPERIENCE, CHARACTER, AND GENERAL FITNESS OF THE APPLICANT.

(b) THE ADMINISTRATOR MAY ISSUE A LICENSE PURSUANT TO THIS SECTION IF THE ADMINISTRATOR FINDS THAT:

(I) THE APPLICANT'S FINANCIAL CONDITION IS SOUND;

(II) THE APPLICANT'S BUSINESS WILL BE CONDUCTED HONESTLY, FAIRLY, EQUITABLY, CAREFULLY, AND EFFICIENTLY WITHIN THE PURPOSES AND INTENT OF THIS ARTICLE 20 AND IN A MANNER COMMANDING THE CONFIDENCE AND TRUST OF THE COMMUNITY;

(III) IF THE APPLICANT IS:

(A) AN INDIVIDUAL, THE INDIVIDUAL IS IN ALL RESPECTS PROPERLY QUALIFIED AND OF GOOD CHARACTER;

(B) A PARTNERSHIP, EACH PARTNER IS IN ALL RESPECTS PROPERLY QUALIFIED AND OF GOOD CHARACTER;

(C) A LIMITED LIABILITY COMPANY OR ASSOCIATION, EACH MEMBER IS IN ALL RESPECTS PROPERLY QUALIFIED AND OF GOOD CHARACTER; OR

(D) A CORPORATION, THE PRESIDENT, CHAIR OF THE EXECUTIVE COMMITTEE, SENIOR OFFICER RESPONSIBLE FOR THE CORPORATION'S BUSINESS, CHIEF FINANCIAL OFFICER OR ANY OTHER PERSON WHO PERFORMS SIMILAR FUNCTIONS AS DETERMINED BY THE ADMINISTRATOR, EACH DIRECTOR, EACH TRUSTEE, AND EACH SHAREHOLDER OWNING TEN PERCENT OR MORE OF EACH CLASS OF THE SECURITIES OF THE CORPORATION ARE IN ALL RESPECTS PROPERLY QUALIFIED AND OF GOOD CHARACTER;

(IV) NO PERSON ACTING ON BEHALF OF THE APPLICANT KNOWINGLY HAS MADE AN INCORRECT STATEMENT OF A MATERIAL FACT IN THE APPLICATION OR IN ANY REPORT OR STATEMENT MADE PURSUANT TO THIS ARTICLE 20; AND

(V) THE APPLICANT HAS MET ANY OTHER REQUIREMENTS AS DETERMINED BY THE ADMINISTRATOR.

(4) **License expiration.** A LICENSE ISSUED PURSUANT TO THIS SECTION EXPIRES EACH JANUARY 31 UNLESS RENEWED OR EARLIER SURRENDERED, SUSPENDED, OR REVOKED PURSUANT TO THIS ARTICLE 20. NO LATER THAN FIFTEEN DAYS AFTER A LICENSEE CEASES TO ENGAGE IN THE BUSINESS OF SERVICING IN THIS STATE FOR ANY REASON, INCLUDING A BUSINESS DECISION TO TERMINATE OPERATIONS IN THIS STATE, LICENSE REVOCATION, BANKRUPTCY, OR VOLUNTARY DISSOLUTION, THE LICENSEE SHALL PROVIDE WRITTEN NOTICE OF SURRENDER TO THE ADMINISTRATOR AND SHALL SURRENDER TO THE ADMINISTRATOR ITS LICENSE FOR EACH LOCATION IN WHICH THE LICENSEE HAS CEASED TO ENGAGE IN SERVICING. THE WRITTEN NOTICE OF SURRENDER MUST IDENTIFY THE LOCATION

WHERE THE RECORDS OF THE LICENSEE WILL BE STORED AND THE NAME, ADDRESS, AND TELEPHONE NUMBER OF A PERSON AUTHORIZED TO PROVIDE ACCESS TO THE RECORDS. THE SURRENDER OF A LICENSE DOES NOT REDUCE OR ELIMINATE THE LICENSEE'S CIVIL OR CRIMINAL LIABILITY ARISING FROM ACTS OR OMISSIONS OCCURRING BEFORE THE SURRENDER OF THE LICENSE, INCLUDING ANY ADMINISTRATIVE ACTIONS UNDERTAKEN BY THE ADMINISTRATOR TO REVOKE OR SUSPEND A LICENSE, ASSESS A CIVIL PENALTY, ORDER RESTITUTION, OR EXERCISE ANY OTHER AUTHORITY PROVIDED TO THE ADMINISTRATOR.

(5) **License renewal.** (a) A LICENSE ISSUED PURSUANT TO THIS SECTION MAY BE RENEWED FOR THE ENSUING TWELVE-MONTH PERIOD UPON THE FILING OF AN APPLICATION CONTAINING ALL REQUIRED RECORDS AND FEES, INCLUDING RENEWAL FEES AS ESTABLISHED BY THE ADMINISTRATOR IN ACCORDANCE WITH SECTION 5-20-107. A RENEWAL APPLICATION MUST BE FILED ON OR BEFORE JANUARY 31 OF THE YEAR IN WHICH THE LICENSE EXPIRES. THE ADMINISTRATOR MAY ESTABLISH A LATE FEE FOR ANY RENEWAL APPLICATIONS SUBMITTED AFTER JANUARY 31.

(b) IF AN APPLICATION FOR A RENEWAL LICENSE HAS BEEN FILED WITH THE ADMINISTRATOR ON OR BEFORE THE DATE THE LICENSE EXPIRES, THE LICENSE SOUGHT TO BE RENEWED CONTINUES IN EFFECT UNTIL THE ISSUANCE BY THE ADMINISTRATOR OF THE RENEWAL LICENSE APPLIED FOR OR UNTIL THE ADMINISTRATOR HAS NOTIFIED THE LICENSEE IN WRITING OF THE ADMINISTRATOR'S REFUSAL TO ISSUE THE RENEWAL LICENSE TOGETHER WITH THE GROUNDS UPON WHICH THE REFUSAL IS BASED.

(c) THE ADMINISTRATOR MAY REFUSE TO ISSUE A RENEWAL LICENSE ON ANY GROUND ON WHICH THE ADMINISTRATOR MAY REFUSE TO ISSUE AN INITIAL LICENSE.

(6) **Dishonored check.** IF A CHECK FILED WITH THE ADMINISTRATOR TO PAY A LICENSE, INVESTIGATION, OR RENEWAL FEE UNDER THIS SECTION IS DISHONORED, THE ADMINISTRATOR SHALL SUMMARILY SUSPEND THE LICENSE OR THE RENEWAL LICENSE THAT HAS BEEN ISSUED BUT IS NOT YET EFFECTIVE IN ACCORDANCE WITH SECTION 24-4-104 (4); EXCEPT THAT THE FULL INVESTIGATION REQUIREMENT SPECIFIED IN SECTION 24-4-104 (4)(a) DOES NOT APPLY. THE ADMINISTRATOR SHALL GIVE THE LICENSEE NOTICE OF THE SUMMARY SUSPENSION PENDING PROCEEDINGS FOR REVOCATION OR REFUSAL TO RENEW AND AN OPPORTUNITY FOR A HEARING ON THE ACTIONS IN ACCORDANCE WITH SECTION 5-20-113.

(7) **Update application information.** AN APPLICANT OR LICENSEE UNDER THIS SECTION SHALL NOTIFY THE ADMINISTRATOR, IN WRITING, OF ANY CHANGE IN THE INFORMATION PROVIDED IN ITS INITIAL APPLICATION FOR A LICENSE OR ITS MOST RECENT RENEWAL APPLICATION FOR A LICENSE, AS APPLICABLE, NOT LATER THAN TEN BUSINESS DAYS AFTER THE OCCURRENCE OF THE EVENT THAT RESULTS IN THE CHANGE.

(8) **Incomplete application.** THE ADMINISTRATOR MAY CONSIDER AN APPLICATION FOR A LICENSE UNDER THIS SECTION ABANDONED IF THE APPLICANT FAILS TO RESPOND TO ANY REQUEST FOR INFORMATION REQUIRED UNDER THIS ARTICLE 20 OR ANY RULES ADOPTED PURSUANT TO THIS ARTICLE 20, AS LONG AS THE ADMINISTRATOR NOTIFIES THE APPLICANT, IN WRITING, THAT THE APPLICATION WILL BE CONSIDERED ABANDONED IF THE APPLICANT FAILS TO SUBMIT THE INFORMATION WITHIN SIXTY DAYS AFTER THE DATE ON WHICH THE REQUEST FOR INFORMATION WAS MADE. ABANDONMENT OF AN APPLICATION PURSUANT TO THIS SUBSECTION (8) DOES NOT PRECLUDE THE APPLICANT FROM SUBMITTING A NEW APPLICATION FOR A LICENSE UNDER THIS ARTICLE 20.

(9) **Change of license notification.** A LICENSEE UNDER THIS SECTION SHALL NOT ACT WITHIN THIS STATE AS A STUDENT LOAN SERVICER UNDER ANY NAME OR AT ANY PLACE OF BUSINESS OTHER THAN THOSE NAMED IN THE LICENSE. A LICENSEE SHALL GIVE PRIOR WRITTEN NOTICE TO THE ADMINISTRATOR OF A CHANGE OF BUSINESS LOCATION. A LICENSEE SHALL NOT OPERATE MORE THAN ONE PLACE OF BUSINESS UNDER THE SAME LICENSE, BUT THE ADMINISTRATOR MAY ISSUE MORE THAN ONE LICENSE TO A LICENSEE THAT COMPLIES WITH THIS ARTICLE 20 AS TO EACH LICENSE. A LICENSE IS NOT TRANSFERABLE OR ASSIGNABLE.

(10) **Records retention - records request.** A STUDENT LOAN

SERVICER SHALL MAINTAIN ADEQUATE RECORDS OF EACH STUDENT EDUCATION LOAN TRANSACTION FOR NOT LESS THAN TWO YEARS AFTER THE FINAL PAYMENT ON THE STUDENT EDUCATION LOAN OR THE ASSIGNMENT OF THE STUDENT EDUCATION LOAN, WHICHEVER OCCURS FIRST, OR EXCEPT AS OTHERWISE REQUIRED BY FEDERAL LAW, A FEDERAL STUDENT EDUCATION LOAN AGREEMENT, OR A CONTRACT BETWEEN THE FEDERAL GOVERNMENT AND A LICENSEE. UPON REQUEST BY THE ADMINISTRATOR, A STUDENT LOAN SERVICER SHALL MAKE THE RECORDS AVAILABLE OR SHALL SEND THE RECORDS TO THE ADMINISTRATOR BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED, OR BY ANY EXPRESS DELIVERY CARRIER THAT PROVIDES A DATED DELIVERY RECEIPT, NOT LATER THAN FIVE BUSINESS DAYS AFTER REQUESTED BY THE ADMINISTRATOR. UPON A LICENSEE'S REQUEST, THE ADMINISTRATOR MAY GRANT THE LICENSEE ADDITIONAL TIME TO MAKE THE RECORDS AVAILABLE OR TO SEND THE RECORDS TO THE ADMINISTRATOR.

(11) **License suspension and revocation - refusal to renew.** (a) THE ADMINISTRATOR MAY SUSPEND, REVOKE, ANNUL, LIMIT, MODIFY, OR REFUSE TO RENEW A LICENSE ISSUED PURSUANT TO SUBSECTION (2) OF THIS SECTION OR TAKE ANY OTHER ACTION IN ACCORDANCE WITH THIS ARTICLE 20 IF THE ADMINISTRATOR FINDS ONE OR MORE OF THE FOLLOWING:

(I) THE LICENSEE HAS VIOLATED ANY PROVISION OF THIS ARTICLE 20 OR ANY RULE LAWFULLY ADOPTED OR ORDER LAWFULLY ISSUED PURSUANT TO AND WITHIN THE AUTHORITY OF THIS ARTICLE 20; OR

(II) ANY FACT OR CONDITION EXISTS THAT, IF IT HAD EXISTED AT THE TIME OF THE ORIGINAL APPLICATION FOR THE LICENSE, CLEARLY WOULD HAVE WARRANTED A DENIAL OF THE LICENSE.

(b) AN ABATEMENT OF THE LICENSE FEE MAY NOT BE MADE IF THE LICENSE IS SURRENDERED, REVOKED, OR SUSPENDED.

5-20-107. License and investigation fees. (1) A PERSON APPLYING FOR LICENSURE UNDER SECTION 5-20-106 (1) OR (2) SHALL PAY THE FOLLOWING NONREFUNDABLE FEES ESTABLISHED BY THE ADMINISTRATOR:

(a) INITIAL LICENSE FEE OF AT LEAST ONE THOUSAND DOLLARS;

(b) ANNUAL RENEWAL FEE OF AT LEAST ONE THOUSAND DOLLARS; AND

(c) INVESTIGATION FEE.

(2) THE ADMINISTRATOR SHALL DETERMINE THE AMOUNT OF THE FEES REQUIRED IN THIS SECTION AND MAY PERIODICALLY REDUCE OR INCREASE THE AMOUNT OF ONE OR MORE OF THE FEES IF NECESSARY PURSUANT TO SECTION 24-75-402 (3) AND (4), TO REDUCE THE UNCOMMITTED RESERVES OF THE FUND CREATED IN SECTION 5-20-104 (3). THE FUND IS SUBJECT TO THE MAXIMUM RESERVE ESTABLISHED IN SECTION 24-75-402.

5-20-108. Affirmative acts required of student loan servicers - definitions. (1) EXCEPT AS OTHERWISE PROVIDED IN FEDERAL LAW, FEDERAL STUDENT EDUCATION LOAN AGREEMENTS, OR A CONTRACT BETWEEN THE FEDERAL GOVERNMENT AND A STUDENT LOAN SERVICER, A STUDENT LOAN SERVICER SHALL TAKE THE ACTIONS SPECIFIED IN THIS SECTION.

(2) (a) A STUDENT LOAN SERVICER SHALL RESPOND TO A WRITTEN INQUIRY FROM A STUDENT LOAN BORROWER, THE REPRESENTATIVE OF A STUDENT LOAN BORROWER, OR THE STUDENT LOAN OMBUDSPERSON WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF THE REQUEST AND, WITHIN THIRTY BUSINESS DAYS AFTER RECEIPT OF THE REQUEST, PROVIDE INFORMATION RELATING TO THE REQUEST AND, IF APPLICABLE, THE ACTION THE STUDENT LOAN SERVICER WILL TAKE TO CORRECT THE ACCOUNT OR AN EXPLANATION FOR THE STUDENT LOAN SERVICER'S POSITION THAT THE BORROWER'S ACCOUNT IS CORRECT.

(b) THE THIRTY-DAY PERIOD DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION MAY BE EXTENDED FOR NOT MORE THAN FIFTEEN DAYS IF, BEFORE THE END OF THE THIRTY-DAY PERIOD, THE STUDENT LOAN SERVICER NOTIFIES THE BORROWER, THE BORROWER'S REPRESENTATIVE, OR THE OMBUDSPERSON, AS APPLICABLE, OF THE EXTENSION AND THE REASONS FOR THE DELAY IN RESPONDING.

(c) AFTER RECEIPT OF A WRITTEN REQUEST RELATED TO A DISPUTE ON A BORROWER'S PAYMENT ON A STUDENT EDUCATION LOAN, A STUDENT

LOAN SERVICER SHALL NOT, FOR THE SIXTY DAYS FOLLOWING RECEIPT, FURNISH ADVERSE INFORMATION TO A CONSUMER REPORTING AGENCY REGARDING A PAYMENT THAT IS THE SUBJECT OF THE WRITTEN INQUIRY.

(3) (a) EXCEPT AS PROVIDED IN FEDERAL LAW OR REQUIRED BY A STUDENT LOAN AGREEMENT, A STUDENT LOAN SERVICER SHALL INQUIRE OF A BORROWER HOW TO APPLY AN OVERPAYMENT TO A STUDENT EDUCATION LOAN. A BORROWER'S DIRECTION ON HOW TO APPLY AN OVERPAYMENT TO A STUDENT EDUCATION LOAN STAYS IN EFFECT FOR ANY FUTURE OVERPAYMENTS DURING THE TERM OF A STUDENT EDUCATION LOAN UNTIL THE BORROWER PROVIDES DIFFERENT DIRECTIONS.

(b) FOR PURPOSES OF THIS SUBSECTION (3), "OVERPAYMENT" MEANS A PAYMENT ON A STUDENT EDUCATION LOAN IN EXCESS OF THE MONTHLY AMOUNT DUE FROM A BORROWER ON A STUDENT EDUCATION LOAN, ALSO COMMONLY REFERRED TO AS A PREPAYMENT.

(4) (a) A STUDENT LOAN SERVICER SHALL APPLY PARTIAL PAYMENTS IN A MANNER THAT MINIMIZES LATE FEES AND NEGATIVE CREDIT REPORTING BY APPLYING PARTIAL PAYMENTS TO SATISFY AS MANY INDIVIDUAL LOAN PAYMENTS AS POSSIBLE ON A BORROWER'S ACCOUNT.

(b) FOR PURPOSES OF THIS SUBSECTION (4), "PARTIAL PAYMENT" MEANS A PAYMENT ON A STUDENT LOAN ACCOUNT THAT CONTAINS MULTIPLE INDIVIDUAL LOANS IN AN AMOUNT LESS THAN THE AMOUNT NECESSARY TO SATISFY THE OUTSTANDING PAYMENT DUE ON ALL LOANS IN THE STUDENT LOAN ACCOUNT, ALSO COMMONLY REFERRED TO AS AN UNDERPAYMENT.

(5) IN THE EVENT OF THE SALE, ASSIGNMENT, OR OTHER TRANSFER OF THE SERVICING OF A STUDENT EDUCATION LOAN THAT RESULTS IN A CHANGE IN THE IDENTITY OF THE PERSON TO WHOM A STUDENT LOAN BORROWER IS REQUIRED TO SEND PAYMENTS OR DIRECT ANY COMMUNICATION CONCERNING THE STUDENT EDUCATION LOAN, THE FOLLOWING PROVISIONS APPLY:

(a) AS A CONDITION OF A SALE, AN ASSIGNMENT, OR ANY OTHER TRANSFER OF THE SERVICING OF A STUDENT EDUCATION LOAN, A STUDENT LOAN SERVICER SHALL REQUIRE THE NEW STUDENT LOAN SERVICER TO HONOR ALL BENEFITS ORIGINALLY REPRESENTED AS AVAILABLE TO A STUDENT LOAN BORROWER DURING THE REPAYMENT OF THE STUDENT EDUCATION LOAN AND PRESERVE THE AVAILABILITY OF THE BENEFITS, INCLUDING ANY BENEFITS FOR WHICH THE STUDENT LOAN BORROWER HAS NOT YET QUALIFIED.

(b) A STUDENT LOAN SERVICER SHALL TRANSFER TO THE NEW STUDENT LOAN SERVICER ALL RECORDS REGARDING THE STUDENT LOAN BORROWER, THE ACCOUNT OF THE STUDENT LOAN BORROWER, AND THE STUDENT EDUCATION LOAN OF THE STUDENT LOAN BORROWER.

(c) THE RECORDS REQUIRED UNDER SUBSECTION (5)(b) OF THIS SECTION INCLUDE THE REPAYMENT STATUS OF THE STUDENT LOAN BORROWER AND ANY BENEFITS ASSOCIATED WITH THE STUDENT EDUCATION LOAN OF THE STUDENT LOAN BORROWER.

(d) THE STUDENT LOAN SERVICER SHALL COMPLETE THE TRANSFER OF RECORDS REQUIRED UNDER SUBSECTION (5)(b) OF THIS SECTION WITHIN FORTY-FIVE DAYS AFTER THE SALE, ASSIGNMENT, OR OTHER TRANSFER OF THE SERVICING OF A STUDENT EDUCATION LOAN.

(e) THE PARTIES SHALL COMPLETE THE SALE, ASSIGNMENT, OR OTHER TRANSFER OF THE SERVICING OF A STUDENT EDUCATION LOAN AT LEAST SEVEN DAYS BEFORE THE NEXT PAYMENT ON THE LOAN IS DUE.

(6) A STUDENT LOAN SERVICER THAT OBTAINS THE RIGHT TO SERVICE A STUDENT EDUCATION LOAN SHALL ADOPT POLICIES AND PROCEDURES TO VERIFY THAT THE STUDENT LOAN SERVICER HAS RECEIVED ALL RECORDS REGARDING THE STUDENT LOAN BORROWER, THE ACCOUNT OF THE STUDENT LOAN BORROWER, AND THE STUDENT EDUCATION LOAN OF THE STUDENT LOAN BORROWER, INCLUDING THE REPAYMENT STATUS OF THE STUDENT LOAN BORROWER AND ANY BENEFITS ASSOCIATED WITH THE STUDENT EDUCATION LOAN OF THE STUDENT LOAN BORROWER.

5-20-109. Prohibited acts of student loan servicers. (1) A STUDENT LOAN SERVICER SHALL NOT:

(a) DIRECTLY OR INDIRECTLY EMPLOY A SCHEME, A DEVICE, OR

ARTIFICE TO DEFRAUD OR MISLEAD STUDENT LOAN BORROWERS;

(b) ENGAGE IN AN UNFAIR OR DECEPTIVE PRACTICE TOWARD ANY PERSON OR MISREPRESENT OR OMIT ANY MATERIAL INFORMATION IN CONNECTION WITH THE SERVICING OF A STUDENT EDUCATION LOAN, INCLUDING MISREPRESENTING THE AMOUNT, NATURE, OR TERMS OF ANY FEE OR PAYMENT DUE OR CLAIMED TO BE DUE ON A STUDENT EDUCATION LOAN, THE TERMS AND CONDITIONS OF THE LOAN AGREEMENT, OR THE STUDENT LOAN BORROWER'S OBLIGATIONS UNDER THE LOAN;

(c) OBTAIN PROPERTY BY FRAUD OR MISREPRESENTATION;

(d) MISAPPLY STUDENT EDUCATION LOAN PAYMENTS TO THE OUTSTANDING BALANCE OF A STUDENT EDUCATION LOAN;

(e) PROVIDE INACCURATE INFORMATION TO A CONSUMER REPORTING AGENCY;

(f) FAIL TO REPORT BOTH THE FAVORABLE AND UNFAVORABLE PAYMENT HISTORY OF A STUDENT LOAN BORROWER TO A CONSUMER REPORTING AGENCY AT LEAST ANNUALLY IF THE STUDENT LOAN SERVICER REGULARLY REPORTS INFORMATION TO A CONSUMER REPORTING AGENCY;

(g) REFUSE TO COMMUNICATE WITH AN AUTHORIZED REPRESENTATIVE OF A STUDENT LOAN BORROWER WHO PROVIDES A WRITTEN AUTHORIZATION SIGNED BY THE STUDENT LOAN BORROWER; EXCEPT THAT THE STUDENT LOAN SERVICER MAY ADOPT PROCEDURES REASONABLY RELATED TO VERIFYING THAT THE REPRESENTATIVE IS IN FACT AUTHORIZED TO ACT ON BEHALF OF THE STUDENT LOAN BORROWER;

(h) MAKE ANY FALSE STATEMENT OR OMIT ANY MATERIAL FACT IN CONNECTION WITH INFORMATION OR REPORTS FILED WITH A GOVERNMENTAL AGENCY OR IN CONNECTION WITH AN INVESTIGATION CONDUCTED BY THE ADMINISTRATOR OR ANOTHER GOVERNMENTAL AGENCY; OR

(i) EXCEPT AS OTHERWISE PROVIDED IN FEDERAL LAW, FEDERAL STUDENT LOAN AGREEMENTS, OR A CONTRACT BETWEEN THE FEDERAL GOVERNMENT AND A STUDENT LOAN SERVICER, FAIL TO PROPERLY EVALUATE A STUDENT LOAN BORROWER FOR AN INCOME-BASED OR OTHER STUDENT LOAN REPAYMENT PROGRAM OR FOR ELIGIBILITY FOR A PUBLIC SERVICE LOAN FORGIVENESS PROGRAM BEFORE PLACING THE STUDENT LOAN BORROWER IN FORBEARANCE OR DEFAULT, IF AN INCOME-BASED REPAYMENT OR OTHER PROGRAM IS AVAILABLE TO THE STUDENT LOAN BORROWER.

5-20-110. Powers and duties of the administrator - rules. (1) THE ADMINISTRATOR MAY CONDUCT INVESTIGATIONS AND EXAMINATIONS AS FOLLOWS:

(a) FOR PURPOSES OF INITIAL LICENSING, LICENSE RENEWAL, LICENSE SUSPENSION, LICENSE REVOCATION OR TERMINATION, OR GENERAL OR SPECIFIC INQUIRY OR INVESTIGATION TO DETERMINE COMPLIANCE WITH THIS ARTICLE 20, THE ADMINISTRATOR MAY ACCESS, RECEIVE, AND USE ANY RECORDS OR INFORMATION BELONGING TO A LICENSEE OR PERSON UNDER EXAMINATION, INCLUDING CRIMINAL, CIVIL, AND ADMINISTRATIVE HISTORY INFORMATION; PERSONAL HISTORY AND EXPERIENCE INFORMATION, INCLUDING INDEPENDENT CREDIT REPORTS OBTAINED FROM A CONSUMER REPORTING AGENCY DESCRIBED IN SECTION 603 (p) OF THE FEDERAL "FAIR CREDIT REPORTING ACT", 15 U.S.C. SEC. 1681a, AS AMENDED; AND ANY OTHER RECORDS OR INFORMATION THE ADMINISTRATOR CONSIDERS RELEVANT TO THE INQUIRY OR INVESTIGATION REGARDLESS OF THE LOCATION, POSSESSION, CONTROL, OR CUSTODY OF THE RECORDS OR INFORMATION.

(b) FOR THE PURPOSES OF INVESTIGATING VIOLATIONS OR COMPLAINTS ARISING UNDER THIS ARTICLE 20 OR FOR THE PURPOSES OF EXAMINATION, THE ADMINISTRATOR MAY REVIEW, INVESTIGATE, OR EXAMINE ANY LICENSEE OR PERSON SUBJECT TO THIS ARTICLE 20 AS OFTEN AS NECESSARY IN ORDER TO CARRY OUT THE PURPOSES OF THIS ARTICLE 20. THE ADMINISTRATOR MAY DIRECT, SUBPOENA, OR ORDER THE ATTENDANCE OF AND EXAMINE UNDER OATH ANY PERSON WHOSE TESTIMONY MAY BE REQUIRED ABOUT THE STUDENT EDUCATION LOAN OR THE BUSINESS OR SUBJECT MATTER OF AN EXAMINATION OR INVESTIGATION AND MAY DIRECT, SUBPOENA, OR ORDER THE PERSON TO PRODUCE RECORDS THE ADMINISTRATOR CONSIDERS RELEVANT TO THE INQUIRY.

(c) (I) IN MAKING AN EXAMINATION OR INVESTIGATION AUTHORIZED BY THIS SECTION, THE ADMINISTRATOR MAY CONTROL ACCESS TO ANY RECORDS OF THE LICENSEE OR PERSON UNDER EXAMINATION OR INVESTIGATION. THE ADMINISTRATOR MAY TAKE POSSESSION OF THE RECORDS OR PLACE A PERSON IN EXCLUSIVE CHARGE OF THE RECORDS IN THE PLACE WHERE THEY ARE USUALLY KEPT.

(II) DURING THE PERIOD OF ADMINISTRATOR CONTROL PURSUANT TO THIS SUBSECTION (1)(c), A PERSON MAY NOT REMOVE OR ATTEMPT TO REMOVE ANY OF THE RECORDS EXCEPT PURSUANT TO A COURT ORDER OR WITH THE CONSENT OF THE ADMINISTRATOR. UNLESS THE ADMINISTRATOR HAS REASONABLE GROUNDS TO BELIEVE THAT THE RECORDS OF THE LICENSEE OR PERSON HAVE BEEN, OR ARE AT RISK OF BEING, ALTERED OR DESTROYED FOR PURPOSES OF CONCEALING A VIOLATION OF THIS ARTICLE 20, THE LICENSEE OR OWNER OF THE RECORDS MAY HAVE ACCESS TO THE RECORDS AS NECESSARY TO CONDUCT ITS ORDINARY BUSINESS AFFAIRS.

(2) IN ORDER TO CARRY OUT THE PURPOSES OF THIS SECTION, THE ADMINISTRATOR MAY:

(a) RETAIN ATTORNEYS, ACCOUNTANTS, OR OTHER PROFESSIONALS AND SPECIALISTS AS EXAMINERS, AUDITORS, OR INVESTIGATORS TO CONDUCT OR ASSIST IN THE CONDUCT OF EXAMINATIONS OR INVESTIGATIONS;

(b) ENTER INTO AGREEMENTS OR RELATIONSHIPS WITH OTHER GOVERNMENT OFFICIALS OR REGULATORY ASSOCIATIONS IN ORDER TO IMPROVE EFFICIENCIES AND REDUCE REGULATORY BURDEN BY SHARING RESOURCES, STANDARDIZED OR UNIFORM METHODS OR PROCEDURES, AND RECORDS OR INFORMATION OBTAINED UNDER THIS SECTION;

(c) USE, HIRE, CONTRACT FOR, OR EMPLOY PUBLICLY OR PRIVATELY AVAILABLE ANALYTICAL SYSTEMS, METHODS, OR SOFTWARE TO EXAMINE OR INVESTIGATE THE LICENSEE OR PERSON SUBJECT TO THIS ARTICLE 20;

(d) ACCEPT AND RELY ON EXAMINATION OR INVESTIGATION REPORTS MADE BY OTHER GOVERNMENT OFFICIALS WITHIN OR OUTSIDE THIS STATE; AND

(e) ACCEPT AUDIT REPORTS MADE BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT OF THE LICENSEE OR PERSON SUBJECT TO THIS ARTICLE 20 IN THE COURSE OF THAT PART OF THE EXAMINATION COVERING THE SAME GENERAL SUBJECT MATTER AS THE AUDIT AND MAY INCORPORATE THE AUDIT REPORT IN A REPORT OF EXAMINATION, REPORT OF INVESTIGATION, OR OTHER WRITING OF THE ADMINISTRATOR.

(3) A PERSON SUBJECT TO INVESTIGATION OR EXAMINATION UNDER THIS SECTION SHALL NOT KNOWINGLY WITHHOLD, ABSTRACT, REMOVE, MUTILATE, OR DESTROY ANY RECORDS OR OTHER INFORMATION RELATING TO INFORMATION REGULATED UNDER THIS ARTICLE 20.

(4) WHENEVER IT APPEARS TO THE ADMINISTRATOR THAT A PERSON HAS VIOLATED, IS VIOLATING, OR IS ABOUT TO VIOLATE A PROVISION OF THIS ARTICLE 20 OR A RULE ADOPTED PURSUANT TO THIS ARTICLE 20 OR THAT A LICENSEE OR AN OWNER, DIRECTOR, OFFICER, MEMBER, PARTNER, SHAREHOLDER, TRUSTEE, EMPLOYEE, OR AGENT OF THE LICENSEE HAS COMMITTED FRAUD, ENGAGED IN DISHONEST ACTIVITIES, OR MADE A MISREPRESENTATION, THE ADMINISTRATOR MAY TAKE ACTION AGAINST THE PERSON OR LICENSEE IN ACCORDANCE WITH THIS ARTICLE 20.

(5) THE ADMINISTRATOR SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THIS ARTICLE 20.

5-20-111. Compliance with federal law. A STUDENT LOAN SERVICER SHALL COMPLY WITH ALL APPLICABLE FEDERAL LAWS AND REGULATIONS RELATING TO SERVICING, INCLUDING THE FEDERAL "TRUTH IN LENDING ACT", 15 U.S.C. SEC. 1601 TO 1667f, AS AMENDED, AND THE REGULATIONS ADOPTED PURSUANT TO THAT ACT. IN ADDITION TO ANY OTHER REMEDIES PROVIDED BY LAW, A VIOLATION OF THAT ACT OR REGULATIONS ADOPTED PURSUANT TO THAT ACT IS A VIOLATION OF THIS ARTICLE 20 AND A BASIS UPON WHICH THE ADMINISTRATOR MAY TAKE ENFORCEMENT ACTION PURSUANT TO THIS ARTICLE 20.

5-20-112. Civil action. (1) A VIOLATION OF THIS ARTICLE 20 IS A DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF SECTION 6-1-105.

(2) A STUDENT LOAN SERVICER WHO FAILS TO COMPLY WITH ANY

REQUIREMENT IMPOSED UNDER THIS ARTICLE 20 WITH RESPECT TO A STUDENT LOAN BORROWER IS LIABLE IN AN AMOUNT EQUAL TO THE SUM OF:

(a) ANY ACTUAL DAMAGES SUSTAINED BY THE STUDENT LOAN BORROWER AS A RESULT OF THE FAILURE;

(b) A MONETARY AWARD EQUAL TO THREE TIMES THE TOTAL AMOUNT THE STUDENT LOAN SERVICER COLLECTED FROM THE STUDENT LOAN BORROWER IN VIOLATION OF THIS ARTICLE 20;

(c) PUNITIVE DAMAGES AS THE COURT MAY ALLOW; AND

(d) IN THE CASE OF ANY SUCCESSFUL ACTION BY A STUDENT LOAN BORROWER TO ENFORCE THE LIABILITY SET OUT IN THIS SECTION, THE COSTS OF THE ACTION, TOGETHER WITH REASONABLE ATTORNEY FEES AS DETERMINED BY THE COURT.

(3) THE REMEDIES PROVIDED IN THIS SECTION ARE NOT THE EXCLUSIVE REMEDIES AVAILABLE TO A STUDENT LOAN BORROWER.

5-20-113. Application of administrative procedures - provisions. EXCEPT AS OTHERWISE PROVIDED, SECTIONS 24-4-102 TO 24-4-106 APPLY TO AND GOVERN ALL RULES PROMULGATED AND ALL ADMINISTRATIVE ACTION TAKEN BY THE ADMINISTRATOR PURSUANT TO THIS ARTICLE 20; EXCEPT THAT SECTION 24-4-104 (3) DOES NOT APPLY TO ANY SUCH ACTION.

5-20-114. Administrative enforcement orders. (1) AFTER NOTICE AND HEARING, THE ADMINISTRATOR MAY ORDER A STUDENT LOAN SERVICER OR A PERSON ACTING IN THE STUDENT LOAN SERVICER'S BEHALF TO CEASE AND DESIST FROM ENGAGING IN VIOLATIONS OF THIS ARTICLE 20 OR ANY RULE LAWFULLY ADOPTED OR ORDER LAWFULLY ISSUED PURSUANT TO THIS ARTICLE 20. THE ORDER ISSUED BY THE ADMINISTRATOR MAY ALSO REQUIRE THE STUDENT LOAN SERVICER OR PERSON TO MAKE REFUNDS TO PERSONS OF UNLAWFUL CHARGES UNDER THIS ARTICLE 20 AND AN ADMINISTRATIVE PENALTY OF UP TO ONE THOUSAND FIVE HUNDRED DOLLARS PER VIOLATION, ALL OR PART OF WHICH MAY BE SPECIFICALLY DESIGNATED FOR CONSUMER AND CREDITOR EDUCATIONAL PURPOSES.

(2) A RESPONDENT AGGRIEVED BY AN ORDER OF THE ADMINISTRATOR MAY OBTAIN JUDICIAL REVIEW OF THE ORDER IN THE COLORADO COURT OF APPEALS. THE ADMINISTRATOR MAY OBTAIN AN ORDER OF THE COURT FOR ENFORCEMENT OF THE ADMINISTRATOR'S ORDER IN THE DISTRICT COURT UNDER SECTION 24-4-106. ALL PROCEEDINGS UNDER THIS SECTION ARE GOVERNED BY SECTIONS 24-4-105 AND 24-4-106.

5-20-115. Assurance of discontinuance. IF IT IS CLAIMED THAT A PERSON HAS VIOLATED THIS ARTICLE 20, THE ADMINISTRATOR MAY ACCEPT AN ASSURANCE IN WRITING THAT THE PERSON WILL NOT ENGAGE IN THE CONDUCT IN THE FUTURE. THE ASSURANCE MAY ALSO REQUIRE THE PERSON TO MAKE REFUNDS TO PERSONS OF UNLAWFUL CHARGES UNDER THIS ARTICLE 20, PAY A PENALTY AUTHORIZED IN SECTION 5-20-114 (1), ALL OR PART OF WHICH MAY BE SPECIFICALLY DESIGNATED FOR CONSUMER AND CREDITOR EDUCATIONAL PURPOSES, AND REIMBURSE THE ADMINISTRATOR FOR THE ADMINISTRATOR'S REASONABLE COSTS INCURRED IN INVESTIGATING THE CONDUCT. IF A PERSON GIVING AN ASSURANCE OF DISCONTINUANCE FAILS TO COMPLY WITH ITS TERMS, THE ASSURANCE IS EVIDENCE THAT PRIOR TO THE ASSURANCE THE PERSON ENGAGED IN THE CONDUCT DESCRIBED IN THE ASSURANCE.

5-20-116. Injunctions. THE ADMINISTRATOR MAY BRING A CIVIL ACTION TO RESTRAIN A PERSON FROM VIOLATING THIS ARTICLE 20 OR RULES PROMULGATED PURSUANT TO THIS ARTICLE 20 AND FOR OTHER APPROPRIATE RELIEF, INCLUDING SUCH ORDERS OR JUDGMENTS AS MAY BE NECESSARY TO COMPLETELY COMPENSATE OR RESTORE ANY PERSON AFFECTED BY THE VIOLATION TO THE PERSON'S ORIGINAL POSITION. THE ADMINISTRATOR MAY ALSO APPLY FOR A TEMPORARY RESTRAINING ORDER OR A PRELIMINARY INJUNCTION AGAINST A RESPONDENT PENDING FINAL DETERMINATION OF PROCEEDINGS. NO BOND OR OTHER SECURITY IS REQUIRED OF THE ADMINISTRATOR BEFORE RELIEF UNDER THIS SECTION MAY BE GRANTED.

5-20-117. Civil actions by the administrator. THE ADMINISTRATOR MAY BRING A CIVIL ACTION AGAINST A STUDENT LOAN SERVICER FOR ANY VIOLATION OF THIS ARTICLE 20. AN ACTION MAY

RELATE TO TRANSACTIONS WITH MORE THAN ONE PERSON. THE COURT MAY ORDER A STUDENT LOAN SERVICER TO REFUND TO A PERSON ANY CHARGES COLLECTED IN VIOLATION OF THIS ARTICLE 20 AND MAY ALSO ASSESS CIVIL PENALTIES AGAINST THE STUDENT LOAN SERVICER AS SET FORTH IN SECTION 5-20-112 (2). IF THE ADMINISTRATOR PREVAILS IN AN ACTION BROUGHT UNDER THIS SECTION, THE ADMINISTRATOR MAY RECOVER REASONABLE COSTS IN INVESTIGATING AND BRINGING THE ACTION AND MAY RECOVER REASONABLE ATTORNEY FEES.

5-20-118. Limitations. NOTWITHSTANDING ARTICLE 80 OF TITLE 13, ALL ACTIONS BROUGHT UNDER THIS ARTICLE 20 MUST BE COMMENCED WITHIN FOUR YEARS AFTER THE DATE ON WHICH ANY VIOLATION OF THIS ARTICLE 20 OCCURRED OR THE DATE ON WHICH THE LAST IN A SERIES OF SUCH ACTS OR PRACTICES OCCURRED OR WITHIN FOUR YEARS AFTER THE PLAINTIFF DISCOVERED OR IN THE EXERCISE OF REASONABLE DILIGENCE SHOULD HAVE DISCOVERED THE OCCURRENCE OF A VIOLATION OF THIS ARTICLE 20; EXCEPT THAT THE PERIOD OF LIMITATION PROVIDED IN THIS SECTION MAY BE EXTENDED FOR A PERIOD OF ONE YEAR IF THE PLAINTIFF PROVES THAT FAILURE TO TIMELY COMMENCE THE ACTION WAS CAUSED BY THE DEFENDANT ENGAGING IN CONDUCT CALCULATED TO INDUCE THE PLAINTIFF TO REFRAIN FROM OR POSTPONE THE COMMENCEMENT OF THE ACTION.

5-20-119. Confidential information. (1) THE ADMINISTRATOR SHALL NOT MAKE PUBLIC THE NAME OR IDENTITY OF A PERSON WHOSE ACTS OR CONDUCT THE ADMINISTRATOR INVESTIGATES OR EXAMINES PURSUANT TO THIS ARTICLE 20 OR THE FACTS DISCLOSED IN THE INVESTIGATION OR EXAMINATION.

(2) THE ADMINISTRATOR MAY DISCLOSE LICENSE APPLICATION AND RENEWAL RECORDS PROVIDED TO THE ADMINISTRATOR AND OTHER CONTENTS OF LICENSE RECORDS MAINTAINED PURSUANT TO THIS ARTICLE 20, BUT THE ADMINISTRATOR SHALL NOT MAKE PUBLIC THE CONFIDENTIAL INFORMATION CONTAINED IN THE RECORDS.

(3) THE RESTRICTIONS ON THE DISCLOSURE OF INFORMATION IN SUBSECTIONS (1) AND (2) OF THIS SECTION DO NOT APPLY TO DISCLOSURES BY THE ADMINISTRATOR IN ACTIONS OR ADMINISTRATIVE ENFORCEMENT PROCEEDINGS PURSUANT TO THIS ARTICLE 20.

SECTION 3. In Colorado Revised Statutes, 6-1-105, **add** (1)(lll) as follows:

6-1-105. Deceptive trade practices. (1) A person engages in a deceptive trade practice when, in the course of the person's business, vocation, or occupation, the person:

(lll) VIOLATES ARTICLE 20 OF TITLE 5.

SECTION 4. In Colorado Revised Statutes, 13-4-102, **add** (2)(mm) as follows:

13-4-102. Jurisdiction. (2) The court of appeals has initial jurisdiction to:

(mm) REVIEW FINAL DECISIONS OR ORDERS OF THE ADMINISTRATOR AS PROVIDED IN ARTICLE 20 OF TITLE 5.

SECTION 5. Act subject to petition - effective date - applicability. (1) This act takes effect January 1, 2020; 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 2020 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 conduct occurring on or after the applicable effective date of this act.".

Education After consideration on the merits, the Committee recommends that **SB19-095** 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 **HB19-1036** 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 **SB19-102** be referred to the Committee of the Whole with favorable recommendation.

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 confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

effective January 28, 2019 for a term expiring at the Pleasure of the Governor:

Jill Hunsacker Ryan, MPH of Edwards, Colorado, appointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-001** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 7, line 14, strike "AND".

Page 7, strike line 18 and substitute "COUNTY;

(VII) THE BOARD OF COUNTY COMMISSIONERS FOR EACH COUNTY PARTICIPATING IN THE PILOT PROGRAM, INCLUDING ADDITIONAL COUNTIES THAT MAY BE SELECTED TO PARTICIPATE PURSUANT TO SECTION 23-21-804 (1)(b), SHALL APPOINT A MEMBER OF ITS BOARD; EXCEPT THAT FOR THE SAN LUIS VALLEY, THE BOARDS OF COUNTY COMMISSIONERS OF THE COUNTIES IN THE SAN LUIS VALLEY SHALL JOINTLY APPOINT ONE MEMBER FROM ONE OF THE BOARDS OF COUNTY COMMISSIONERS IN THE SAN LUIS VALLEY TO SERVE ON THE ADVISORY BOARD; AND

(VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL APPOINT A REPRESENTATIVE FROM THE DEPARTMENT.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-065** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 7, after "PAY" insert "TO THE DEPARTMENT, AT THE TIME OF APPLICATION,".

Page 3, after line 5 insert:

"(3) THE DEPARTMENT SHALL DEPOSIT THE FEES COLLECTED PURSUANT TO THIS SECTION IN THE EMERGENCY MEDICAL SERVICES PEER ASSISTANCE FUND, REFERRED TO IN THIS SECTION AS THE "FUND", WHICH IS HEREBY CREATED IN THE STATE TREASURY. MONEY IN THE FUND IS NOT SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.".

Renumber succeeding subsections accordingly.

Page 4, strike lines 12 through 16.

Reletter succeeding paragraphs accordingly.

Page 4, line 17, strike "COLLECTED," and substitute "COLLECTED FROM

THE DEPARTMENT,".

Page 5, strike lines 1 through 10.

Renumber succeeding subsections accordingly.

Page 6, strike lines 1 and 2 and substitute "THE PROGRAM. IF A CERTIFICATE HOLDER OBJECTS TO THE SUSPENSION, THE CERTIFICATE HOLDER MAY SUBMIT A WRITTEN REQUEST TO THE DEPARTMENT FOR THE FORMAL HEARING ON THE SUSPENSION WITHIN TWO DAYS AFTER RECEIVING NOTICE OF THE SUSPENSION AND THE DEPARTMENT SHALL GRANT THE REQUEST. IN THE HEARING, THE CERTIFICATE HOLDER SHALL HAVE THE BURDEN OF PROVING THAT THE CERTIFICATE HOLDER'S CERTIFICATION SHOULD NOT BE SUSPENDED. THE HEARING".

Strike "BOARD" and substitute "DEPARTMENT" on: **Page 3**, lines 1, 6, 8, 14, and 26; **Page 4**, lines 2, 18, 19, and 23; **Page 5**, lines 11, 23, 25, and 27; and **Page 6**, lines 5 (twice), 7, and 19.

SENATE SERVICES REPORT

Correctly Printed: SB19-134; SJR19-005.
Correctly Reengrossed: SB19-043, 079, 091, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, and 128.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-019 by Senator(s) Fields; also Representative(s) Gray, Hooton--Concerning the power of a county to restrict the use of fireworks during the period between May 31 and July 5 of any year.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 6, page 165 and placed in members' bill files.)

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

SB19-105 by Senator(s) Rodriguez; also Representative(s) Tipper--Concerning the "Colorado Uniform Directed Trust Act".

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-019 as amended, SB19-105.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1011 by Representative(s) Hooton, Arndt, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning clarification of the scope of an existing sales tax exemption for manufactured homes.

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

SB19-092 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Liston--Concerning a prohibition on using an illuminated check engine light as the sole criterion for failure of an emissions test.

Laid over until Monday, February 11, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1011.
Laid over until Monday, February 11: SB19-092.

CONSIDERATION OF RESOLUTIONS

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Laid over until Monday, February 11, retaining its place on the calendar.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-135 by Senator(s) Williams A. and Rodriguez, Bridges, Court, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, Zenzinger; also Representative(s) Buckner and Buentello, Coleman, Cutter, Duran, Exum, Galindo, Herod, Jackson, Melton, Michaelson Jenet, Valdez A.--Concerning methods to determine whether disparities involving certain historically underutilized businesses exist within the state procurement process, and, in connection therewith, commissioning a study to make such determination and requiring the department of personnel to track contracts awarded to historically underutilized businesses.
Business, Labor, & Technology

Journal correction:

Page 185, line 21, strike ", Holbert".

On motion of Senator Bridges, the Senate adjourned until 10:00 a.m., Monday, February 11, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

39th Legislative Day Monday, February 11, 2019

Prayer By the chaplain, Rev. Pedro Silva, First Congregational United Church of Christ, Boulder.

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

Roll Call Present--33
Excused--2, Tate, Williams.
Present later--2, Tate, Williams.

Quorum The President announced a quorum present.

Pledge By Senator Rodriguez.

Reading of the Journal On motion of Senator Story, reading of the Journal of Friday, February 8, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-135.
Correctly Engrossed: SB19-019 and 105.
Correctly Revised: HB19-1011.

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:

SB19-019 by Senator(s) Fields; also Representative(s) Gray, Hooton--Concerning the power of a county to restrict the use of fireworks during the period between May 31 and July 5 of any year.

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

YES	24	NO	9	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Gonzales, Story, and Todd.

SB19-105 by Senator(s) Rodriguez; also Representative(s) Tipper--Concerning the "Colorado Uniform Directed Trust 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 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:

HB19-1011 by Representative(s) Hooton, Arndt, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning clarification of the scope of an existing sales tax exemption for manufactured homes.

Laid over until Tuesday, February 12, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-100 by Senator(s) Gardner; --Concerning the creation of the "Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 7, page 179 and placed in members' bill files.)

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

SB19-071 by Senator(s) Fields; also Representative(s) Roberts--Concerning expanding the admission of out-of-court statements of a child.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 7, page 187 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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-100 as amended, SB19-071 as amended.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

SB19-092 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Liston--Concerning a prohibition on using an illuminated check engine light as the sole criterion for failure of an emissions test.

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

SB19-013 by Senator(s) Marble and Ginal; also Representative(s) Hooton and Ransom--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding a condition for which a physician could prescribe an opiate to the list of disabling medical conditions for medical marijuana use.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 7, page 173 and placed in members' bill files.)

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

SB19-014 by Senator(s) Coram; also Representative(s) Carver--Concerning measures to reduce incidents of theft from retail establishments.

Laid over until Wednesday, February 13, retaining its place on the calendar.

SB19-049 by Senator(s) Fields; also Representative(s) Michaelson Jenet--Concerning increasing the statute of limitations for certain failure to report child sexual abuse crimes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 7, page 187 and placed in members' bill files.)

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

HB19-1029 by Representative(s) Arndt; also Senator(s) Crowder--Concerning the Republican river water conservation district, and, in connection therewith, expanding the boundaries of the district and adjusting the meeting schedule of the district's board of directors.

Amendment No. 1(L.003), by Senator Coram.

Amend reengrossed bill, page 4, after line 13 insert:

"(b.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION TO THE CONTRARY, A PERSON MAY NOT BE APPOINTED TO THE BOARD TO REPRESENT A COUNTY UNLESS THE PERSON RESIDES IN THAT COUNTY.".

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

Amend reengrossed bill, page 7, after line 1 insert:

"**SECTION 4.** In Colorado Revised Statutes, **add** 37-50-138.5 as follows:

37-50-138.5. Prohibition on duplication of fees. NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 50 TO THE CONTRARY, AN ENTITY THAT PAYS AUGMENTATION FEES TO A WATER CONSERVATION DISTRICT OTHER THAN THE DISTRICT FOR THE PURPOSE OF PREVENTING CURTAILMENT OR WHICH HAS AN AUGMENTATION PLAN IN PLACE MAY NOT BE REQUIRED TO PAY AUGMENTATION FEES TO THE DISTRICT.".

Renumber succeeding section 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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-092, SB19-013 as amended, SB19-049 as amended, HB19-1029 as amended.
Laid over until Wednesday, February 13: SB19-014.

CONSIDERATION OF RESOLUTIONS

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Laid over until Tuesday, February 12, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

February 11, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1105.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1098, 1084, amended as printed in House Journal, February 8, 2019.

The House has passed on Third Reading and returns herewith SB19-021.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-018, amended as printed in House Journal, February 8, 2019.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1028 by Representative(s) Hooton and Ransom, Baisley, Van Winkle; also Senator(s) Coram and Fenberg, Marble--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding autism spectrum disorders to the list of disabling medical conditions for medical marijuana use.
Health & Human Services

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

February 11, 2019

We herewith transmit:

Without comment, HB19-1105.
Without comment, as amended, HB19-1084 and 1098.
Without comment, as amended, SB19-018.

INTRODUCTION OF BILLS -- FIRST READING (cont'd)

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

SB19-136 by Senator(s) Lee; also Representative(s) Gonzales-Gutierrez--Concerning an expansion of the pilot program in the division of youth services.
Judiciary

HB19-1084 by Representative(s) Gray; also Senator(s) Zenzinger--Concerning a requirement that notice of a determination on whether a particular land area is blighted be given to owners of private property within the area.
Local Government

HB19-1098 by Representative(s) Gray; also Senator(s) Lee--Concerning deeds for the conveyance of real property, and, in connection therewith, establishing requirements for title insurance entities that prepare deeds and establishing forms for the preparation of deeds in certain circumstances.
Judiciary

HB19-1105 by Representative(s) Mullica and Saine, Beckman, Soper, Caraveo, Galindo, Humphrey, Lontine; also Senator(s) Marble and Winter--Concerning the ability of advanced practice nurses with prescriptive authority to obtain level I accreditation under the "Workers' Compensation Act of Colorado".
Health & Human Services

HB19-1113 by Representative(s) Roberts and McLachlan, Arndt, Buentello, McCluskie, Titone; also Senator(s) Donovan--Concerning the protection of water quality from adverse impacts caused by mineral mining.
Agriculture & Natural Resources

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-028, 045, and 058.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, February 11, 2019, at 3:04 p.m.:
SB19-028, 045, and 058.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, February 12, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

40th Legislative Day Tuesday, February 12, 2019

Prayer — By the chaplain, Rev. Diana Thompson, Tri-State Denver Buddhist Temple.

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

Roll Call — Present--30
Absent--1, Pettersen.
Excused--4, Lundeen, Scott, Smallwood, Todd.
Present later--5, Lundeen, Pettersen, Scott, Smallwood, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Rodriguez

Reading of the Journal — On motion of Senator Story, reading of the Journal of Monday, February 11, 2019, 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 **SB19-110** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB19-103** 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 **SB19-090** 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 22, strike "PROGRAM." and substitute "PROGRAM BUT IS NOT USED EXCLUSIVELY FOR CAR SHARING.".

Page 4, strike lines 13 through 21 and substitute:

"(11) "SHARING TERMINATION TIME" MEANS:
(a) THE TIME WHEN THE SHARED CAR IS RETURNED TO THE LOCATION DESIGNATED BY THE SHARED CAR OWNER THROUGH A CAR SHARING PROGRAM; AND
(b) THE EARLIEST OF THE FOLLOWING EVENTS:
(I) THE EXPIRATION OF THE AGREED PERIOD OF TIME ESTABLISHED FOR THE USE OF A SHARED CAR IN THE GOVERNING CAR SHARING AGREEMENT;
(II) THE INTENT TO TERMINATE THE USE OF THE SHARED CAR IS VERIFIABLY COMMUNICATED BY THE SHARED CAR DRIVER TO THE SHARED CAR OWNER THROUGH THE CAR SHARING PROGRAM; OR
(III) THE SHARED CAR OWNER, OR THE SHARED CAR OWNER'S AUTHORIZED DESIGNEE, TAKES POSSESSION AND CONTROL OF THE SHARED CAR.".

Page 5, after line 14 insert:

"(4) IF THE INSURANCE THAT COMPLIES WITH SUBSECTION (1) OF THIS SECTION IS PROVIDED BY THE SHARED CAR DRIVER OR SHARED CAR OWNER, A CAR SHARING PROGRAM SHALL MAINTAIN INSURANCE THAT PROVIDES COVERAGE MEETING THE REQUIREMENTS OF THIS SECTION AND THAT COVERS A LAPSE IN OR LACK OF COVERAGE OF THE SHARED CAR DRIVER'S OR SHARED CAR OWNER'S INSURANCE, BEGINNING WITH THE FIRST DOLLAR OF A CLAIM AND INCLUDING A DUTY TO DEFEND THE CLAIM.

(5) COVERAGE UNDER AN AUTOMOBILE LIABILITY INSURANCE POLICY MAINTAINED BY THE CAR SHARING PROGRAM DOES NOT DEPEND ON A PERSONAL AUTOMOBILE LIABILITY INSURER FIRST DENYING OR BEING REQUIRED TO DENY A CLAIM.".

Page 5, line 15, strike "(4)" and substitute "(6)".

Page 6, strike lines 6 and 7 and substitute:

"**6-1-1205. Liability - exclusions for personal automobile liability insurance policy - indemnification.** (1) (a) EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, A CAR SHARING PROGRAM SHALL ASSUME THE LIABILITY OF A SHARED CAR OWNER FOR ANY BODILY INJURY OR PROPERTY DAMAGE TO THIRD PARTIES, OR UNINSURED AND UNDERINSURED MOTORIST OR PERSONAL INJURY PROTECTION LOSSES, CAUSED BY THE SHARED CAR DRIVER DURING THE SHARING PERIOD UP TO AN AMOUNT STATED IN THE CAR SHARING AGREEMENT, BUT NOT LESS THAN THE MINIMUM AMOUNT OF FINANCIAL RESPONSIBILITY REQUIRED BY ARTICLE 7 OF TITLE 42.

(b) A CAR SHARING PROGRAM DOES NOT ASSUME LIABILITY UNDER THIS SUBSECTION (1) FOR ANY BODILY INJURY OR PROPERTY DAMAGE CAUSED BY THE SHARED CAR OWNER MAKING AN INTENTIONAL OR FRAUDULENT MATERIAL MISREPRESENTATION TO THE CAR SHARING PROGRAM BEFORE OR DURING THE SHARING PERIOD IN WHICH THE LOSS OCCURRED.

(2) AN AUTHORIZED INSURER MAY EXCLUDE".

Renumber succeeding subsection accordingly.

Page 7, line 16, strike "CAR OWNER OR" and substitute "CAR OWNER;".

Page 7, line 17, strike "INSURER." and substitute "INSURER; OR AS REQUIRED BY AN AIRPORT CONCESSION AGREEMENT.".

Page 10, strike lines 7 through 27.

Page 11, strike lines 1 through 3 and substitute:

"**6-1-1213. Safety recalls.** (1) WHEN A SHARED CAR OWNER REGISTERS A SHARED CAR WITH A CAR SHARING PROGRAM AND BEFORE THE SHARED CAR IS AVAILABLE FOR CAR SHARING, THE CAR SHARING PROGRAM SHALL:

(a) VERIFY THAT THE SHARED CAR DOES NOT HAVE ANY OPEN SAFETY RECALLS FOR WHICH THE REPAIRS HAVE NOT BEEN MADE; AND

(b) NOTIFY THE SHARED CAR OWNER OF THE REQUIREMENTS UNDER SUBSECTION (2) OF THIS SECTION.

(2) IF THE SHARED CAR OWNER HAS ACTUAL NOTICE OF A SAFETY RECALL ON THE SHARED CAR, A SHARED CAR OWNER SHALL NOT MAKE THE SHARED CAR AVAILABLE WITH A CAR SHARING PROGRAM UNTIL THE SAFETY RECALL REPAIR HAS BEEN MADE.

(3) IF A SHARED CAR OWNER HAS ACTUAL NOTICE OF A SAFETY RECALL ON A SHARED CAR WHILE AVAILABLE FOR SHARING WITH A CAR SHARING PROGRAM, THE SHARED CAR OWNER SHALL REMOVE THE SHARED CAR'S AVAILABILITY WITH THE CAR SHARING PROGRAM:

(a) AS SOON AS PRACTICABLE, BUT NO LATER THAN SEVENTY-TWO HOURS, AFTER RECEIVING THE NOTICE OF THE SAFETY RECALL; AND

(b) UNTIL THE SAFETY RECALL REPAIR HAS BEEN MADE.

(4) IF A SHARED CAR OWNER HAS ACTUAL NOTICE OF A SAFETY RECALL DURING THE SHARING PERIOD, THE SHARED CAR OWNER SHALL NOTIFY BOTH THE SHARED CAR DRIVER AND THE CAR SHARING PROGRAM

ABOUT THE SAFETY RECALL.

6-1-1214. Operation at airports. (1) IF AN AIRPORT OPERATOR WITHIN COLORADO REQUESTS THAT A CAR SHARING PROGRAM ENTER INTO AN AIRPORT CONCESSION AGREEMENT, A CAR SHARING PLATFORM SHALL ENTER INTO AN AGREEMENT BEFORE ENABLING CAR SHARING WITHIN FIFTEEN MILES OF THE TERMINAL OF THAT AIRPORT.

(2) A SHARED CAR OWNER OFFERING THREE OR MORE SHARED CARS TO SHARED CAR DRIVERS WITHIN FIFTEEN MILES OF THE TERMINAL OF AN AIRPORT SHALL ENTER INTO AN AIRPORT CONCESSION AGREEMENT UPON REQUEST BY THE AIRPORT.

(3) AN AIRPORT CONCESSION AGREEMENT MAY IMPOSE THE SAME TAXES AND FEES AS ARE IMPOSED ON OTHER RENTAL CAR PROGRAMS OPERATING AT THAT AIRPORT.

(4) IF A CAR SHARING PROGRAM OR SHARED CAR OWNER VIOLATES THIS SECTION, THE AFFECTED AIRPORT MAY PETITION A COURT FOR THE FOLLOWING AND THE COURT MAY AWARD THE FOLLOWING FROM THE VIOLATOR:

(a) AN INJUNCTION PROHIBITING THE VIOLATOR FROM CAR SHARING IN COLORADO;

(b) COMPENSATORY DAMAGES; AND

(c) PUNITIVE DAMAGES.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB19-1014** 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: SB19-136.
Correctly Engrossed: SB19-013, 049, 071, 092, and 100.
Correctly Reengrossed: SB19-019 and 105.
Correctly Revised: HB19-1029.
Correctly Enrolled: SB19-021.

On motion of Majority Leader Fenberg, 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 (cont'd)

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1060** 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 **SB19-109** 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 **SB19-036** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 16, strike "CRIMINAL".

Page 2, line 17, strike "APPEARANCES." and substitute "APPEARANCES AND TO PROVIDE REMINDERS ABOUT AN UNPLANNED COURT CLOSURE.".

Page 2, lines 18 and 19, strike "COMMITTED TO THE CUSTODY OF A COUNTY JAIL" and substitute "TAKEN INTO CUSTODY".

Page 3, after line 5 insert:

"(III) A PHONE NUMBER COLLECTED FOR THE EXPRESS PURPOSE OF

ADMINISTERING THE COURT REMINDER PROGRAM PURSUANT TO THIS SECTION MUST BE KEPT SEPARATE FROM OTHER IDENTIFYING INFORMATION. SUCH PHONE NUMBER MUST ONLY BE USED TO ACHIEVE THE STATUTORY OBJECTIVE OF THE PROGRAM AS DESCRIBED IN SUBSECTION (11)(a)(I) OF THIS SECTION AND MUST NOT BE USED OR SHARED BY THE JUDICIAL DEPARTMENT FOR ANY OTHER PURPOSE.".

Page 3, lines 8 and 9, strike "WITH THE CAPACITY TO RECEIVE TEXT MESSAGES," and substitute "WHO HAVE AGREED TO RECEIVE TEXT MESSAGES AND HAVE THE CAPACITY TO RECEIVE TEXT MESSAGES AT THE MOBILE TELEPHONE NUMBER PROVIDED. THE PROGRAM MUST USE TEXT MESSAGES".

Page 3, line 14, strike "DATES." and substitute "DATES AND UNPLANNED COURT CLOSURES.".

Page 3, strike lines 23 and 24 and substitute:

"(II) PROVIDE AN ALERT TO A DEFENDANT OR JUVENILE PARTICIPANT WHO MISSES COURT THAT THE DEFENDANT OR JUVENILE HAS MISSED COURT AND THAT THE DEFENDANT OR JUVENILE SHOULD IMMEDIATELY CONTACT HIS OR HER ATTORNEY, IF THE DEFENDANT OR JUVENILE HAS ONE, OR THE COURT TO DETERMINE NEXT STEPS;".

Page 4, line 12, strike "APPEARANCES." and substitute "APPEARANCES AND REMIND THEM OF AN UNPLANNED COURT CLOSURE.".

Page 4, line 22, after "DEFENDANT'S" insert "OR JUVENILE PARTICIPANT'S".

Page 5, strike line 12 and substitute:

"(h) AS USED IN THIS SUBSECTION (11), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "ELIGIBLE COURT" MEANS".

Page 5, after line 15 insert:

"(II) "JUVENILE PARTICIPANT" MEANS A JUVENILE WHO HAS BEEN ALLEGED TO HAVE COMMITTED A DELINQUENT ACT, AS DEFINED IN SECTION 19-1-103 (36), WHO IS REQUIRED TO APPEAR BEFORE AN ELIGIBLE COURT. "JUVENILE PARTICIPANT" INCLUDES THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN.

SECTION 2. In Colorado Revised Statutes, **add** 13-1-138 as follows:

13-1-138. Notification of court reminder program. A COURT THAT PARTICIPATES IN THE COURT REMINDER PROGRAM ESTABLISHED IN SECTION 13-3-101 (11)(a)(I) SHALL NOTIFY A CRIMINAL DEFENDANT OR JUVENILE PARTICIPANT, AS DEFINED IN SECTION 13-3-101 (11), AT EACH COURT APPEARANCE THAT THE INDIVIDUAL CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL BE USED BY THE COURT SOLELY TO PROVIDE TEXT MESSAGE REMINDERS FOR FUTURE COURT DATES AND UNPLANNED COURT CLOSURES, AND SHALL PROVIDE THE OPPORTUNITY FOR THE INDIVIDUAL TO PROVIDE A MOBILE TELEPHONE NUMBER OR UPDATE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.

SECTION 3. In Colorado Revised Statutes, **add** 16-4-105.5 as follows:

16-4-105.5. Notification of court reminder program. A PERSON RELEASED ON BOND PURSUANT TO THIS PART 1 WHO IS ORDERED TO APPEAR IN A COURT THAT PARTICIPATES IN THE COURT REMINDER PROGRAM ESTABLISHED IN SECTION 13-3-101 (11)(a)(I), AND ANY PERSON OTHERWISE ORDERED TO APPEAR IN A COURT THAT PARTICIPATES IN THE PROGRAM, MUST BE NOTIFIED THAT THE PERSON CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL BE USED BY THE COURT SOLELY TO PROVIDE TEXT MESSAGE REMINDERS FOR FUTURE COURT DATES AND UNPLANNED COURT CLOSURES, AND MUST BE PROVIDED THE OPPORTUNITY TO PROVIDE A MOBILE TELEPHONE NUMBER OR UPDATE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.

SECTION 4. In Colorado Revised Statutes, **add** 16-4-206 as follows:

16-4-206. Notification of court reminder program. A PERSON RELEASED ON BOND PURSUANT TO THIS PART 2 WHO IS ORDERED TO APPEAR IN A COURT THAT PARTICIPATES IN THE COURT REMINDER PROGRAM ESTABLISHED IN SECTION 13-3-101 (11)(a)(I), AND ANY PERSON OTHERWISE ORDERED TO APPEAR IN A COURT THAT PARTICIPATES IN THE PROGRAM, MUST BE NOTIFIED THAT THE PERSON CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL BE USED BY THE COURT SOLELY TO PROVIDE TEXT MESSAGE REMINDERS FOR FUTURE COURT DATES AND UNPLANNED COURT CLOSURES, AND MUST BE PROVIDED THE OPPORTUNITY TO PROVIDE A MOBILE TELEPHONE NUMBER OR UPDATE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.".

Renumber succeeding sections accordingly.

Page 5, lines 16 and 17, strike "**amend** (2)(b); and".

Page 5, strike lines 20 through 22.

Page 5, line 23, strike "PERSON'S" and substitute "PERSON CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL SOLELY BE USED TO PROVIDE TEXT MESSAGE REMINDERS OF FUTURE COURT DATES AND UNPLANNED COURT CLOSURES, AND PROVIDE AN OPPORTUNITY FOR THE PERSON TO PROVIDE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.".

Page 5, strike lines 24 through 26.

Page 5, after line 26 insert:

"**SECTION 6.** In Colorado Revised Statutes, 19-2-507, **add** (5)(b.5) as follows:

19-2-507. Duty of officer - screening teams - notification - release or detention. (5) (b.5) A LAW ENFORCEMENT OFFICER WHO SERVES A JUVENILE OR A JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN WITH A WRITTEN PROMISE TO APPEAR IN A COURT THAT PARTICIPATES IN THE COURT REMINDER PROGRAM ESTABLISHED IN SECTION 13-3-101 (11)(a)(I) SHALL NOTIFY THE PERSON SERVED THAT THE JUVENILE AND THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL BE USED BY THE COURT SOLELY TO PROVIDE TEXT MESSAGE REMINDERS FOR FUTURE COURT DATES AND UNPLANNED COURT CLOSURES, AND SHALL PROVIDE THE OPPORTUNITY FOR THE JUVENILE AND THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN TO PROVIDE A MOBILE TELEPHONE NUMBER OR UPDATE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.

SECTION 7. In Colorado Revised Statutes, 19-2-509, **add** (9) as follows:

19-2-509. Bail. (9) A JUVENILE RELEASED PURSUANT TO THIS SECTION AND ORDERED TO APPEAR IN A COURT THAT PARTICIPATES IN THE COURT REMINDER PROGRAM ESTABLISHED IN SECTION 13-3-101 (11)(a)(I), AND THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN, MUST BE NOTIFIED THAT THE JUVENILE AND THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL BE USED BY THE COURT SOLELY TO PROVIDE TEXT MESSAGE REMINDERS FOR FUTURE COURT DATES AND UNPLANNED COURT CLOSURES, AND MUST BE PROVIDED THE OPPORTUNITY TO PROVIDE A MOBILE TELEPHONE NUMBER OR UPDATE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.

SECTION 8. In Colorado Revised Statutes, 19-2-514, **add** (11) as follows:

19-2-514. Summons - issuance - contents - service. (11) A PERSON THAT SERVES A JUVENILE OR A JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN WITH A SUMMONS TO APPEAR IN A COURT THAT PARTICIPATES IN THE COURT REMINDER PROGRAM ESTABLISHED IN SECTION 13-3-101 (11)(a)(I) SHALL NOTIFY THE PERSON SERVED THAT THE JUVENILE AND THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN CAN ELECT TO PROVIDE A MOBILE TELEPHONE NUMBER THAT WILL BE USED BY THE COURT SOLELY TO PROVIDE TEXT MESSAGE REMINDERS FOR FUTURE COURT DATES AND UNPLANNED COURT

CLOSURES, AND SHALL PROVIDE THE OPPORTUNITY FOR THE JUVENILE AND THE JUVENILE'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN TO PROVIDE A MOBILE TELEPHONE NUMBER OR UPDATE A MOBILE TELEPHONE NUMBER FOR THAT PURPOSE.".

Renumber succeeding sections accordingly.

After "DEFENDANTS" insert "AND JUVENILE PARTICIPANTS" on: **Page 2**, lines 16 and 18; **Page 3**, lines 8, 10, 14, and 17; **Page 4**, lines 1, 5, 12, 15, 24, and 26; **Page 5**, lines 6 and 8.

After "DEFENDANT" insert "OR JUVENILE PARTICIPANT" on: **Page 3**, lines 11 and 25; **Page 5**, line 11.

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:

SB19-100 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the creation of the "Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Hisey, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Tate, and Woodward.

SB19-071 by Senator(s) Fields; also Representative(s) Roberts--Concerning expanding the admission of out-of-court statements of a child.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fenberg, Garcia, Gardner, Ginal, Lee, Lundeen, Marble, Moreno, Pettersen, Smallwood, Story, Tate, Todd, Winter, and Woodward.

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:

HB19-1011 by Representative(s) Hooton, Arndt, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning clarification of the scope of an existing sales tax exemption for manufactured homes.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Gardner, and Winter.

SB19-092 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Liston--Concerning a prohibition on using an illuminated check engine light as the sole criterion for failure of an emissions test.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	N	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Gardner, Ginal, Hill, Hisey, Holbert, Lundeen, Marble, Moreno, Rankin, Rodriguez, Smallwood, Tate, Todd, and Woodward.

SB19-013 by Senator(s) Marble and Ginal; also Representative(s) Hooton and Ransom--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding a condition for which a physician could prescribe an opiate to the list of disabling medical conditions for medical marijuana use.

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

YES	27	NO	7	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	N	Lundeen	N	Sonnenberg	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, Fenberg, Gonzales, Moreno, Tate, and Todd.

SB19-049 by Senator(s) Fields; also Representative(s) Michaelson Jenet--Concerning increasing the statute of limitations for certain failure to report child sexual abuse crimes.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Cooke, Court, Danielson, Gardner, Hisey, Pettersen, Priola, Story, Williams A., and Winter.

HB19-1029 by Representative(s) Arndt; also Senator(s) Crowder--Concerning the Republican river water conservation district, and, in connection therewith, expanding the boundaries of the district and adjusting the meeting schedule of the district's board of directors.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Coram, Garcia, and Story.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Zenzinger 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:

SB19-063 by Senator(s) Priola and Story; also Representative(s) Buentello and Valdez A.--Concerning a strategic action plan to address infant and family child care home shortages in Colorado.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 25, page 107 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 8, page 191 and placed in members' bill files.)

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

SB19-095 by Senator(s) Todd and Holbert, Bridges, Lundeen, Rankin, Story, Zenzinger; also Representative(s) Hansen--Concerning the review of the funding formula for institutions of higher education.

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

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.

Upon request of Senator Lundeen, removed from the General Orders--Second Reading of Bills--Consent Calendar of Tuesday, February 12, 2019, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 12, 2019.

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

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-063 as amended, SB19-095.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Tuesday, February 12: HB19-1036.

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, and Senator Williams 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:

SB19-102 by Senator(s) Zenzinger, Todd, Donovan, Fenberg, Fields, Moreno, Pettersen, Rodriguez, Williams A.; also Representative(s) Titone--Concerning permitting a public school to include operation as a community school in its innovation plan.

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

SB19-017 by Senator(s) Zenzinger, Ginal, Todd; also Representative(s) Roberts, McLachlan--Concerning the exemption of the department of transportation from existing reporting and transportation commission approval requirements when it acquires land needed for specified highway-related purposes by means other than condemnation.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, January 23, page 89 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Zenzinger.

> Amend the Transportation & Energy Committee Report, dated January 22, 2019, page 1, line 2, after "PROVIDING" insert "TEN DAYS".

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

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.

Laid over until Wednesday, February 13, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-102, SB19-017 as amended.
Laid over until Wednesday, February 13: HB19-1036.

CONSIDERATION OF RESOLUTIONS

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Laid over until Wednesday, February 13, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-018 by Senator(s) Scott and Marble, Todd; also Representative(s) McLachlan and Saine, Buck, Lewis--Concerning the age requirement to drive a commercial vehicle in interstate commerce.

Senator Marble moved that the Senate concur in House amendments to **SB19-018**, as printed in House journal, February 6, pages 212-213. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Coram.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Fields, the following Governor's appointment was confirmed by a roll call vote:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

effective January 28, 2019 for a term expiring at the Pleasure of the Governor:

Jill Hunsacker Ryan, MPH of Edwards, Colorado, appointed.

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1015.

MESSAGE FROM THE HOUSE

February 12, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1083, 1109, amended as printed in House Journal, February 11, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1136.

MESSAGE FROM THE REVISOR OF STATUTES

February 12, 2019

We herewith transmit:

Without comment, HB19-1136.
Without comment, as amended, HB19-1083 and 1109.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-137 by Senator(s) Todd and Crowder; also Representative(s) Hansen--Concerning the extension of the Colorado student leaders institute.
Education

SB19-138 by Senator(s) Winter and Priola; also Representative(s) Bird--Concerning bonding requirements for contractors that are a party to certain public-private initiatives.
Finance

SB19-139 by Senator(s) Coram and Moreno, Priola; also Representative(s) Galindo and Singer--Concerning the issuance by the department of revenue of identification documents to people who are not lawfully present in Colorado on a permanent basis, and, in connection therewith, making an appropriation.
Finance

HB19-1083 by Representative(s) Hooton and Van Winkle, Bird, Buck, Buentello, Exum, Landgraf, Larson, Liston, McKean, Melton, Michaelson Jenet, Mullica, Soper, Titone; also Senator(s) Williams A. and Cooke, Ginal, Priola--Concerning a reclassification of the regulation of athletic trainers from registration to licensure.
Business, Labor, & Technology

HB19-1109 by Representative(s) Hooton and Larson; also Senator(s) Pettersen and Tate--Concerning an addition to the definition of "other outlet" to enable a licensed convalescent center to operate a pharmacy for the benefit of patients being treated in the convalescent center.
Health & Human Services

HB19-1136 by Representative(s) Kraft-Tharp and Saine, Michaelson Jenet, Ransom; also Senator(s) Smallwood and Todd, Fields--Concerning access by the office of the state auditor to records necessary to conduct four statutorily authorized audits in connection with entities that are not state agencies.
State, Veterans, & Military Affairs

On motion of Senator Winter, the Senate adjourned until 9:00 a.m., Wednesday, February 13, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

41st Legislative Day Wednesday, February 13, 2019

Prayer — By the chaplain, Rabbi Eliot J. Baskin, Temple Emmanuel, Denver.

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

Roll Call — Present--34
Excused--1, Gardner.
Present later--1, Gardner.

Quorum — The President announced a quorum present.

Pledge — By Senator Rodriguez.

Reading of the Journal — On motion of Senator Story, reading of the Journal of Tuesday, February 12, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-137, 138, and 139.
Correctly Engrossed: SB19-017, 063, 095, and 102.
Correctly Reengrossed: SB19-013, 049, 071, 092, and 100.
Correctly Rerevised: HB19-1011 and 1029.
Correctly Enrolled: SB19-018.

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:

SB19-063 by Senator(s) Priola and Story; also Representative(s) Buentello and Valdez A.--Concerning a strategic action plan to address infant and family child care home shortages in Colorado.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Donovan, Fields, Foote, Garcia, Ginal, Gonzales, Lee, Pettersen, Todd, Williams A., Winter, and Zenzinger.

SB19-095 by Senator(s) Todd and Holbert, Bridges, Lundeen, Rankin, Story, Zenzinger; also Representative(s) Hansen--Concerning the review of the funding formula for institutions of higher 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Ginal, Hisey, Marble, Moreno, Priola, Scott, Smallwood, Tate, and Woodward.

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:

SB19-102 by Senator(s) Zenzinger, Todd, Donovan, Fenberg, Fields, Moreno, Pettersen, Rodriguez, Williams A.; also Representative(s) Titone--Concerning permitting a public school to include operation as a community school in its innovation plan.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	E	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Lee, Story, and Winter.

SB19-017 by Senator(s) Zenzinger, Ginal, Todd; also Representative(s) Roberts, McLachlan--Concerning the exemption of the department of transportation from existing reporting and transportation commission approval requirements when it acquires land needed for specified highway-related purposes by means other than condemnation.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Hisey, Scott, Sonnenberg, Story, Tate, and Winter.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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:

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.

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

SB19-014 by Senator(s) Coram; also Representative(s) Carver--Concerning measures to reduce incidents of theft from retail establishments.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 7, pages 177-178 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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-014 as amended, HB19-1036.

CONSIDERATION OF RESOLUTIONS

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Laid over until Thursday, February 14, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-140 by Senator(s) Tate; --Concerning a subtraction from federal taxable income for gains from certain transactions using virtual currency.
Finance

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SB19-067** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 2, strike "THIRTY" and substitute "FIFTY".

Page 4, after line 8 insert:

"(6) "RURAL DEVELOPMENT GRANT PROGRAM CASH FUND" OR "CASH FUND" MEANS THE RURAL DEVELOPMENT GRANT PROGRAM CASH FUND CREATED IN SECTION 24-48.5-407.".

Page 4, strike lines 16 through 20 and substitute:

"(3) THE OFFICE SHALL ADMINISTER THE GRANT PROGRAM AND SHALL AWARD GRANTS AS PROVIDED IN THIS PART 4. GRANTS SHALL BE PAID OUT OF MONEY IN THE CASH FUND.".

Page 4, line 25, strike "AND".

Page 4, line 27, strike "PROGRAM." and substitute "PROGRAM; AND".

Page 4, after line 27 insert:

"(III) THE ESTABLISHMENT OF A COLLABORATIVE EFFORT WITH THE DEPARTMENT OF LOCAL AFFAIRS TO ENSURE THAT ALL PROGRAMS THAT MAY ASSIST THE EARLY STAGE RURAL BUSINESS ARE MADE KNOWN TO THE BUSINESS AND ARE FULLY CONSIDERED.".

Page 6, strike lines 4 through 6 and substitute:

"(4) THE OFFICE SHALL AWARD GRANTS FROM THE CASH FUND ON OR BEFORE DECEMBER 1 OF EACH YEAR. EACH GRANT AWARD MUST".

Page 7, strike lines 19 through 27 and substitute:

"**24-48.5-407. Rural development grant program cash fund - creation.** (1) THE RURAL DEVELOPMENT GRANT PROGRAM CASH FUND IS CREATED IN THE STATE TREASURY. THE CASH FUND CONSISTS OF:
(a) ANY GIFTS, GRANTS, OR DONATIONS CREDITED TO IT PURSUANT TO SUBSECTION (2) OF THIS SECTION;
(b) TWO MILLION FIVE HUNDRED THOUSAND DOLLARS, WHICH THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE CASH FUND ON JULY 1, 2019; AND
(c) ANY OTHER MONEY THAT THE GENERAL ASSEMBLY APPROPRIATES TO IT.
(2) THE OFFICE OF ECONOMIC DEVELOPMENT IS AUTHORIZED TO SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THE GRANT PROGRAM; EXCEPT THAT THE OFFICE MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE OFFICE SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE CASH FUND.
(3) THE MONEY IN THE CASH FUND IS CONTINUOUSLY APPROPRIATED TO THE OFFICE OF ECONOMIC DEVELOPMENT FOR THE

PURPOSE OF AWARDING GRANTS ALLOWED BY THIS SECTION AND FOR ITS ADMINISTRATIVE COSTS ASSOCIATED WITH THE GRANT PROGRAM. THE OFFICE'S ADMINISTRATIVE EXPENSES FOR THE GRANT PROGRAM IN A FISCAL YEAR SHALL NOT EXCEED EIGHT PERCENT OF THE MONEY TRANSFERRED OR APPROPRIATED TO THE CASH FUND IN THE FISCAL YEAR.

(4) AS PROVIDED BY LAW, THE STATE TREASURER MAY INVEST ANY UNEXPENDED MONEY IN THE RURAL DEVELOPMENT GRANT PROGRAM CASH FUND. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEY IN THE CASH FUND ARE CREDITED TO THE CASH FUND. ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE CASH FUND AT THE END OF A FISCAL YEAR SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

24-48.5-408. Repeal of part. THIS PART 4 IS REPEALED, EFFECTIVE JULY 1, 2024.".

Page 8, strike lines 1 through 4.

Page 1, strike lines 102 and 103, and substitute "**PROGRAM.**".

Finance

After consideration on the merits, the Committee recommends that **SB19-106** 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 17, strike "COMMISSIONERS MAY" and substitute "COMMISSIONERS, AFTER AN ASSOCIATION HAS BEEN PROVIDED AN OPPORTUNITY TO PRESENT INFORMATION TO THE BOARD OF COUNTY COMMISSIONERS REGARDING THE ADVANTAGES OR DISADVANTAGES OF WITHDRAWAL FROM AN ASSOCIATION, MAY".

Page 3, line 22, strike "BOARD." and substitute "BOARD OF AN ASSOCIATION.".

Page 5, line 5, after "ARTICLE 54," insert "AND THE WITHDRAWAL IS APPROVED PURSUANT TO SUBSECTION (3)(c) OF THIS SECTION,".

Page 5, strike lines 8 through 12 and substitute "CURRENT EMPLOYEE WHO IS A PEACE OFFICER SHALL NOTIFY, IN WRITING, THE BOARD OF THE ASSOCIATION AND THE BOARD OF COUNTY COMMISSIONERS WHETHER HE OR SHE WILL REMAIN IN THE DEFINED CONTRIBUTION PLAN OR BECOME PART OF THE DEFINED BENEFIT PLAN ADMINISTERED BY THE FIRE AND POLICE PENSION ASSOCIATION. A CURRENT EMPLOYEE WHO IS A PEACE OFFICER SHALL PROVIDE SUCH WRITTEN NOTICE PRIOR TO THE EFFECTIVE DATE OF THE RETIREMENT PLAN OFFERED BY THE FIRE AND POLICE PENSION ASSOCIATION TO BEGIN PARTICIPATION IN A RETIREMENT PLAN OFFERED BY THE FIRE AND POLICE PENSION ASSOCIATION. IF A CURRENT EMPLOYEE WHO IS A PEACE OFFICER DOES NOT PROVIDE SUCH WRITTEN NOTICE, THE CURRENT EMPLOYEE WILL REMAIN IN THE DEFINED CONTRIBUTION PLAN.".

Finance

After consideration on the merits, the Committee recommends that **SB19-098** be postponed indefinitely.

Local Government

After consideration on the merits, the Committee recommends that **HB19-1050** 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

February 13, 2019

Mr. President:

The House has adopted and returns herewith SJMs19-001, 002.

INTRODUCTION OF BILLS -- FIRST READING (cont'd)

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

SCR19-001 by Senator(s) Sonnenberg; also Representative(s) Pelton--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the ability of the general assembly to transfer great outdoors Colorado funds by law to the state education fund.
State, Veterans, & Military Affairs

TRIBUTES

Honoring:

Boulder MUSE -- By Senator Steve Fenberg.
Boulder Junior Cycling -- By Senator Steve Fenberg.
Elevation Foundation -- By Senator Steve Fenberg.
Colorado State University Founders Day -- By Senator Joann Ginal, Representative Jeni Arndt, and Representative Cathy Kipp.
Milo M. -- By President Leroy M. Garcia.
Joe and Lucy Rodriguez -- By President Leroy M. Garcia.
Heritage Elementary -- By President Leroy M. Garcia.
Nickolas Scott Ladner -- By President Leroy M. Garcia.
John Stephen Kanipe -- By Senator Kerry Donovan.
Roger Christian -- By Senator Kerry Donovan.
Susan Cross -- By Senator Kerry Donovan.
Barry Mink -- By Senator Kerry Donovan.
Dennis Spritzer -- By Senator Kerry Donovan.

On motion of Senator Donovan, the Senate adjourned until 9:00 a.m., Thursday, February 14, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

42nd Legislative Day Thursday, February 14, 2019

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--35

Quorum — The President announced a quorum present.

On motion of Majority Leader Fenberg, 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 Tobin and Sienna Snook, STEM Lab, Northglenn.

Reading of the Journal — On motion of Senator Story, reading of the Journal of Wednesday, February 13, 2019, 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 **HB19-1062** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **HB19-1008** 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 **SB19-072** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1104** 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 **HB19-1098** 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: SB19-140; SCR19-001.
Correctly Engrossed: SB19-014.
Correctly Reengrossed: SB19-017, 063, 095, and 102.
Correctly Revised: HB19-1036.

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:

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Danielson, Fenberg, Fields, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Williams A., Winter, and Zenzinger.

SB19-014 by Senator(s) Coram; also Representative(s) Carver--Concerning measures to reduce incidents of theft from retail establishments.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Scott, Smallwood, and Tate.

RECONSIDERATION OF HB19-1036

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB19-1036.

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:

HB19-1036 by Representative(s) Arndt and McLachlan; also Senator(s) Todd--Concerning annual stipends for certain nationally certified school professionals.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Danielson 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:

HB19-1014 by Representative(s) Singer and Bird; also Senator(s) Ginal--Concerning the retail food establishment inspection process, and, in connection therewith, detailing the process for the suspension of a retail food establishment's license or certification of license.

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

HB19-1060 by Representative(s) McKean, Arndt, Hooton; also Senator(s) Zenzinger, Moreno, Tate--Concerning conforming amendments necessitated by the transfer of certain safety authorities from the department of public health and environment to the department of public safety pursuant to House Bill 12-1268.

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1014, HB19-1060.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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:

SB19-090 by Senator(s) Scott, Donovan; --Concerning the operation of peer-to-peer motor vehicle sharing businesses.

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

SB19-109 by Senator(s) Fenberg; also Representative(s) Garnett--Concerning adjustments to limitations on damages to reflect the effects of inflation.

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

SB19-103 by Senator(s) Williams A. and Tate, Cooke, Coram, Court, Crowder, Danielson, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rodriguez, Story, Todd, Winter, Woodward, Zenzinger; also Representative(s) Coleman and Carver, Van Winkle, Arndt, Baisley, Beckman, Buck, Catlin, Geitner, Gonzales-Gutierrez, Humphrey, Landgraf, Larson, Lewis, Lontine, McKean, Neville, Ransom, Rich, Saine, Sandridge, Soper, Williams D., Wilson--Concerning the ability of a minor to operate a business on a limited basis without obtaining the approval of a local government.

Amendment No. 1(L.001), by Senator Tate.

Amend printed bill, page 3, line 17, after "SUCH" insert "LICENSING AND PERMITTING".

Page 3, line 18, strike "THE LAW" and substitute "LICENSING AND PERMITTING LAWS".

Page 4, after line 15 insert:

"(4) NOTHING IN THIS ARTICLE 11.3 PROHIBITS A LOCAL GOVERNMENT FROM ENACTING AND ENFORCING LOCAL LAWS UNDER THE LOCAL GOVERNMENT'S GENERAL POLICE POWER IN REGARD TO THE MANNER IN WHICH A BUSINESS MAY BE CONDUCTED BY A MINOR WITH THE EXCEPTION OF A REQUIREMENT THAT THE MINOR OBTAIN A PERMIT OR LICENSE PRIOR TO ENGAGING IN THE BUSINESS.".

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-109, SB19-103 as amended.
Laid over until Tuesday, February 19: SB19-090.

CONSIDERATION OF RESOLUTIONS

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Amendment No. 1(L.001), by Senator Garcia.

Amend printed resolution, page 1, line 6, strike "Mr. Pat Steadman," and substitute "~~Mr. Pat Steadman,~~".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Gardner.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-021; SJM19-001 and 002.

Senate in recess. Senate reconvened.

On motion of President *Pro Tempore* Court, the Senate adjourned until 9:00 a.m., Friday, February 15, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

43rd Legislative Day Friday, February 15, 2019

Prayer — By the chaplain, Pastor Endashaw Kelkele, Ethiopian Evangelical Church of Denver.

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

Roll Call — Present--28
Excused--7, Coram, Danielson, Garcia, Hill, Marble, Scott, Zenzinger.
Present later--1, Garcia.

Quorum — The President announced a quorum present.

Pledge — By Senator Rodriguez.

Reading of the Journal — On motion of Senator Story, reading of the Journal of Thursday, February 14, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1082** 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 4, strike "EXPRESSLY".

Page 2, line 5, after "CREATED," insert "AND NOT TO BE CONSTRUED AS A LIMIT ON ANY OTHER RIGHTS IN A DITCH OR DITCH RIGHT-OF-WAY THAT HAVE BEEN CREATED OR ARISEN BY LAW,".

Page 2, line 7, strike "DITCH," and substitute "DITCH AND APPURTENANT STRUCTURES,".

Page 2, line 10, after "DITCH" insert "AND DITCH".

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1071** 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 & Energy — After consideration on the merits, the Committee recommends that **SB19-012** 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, **repeal and reenact, with amendments,** 42-4-239 as follows:

42-4-239. Use of a mobile electronic device - definitions - penalty - preemption - legislative declaration. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "EMERGENCY" MEANS A SITUATION IN WHICH A PERSON:

(I) HAS REASON TO FEAR FOR THE PERSON'S LIFE OR SAFETY OR BELIEVES THAT A CRIMINAL ACT MAY BE PERPETRATED AGAINST THE

PERSON OR ANOTHER PERSON, REQUIRING THE USE OF A MOBILE ELECTRONIC DEVICE WHILE THE CAR IS MOVING; OR

(II) REPORTS A FIRE, A TRAFFIC ACCIDENT IN WHICH ONE OR MORE INJURIES ARE APPARENT, A SERIOUS ROAD HAZARD, A MEDICAL OR HAZARDOUS MATERIALS EMERGENCY, OR A PERSON WHO IS DRIVING IN A RECKLESS, CARELESS, OR OTHERWISE UNSAFE MANNER.

(b) "FIRST RESPONDER" MEANS:

(I) A PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101;

(II) A FIREFIGHTER, AS DEFINED IN SECTION 29-5-203;

(III) A VOLUNTEER FIREFIGHTER, AS DEFINED IN SECTION 31-30-1102; OR

(IV) ANY OTHER PERSON WHO RESPONDS IN A PROFESSIONAL CAPACITY TO A PUBLIC SAFETY EMERGENCY.

(c) "HANDS-FREE ACCESSORY" MEANS AN ACCESSORY THAT ENABLES A PERSON TO USE A MOBILE ELECTRONIC DEVICE WITHOUT USING EITHER HAND, ALTHOUGH THE USE OF EITHER HAND MAY BE NECESSARY TO ACTIVATE, DEACTIVATE, OR INITIATE A FUNCTION OF THE MOBILE ELECTRONIC DEVICE.

(d) (I) "MOBILE ELECTRONIC DEVICE" MEANS A HANDHELD OR PORTABLE ELECTRONIC DEVICE CAPABLE OF PROVIDING AMUSEMENT, WIRELESS DATA, OR VOICE COMMUNICATION BETWEEN TWO OR MORE PERSONS, INCLUDING:

(A) A CELLULAR TELEPHONE;

(B) A BROADBAND PERSONAL COMMUNICATION DEVICE;

(C) A TWO-WAY MESSAGING DEVICE;

(D) A TEXT-MESSAGING DEVICE;

(E) A PAGER;

(F) AN ELECTRONIC DEVICE THAT CAN RECEIVE OR TRANSMIT TEXT OR CHARACTER-BASED IMAGES, ACCESS OR STORE DATA, OR CONNECT TO THE INTERNET;

(G) A PERSONAL DIGITAL ASSISTANT;

(H) A LAPTOP COMPUTER;

(I) A COMPUTER TABLET;

(J) A STAND-ALONE COMPUTER;

(K) A PORTABLE COMPUTING DEVICE;

(L) A MOBILE DEVICE WITH A TOUCHSCREEN DISPLAY THAT IS DESIGNED TO BE WORN ON THE BODY;

(M) AN ELECTRONIC GAME;

(N) EQUIPMENT THAT IS CAPABLE OF PLAYING A VIDEO, TAKING PHOTOGRAPHS, CAPTURING IMAGES, OR RECORDING OR TRANSMITTING VIDEO; AND

(O) ANY SIMILAR DEVICE THAT IS READILY REMOVABLE FROM A MOTOR VEHICLE AND IS USED TO WRITE, SEND, OR READ TEXT OR DATA OR CAPTURE IMAGES OR VIDEO THROUGH MANUAL INPUT.

(II) "MOBILE ELECTRONIC DEVICE" DOES NOT INCLUDE AN APPROVED IGNITION INTERLOCK DEVICE, AS DEFINED IN SECTION 42-2-132.5.

(e) "OPERATING A MOTOR VEHICLE" MEANS DRIVING A MOTOR VEHICLE ON A PUBLIC HIGHWAY, BUT "OPERATING A MOTOR VEHICLE" DOES NOT MEAN MAINTAINING THE INSTRUMENTS OF CONTROL WHILE THE MOTOR VEHICLE IS AT REST IN A SHOULDER LANE OR LAWFULLY PARKED.

(f) "USE" MEANS TALKING ON OR LISTENING TO A MOBILE ELECTRONIC DEVICE OR ENGAGING THE MOBILE ELECTRONIC DEVICE FOR TEXT MESSAGING, GAME PLAY, TAKING PHOTOS OR VIDEOS, OR OTHER FORMS OF MANUAL DATA ENTRY OR TRANSMISSION.

(2) EXCEPT AS SPECIFIED IN SUBSECTIONS (3) AND (7) OF THIS SECTION:

(a) A PERSON UNDER THE AGE OF EIGHTEEN SHALL NOT OPERATE A MOTOR VEHICLE WHILE USING A MOBILE ELECTRONIC DEVICE;

(b) A PERSON EIGHTEEN YEARS OF AGE OR OLDER SHALL NOT OPERATE A MOTOR VEHICLE WHILE USING A MOBILE ELECTRONIC DEVICE UNLESS THE USE IS THROUGH A HANDS-FREE ACCESSORY.

(3) IT IS NOT A VIOLATION OF THIS SECTION TO USE A MOBILE ELECTRONIC DEVICE WHILE DRIVING IF THE USE IS:

(a) TO CONTACT A PUBLIC SAFETY ENTITY; OR

(b) DURING AN EMERGENCY.

(4) (a) EXCEPT AS PROVIDED IN SUBSECTION (4)(b) OF THIS

SECTION, A PERSON WHO VIOLATES SUBSECTION (2) OF THIS SECTION COMMITS A CLASS A TRAFFIC INFRACTION. UPON CONVICTION:

(I) NOTWITHSTANDING SECTION 42-4-1701 (4)(a)(I)(P), THE COURT MAY ASSESS A FINE UP TO FIFTY DOLLARS FOR A FIRST OFFENSE;

(II) THE COURT SHALL ASSESS A FINE OF ONE HUNDRED FIFTY DOLLARS FOR A SECOND OFFENSE; AND

(III) THE COURT SHALL ASSESS A FINE OF THREE HUNDRED DOLLARS FOR A THIRD OR SUBSEQUENT OFFENSE.

(b) A PERSON WHO VIOLATES SUBSECTION (2) OF THIS SECTION TO ENGAGE IN TEXT MESSAGING COMMITS A CLASS 2 MISDEMEANOR TRAFFIC OFFENSE AND, UPON CONVICTION, THE COURT SHALL ASSESS A FINE OF THREE HUNDRED DOLLARS.

(5) A LAW ENFORCEMENT OFFICER SHALL NOT CITE AN OPERATOR OF A MOTOR VEHICLE FOR A VIOLATION OF THIS SECTION UNLESS THE LAW ENFORCEMENT OFFICER SAW THE OPERATOR HOLD A MOBILE ELECTRONIC DEVICE. A LAW ENFORCEMENT OFFICER SHALL NOT CITE AN OPERATOR FOR THE ENHANCED PENALTY FOR USING A MOBILE ELECTRONIC DEVICE TO ENGAGE IN TEXT MESSAGING UNLESS THE LAW ENFORCEMENT OFFICER SAW THE OPERATOR ENGAGING IN TEXT MESSAGING ON A MOBILE ELECTRONIC DEVICE.

(6) THIS SECTION DOES NOT AUTHORIZE THE SEIZURE AND FORFEITURE OF A MOBILE ELECTRONIC DEVICE, UNLESS OTHERWISE PROVIDED BY LAW.

(7) THIS SECTION DOES NOT PROHIBIT:

(a) OPERATION OF AN AMATEUR RADIO STATION BY A PERSON WHO HOLDS A VALID AMATEUR RADIO OPERATOR LICENSE ISSUED BY THE FEDERAL COMMUNICATIONS COMMISSION;

(b) THE USE OF A MOBILE ELECTRONIC DEVICE BY A FIRST RESPONDER WHEN ACTING WITHIN THE SCOPE OF THE FIRST RESPONDER'S DUTIES; OR

(c) THE USE OF A MOBILE ELECTRONIC DEVICE IN A MOTOR VEHICLE THAT IS AT REST IN A SHOULDER LANE OR LAWFULLY PARKED.

(8) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT USE OF MOBILE ELECTRONIC DEVICES IN MOTOR VEHICLES IS A MATTER OF STATEWIDE CONCERN.

SECTION 2. In Colorado Revised Statutes, 42-2-127, **amend** (5)(jj) and (5)(jj.5); and **add** (5)(jj.7) and (5)(jj.9) as follows:

42-2-127. Authority to suspend license - to deny license - type of conviction - points. (5) Point system schedule:

Type of conviction Points

(jj) A FIRST violation of section 42-4-239 (2) . . . . . ~~1~~ ***2***

(jj.5) A SECOND violation of section 42-4-239 ~~(3)~~ (2) 4

(jj.7) A THIRD OR SUBSEQUENT VIOLATION OF SECTION 42-4-239 (2) 4

(jj.9) A VIOLATION OF SECTION 42-4-239 (2) INVOLVING TEXT MESSAGING 4

SECTION 3. In Colorado Revised Statutes, 42-4-1701, **amend** (4)(a)(I)(P) as follows:

42-4-1701. Traffic offenses and infractions classified - penalties - penalty and surcharge schedule - repeal. (4) (a) (I) Except as provided in subsection (5)(c) of this section, every person who is convicted of, who admits liability for, or against whom a judgment is entered for a violation of this title 42 to which subsection (5)(a) or (5)(b) of this section applies shall be fined or penalized and have a surcharge levied in accordance with sections 24-4.1-119 (1)(f) and 24-4.2-104 (1)(b)(I), in accordance with the penalty and surcharge schedule set forth in subsections (4)(a)(I)(A) to (4)(a)(I)(P) of this section; or, if no penalty or surcharge is specified in the schedule, the penalty for class A and class B traffic infractions is fifteen dollars and the surcharge is four dollars. These penalties and surcharges apply whether the defendant acknowledges the defendant's guilt or liability in accordance with the procedure set forth by subsection (5)(a) of this section, is found guilty by a court of competent jurisdiction, or has judgment entered against the defendant by a county court magistrate. Penalties and surcharges for violating specific sections are as follows:

Section Violated Penalty Surcharge

(P) **Offenses by persons controlling vehicles:**

42-4-239 ~~(5)(a)~~ (4)(a)(I)	$ 50.00	$ 6.00
42-4-239 ~~(5)(b)~~ (4)(a)(II)	~~100.00~~ ***150.00***	6.00
42-4-239 ~~(5.5)~~ (4)(a)(III)	300.00	6.00
42-4-239 (4)(b)	300.00	6.00
42-4-1704	15.00	6.00

SECTION 4. Effective date - applicability. This act takes effect July 1, 2019, and applies to offenses committed on or after said date.

SECTION 5. 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 & Energy

After consideration on the merits, the Committee recommends that **SB19-076** 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 10 through 27.

Page 4, strike lines 1 through 15 and substitute:

"(d) The efficiency and accountability committee of the department of transportation is charged with helping the transportation commission and the department execute their duties efficiently by periodically recommending means by which the commission and the department may execute their duties more efficiently.

(e) It is necessary and appropriate to require the efficiency and accountability committee to study the manner in which the department of transportation procures construction management and construction engineering services from consulting engineers, determine whether improvements can be made to better align consulting engineer incentives with the interests of the department and general contractors in successfully completing department projects as quickly and efficiently as possible, and recommend appropriate process improvements, including potential statutory changes, to the commission and the executive director of the department and to require the department to report on the recommendations made to its legislative oversight committees.

SECTION 2. In Colorado Revised Statutes, 43-1-106, **add** (17)(b.5) as follows:

43-1-106. Transportation commission - powers and duties - repeal. (17) (b.5) (I) THE EFFICIENCY AND ACCOUNTABILITY COMMITTEE SHALL STUDY AND REPORT TO THE EXECUTIVE DIRECTOR AND THE COMMISSION ITS FINDINGS AND ANY RECOMMENDATIONS REGARDING THE FOLLOWING ISSUES RELATING TO CONSULTING ENGINEER CONTRACTS:

(A) IMPLEMENTATION OF FIXED BID PROCUREMENT IN LIEU OF BIDS BASED ON HOURLY CHARGES;

(B) THE QUALITY ASSURANCE PROCESS; AND

(C) INCENTIVES FOR CLOSING OUT THE CONTRACTS.

(II) THE DEPARTMENT SHALL ANNUALLY REPORT TO THE JOINT COMMITTEES OF REFERENCE OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO WHICH THE DEPARTMENT OF TRANSPORTATION IS ASSIGNED PURSUANT TO SECTION 2-7-203 (1) AS PART OF THE HEARING REQUIRED BY SECTION 2-7-203 (2)(a) REGARDING THE FINDINGS AND ANY RECOMMENDATIONS REPORTED AS REQUIRED BY SUBSECTION (17)(b.5)(I) OF THIS SECTION AND THE POSITION OF THE DEPARTMENT WITH RESPECT TO THE FINDINGS AND ANY RECOMMENDATIONS.".

Renumber succeeding section accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-041** 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, 10-16-103.5, **amend** (1) as follows:

10-16-103.5. Payment of premiums - required term in contract. (1) (a) Every contract FOR A HEALTH BENEFIT PLAN between a carrier and a policyholder shall ~~contain a provision that requires a~~ REQUIRE THE policyholder to pay premiums FOR EACH INDIVIDUAL COVERED UNDER THE POLICYHOLDER'S POLICY:

~~(a)~~ (I) ~~For each individual covered under the policyholder's policy~~ Through the date that the policyholder notifies the carrier that the individual covered under the policy is no longer eligible or covered; ~~except that, if a dependent is no longer covered because the dependent becomes enrolled in the children's basic health plan, established pursuant to article 8 of title 25.5, C.R.S., the policyholder shall notify the carrier of the change in coverage at least thirty days prior to the date that the dependent is no longer covered; or~~

~~(b)~~ (II) Through the date that the policyholder notifies the carrier that the policyholder no longer intends to maintain coverage for the group through the carrier; OR

(III) THROUGH THE DATE THAT THE INDIVIDUAL COVERED UNDER THE POLICY IS NO LONGER ELIGIBLE OR COVERED IF THE POLICYHOLDER NOTIFIES THE CARRIER WITHIN TEN BUSINESS DAYS AFTER THE DATE THAT THE INDIVIDUAL IS NO LONGER ELIGIBLE OR COVERED BECAUSE THE INDIVIDUAL LEFT EMPLOYMENT WITHOUT NOTICE TO THE EMPLOYER OR THE INDIVIDUAL IS AN EMPLOYEE WHOSE EMPLOYMENT WAS TERMINATED FOR GROSS MISCONDUCT.

(b) SUBSECTION (1)(a)(III) OF THIS SECTION DOES NOT APPLY IF A DEPENDENT IS NO LONGER COVERED BECAUSE THE DEPENDENT BECOMES ENROLLED IN THE CHILDREN'S BASIC HEALTH PLAN, ESTABLISHED PURSUANT TO ARTICLE 8 OF TITLE 25.5. IF THE DEPENDENT BECOMES ENROLLED IN THE CHILDREN'S BASIC HEALTH PLAN, THE POLICYHOLDER SHALL NOTIFY THE CARRIER OF THE CHANGE IN COVERAGE AT LEAST THIRTY DAYS PRIOR TO THE DATE THAT THE DEPENDENT IS NO LONGER COVERED.

(c) IF THE POLICYHOLDER NOTIFIES THE CARRIER WITHIN THE TEN-DAY PERIOD PURSUANT TO SUBSECTION (1)(a)(III) OF THIS SECTION, THE CARRIER IS NOT REQUIRED TO PROVIDE BENEFITS TO THE INDIVIDUAL AFTER THE DATE THAT THE INDIVIDUAL IS NO LONGER ELIGIBLE OR COVERED UNDER THE POLICY.

(d) NOTHING IN THIS SUBSECTION (1) PRECLUDES A CARRIER AND POLICYHOLDER FROM AGREEING TO A DATE OTHER THAN A DATE SPECIFIED IN SUBSECTION (1)(a)(III) OF THIS SECTION.

(e) FOR THE PURPOSES OF THIS SUBSECTION (1), "GROSS MISCONDUCT" MEANS A DELIBERATE WRONGDOING BY THE EMPLOYEE THAT FUNDAMENTALLY UNDERMINES THE RELATIONSHIP OF TRUST AND CONFIDENCE BETWEEN THE EMPLOYER AND EMPLOYEE.

SECTION 2. In Colorado Revised Statutes, 10-16-704, **amend** (4.5)(f) and (4.5)(j) as follows:

10-16-704. Network adequacy - rules - legislative declaration. (4.5) (f) A carrier shall not retroactively adjust a claim based on eligibility if the provider received verification of eligibility within two business days prior to the delivery of services, UNLESS THE POLICYHOLDER NOTIFIED THE CARRIER OF AN INDIVIDUAL'S INELIGIBILITY PURSUANT TO SECTION 10-16-103.5 (1).

(j) A carrier shall not retroactively adjust a claim based on eligibility if the provision of benefits is a required policy provision pursuant to section 10-16-202 (4) or ~~section~~ 10-16-214 (3), UNLESS THE POLICYHOLDER NOTIFIED THE CARRIER OF AN INDIVIDUAL'S INELIGIBILITY PURSUANT TO SECTION 10-16-103.5 (1).

SECTION 3. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 entered into or renewed or claims filed on or after the applicable effective date of this act.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-053** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1033** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-103 and 109; SJR-005.
Correctly Reengrossed: SB19-014.
Correctly Revised: HB19-1014 and 1060.
Correctly Rerevised: HB19-1036.
Correctly Enrolled: SJM19-001 and 002.

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:

HB19-1014 by Representative(s) Singer and Bird; also Senator(s) Ginal--Concerning the retail food establishment inspection process, and, in connection therewith, detailing the process for the suspension of a retail food establishment's license or certification of license.

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	E	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

HB19-1060 by Representative(s) McKean, Arndt, Hooton; also Senator(s) Zenzinger, Moreno, Tate--Concerning conforming amendments necessitated by the transfer of certain safety authorities from the department of public health and environment to the department of public safety pursuant to House Bill 12-1268.

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	E	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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:

SB19-109 by Senator(s) Fenberg; also Representative(s) Garnett--Concerning adjustments to limitations on damages to reflect the effects of inflation.

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

SB19-103 by Senator(s) Williams A. and Tate, Cooke, Coram, Court, Crowder, Danielson, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rodriguez, Story, Todd, Winter, Woodward, Zenzinger; also Representative(s) Coleman and Carver, Van Winkle, Arndt, Baisley, Beckman, Buck, Catlin, Geitner, Gonzales-Gutierrez, Humphrey, Landgraf, Larson, Lewis, Lontine, McKean, Neville, Ransom, Rich, Saine, Sandridge, Soper, Williams D., Wilson--Concerning the ability of a minor to operate a business on a limited basis without obtaining the approval of a local government.

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	E	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Rankin, and Sonnenberg.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-106 by Senator(s) Cooke and Zenzinger; also Representative(s) Tipper--Concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 13, page 233 and placed in members' bill files.)

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

HB19-1050 by Representative(s) Titone; also Senator(s) Priola and Winter--Concerning the promotion of water-efficient landscaping on property subject to management by local supervisory entities.

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	E	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	E
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-106 as amended, HB19-1050.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-018.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, February 14, 2019, at 4:42 p.m.:
SB19-018 and 021.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 15, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1007, 1010, 1127, 1135, 1114, amended as printed in House Journal, February 14, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1039, amended as printed in House Journal, February 14, 2019, and amended on Third Reading as printed in House Journal, February 15, 2019.

The House has passed on Third Reading and returns herewith SBs19-112, 114, 115, 116, 117,118, 119, 120, 121, 122, 123. 124, 125, 126, 127.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SBs19-111, 113, 128, amended as printed in House Journal, February 14, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

February 15, 2019

We herewith transmit:

Without comment, as amended, HB19-1007, 1010, 1039, 1114, 1127, and 1135.
Without comment, as amended, SB19-111, 113, and 128.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-141 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the authority to create an entertainment district, and, in connection therewith, authorizing an entertainment district within a county or city and county and permitting an optional premises to be included in an entertainment district.
Local Government

SB19-142 by Senator(s) Donovan; --Concerning the exclusion of hard cider from the "Colorado Wine Industry Development Act".
Business, Labor, & Technology

SB19-143 by Senator(s) Gonzales and Lee; also Representative(s) Herod--Concerning changes related to parole release to alleviate prison population issues.
Judiciary

On motion of Senator Gonzales, the Senate adjourned until 10:00 a.m., Tuesday, February 19, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

46th Legislative Day Monday, February 18, 2019

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF PRESIDENT'S DAY

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

47th Legislative Day Tuesday, February 19, 2019

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

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Rankin.

Reading of the Journal — On motion of Senator Woodward, reading of the Journal of Friday, February 15, 2019, 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 **SB19-130** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB19-141, 142, and 143.
Correctly Engrossed: SB19-106.
Correctly Reengrossed: SB19-103.
Correctly Revised: HB19-1050.
Correctly Rerevised: HB19-1014 and 1060.
Correctly Enrolled: SB19-112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, and 127.

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:

SB19-106 by Senator(s) Cooke and Zenzinger; also Representative(s) Tipper--Concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Ginal, Marble, Sonnenberg, and Todd.

HB19-1050 by Representative(s) Titone; also Senator(s) Priola and Winter--Concerning the promotion of water-efficient landscaping on property subject to management by local supervisory entities.

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

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Danielson, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Rodriguez, Story, 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:

SB19-109 by Senator(s) Fenberg; also Representative(s) Garnett--Concerning adjustments to limitations on damages to reflect the effects of inflation.

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	E
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Fields, Foote, Gonzales, and Rodriguez.

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:

HB19-1008 by Representative(s) Kraft-Tharp and Larson, Soper; also Senator(s) Todd and Lundeen--Concerning the provision of grants for career and technical education capital construction through the "Building Excellent Schools Today Act".

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

HB19-1104 by Representative(s) Ransom; also Senator(s) Lee--Concerning the rights of persons represented by an attorney through the office of the respondent parents' counsel.

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

HB19-1098 by Representative(s) Gray; also Senator(s) Lee--Concerning deeds for the conveyance of real property, and, in connection therewith, establishing requirements for title insurance entities that prepare deeds and establishing forms for the preparation of deeds in certain circumstances.

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1008, HB19-1104, HB19-1098.

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, and Senator Fields 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:

SB19-090 by Senator(s) Scott, Donovan; --Concerning the operation of peer-to-peer motor vehicle sharing businesses.

Laid over until Wednesday, February 20, retaining its place on the calendar.

HB19-1062 by Representative(s) Rich; also Senator(s) Scott--Concerning the Grand Junction regional center campus.

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 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1062.
Laid over until Wednesday, February 20: SB19-090.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, February 19, was laid over until Wednesday, February 20, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB19-113, SB19-128, SB19-111.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 22, 2019

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:

James Ronald DeVries, MSHA of Denver, Colorado, to serve as an Unaffiliated from Congressional District 1 and occasioned by the resignation of Julie Hoener Mowry of Denver, Colorado, appointed;

Kathleen Hall, RN, BSN, MS, PhD of Grand Junction, Colorado, to serve from the Green Party from Congressional District 3, and occasioned by the resignation of Debra Kay Bailey of Grand Junction, Colorado, appointed;

for terms expiring July 1, 2022:

Sean C. Wood, CFP, AIF, CAP of Evergreen, Colorado, to serve as a Republican from Congressional District 2, reappointed;

Paulette St. James of Denver, Colorado, to serve as a Democrat from Congressional District 1, reappointed;

Chad Frederick Federwitz of Carbondale, Colorado, to serve as an Unaffiliated and as an at-large member from Congressional District 3, appointed;

Jody Barker of Colorado Springs, Colorado, to serve as a Republican from Congressional District 5, reappointed;

Steven Michael Grund of Littleton, Colorado, to serve as a Republican from Congressional District 6, reappointed;

Ryan James Burmood of Aurora, Colorado, to serve as a Democrat from Congressional District 6, appointed;

Christina St. Tropez Johnson of Lakewood, Colorado, to serve as a Democrat from Congressional District 7, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Local Government

January 22, 2019

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
COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2021:

Charles Emion Myers of Elbert, Colorado, to serve as a member from the eastern slope and who represents local governments that operate airports, reappointed;

Kenneth Edward Maenpa of Mountain Village, Colorado, to serve as a member from the western slope and who represents local governments that operate airports, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Transportation & Energy

January 22, 2019

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, appoint, and submit to your consideration, the following:

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2021:

Longinos Gonzalez of Colorado Springs, Colorado, a Republican and a veteran who has been honorably released or separated from the Armed Forces of the United States, and occasioned by the deployment and resignation of Lacey Golonka of Castle Rock, Colorado, appointed.

for terms expiring June 30, 2022:

Sheila Marie Quadrini Scanlon of Aurora, Colorado, to serve as a veteran and as a Republican, appointed;

Duane E. Dailey of Hot Sulphur Springs, Colorado, to serve as a veteran and as a Republican, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on State, Veterans, & Military Affairs

January 22, 2019

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 COMMISSIONERS OF
VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2022:

Karren E. Kowalski, PhD, RN, NEA-BC, ANEF, FAAN of Larkspur, Colorado, a veteran, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on State, Veterans, & Military Affairs

January 24, 2019

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, 2021:

Douglas P. Price of Colorado Springs, Colorado, who previously served as a representative of the destination marketing industry to now serve as a representative of cultural event and facilities groups, and occasioned by the resignation of Barbara Jean Bowman of Grand Junction, Colorado, reappointed;

Sean Edward Demeule of Evergreen, Colorado, to serve as an at large member from tourism-based industries and small communities, appointed;

for terms expiring June 1, 2022:

Courtney Lee Frazier of Parker, Colorado, who was previously appointed to serve as a representative of at large members from tourism-based industries and small communities, to now serve as representative of outdoor recreation activities and small business, reappointed;

Ute “Lucy” Kay of Dillon, Colorado, to serve as a representative of the destination marketing industry, and occasioned by the change in designation of Douglas P. Price of Colorado Springs, Colorado, appointed;

Kieran Cain of Lafayette, Colorado, to serve as an at large member from tourism based industries, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 22, 2019

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 WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2022:

Christopher Treese of Glenwood Springs, Colorado, to serve as a representative from the Main Colorado drainage basin, and as a representative with experience in public health issues related to drinking water or water quality matters, appointed;

Robert Edward Wolff of Durango, Colorado, to serve as a representative from the San Miguel-Dolores-San Juan drainage basin, and as a representative with experience in the engineering aspects of water projects, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 19, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-023.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1152, 1137, 1155, 1175, 1148.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1108, 1129, 1032, amended as printed in House Journal, February 15, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

February 19, 2019

We herewith transmit:

Without comment, HB19-1137, 1148, 1152, 1155, and 1175.
Without comment, as amended, HB19-1032, 1108, and 1129.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-144 by Senator(s) Zenzinger; also Representative(s) Roberts--Concerning allowing a driver of a motorcycle to proceed past a malfunctioning traffic control signal.
Transportation & Energy

HB19-1007 by Representative(s) Sirota; also Senator(s) Zenzinger--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

HB19-1010 by Representative(s) Mullica and Landgraf; also Senator(s) Gardner and Pettersen--Concerning the licensing of freestanding emergency departments, and in connecton therewith, making an appropriation.
Health & Human Services

HB19-1039 by Representative(s) Esgar, Jaquez Lewis, Titone, Valdez A., Galindo, Herod; also Senator(s) Moreno, Ginal--Concerning identity documents for transgender persons.
Judiciary

HB19-1114 by Representative(s) Catlin and Valdez D.; also Senator(s) Danielson and Cooke--Concerning the implementation under state law by the commissioner of agriculture of federal produce safety standards for farms.
Agriculture & Natural Resources

HB19-1127 by Representative(s) Garnett and Lontine, Singer, Jaquez Lewis; also Senator(s) Fenberg and Fields--Concerning the appointment of the lieutenant governor to serve concurrently as the director of the office of saving people money on health care, and, in connection therewith, making an appropriation.
Finance
Appropriations

HB19-1135 by Representative(s) Gray; also Senator(s) Tate and Winter--Concerning a clarification that the income tax credit for retrofitting a residence to increase a residence's accessibility is available for changes made to a residence that benefit a qualified individual's dependent.
Finance

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, February 20, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

48th Legislative Day Wednesday, February 20, 2019

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community Mennonite Church, Englewood.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Rankin.

Musical Performance — By the University Women's Choir from Colorado Christian University, performing "The Star-Spangeled Banner" and "Lift Thine Eyes".

Reading of the Journal — On motion of Senator Woodward, reading of the Journal of Tuesday, February 19, 2019, 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 **SB19-099** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 28, strike lines 10 through 21 and substitute:

"**SECTION 5.** In Colorado Revised Statutes, **add to title 12 as repealed and reenacted by House Bill 19-1172** article 103 as follows:

ARTICLE 103
Revised Uniform Athlete Agents Act (2015)

12-103-101. Short title. THE SHORT TITLE OF THIS ARTICLE 103 IS THE "REVISED UNIFORM ATHLETE AGENTS ACT (2015)".

12-103-102. Applicability of common provisions. ARTICLES 1 AND 20 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS ARTICLE 103.

12-103-103. Definitions. AS USED IN THIS ARTICLE 103, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AGENCY CONTRACT" MEANS AN AGREEMENT IN WHICH A STUDENT ATHLETE AUTHORIZES A PERSON TO NEGOTIATE OR SOLICIT ON BEHALF OF THE STUDENT ATHLETE A PROFESSIONAL-SPORTS-SERVICES CONTRACT OR AN ENDORSEMENT CONTRACT.

(2) "ATHLETE AGENT":

(a) MEANS AN INDIVIDUAL, WHETHER OR NOT REGISTERED UNDER THIS ARTICLE 103, WHO:

(I) DIRECTLY OR INDIRECTLY RECRUITS OR SOLICITS A STUDENT ATHLETE TO ENTER INTO AN AGENCY CONTRACT OR, FOR COMPENSATION, PROCURES EMPLOYMENT OR OFFERS, PROMISES, ATTEMPTS, OR NEGOTIATES TO OBTAIN EMPLOYMENT FOR A STUDENT ATHLETE AS A PROFESSIONAL ATHLETE OR MEMBER OF A PROFESSIONAL SPORTS TEAM OR ORGANIZATION;

(II) FOR COMPENSATION OR IN ANTICIPATION OF COMPENSATION RELATED TO A STUDENT ATHLETE'S PARTICIPATION IN ATHLETICS:

(A) SERVES THE STUDENT ATHLETE IN AN ADVISORY CAPACITY ON A MATTER RELATED TO FINANCES, BUSINESS PURSUITS, OR CAREER

MANAGEMENT DECISIONS, UNLESS THE INDIVIDUAL IS AN EMPLOYEE OF AN EDUCATIONAL INSTITUTION AND IS ACTING EXCLUSIVELY AS AN EMPLOYEE OF THE INSTITUTION FOR THE BENEFIT OF THE INSTITUTION; OR

(B) MANAGES THE BUSINESS AFFAIRS OF THE STUDENT ATHLETE BY PROVIDING ASSISTANCE WITH BILLS, PAYMENTS, CONTRACTS, OR TAXES; OR

(III) IN ANTICIPATION OF REPRESENTING A STUDENT ATHLETE FOR A PURPOSE RELATED TO THE STUDENT ATHLETE'S PARTICIPATION IN ATHLETICS:

(A) GIVES CONSIDERATION TO THE STUDENT ATHLETE OR ANOTHER PERSON;

(B) SERVES THE STUDENT ATHLETE IN AN ADVISORY CAPACITY ON A MATTER RELATED TO FINANCES, BUSINESS PURSUITS, OR CAREER MANAGEMENT DECISIONS; OR

(C) MANAGES THE BUSINESS AFFAIRS OF THE STUDENT ATHLETE BY PROVIDING ASSISTANCE WITH BILLS, PAYMENTS, CONTRACTS, OR TAXES; BUT

(b) DOES NOT INCLUDE AN INDIVIDUAL WHO:

(I) ACTS SOLELY ON BEHALF OF A PROFESSIONAL SPORTS TEAM OR ORGANIZATION; OR

(II) IS A LICENSED, REGISTERED, OR CERTIFIED PROFESSIONAL AND OFFERS OR PROVIDES SERVICES TO A STUDENT ATHLETE THAT ARE CUSTOMARILY PROVIDED BY MEMBERS OF THE PROFESSION, UNLESS THE INDIVIDUAL:

(A) ALSO RECRUITS OR SOLICITS THE STUDENT ATHLETE TO ENTER INTO AN AGENCY CONTRACT;

(B) ALSO, FOR COMPENSATION, PROCURES EMPLOYMENT OR OFFERS, PROMISES, ATTEMPTS, OR NEGOTIATES TO OBTAIN EMPLOYMENT FOR THE ATHLETE AS A PROFESSIONAL ATHLETE OR MEMBER OF A PROFESSIONAL SPORTS TEAM OR ORGANIZATION; OR

(C) RECEIVES CONSIDERATION FOR PROVIDING THE SERVICES, WHICH CONSIDERATION IS CALCULATED USING A DIFFERENT METHOD THAN FOR AN INDIVIDUAL WHO IS NOT A STUDENT ATHLETE.

(3) "ATHLETIC DIRECTOR" MEANS THE INDIVIDUAL RESPONSIBLE FOR ADMINISTERING THE OVERALL ATHLETIC PROGRAM OF AN EDUCATIONAL INSTITUTION OR, IF AN EDUCATIONAL INSTITUTION HAS SEPARATELY ADMINISTERED ATHLETIC PROGRAMS FOR MALE STUDENTS AND FEMALE STUDENTS, THE ATHLETIC PROGRAM FOR MALES OR THE ATHLETIC PROGRAM FOR FEMALES, AS APPROPRIATE.

(4) "EDUCATIONAL INSTITUTION" MEANS A PUBLIC OR PRIVATE ELEMENTARY SCHOOL, SECONDARY SCHOOL, TECHNICAL OR VOCATIONAL SCHOOL, COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY.

(5) "ENDORSEMENT CONTRACT" MEANS AN AGREEMENT UNDER WHICH A STUDENT ATHLETE IS EMPLOYED OR RECEIVES CONSIDERATION TO USE ANY VALUE THAT THE STUDENT ATHLETE MAY HAVE BECAUSE OF PUBLICITY, REPUTATION, FOLLOWING, OR FAME OBTAINED BECAUSE OF ATHLETIC ABILITY OR PERFORMANCE.

(6) "ENROLLED" MEANS REGISTERED FOR COURSES AND ATTENDING ATHLETIC PRACTICE OR CLASS. "ENROLLS" HAS A CORRESPONDING MEANING.

(7) "INTERCOLLEGIATE SPORT" MEANS A SPORT PLAYED AT THE COLLEGIATE LEVEL FOR WHICH ELIGIBILITY REQUIREMENTS FOR PARTICIPATION BY A STUDENT ATHLETE ARE ESTABLISHED BY A NATIONAL ASSOCIATION THAT PROMOTES OR REGULATES COLLEGIATE ATHLETICS.

(8) "INTERSCHOLASTIC SPORT" MEANS A SPORT PLAYED BETWEEN EDUCATIONAL INSTITUTIONS THAT ARE NOT COMMUNITY COLLEGES, COLLEGES, OR UNIVERSITIES.

(9) "LICENSED, REGISTERED, OR CERTIFIED PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED, REGISTERED, OR CERTIFIED AS AN ATTORNEY, DEALER IN SECURITIES, FINANCIAL PLANNER, INSURANCE AGENT, REAL ESTATE BROKER OR SALES AGENT, TAX CONSULTANT, ACCOUNTANT, OR MEMBER OF A PROFESSION, OTHER THAN THAT OF ATHLETE AGENT, WHO IS LICENSED, REGISTERED, OR CERTIFIED BY THE STATE OR A NATIONALLY RECOGNIZED ORGANIZATION THAT LICENSES, REGISTERS, OR CERTIFIES MEMBERS OF THE PROFESSION ON THE BASIS OF EXPERIENCE, EDUCATION, OR TESTING.

(10) "PERSON" MEANS AN INDIVIDUAL; ESTATE; BUSINESS OR

NONPROFIT ENTITY; PUBLIC CORPORATION; GOVERNMENT OR GOVERNMENTAL SUBDIVISION, AGENCY, OR INSTRUMENTALITY; OR OTHER LEGAL ENTITY.

(11) "PROFESSIONAL-SPORTS-SERVICES CONTRACT" MEANS AN AGREEMENT UNDER WHICH AN INDIVIDUAL IS EMPLOYED AS A PROFESSIONAL ATHLETE OR AGREES TO RENDER SERVICES AS A PLAYER ON A PROFESSIONAL SPORTS TEAM OR WITH A PROFESSIONAL SPORTS ORGANIZATION.

(12) "RECORD" MEANS INFORMATION THAT IS INSCRIBED ON A TANGIBLE MEDIUM OR THAT IS STORED IN AN ELECTRONIC OR OTHER MEDIUM AND IS RETRIEVABLE IN PERCEIVABLE FORM.

(13) "RECRUIT OR SOLICIT" MEANS TO ATTEMPT TO INFLUENCE THE CHOICE OF AN ATHLETE AGENT BY A STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, A PARENT OR GUARDIAN OF THE ATHLETE. THE TERM DOES NOT INCLUDE GIVING ADVICE ON THE SELECTION OF A PARTICULAR ATHLETE AGENT IN A FAMILY, COACHING, OR SOCIAL SITUATION UNLESS THE INDIVIDUAL GIVING THE ADVICE DOES SO BECAUSE OF THE RECEIPT OR ANTICIPATED RECEIPT OF AN ECONOMIC BENEFIT, DIRECTLY OR INDIRECTLY, FROM THE ATHLETE AGENT.

(14) "SIGN" MEANS, WITH PRESENT INTENT TO AUTHENTICATE OR ADOPT A RECORD:

(a) TO EXECUTE OR ADOPT A TANGIBLE SYMBOL; OR

(b) TO ATTACH TO OR LOGICALLY ASSOCIATE WITH THE RECORD AN ELECTRONIC SYMBOL, SOUND, OR PROCESS.

(15) "STATE" MEANS A STATE OF THE UNITED STATES, THE DISTRICT OF COLUMBIA, PUERTO RICO, THE UNITED STATES VIRGIN ISLANDS, OR ANY TERRITORY OR INSULAR POSSESSION SUBJECT TO THE JURISDICTION OF THE UNITED STATES.

(16) "STUDENT ATHLETE" MEANS AN INDIVIDUAL WHO IS ELIGIBLE TO ATTEND AN EDUCATIONAL INSTITUTION AND ENGAGES IN, IS ELIGIBLE TO ENGAGE IN, OR MAY BE ELIGIBLE IN THE FUTURE TO ENGAGE IN, ANY INTERSCHOLASTIC OR INTERCOLLEGIATE SPORT. "STUDENT ATHLETE" DOES NOT INCLUDE AN INDIVIDUAL PERMANENTLY INELIGIBLE TO PARTICIPATE IN A PARTICULAR INTERSCHOLASTIC OR INTERCOLLEGIATE SPORT FOR PURPOSES OF THAT SPORT.

12-103-104. Procedure - rules. THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, APPLIES TO THIS ARTICLE 103. THE DIRECTOR MAY ADOPT RULES PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT" AND SECTION 12-20-204 TO IMPLEMENT THIS ARTICLE 103.

12-103-105. Athlete agent - registration required - void contract. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, EFFECTIVE JANUARY 1, 2020, AN INDIVIDUAL SHALL NOT ACT AS AN ATHLETE AGENT IN THIS STATE WITHOUT HOLDING A VALID REGISTRATION UNDER THIS ARTICLE 103.

(2) BEFORE BEING ISSUED A REGISTRATION UNDER THIS ARTICLE 103, AN INDIVIDUAL MAY ACT AS AN ATHLETE AGENT IN THIS STATE FOR ALL PURPOSES, EXCEPT SIGNING AN AGENCY CONTRACT, IF:

(a) A STUDENT ATHLETE OR ANOTHER PERSON ACTING ON BEHALF OF THE STUDENT ATHLETE INITIATES COMMUNICATION WITH THE INDIVIDUAL; AND

(b) NOT LATER THAN SEVEN DAYS AFTER AN INITIAL ACTION THAT REQUIRES THE INDIVIDUAL TO REGISTER AS AN ATHLETE AGENT AND THAT OCCURS ON OR AFTER JANUARY 1, 2020, THE INDIVIDUAL SUBMITS AN APPLICATION FOR REGISTRATION AS AN ATHLETE AGENT IN THIS STATE.

(3) AN AGENCY CONTRACT THAT RESULTS FROM CONDUCT IN VIOLATION OF THIS SECTION IS VOID, AND THE ATHLETE AGENT OR INDIVIDUAL SHALL RETURN ANY CONSIDERATION RECEIVED UNDER THE CONTRACT.

12-103-106. Registration as athlete agent - application - requirements - reciprocal registration. (1) AN APPLICANT FOR REGISTRATION AS AN ATHLETE AGENT MUST SUBMIT AN APPLICATION FOR REGISTRATION TO THE DIRECTOR IN A FORM PRESCRIBED BY THE DIRECTOR. THE APPLICANT MUST BE AN INDIVIDUAL, AND THE APPLICANT SHALL SIGN THE APPLICATION UNDER PENALTY OF PERJURY. THE APPLICATION MUST CONTAIN AT LEAST THE FOLLOWING INFORMATION:

(a) THE NAME AND DATE AND PLACE OF BIRTH OF THE APPLICANT

AND THE FOLLOWING CONTACT INFORMATION FOR THE APPLICANT:

(I) THE ADDRESS OF THE APPLICANT'S PRINCIPAL PLACE OF BUSINESS;

(II) WORK AND MOBILE TELEPHONE NUMBERS; AND

(III) ANY MEANS OF COMMUNICATING ELECTRONICALLY, INCLUDING A FACSIMILE NUMBER, ELECTRONIC MAIL ADDRESS, AND PERSONAL AND BUSINESS OR EMPLOYER WEBSITES;

(b) THE NAME OF THE APPLICANT'S BUSINESS OR EMPLOYER, IF APPLICABLE, INCLUDING FOR EACH BUSINESS OR EMPLOYER ITS MAILING ADDRESS, TELEPHONE NUMBER, ORGANIZATION FORM, AND THE NATURE OF THE BUSINESS;

(c) EACH SOCIAL MEDIA ACCOUNT WITH WHICH THE APPLICANT OR THE APPLICANT'S BUSINESS OR EMPLOYER IS AFFILIATED;

(d) EACH BUSINESS OR OCCUPATION IN WHICH THE APPLICANT ENGAGED WITHIN FIVE YEARS BEFORE THE DATE OF THE APPLICATION, INCLUDING SELF-EMPLOYMENT AND EMPLOYMENT BY OTHERS, AND ANY PROFESSIONAL OR OCCUPATIONAL LICENSE, REGISTRATION, OR CERTIFICATION HELD BY THE APPLICANT DURING THAT TIME;

(e) A DESCRIPTION OF THE APPLICANT'S:

(I) FORMAL TRAINING AS AN ATHLETE AGENT;

(II) PRACTICAL EXPERIENCE AS AN ATHLETE AGENT; AND

(III) EDUCATIONAL BACKGROUND RELATING TO THE APPLICANT'S ACTIVITIES AS AN ATHLETE AGENT;

(f) THE NAME OF EACH STUDENT ATHLETE FOR WHOM THE APPLICANT ACTED AS AN ATHLETE AGENT WITHIN THE FIVE YEARS PRIOR TO THE DATE OF THE APPLICATION OR, IF THE STUDENT ATHLETE IS A MINOR, THE NAME OF THE STUDENT ATHLETE'S PARENT OR GUARDIAN, TOGETHER WITH THE STUDENT ATHLETE'S SPORT AND LAST-KNOWN TEAM;

(g) THE NAME AND ADDRESS OF EACH PERSON WHO:

(I) IS A PARTNER, MEMBER, OFFICER, MANAGER, ASSOCIATE, OR PROFIT SHARER OR DIRECTLY OR INDIRECTLY HOLDS AN EQUITY INTEREST OF FIVE PERCENT OR GREATER OF THE ATHLETE AGENT'S BUSINESS IF IT IS NOT A CORPORATION; AND

(II) IS AN OFFICER OR DIRECTOR OF A CORPORATION EMPLOYING THE ATHLETE AGENT OR A SHAREHOLDER HAVING AN INTEREST OF FIVE PERCENT OR GREATER IN THE CORPORATION;

(h) A DESCRIPTION OF THE STATUS OF ANY APPLICATION BY THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, FOR A STATE OR FEDERAL BUSINESS, PROFESSIONAL, OR OCCUPATIONAL LICENSE, OTHER THAN AS AN ATHLETE AGENT, FROM A STATE OR FEDERAL AGENCY, INCLUDING ANY DENIAL, REFUSAL TO RENEW, SUSPENSION, WITHDRAWAL, OR TERMINATION OF THE LICENSE AND ANY REPRIMAND OR CENSURE RELATED TO THE LICENSE;

(i) WHETHER THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, HAS PLEADED GUILTY OR NO CONTEST TO, HAS BEEN CONVICTED OF, OR HAS CHARGES PENDING FOR, A CRIME THAT WOULD INVOLVE MORAL TURPITUDE OR BE A FELONY IF COMMITTED IN THIS STATE AND, IF SO, IDENTIFICATION OF:

(I) THE CRIME;

(II) THE LAW ENFORCEMENT AGENCY INVOLVED; AND

(III) IF APPLICABLE, THE DATE OF THE CONVICTION AND THE FINE OR PENALTY IMPOSED;

(j) WHETHER, WITHIN FIFTEEN YEARS BEFORE THE DATE OF APPLICATION, THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, HAS BEEN A DEFENDANT OR RESPONDENT IN A CIVIL PROCEEDING, INCLUDING A PROCEEDING SEEKING AN ADJUDICATION AND, IF SO, THE DATE AND A FULL EXPLANATION OF EACH PROCEEDING;

(k) WHETHER THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, HAS AN UNSATISFIED JUDGMENT OR A JUDGMENT OF CONTINUING EFFECT, INCLUDING SPOUSAL MAINTENANCE OR A DOMESTIC ORDER IN THE NATURE OF CHILD SUPPORT, WHICH IS NOT CURRENT AT THE DATE OF THE APPLICATION;

(l) WHETHER, WITHIN TEN YEARS BEFORE THE DATE OF APPLICATION, THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, WAS ADJUDICATED BANKRUPT OR WAS AN OWNER OF A BUSINESS THAT WAS ADJUDICATED BANKRUPT;

(m) WHETHER THERE HAS BEEN ANY ADMINISTRATIVE OR JUDICIAL DETERMINATION THAT THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, MADE A FALSE, MISLEADING, DECEPTIVE, OR FRAUDULENT REPRESENTATION;

(n) EACH INSTANCE IN WHICH CONDUCT OF THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, RESULTED IN THE IMPOSITION OF A SANCTION, SUSPENSION, OR DECLARATION OF INELIGIBILITY TO PARTICIPATE IN AN INTERSCHOLASTIC, INTERCOLLEGIATE, OR PROFESSIONAL ATHLETIC EVENT ON A STUDENT ATHLETE OR A SANCTION ON AN EDUCATIONAL INSTITUTION;

(o) EACH SANCTION, SUSPENSION, OR DISCIPLINARY ACTION TAKEN AGAINST THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, ARISING OUT OF OCCUPATIONAL OR PROFESSIONAL CONDUCT;

(p) WHETHER THERE HAS BEEN A DENIAL OF AN APPLICATION FOR, SUSPENSION OR REVOCATION OF, REFUSAL TO RENEW, OR ABANDONMENT OF, THE REGISTRATION OF THE APPLICANT, OR ANY PERSON NAMED PURSUANT TO SUBSECTION (1)(g) OF THIS SECTION, AS AN ATHLETE AGENT IN ANY STATE;

(q) EACH STATE IN WHICH THE APPLICANT IS CURRENTLY REGISTERED AS AN ATHLETE AGENT OR HAS APPLIED TO BE REGISTERED AS AN ATHLETE AGENT;

(r) IF THE APPLICANT IS CERTIFIED OR REGISTERED BY A PROFESSIONAL LEAGUE OR PLAYERS ASSOCIATION:

(I) THE NAME OF THE LEAGUE OR ASSOCIATION;

(II) THE DATE OF CERTIFICATION OR REGISTRATION, AND THE DATE OF EXPIRATION OF THE CERTIFICATION OR REGISTRATION, IF ANY; AND

(III) IF APPLICABLE, THE DATE OF ANY DENIAL OF AN APPLICATION FOR, SUSPENSION OR REVOCATION OF, REFUSAL TO RENEW, WITHDRAWAL OF, OR TERMINATION OF, THE CERTIFICATION OR REGISTRATION OR ANY REPRIMAND OR CENSURE RELATED TO THE CERTIFICATION OR REGISTRATION; AND

(s) ANY ADDITIONAL INFORMATION REQUIRED BY THE DIRECTOR.

(2) INSTEAD OF PROCEEDING AS PROVIDED IN SUBSECTION (1) OF THIS SECTION, AN INDIVIDUAL REGISTERED AS AN ATHLETE AGENT IN ANOTHER STATE MAY APPLY FOR REGISTRATION AS AN ATHLETE AGENT IN THIS STATE BY SUBMITTING THE FOLLOWING INFORMATION TO THE DIRECTOR:

(a) A COPY OF THE APPLICATION FOR REGISTRATION IN THE OTHER STATE;

(b) A STATEMENT THAT IDENTIFIES ANY MATERIAL CHANGE IN THE INFORMATION ON THE APPLICATION IN THE OTHER STATE OR VERIFIES THERE IS NO MATERIAL CHANGE IN THE INFORMATION, SIGNED UNDER PENALTY OF PERJURY; AND

(c) A COPY OF THE REGISTRATION FROM THE OTHER STATE.

(3) THE DIRECTOR SHALL ISSUE A REGISTRATION TO AN INDIVIDUAL WHO APPLIES FOR REGISTRATION PURSUANT TO SUBSECTION (2) OF THIS SECTION IF THE DIRECTOR DETERMINES THAT:

(a) THE APPLICATION AND REGISTRATION REQUIREMENTS OF THE OTHER STATE ARE SUBSTANTIALLY SIMILAR TO OR MORE RESTRICTIVE THAN THOSE OF THIS ARTICLE 103; AND

(b) THE REGISTRATION HAS NOT BEEN REVOKED OR SUSPENDED AND NO ACTION INVOLVING THE INDIVIDUAL'S CONDUCT AS AN ATHLETE AGENT IS PENDING AGAINST THE INDIVIDUAL OR THE INDIVIDUAL'S REGISTRATION IN ANY STATE.

(4) FOR PURPOSES OF IMPLEMENTING SUBSECTION (3) OF THIS SECTION, THE DIRECTOR SHALL:

(a) COOPERATE WITH NATIONAL ORGANIZATIONS CONCERNED WITH ATHLETE AGENT ISSUES AND AGENCIES IN OTHER STATES THAT REGISTER ATHLETE AGENTS TO DEVELOP A COMMON REGISTRATION FORM AND DETERMINE WHICH STATES HAVE LAWS THAT ARE SUBSTANTIALLY SIMILAR TO OR MORE RESTRICTIVE THAN THOSE OF THIS ARTICLE 103; AND

(b) EXCHANGE INFORMATION, INCLUDING INFORMATION RELATED TO ACTIONS TAKEN AGAINST REGISTERED ATHLETE AGENTS OR THEIR REGISTRATIONS, WITH THOSE ORGANIZATIONS AND AGENCIES SPECIFIED IN SUBSECTION (4)(a) OF THIS SECTION.

12-103-107. Registration - issuance or denial - renewal. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, THE DIRECTOR SHALL ISSUE A REGISTRATION TO AN APPLICANT FOR REGISTRATION WHO COMPLIES WITH SECTION 12-103-106 (1).

(2) THE DIRECTOR MAY REFUSE TO ISSUE A REGISTRATION TO AN APPLICANT FOR REGISTRATION UNDER SECTION 12-103-106 (1) IF THE DIRECTOR DETERMINES THAT THE APPLICANT HAS ENGAGED IN CONDUCT THAT SIGNIFICANTLY ADVERSELY REFLECTS ON THE APPLICANT'S FITNESS TO ACT AS AN ATHLETE AGENT. IN MAKING THE DETERMINATION, THE DIRECTOR MAY CONSIDER WHETHER THE APPLICANT HAS:

(a) PLEADED GUILTY OR NO CONTEST TO, HAS BEEN CONVICTED OF, OR HAS CHARGES PENDING FOR, A CRIME THAT WOULD INVOLVE MORAL TURPITUDE OR BE A FELONY IF COMMITTED IN THIS STATE;

(b) MADE A MATERIALLY FALSE, MISLEADING, DECEPTIVE, OR FRAUDULENT REPRESENTATION IN THE APPLICATION OR AS AN ATHLETE AGENT;

(c) ENGAGED IN CONDUCT THAT WOULD DISQUALIFY THE APPLICANT FROM SERVING IN A FIDUCIARY CAPACITY;

(d) ENGAGED IN CONDUCT PROHIBITED BY SECTION 12-103-115;

(e) HAD A REGISTRATION AS AN ATHLETE AGENT SUSPENDED, REVOKED, OR DENIED IN ANY STATE;

(f) BEEN REFUSED RENEWAL OF REGISTRATION AS AN ATHLETE AGENT IN ANY STATE;

(g) ENGAGED IN CONDUCT RESULTING IN THE IMPOSITION OF A SANCTION, SUSPENSION, OR DECLARATION OF INELIGIBILITY TO PARTICIPATE IN AN INTERSCHOLASTIC, INTERCOLLEGIATE, OR PROFESSIONAL ATHLETIC EVENT ON A STUDENT ATHLETE OR A SANCTION ON AN EDUCATIONAL INSTITUTION; OR

(h) ENGAGED IN CONDUCT THAT ADVERSELY REFLECTS ON THE APPLICANT'S CREDIBILITY, HONESTY, OR INTEGRITY.

(3) IN MAKING A DETERMINATION PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE DIRECTOR IS GOVERNED BY SECTION 12-20-202 (5) AND SHALL CONSIDER:

(a) HOW RECENTLY THE CONDUCT OCCURRED;

(b) THE NATURE OF THE CONDUCT AND THE CONTEXT IN WHICH IT OCCURRED; AND

(c) OTHER RELEVANT CONDUCT OF THE APPLICANT.

(4) AN ATHLETE AGENT REGISTERED UNDER SUBSECTION (1) OF THIS SECTION MAY APPLY TO RENEW THE REGISTRATION BY SUBMITTING AN APPLICATION FOR RENEWAL IN A FORM PRESCRIBED BY THE DIRECTOR. THE APPLICANT SHALL SIGN THE APPLICATION FOR RENEWAL UNDER PENALTY OF PERJURY AND INCLUDE CURRENT INFORMATION ON ALL MATTERS REQUIRED IN AN ORIGINAL APPLICATION FOR REGISTRATION.

(5) AN ATHLETE AGENT REGISTERED PURSUANT TO SECTION 12-103-106 (3) MAY RENEW THE REGISTRATION BY PROCEEDING PURSUANT TO SUBSECTION (4) OF THIS SECTION OR, IF THE REGISTRATION IN THE OTHER STATE HAS BEEN RENEWED, BY SUBMITTING TO THE DIRECTOR COPIES OF THE APPLICATION FOR RENEWAL IN THE OTHER STATE AND THE RENEWED REGISTRATION FROM THE OTHER STATE. THE DIRECTOR SHALL RENEW THE REGISTRATION IF THE DIRECTOR DETERMINES THAT:

(a) THE REGISTRATION REQUIREMENTS OF THE OTHER STATE ARE SUBSTANTIALLY SIMILAR TO OR MORE RESTRICTIVE THAN THOSE OF THIS ARTICLE 103; AND

(b) THE RENEWED REGISTRATION HAS NOT BEEN SUSPENDED OR REVOKED AND NO ACTION INVOLVING THE INDIVIDUAL'S CONDUCT AS AN ATHLETE AGENT IS PENDING AGAINST THE INDIVIDUAL OR THE INDIVIDUAL'S REGISTRATION IN ANY STATE.

12-103-108. Disciplinary procedures and authority. THE DIRECTOR MAY TAKE DISCIPLINARY OR OTHER ACTION AS AUTHORIZED BY SECTION 12-20-404 FOR ANY REASON FOR WHICH THE DIRECTOR COULD HAVE REFUSED TO GRANT OR RENEW A REGISTRATION OR FOR CONDUCT THAT WOULD JUSTIFY REFUSAL TO ISSUE A REGISTRATION UNDER SECTION 12-103-107 (2). ACTIONS UNDER THIS SECTION ARE GOVERNED BY SECTION 12-20-403.

12-103-109. Temporary registration. THE DIRECTOR MAY ISSUE A TEMPORARY REGISTRATION AS AN ATHLETE AGENT WHILE AN

APPLICATION FOR REGISTRATION OR RENEWAL OF REGISTRATION IS PENDING.

12-103-110. Fees - penalties. ALL REGISTRATIONS ISSUED PURSUANT TO THIS ARTICLE 103 ARE SUBJECT TO THE RENEWAL, EXPIRATION, REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS SPECIFIED IN SECTION 12-20-202 (1) AND (2). A PERSON WHOSE REGISTRATION HAS EXPIRED IS SUBJECT TO THE PENALTIES PROVIDED IN THIS ARTICLE 103 OR SECTION 12-20-202 (1).

12-103-111. Required form of agency contract. (1) AN AGENCY CONTRACT MUST BE IN A RECORD SIGNED BY THE PARTIES.

(2) AN AGENCY CONTRACT MUST CONTAIN:

(a) A STATEMENT THAT THE ATHLETE AGENT IS REGISTERED AS AN ATHLETE AGENT IN THIS STATE AND A LIST OF ANY OTHER STATES IN WHICH THE ATHLETE AGENT IS REGISTERED AS AN ATHLETE AGENT;

(b) THE AMOUNT AND METHOD OF CALCULATING THE CONSIDERATION TO BE PAID BY THE STUDENT ATHLETE FOR SERVICES TO BE PROVIDED BY THE ATHLETE AGENT UNDER THE CONTRACT AND ANY OTHER CONSIDERATION THE ATHLETE AGENT HAS RECEIVED OR WILL RECEIVE FROM ANY OTHER SOURCE FOR ENTERING INTO THE CONTRACT OR FOR PROVIDING THE SERVICES;

(c) THE NAME OF ANY PERSON NOT LISTED IN THE ATHLETE AGENT'S APPLICATION FOR REGISTRATION OR RENEWAL OF REGISTRATION THAT WILL BE COMPENSATED BECAUSE THE STUDENT ATHLETE SIGNED THE CONTRACT;

(d) A DESCRIPTION OF ANY EXPENSES THE STUDENT ATHLETE AGREES TO REIMBURSE;

(e) A DESCRIPTION OF THE SERVICES TO BE PROVIDED TO THE STUDENT ATHLETE BY THE ATHLETE AGENT;

(f) THE DURATION OF THE CONTRACT; AND

(g) THE DATE OF EXECUTION.

(3) SUBJECT TO SUBSECTION (7) OF THIS SECTION, AN AGENCY CONTRACT MUST CONTAIN A CONSPICUOUS NOTICE IN BOLD-FACED TYPE AND IN SUBSTANTIALLY THE FOLLOWING FORM:

WARNING TO STUDENT ATHLETE
IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT ATHLETE IN YOUR SPORT;

(2) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER SIGNING THIS CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR THAT YOU HAVE ENTERED INTO THIS CONTRACT AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT; AND

(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY AS A STUDENT ATHLETE IN YOUR SPORT.

(4) AN AGENCY CONTRACT MUST BE ACCOMPANIED BY A SEPARATE RECORD SIGNED BY THE STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN, ACKNOWLEDGING THAT SIGNING THE CONTRACT MAY RESULT IN THE LOSS OF THE STUDENT ATHLETE'S ELIGIBILITY TO PARTICIPATE IN THE STUDENT ATHLETE'S SPORT.

(5) A STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN MAY VOID AN AGENCY CONTRACT THAT DOES NOT CONFORM TO THIS SECTION. IF THE CONTRACT IS VOIDED, THE STUDENT ATHLETE IS NOT REQUIRED TO RETURN ANY CONSIDERATION RECEIVED FROM THE ATHLETE AGENT UNDER THE CONTRACT TO INDUCE ENTERING INTO THE CONTRACT.

(6) AT THE TIME AN AGENCY CONTRACT IS EXECUTED, THE ATHLETE AGENT SHALL GIVE THE STUDENT ATHLETE OR, IF THE STUDENT

ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN A COPY IN A RECORD OF THE CONTRACT AND THE SEPARATE ACKNOWLEDGMENT REQUIRED BY SUBSECTION (4) OF THIS SECTION.

(7) IF A STUDENT ATHLETE IS A MINOR, AN AGENCY CONTRACT MUST BE SIGNED BY THE STUDENT ATHLETE'S PARENT OR GUARDIAN AND THE NOTICE REQUIRED BY SUBSECTION (3) OF THIS SECTION MUST BE REVISED ACCORDINGLY.

12-103-112. Notice to educational institution - definition. (1) AS USED IN THIS SECTION, "COMMUNICATING OR ATTEMPTING TO COMMUNICATE" MEANS CONTACTING OR ATTEMPTING TO CONTACT BY AN IN-PERSON MEETING, A RECORD, OR ANY OTHER METHOD THAT CONVEYS OR ATTEMPTS TO CONVEY A MESSAGE.

(2) WITHIN SEVENTY-TWO HOURS AFTER ENTERING INTO AN AGENCY CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH THE STUDENT ATHLETE MAY PARTICIPATE, WHICHEVER OCCURS FIRST, THE ATHLETE AGENT SHALL GIVE NOTICE, IN A RECORD, OF THE EXISTENCE OF THE CONTRACT TO THE ATHLETIC DIRECTOR OF THE EDUCATIONAL INSTITUTION AT WHICH THE STUDENT ATHLETE IS ENROLLED OR AT WHICH THE ATHLETE AGENT HAS REASONABLE GROUNDS TO BELIEVE THE ATHLETE INTENDS TO ENROLL.

(3) WITHIN SEVENTY-TWO HOURS AFTER ENTERING INTO AN AGENCY CONTRACT OR BEFORE THE NEXT SCHEDULED ATHLETIC EVENT IN WHICH THE STUDENT ATHLETE MAY PARTICIPATE, WHICHEVER OCCURS FIRST, THE STUDENT ATHLETE SHALL INFORM THE ATHLETIC DIRECTOR OF THE EDUCATIONAL INSTITUTION AT WHICH THE ATHLETE IS ENROLLED THAT THE ATHLETE HAS ENTERED INTO AN AGENCY CONTRACT AND THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT.

(4) IF AN ATHLETE AGENT ENTERS INTO AN AGENCY CONTRACT WITH A STUDENT ATHLETE AND THE STUDENT ATHLETE SUBSEQUENTLY ENROLLS AT AN EDUCATIONAL INSTITUTION, THE ATHLETE AGENT SHALL NOTIFY THE ATHLETIC DIRECTOR OF THE EDUCATIONAL INSTITUTION OF THE CONTRACT'S EXISTENCE WITHIN SEVENTY-TWO HOURS AFTER THE ATHLETE AGENT KNEW OR SHOULD HAVE KNOWN OF THE STUDENT ATHLETE'S ENROLLMENT.

(5) IF AN ATHLETE AGENT HAS A RELATIONSHIP WITH A STUDENT ATHLETE BEFORE THE STUDENT ATHLETE ENROLLS IN AN EDUCATIONAL INSTITUTION AND RECEIVES AN ATHLETIC SCHOLARSHIP FROM THE EDUCATIONAL INSTITUTION, THE ATHLETE AGENT SHALL NOTIFY THE EDUCATIONAL INSTITUTION OF THE RELATIONSHIP WITHIN TEN DAYS AFTER THE STUDENT ATHLETE'S ENROLLMENT IF THE ATHLETE AGENT KNOWS OR SHOULD HAVE KNOWN OF THE ENROLLMENT AND:

(a) THE RELATIONSHIP WAS MOTIVATED IN WHOLE OR IN PART BY THE INTENTION OF THE ATHLETE AGENT TO RECRUIT OR SOLICIT THE STUDENT ATHLETE TO ENTER INTO AN AGENCY CONTRACT IN THE FUTURE; OR

(b) THE ATHLETE AGENT DIRECTLY OR INDIRECTLY RECRUITED OR SOLICITED THE STUDENT ATHLETE TO ENTER INTO AN AGENCY CONTRACT BEFORE THE ENROLLMENT.

(6) AN ATHLETE AGENT SHALL GIVE NOTICE IN A RECORD TO THE ATHLETIC DIRECTOR OF ANY EDUCATIONAL INSTITUTION AT WHICH A STUDENT ATHLETE IS ENROLLED BEFORE THE ATHLETE AGENT COMMUNICATES OR ATTEMPTS TO COMMUNICATE WITH:

(a) THE STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN TO INFLUENCE THE STUDENT ATHLETE OR THE STUDENT ATHLETE'S PARENT OR GUARDIAN TO ENTER INTO AN AGENCY CONTRACT; OR

(b) ANOTHER INDIVIDUAL WITH THE INTENT OF HAVING THAT INDIVIDUAL INFLUENCE THE STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN TO ENTER INTO AN AGENCY CONTRACT.

(7) IF A COMMUNICATION OR AN ATTEMPT TO COMMUNICATE WITH AN ATHLETE AGENT IS INITIATED BY A STUDENT ATHLETE OR ANOTHER INDIVIDUAL ON BEHALF OF THE STUDENT ATHLETE, THE ATHLETE AGENT SHALL NOTIFY, IN A RECORD, THE ATHLETIC DIRECTOR OF ANY EDUCATIONAL INSTITUTION AT WHICH THE STUDENT ATHLETE IS ENROLLED. THE NOTIFICATION MUST BE MADE WITHIN TEN DAYS AFTER THE COMMUNICATION OR ATTEMPT TO COMMUNICATE.

(8) AN EDUCATIONAL INSTITUTION THAT BECOMES AWARE OF A VIOLATION OF THIS ARTICLE 103 BY AN ATHLETE AGENT SHALL PROVIDE NOTICE OF THE VIOLATION TO THE DIRECTOR AND ANY PROFESSIONAL LEAGUE OR PLAYERS ASSOCIATION WITH WHICH THE EDUCATIONAL INSTITUTION IS AWARE THE ATHLETE AGENT IS LICENSED OR REGISTERED.

12-103-113. Student athlete's right to cancel. (1) A STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN MAY:

(a) CANCEL AN AGENCY CONTRACT BY GIVING NOTICE IN A RECORD OF CANCELLATION TO THE ATHLETE AGENT WITHIN FOURTEEN DAYS AFTER THE CONTRACT IS SIGNED; AND

(b) NOT WAIVE THE RIGHT TO CANCEL AN AGENCY CONTRACT.

(2) IF A STUDENT ATHLETE, PARENT, OR GUARDIAN CANCELS AN AGENCY CONTRACT, THE STUDENT ATHLETE, PARENT, OR GUARDIAN IS NOT REQUIRED TO PAY ANY CONSIDERATION UNDER THE CONTRACT OR RETURN ANY CONSIDERATION RECEIVED FROM THE ATHLETE AGENT TO INFLUENCE THE STUDENT ATHLETE TO ENTER INTO THE AGENCY CONTRACT.

12-103-114. Required records. (1) AN ATHLETE AGENT SHALL CREATE AND RETAIN THE FOLLOWING RECORDS FOR A PERIOD OF FIVE YEARS:

(a) THE NAME AND ADDRESS OF EACH INDIVIDUAL REPRESENTED BY THE ATHLETE AGENT;

(b) EACH AGENCY CONTRACT ENTERED INTO BY THE ATHLETE AGENT; AND

(c) THE DIRECT COSTS INCURRED BY THE ATHLETE AGENT IN THE RECRUITMENT OR SOLICITATION OF EACH STUDENT ATHLETE TO ENTER INTO AN AGENCY CONTRACT.

(2) THE RECORDS DESCRIBED IN SUBSECTION (1) OF THIS SECTION ARE OPEN TO INSPECTION BY THE DIRECTOR DURING NORMAL BUSINESS HOURS.

12-103-115. Prohibited conduct - definition. (1) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, AN ATHLETE AGENT, WITH THE INTENT TO INFLUENCE A STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN TO ENTER INTO AN AGENCY CONTRACT, MAY NOT TAKE ANY OF THE FOLLOWING ACTIONS OR ENCOURAGE ANY OTHER INDIVIDUAL TO TAKE OR ASSIST ANY OTHER INDIVIDUAL IN TAKING ANY OF THE FOLLOWING ACTIONS ON BEHALF OF THE ATHLETE AGENT:

(a) GIVE MATERIALLY FALSE OR MISLEADING INFORMATION OR MAKE A MATERIALLY FALSE PROMISE OR REPRESENTATION;

(b) FURNISH ANYTHING OF VALUE TO A STUDENT ATHLETE BEFORE THE STUDENT ATHLETE ENTERS INTO THE AGENCY CONTRACT; OR

(c) FURNISH ANYTHING OF VALUE TO ANY INDIVIDUAL OTHER THAN THE STUDENT ATHLETE OR ANOTHER REGISTERED ATHLETE AGENT.

(2) AN ATHLETE AGENT MAY NOT INTENTIONALLY DO ANY OF THE FOLLOWING ACTIONS OR ENCOURAGE ANY OTHER INDIVIDUAL TO DO ANY OF THE FOLLOWING ACTIONS ON BEHALF OF THE ATHLETE AGENT:

(a) INITIATE CONTACT, DIRECTLY OR INDIRECTLY, WITH A STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN TO RECRUIT OR SOLICIT THE STUDENT ATHLETE OR THE STUDENT ATHLETE'S PARENT OR GUARDIAN TO ENTER INTO AN AGENCY CONTRACT UNLESS THE ATHLETE AGENT IS PROPERLY REGISTERED PURSUANT TO THIS ARTICLE 103;

(b) FAIL TO CREATE, RETAIN, OR PERMIT INSPECTION OF THE RECORDS REQUIRED TO BE RETAINED BY SECTION 12-103-114;

(c) FAIL TO REGISTER WHEN REQUIRED BY SECTION 12-103-105;

(d) PROVIDE MATERIALLY FALSE OR MISLEADING INFORMATION IN AN APPLICATION FOR REGISTRATION OR RENEWAL OF REGISTRATION;

(e) PREDATE OR POSTDATE AN AGENCY CONTRACT; OR

(f) FAIL TO NOTIFY A STUDENT ATHLETE OR, IF THE STUDENT ATHLETE IS A MINOR, THE STUDENT ATHLETE'S PARENT OR GUARDIAN BEFORE THE STUDENT ATHLETE OR THE STUDENT ATHLETE'S PARENT OR GUARDIAN SIGNS AN AGENCY CONTRACT FOR A PARTICULAR SPORT THAT THE SIGNING MAY MAKE THE STUDENT ATHLETE INELIGIBLE TO PARTICIPATE AS A STUDENT ATHLETE IN THAT SPORT.

(3) (a) AS USED IN THIS SUBSECTION (3), "CERTIFIED ATHLETE

AGENT" MEANS AN ATHLETE AGENT REGISTERED UNDER THIS ARTICLE 103 WHO IS CERTIFIED TO BE AN ATHLETE AGENT IN A PARTICULAR SPORT BY A NATIONAL ASSOCIATION THAT PROMOTES OR REGULATES INTERCOLLEGIATE ATHLETICS AND ESTABLISHES ELIGIBILITY STANDARDS FOR PARTICIPATION BY A STUDENT ATHLETE IN THAT SPORT.

(b) A CERTIFIED ATHLETE AGENT MAY PAY EXPENSES INCURRED BEFORE THE SIGNING OF AN AGENCY CONTRACT BY A STUDENT ATHLETE, A FAMILY MEMBER OF THE STUDENT ATHLETE, OR AN INDIVIDUAL OF A CLASS OF INDIVIDUALS AUTHORIZED TO RECEIVE THE EXPENSES BY THE NATIONAL ASSOCIATION THAT CERTIFIED THE AGENT IF THE EXPENSES ARE:

(I) FOR THE BENEFIT OF AN ATHLETE WHO IS A MEMBER OF A CLASS OF ATHLETES AUTHORIZED TO RECEIVE THE BENEFIT BY THE NATIONAL ASSOCIATION THAT CERTIFIED THE AGENT;

(II) OF A TYPE AUTHORIZED TO BE PAID BY A CERTIFIED ATHLETE AGENT BY THE NATIONAL ASSOCIATION THAT CERTIFIED THE AGENT; AND

(III) FOR A PURPOSE AUTHORIZED BY THE NATIONAL ASSOCIATION THAT CERTIFIED THE AGENT.

12-103-116. Civil remedy. (1) AN EDUCATIONAL INSTITUTION OR STUDENT ATHLETE MAY BRING AN ACTION FOR DAMAGES AGAINST AN ATHLETE AGENT IF THE EDUCATIONAL INSTITUTION OR STUDENT ATHLETE IS ADVERSELY AFFECTED BY AN ACT OR OMISSION OF THE ATHLETE AGENT IN VIOLATION OF THIS ARTICLE 103. AN EDUCATIONAL INSTITUTION OR STUDENT ATHLETE IS ADVERSELY AFFECTED BY AN ACT OR OMISSION OF AN ATHLETE AGENT ONLY IF, BECAUSE OF THE ACT OR OMISSION, THE EDUCATIONAL INSTITUTION OR AN INDIVIDUAL WHO WAS A STUDENT ATHLETE AT THE TIME OF THE ACT OR OMISSION AND WHO WAS ALSO ENROLLED IN THE EDUCATIONAL INSTITUTION:

(a) IS SUSPENDED OR DISQUALIFIED FROM PARTICIPATION IN AN INTERSCHOLASTIC OR INTERCOLLEGIATE SPORTS EVENT BY OR UNDER THE RULES OF A STATE OR NATIONAL FEDERATION OR ASSOCIATION THAT PROMOTES OR REGULATES INTERSCHOLASTIC OR INTERCOLLEGIATE SPORTS; OR

(b) SUFFERS FINANCIAL DAMAGE.

(2) A PLAINTIFF THAT PREVAILS IN AN ACTION UNDER THIS SECTION MAY RECOVER COSTS AND REASONABLE ATTORNEY FEES. AN ATHLETE AGENT FOUND LIABLE UNDER THIS SECTION FORFEITS ANY RIGHT OF PAYMENT FOR ANYTHING OF BENEFIT OR VALUE PROVIDED TO THE STUDENT ATHLETE AND SHALL REFUND ANY CONSIDERATION PAID TO THE ATHLETE AGENT BY OR ON BEHALF OF THE STUDENT ATHLETE.

(3) A VIOLATION OF THIS ARTICLE 103 IS A DECEPTIVE TRADE PRACTICE PURSUANT TO SECTION 6-1-105 (1)(kkk).

12-103-117. Unauthorized practice - penalties. AN ATHLETE AGENT WHO VIOLATES SECTION 12-103-115 IS SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407 (1)(a).

12-103-118. Civil penalty. ON MOTION OF THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY, THE COURT MAY IMPOSE A CIVIL PENALTY OF NOT LESS THAN TWENTY-FIVE THOUSAND DOLLARS BUT NOT MORE THAN FIFTY THOUSAND DOLLARS FOR A VIOLATION OF THIS ARTICLE 103. MONEY COLLECTED UNDER THIS SECTION SHALL BE CREDITED TO THE GENERAL FUND IN ACCORDANCE WITH SECTION 12-20-404 (6).

12-103-119. Uniformity of application and construction. IN APPLYING AND CONSTRUING THIS UNIFORM ACT, CONSIDERATION MUST BE GIVEN TO THE NEED TO PROMOTE UNIFORMITY OF THE LAW WITH RESPECT TO ITS SUBJECT MATTER AMONG STATES THAT ENACT IT.

12-103-120. Relation to electronic signatures in global and national commerce act. THIS ARTICLE 103 MODIFIES, LIMITS, OR SUPERSEDES THE FEDERAL "ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT", 15 U.S.C. SEC. 7001 ET SEQ., BUT DOES NOT MODIFY, LIMIT, OR SUPERSEDE SECTION 101 (c) OF THAT ACT, 15 U.S.C. SEC. 7001 (c), OR AUTHORIZE ELECTRONIC DELIVERY OF ANY OF THE NOTICES DESCRIBED IN SECTION 103 (b) OF THAT ACT, 15 U.S.C. SEC. 7003 (b).

12-103-121. Gifts, grants, donations - software. (1) THE DIRECTOR MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS ARTICLE 103.

(2) TO REDUCE THE FISCAL IMPACTS OF ADMINISTERING THIS ARTICLE 103 AND IN FURTHERANCE OF THE DUTIES SPECIFIED IN SECTION 12-103-106 (4), THE DIRECTOR IS AUTHORIZED AND ENCOURAGED TO COORDINATE WITH THE ADMINISTRATORS OF ATHLETE AGENT REGISTRATION PROGRAMS IN OTHER STATES REGARDING COST-EFFECTIVE MEANS TO REGISTER ATHLETE AGENTS, INCLUDING THE SHARING OF NECESSARY SOFTWARE.

12-103-122. Repeal of article. THIS ARTICLE 103 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027. BEFORE THE REPEAL, THIS ARTICLE 103 IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

SECTION 6. In Colorado Revised Statutes, 12-20-402, **amend as relocated by House Bill 19-1172** (4) as follows:

12-20-402. Immunity. (4) This section does not apply to articles ***103***, 125, 140, 150, and 250 of this title 12 concerning ATHLETE AGENTS, fantasy contests, nontransplant tissue banks, passenger tramways, and naturopathic doctors, respectively.

SECTION 7. In Colorado Revised Statutes, 12-20-404, **amend as relocated by House Bill 19-1172** (1)(c)(II)(A) and (3)(c)(I); and **add** (1)(c)(II)(A.5) and (3)(c)(I.5) as follows:

12-20-404. Disciplinary actions - regulator powers - disposition of fines. (1) **General disciplinary authority.** If a regulator determines that an applicant, licensee, certificate holder, or registrant has committed an act or engaged in conduct that constitutes grounds for discipline or unprofessional conduct under a part or article of this title 12 governing the particular profession or occupation, the regulator may:

(c) (II) A regulator is not authorized under this subsection (1)(c) to impose a fine on a licensee, certificate holder, or registrant regulated under the following:

(A) Article ~~125~~ 103 of this title 12 concerning ~~fantasy contests~~ ATHLETE AGENTS;

(A.5) ARTICLE 125 OF THIS TITLE 12 CONCERNING FANTASY CONTESTS;

(3) **Waiting period after revocation or surrender.** (c) This subsection (3) does not apply to the following:

(I) Article ~~110~~ 103 of this title 12 concerning ~~combative sports~~ ATHLETE AGENTS;

(I.5) ARTICLE 110 OF THIS TITLE 12 CONCERNING COMBATIVE SPORTS;

SECTION 8. In Colorado Revised Statutes, 12-20-405, **amend as relocated by House Bill 19-1172** (6) as follows:

12-20-405. Cease-and-desist orders. (6) This section does not apply to articles ***103,*** 125, 140, and 150 of this title 12 concerning ATHLETE AGENTS, fantasy contests, nontransplant tissue banks, and passenger tramways, respectively.

SECTION 9. In Colorado Revised Statutes, 12-20-406, **add as relocated by House Bill 19-1172** (3)(a.5) as follows:

12-20-406. Injunctive relief. (3) This section does not apply to the following:

(a.5) ARTICLE 103 OF THIS TITLE 12 CONCERNING ATHLETE AGENTS;

SECTION 10. In Colorado Revised Statutes, 12-20-407, **add as relocated by House Bill 19-1172** (1)(a)(I.5) as follows:

12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions. (1) (a) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 for the first offense, and, for the second or any subsequent offense, commits a class 6 felony and shall be punished as provided in section 18-1.3-401, if the person:

(I.5) VIOLATES SECTION 12-103-115 CONCERNING PROHIBITED CONDUCT BY ATHLETE AGENTS;

SECTION 11. In Colorado Revised Statutes, 12-20-408, **amend as relocated by House Bill 19-1172** (2)(a); and **add** (2)(a.5) as follows:

12-20-408. Judicial review. (2) A district court of competent jurisdiction has initial jurisdiction to review all final actions and orders of a regulator that are subject to judicial review and shall conduct the judicial review proceedings in accordance with section 24-4-106 (3) for the following:

(a) Article ~~125~~ 103 of this title 12 concerning ~~fantasy contests~~ ATHLETE AGENTS;

(a.5) ARTICLE 125 OF THIS TITLE 12 CONCERNING FANTASY CONTESTS;

SECTION 12. Act subject to petition - effective date - applicability. (1) Except as otherwise provided in subsection (2) of this section, 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Sections 5 through 11 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 5 through 11 take effect October 1, 2019.

(3) This act applies to conduct occurring on or after the applicable effective date of this act.".

Finance — After consideration on the merits, the Committee recommends that **SB19-131** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB19-1012** 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 **HB19-1020** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Transportation & Energy — After consideration on the merits, the Committee recommends that **HB19-1034** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-144.
Correctly Reengrossed: SB19-106 and 109.
Correctly Revised: HB19-1008, 1062, 1098, and 1104.
Correctly Rerevised: HB19-1050.

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:

HB19-1008 by Representative(s) Kraft-Tharp and Larson, Soper; also Senator(s) Todd and Lundeen--Concerning the provision of grants for career and technical education capital construction through the "Building Excellent Schools Today 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Hill, Hisey, Lee, Marble, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Story, Tate, Williams A., and Woodward.

HB19-1104 by Representative(s) Ransom; also Senator(s) Lee--Concerning the rights of persons represented by an attorney through the office of the respondent parents' counsel.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gardner, Marble, Moreno, Priola, Smallwood, Tate, and Williams A.

HB19-1098 by Representative(s) Gray; also Senator(s) Lee--Concerning deeds for the conveyance of real property, and, in connection therewith, establishing requirements for title insurance entities that prepare deeds and establishing forms for the preparation of deeds in certain circumstances.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Marble, and Priola.

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CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Zenzinger was added as a Senate Joint Prime Sponsor with Senator Scott and Representative Rich on HB19-1062.

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:

HB19-1062 by Representative(s) Rich; also Senator(s) Scott and Zenzinger--Concerning the Grand Junction regional center campus.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Donovan, Marble, Priola, Story, and Todd.

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:

HB19-1082 by Representative(s) Catlin and Valdez D.; also Senator(s) Coram--Concerning the rights of a water rights easement holder.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment. (Printed in Senate Journal, February 15, page 241 and placed in members' bill files.)

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

HB19-1071 by Representative(s) McKean, Arndt, Hooton; also Senator(s) Zenzinger, Moreno--Concerning the repeal of obsolete provisions regarding water quality control, and, in connection therewith, eliminating the requirement that the state board of health approve a municipality's entrance into a joint operating agreement with an industrial enterprise for work relating to sewerage facilities and clarifying that the board of directors of a water conservancy district must comply with the rules of the water quality control commission concerning the manner in which watercourses of the district are used for waste disposal.

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1082 as amended, HB19-1071.

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, and Senator Fields 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:

SB19-090 by Senator(s) Scott, Donovan; also Representative(s) Gray--Concerning the operation of peer-to-peer motor vehicle sharing businesses.

Laid over until Thursday, February 21, retaining its place on the calendar.

SB19-076 by Senator(s) Scott; --Concerning the procurement of consulting engineer services for department of transportation construction projects.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, February 15, page 244 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Scott.

Amend printed bill, page 3, strike lines 10 through 27.

Page 4, strike lines 1 through 15 and substitute:

"(d) The efficiency and accountability committee of the department of transportation is charged with helping the transportation commission and the department execute their duties efficiently by periodically recommending means by which the commission and the department may execute their duties more efficiently.

(e) It is necessary and appropriate to require the efficiency and accountability committee to study the manner in which the department of transportation procures construction management and construction engineering services from consulting engineers, determine whether improvements can be made to better align consulting engineer incentives with the interests of the department and general contractors in successfully completing department projects as quickly and efficiently as possible, and recommend appropriate process improvements, including potential statutory changes, to the commission and the executive director of the department and to require the department to report on the recommendations made to its legislative oversight committees.

SECTION 2. In Colorado Revised Statutes, 43-1-106, **add** (17)(b.5) as follows:

43-1-106. Transportation commission - powers and duties - repeal. (17) (b.5) (I) THE EFFICIENCY AND ACCOUNTABILITY COMMITTEE SHALL STUDY AND REPORT TO THE EXECUTIVE DIRECTOR AND THE COMMISSION ITS FINDINGS AND ANY RECOMMENDATIONS REGARDING THE FOLLOWING ISSUES RELATING TO CONSULTING ENGINEER CONTRACTS:

(A) IMPLEMENTATION OF FIXED BID PROCUREMENT IN LIEU OF BIDS BASED ON HOURLY CHARGES;

(B) THE QUALITY ASSURANCE PROCESS;

(C) THE REVOLVING DOOR OF RETIRED DEPARTMENT EMPLOYEES GOING TO WORK FOR CONSULTANTS;

(D) INCENTIVES FOR CLOSING OUT THE CONTRACTS, EARLY PROJECT COMPLETION, AND TIMELY PROBLEM RESOLUTION; AND

(E) PROJECT STAFFING AND IMPLEMENTATION OF THE PORTION OF THE DEPARTMENT MEMORANDUM "WORK PLAN FOR CONSISTENT CDOT AND CONSULTANT CONSTRUCTION PROJECT ADMINISTRATION" UNDER THE HEADING "MEASUREMENTS IN FISCAL YEAR 2015".

(II) THE DEPARTMENT SHALL ANNUALLY REPORT TO THE JOINT COMMITTEES OF REFERENCE OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO WHICH THE DEPARTMENT OF TRANSPORTATION IS ASSIGNED PURSUANT TO SECTION 2-7-203 (1) AS PART OF THE HEARING REQUIRED BY SECTION 2-7-203 (2)(a) REGARDING THE FINDINGS AND ANY RECOMMENDATIONS REPORTED AS REQUIRED BY SUBSECTION (17)(b.5)(I) OF THIS SECTION AND THE POSITION OF THE DEPARTMENT WITH RESPECT TO THE FINDINGS AND ANY RECOMMENDATIONS.".

Renumber succeeding section accordingly.

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

SB19-041 by Senator(s) Smallwood; also Representative(s) Kraft-Tharp--Concerning a required contract provision regarding the payment of premiums by a policyholder to a health insurance carrier for each individual covered under a health insurance policy.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 15, pages 244-246 and placed in members' bill files.)

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

HB19-1033 by Representative(s) Tipper and Kennedy; also Senator(s) Fields and Priola--Concerning a local government's authority to regulate products containing nicotine.

Laid over until Thursday, February 21, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-076 as amended, SB19-041 as amended.
Laid over until Thursday, February 21: SB19-090, HB19-1033.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, February 20, was laid over until Thursday, February 21, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB19-113, SB19-128, SB19-111.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1108 by Representative(s) Liston and Hooton, Catlin, Coleman, McKean, Rich, Singer, Wilson; also Senator(s) Tate, Ginal--Concerning measures to expand the ability of nonresident electors to participate in the governance of special districts, and, in connection therewith, allowing nonresident electors who own taxable property within the special district to vote in special district elections and allowing such electors to serve on special district boards in a nonvoting capacity.
State, Veterans, & Military Affairs

HB19-1129 by Representative(s) Michaelson Jenet and Esgar, Duran, Herod, Valdez A., Galindo, Jaquez Lewis, Titone; also Senator(s) Fenberg, Moreno, Ginal--Concerning prohibiting a mental health care provider from engaging in conversion therapy with a patient under eighteen years of age.
State, Veterans, & Military Affairs

HB19-1137 by Representative(s) Wilson and Valdez D., Buckner; also Senator(s) Priola, Pettersen--Concerning supporting high school students' interest in early childhood education through the teacher cadet program.
Education

HB19-1148 by Representative(s) Herod; also Senator(s) Coram and Gonzales--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.
Judiciary

HB19-1152 by Representative(s) Herod and Galindo; also Senator(s) Gonzales--Concerning eliminating the requirement that a student member of the state student advisory council for community colleges and occupational education must be an in-state student for tuition purposes prior to election to the state student advisory council for community colleges and occupational education.
Education

HB19-1155 by Representative(s) Michaelson Jenet and Carver; also Senator(s) Lundeen and Foote--Concerning adding certain conduct to the definition of sexual contact.
Judiciary

HB19-1175 by Representative(s) Gray; also Senator(s) Gonzales--Concerning the property tax valuation appeal process.
Local Government

TRIBUTES

Honoring:

Colorado Public Libraries -- By Senator Rachel Zenzinger.
Dr. Robert N. Alsever -- By President Leroy M. Garcia.
Jay Hickert -- By Senator Jerry Sonnenberg and Representative Dylan Roberts.
George "Buck" Hutchison -- By Senator Jerry Sonnenberg and Representative Dylan Roberts.
Dan Williams -- By Senator Jerry Sonnenberg and Representative Dylan Roberts.

On motion of President *Pro Tempore* Court, the Senate adjourned until 9:00 a.m., Thursday, February 21, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

49th Legislative Day Thursday, February 21, 2019

Prayer — By the chaplain, Rabbi Brian Field, Judaism Your Way, Glendale.

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

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

Quorum — The President announced a quorum present.

Pledge — By Robert Lindly, Challenger Middle School, and Finn Witham, Redlands Middle School.

Reading of the Journal — On motion of Senator Woodward, reading of the Journal of Wednesday, February 20, 2019, 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 **HB19-1109** 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 **HB19-1077** 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 11, strike "FEDERAL "FOOD," and substitute ""FEDERAL FOOD,".

Page 4, line 21, strike "DISPENSED".

Page 5, after line 14 insert:

"**SECTION 4.** In Colorado Revised Statutes, 12-280-103, **amend as relocated by House Bill 19-1172** (39)(b)(III) and (39)(c)(II)(C); and **add** (9.5) and (39)(d) as follows:

12-280-103. Definitions - rules. As used in this article 280, unless the context otherwise requires or the term is otherwise defined in another part of this article 280:

(9.5) "CHRONIC MAINTENANCE DRUG" MEANS A DRUG THAT:

(a) IS NOT AN OPIOID OR IS NOT A CONTROLLED SUBSTANCE THAT IS PROHIBITED FROM BEING DISPENSED WITHOUT A PRESCRIPTION UNDER THE "FEDERAL FOOD, DRUG, AND COSMETIC ACT", 21 U.S.C. SEC. 301 ET SEQ., AS AMENDED; AND

(b) IS PRESCRIBED TO A PATIENT TO TAKE ON A RECURRING BASIS OR IS USED AS A LIFE-SAVING RESCUE DRUG FOR A CHRONIC CONDITION.

(39) "Practice of pharmacy" means:

(b) (III) The maintenance of proper records for the drugs and devices; ~~and~~

(c) The provision of a therapeutic interchange selection or a therapeutically equivalent selection to a patient if, during the patient's stay at a nursing care facility or a long-term acute care hospital licensed under part 1 of article 3 of title 25, the selection has been approved for the patient:

(II) By one of the following health care providers:

(C) An advanced practice nurse prescriber licensed as a professional nurse under section 12-255-110, registered as an advanced practice nurse under section 12-255-111, and authorized to prescribe controlled substances or prescription drugs pursuant to section 12-255-112, if the advanced practice nurse prescriber has developed an articulated plan to maintain ongoing collaboration with physicians and other health care professionals; AND

(d) THE DISPENSING OF CHRONIC MAINTENANCE DRUGS PURSUANT TO SECTION 12-280-125.5 AND BOARD RULES ADOPTED IN ACCORDANCE WITH THAT SECTION.

SECTION 5. In Colorado Revised Statutes, 12-280-123, **amend as relocated by House Bill 19-1172** (1) as follows:

12-280-123. Prescription required - exception - dispensing opiate antagonists. (1) Except as provided in ~~section~~ SECTIONS 18-18-414 AND 12-280-125.5 and subsections (2) and (3) of this section, an order is required prior to dispensing any prescription drug. Orders shall be readily retrievable within the appropriate statute of limitations.

SECTION 6. In Colorado Revised Statutes, **add to article 280 as relocated by House Bill 19-1172** 12-280-125.5 as follows:

12-280-125.5. Pharmacists' authority to dispense chronic maintenance drugs - rules - liability. (1) IN ACCORDANCE WITH BOARD RULES ADOPTED UNDER SUBSECTION (2) OF THIS SECTION, ON AND AFTER JANUARY 1, 2020, A PHARMACIST MAY DISPENSE AN EMERGENCY SUPPLY OF A CHRONIC MAINTENANCE DRUG TO A PATIENT WITHOUT A CURRENT, VALID PRESCRIPTION IF:

(a) THE PHARMACIST MAKES EVERY REASONABLE ATTEMPT BUT IS UNABLE TO OBTAIN AUTHORIZATION TO REFILL THE PRESCRIPTION FROM THE PRESCRIBING HEALTH CARE PROVIDER OR ANOTHER HEALTH CARE PROVIDER RESPONSIBLE FOR THE PATIENT'S CARE;

(b) (I) THE PHARMACIST HAS A RECORD OF A PRESCRIPTION AT THE PHARMACY OR HAS BEEN PRESENTED PROOF OF A RECENT PRESCRIPTION FOR THE CHRONIC MAINTENANCE DRUG IN THE NAME OF THE PATIENT WHO IS REQUESTING THE EMERGENCY SUPPLY; OR

(II) IN THE PHARMACIST'S PROFESSIONAL JUDGMENT, THE REFUSAL TO DISPENSE AN EMERGENCY SUPPLY OF THE CHRONIC MAINTENANCE DRUG WILL ENDANGER THE PATIENT'S HEALTH OR DISRUPT ESSENTIAL DRUG THERAPY FOR A CHRONIC CONDITION OF THE PATIENT;

(c) THE AMOUNT OF THE CHRONIC MAINTENANCE DRUG DISPENSED DOES NOT EXCEED THE AMOUNT OF THE MOST RECENT PRESCRIPTION OR THE STANDARD QUANTITY OR UNIT OF USE PACKAGE OF THE DRUG;

(d) THE PHARMACIST HAS NOT DISPENSED AN EMERGENCY SUPPLY OF THE CHRONIC MAINTENANCE DRUG TO THE SAME PATIENT IN THE PREVIOUS TWELVE-MONTH PERIOD; AND

(e) THE PRESCRIBER OF THE DRUG HAS NOT INDICATED THAT NO EMERGENCY REFILLS ARE AUTHORIZED.

(2) THE BOARD SHALL ADOPT RULES, IN CONSULTATION WITH THE COLORADO MEDICAL BOARD CREATED IN SECTION 12-240-105 AND THE STATE BOARD OF NURSING CREATED IN SECTION 12-255-105, TO ESTABLISH STANDARD PROCEDURES FOR PHARMACISTS TO FOLLOW IN DISPENSING CHRONIC MAINTENANCE DRUGS PURSUANT TO THIS SECTION. THE RULES ADOPTED UNDER THIS SUBSECTION (2) MUST INCLUDE DOCUMENTATION REQUIREMENTS FOR A PHARMACIST TO COMPLETE WHEN DISPENSING A CHRONIC MAINTENANCE DRUG WITHOUT A CURRENT PRESCRIPTION.

(3) A PHARMACIST, THE PHARMACIST'S EMPLOYER, AND THE ORIGINAL PRESCRIBER OF THE DRUG ARE NOT CIVILLY LIABLE FOR AN ACT OR OMISSION IN CONNECTION WITH THE DISPENSING OF A CHRONIC MAINTENANCE DRUG PURSUANT TO THIS SECTION UNLESS THE ACT OR OMISSION CONSTITUTES NEGLIGENCE, RECKLESSNESS, OR WILLFUL OR WANTON MISCONDUCT.

SECTION 7. Effective date. This act takes effect upon passage; except that sections 4, 5, and 6 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 4, 5, and 6 take effect on October 1, 2019.".

Renumber succeeding section accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1070** 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 **SB19-088** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 18, line 23, strike "DATE" and substitute "DATE, IF REASONABLY DETERMINABLE BY THE HOLDER,".

Page 18, lines 25 and 26, strike ""COLORADO UNIFORM TRANSFERS TO MINORS ACT", ARTICLE 50 OF TITLE 11." and substitute "UNIFORM GIFTS TO MINORS ACT OR UNIFORM TRANSFERS TO MINORS ACT OF THE STATE IN WHICH THE ACCOUNT WAS OPENED.".

Page 25, line 27, strike "BY:".

Page 26, strike lines 1 through 7 and substitute "BY THE "UNCLAIMED LIFE INSURANCE BENEFITS ACT", PART 8 OF ARTICLE 7 OF TITLE 10.".

Page 36, line 1, strike "FIFTY" and substitute "TWENTY-FIVE".

Page 36, line 20, strike "FIFTY" and substitute "TWENTY-FIVE".

Page 36, line 21, strike "FIFTY" and substitute "TWENTY-FIVE".

Page 39, line 11, strike "FIFTY" and substitute "TWENTY-FIVE".

Page 50, strike lines 23 through 27.

Page 51, strike lines 1 through 13 and substitute:

"**38-13-703. Recovery of securities or value by owner.** (1) A PERSON THAT MAKES A VALID CLAIM UNDER THIS ARTICLE 13 OF OWNERSHIP OF A SECURITY IS ENTITLED TO RECEIVE:".

Page 73, line 17, after "FEE;" add "AND".

Page 73, strike lines 18 through 20.

Renumber succeeding paragraph accordingly.

Page 90, line 10, strike "(1)".

Page 90, strike lines 14 through 27.

Strike page 91.

Page 92, strike lines 1 through 19.

Page 93, line 11, strike "TEN-YEAR" and substitute "FIVE-YEAR".

Page 93, after line 18 insert:

"**38-13-1504. [Similar to 38-13-134] Application of article - local law - conflict.** IF A LOCAL GOVERNMENT IS THE HOLDER OF PROPERTY AND THE LOCAL GOVERNMENT HAS A LOCAL LAW RELATING TO THE DISPOSITION OF THE PROPERTY THAT CONFLICTS WITH THIS ARTICLE 13, THEN THE SPECIFIC LOCAL LAW CONTROLS THE DISPOSITION OF THE PROPERTY.".

Page 94, after line 12 insert:

"**SECTION 4.** In Colorado Revised Statutes, **add** part 8 to article 7 of title 10 as follows:

PART 8
UNCLAIMED LIFE
INSURANCE BENEFITS ACT

10-7-801. Short title. THIS SHORT TITLE OF THIS PART 8 IS THE "UNCLAIMED LIFE INSURANCE BENEFITS ACT".

10-7-802. Definitions. AS USED IN THIS PART 8, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CONTRACT" MEANS AN ANNUITY CONTRACT. THE TERM DOES NOT INCLUDE AN ANNUITY USED TO FUND AN EMPLOYMENT-BASED RETIREMENT PLAN OR PROGRAM IF:

(a) THE INSURER DOES NOT PERFORM THE RECORD-KEEPING SERVICES; OR

(b) THE INSURER IS NOT COMMITTED BY TERMS OF THE ANNUITY CONTRACT TO PAY DEATH BENEFITS TO THE BENEFICIARIES OF SPECIFIC PLAN PARTICIPANTS.

(2) "DEATH MASTER FILE" MEANS THE UNITED STATES SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE OR OTHER DATABASES OR SERVICE THAT IS AT LEAST AS COMPREHENSIVE AS THE UNITED STATES SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE FOR DETERMINING THAT AN INDIVIDUAL REPORTEDLY HAS DIED.

(3) "DEATH MASTER FILE MATCH" MEANS A SEARCH OF THE DEATH MASTER FILE THAT RESULTS IN A MATCH OF THE SOCIAL SECURITY NUMBER OR THE NAME AND DATE OF BIRTH OF AN INSURED, ANNUITY OWNER, OR RETAINED ASSET ACCOUNT HOLDER.

(4) "KNOWLEDGE OF DEATH" MEANS:

(a) RECEIPT OF AN ORIGINAL OR VALID COPY OF A CERTIFIED DEATH CERTIFICATE; OR

(b) A DEATH MASTER FILE MATCH VALIDATED BY THE INSURER IN ACCORDANCE WITH SECTION 10-7-803 (2)(a)(I) OF THIS SECTION.

(5) "POLICY" MEANS ANY POLICY OR CERTIFICATE OF LIFE INSURANCE THAT PROVIDES A DEATH BENEFIT. THE TERM DOES NOT INCLUDE:

(a) A POLICY OR CERTIFICATE OF LIFE INSURANCE THAT PROVIDES A DEATH BENEFIT UNDER AN EMPLOYEE BENEFIT PLAN:

(I) SUBJECT TO THE "EMPLOYEE INCOME SECURITY ACT OF 1974", 29 U.S.C. SEC. 1002, AS AMENDED; OR

(II) UNDER ANY FEDERAL EMPLOYEE BENEFIT PROGRAM;

(b) A POLICY OR CERTIFICATE OF LIFE INSURANCE THAT IS USED TO FUND A PRE-NEED FUNERAL CONTRACT OR PREARRANGEMENT;

(c) A POLICY OR CERTIFICATE OF CREDIT LIFE OR ACCIDENTAL DEATH INSURANCE; OR

(d) A POLICY ISSUED TO A GROUP MASTER POLICYHOLDER FOR WHICH THE INSURER DOES NOT PROVIDE RECORD-KEEPING SERVICES.

(6) "RECORD-KEEPING SERVICES" MEANS THOSE SERVICES WHICH THE INSURER HAS AGREED WITH A GROUP POLICY OR CONTRACT CUSTOMER TO BE RESPONSIBLE FOR OBTAINING, MAINTAINING, AND ADMINISTERING IN ITS OWN OR ITS AGENTS' SYSTEMS INFORMATION ABOUT EACH INDIVIDUAL INSURED UNDER AN INSURED'S GROUP INSURANCE CONTRACT, OR A LINE OF COVERAGE THEREUNDER, AT LEAST THE FOLLOWING INFORMATION:

(a) SOCIAL SECURITY NUMBER OR NAME AND DATE OF BIRTH;

(b) BENEFICIARY DESIGNATION INFORMATION;

(c) COVERAGE ELIGIBILITY;

(d) BENEFIT AMOUNT; AND

(e) PREMIUM PAYMENT STATUS.

(7) "RETAINED ASSET ACCOUNT" MEANS A MECHANISM WHEREBY THE SETTLEMENT OF PROCEEDS PAYABLE UNDER A POLICY OR CONTRACT IS ACCOMPLISHED BY THE INSURER OR AN ENTITY ACTING ON BEHALF OF THE INSURER DEPOSITING THE PROCEEDS INTO AN ACCOUNT WITH CHECK OR DRAFT WRITING PRIVILEGES, IF THOSE PROCEEDS ARE RETAINED BY THE INSURER OR ITS AGENT, PURSUANT TO A SUPPLEMENTARY CONTRACT NOT INVOLVING ANNUITY BENEFITS OTHER THAN DEATH BENEFITS.

10-7-803. Insurers - duty to compare names of insureds with death master file and to locate beneficiaries. (1) AN INSURER SHALL MAKE A GOOD FAITH EFFORT TO DETERMINE THE DEATH OF AN INSURED UPON RECEIPT OF KNOWLEDGE OF DEATH.

(2) AN INSURER SHALL PERFORM A COMPARISON OF ITS INSUREDS'

IN-FORCE POLICIES, CONTRACTS, AND RETAINED ASSET ACCOUNTS AGAINST A DEATH MASTER FILE, ON AT LEAST A SEMIANNUAL BASIS, BY USING THE FULL DEATH MASTER FILE ONCE AND THEREAFTER USING THE DEATH MASTER FILE UPDATE FILES FOR FUTURE COMPARISONS TO IDENTIFY POTENTIAL MATCHES OF ITS INSUREDS. FOR THOSE POTENTIAL MATCHES IDENTIFIED AS A RESULT OF A DEATH MASTER FILE MATCH, THE INSURER SHALL DO THE FOLLOWING:

(a) WITHIN NINETY DAYS OF A DEATH MASTER FILE MATCH, THE INSURER SHALL:

(I) COMPLETE A GOOD FAITH EFFORT, WHICH MUST BE DOCUMENTED BY THE INSURER, TO CONFIRM THE DEATH OF THE INSURED OR RETAINED ASSET ACCOUNT HOLDER AGAINST OTHER AVAILABLE RECORDS AND INFORMATION; AND

(II) DETERMINE WHETHER BENEFITS ARE DUE IN ACCORDANCE WITH THE APPLICABLE POLICY OR CONTRACT, AND IF BENEFITS ARE DUE IN ACCORDANCE WITH THE APPLICABLE POLICY OR CONTRACT:

(A) USE GOOD FAITH EFFORTS, WHICH SHALL BE DOCUMENTED BY THE INSURER, TO LOCATE THE BENEFICIARY OR BENEFICIARIES; AND

(B) PROVIDE THE APPROPRIATE CLAIMS FORMS OR INSTRUCTIONS TO THE BENEFICIARY OR BENEFICIARIES TO MAKE A CLAIM INCLUDING THE NEED TO PROVIDE AN OFFICIAL DEATH CERTIFICATE, IF APPLICABLE UNDER THE POLICY OR CONTRACT.

(b) WITH RESPECT TO GROUP LIFE INSURANCE, THE INSURER SHALL CONFIRM THE POSSIBLE DEATH OF AN INSURED IF THE INSURER MAINTAINS AT LEAST THE FOLLOWING INFORMATION OF THOSE COVERED UNDER A POLICY OR CERTIFICATE:

(I) SOCIAL SECURITY NUMBER OR NAME AND DATE OF BIRTH;

(II) BENEFICIARY DESIGNATION INFORMATION;

(III) COVERAGE ELIGIBILITY;

(IV) BENEFIT AMOUNT; AND

(V) PREMIUM PAYMENT STATUS.

(c) AN INSURER SHALL IMPLEMENT PROCEDURES TO ACCOUNT FOR:

(I) COMMON NICKNAMES, INITIALS USED IN LIEU OF A FIRST OR MIDDLE NAME, USE OF A MIDDLE NAME, COMPOUND FIRST AND MIDDLE NAMES, AND INTERCHANGED FIRST AND MIDDLE NAMES;

(II) COMPOUND LAST NAMES, MAIDEN OR MARRIED NAMES, AND HYPHENS, BLANK SPACES OR APOSTROPHES IN LAST NAMES;

(III) TRANSPOSITION OF THE "MONTH" AND "DATE" PORTIONS OF THE DATE OF BIRTH; AND

(IV) INCOMPLETE SOCIAL SECURITY NUMBERS.

(d) TO THE EXTENT PERMITTED BY LAW, THE INSURER MAY DISCLOSE MINIMUM NECESSARY PERSONAL INFORMATION ABOUT THE INSURED OR BENEFICIARY TO A PERSON WHO THE INSURER REASONABLY BELIEVES MAY BE ABLE TO ASSIST THE INSURER LOCATE THE BENEFICIARY OR PERSON OTHERWISE ENTITLED TO PAYMENT OF THE CLAIMS PROCEEDS.

(3) AN INSURER OR ITS SERVICE PROVIDER SHALL NOT CHARGE ANY BENEFICIARY OR OTHER AUTHORIZED REPRESENTATIVE FOR ANY FEES OR COSTS ASSOCIATED WITH A DEATH MASTER FILE SEARCH OR VERIFICATION OF A DEATH MASTER FILE MATCH CONDUCTED PURSUANT TO THIS SECTION.

(4) THE BENEFITS FROM A POLICY, CONTRACT, OR A RETAINED ASSET ACCOUNT, PLUS ANY APPLICABLE ACCRUED CONTRACTUAL INTEREST SHALL FIRST BE PAYABLE TO THE DESIGNATED BENEFICIARIES OR OWNERS AND IN THE EVENT SAID BENEFICIARIES OR OWNERS CANNOT BE FOUND, SHALL BE TRANSFERRED TO THE COLORADO ADMINISTRATOR AS UNCLAIMED PROPERTY PURSUANT TO THE "REVISED UNIFORM UNCLAIMED PROPERTY ACT", ARTICLE 13 OF TITLE 38.

(5) AN INSURER THAT FAILS TO COMPLY WITH THIS SECTION IS SUBJECT TO THE CIVIL PENALTIES IN ACCORDANCE WITH SECTION 10-1-310. A PRIVATE CAUSE OF ACTION FOR A VIOLATION OF THIS SECTION IS NOT PERMITTED.".

Renumber succeeding sections accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1136** 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 **HB19-1066** 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 **SB19-137** be referred to the Committee on Finance with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-041 and 076.
Correctly Revised: HB19-1071 and 1082.
Correctly Rerevised: HB19-1008, 1062, 1098, and 1104.
Correctly Enrolled: SB19-023.

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:

HB19-1082 by Representative(s) Catlin and Valdez D.; also Senator(s) Coram--Concerning the rights of a water rights easement holder.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Donovan, Gardner, Hisey, Moreno, Priola, Rankin, Scott, Sonnenberg, Tate, and Woodward.

HB19-1071 by Representative(s) McKean, Arndt, Hooton; also Senator(s) Zenzinger, Moreno--Concerning the repeal of obsolete provisions regarding water quality control, and, in connection therewith, eliminating the requirement that the state board of health approve a municipality's entrance into a joint operating agreement with an industrial enterprise for work relating to sewerage facilities and clarifying that the board of directors of a water conservancy district must comply with the rules of the water quality control commission concerning the manner in which watercourses of the district are used for waste disposal.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Court, Marble, 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:

SB19-076 by Senator(s) Scott; also Representative(s) Rich--Concerning the procurement of consulting engineer services for department of transportation construction projects.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Donovan, Gardner, Holbert, Lundeen, Marble, Pettersen, Priola, Rankin, Smallwood, Sonnenberg, Tate, and Woodward.

SB19-041 by Senator(s) Smallwood; also Representative(s) Kraft-Tharp--Concerning a required contract provision regarding the payment of premiums by a policyholder to a health insurance carrier for each individual covered under a health insurance policy.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Court, Crowder, Holbert, Marble, Moreno, Priola, Scott, Tate, and Williams A.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, February 21, was laid over until Friday, February 22, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB19-090, HB19-1033.
Consideration of House Amendments to Senate Bills: SB19-113, SB19-128, SB19-111.

MESSAGE FROM THE GOVERNOR

Wednesday, February 20, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-018 - Commercial Motor Vehicle Driving Age
Approved Wednesday, February 20, 2019 12:32 p.m.

SB 19-021 - Board of Health Approval for Legal Services
Approved Wednesday, February 20, 2019 12:32 p.m.

SB 19-028 - Allow On and Off Premises Beer Licenses Rural Areas
Approved Wednesday, February 20, 2019 12:32 p.m.

SB 19-045 - Clarify Radiation Advisory Committee Compensation
Approved Wednesday, February 20, 2019 12:32 p.m.

SB 19-058 - Enactment of CRS 2018
Wednesday, February 20, 2019 12:32 p.m.

Sincerely,
(signed)
Jared Polis
Governor

Appointment

A letter of designation and appointment from Governor Jared Polis was read and assigned to committee as follows:

January 22, 2019

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
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2022:

Stephen Wayne Laramore of Craig, Colorado, to serve a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary

After consideration on the merits, the Committee recommends that **SB19-085** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, strike lines 16 through 18.

Renumber succeeding subsection accordingly.

Page 5, line 10, strike "WORK," and substitute "WORK, REGARDLESS OF JOB TITLE, BASED ON A COMPOSITE OF SKILL; EFFORT, WHICH MAY INCLUDE CONSIDERATION OF SHIFT WORK; AND RESPONSIBILITY,".

Page 5, line 14, strike "OR".

Page 5, after line 16 insert:

"(IV) THE GEOGRAPHIC LOCATION WHERE THE WORK IS PERFORMED;
(V) EDUCATION, TRAINING, OR EXPERIENCE TO THE EXTENT THAT THEY ARE REASONABLY RELATED TO THE WORK IN QUESTION; OR
(VI) TRAVEL, IF THE TRAVEL IS A REGULAR AND NECESSARY CONDITION OF THE WORK PERFORMED;".

Page 7, line 5, strike "SIX" and substitute "THREE".

Page 7, after line 14 insert:

"(4) NOTHING IN THIS SECTION PREVENTS AN AGGRIEVED PERSON FROM FILING A CHARGE WITH THE COLORADO CIVIL RIGHTS DIVISION PURSUANT TO SECTION 24-34-306.".

Page 8, line 9, strike "NEED" and substitute "SHALL".

Page 8, strike lines 10 and 11 and substitute "AWARD LIQUIDATED DAMAGES.".

Page 9, strike lines 15 through 19 and substitute "ALL EMPLOYEES.".

Page 9, line 21, strike "THE".

Page 11, strike lines 3 through 11 and substitute:

"**SECTION 9. Act subject to petition - effective date - applicability.** (1) This act takes effect January 1, 2021; 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 2020 and, in such case, will take effect January 1, 2021, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 21, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1106.

The House has passed on Third Reading and returns herewith SBs19-042, 039.

MESSAGE FROM THE REVISOR OF STATUTES

February 21, 2019

We herewith transmit:

Without comment, as amended, HB19-1106.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-145 by Senator(s) Todd; also Representative(s) Valdez A.--Concerning the continuation of the regulation of dialysis care by the department of public health and environment.
Health & Human Services

SB19-146 by Senator(s) Pettersen; also Representative(s) Kennedy--Concerning the continuation of the regulation by the department of public health and environment of entities that provide home care services, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Health & Human Services

SB19-147 by Senator(s) Hisey and Sonnenberg, Coram, Donovan, Ginal; also Representative(s) Valdez D.--Concerning the continuation of the seed potato act, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Agriculture & Natural Resources

SB19-148 by Senator(s) Hisey and Sonnenberg, Coram, Donovan, Ginal; also Representative(s) Valdez D.--Concerning the continuation of the seed potato advisory committee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Agriculture & Natural Resources

SB19-149 by Senator(s) Garcia and Marble, Court, Fields, Foote; also Representative(s) Froelich--Concerning the continuation of the Colorado human trafficking council.
State, Veterans, & Military Affairs

SB19-150 by Senator(s) Donovan and Sonnenberg, Coram; also Representative(s) Buentello--Concerning the continuation of the regulation of public livestock markets, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Agriculture & Natural Resources

SB19-151 by Senator(s) Bridges; --Concerning the continuation of the emergency planning subcommittee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Local Government

SB19-152 by Senator(s) Williams A.; --Concerning the continuation of the public safety communications subcommittee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Local Government

SB19-153 by Senator(s) Fields; also Representative(s) Kipp--Concerning the continuation of the Colorado podiatry board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Health & Human Services

SB19-154 by Senator(s) Court, Fields; also Representative(s) Sirota--Concerning the continuation of the regulation of psychiatric technicians by the state board of nursing, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
State, Veterans, & Military Affairs

SB19-155 by Senator(s) Williams A. and Priola; --Concerning the continuation of the state board of accountancy, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Business, Labor, & Technology

SB19-156 by Senator(s) Rodriguez; also Representative(s) Sullivan--Concerning the continuation of the state electrical board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Business, Labor, & Technology

SB19-157 by Senator(s) Winter; also Representative(s) Cutter--Concerning the continuation of the fire suppression programs of the division of fire prevention and control in the department of public safety, and, in connection therewith, implementing the recommendation contained in the 2018 sunset report by the department of regulatory agencies.
Local Government

SB19-158 by Senator(s) Ginal; also Representative(s) Froelich--Concerning the continuation of the "Pet Animal Care and Facilities Act", and, in connection therewith, implementing some of the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.
Local Government

SB19-159 by Senator(s) Bridges and Donovan, Crowder, Ginal, Williams A.; also Representative(s) McCluskie--Concerning the continuation of the passenger tramway safety board, and, in connection therewith, implementing some of the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Local Government

SB19-160 by Senator(s) Winter, Donovan; also Representative(s) McCluskie--Concerning the continuation of the river outfitter licensing program.
Agriculture & Natural Resources

SB19-161 by Senator(s) Bridges and Story, Lundeen, Hill, Todd; also Representative(s) Kipp--Concerning the continuation of the state advisory council for parent involvement in education, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Education

SB19-162 by Senator(s) Coram, Danielson, Donovan, Sonnenberg; also Representative(s) McCluskie-Concerning the continuation of the river outfitter advisory committee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Agriculture & Natural Resources

SB19-163 by Senator(s) Pettersen; also Representative(s) Galindo--Concerning the continuation of the cold case task force, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Judiciary

SB19-164 by Senator(s) Todd and Crowder; also Representative(s) Mullica--Concerning the continuation of in-home support services within the "Colorado Medical Assistance Act", and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Health & Human Services

SB19-165 by Senator(s) Rodriguez; --Concerning the membership of the state board of parole.
Judiciary

SB19-166 by Senator(s) Fields and Gardner; also Representative(s) Roberts--Concerning the P.O.S.T. board revoking the certification of a peace officer who is found to have made an untruthful statement.
Judiciary

HB19-1032 by Representative(s) Lontine and Caraveo; also Senator(s) Todd and Coram--Concerning comprehensive human sexuality education, and, in connection therewith, making an appropriation.
Health & Human Services

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 24, 2019

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
STATE HOUSING BOARD

for terms expiring January 31, 2023:

Anthea Teresa Martin of Denver, Colorado to serve, a Democrat and resident of the First Congressional District, reappointed;

Brian Arnold of Aurora, Colorado, an Unaffiliated member and resident of the Sixth Congressional District, appointed;

Raymond Timothy Hudner of Grand Junction, Colorado, a Republican and resident of the Third Congressional District, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on Local Government

January 18, 2019

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, 2022:

Erik Mohrlang of Fort Morgan, Colorado, to represent the confinement cattle industry, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 22, 2019

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 STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for terms expiring July 7, 2018:

Jenifer Louise Hufman of Dolores, Colorado, to serve as a person employed as an educator in a high school in a rural district, and occasioned by the resignation of Tonya Covarrubias of Brighton, Colorado, appointed;

Darren Louis Spreeuw of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, reappointed;

for terms expiring July 7, 2019:

Rebecca F. Holmes of Denver, Colorado, to serve as a person from the community who has interest or experience in education, reappointed;

Bryan David Yates of Buena Vista, Colorado, to serve as a person from the community who has an interest or experience in education, and occasioned by the resignation of Ledy Garcia Eckstein, reappointed;

Genia Kei Herndon of Denver, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, reappointed;

Kristin Engel Waters, PhD of Denver, Colorado, to serve as a person employed as an educator at a high school an occasioned by the resignation of Sean Precious of Denver, Colorado, appointed;

for a term expiring July 7, 2020:

Jenifer Louise Hufman of Dolores, Colorado, to serve as a person employed as an educator in a high school in a rural district, reappointed.

James Nickel Thurman of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, appointed;

Elizabeth M. Palmquist of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, appointed;

Stephanie Flynn James, PhD, MBA of Broomfield, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Education

January 24, 2019

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, 2022:

Sarah R. Williamson, CFP, CIMA, CDFA of Denver, Colorado, reappointed;

David Andrew Simon of Cherry Hills Village, Colorado, appointed;

Kirk Mielenz of Littleton, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on Education

January 22, 2019

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
STATE BOARD OF PAROLE

effective August 20, 2018 for a term expiring July 1, 2019:

Alexandra Jennifer Walker of Sedalia, Colorado, to serve an interim vice chair, and occasioned by the change in designation of Rebecca Oakes of Denver, Colorado, appointed;

effective August 20, 2018 for a term expiring July 1, 2021:

Kristen Hilkey of Arvada, Colorado, to serve as a law enforcement representative, and as Chair, and occasioned by the change in designation of Joe Morales of Parker, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Judiciary

January 22, 2019

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 TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring on June 30, 2021:

Theresa Marie Chase, MA, ND, RN, Grand Jct. appointed;

Kenneth Anderson Scott, MPH, PhD of Denver, Colorado, appointed;

Victoria Ortega, JD of Denver, Colorado, appointed;

Thomas McCause of Fruita, Colorado, appointed;

Shannon Leigh Henrich of Grand Junction, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Health & Human Services

January 18, 2019

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:

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for terms expiring July 1, 2021:

Patrice Suzanne Campbell, SRA of Grand Junction, Colorado, to serve as a real estate appraiser with expertise in eminent domain matters, appointed;

Harrietta Irene Sanders of Denver, Colorado, to serve as a member of the pubic, appointed;

Joshua H. Walitt, SRA, MNAA, CDEI of Grand Junction, to serve as a representative of appraisal management companies, appointed;

Matthew J. Salazar of Centennial, Colorado, to serve as a representative of commercial banking, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 22, 2019

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
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2020:

Honorable Gilbert Ortiz of Pueblo, Colorado, to serve as a representative of local government, and occasioned by the resignation of Honorable Lew Gaiter III of Fort Collins, Colorado, appointed.

for a term expiring June 1, 2021:

Mary Kay Hogan of Denver, Colorado, to serve as a representative of the private sector, reappointed;

for a term expiring June 1, 2022:

Hannah Parsons of Colorado Springs, Colorado, to serve as a representative of the private sector, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 24, 2019

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
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2022:

Jana Beth Milford of Boulder, Colorado, to serve as a person with appropriate scientific and legal experience, reappointed.

Elise Sarah Jones of Boulder, Colorado, to serve as a person with appropriate technical and private sector experience, occasioned by the resignation of William R. Toor of Boulder, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on Transportation & Energy

January 24, 2019

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:

Ajay Menon, PhD of Fort Collins, Colorado, to serve as a representative of statewide chamber of commerce and as an Unaffiliated, and occasioned by the resignation of Ulysses J. Chaney of Colorado Springs, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on State, Veterans, & Military Affairs

January 22, 2019

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 HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Ellen S. Roberts of Durango, Colorado, appointed;

for terms expiring July 1, 2021:

Donna Lynne of Denver, Colorado, appointed:

Stephen Forrest Sturm of Denver, Colorado, appointed;

Tamra Joyce Ward of Denver, Colorado, reappointed;

Cathey McClain Finlon of Denver, Colorado, reappointed;

Ann Alexander Pritzlaff of Denver, Colorado, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Local Government

January 31, 2019

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
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2020:

Auden Schendler of Basalt, Colorado, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Megan Elyse Garvey of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/4/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation & Energy

February 7, 2019

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 appoint and submit to your consideration, the following:

MEMBER OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Gregory L. Moore of Golden Colorado, representing state financial expertise, occasioned by the resignation of Albert C. Yates of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/11/2019
Andrew Carpenter, Senate Reader

Committee on State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, and 127; HB19-1011, 1014, 1036, 1060.

On motion of Senator Moreno, the Senate adjourned until 9:00 a.m., Friday, February 22, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

50th Legislative Day Friday, February 22, 2019

Prayer — By the chaplain, Pastor Marlon Saunders, Heritage Christian Center, Aurora

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Rankin.

Reading of the Journal — On motion of Senator Woodward, reading of the Journal of Thursday, February 21, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

CHANGE IN COMMITTEE ASSIGNMENT

Upon announcement of President Garcia, the appointment of Gregory L. Moore to the State Historical Society Board of Directors was reassigned to the Committee on Local Government, instead of the Committee on State, Veterans, & Military Affairs.

SENATE SERVICES REPORT

Correctly Printed: SB19-145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, and 166.
Correctly Reengrossed: SB19-041 and 076.
Correctly Rerevised: HB19-1071 and 1082.
Correctly Enrolled: SB19-039 and 042.

COMMITTEE OF REFERENCE REPORTS

Education — After consideration on the merits, the Committee recommends that **SB19-097** 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 3, line 2, strike "**definitions.**" and substitute "**definitions - repeal.**".

Page 3, line 14, after "PROVIDE" insert "UP TO FOUR MILLION DOLLARS EACH FISCAL YEAR IN".

Page 3, line 20, after "DEPARTMENT." insert "IF MORE THAN ONE GRANT APPLICATION IS SUBMITTED DURING ANY YEAR, ON OR BEFORE JULY 30, THE AREA TECHNICAL COLLEGES SHALL JOINTLY SUBMIT TO THE DEPARTMENT A LIST OF THE GRANTS IN PRIORITIZED ORDER.".

Page 3, line 25, strike "REQUEST." and substitute "REQUEST, AND, IF THE COMMISSION INCLUDES MORE THAN ONE GRANT IN ITS REQUEST, THE COMMISSION SHALL PRIORITIZE THE REQUESTS.".

Page 4, after line 18 insert:
"(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.".

Education After consideration on the merits, the Committee recommends that **HB19-1059** 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 **HB19-1100** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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:

HB19-1012 by Representative(s) Beckman and Valdez A., Roberts; also Senator(s) Fields, Sonnenberg, Story--Concerning the flexibility of the department of personnel to administer the payment of controlled maintenance projects from the proceeds of lease-purchase agreements executed pursuant to Senate Bill 17-267.

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

HB19-1020 by Representative(s) Roberts and Beckman, Valdez A.; also Senator(s) Fields and Story, Sonnenberg--Concerning the clarification of certain administrative matters of the capital development committee.

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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1012, HB19-1020.

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, and Senator Moreno 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:

SB19-090 by Senator(s) Scott, Donovan; also Representative(s) Gray--Concerning the operation of peer-to-peer motor vehicle sharing businesses.

Laid over until Monday, February 25, retaining its place on the calendar.

HB19-1033 by Representative(s) Tipper and Kennedy; also Senator(s) Fields and Priola--Concerning a local government's authority to regulate products containing nicotine.

Amendment No. 1(L.005), by Senator Bridges.

Amend reengrossed bill, page 5, strike lines 1 through 7 and substitute "to the state treasurer. In order to qualify for distributions of state income tax ~~moneys~~ MONEY, units of local government are prohibited from imposing ~~fees, licenses, or~~ taxes on any person as a condition for engaging in the business of selling cigarettes. ~~or from attempting in any manner to impose a tax on cigarettes.~~ For purposes of this ~~paragraph (a)~~ SUBSECTION (1)(a)(II), the "gross state cigarette tax" means the total tax before the discount provided for in section 39-28-104 (1) FOR ANY CITY, TOWN, OR".

Page 5, line 10, strike "FEE, LICENSE, OR TAX" and substitute "FEE OR LICENSE".

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

HB19-1034 by Representative(s) Sullivan and Esgar; also Senator(s) Danielson--Concerning a requirement that a common carrier engaged in the transportation of property by railroad have at least two crew members aboard a freight train while the freight train is moving.

Amendment No. (L.006), by Senator Danielson.

Amend reengrossed bill, page 3, strike lines 6 through 8 and substitute:

"(b) TRAINS THAT ARE USED PRIMARILY FOR THE PURPOSE OF TRANSPORTING PEOPLE FROM ONE LOCATION TO ANOTHER OR ARE USED FOR TOURISM PURPOSES SUCH AS SCENIC, HISTORIC, OR".

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

HB19-1034 by Representative(s) Sullivan and Esgar; also Senator(s) Danielson--Concerning a requirement that a common carrier engaged in the transportation of property by railroad have at least two crew members aboard a freight train while the freight train is moving.

Senators Crowder and Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Crowder floor amendment, (L.008) to HB 19-1034, did pass.

Amend reengrossed bill, page 3, line 13, strike "AND".

Page 3, line 16, strike "HOUR." and substitute "HOUR; AND

(f) TRAINS OPERATED BY A CLASS II CARRIER, AS THAT TERM IS DEFINED IN 49 CFR 1201.1-1 PURSUANT TO THE FEDERAL SURFACE TRANSPORTATION BOARD'S AUTHORITY UNDER 49 U.S.C. SEC. 20102 (1).".

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	19	EXCUSED	1	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	E	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1033 as amended, HB19-1034 as amended.
Laid over until Monday, February 25: SB19-090.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, February 22, was laid over until Monday, February 25, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB19-113, SB19-128, SB19-111.

COMMITTEE OF REFERENCE REPORTS

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-133** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 24, strike lines 6 through 15 and substitute:

"**SECTION 5.** In Colorado Revised Statutes, **add to title 12 as repealed and reenacted by House Bill 19-1172** article 228 as follows:

ARTICLE 228

Genetic Counselor Licensure Act

12-228-101. Short title. THE SHORT TITLE OF THIS ARTICLE 228 IS THE "GENETIC COUNSELOR LICENSURE ACT".

12-228-102. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY:

(a) FINDS THAT THERE IS A PUBLIC NEED FOR RELIABLE AND AFFORDABLE GENETIC COUNSELING SERVICES PROVIDED BY READILY IDENTIFIABLE AND COMPETENT PRACTITIONERS;

(b) DETERMINES THAT A LICENSURE REQUIREMENT IS NECESSARY TO MEET THIS PUBLIC NEED, INCLUDING A DEFINED SCOPE OF PRACTICE

AND TITLE PROTECTION FOR LICENSED GENETIC COUNSELORS TO ASSURE CONSUMERS THE RIGHT TO CHOOSE THOSE FROM WHOM THEY RECEIVE INFORMATION AND ADVICE; AND

(c) DECLARES THAT:

(I) ITS INTENT IN ENACTING THIS ARTICLE 228 IS TO ESTABLISH MINIMUM STANDARDS OF EDUCATION, EXPERIENCE, AND EXAMINATION FOR PROFESSIONAL GENETIC COUNSELORS SO THAT THE PUBLIC CAN READILY IDENTIFY THOSE WHO MEET THESE MINIMUM STANDARDS; AND

(II) ENACTMENT OF THIS ARTICLE 228 WILL PROTECT THE HEALTH OF THE PUBLIC BY BROADENING AFFORDABLE ACCESS TO APPROPRIATE AND RELIABLE GENETIC COUNSELING.

12-228-103. Applicability of common provisions. ARTICLES 1, 20, AND 30 OF THIS TITLE 12 APPLY, ACCORDING TO THEIR TERMS, TO THIS ARTICLE 228.

12-228-104. Definitions. AS USED IN THIS ARTICLE 228, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ABGC" MEANS THE AMERICAN BOARD OF GENETIC COUNSELING OR AN ORGANIZATION THAT THE DIRECTOR RECOGNIZES AS BEING EQUIVALENT TO, OR A PREDECESSOR OR SUCCESSOR OF, THE ABGC.

(2) "ABMGG" MEANS THE AMERICAN BOARD OF MEDICAL GENETICS AND GENOMICS OR AN ORGANIZATION THAT THE DIRECTOR RECOGNIZES AS BEING EQUIVALENT TO, OR A PREDECESSOR OR SUCCESSOR OF, THE ABMGG.

(3) "ACGC" MEANS THE ACCREDITATION COUNCIL FOR GENETIC COUNSELING OR AN ORGANIZATION THAT THE DIRECTOR RECOGNIZES AS BEING EQUIVALENT TO, OR A PREDECESSOR OR SUCCESSOR OF, THE ACGC.

(4) "ACTIVE CANDIDATE STATUS" OR "ACS" MEANS THAT A PERSON IN AN ACS-ELIGIBLE APPLICANT CATEGORY HAS SUPPLIED THE ABGC WITH ALL DOCUMENTATION REQUIRED TO TAKE THE ABGC'S CERTIFICATION EXAMINATION AND HAS BEEN APPROVED BY THE ABGC TO TAKE THE EXAMINATION IN A SPECIFIC CYCLE.

(5) "GENETIC COUNSELING" INCLUDES THE FOLLOWING ACTIVITIES:

(a) OBTAINING AND INTERPRETING INDIVIDUAL, FAMILY, MEDICAL, AND DEVELOPMENT HISTORIES;

(b) DETERMINING THE MODE OF INHERITANCE AND RISK OF TRANSMISSION OF GENETIC CONDITIONS;

(c) DISCUSSING THE INHERITANCE, FEATURES, NATURAL HISTORY, AND MEANS OF DIAGNOSIS OF GENETIC CONDITIONS;

(d) IDENTIFYING, COORDINATING, ORDERING, AND EXPLAINING GENETIC LABORATORY TESTS AND OTHER DIAGNOSTIC STUDIES;

(e) ASSESSING PSYCHOSOCIAL FACTORS AND RECOGNIZING SOCIAL, EDUCATIONAL, AND CULTURAL ISSUES;

(f) EVALUATING THE CLIENT'S OR THE CLIENT'S FAMILY'S RESPONSES TO THE GENETIC CONDITION OR RISK OF RECURRENCE OF A GENETIC CONDITION AND PROVIDING CLIENT-CENTERED COUNSELING AND ANTICIPATORY GUIDANCE;

(g) COMMUNICATING GENETIC INFORMATION TO CLIENTS;

(h) FACILITATING INFORMED DECISION-MAKING ABOUT TESTING AND MANAGEMENT ALTERNATIVES;

(i) IDENTIFYING AND UTILIZING COMMUNITY RESOURCES THAT PROVIDE MEDICAL, EDUCATIONAL, FINANCIAL, AND PSYCHOSOCIAL SUPPORT AND ADVOCACY; AND

(j) PROVIDING ACCURATE WRITTEN DOCUMENTATION OF MEDICAL, GENETIC, AND COUNSELING INFORMATION FOR CLIENTS, THEIR FAMILIES, AND HEALTH CARE PROFESSIONALS.

(6) "GENETIC COUNSELOR" OR "LICENSEE" MEANS AN INDIVIDUAL WHO IS LICENSED PURSUANT TO THIS ARTICLE 228 TO PRACTICE GENETIC COUNSELING.

(7) "NSGC" MEANS THE NATIONAL SOCIETY OF GENETIC COUNSELORS OR AN ORGANIZATION THAT THE DIRECTOR RECOGNIZES AS BEING EQUIVALENT TO, OR A PREDECESSOR OR SUCCESSOR OF, THE NSGC.

12-228-105. Use of titles restricted. ON AND AFTER JUNE 1, 2020, ONLY A PERSON LICENSED AS A GENETIC COUNSELOR UNDER THIS ARTICLE 228 MAY USE THE TITLE OR ABBREVIATION "GENETIC COUNSELOR", "LICENSED GENETIC COUNSELOR", "L.G.C.", "GENE

COUNSELOR", "GENETIC CONSULTANT", "GENETIC ASSOCIATE", OR ANY COMBINATION OF THESE TERMS OR ABBREVIATIONS OR ANY OTHER GENERALLY ACCEPTED TERMS, LETTERS, OR FIGURES THAT INDICATE THAT THE PERSON IS A GENETIC COUNSELOR.

12-228-106. License required. ON AND AFTER JUNE 1, 2020, EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE 228, A PERSON SHALL NOT ENGAGE IN THE PRACTICE OF GENETIC COUNSELING OR REPRESENT THAT THE PERSON IS ABLE TO PRACTICE GENETIC COUNSELING IN THIS STATE WITHOUT POSSESSING A VALID LICENSE ISSUED BY THE DIRECTOR IN ACCORDANCE WITH THIS ARTICLE 228 AND RULES ADOPTED PURSUANT TO THIS ARTICLE 228.

12-228-107. Licensure of genetic counselors - application - qualifications - renewal - continuing education - fees - rules. (1) **Educational and experiential requirements.** (a) EVERY APPLICANT FOR A LICENSE AS A GENETIC COUNSELOR MUST:

(I) EXCEPT AS SPECIFIED IN SUBSECTION (1)(b) OF THIS SECTION, PROVIDE SATISFACTORY EVIDENCE TO THE DIRECTOR OF CERTIFICATION AS A GENETIC COUNSELOR BY THE ABGC OR ABMGG; AND

(II) SUBMIT AN APPLICATION AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(b) THE DIRECTOR SHALL ESTABLISH, BY RULE, REQUIREMENTS FOR ISSUING A PROVISIONAL LICENSE TO PRACTICE GENETIC COUNSELING TO A CANDIDATE FOR LICENSURE WHO HAS BEEN GRANTED ACTIVE CANDIDATE STATUS BY THE ABGC. THE RULES MUST ADDRESS AT LEAST THE FOLLOWING:

(I) THE TERMS OF, RENEWAL OF, AND FEES FOR PROVISIONAL LICENSES;

(II) WHETHER A GENETIC COUNSELOR WORKING PURSUANT TO A PROVISIONAL LICENSE MUST BE UNDER THE GENERAL SUPERVISION OF A LICENSED HEALTH CARE PROVIDER AND, IF SO, BY WHOM AND UNDER WHAT CONDITIONS; AND

(III) THE AUTOMATIC EXPIRATION OF A PROVISIONAL LICENSE UPON A SECOND FAILURE TO PASS A CERTIFICATION EXAMINATION.

(2) **Application.** (a) IF AN APPLICANT HAS FULFILLED THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION, THE APPLICANT MAY APPLY FOR LICENSURE UPON PAYMENT OF A LICENSE APPLICATION FEE IN AN AMOUNT DETERMINED BY THE DIRECTOR.

(b) THE APPLICATION MUST BE IN THE FORM AND MANNER DESIGNATED BY THE DIRECTOR.

(3) **Licensure.** IF AN APPLICANT HAS FULFILLED THE REQUIREMENTS OF SUBSECTIONS (1) AND (2) OF THIS SECTION, THE DIRECTOR SHALL ISSUE A LICENSE OR, AS APPROPRIATE, A PROVISIONAL LICENSE TO THE APPLICANT; EXCEPT THAT THE DIRECTOR MAY DENY A LICENSE IF THE APPLICANT HAS COMMITTED ANY ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY ACTION PURSUANT TO SECTION 12-228-109.

(4) **License renewal - continuing education.** (a) THE GENETIC COUNSELOR MUST SUBMIT AN APPLICATION IN THE FORM AND MANNER DESIGNATED BY THE DIRECTOR AND MUST PAY A RENEWAL FEE IN AN AMOUNT DETERMINED BY THE DIRECTOR.

(b) ALL LICENSES ISSUED PURSUANT TO THIS ARTICLE 228 ARE SUBJECT TO THE RENEWAL, EXPIRATION, REINSTATEMENT, AND DELINQUENCY FEE PROVISIONS SPECIFIED IN SECTION 12-20-202 (1) AND (2). IF A GENETIC COUNSELOR FAILS TO RENEW THE GENETIC COUNSELOR'S LICENSE PURSUANT TO THE SCHEDULE ESTABLISHED BY THE DIRECTOR, THE LICENSE EXPIRES. A PERSON WHOSE LICENSE EXPIRES IS SUBJECT TO THE PENALTIES PROVIDED IN THIS ARTICLE 228 OR SECTION 12-20-202 (1).

(c) APPLICANTS FOR LICENSE RENEWAL MUST SUBMIT PROOF OF HAVING COMPLETED THIRTY HOURS OF NSGC-APPROVED CONTINUING EDUCATION WITHIN THE PREVIOUS LICENSING PERIOD.

(5) **Fees.** ALL FEES COLLECTED PURSUANT TO THIS ARTICLE 228 SHALL BE DETERMINED, COLLECTED, AND APPROPRIATED IN THE MANNER SET FORTH IN SECTION 12-20-105.

12-228-108. Scope of article - exclusions. (1) THIS ARTICLE 228 DOES NOT PREVENT OR RESTRICT THE PRACTICE, SERVICES, OR ACTIVITIES OF:

(a) A PERSON LICENSED OR OTHERWISE REGULATED IN THIS STATE BY ANY OTHER LAW FROM ENGAGING IN THE PERSON'S PROFESSION OR OCCUPATION AS DEFINED IN THE LAW PURSUANT TO WHICH THE PERSON IS LICENSED OR OTHERWISE REGULATED, SPECIFICALLY INCLUDING

PERSONS LICENSED PURSUANT TO THE "COLORADO MEDICAL PRACTICE ACT", ARTICLE 240 OF THIS TITLE 12, AND ACTING AS NECESSARY, IN THE PERSON'S JUDGMENT, TO ENGAGE IN THE PRACTICE OF MEDICINE AS DEFINED IN SECTION 12-240-107 (1);

(b) A PERSON PURSUING A COURSE OF STUDY LEADING TO A DEGREE IN GENETIC COUNSELING OR AN EQUIVALENT DEGREE, AS AUTHORIZED BY THE DIRECTOR, FROM AN ACGC-ACCREDITED SCHOOL OR PROGRAM, IF:

(I) THE ACTIVITIES AND SERVICES CONSTITUTE A PART OF A SUPERVISED COURSE OF STUDY;

(II) THE PERSON IS DESIGNATED BY A TITLE THAT CLEARLY INDICATES THE PERSON'S STATUS AS A STUDENT;

(III) THE PERIOD OF SUPERVISED PRACTICE DOES NOT EXCEED TWO YEARS, UNLESS THE DIRECTOR PROVIDES WRITTEN APPROVAL; AND

(IV) THE PERSON IS SUPERVISED BY A GENETIC COUNSELOR OR A PHYSICIAN LICENSED PURSUANT TO ARTICLE 240 OF THIS TITLE 12;

(c) A PERSON WHO IS EMPLOYED BY THE UNITED STATES OR A STATE GOVERNMENT OR ANY OF ITS BUREAUS, DIVISIONS, OR AGENCIES WHILE IN THE DISCHARGE OF THE PERSON'S OFFICIAL DUTIES; OR

(d) AN INDIVIDUAL FROM ANOTHER STATE OR COUNTRY WHO IS CERTIFIED BY THE ABGC OR ABMGG AND IS NOT A LICENSED GENETIC COUNSELOR IN THIS STATE WHEN ENGAGING IN GENETIC COUNSELING ON BEHALF OF A TEMPORARILY ABSENT GENETIC COUNSELOR, IF THE UNLICENSED INDIVIDUAL IS ACTING IN ACCORDANCE WITH RULES ESTABLISHED BY THE DIRECTOR. THE UNLICENSED PRACTICE MUST NOT BE OF MORE THAN FOUR WEEKS' DURATION, AND A PERSON SHALL NOT UNDERTAKE UNLICENSED PRACTICE MORE THAN ONCE IN ANY TWELVE-MONTH PERIOD.

(2) (a) NOTHING IN THIS ARTICLE 228 AUTHORIZES A GENETIC COUNSELOR TO ENGAGE IN THE PRACTICE OF MEDICINE, AS DEFINED IN SECTION 12-240-107 (1), OR ANY OTHER FORM OF HEALING OR COUNSELING EXCEPT AS AUTHORIZED BY THIS ARTICLE 228.

(b) IF, IN THE COURSE OF PROVIDING GENETIC COUNSELING TO A CLIENT, A GENETIC COUNSELOR FINDS ANY INDICATION OF A DISEASE OR CONDITION THAT REQUIRES MEDICAL ASSESSMENT, THE GENETIC COUNSELOR SHALL REFER THE CLIENT TO A PHYSICIAN LICENSED TO PRACTICE MEDICINE PURSUANT TO ARTICLE 240 OF THIS TITLE 12.

12-228-109. Grounds for discipline - disciplinary proceedings - cease-and-desist orders - definitions. (1) THE DIRECTOR MAY TAKE DISCIPLINARY OR OTHER ACTION AGAINST A PERSON AS AUTHORIZED BY SECTION 12-20-404 IF THE DIRECTOR FINDS THAT THE PERSON HAS REPRESENTED THAT THE PERSON IS A GENETIC COUNSELOR AFTER THE EXPIRATION, SUSPENSION, OR REVOCATION OF THE PERSON'S LICENSE.

(2) THE DIRECTOR MAY TAKE DISCIPLINARY OR OTHER ACTION AUTHORIZED BY SECTION 12-20-404 AGAINST A LICENSEE UPON PROOF THAT THE LICENSEE:

(a) HAS ENGAGED IN A SEXUAL ACT WITH AN INDIVIDUAL RECEIVING SERVICES WHILE A THERAPEUTIC RELATIONSHIP EXISTED OR WITHIN SIX MONTHS IMMEDIATELY FOLLOWING TERMINATION OF THE THERAPEUTIC RELATIONSHIP. FOR THE PURPOSES OF THIS SUBSECTION (2)(a):

(I) "SEXUAL ACT" MEANS SEXUAL CONTACT, SEXUAL INTRUSION, OR SEXUAL PENETRATION, AS DEFINED IN SECTION 18-3-401.

(II) "THERAPEUTIC RELATIONSHIP" MEANS THE PERIOD BEGINNING WITH THE INITIAL EVALUATION AND ENDING UPON THE WRITTEN TERMINATION OF TREATMENT.

(b) HAS FALSIFIED INFORMATION IN AN APPLICATION OR HAS ATTEMPTED TO OBTAIN OR HAS OBTAINED A LICENSE BY FRAUD, DECEPTION, OR MISREPRESENTATION;

(c) IS AN EXCESSIVE OR HABITUAL USER OR ABUSER OF ALCOHOL OR HABIT-FORMING DRUGS OR IS A HABITUAL USER OF A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102 (5), OR OTHER DRUGS HAVING SIMILAR EFFECTS;

(d) (I) HAS FAILED TO NOTIFY THE DIRECTOR OF A PHYSICAL ILLNESS, PHYSICAL CONDITION, OR BEHAVIORAL OR MENTAL HEALTH DISORDER THAT IMPAIRS THE LICENSEE'S ABILITY TO PROVIDE GENETIC COUNSELING WITH REASONABLE SKILL AND SAFETY OR THAT MIGHT ENDANGER THE HEALTH OR SAFETY OF INDIVIDUALS RECEIVING THE COUNSELING;

(II) HAS FAILED TO ACT WITHIN THE LIMITATIONS CREATED BY A PHYSICAL ILLNESS, PHYSICAL CONDITION, OR BEHAVIORAL OR MENTAL HEALTH DISORDER THAT RENDERS THE PERSON UNABLE TO PRACTICE GENETIC COUNSELING WITH REASONABLE SKILL AND SAFETY OR THAT MIGHT ENDANGER THE HEALTH OR SAFETY OF PERSONS UNDER THE LICENSEE'S CARE; OR

(III) HAS FAILED TO COMPLY WITH THE LIMITATIONS AGREED TO UNDER A CONFIDENTIAL AGREEMENT ENTERED INTO PURSUANT TO SECTIONS 12-228-111 AND 12-30-108;

(e) HAS VIOLATED, OR AIDED OR ABETTED OR KNOWINGLY PERMITTED ANY PERSON TO VIOLATE, THIS ARTICLE 228, AN APPLICABLE PROVISION OF ARTICLE 20 OR 30 OF THIS TITLE 12, A RULE ADOPTED PURSUANT TO THIS ARTICLE 228, OR A LAWFUL ORDER OF THE DIRECTOR;

(f) HAS HAD A LICENSE, CERTIFICATION, OR REGISTRATION SUSPENDED OR REVOKED IN ANOTHER JURISDICTION FOR ACTIONS THAT WOULD VIOLATE THIS ARTICLE 228 OR WOULD CONSTITUTE GROUNDS FOR DISCIPLINE UNDER THIS SECTION IF COMMITTED IN COLORADO;

(g) HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO A FELONY. A CERTIFIED COPY OF THE JUDGMENT OF A COURT OF COMPETENT JURISDICTION OF THE CONVICTION OR PLEA IS CONCLUSIVE EVIDENCE OF THE CONVICTION OR PLEA. IN CONSIDERING THE DISCIPLINARY ACTION, THE DIRECTOR IS GOVERNED BY SECTIONS 12-20-202 (5) AND 24-5-101.

(h) HAS FRAUDULENTLY OBTAINED, FURNISHED, OR SOLD ANY GENETIC COUNSELING DIPLOMA, CERTIFICATE, LICENSE, OR RENEWAL OF A LICENSE OR OTHER PROFESSIONAL CREDENTIAL;

(i) HAS FAILED TO NOTIFY THE DIRECTOR OF THE SUSPENSION OR REVOCATION OF THE PERSON'S PAST OR CURRENTLY HELD LICENSE, CERTIFICATE, OR REGISTRATION REQUIRED TO PRACTICE GENETIC COUNSELING IN THIS OR ANY OTHER JURISDICTION;

(j) HAS REFUSED TO SUBMIT TO A MENTAL OR PHYSICAL EXAMINATION IF ORDERED BY THE DIRECTOR PURSUANT TO SECTION 12-228-110;

(k) HAS ENGAGED IN ANY OF THE FOLLOWING ACTIVITIES AND PRACTICES:

(I) ORDERING, WITHOUT CLINICAL JUSTIFICATION, DEMONSTRABLY UNNECESSARY LABORATORY TESTS OR STUDIES; OR

(II) AN ACT OR OMISSION THAT IS CONTRARY TO GENERALLY ACCEPTED STANDARDS OF GENETIC COUNSELING; OR

(l) HAS FAILED TO PROVIDE ADEQUATE OR PROPER SUPERVISION OF A PROVISIONALLY LICENSED GENETIC COUNSELOR OR ANY UNLICENSED PERSON IN THE PRACTICE OF GENETIC COUNSELING, IF REQUIRED BY RULE PURSUANT TO SECTION 12-228-107 (1)(b).

(3) THE DIRECTOR NEED NOT FIND THAT THE ACTIONS THAT ARE GROUNDS FOR DISCIPLINE PURSUANT TO SUBSECTION (2) OF THIS SECTION WERE WILLFUL BUT MAY CONSIDER WHETHER THE ACTIONS WERE WILLFUL WHEN DETERMINING THE NATURE OF DISCIPLINARY SANCTIONS TO BE IMPOSED.

(4) (a) THE DIRECTOR MAY COMMENCE A PROCEEDING TO DISCIPLINE A LICENSEE IF THE DIRECTOR HAS REASONABLE GROUNDS TO BELIEVE THAT THE LICENSEE HAS COMMITTED AN ACT ENUMERATED IN THIS SECTION.

(b) IN ANY PROCEEDING PURSUANT TO THIS SECTION, THE DIRECTOR MAY ACCEPT AS EVIDENCE OF GROUNDS FOR DISCIPLINARY ACTION AGAINST A LICENSEE ANY DISCIPLINARY ACTION TAKEN AGAINST THE LICENSEE IN ANOTHER JURISDICTION IF THE VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION IN THE OTHER JURISDICTION WOULD BE GROUNDS FOR DISCIPLINARY ACTION PURSUANT TO THIS ARTICLE 228.

(5) ACTIONS UNDER THIS SECTION ARE GOVERNED BY SECTION 12-20-403. DISCIPLINARY PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, AND THE HEARING AND OPPORTUNITY FOR REVIEW SHALL BE CONDUCTED PURSUANT TO THAT ARTICLE BY THE DIRECTOR OR BY AN ADMINISTRATIVE LAW JUDGE, AT THE DIRECTOR'S DISCRETION. THE DIRECTOR HAS THE AUTHORITY TO EXERCISE ALL POWERS AND DUTIES CONFERRED BY THIS ARTICLE 228 DURING THE DISCIPLINARY PROCEEDINGS.

(6) THE DIRECTOR MAY:

(a) ISSUE A LETTER OF ADMONITION UNDER THE CIRCUMSTANCES SPECIFIED IN AND IN ACCORDANCE WITH SECTION 12-20-404 (4);

(b) SEND A LICENSEE A CONFIDENTIAL LETTER OF CONCERN UNDER THE CIRCUMSTANCES SPECIFIED IN SECTION 12-20-404 (5).

(7) THE DIRECTOR MAY ISSUE CEASE-AND-DESIST ORDERS UNDER THE CIRCUMSTANCES AND IN ACCORDANCE WITH THE PROCEDURES SPECIFIED IN SECTION 12-20-405.

(8) A FINAL ACTION OF THE DIRECTOR IS SUBJECT TO JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 12-20-408.

12-228-110. Mental and physical examination of licensees. (1) IF THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A LICENSEE IS UNABLE TO PRACTICE WITH REASONABLE SKILL AND SAFETY, THE DIRECTOR MAY ORDER THE LICENSEE TO TAKE A MENTAL OR PHYSICAL EXAMINATION ADMINISTERED BY A HEALTH CARE PROVIDER DESIGNATED BY THE DIRECTOR. EXCEPT WHERE DUE TO CIRCUMSTANCES BEYOND THE LICENSEE'S CONTROL, IF THE LICENSEE FAILS OR REFUSES TO UNDERGO A MENTAL OR PHYSICAL EXAMINATION, THE DIRECTOR MAY SUSPEND THE GENETIC COUNSELOR'S LICENSE UNTIL THE DIRECTOR HAS MADE A DETERMINATION OF THE LICENSEE'S FITNESS TO PRACTICE. THE DIRECTOR SHALL PROCEED WITH AN ORDER FOR EXAMINATION AND SHALL MAKE A DETERMINATION IN A TIMELY MANNER.

(2) IN AN ORDER REQUIRING A LICENSEE TO UNDERGO A MENTAL OR PHYSICAL EXAMINATION, THE DIRECTOR SHALL STATE THE BASIS OF THE DIRECTOR'S REASONABLE CAUSE TO BELIEVE THAT THE LICENSEE IS UNABLE TO PRACTICE WITH REASONABLE SKILL AND SAFETY. FOR PURPOSES OF A DISCIPLINARY PROCEEDING AUTHORIZED PURSUANT TO THIS ARTICLE 228, THE LICENSEE IS DEEMED TO HAVE WAIVED ALL OBJECTIONS TO THE ADMISSIBILITY OF THE EXAMINING HEALTH CARE PROVIDER'S TESTIMONY OR EXAMINATION REPORTS ON THE GROUNDS THAT THEY ARE PRIVILEGED COMMUNICATIONS.

(3) THE LICENSEE MAY SUBMIT TO THE DIRECTOR TESTIMONY OR EXAMINATION REPORTS FROM A HEALTH CARE PROFESSIONAL CHOSEN BY THE LICENSEE AND PERTAINING TO ANY CONDITION THAT THE DIRECTOR HAS ALLEGED MAY PRECLUDE THE LICENSEE FROM PRACTICING WITH REASONABLE SKILL AND SAFETY. THE DIRECTOR MAY CONSIDER THE TESTIMONY AND REPORTS SUBMITTED BY THE LICENSEE IN CONJUNCTION WITH, BUT NOT IN LIEU OF, TESTIMONY AND EXAMINATION REPORTS OF THE HEALTH CARE PROVIDER DESIGNATED BY THE DIRECTOR.

(4) THE RESULTS OF A MENTAL OR PHYSICAL EXAMINATION ORDERED BY THE DIRECTOR SHALL NOT BE USED AS EVIDENCE IN ANY PROCEEDING OTHER THAN ONE BEFORE THE DIRECTOR, ARE NOT A PUBLIC RECORD, AND SHALL NOT BE MADE AVAILABLE TO THE PUBLIC.

12-228-111. Confidential agreement to limit practice. (1) EXCEPT AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION, SECTION 12-30-108 CONCERNING CONFIDENTIAL AGREEMENTS TO LIMIT PRACTICE APPLIES TO THIS ARTICLE 228.

(2) THIS SECTION AND SECTION 12-30-108 DO NOT APPLY TO A LICENSEE SUBJECT TO DISCIPLINE FOR PROHIBITED ACTIVITIES AS DESCRIBED IN SECTION 12-228-109 (2)(c).

12-228-112. Professional liability insurance required - rules. (1) A PERSON SHALL NOT PRACTICE GENETIC COUNSELING UNLESS THE PERSON PURCHASES AND MAINTAINS, OR IS COVERED BY, PROFESSIONAL LIABILITY INSURANCE IN AN AMOUNT DETERMINED BY THE DIRECTOR BY RULE THAT COVERS ALL ACTS WITHIN THE SCOPE OF PRACTICE OF THE GENETIC COUNSELOR.

(2) THIS SECTION DOES NOT APPLY TO A GENETIC COUNSELOR WHO IS A PUBLIC EMPLOYEE ACTING WITHIN THE COURSE AND SCOPE OF THE PUBLIC EMPLOYEE'S DUTIES AND WHO IS GRANTED IMMUNITY PURSUANT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24.

12-228-113. Unauthorized practice. A PERSON WHO PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE GENETIC COUNSELING WITHOUT AN ACTIVE LICENSE ISSUED PURSUANT TO THIS ARTICLE 228 IS SUBJECT TO PENALTIES PURSUANT TO SECTION 12-20-407 (1)(b).

12-228-114. Rule-making authority. THE DIRECTOR SHALL PROMULGATE RULES PURSUANT TO SECTION 12-20-204.

12-228-115. Repeal of article - review of functions. THIS ARTICLE 228 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026. BEFORE THE REPEAL, THE DIRECTOR'S POWERS, DUTIES, AND FUNCTIONS PURSUANT TO THIS ARTICLE 228 ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

SECTION 6. In Colorado Revised Statutes, 12-20-404, **add as relocated by House Bill 19-1172** (1)(c)(II)(D.5) as follows:

12-20-404. Disciplinary actions - regulator powers - disposition of fines. (1) **General disciplinary authority.** If a regulator determines that an applicant, licensee, certificate holder, or registrant has committed an act or engaged in conduct that constitutes grounds for discipline or unprofessional conduct under a part or article of this title 12 governing the particular profession or occupation, the regulator may:

(c) (II) A regulator is not authorized under this subsection (1)(c) to impose a fine on a licensee, certificate holder, or registrant regulated under the following:

(D.5) ARTICLE 228 OF THIS TITLE 12 CONCERNING GENETIC COUNSELORS;

SECTION 7. In Colorado Revised Statutes, 12-20-407, **add as relocated by House Bill 19-1172** (1)(b)(II.5) as follows:

12-20-407. Unauthorized practice of profession or occupation - penalties - exclusions. (1) (b) A person commits a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501 for the first offense and, for the second or any subsequent offense, commits a class 1 misdemeanor and shall be punished as provided in section 18-1.3-501, if the person engages in any of the following activities:

(II.5) PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE GENETIC COUNSELING WITHOUT AN ACTIVE LICENSE ISSUED PURSUANT TO ARTICLE 228 OF THIS TITLE 12;

SECTION 8. In Colorado Revised Statutes, 12-30-102, **amend as relocated by House Bill 19-1172** (3)(a)(XXVIII) and (3)(a)(XXIX); and **add as relocated by House Bill 19-1172** (3)(a)(XXX) as follows:

12-30-102. Medical transparency act of 2010 - disclosure of information about health care licensees - fines - rules - short title - legislative declaration - repeal. (3) (a) As used in this section, "applicant" means a person applying for a new, active license, certification, or registration or to renew, reinstate, or reactivate an active license, certification, or registration to practice:

(XXVIII) As a surgical assistant or surgical technologist pursuant to article 310 of this title 12; ~~and~~

(XXIX) Naturopathic medicine pursuant to article 250 of this title 12; AND

(XXX) GENETIC COUNSELING PURSUANT TO ARTICLE 228 OF THIS TITLE 12.

SECTION 9. In Colorado Revised Statutes, 12-245-217, **amend as relocated by House Bill 19-1172** (2) introductory portion and (2)(f); and **add as relocated by House Bill 19-1172** (2)(g) as follows:

12-245-217. Scope of article - exemptions. (2) ~~The provisions of~~ This article 245 ~~shall~~ DOES not apply to:

(f) A professional coach, including a life coach, executive coach, personal coach, or business coach, who has had coach-specific training and who serves clients exclusively as a coach, as long as the professional coach does not engage in the practice of psychology, social work, marriage and family therapy, licensed professional counseling, psychotherapy, or addiction counseling, as those practices are defined in this article 245; OR

(b) A GENETIC COUNSELOR WHO IS LICENSED PURSUANT TO ARTICLE 228 OF THIS TITLE 12.

SECTION 10. Act subject to petition - effective date. (1) Except as otherwise provided in subsection (2) of this section, 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Sections 5 through 9 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 5 through 9 take effect October 1, 2019.".

Renumber succeeding subsection accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1044** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, lines 10 and 11, strike "OR PERSON ENTITLED TO A PORTION OF THE ADULT'S ESTATE," and substitute "PERSON WHO AT THE TIME OF THE ADULT'S SIGNATURE HAS A CLAIM AGAINST ANY PORTION OF THE ADULT'S ESTATE AT THE TIME OF THE ADULT'S DEATH, OR PERSON WHO KNOWS OR BELIEVES THAT HE OR SHE HAS AN ENTITLEMENT TO ANY PORTION OF THE ADULT'S ESTATE AT THE TIME OF THE ADULT'S DEATH EITHER AS A BENEFICIARY OF A WILL THAT EXISTS AT THE TIME OF THE ADULT'S SIGNATURE OR AS AN HEIR AT LAW,".

Page 5, after line 23 insert:

"(10) "SOUND MIND" MEANS THE ABILITY TO PROVIDE INFORMED CONSENT TO OR REFUSAL OF BEHAVIORAL HEALTH TREATMENT OR THE ABILITY TO MAKE AN INFORMED BEHAVIORAL HEALTH CARE BENEFIT DECISION.".

Page 7, after line 17 insert:

"(4) A BEHAVIORAL HEALTH ORDERS FORM MAY BE ADMISSIBLE IN A HEARING PURSUANT TO SECTION 27-65-111 FOR THE PURPOSE OF ESTABLISHING THE ADULT'S BEHAVIORAL HEALTH TREATMENT, MEDICATION, AND ALTERNATIVE TREATMENT HISTORY, DECISIONS, AND PREFERENCES TO BE MADE ON BEHALF OF THE ADULT DURING AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT AUTHORIZED PURSUANT TO STATE LAW.

(5) NOTHING IN THIS PART 2 MEANS THAT AN ADULT WHO HAS EXECUTED A BEHAVIORAL HEALTH ORDERS FORM HAS WAIVED THE RIGHT TO A HEARING BEFORE THE COURT OR JURY PURSUANT TO SECTION 27-65-111.

(6) NOTHING IN THIS PART 2 MEANS THAT AN ADULT WHO HAS EXECUTED A BEHAVIORAL HEALTH ORDERS FORM HAS CONSENTED TO A PETITION FOR INVOLUNTARY ADMINISTRATION OF MEDICATION AUTHORITY PURSUANT TO SECTION 27-65-111 (5).".

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, February 21, 2019, at 4:30 p.m.:
SB19-112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, and 126.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

February 22, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1078.

The House has adopted and transmits herewith HJR19-1011 as printed in House Journal, February 22, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

February 22, 2019

We herewith transmit:

Without comment, as amended, HB19-1078.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

January 22, 2019

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
SECURITIES BOARD

for terms expiring July 1, 2021:

Thomas H. Kenning of Carbondale, Colorado, a member of the public at large residing west of the continental divide, reappointed;

Keith Michael Olivia, JD of Boulder, Colorado, who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Finance

January 18, 2019

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
ROCKY MOUNTAIN LOW-LEVEL
RADIOACTIVE WASTE BOARD

for a term expiring August 31, 2022:

Jennifer Tice Opila of Northglenn, Colorado, to serve as the Governor's designee and occasioned by the resignation of Gary W. Baughman of Lakewood, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 18, 2019

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 a term expiring August 1, 2020:

Charles R. Adams of Lakewood, Colorado, to serve as a representative from the regulated community and as an Unaffiliated, reappointed.

for terms expiring August 1, 2021:

Christopher Stephen Gilbreath of Westminster, Colorado, to serve as a representative from the regulated community and as a Republican, appointed;

Laura Jeane Davis of Westminster, Colorado, to serve as a representative of the government or academic community and as a Republican, appointed;

Cathryn Stewart of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 24, 2019

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 HUMAN SERVICES

effective February 4, 2019 or a term expiring at the pleasure of the Governor:

Michelle Barnes of Golden Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on Health & Human Services

January 22, 2019

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 HEALTHCARE AFFORDABILITY
AND SUSTAINABILITY ENTERPRISE (CHASE)

for a term expiring May 15, 2021:

Kathryn Jean Ashenfelter of Denver, Colorado, to serve as an employee of a hospital in Colorado, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/4/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

January 24, 2019

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 EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2019:

Amanda Mountain of Denver, Colorado and as an Unaffiliated and occasioned by the resignation of Cheryl Denise Cohen-Vader of Denver, Colorado, appointed;

for terms expiring June 30, 2022:

Samuel James Todd of Broomfield, Colorado, a Republican, reappointed;

Amanda Mountain of Denver, Colorado and as an Unaffiliated, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/28/2019
Andrew Carpenter, Senate Reader

Committee on Education

January 18, 2019

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 BANKING BOARD

for a term expiring July 1, 2019:

Sarah J. Auchterlonie of Denver, Colorado, to serve as a representative of the public and occasioned by the resignation of Diane Salling Barrett of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 18, 2019

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, 2021:

Troy Glen Waters of Fruita, Colorado, appointed;

Joan Card of Boulder, Colorado, appointed;

Richard Clark Hum of Nathrop, Colorado, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 22, 2019

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
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2021:

Roy H. Otto of Greeley, Colorado, and occasioned by the resignation of Kelly Eugene Arnold of Windsor, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Local Government

January 22, 2019

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
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2021:

Rochelle G. Krovitz of Greenwood Village, Colorado, a representative of the general public, reappointed;

for terms expiring July 1, 2022:

Paul Edward Garibay, Jr. of Westminster, Colorado, to serve as a representative of the general public, who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, reappointed;

Christopher Reister of Littleton, Colorado, to serve as a representative of the general public who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, appointed;

Abbas Richard Behbehani of Arvada, Colorado, to serve as a representative of the general public and who is employed by a lending institution located in Colorado and is familiar with the Colorado college access network, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Education

January 18, 2019

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
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2020:

Shelley Phelps Dodge, JD of Fort Lupton, Colorado, to serve as an attorney who represents injured workers, and occasioned by the resignation of Elsa Martinez Tenreiro, JD of Elizabeth, Colorado, appointed;

for a term expiring September 1, 2021:

Jason Lee Wardrip of Aurora, Colorado, to serve as a representative of labor organizations, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 22, 2019

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
GROUND WATER COMMISSION

for a term expiring May 1, 2019:

Glen S. Frihauf of Wiggins, Colorado, to serve as a resident agriculturist from the North Kiowa-Bijou Basin, and occasioned by the removal of Daniel L. Farmer of Colorado Springs, Colorado, appointed.

for a term expiring May 1, 2022:

Miguel Angel Diaz of Monte Vista, Colorado, to serve as a representative from Water Division 3 and as an agriculturist, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

February 7, 2019

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 FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2020:

Andy McElhany of Colorado Springs, Colorado, a Republican, reappointed;

for terms expiring July 1, 2022:

Walter VonFeldt of Monument, Colorado, a Republican, reappointed;

Nancy Inez Brown of Colorado Springs, Colorado, a Republican, reappointed;

Michelle Ann Butler of Colorado Springs, Colorado, an Unaffiliated, reappointed;

Allan G. Ward of Poncha Springs, Colorado, an unregistered voter, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/11/2019
Andrew Carpenter, Senate Reader

Committee on Education

February 11, 2019

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 WATER CONSERVATION BOARD

for terms expiring February 12, 2022:

Gail Sheridan Schwartz of Basalt, Colorado, to serve as a representative of the main Colorado drainage basin and as a Democrat, appt;

Jaclyn K. Brown of Oak Creek, Colorado, to serve as a representative of the Yampa-White drainage basin and as a Democrat, appt;

Jessica Rae Brody of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, appt.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/13/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 22, 2019

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 ELECTRICAL BOARD

for a term expiring July 1, 2020:

John Stephen Mullen of Denver, Colorado, to serve as a representative of the public at large, and occasioned by the resignation of Erik Clarke of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/24/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

January 18, 2019

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
STATE ELECTRICAL BOARD

for terms expiring July 1, 2021:

Joseph Anthony Montoya of Castle Rock, Colorado, to serve as a building official from a political subdivision of the state performing electrical inspections, appointed;

Barbara Jean Myrick of Colorado Springs, Colorado, to serve as a general contractor actively engaged in the building industry, appointed;

James Selecky of Denver, Colorado, to serve as an electrical contractor who has a masters license, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 1/23/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, February 22, 2019, at 10:30 a.m.:
SB19-127.

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, February 25, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

53rd Legislative Day Monday, February 25, 2019

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, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Winter.

Reading of the Journal — On motion of Senator Bridges, reading of the Journal of Friday, February 22, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Revised: HB19-1012, 1020, 1033, and 1034.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR19-1011 by Representative(s) Saine and Neville; also Senator(s) Marble--Concerning honoring gold star families.

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

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:

HB19-1012 by Representative(s) Beckman and Valdez A., Roberts; also Senator(s) Fields, Sonnenberg, Story--Concerning the flexibility of the department of personnel to administer the payment of controlled maintenance projects from the proceeds of lease-purchase agreements executed pursuant to Senate Bill 17-267.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

HB19-1020 by Representative(s) Roberts and Beckman, Valdez A.; also Senator(s) Fields and Story, Sonnenberg--Concerning the clarification of certain administrative matters of the capital development 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: 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:

HB19-1033 by Representative(s) Tipper and Kennedy; also Senator(s) Fields and Priola--Concerning a local government's authority to regulate products containing nicotine.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	E	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court and Gonzales.

HB19-1034 by Representative(s) Sullivan and Esgar; also Senator(s) Danielson--Concerning a requirement that a common carrier engaged in the transportation of property by railroad have at least two crew members aboard a freight train while the freight train is moving.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	E	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Fenberg, Fields, Garcia, Ginal, Pettersen, Rodriguez, Story, Todd, and Winter.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Danielson 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:

HB19-1109 by Representative(s) Hooton and Larson; also Senator(s) Pettersen and Tate--Concerning an addition to the definition of "other outlet" to enable a licensed convalescent center to operate a pharmacy for the benefit of patients being treated in the convalescent center.

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

HB19-1077 by Representative(s) Roberts; also Senator(s) Tate and Pettersen--Concerning authorization for a pharmacist to dispense a chronic maintenance drug to a patient without a current prescription in limited circumstances.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 21, pages 281-282 and placed in members' bill files.)

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

HB19-1070 by Representative(s) Arndt, Hooton, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning the repeal of statutory provisions requiring the department of public health and environment to test substances that are purported to have value in the treatment of cancer.

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

HB19-1136 by Representative(s) Kraft-Tharp and Saine, Michaelson Jenet, Ransom; also Senator(s) Smallwood and Todd, Fields--Concerning access by the office of the state auditor to records necessary to conduct four statutorily authorized audits in connection with entities that are not state agencies.

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

HB19-1066 by Representative(s) Buentello and Kipp; also Senator(s) Foote--Concerning counting a student who is enrolled in special education services in the graduation rate in the school year in which the student completes the minimum 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 -- CONSENT CALENDAR

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1109, HB19-1077 as amended, HB19-1070, HB19-1136, HB19-1066.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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:

SB19-090 by Senator(s) Scott, Donovan; also Representative(s) Gray--Concerning the operation of peer-to-peer motor vehicle sharing businesses.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 12, pages 215-217 and placed in members' bill files.)

Amendment No. 2(L.020), by Senator Scott.

Amend printed bill, page 9, strike line 25 and substitute:

"**6-1-1212. Shared car equipment.** (1) (a) A SHARED CAR OWNER SHALL ENSURE THAT A SHARED CAR IS EQUIPPED TO COMPLY WITH SECTION 42-4-106 (5) FROM SEPTEMBER 1 TO MAY 31 WHEN THE COLORADO DEPARTMENT OF TRANSPORTATION CLOSES A PORTION OF A STATE HIGHWAY TO MOTOR VEHICLES WITHOUT ADEQUATE TRACTION CONTROL.

(b) WHEN A VEHICLE OWNER REGISTERS AS A SHARED CAR OWNER ON A CAR SHARING PROGRAM AND BEFORE THE SHARED CAR OWNER MAKES A SHARED CAR AVAILABLE FOR CAR SHARING, THE CAR SHARING PROGRAM SHALL NOTIFY THE SHARED CAR OWNER OF, INCLUDING THE CONTENTS OF, SUBSECTION (1)(a) OF THIS SECTION AND SECTION 42-4-106 (5).

(2) A CAR SHARING".

Amendment No. 3(L.014), by Senator Scott.

Amend printed bill, page 7, strike lines 8 and 9 and substitute "ACCURATE INFORMATION ABOUT THE SHARED CAR OWNER'S PARTICIPATION WITH THE SHARED CAR IN A CAR SHARING PROGRAM AS REQUESTED BY THE AUTOMOBILE INSURER".

Amendment No. 4(L.016), by Senator Scott.

Amend printed bill, page 5, strike lines 1 through 3 and substitute:

"(b) PROVIDES INSURANCE COVERAGE UNDER A:
(I) COMMERCIAL LIABILITY POLICY ISSUED TO THE CAR SHARING PROGRAM THAT IS NOT LESS THAN THREE TIMES THE MINIMUM AMOUNT OF FINANCIAL RESPONSIBILITY REQUIRED BY ARTICLE 7 OF TITLE 42; OR
(II) PERSONAL LIABILITY POLICY ISSUED TO THE SHARED CAR DRIVER THAT IS NOT LESS THAN THE MINIMUM AMOUNT OF FINANCIAL RESPONSIBILITY REQUIRED BY ARTICLE 7 OF TITLE 42.".

Page 5, strike line 9.

Renumber succeeding paragraphs accordingly.

Page 6, line 25, strike "(2)" and substitute "(3)".

Page 7, after line 3, insert:

"(2) AN AUTOMOBILE INSURANCE COMPANY SHALL NOT EXCLUDE OTHERWISE APPLICABLE UNINSURED OR UNDERINSURED MOTORIST COVERAGE FROM A SHARED CAR DRIVER'S OR PASSENGER'S PERSONAL AUTOMOBILE INSURANCE POLICY BECAUSE OF THE PERSON'S PARTICIPATION IN CAR SHARING.".

Renumber succeeding subsection accordingly.

Amendment No. 5(L.018), by Senator Scott.

Amend the Business, Labor, and Technology Committee Report, dated February 11, 2019, page 1, line 19, after ""(4)" insert "(a)".

Page 2 of the report, after line 5 insert:

"(b) THE INSURANCE REQUIRED BY THIS SUBSECTION (4) MAY BE PROCURED FROM:
(I) AN INSURER LICENSED UNDER TITLE 10; OR
(II) A SURPLUS LINES INSURER AUTHORIZED UNDER ARTICLE 5 OF TITLE 10 THAT HAS A CREDIT RATING OF NO LESS THAN:
(A) "A-" FROM A.M. BEST COMPANY, INC.;
(B) "A" FROM DEMOTECH, INC.; OR
(C) A SIMILAR RATING FROM ANOTHER RATING AGENCY IF BOTH THE RATING AND AGENCY ARE RECOGNIZED BY THE COMMISSIONER OF INSURANCE BY RULE UNDER SECTION 10-5-117.".

Page 2 of the report, after line 29 insert:

"Page 6 of the bill, line 27, strike "PERSONAL PRIVATE".

Page 7 of the bill, line 4, after "(2)" insert "(a)".

Page 7 of the bill, lines 5 and 6, strike "PERSONAL PRIVATE".

Page 7 of the bill, after line 10 insert:

"(b) AN AUTOMOBILE INSURER MAY LIMIT THE NUMBER OF SHARED CARS IT WILL INSURE.".".

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

SB19-088 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the adoption of the "Revised Uniform Unclaimed Property Act".

Laid over until Wednesday, February 27, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-090 as amended.
Laid over until Wednesday, February 27: SB19-088.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, February 25, was laid over until Tuesday, February 26, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB19-113, SB19-128, SB19-111.

MESSAGE FROM THE HOUSE

February 25, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1173.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1031, 1038, amended as printed in House Journal, February 22, 2019.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

February 25, 2019

We herewith transmit:

Without comment, HB19-1173.
Without comment, as amended, HB19-1031 and 1038.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1078 by Representative(s) Lewis, Pelton, Baisley, Beckman, Sandridge, Larson, Buck, Rich, Van Winkle, Geitner, Ransom, Neville, Catlin, Carver, Humphrey, Saine, Soper, Williams D.; also Senator(s) Marble and Garcia--Concerning a requirement that consent of the owner of real property be obtained before the property may be listed on the national register of historic places.
Local Government

HB19-1106 by Representative(s) Titone and Gonzales-Gutierrez, Benavidez, Buckner, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, McLachlan, Singer, Sirota, Valdez A., Weissman; also Senator(s) Pettersen--Concerning the rental application process for prospective tenants.
Local Government

HB19-1173 by Representative(s) Garnett and Neville, Becker; also Senator(s) Fenberg and Holbert--Concerning the authority of an ex officio member of the legislative council to appoint a temporary replacement for that ex officio member at a meeting of the legislative council.
State, Veterans, & Military Affairs

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, February 26, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

54th Legislative Day Tuesday, February 26, 2019

Prayer — By the chaplain, Rev. Cynthia James, Cynthia James Enterprises, Lakewood.

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 Winter.

Reading of the Journal — On motion of Senator Bridges, reading of the Journal of Monday, February 25, 2019, 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 **SB19-135** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 10, strike lines 4 through 27.

Renumber succeeding C.R.S. section accordingly.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SCR19-001** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1042** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1063** 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: SB19-090.
Correctly Revised: HB19-1066, 1070, 1077, 1109, and 1136.
Correctly Rerevised: HB19-1012, 1020, 1033, and 1034.

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:

HB19-1109 by Representative(s) Hooton and Larson; also Senator(s) Pettersen and Tate--Concerning an addition to the definition of "other outlet" to enable a licensed convalescent center to operate a pharmacy for the benefit of patients being treated in the convalescent center.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gardner, Lundeen, Marble, Moreno, Priola, Rankin, Scott, Sonnenberg, Winter, and Woodward.

HB19-1077 by Representative(s) Roberts; also Senator(s) Tate and Pettersen--Concerning authorization for a pharmacist to dispense a chronic maintenance drug to a patient without a current prescription in limited 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Moreno, Rodriguez, Scott, Sonnenberg, Todd, Williams A., and Winter.

HB19-1070 by Representative(s) Arndt, Hooton, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning the repeal of statutory provisions requiring the department of public health and environment to test substances that are purported to have value in the treatment of cancer.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Priola and Scott.

HB19-1136 by Representative(s) Kraft-Tharp and Saine, Michaelson Jenet, Ransom; also Senator(s) Smallwood and Todd, Fields--Concerning access by the office of the state auditor to records necessary to conduct four statutorily authorized audits in connection with entities that are not state 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Holbert, Marble, Rankin, Scott, Tate, and Woodward.

HB19-1066 by Representative(s) Buentello and Kipp; also Senator(s) Foote--Concerning counting a student who is enrolled in special education services in the graduation rate in the school year in which the student completes the minimum 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Ginal, Gonzales, Priola, Rankin, Smallwood, Story, Tate, Todd, Williams A., Woodward, 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:

SB19-090 by Senator(s) Scott, Donovan; also Representative(s) Gray--Concerning the operation of peer-to-peer motor vehicle sharing businesses.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bridges	N	Foote	Y	Marble	N	Story	N
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	N	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Gardner, Hill, Lundeen, Priola, Rankin, Tate, and Woodward.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Zenzinger 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:

SB19-097 by Senator(s) Story and Coram, Todd, Donovan, Fields, Gonzales, Rodriguez; also Representative(s) McCluskie and Soper--Concerning a grant program for area technical colleges.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 22, page 301 and placed in members' bill files.)

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

HB19-1059 by Representative(s) Arndt, Hooton, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning removing redundant language in the educator licensing statute regarding requirements for out-of-state applicants.

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

HB19-1100 by Representative(s) Geitner; also Senator(s) Bridges and Lundeen--Concerning prohibiting a school district board of education from including a use restriction on certain transactions involving the school district's property that would restrict the property from being used as a school for any grade from preschool through the twelfth grade.

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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-097 as amended, HB19-1059, HB19-1100.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

HB19-1044 by Representative(s) Kraft-Tharp and Landgraf; also Senator(s) Todd and Coram--Concerning advance behavioral health orders determining the scope of treatment an adult wishes to receive under certain behavioral health circumstances.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 22, page 311 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1044 as amended.

CONSIDERATION OF RESOLUTIONS

HJR19-1011 by Representative(s) Saine and Neville; 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, February 26, was laid over until Wednesday, February 27, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB19-113, SB19-128, SB19-111.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-023 and 039.

MESSAGE FROM THE HOUSE

February 26, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1080, 1052, 1172, 1170, 1119, amended as printed in House Journal, February 25, 2019.

The House has passed on Third Reading and returns herewith SB19-024, 070, 080, 082, 083.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

February 26, 2019

We herewith transmit:

Without comment, as amended, HB19-1052, 1080, 1119, 1170, and 1172.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, February 27, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

55th Legislative Day Wednesday, February 27, 2019

Prayer — By the chaplain, Bishop Kevin Foreman, Harvest Church, Aurora.

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

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

Quorum — The President announced a quorum present.

On motion of Majority Leader Fenberg, 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 Steve Tieman.

Reading of the Journal — On motion of Senator Bridges, reading of the Journal of Tuesday, February 26, 2019, 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 **HB19-1047** 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 **HB19-1175** 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 **HB19-1084** 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 **SB19-140** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB19-065** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

> Amend the Health and Human Services Committee Report, dated February 7, 2019, page 1, strike lines 1 and 2 and substitute "Amend printed bill, page 2, strike line 7 and substitute "PAY TO THE DEPARTMENT, AT THE TIME OF APPLICATION, TWO DOLLARS AND FIFTY-FIVE CENTS. THIS AMOUNT MAY BE ADJUSTED ON".".
>
> Page 1 of the report, strike line 11 and substitute "FUND. THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION.".".

Page 2 of the report, after line 1 insert "Page 5 of the bill, line 11, after "HOLDER" insert "WHO DOES NOT HAVE ACCESS TO AN EMPLOYEE ASSISTANCE PROGRAM".".

Finance

After consideration on the merits, the Committee recommends that **SB19-002** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Education Committee Report, dated February 7, 2019, page 3, line 5, strike everything after "1087ll," and substitute "AS AMENDED.".

Page 3, strike line 6.

Page 3, line 31, strike everything after "EDUCATION" and substitute "EXPENSES.".

Page 3, line 32, strike everything before "THE".

Page 7, strike lines 5 through 7 and substitute "ADMINISTRATOR THAT THE PERSON IS A PARTY TO A CONTRACT AWARDED BY THE UNITED STATES SECRETARY OF EDUCATION UNDER 20 U.S.C. SEC. 1087f, AS AMENDED.".

Page 7, strike lines 10 through 15 and substitute:

"(b) **Automatic license.** WITH REGARD TO A PERSON DEEMED EXEMPT BY THIS SUBSECTION (1), THE ADMINISTRATOR SHALL:
(I) AUTOMATICALLY ISSUE A LICENSE UPON PAYMENT OF THE FEES REQUIRED BY SECTION 5-20-107 (1)(a);
(II) AUTOMATICALLY ISSUE A RENEWAL LICENSE UPON PAYMENT OF THE FEES REQUIRED BY SECTION 5-20-107 (1)(b); AND
(III) DEEM THE PERSON TO HAVE MET ALL REQUIREMENTS SET FORTH IN SUBSECTION (2) OF THIS SECTION.".

Page 12, line 28, strike "FIVE" and substitute "TEN".

Page 13, line 17, strike "REPORTING BY APPLYING" and substitute "REPORTING. WHERE LOANS ON A BORROWER'S STUDENT LOAN ACCOUNT HAVE AN EQUAL LEVEL OF DELINQUENCY, A STUDENT LOAN SERVICER SHALL APPLY".

Page 14, lines 13 and 14, strike "OBTAINS THE RIGHT TO SERVICE" and substitute "SERVICES".

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **SB19-101** be postponed indefinitely.

Trans-portation & Energy

The Committee on Transportation & Energy has had under consideration and has had a hearing on the following appointment and recommend that the appointments be confirmed:

MEMBER OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2020:

Auden Schendler of Basalt, Colorado, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Megan Elyse Garvey of Denver, Colorado, appointed.

Trans-portation & Energy

The Committee on Transportation & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2022:

Jana Beth Milford of Boulder, Colorado, to serve as a person with appropriate scientific and legal experience, reappointed.

Elise Sarah Jones of Boulder, Colorado, to serve as a person with appropriate technical and private sector experience, occasioned by the resignation of William R. Toor of Boulder, Colorado, appointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-097.
Correctly Reengrossed: SB19-090.
Correctly Revised: HB19-1044, 1059, and 1100; HJR19-1011.
Correctly Rerevised: HB19-1066, 1070, 1077, 1109, and 1136.
Correctly Enrolled: SB19-024, 070, 080, 082, and 083.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-167 by Senator(s) Danielson; also Representative(s) Exum and Duran--Concerning the creation of a Colorado professional fire fighters license plate.
Finance

SB19-168 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman and Herod, Snyder, Soper, Van Winkle--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules of state agencies.
Legal Services

HB19-1031 by Representative(s) Gray; also Senator(s) Gonzales--Concerning allowing each parental guardian to serve as a minor medical marijuana patient's primary caregiver, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1038 by Representative(s) Duran and Lontine; also Senator(s) Ginal and Story--Concerning dental services for pregnant women covered under the children's basic health plan, and, in connection therewith, making an appropriation.
Health & Human Services

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:

SB19-097 by Senator(s) Story and Coram, Todd, Donovan, Fields, Gonzales, Rodriguez; also Representative(s) McCluskie and Soper--Concerning a grant program for area technical colleges.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Foote, Gardner, Ginal, Hisey, Lee, Lundeen, Moreno, Pettersen, Priola, Rankin, Tate, Williams A., Winter, Woodward, and Zenzinger.

HB19-1059 by Representative(s) Arndt, Hooton, McKean; also Senator(s) Tate, Moreno, Zenzinger--Concerning removing redundant language in the educator licensing statute regarding requirements for out-of-state applicants.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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

HB19-1100 by Representative(s) Geitner; also Senator(s) Bridges and Lundeen--Concerning prohibiting a school district board of education from including a use restriction on certain transactions involving the school district's property that would restrict the property from being used as a school for any grade from preschool through the twelfth grade.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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

Co-sponsor(s) added: Cooke, Coram, Court, Gardner, Hisey, Moreno, Priola, Scott, Tate, and Woodward.

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:

HB19-1044 by Representative(s) Kraft-Tharp and Landgraf; also Senator(s) Todd and Coram--Concerning advance behavioral health orders determining the scope of treatment an adult wishes to receive under certain behavioral health circumstances.

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

Third Reading Amendment No. 1(L.013), by Senator Todd.

Amend revised bill, page 7, after line 19 insert:

"(3) A BEHAVIORAL HEALTH ORDERS FORM IS EFFECTIVE FOR TWO YEARS FOLLOWING THE DATE THAT THE ADULT SIGNED THE BEHAVIORAL HEALTH ORDERS FORM, UNLESS THE ADULT EXECUTES A NEW BEHAVIORAL HEALTH ORDERS FORM, OR AMENDS OR REVOKES THE BEHAVIORAL HEALTH ORDERS FORM, BEFORE THE BEHAVIORAL HEALTH ORDERS FORM BECOMES INEFFECTIVE.".

Renumber succeeding subsections accordingly.

Page 8, after line 18 insert:

"(2) AN AMENDED BEHAVIORAL HEALTH ORDERS FORM IS EFFECTIVE FOR TWO YEARS FOLLOWING THE DATE THAT THE ADULT SIGNED THE AMENDED BEHAVIORAL HEALTH ORDERS FORM, UNLESS THE ADULT EXECUTES A NEW BEHAVIORAL HEALTH ORDERS FORM, OR AMENDS OR REVOKES THE AMENDED BEHAVIORAL HEALTH ORDERS FORM, BEFORE THE AMENDED BEHAVIORAL HEALTH ORDERS FORM BECOMES INEFFECTIVE.".

Renumber succeeding subsections accordingly.

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Fields, Garcia, Gardner, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Rodriguez, Story, Tate, Williams A., and Winter.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

SB19-088 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the adoption of the "Revised Uniform Unclaimed Property Act".

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, February 21, pages 283-285 and placed in members' bill files.)

Amendment No. 2(L.014), by Senator Gardner.

Amend the Business, Labor, & Technology Committee Report, dated February 20, 2019, page 2, strike lines 4 through 6.

Amend printed bill, page 73, after line 17 insert:

"(b) A CONTINGENT FEE ARRANGEMENT MUST INCLUDE A PROVISION THAT:

(I) REQUIRES THE PERSON UNDER CONTRACT WITH THE ADMINISTRATOR, UPON COMPLETION OF THE EXAMINATION, TO PROVIDE THE ADMINISTRATOR WITH A STATEMENT OF THE AMOUNT OF THE CONTINGENT FEE, THE HOURS SPENT ON THE EXAMINATION, AND THE AVERAGE HOURLY RATE FOR SERVICES PROVIDED BY THE PERSON BASED ON THE CONTINGENT FEE; AND

(II) SPECIFIES AN ALTERNATIVE HOURLY RATE, NOT TO EXCEED FIVE HUNDRED DOLLARS PER HOUR, AT WHICH THE PERSON UNDER CONTRACT WITH THE ADMINISTRATOR IS COMPENSATED IN THE EVENT THAT THE STATEMENT PROVIDED BY THE PERSON UNDER SUBSECTION (5)(b)(I) OF THIS SECTION INDICATES AN AVERAGE HOURLY RATE FOR THE EXAMINATION OF MORE THAN FIVE HUNDRED DOLLARS PER HOUR;".

Reletter succeeding paragraphs accordingly.

Amend printed bill, page 73, line 19, strike "TEN" and substitute "TWELVE".

Amendment No. 3(L.015), by Senator Gardner.

Amend the Business, Labor, & Technology Committee Report, dated February 20, 2019, page 2, strike lines 4 through 6.

Amend printed bill, page 73, after line 17 insert:

"(b) A CONTINGENT FEE ARRANGEMENT MUST INCLUDE A PROVISION THAT:

(I) REQUIRES THE PERSON UNDER CONTRACT WITH THE ADMINISTRATOR, UPON COMPLETION OF THE EXAMINATION, TO PROVIDE THE ADMINISTRATOR WITH A STATEMENT OF THE AMOUNT OF THE CONTINGENT FEE, THE HOURS SPENT ON THE EXAMINATION, AND THE AVERAGE HOURLY RATE FOR SERVICES PROVIDED BY THE PERSON BASED ON THE CONTINGENT FEE; AND

(II) SPECIFIES AN ALTERNATIVE HOURLY RATE, NOT TO EXCEED FIVE HUNDRED DOLLARS PER HOUR, AT WHICH THE PERSON UNDER CONTRACT WITH THE ADMINISTRATOR IS COMPENSATED IN THE EVENT THAT THE STATEMENT PROVIDED BY THE PERSON UNDER SUBSECTION

(5)(b)(I) OF THIS SECTION INDICATES AN AVERAGE HOURLY RATE FOR THE EXAMINATION OF MORE THAN FIVE HUNDRED DOLLARS PER HOUR;".

Reletter succeeding paragraphs accordingly.

Amend printed bill, page 73, line 19, strike "TEN" and substitute "TWELVE".

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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

The Committee of the Whole took the following action:

Passed on second reading: SB19-088 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-113 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of health care policy and financing.

Senator Moreno moved that the Senate concur in House amendments to SB19-113, as printed in House journal, February 12, page 250, and February 14, page 285. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

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

SB19-128 by Senator(s) Moreno and Todd, Zenzinger, Rankin; also Representative(s) Esgar and McLachlan, Hansen, Ransom--Concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, and, in connection therewith, making and reducing appropriations.

Senator Moreno moved that the Senate not concur in House amendments to SB19-128, as printed in House journal, February 14, pages 292-296, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

The President appointed Senators Moreno, Chair, Zenzinger, and Rankin as Senate conferees on the first conference committee on SB19-128.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB19-128 by Senator(s) Moreno and Todd, Zenzinger, Rankin; also Representative(s) Esgar and McLachlan, Hansen, Ransom--Concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, and, in connection therewith, making and reducing appropriations.

Senator Moreno moved that the Senate conferees on the first conference committee on SB19-128 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)

SB19-111 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a supplemental appropriation to the department of corrections.

Senator Moreno moved that the Senate concur in House amendments to SB19-111, as printed in House journal, February 14, page 286. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

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.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1050, 1104.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1105** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

February 27, 2019

Mr. President:

The House has adopted and returns herewith SJR19-005, amended as printed in House Journal, February 27, 2019.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-169 by Senator(s) Tate and Bridges; also Representative(s) Arndt--Concerning project management competencies for certain state contracts.
Business, Labor, & Technology

HB19-1052 by Representative(s) McCluskie and Rich; also Senator(s) Rankin and Bridges--Concerning the creation of special districts to provide early childhood development services.
Local Government

HB19-1080 by Representative(s) Bockenfeld; also Senator(s) Cooke, Garcia--Concerning benefits for first responders with a disability.
Agriculture & Natural Resources

HB19-1119 by Representative(s) Coleman, Herod, Exum, Benavidez, Gonzales-Gutierrez, Lontine; also Senator(s) Foote--Concerning public disclosure of a completed peace officer internal investigation file.
Judiciary

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.
Local Government

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.
Judiciary

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, February 27, 2019, at 8:00 a.m.:
SB19-023 and 039.

TRIBUTES

Honoring:

Savannah Parrot -- By Senator Steve Fenberg.
Fairview High Girls Swimming -- By Senator Steve Fenberg.
United Way of Pueblo County -- By President Leroy M. Garcia.
Stephanie Garcia -- By President Leroy M. Garcia.
Phyllis Sanchez -- By President Leroy M. Garcia.
Jason Castro -- By President Leroy M. Garcia.
Francisco Cervantes -- By President Leroy M. Garcia.
Cinfully Delicious Catering -- By President Leroy M. Garcia.
Colorado State University Pueblo -- By President Leroy M. Garcia.
Kim Martin -- By President Leroy M. Garcia.
Penny Hardy -- By President Leroy M. Garcia.
Jason Florez -- By President Leroy M. Garcia.
Ashley Castillo -- By President Leroy M. Garcia.
Carlos Maes -- By President Leroy M. Garcia.
Jamie Miller -- By President Leroy M. Garcia.
Jill Beckwith -- By President Leroy M. Garcia.
Terry Terril -- By President Leroy M. Garcia.
Madelaine Anderson -- By President Leroy M. Garcia.
Ashley Berchkan -- By President Leroy M. Garcia.
Randy Vialpando -- By President Leroy M. Garcia.
Sharayah Lehnert -- By President Leroy M. Garcia.
Dr. Crl Bartecchi -- By President Leroy M. Garcia.
Renee Carson -- By President Leroy M. Garcia.
Andrew Trainor -- By President Leroy M. Garcia.
Deputy Christine Guerin -- By President Leroy M. Garcia.
Deputy Jordan Lira -- By President Leroy M. Garcia.
Nicholas Grano-Garcia -- By President Leroy M. Garcia.
Shawna Clementi -- By President Leroy M. Garcia.
Jennifer Morales -- By President Leroy M. Garcia.

Pueblo East Wrestling Team -- By President Leroy M. Garcia.
Raymond and Alice Fetty -- By President Leroy M. Garcia.
Detective Chuck Roldan -- By President Leroy M. Garcia.
Sergeant Chris Kilpatrick -- By President Leroy M. Garcia.
Sergeant Caitlin Howard -- By President Leroy M. Garcia.
Master Deputy Anthony DeHerrera -- By President Leroy M. Garcia.
Detective Byron Franklin -- By President Leroy M. Garcia.
Amy Nelson -- By President Leroy M. Garcia.
Ashley Hatch -- By President Leroy M. Garcia.
Kenneth Sloan -- By President Leroy M. Garcia.
Mable Hagans -- By President Leroy M. Garcia.
Sophia Markuson-DiPrince -- By President Leroy M. Garcia.
Anna Novak-Palomar -- By President Leroy M. Garcia.
Deputy Dionicio Franklin -- By President Leroy M. Garcia.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, February 28, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

56th Legislative Day Thursday, February 28, 2019

Prayer — By the chaplain, Rev. Patrick Demmer, Graham Memorial Community Church of God in Christ, Commerce City.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Winter.

Reading of the Journal — On motion of Senator Bridges, reading of the Journal of Wednesday, February 27, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education — After consideration on the merits, the Committee recommends that **HB19-1152** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-167, 168, and 169.
Correctly Engrossed: SB19-088.
Correctly Reengrossed: SB19-097.
Correctly Rerevised: HB19-1044, 1059, and 1100.
Correctly Enrolled: SB19-111 and 113.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-170 by Senator(s) Rodriguez and Tate, Court, Donovan, Fenberg, Gonzales, Moreno, Priola, Todd, Williams A.; also Representative(s) Herod, Melton, Singer--Concerning an inquiry into a college applicant's nonacademic conduct prior to admission.
Education

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:

SB19-088 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the adoption of the "Revised Uniform Unclaimed Property Act".

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.016), by Senator Gardner.

Amend engrossed bill, page 82, line 25, strike "AND".

Page 83, line 2, strike "DEDUCTED." and substitute "DEDUCTED; AND

(d) STATES THAT THE APPARENT OWNER MAY DIRECTLY FILE A CLAIM FOR PROPERTY WITH THE ADMINISTRATOR OF A STATE'S UNCLAIMED PROPERTY ACT, WHO IN COLORADO IS THE STATE TREASURER, WITHOUT BEING CHARGED A FEE BY THE ADMINISTRATOR.".

Page 84, strike lines 17 through 20 and substitute "OWNER NONCONFIDENTIAL STATUS UPDATES. THE ADMINISTRATOR SHALL NOT PROVIDE THE AGENT OF THE APPARENT OWNER WITH ANY PERSONAL INFORMATION AS DEFINED IN SECTION 38-13-1401 OR CONFIDENTIAL INFORMATION DESCRIBED IN SECTION 38-13-1402.".

Page 85, line 11, strike "AND".

Page 85, line 18, strike "TRANSFER." and substitute "TRANSFER; AND

(V) STATES THAT THE APPARENT OWNER MAY DIRECTLY FILE A CLAIM FOR PROPERTY WITH THE ADMINISTRATOR, WHO IN COLORADO IS THE STATE TREASURER, WITHOUT BEING CHARGED A FEE BY THE ADMINISTRATOR.".

Page 86, strike lines 3 through 5.

Page 88, strike lines 4 through 12.

Reletter succeeding paragraphs accordingly.

The amendment was **passed** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 and Marble.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Zenzinger 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:

HB19-1063 by Representative(s) Kraft-Tharp and Larson; also Senator(s) Gardner and Lee--Concerning the ability to share information between county adult protective services with county child protective services as well as at-risk adults obtaining their own information.

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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1063.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

HB19-1042 by Representative(s) Gonzales-Gutierrez; also Senator(s) Gonzales--Concerning expanding the jurisdiction of the courts for certain vulnerable youth.

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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	27	NO	6	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1042.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE RESOLUTIONS

SJR19-005 by Senator(s) Garcia; also Representative(s) Becker--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Majority Leader Fenberg moved that the Senate concur in House amendments to SJR19-005, as printed in House Journal, February 27, page 457.

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
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Crowder.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-070, 080, 082, and 083.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-078** 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 9 through 12 and substitute "DEPLOYMENT BOARD PURSUANT TO SECTION 40-15-509.5 OR THROUGH ANY STATE FUND ESTABLISHED TO".

Page 3, line 21, before "DEVICE" insert "NONHARMFUL".

Page 4, line 3, after "LEARNS" insert "FROM THE BROADBAND DEPLOYMENT BOARD".

Page 4, strike lines 6 and 7 and substitute "ISSUED A FINAL JUDGMENT

AGAINST, AN INTERNET SERVICE PROVIDER AND THAT THE BOARD HAS DETERMINED FROM THE ORDER, DECREE, OR JUDGMENT".

Page 4, strike lines 13 through 23 and substitute "MONTHS PRECEDING THE BOARD'S DETERMINATION FROM THE HIGH COST SUPPORT MECHANISM PURSUANT TO A GRANT AWARDED BY THE BROADBAND DEPLOYMENT BOARD UNDER SECTION 40-15-509.5.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-077** 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. Legislative declaration.** (1) The general assembly finds and declares that:

(a) Widespread adoption of electric vehicles is necessary to diversify the transportation fuel mix, improve national security, and protect air quality;

(b) The number of electric vehicles registered in Colorado has doubled over the last three years, and, with expanded infrastructure investment, future growth is projected to accelerate;

(c) This growth will be assisted by investments in infrastructure necessary to maximize the benefits of the expanding electric vehicle market;

(d) Widespread adoption of electric vehicles requires that public utilities increase access to electricity as transportation fuel, including for low- and moderate-income and underserved communities;

(e) Widespread adoption of electric vehicles should provide consumers with fuel cost savings and electric utility customers with potential cost-saving benefits;

(f) Widespread adoption of electric vehicles should stimulate innovation, competition, and increased choices in charging equipment and networks and should also attract private capital investments and create high-quality jobs in Colorado; and

(g) Widespread adoption of electric vehicles should improve an electric public utility's electrical system efficiency and operational flexibility, including the ability of the electric public utility to integrate variable renewable energy generation resources and to make use of off-peak generation resources.

SECTION 2. In Colorado Revised Statutes, 40-1-103.3, **amend** (2) and (6) as follows:

40-1-103.3. Alternative fuel vehicles - definition. (2) For the purposes of articles 1 to 7 of this ~~title~~ TITLE 40, persons generating electricity for use in alternative fuel vehicle charging or fueling facilities as authorized by subsection (4) of this section, persons reselling electricity supplied by a public utility, or persons reselling compressed or liquefied natural gas, liquefied petroleum gas, or any component parts or by-products to governmental entities or to the public for use as fuel in alternative fuel vehicles or buying electricity stored in such vehicles for resale are not subject to regulation as a public utility. Electric ~~and natural gas~~ public utilities may provide the services described in this subsection (2) as unregulated OR REGULATED services. ~~and~~ NATURAL GAS PUBLIC UTILITIES MAY PROVIDE these SERVICES AS unregulated services. ~~may not be subsidized by the regulated services of the electric or natural gas public utility.~~

(6) ~~The regulated expenditures and investments made by a public utility to accommodate alternative fuel vehicle charging and fueling facilities are equal in priority to all other infrastructure necessary to serve any customer of the public utility in its service territory, but are subordinate to the safety and reliability obligations of the utility~~ A PUBLIC UTILITY MAY RECOVER THE COSTS OF DISTRIBUTION SYSTEM INVESTMENTS TO ACCOMMODATE ALTERNATIVE FUEL VEHICLE CHARGING, SUBJECT TO EVALUATION AND COST RECOVERY PROVISIONS THAT ARE COMPARABLE TO OTHER REGULATED INVESTMENTS IN THE DISTRIBUTION GRID; EXCEPT THAT DISTRIBUTION SYSTEM INVESTMENTS THAT ARE A COMPONENT OF A TRANSPORTATION ELECTRIFICATION PLAN SUBMITTED IN ACCORDANCE WITH SECTION 40-5-107 ARE SUBJECT TO

SECTIONS 40-3-116 AND 40-5-107.

SECTION 3. In Colorado Revised Statutes, **add** 40-3-116 as follows:

40-3-116. Electric vehicle programs - rates. (1) THE RATES AND CHARGES SCHEDULE FOR SERVICES PROVIDED BY A PROGRAM CREATED UNDER SECTION 40-5-107 MAY ALLOW:

(a) A RETURN ON ANY INVESTMENT MADE UNDER SECTION 40-5-107 BY AN ELECTRIC UTILITY AT THE ELECTRIC UTILITY'S MOST RECENT RATE OF RETURN ON EQUITY APPROVED BY THE COMMISSION, INCLUDING BY ALLOWING A UTILITY TO EARN A RATE OF RETURN ON REBATES PROVIDED TO CUSTOMERS THROUGH A TRANSPORTATION ELECTRIFICATION PROGRAM;

(b) RATE RECOVERY MECHANISMS THAT ALLOW EARLIER, AS DETERMINED BY THE COMMISSION, RECOVERY OF COSTS, INCLUDING THE USE OF RATE ADJUSTMENT CLAUSES; AND

(c) PERFORMANCE-BASED INCENTIVE RETURNS OR SIMILAR INVESTMENT INCENTIVES.

SECTION 4. In Colorado Revised Statutes, **add** 40-5-107 as follows:

40-5-107. Electric vehicle programs - repeal. (1) (a) NO LATER THAN MAY 15, 2020, AND ON OR BEFORE MAY 15 EVERY THREE YEARS THEREAFTER, AN ELECTRIC UTILITY SHALL FILE WITH THE COMMISSION AN APPLICATION FOR A PROGRAM FOR REGULATED ACTIVITIES TO SUPPORT WIDESPREAD TRANSPORTATION ELECTRIFICATION WITHIN THE AREA COVERED BY THE UTILITY'S CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

(b) TO COMPLY WITH THIS SUBSECTION (1), AN APPLICATION MUST SEEK TO MINIMIZE OVERALL COSTS AND MAXIMIZE OVERALL BENEFITS AND MAY INCLUDE:

(I) INVESTMENTS OR INCENTIVES TO FACILITATE THE DEPLOYMENT OF CUSTOMER-OWNED OR UTILITY-OWNED CHARGING INFRASTRUCTURE, INCLUDING CHARGING FACILITIES, MAKE-READY INFRASTRUCTURE, AND ASSOCIATED ELECTRICAL EQUIPMENT THAT SUPPORT TRANSPORTATION ELECTRIFICATION;

(II) INVESTMENTS OR INCENTIVES TO FACILITATE THE ELECTRIFICATION OF PUBLIC TRANSIT AND OTHER VEHICLE FLEETS;

(III) RATE DESIGNS, OR PROGRAMS THAT ENCOURAGE VEHICLE CHARGING THAT SUPPORTS THE OPERATION OF THE ELECTRIC GRID; AND

(IV) CUSTOMER EDUCATION, OUTREACH, AND INCENTIVE PROGRAMS THAT INCREASE AWARENESS OF THE PROGRAMS AND OF THE BENEFITS OF TRANSPORTATION ELECTRIFICATION AND ENCOURAGE GREATER ADOPTION OF ELECTRIC VEHICLES.

(2) WHEN CONSIDERING TRANSPORTATION ELECTRIFICATION PROGRAMS AND DETERMINING COST RECOVERY FOR INVESTMENTS AND OTHER EXPENDITURES RELATED TO PROGRAMS PROPOSED BY AN ELECTRIC UTILITY UNDER SUBSECTION (1) OF THIS SECTION, THE COMMISSION MAY CONSIDER WHETHER THE INVESTMENTS AND OTHER EXPENDITURES ARE:

(a) REASONABLY EXPECTED TO IMPROVE THE USE OF THE ELECTRIC GRID, INCLUDING IMPROVED INTEGRATION OF RENEWABLE ENERGY;

(b) REASONABLY EXPECTED TO INCREASE ACCESS TO THE USE OF ELECTRICITY AS A TRANSPORTATION FUEL;

(c) DESIGNED TO ENSURE SYSTEM SAFETY AND RELIABILITY;

(d) (I) REASONABLY EXPECTED TO CONTRIBUTE TO MEETING AIR QUALITY STANDARDS AND REDUCING STATEWIDE EMISSIONS OF GREENHOUSE GASES BY FORTY PERCENT BELOW 2005 LEVELS BY 2030 AND EIGHTY PERCENT BELOW 2005 LEVELS BY 2050.

(II) THIS SUBSECTION (2)(d) IS REPEALED, EFFECTIVE JULY 1, 2031.

(e) REASONABLY EXPECTED TO STIMULATE INNOVATION, COMPETITION, AND INCREASED CONSUMER CHOICES IN ELECTRIC VEHICLE CHARGING AND RELATED INFRASTRUCTURE AND SERVICES; ATTRACT PRIVATE CAPITAL INVESTMENTS; AND UTILIZE HIGH-QUALITY JOBS AND SKILLED WORKER TRAINING PROGRAMS AS DEFINED IN SECTION 8-83-303;

(f) TRANSPARENT, INCORPORATING PUBLIC REPORTING REQUIREMENTS TO INFORM DESIGN AND COMMISSION POLICY; AND

(g) REASONABLY EXPECTED TO PROVIDE ACCESS FOR LOW-INCOME CUSTOMERS, IN THE TOTALITY OF THE UTILITY'S TRANSPORTATION ELECTRIFICATION PROGRAMS, WHILE GIVING DUE

CONSIDERATION TO THE IMPACT ON LOW-INCOME CUSTOMERS.

(3) (a) ELECTRIC VEHICLE INFRASTRUCTURE ELECTRICAL WORK ON THE CUSTOMER SIDE OF THE UTILITY METER, INCLUDING THE INSTALLATION OF THE CHARGING STATION APPARATUS AND RELATED HARDWARE, MUST:

(I) BE PERFORMED BY A LICENSED MASTER ELECTRICIAN, LICENSED JOURNEYMAN ELECTRICIAN, LICENSED RESIDENTIAL WIREMAN, OR PROPERLY SUPERVISED ELECTRICAL APPRENTICE AS EACH TERM IS DEFINED IN SECTION 12-23-101; AND

(II) COMPLY WITH ARTICLE 23 OF TITLE 12, INCLUDING SECTIONS 12-23-105 AND 12-23-110.5, AND ALL APPLICABLE RULES OF THE STATE ELECTRICAL BOARD.

(b) FOR ALL ELECTRIC VEHICLE INFRASTRUCTURE OR CHARGING STATIONS OWNED BY THE UTILITY, THE UTILITY SHALL USE UTILITY EMPLOYEES OR QUALIFIED CONTRACTORS IF THE CONTRACTORS' EMPLOYEES HAVE ACCESS TO AN APPRENTICESHIP PROGRAM AS DEFINED IN SECTION 8-83-303 (2). THIS APPRENTICESHIP REQUIREMENT DOES NOT APPLY TO:

(I) THE DESIGN, PLANNING, OR ENGINEERING OF THE INFRASTRUCTURE;

(II) MANAGEMENT FUNCTIONS TO OPERATE THE INFRASTRUCTURE; OR

(III) ANY WORK INCLUDED IN A WARRANTY.

SECTION 5. 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 in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary

After consideration on the merits, the Committee recommends that **SB19-108** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 18, after "JUDGE" insert "OR MAGISTRATE".

Page 3, line 19, after "JUDGE" insert "OR MAGISTRATE".

Page 4, line 2, strike "FOURTEEN" and substitute "TWELVE".

Page 4, line 4, strike "ATTORNEYS;" and substitute "ATTORNEYS WHO REGULARLY APPEAR IN JUVENILE COURT MATTERS;".

Page 4, strike lines 5 and 6 and substitute:

"(B) A REPRESENTATIVE OF THE OFFICE OF THE STATE PUBLIC DEFENDER AND A REPRESENTATIVE OF THE OFFICE OF THE ALTERNATE DEFENSE COUNSEL, BOTH OF WHOM SPECIALIZE IN JUVENILE DEFENSE;".

Page 4, strike line 7.

Reletter succeeding sub-subparagraphs accordingly.

Page 4, line 15, strike "AND".

Page 4, strike line 16 and substitute:

"(G) ONE JUVENILE OR FORMER JUVENILE WHO WAS CHARGED WITH A DELINQUENT ACT; AND".

Page 4, after line 16, insert:

"(H) A REPRESENTATIVE OF THE OFFICE OF COLORADO'S CHILD PROTECTION OMBUDSMAN.

(IX) THREE PERSONS WHO OVERSEE JUVENILE PROBATION APPOINTED BY THE CHIEF JUSTICE.".

Page 4, line 20, strike "COMMITTEE" and substitute "GOVERNOR".

Page 4, line 22, strike "AUGUST 31, 2019." and substitute "MAY 31, 2019.".

Page 4, line 23, strike "OCTOBER 30, 2019," and substitute "JUNE 30, 2019,".

Page 5, line 4, after "SUBCOMMITTEES" insert "THAT MAY INCLUDE INDIVIDUALS OTHER THAN MEMBERS OF THE COMMITTEE".

Page 5, line 10, strike "ASSESSMENT" and substitute "ASSESSMENT. THE COMMITTEE SHALL DETERMINE IF ONE TOOL MUST BE USED BY THE ENTIRE JUVENILE JUSTICE SYSTEM OR IF THE JUDICIAL DEPARTMENT OR DIVISION OF YOUTH SERVICES MAY USE DIFFERENT VALIDATED TOOLS. THE TOOL OR TOOLS MUST BE USED".

Page 5, line 20, after "ASSESSMENT" insert "TOOL OR TOOLS".

Page 5, line 22, strike "ORGANIZATIONS" and substitute "ORGANIZATIONS, CONSULT WITH THE DELIVERY OF CHILD WELFARE SERVICES TASK FORCE CREATED IN SECTION 26-5-105.8,".

Page 5, line 23, strike "JURISDICTIONS." and substitute "JURISDICTIONS AND MAY CONSIDER A VALIDATED TOOL OR TOOLS ALREADY BEING USED IN THE STATE.".

Page 5, strike line 26 and substitute "TOOLS; EXCEPT THAT THE COMMITTEE SHALL SELECT THE TOOL OR TOOLS BY SEPTEMBER 1, 2019.".

Page 6, line 1, strike "CONDUCTED;" and substitute "CONDUCTED PRIOR TO DISPOSITION, WHILE IN THE CUSTODY OF THE DIVISION OF YOUTH SERVICES, OR UNDER JUVENILE PROBATION SUPERVISION;".

Page 6, line 18, strike "AND".

Page 6, line 20, strike "ASSESSMENTS" and substitute "ASSESSMENTS;".

Page 6, strike lines 21 and 22 and substitute:

"(H) CALCULATE THE FISCAL COST OF COLLECTING AND REPORTING THE DATA REQUIRED BY SUBSECTION (1)(a)(II)(G) OF THIS SECTION AND REPORT THE COST TO THE OFFICE OF STATE PLANNING AND BUDGETING.".

Page 6, line 24, after "TO" insert "BE USED TO".

Page 6, strike line 26 and 27 and substitute "DISPOSITION. THE TOOL OR TOOLS MAY BE A VALIDATED TOOL OR TOOLS ALREADY BEING USED IN THE STATE.".

Page 7, strike lines 1 through 10.

Page 7, line 19, after "TOOL" insert "OR TOOLS".

Page 7, line 20, after "TOOL" insert "OR TOOLS".

Page 7, line 23, strike "INCLUDE, WITHOUT LIMITATION," and substitute "INCLUDE".

Page 7, line 27, strike "IDENTIFY" and substitute "IN COLLABORATION WITH THE DELIVERY OF CHILD WELFARE SERVICES TASK FORCE CREATED IN SECTION 26-5-105.8, IDENTIFY".

Page 8, strike lines 6 through 8 and substitute "PART OF THE CONTRACTING REQUIREMENTS;".

Page 8, line 26, after "STATUTES," insert "APPROPRIATIONS,".

Page 9, after line 1, insert:

"**24-20-603. Repeal.** THIS PART 6 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2022. BEFORE ITS REPEAL, THIS PART 6 IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203."

Page 9, line 3, strike "(45.5)" and substitute "(106.5)".

Page 9, line 10, strike "services, ~~by a specific program.~~" and substitute "~~services, by a specific~~ program OR ACTIVITY,".

Page 9, strike lines 11 and 12 and substitute "PROVIDED BY DISTRICT ATTORNEY'S OFFICES, GOVERNMENTAL UNITS, OR NONGOVERNMENTAL UNITS. The goal of diversion is to prevent".

Page 9, strike lines 25 through 27 and page 10, strike line 1 and substitute "defined in section 18-1-901 (3)(o.5). ~~C.R.S., and as deemed suitable by the probation department or a designated restorative justice practices facilitator. Restorative justice practices shall be conducted by facilitators recommended by the district attorney.~~".

Page 10, strike lines 2 through 7 and substitute:

"(106.5) "TEMPORARY SHELTER" MEANS THE TEMPORARY PLACEMENT OF A CHILD WITH KIN, AS DEFINED IN SUBSECTION (71.3) OF THIS SECTION; WITH AN ADULT WITH A SIGNIFICANT RELATIONSHIP WITH THE CHILD; OR IN A LICENSED AND CERTIFIED TWENTY-FOUR-HOUR CARE FACILITY.".

Page 11, line 7, strike "HOME" and substitute "HOME, FAMILY, OR OTHER RESPONSIBLE ADULT".

Page 11, line 8, after "IN" insert "ADOPTING SECTION 19-2-507.5 AND".

Page 11, line 9, strike "19-2-212" and substitute "19-2-212, 19-2-507,".

Page 11, line 16, after "(1)" insert "(a)".

Page 11, strike lines 18 through 24 and substitute "such persons, ~~in consultation with~~ SHALL FORM A WORKING GROUP THAT MUST INCLUDE REPRESENTATIVES FROM:

(I) The division of criminal justice of the department of public safety;

(II) The office of state planning and budgeting;

(III) The Colorado district attorneys council;

(IV) Law enforcement; ~~representatives,~~

(V) THE PUBLIC DEFENDER'S OFFICE AND THE OFFICE OF ALTERNATE DEFENSE COUNSEL;

(VI) THE OFFICE OF THE CHILD REPRESENTATIVE;

(VII) JUVENILE PROBATION;

(VIII) JUVENILE COURT JUDGES AND MAGISTRATES; and ~~representatives of~~

(IX) Local and county governments, INCLUDING COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES. ~~shall form a~~

(b) THE working group ~~that~~ shall carry out the following duties:".

Page 11, line 25, strike "(a)" and substitute "~~(a)~~ (I)".

Reletter succeeding paragraphs and sub-subparagraphs and renumber succeeding subparagraphs accordingly.

Page 12, line 21, after "ADOPT" insert "BY A MAJORITY VOTE OF THE WORKING GROUP".

Page 13, line 2, after "ON" insert "DISABILITY,".

Page 13, line 13, strike "TO" and substitute "BEFORE JANUARY 1, 2021, TO".

Page 13, line 17, strike "TO" and substitute "BEFORE JANUARY 1, 2021, TO".

Page 14, line 16, strike "TO" and substitute "BEFORE JANUARY 1, 2021, TO".

Page 14, strike line 25 and substitute "JUVENILE IS ELIGIBLE FOR DETENTION.".

Page 15, line 5, strike "TO" and substitute "BEFORE JANUARY 1, 2021, TO" and strike "FORM AFFIDAVIT" and substitute "INFORMATION FORM".

Page 15, lines 6 and 7, strike "FORM AFFIDAVIT" and substitute "INFORMATION FORM".

Page 15, line 9, strike "FORM AFFIDAVIT" and substitute "INFORMATION FORM".

Page 15, strike line 13 and substitute "COMPLETELY; AND".

Page 16, line 15, strike "AND" and substitute "OR".

Page 16, line 17, strike "AFFIDAVIT" and substitute "INFORMATION FORM" and strike "(1)(h)" and substitute "(1)(a)(VII)".

Page 16, line 19, after "FIRST." insert "IF AVAILABLE, THE SCREENING TEAM OR PREADJUDICATION SERVICE PROGRAM SHALL FILE THE ORIGINAL COMPLETED INFORMATION FORM WITH THE COURT. IF THE INFORMATION FORM HAS NOT BEEN COMPLETED AT THE TIME OF THE DETENTION HEARING, THE COURT SHALL DIRECT THE PARENT OR LEGAL GUARDIAN TO IMMEDIATELY COMPLETE THE FORM AND FILE IT WITH THE COURT. THE SCREENING TEAM, PREADJUDICATION SERVICE PROGRAM, OR THE COURT SHALL DELIVER A COPY OF THE INFORMATION REPORT TO THE DIVISION OF YOUTH SERVICES; THE GUARDIAN AD LITEM, IF ANY; AND THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES NO LATER THAN FIVE BUSINESS DAYS AFTER THE DATE OF THE DETENTION HEARING.".

Page 17, line 6, after "WITHOUT" insert "FORMAL".

Page 17, line 14, after "NO" insert "FORMAL".

Page 19, line 20, strike "FUNDS" and substitute "MONEY" and strike "THAT" and substitute "AND".

Page 19, line 22, after "AGENCIES" insert "TO SERVE EACH JUDICIAL DISTRICT" and after "provide" insert "REASONABLE AND NECESSARY".

Page 20, line 8, after "OFFICES" insert "OR THEIR DESIGNEES".

Page 20, line 11, strike "CONDUCT" and substitute "ON AND AFTER THIRTY DAYS AFTER THE TOOL IS SELECTED, CONDUCT".

Page 20, line 13, strike "24-20-602" and substitute "24-20-602 (1)(c)".

Page 20, line 14, strike "19-2-510." and substitute "19-2-510 UNLESS A DETERMINATION HAS ALREADY BEEN MADE TO DIVERT THE JUVENILE.".

Page 20, line 19, after "OFFICE." insert "THE ENTITY CONDUCTING THE SCREENING SHALL MAKE THE RESULTS OF THE RISK SCREENING AVAILABLE TO THE YOUTH AND FAMILY.".

Page 20, strike lines 21 through 27 and substitute "THE TOOL. THE RISK SCREENING TOOL IS TO BE USED TO INFORM ABOUT DECISIONS ABOUT DIVERSION. THE RISK SCREENING TOOL AND ANY INFORMATION OBTAINED FROM A JUVENILE IN THE COURSE OF ANY SCREENING, INCLUDING ANY ADMISSION, CONFESSION, OR INCRIMINATING EVIDENCE, OBTAINED FROM A JUVENILE IN THE COURSE OF ANY SCREENING OR ASSESSMENT IN CONJUNCTION WITH PROCEEDINGS UNDER THIS SECTION OR MADE IN ORDER TO PARTICIPATE IN A DIVERSION OR RESTORATIVE JUSTICE PROGRAM IS NOT ADMISSIBLE INTO EVIDENCE IN ANY ADJUDICATORY HEARING IN WHICH THE JUVENILE IS ACCUSED AND IS NOT SUBJECT TO SUBPOENA OR ANY OTHER COURT PROCESS FOR USE IN ANY OTHER

PROCEEDING OR FOR ANY OTHER PURPOSE.".

Page 21, strike lines 1 and 2.

Page 21, strike lines 11 through 13 and substitute:

"(IV) WHAT SERVICES, IF ANY, MAY BE OFFERED TO THE JUVENILE. PROFESSIONALS INVOLVED WITH THE JUVENILE'S NEEDS, TREATMENT, AND SERVICE PLANNING, INCLUDING DISTRICT ATTORNEYS,".

Page 21, line 15, strike "DEPARTMENT OF HUMAN SERVICES," and substitute "DEPARTMENTS OF HUMAN OR SOCIAL SERVICES,".

Page 21, line 16, strike "TREATMENT AND".

Page 21, lines 24 and 25, strike "DEPARTMENT OF HUMAN SERVICES;" and substitute "DEPARTMENTS OF HUMAN OR SOCIAL SERVICES;".

Page 22, line 14, strike "JUSTICE" and substitute "JUSTICE, IN COLLABORATION WITH DISTRICT ATTORNEYS OR DIVERSION PROGRAM DIRECTORS WHO ACCEPT FORMULA MONEY AND PROGRAMS PROVIDING JUVENILE DIVERSION SERVICES,".

Page 22, line 27, strike "AND".

Page 22, after line 27, insert:

"(h) CHILD WELFARE INVOLVEMENT; AND".

Reletter succeeding paragraph accordingly.

Page 23, line 10, strike "PROVIDE" and substitute "OFFER".

Page 25, line 7, strike "19-2-506.5" and substitute "19-2-507.5".

Page 25, strike lines 9 through 12 and substitute:

"**19-2-507.5. Limitations on detention.** DETENTION IS NOT PERMITTED FOR THE FOLLOWING:".

Page 25, strike lines 20 through 23.

Reletter succeeding paragraphs accordingly.

Page 26, line 5, strike "CONDITION." and substitute "CONDITION OR AN INTELLECTUAL AND DEVELOPMENTAL DISABILITY.".

Page 30, line 18, strike "FORM AFFIDAVIT" and substitute "INFORMATION FORM".

Page 31, line 5, before "**shelter**" insert "**temporary**".

Page 31, line 12, strike "19-2-506.5," and substitute "19-2-507.5,".

Page 34, line 7, strike "THE" and substitute "ON AND AFTER THIRTY DAYS AFTER THE SCREENING INSTRUMENT HAS BEEN DEVELOPED OR ADOPTED PURSUANT TO SECTION 19-2-212, CONDUCT".

Page 47, line 16, strike "19-2-506.5 (2)," and substitute "19-2-507.5 (2),".

Page 49, line 24, strike "AND" and substitute "OR".

Page 49, line 26, strike "FORM AFFIDAVIT" and substitute "INFORMATION FORM" and strike "(1)(h)" and substitute "(1)(a)(VII)".

Page 50, line 3, strike "(2)" and substitute "(2), (6),".

Page 50, strike lines 7 through 9 and substitute "health services, the court shall immediately order a mental health screening of the juvenile pursuant to section 16-11.9-102 ~~C.R.S.~~ USING".

Page 50, line 14, after "months." insert "BEFORE SENTENCING A JUVENILE, THE COURT SHALL ORDER A MENTAL HEALTH SCREENING, USING THE MENTAL HEALTH SCREENING TOOL SELECTED PURSUANT TO SECTION 24-20-602 (1)(b), OR MAKE A FINDING THAT THE SCREENING WOULD NOT PROVIDE INFORMATION THAT WOULD BE HELPFUL IN SENTENCING THE JUVENILE.".

Page 50, after line 18, insert:

"(6) Evidence or treatment obtained as a result of a mental health screening or assessment ordered pursuant to this section, INCLUDING ANY INFORMATION OBTAINED FROM THE JUVENILE IN THE COURSE OF A MENTAL HEALTH SCREENING OR ASSESSMENT, shall BE USED ONLY TO DETERMINE WHAT MENTAL HEALTH TREATMENT, IF ANY, TO PROVIDE TO THE JUVENILE, AND WHETHER THE JUVENILE JUSTICE OR ANOTHER SERVICE SYSTEM IS MOST APPROPRIATE TO PROVIDE THIS TREATMENT, AND MUST NOT BE USED FOR ANY OTHER PURPOSE. THE MENTAL HEALTH SCREENING OR ASSESSMENT AND ANY INFORMATION OBTAINED IN THE COURSE OF THE MENTAL HEALTH SCREENING OR ASSESSMENT IS NOT SUBJECT TO SUBPOENA OR ANY OTHER COURT PROCESS FOR USE IN ANY OTHER COURT PROCEEDING AND IS not ~~be~~ admissible on the issues raised by a plea of not guilty unless the juvenile places his or her mental health at issue. If the juvenile places his or her mental health at issue, then either party may introduce evidence obtained as a result of a mental health screening or assessment. THE COURT SHALL KEEP ANY MENTAL HEALTH SCREENING OR ASSESSMENT IN THE COURT FILE UNDER SEAL.".

Page 50, line 22, strike "APPROPRIATE" and substitute "THE LEAST RESTRICTIVE AND MOST APPROPRIATE".

Page 51, strike line 13 and substitute "NEEDS ADOPTED BY THE JUVENILE JUSTICE REFORM COMMITTEE PURSUANT TO SECTION 24-20-602 (1)(b).".

Page 55, line 18, after "ASSESSMENT" insert "ADOPTED BY THE JUVENILE JUSTICE REFORM COMMITTEE PURSUANT TO SECTION 24-20-602 (1)(b)" and strike "IDENTIFY" and substitute "INFORM THE COURT OF".

Page 57, strike lines 11 through 20 and substitute:

"(5) WHENEVER A PROBATION OFFICE HAS REASONABLE CAUSE TO BELIEVE THAT A JUVENILE HAS COMMITTED A VIOLATION OF THE TERMS AND CONDITIONS OF PROBATION AND THAT GRADUATED RESPONSES DEVELOPED PURSUANT TO SUBSECTION (4) OF THIS SECTION HAVE PREVIOUSLY BEEN APPLIED OR WHEN THE NATURE OF THE VIOLATION POSES A SUBSTANTIAL RISK OF SERIOUS HARM TO OTHERS, THE PROBATION OFFICER, FOLLOWING THE APPROVAL OF HIS OR HER CHIEF PROBATION OFFICER OR THE CHIEF'S DESIGNEE, SHALL PETITION THE COURT FOR REVOCATION AND SHALL FILE WRITTEN INFORMATION WITH THE COURT CONCERNING THE JUVENILE'S VIOLATION BEHAVIOR HISTORY AND THE RESPONSES APPLIED PURSUANT TO THE GRADUATED RESPONSE SYSTEM PURSUANT TO SUBSECTION (4) OF THIS SECTION.".

Page 58, line 26, strike "***19-2-506.5,*** 19-2-507," and substitute "19-2-507, ***19-2-507.5,***".

Page 60, line 2, after "COUNSEL," insert "THE DELIVERY OF THE CHILD WELFARE SERVICES TASK FORCE CREATED IN SECTION 26-5-105.8,".

Page 62, line 10, strike "WITHOUT LIMITATION".

Page 63, line 10, strike "19-2-506.5, 19-2-507," and substitute "19-2-507, 19-2-507.5,".

Page 68, after line 21, insert:

"**SECTION 31.** In Colorado Revised Statutes, 2-3-1203, **add** (13)(a)(V) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (13)(a) The following statutory authorizations for the designated advisory committees are scheduled for repeal on September 1, 2022:

(V) THE JUVENILE JUSTICE REFORM COMMITTEE CREATED

PURSUANT TO SECTION 24-20-601."

SECTION 32. Effective date. This act takes effect July 1, 2019; except that sections 9, 10, and 11 of this act take effect July 1, 2020.".

Renumber succeeding section accordingly.

Before "SHELTER" insert "TEMPORARY" on: **Page 26,** line 20; and **Page 29,** line 17.

Before "shelter" insert "TEMPORARY" on: **Page 30,** line 27; **Page 31,** line 13; **Page 32,** line 27; **Page 36,** line 11; **Page 37,** line 14; **Page 38,** line 18; **Page 38,** line 22; and **Page 39,** line 25.".

MESSAGE FROM THE HOUSE

February 28, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1069, 1025, amended as printed in House Journal, February 27, 2019

The House has passed on Third Reading and returns herewith SBs19-069, 044, 081, 057.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-043, amended as printed in House Journal, February 27, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

February 28, 2019

We herewith transmit:

Without comment, as amended, HB19-1025 and 1069.
Without comment, as amended, SB19-043.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-171 by Senator(s) Danielson; --Concerning the creation of the Colorado state apprenticeship resource directory.
Education

SB19-172 by Senator(s) Danielson and Ginal; also Representative(s) Singer--Concerning crimes related to an at-risk person, and, in connection therewith, creating the crimes of unlawful abandonment and unlawful confinement.
Health & Human Services

On motion of Senator Danielson, the Senate adjourned until 9:00 a.m., Friday, March 1, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

57th Legislative Day Friday, March 1, 2019

Prayer — By the chaplain, Rev. Dr. Eugene Downing, New Hope Baptist Church, Denver.

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

Roll Call — Present--31
Absent--1, Rankin.
Excused--3, Lee, Scott, Smallwood.
Present later--1, Rankin.

Quorum — The President announced a quorum present.

Pledge — By Senator Winter.

Reading of the Journal — On motion of Senator Bridges, reading of the Journal of Thursday, February 28, 2019, 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 **SB19-138** 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 1 insert:

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

(a) Under current law, taxpayers, subcontractors, and material suppliers have payment protection on public construction projects through bonding requirements and on private construction projects through mechanic's liens, but no such payment protection exists on construction projects using a public-private partnership funding agreement.

(b) Bonding protects the public interest, tax dollars, and property owned by the taxpayers of Colorado and helps ensure that subcontractors and materials suppliers involved in the construction or repair of a public property are paid.

(2) Now, therefore, it is the intent of the general assembly to ensure that current payment and performance bonding requirements for public construction projects apply to construction projects using a public-private partnership funding agreement.".

Renumber succeeding sections accordingly.

Page 2, line 7, strike "PUBLIC REAL" and substitute "PUBLICLY OWNED".

Page 2, line 10, strike "(1)" and substitute "(1); and **add** (3)".

Page 2, line 12, strike "(a)".

Page 3, line 14, strike "(b)" and substitute "(3)".

Page 3, line 16, strike "CONSTRUCTION, COMPLETION, OR REPAIR" and substitute "CONSTRUCTION OF ANY PUBLIC BUILDING OR THE PROSECUTION OR COMPLETION OF ANY PUBLIC WORKS OR FOR REPAIRS

UPON ANY PUBLIC BUILDING OR PUBLIC WORKS".

Page 3, line 17, strike "PUBLIC REAL" and substitute "PUBLICLY OWNED".

Page 3, line 20, strike "(1)" and substitute "(1); and **add** (3)".

Page 3, line 21, strike "(a) A" and substitute "~~A~~".

Page 3, strike lines 22 through 27 and substitute "~~contractor who is awarded a contract for more than fifty thousand dollars for the construction, erection, repair, maintenance, or improvement of any building, road, bridge, viaduct, tunnel, excavation, or other public works for any county, city and county, municipality, school district, or other political subdivision of the state, and a contractor who is awarded a contract for more than one hundred fifty thousand dollars for the construction, erection, repair, maintenance, or improvement of any building, road, bridge, viaduct, tunnel, excavation, or other public works for this state.~~ Before entering upon the performance of any ~~such~~ work".

Page 4, strike lines 1 through 3.

Page 4, line 4, after "contract," insert "A CONTRACTOR".

Page 4, strike lines 17 through 22 and substitute:

"(3) THIS SECTION APPLIES TO:

(a) A CONTRACTOR WHO IS AWARDED A CONTRACT FOR MORE THAN FIFTY THOUSAND DOLLARS FOR THE CONSTRUCTION, ERECTION, REPAIR, MAINTENANCE, OR IMPROVEMENT OF ANY BUILDING, ROAD, BRIDGE, VIADUCT, TUNNEL, EXCAVATION, OR OTHER PUBLIC WORKS FOR ANY COUNTY, CITY AND COUNTY, MUNICIPALITY, SCHOOL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE;

(b) A CONTRACTOR WHO IS AWARDED A CONTRACT FOR MORE THAN ONE HUNDRED FIFTY THOUSAND DOLLARS FOR THE CONSTRUCTION, ERECTION, REPAIR, MAINTENANCE, OR IMPROVEMENT OF ANY BUILDING, ROAD, BRIDGE, VIADUCT, TUNNEL, EXCAVATION, OR OTHER PUBLIC WORKS FOR THIS STATE; AND

(c) ALL CONTRACTS FOR MORE THAN ONE HUNDRED FIFTY THOUSAND DOLLARS AWARDED TO A PRIVATE ENTITY FOR THE CONSTRUCTION, ERECTION, REPAIR, MAINTENANCE, OR IMPROVEMENT OF ANY BUILDING, ROAD, BRIDGE, VIADUCT, TUNNEL, EXCAVATION, OR OTHER PUBLIC WORKS THAT IS SITUATED OR LOCATED ON PUBLICLY OWNED PROPERTY USING ANY PUBLIC OR PRIVATE MONEY OR PUBLIC OR PRIVATE FINANCING.".

Finance

After consideration on the merits, the Committee recommends that **SB19-139** 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 "**rule.**" and substitute "**rule - repeal.**".

Page 2, strike lines 11 through 15 and substitute:

"(2) (a) BY JANUARY 1, 2020, THE DEPARTMENT SHALL ISSUE IDENTIFICATION DOCUMENTS UNDER THIS PART 5 IN AN EFFICIENT MANNER AT EIGHT OR MORE OFFICES, INCLUDING OFFICES OPERATING BEFORE JANUARY 1, 2020, THAT ARE GEOGRAPHICALLY DISTRIBUTED THROUGHOUT THE STATE. THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE JULY 1, 2020.

(b) BY JULY 1, 2020, THE DEPARTMENT SHALL ISSUE IDENTIFICATION DOCUMENTS UNDER THIS PART 5 IN AN EFFICIENT MANNER AT TEN OR MORE OFFICES, INCLUDING OFFICES OPERATING BEFORE JULY 1, 2020, THAT ARE GEOGRAPHICALLY DISTRIBUTED THROUGHOUT THE STATE.".

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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, 2021:

Douglas P. Price of Colorado Springs, Colorado, who previously served as a representative of the destination marketing industry to now serve as a representative of cultural event and facilities groups, and occasioned by the resignation of Barbara Jean Bowman of Grand Junction, Colorado, reappointed;

Sean Edward Demeule of Evergreen, Colorado, to serve as an at large member from tourism-based industries and small communities, appointed;

for terms expiring June 1, 2022:

Ute "Lucy" Kay of Dillon, Colorado, to serve as a representative of the destination marketing industry, and occasioned by the change in designation of Douglas P. Price of Colorado Springs, Colorado, appointed;

Kieran Cain of Lafayette, Colorado, to serve as an at large member from tourism based industries, reappointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2022:

Stephen Wayne Laramore of Craig, Colorado, to serve a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, appointed.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **HB19-1114** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-170, 171, and 172.
Correctly Reengrossed: SB19-088.
Correctly Revised: HB19-1042 and 1063.
Correctly Enrolled: SB19-044, 057, 069, and 081; SJR19-005.

MESSAGE FROM THE HOUSE

February 28, 2019

Mr. President:

The Speaker has appointed Representatives Hansen, chairman, Esgar, and Ransom, as House conferees on the First Conference Committee on SB19-128.

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:

HB19-1063 by Representative(s) Kraft-Tharp and Larson; also Senator(s) Gardner and Lee--Concerning the ability to share information between county adult protective services with county child protective services as well as at-risk adults obtaining their own information.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Ginal, Hisey, Moreno, Priola, Rankin, Tate, Todd, Williams A., and Winter.

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:

HB19-1042 by Representative(s) Gonzales-Gutierrez; also Senator(s) Gonzales--Concerning expanding the jurisdiction of the courts for certain vulnerable youth.

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

YES	20	NO	12	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Fields, Moreno, Story, Todd, Williams A., and Winter.

Committee of the Whole

On motion of Senator Rodriguez, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Rodriguez 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:

HB19-1047 by Representative(s) Buentello; also Senator(s) Danielson--Concerning the authority of a metropolitan district to levy a sales tax for the purpose of providing fire protection in the areas of the district in which the tax is levied.

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

HB19-1175 by Representative(s) Gray; also Senator(s) Gonzales--Concerning the property tax valuation appeal process.

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

HB19-1084 by Representative(s) Gray; also Senator(s) Zenzinger--Concerning a requirement that notice of a determination on whether a particular land area is blighted be given to owners of private property within the area.

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 Rodriguez, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1047, HB19-1175, HB19-1084.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB19-1105) of Friday, March 1, was laid over until Monday, March 4, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-043 by Senator(s) Lee and Gardner, Cooke; also Representative(s) Herod and Carver, Weissman, Arndt--Concerning an increase in the number of district court judges in certain judicial districts, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB19-043, as printed in House journal, February 20, pages 381-382, and February 22, pages 415-416. The motion was **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Coram, Foote, Gonzales, Rodriguez, Story, and Winter.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Winter, the following Governor's appointments were confirmed by a roll call vote:

MEMBER OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2020:

Auden Schendler of Basalt, Colorado, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Megan Elyse Garvey of Denver, Colorado, appointed.

YES	23	NO	9	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2022:

Jana Beth Milford of Boulder, Colorado, to serve as a person with appropriate scientific and legal experience, reappointed.

Elise Sarah Jones of Boulder, Colorado, to serve as a person with appropriate technical and private sector experience, occasioned by the resignation of William R. Toor of Boulder, Colorado, appointed.

YES	23	NO	9	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	E	Smallwood	E	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR19-005; HB19-1066, 1070, 1109..

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, February 28, 2019, at 12:02 p.m.: SB19-070, 080, 082, and 083.

MESSAGE FROM THE HOUSE

March 1, 2019

Mr. President:

The House has voted to grant the House conferees on the First Conference Committee on SB19-128 to consider matters not at issue between the two houses.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1032** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 24, after "HARASSMENT," insert "SEX TRAFFICKING,".

Page 7, line 8, strike "GENDER NORMS OR".

Page 9, strike lines 2 through 9 and substitute:

"(e) "GENDER STEREOTYPE" MEANS A GENERALIZED VIEW OR PRECONCEPTION ABOUT WHAT ATTRIBUTES, CHARACTERISTICS, OR ROLES ARE, OR OUGHT TO BE TAUGHT, POSSESSED BY OR PERFORMED BY WOMEN AND MEN.

(f) "HEALTHY RELATIONSHIP" MEANS AN INTERPERSONAL RELATIONSHIP THAT IS FREE OF PHYSICAL, SEXUAL, AND EMOTIONAL ABUSE, COERCION, AND VIOLENCE.

(g) "HUMAN SEXUALITY INSTRUCTION" OR "INSTRUCTION" MEANS AN ORAL, WRITTEN, OR DIGITAL LESSON, LECTURE, OR PRESENTATION, GIVEN BY SCHOOL STAFF OR NONSCHOOL STAFF, THAT TEACHES ABOUT

ABSTINENCE OR SEXUAL ACTIVITY IN THE CONTEXT OF STUDENT HEALTH OR HEALTHY RELATIONSHIPS. INSTRUCTION DOES NOT INCLUDE STUDENT SPEECH.".

Reletter succeeding paragraphs accordingly.

Page 9, strike line 27 and substitute "**requirements.**"

Page 10, line 1, strike "SECTION, A" and substitute "A".

Page 10, line 23, strike "ENDORSE" and substitute "EMPHASIZE".

Page 10, line 24, strike "SUCH" and substitute "A PUBLIC SCHOOL SHALL NOT ENGAGE THE INSTRUCTIONAL SERVICES OF AN ORGANIZATION OR INDIVIDUAL THAT IS A DIRECT OR INDIRECT RECIPIENT OF MONEY FROM THE FEDERAL GOVERNMENT PURSUANT TO 42 U.S.C. SEC. 710, AS AMENDED, BECAUSE THE GUIDELINES SET FORTH IN 42 U.S.C. SEC. 710 ARE INCONSISTENT WITH THE PROVISIONS OF THIS SECTION.".

Page 10, strike lines 25 and 26.

Page 11, strike lines 1 and 2 and substitute "RELATIONSHIPS BY PROVIDING HUMAN SEXUALITY INSTRUCTION ON:".

Page 12, strike lines 14 through 16 and substitute "BE INTERPRETED TO PROHIBIT STUDENTS FROM DISCUSSING THEIR INDIVIDUAL MORAL, ETHICAL, OR RELIGIOUS VALUES IN THE CONTEXT OF HUMAN SEXUALITY INSTRUCTION. SUCH DISCUSSION IS ENCOURAGED.".

Page 12, strike lines 19 and 20.

Renumber succeeding subparagraphs accordingly.

Page 12, line 23, strike "GENDER NORMS OR".

Page 12, line 24, strike "RELATIONAL OR SEXUAL EXPERIENCES" and substitute "HEALTH NEEDS".

Page 12, strike lines 26 and 27.

Page 13, strike line 1.

Page 13, line 10, strike "(a)".

Page 13, strike lines 21 through 24.

Page 14, line 10, after "(11)" strike "A PUBLIC SCHOOL THAT HAS RECEIVED, PRIOR TO JULY 1,".

Page 14, strike lines 11 through 15.

Page 14, line 16, strike "PUBLIC SCHOOL RECEIVED SUCH MONEY.".

Page 14, line 17, strike "USE ANY DIRECT OR INDIRECT MONEY" and substitute "APPLY FOR OR ACCEPT A GRANT".

Page 14, strike lines 19 through 27 and substitute "OR SEXUAL RISK AVOIDANCE EDUCATION PROGRAM THAT IS INCONSISTENT WITH THE PROVISIONS OF THIS SECTION.".

Page 15, strike line 1.

Page 15, line 7, strike "GRADE UNLESS THE" and substitute "GRADE.".

Page 15, strike lines 8 through 14.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-173 by Senator(s) Donovan and Pettersen, Bridges; also Representative(s) Kraft-Tharp--Concerning the creation of the Colorado secure savings plan board to study appropriate approaches to increase the amount of retirement savings by Colorado's private sector workers.
Finance

SB19-174 by Senator(s) Garcia and Hill; also Representative(s) Buentello and Neville--Concerning tuition assistance eligibility for dependent children of certain persons, and, in connection therewith, determining eligibility for dependents of prisoners of war, military personnel missing in action, National Guardsmen, law enforcement officers, and firefighters.
State, Veterans, & Military Affairs

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user.
Judiciary

SB19-176 by Senator(s) Lundeen and Bridges; also Representative(s) McCluskie and Geitner--Concerning measures to expand opportunities for students to earn postsecondary course credit while enrolled in high school.
Education

SB19-177 by Senator(s) Ginal; --Concerning matters related to background checks for persons who have contact with children.
State, Veterans, & Military Affairs

SB19-178 by Senator(s) Foote; also Representative(s) Singer--Concerning the subsidization of adoption for eligible children in Colorado.
Finance

SB19-179 by Senator(s) Lee; also Representative(s) Wilson--Concerning the enhance school safety incident response grant program, and, in connection therewith, making an appropriation.
Finance

SB19-180 by Senator(s) Winter; also Representative(s) McCluskie--Concerning the creation of an eviction legal defense fund, and, in connection therewith, making an appropriation.
Judiciary

SB19-181 by Senator(s) Fenberg; also Representative(s) Becker--Concerning additional public welfare protections regarding the conduct of oil and gas operations.
Transportation & Energy

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.
Judiciary

HB19-1069 by Representative(s) Jackson; also Senator(s) Danielson--Concerning the certification of sign language interpreters for the purpose of title protection, and, in connection therewith, making an appropriation.
Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-024; HB19-1012, 1020, 1059, 1136.

MESSAGE FROM THE GOVERNOR

Thursday, February 28, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-112 - Supplemental Appropriation Dept. Governor, Lt. Gov, OSPB
Approved Thursday, February 28, 2019 3:05 p.m.

SB 19-114 - Supplemental Appropriation Dept. Human Services
Approved Thursday, February 28, 2019 3:05 p.m.

SB 19-115 - Supplemental Appropriation Dept. Judicial
Approved Thursday, February 28, 2019 3:06 p.m.

SB 19-116 - Supplemental Appropriation Dept. Law
Approved Thursday, February 28, 2019 3:57 p.m.

SB 19-117 - Supplemental Appropriation Dept. Local Affairs
Approved Thursday, February 28, 2019 3:08 p.m.

SB 19-118 - Supplemental Appropriation Dept. Military And Veterans Affairs
Approved Thursday, February 28, 2019 3:09 p.m.

SB 19-119 - Supplemental Appropriation Dept. Personnel And Administration
Approved Thursday, February 28, 2019 3:09 p.m.

SB 19-120 - Supplemental Appropriation Dept. Public Health And Environment
Approved Thursday, February 28, 2019 3:09 p.m.

SB 19-121 - Supplemental Appropriation Dept. Public Safety
Approved Thursday, February 28, 2019 3:10 p.m.

SB 19-122 - Supplemental Appropriation Dept. Regulatory Agencies
Approved Thursday, February 28, 2019 3:10 p.m.

SB 19-123 - Supplemental Appropriation Dept. Revenue
Approved Thursday, February 28, 2019 3:10 p.m.

SB 19-124 - Supplemental Appropriation Dept. State
Approved Thursday, February 28, 2019 3:10 p.m.

SB 19-125 - Supplemental Appropriation Dept. Transportation
Approved Thursday, February 28, 2019 3:11 p.m.

SB 19-126 - Supplemental Appropriation Dept. Treasury
Approved Thursday, February 28, 2019 3:11 p.m.

SB 19-127 - Supplemental Appropriation Capital Construction
Approved Thursday, February 28, 2019 3:06 p.m.

Sincerely,
(signed)
Jared Polis
Governor

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, March 4, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

60th Legislative Day Monday, March 4, 2019

Prayer — By the chaplain, Pastor Bethany Benz-Whittington, Westview Presbyterian Church, Longmont.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Ginal.

Reading of the Journal — On motion of Senator Foote, reading of the Journal of Friday, March 1, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-170 Corrected Introduced, 173, 174, 175, 176, 177, 178, 179, 180, and 181.
Correctly Revised: HB19-1047, 1084, and 1175.
Correctly Rerevised: HB19-1042 and 1063.
Correctly Enrolled: SB19-043.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Garcia was added as a Senate joint prime sponsor with Senator Danielson and Representative Buentello on HB19-1047.

On motion of Majority Leader Fenberg, 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:

HB19-1047 by Representative(s) Buentello; also Senator(s) Danielson and Garcia--Concerning the authority of a metropolitan district to levy a sales tax for the purpose of providing fire protection in the areas of the district in which the tax is levied.

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

YES	23	NO	10	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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, Gonzales, Lee, and Moreno.

HB19-1175 by Representative(s) Gray; also Senator(s) Gonzales--Concerning the property tax valuation appeal process.

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

HB19-1084 by Representative(s) Gray; also Senator(s) Zenzinger--Concerning a requirement that notice of a determination on whether a particular land area is blighted be given to owners of private property within the area.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Fenberg, Garcia, Moreno, Pettersen, and Williams A.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

HB19-1105 by Representative(s) Mullica and Saine, Beckman, Soper, Caraveo, Galindo, Humphrey, Lontine; also Senator(s) Marble and Winter--Concerning the ability of advanced practice nurses with prescriptive authority to obtain level I accreditation under the "Workers' Compensation Act of Colorado".

Laid over until Tuesday, March 5, retaining its place on the calendar.

HB19-1152 by Representative(s) Herod and Galindo; also Senator(s) Gonzales--Concerning eliminating the requirement that a student member of the state student advisory council for community colleges and occupational education must be an in-state student for tuition purposes prior to election to the state student advisory council for community colleges and occupational education.

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

SB19-078 by Senator(s) Donovan and Bridges; also Representative(s) Hansen and Herod--Concerning the protection of the open internet, and, in connection therewith, disqualifying an internet service provider from receiving high cost support mechanism money or other money received to finance broadband deployment if the internet service provider engages in certain practices that interfere with the open internet, requiring an internet service provider that engages in such practices to refund any such money received, and requiring a governmental body contracting for broadband internet access service to give preference to an internet service provider that certifies that it will not engage in practices that interfere with the open internet.

Laid over until Tuesday, March 5, retaining its place on the calendar.

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

Laid over until Tuesday, March 5, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1152.
Laid over until Tuesday, March 5: HB19-1105, SB19-078, SB19-077.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 4, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1185.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HBs19-1153, 1037, 1131, 1004, 1177, amended as printed in House Journal, March 1, 2019.

The House has passed on Third Reading and returns herewith SBs19-019, 071.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-029, amended as printed in House Journal, March 1, 2019.

The House has voted to concur in the Senate amendments to HBs19-1033, 1034, 1082, 1077, 1044, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB19-1029 and requests that a conference committee be appointed. The Speaker has appointed Representatives Arndt, chairman, Roberts, and Catlin as House conferees on the First Conference Committee on HB19-1029. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

March 4, 2019

We herewith transmit:

Without comment, HB19-1185.
Without comment, as amended, HB19-1004, 1037, 1131, 1153, and 1177.
Without comment, as amended, SB19-029.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-182 by Senator(s) Williams A. and Gonzales, Bridges, Court, Garcia, Priola; also Representative(s) Arndt and Benavidez--Concerning the repeal of the death penalty by the general assembly.
Judiciary

SB19-183 by Senator(s) Priola and Todd; also Representative(s) Michaelson Jenet and Wilson--Concerning creation of a voluntary alternate process for dissolution and annexation of the territory of a school district under specified circumstances.
Education

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-081, 111, and 113.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 4, 2019, at 2:50 p.m.:
SB19-111 and 113.

On motion of Senator Gonzales, the Senate adjourned until 9:00 a.m., Tuesday, March 5, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

61st Legislative Day Tuesday, March 5, 2019

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

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

Roll Call — Present--33
Excused--2, Fields, Winter.
Present later--1, Fields.

Quorum — The President announced a quorum present.

Pledge — By Senator Ginal.

Reading of the Journal — On motion of Senator Bridges, reading of the Journal of Monday, March 4, 2019, 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 **HB19-1083** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1007** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB19-154** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-182 and 183.
Correctly Revised: HB19-1152.
Correctly Rerevised: HB19-1047, 1084, and 1175.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-184 by Senator(s) Tate; also Representative(s) Arndt and Catlin--Concerning a grant of authority to the Colorado water institute to study potential uses of blockchain technology.
Agriculture & Natural Resources

SB19-185 by Senator(s) Fields; also Representative(s) Landgraf--Concerning protections for minor human trafficking victims, and, in connection therewith, requiring a post-enactment review of the implementation of this act.
State, Veterans, & Military Affairs

SB19-186 by Senator(s) Donovan and Coram; also Representative(s) Arndt--Concerning the expansion of agricultural chemical management plans to protect surface water.
Agriculture & Natural Resources

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:

HB19-1152 by Representative(s) Herod and Galindo; also Senator(s) Gonzales--Concerning eliminating the requirement that a student member of the state student advisory council for community colleges and occupational education must be an in-state student for tuition purposes prior to election to the state student advisory council for community colleges and occupational education.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	E
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Moreno, Rodriguez, Story, and Todd.

Committee of the Whole On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

HB19-1105 by Representative(s) Mullica and Saine, Beckman, Soper, Caraveo, Galindo, Humphrey, Lontine; also Senator(s) Marble and Winter--Concerning the ability of advanced practice nurses with prescriptive authority to obtain level I accreditation under the "Workers' Compensation Act of Colorado".

Laid over until Wednesday, March 6, retaining its place on the calendar.

SB19-078 by Senator(s) Donovan and Bridges; also Representative(s) Hansen and Herod--Concerning the protection of the open internet, and, in connection therewith, disqualifying an internet service provider from receiving high cost support mechanism money or other money received to finance broadband deployment if the internet service provider engages in certain practices that interfere with the open internet, requiring an internet service provider that engages in such practices to refund any such money received, and requiring a governmental body contracting for broadband internet access service to give preference to an internet service provider that certifies that it will not engage in practices that interfere with the open internet.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 28, pages 352-353 and placed in members' bill files.)

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

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 28, pages 353-355 and placed in members' bill files.)

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

SB19-138 by Senator(s) Winter and Priola; also Representative(s) Bird--Concerning bonding requirements for contractors that are a party to certain public-private initiatives.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 1, pages 363-364 and placed in members' bill files.)

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

HB19-1114 by Representative(s) Catlin and Valdez D.; also Senator(s) Danielson and Cooke--Concerning the implementation under state law by the commissioner of agriculture of federal produce safety standards for farms.

Amendment No. 1(L.002), by Senator Sonnenberg.

Amend the reengrossed bill, page 5, line 24, before "OBTAINING" insert "GIVING THE FARM WRITTEN NOTICE AND".

Page 6, line 4, strike "COMMISSIONER" and substitute "COMMISSIONER, UPON THE COMMISSIONER GIVING THE FARM WRITTEN NOTICE,".

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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-078 as amended, SB19-077 as amended, SB19-138 as amended, HB19-1114 as amended.
Laid over until Wednesday, March 6: HB19-1105.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-029 by Senator(s) Crowder; also Representative(s) Landgraf and Sullivan--Concerning the Colorado income tax liability of an individual in active duty military service.

Senator Crowder moved that the Senate concur in House amendments to SB19-029, as printed in House journal, February 28, pages 468-469. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Fenberg, 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, 2021:

Douglas P. Price of Colorado Springs, Colorado, who previously served as a representative of the destination marketing industry to now serve as a representative of cultural event and facilities groups, and occasioned by the resignation of Barbara Jean Bowman of Grand Junction, Colorado, reappointed;

Sean Edward Demeule of Evergreen, Colorado, to serve as an at large member from tourism-based industries and small communities, appointed;

for terms expiring June 1, 2022:

Ute “Lucy” Kay of Dillon, Colorado, to serve as a representative of the destination marketing industry, and occasioned by the change in designation of Douglas P. Price of Colorado Springs, Colorado, appointed;

Kieran Cain of Lafayette, Colorado, to serve as an at large member from tourism based industries, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2022:

Stephen Wayne Laramore of Craig, Colorado, to serve a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	E
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

February 14, 2019

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 PERSONNEL AND ADMINISTRATION

effective immediately, for a term expiring at the pleasure of the Governor:

Kara Veitch of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/15/2019
Andrew Carpenter, Senate Reader

Committee on Business, Labor, & Technology

February 19, 2019

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
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2022:

Armando Vadez of La Jara, Colorado, to serve as a member who has substantial experience in the production of agriculture, and to serve as a Democrat, appointed;

Russell Anthony DeSalvo III of Pueblo, Colorado, to serve as a Republican, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

February 19, 2019

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 SCHOOL OF MINES BOARD OF TRUSTEES

for a term expiring December 31, 2022:

Denise Burgess of Denver, Colorado, a Democrat who is not a graduate of the Colorado School of Mines, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

February 19, 2019

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 and reappoint, and submit to your consideration, the following:

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2022:

John William Singletary of Pueblo, Colorado, a Democrat, reappointed;

Cleave Alan Simpson of Alamosa, Colorado, a Republican, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

February 19, 2019

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, reappoint and submit to your consideration, the following:

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

for a term expiring December 31, 2020:

Richard L. Monfort of Greeley, Colorado, a Republican, reappointed;

for a term expiring December 31, 2022:

Janice Carrie Sinden of Evergreen, Colorado, a Republican, reappointed;

Stephen Moreland Jordan, PhD of Lafayette, Colorado, an Unaffiliated, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

February 19, 2019

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

for terms expiring December 31, 2022:

Janet Kier Lopez Vilsack, PhD of Mountain View, Colorado, a Democrat, appointed;

Alan G. Hill of Denver, Colorado, an Unaffiliated, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

February 19, 2019

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 FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2022:

Erich Marshall Ferchau of Gunnison, Colorado, a Republican, reappointed;

James Charles Pribyl of Louisville, Colorado, a Democrat, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary After consideration on the merits, the Committee recommends that **HB19-1148** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB19-1172** 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 Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, March 6, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

62nd Legislative Day Wednesday, March 6, 2019

Prayer — By the chaplain, Pastor Mark White, Park View Bible Baptist Church, Wheat Ridge.

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

Roll Call — Present--31
Absent--2, Fields, Pettersen.
Excused--2, Bridges, Scott.
Present later--3, Bridges, Fields, Pettersen.

Quorum — The President announced a quorum present.

Pledge — By Senator Ginal.

Reading of the Journal — On motion of Senator Foote, reading of the Journal of Tuesday, March 5, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Trans-portation & Energy — After consideration on the merits, the Committee recommends that **SB19-181** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 6, strike lines 9 through 17 and substitute "EMISSIONS OF METHANE AND OTHER HYDROCARBONS, VOLATILE ORGANIC COMPOUNDS, AND OXIDES OF NITROGEN FROM FACILITIES IN ALL SEGMENTS OF THE OIL AND NATURAL GAS SUPPLY CHAIN.

(b) (I) THE COMMISSION SHALL REVIEW ITS LEAK DETECTION AND REPAIR RULES FOR OIL AND NATURAL GAS WELL PRODUCTION FACILITIES AND COMPRESSOR STATIONS AND SPECIFICALLY CONSIDER ADOPTING MORE STRINGENT PROVISIONS, INCLUDING:

(A) A REQUIREMENT THAT ALL OIL AND NATURAL GAS WELL PRODUCTION FACILITIES MUST CONDUCT, AT A MINIMUM, SEMI-ANNUAL LEAK DETECTION AND REPAIR INSPECTIONS;

(B) A REQUIREMENT THAT OWNERS AND OPERATORS OF OIL AND GAS TRANSMISSION PIPELINES AND COMPRESSOR STATIONS MUST INSPECT AND MAINTAIN ALL EQUIPMENT AND PIPELINES ON A REGULAR BASIS; AND

(C) A REQUIREMENT THAT OIL AND NATURAL GAS OPERATORS MUST INSTALL AND OPERATE CONTINUOUS METHANE EMISSIONS MONITORS AT FACILITIES WITH LARGE EMISSIONS POTENTIAL, AT MULTI-WELL FACILITIES, AND AT FACILITIES IN CLOSE PROXIMITY TO OCCUPIED DWELLINGS.".

Page 7, strike lines 14 through 17 and substitute:

"(g) Regulating the use of land on the basis of the impact ~~thereof~~ OF THE USE on the community or surrounding areas; ~~and~~".

Page 16, line 27, strike "and (19)" and substitute "(19), and (20)".

Page 22, strike lines 10 through 13 and substitute:

"(18) THE COMMISSION SHALL PROMULGATE RULES TO ENSURE PROPER WELLBORE INTEGRITY OF ALL OIL AND GAS PRODUCTION WELLS. IN PROMULGATING THE RULES, THE COMMISSION SHALL CONSIDER

INCORPORATING RECOMMENDATIONS FROM THE STATE OIL AND GAS REGULATORY EXCHANGE AND SHALL INCLUDE PROVISIONS TO:

(a) ADDRESS THE PERMITTING, CONSTRUCTION, OPERATION, AND CLOSURE OF PRODUCTION WELLS;

(b) REQUIRE THAT WELLS ARE CONSTRUCTED USING CURRENT PRACTICES AND STANDARDS THAT PROTECT WATER ZONES AND PREVENT BLOWOUTS;

(c) ENHANCE SAFETY AND ENVIRONMENTAL PROTECTIONS DURING OPERATIONS SUCH AS DRILLING AND HYDRAULIC FRACTURING;

(d) REQUIRE REGULAR INTEGRITY ASSESSMENTS FOR ALL OIL AND GAS PRODUCTION WELLS, SUCH AS PRESSURE MONITORING DURING PRODUCTION; AND

(e) ADDRESS THE USE OF NONDESTRUCTIVE TESTING OF WELL JOINTS.".

Page 22, line 14, strike "AND, IF NECESSARY," and substitute "AND".

Page 22, line 16, before "TO" insert "TO THE EXTENT NECESSARY".

Page 22, after line 24 insert:

"(20) THE COMMISSION SHALL ADOPT RULES TO REQUIRE CERTIFICATION FOR WORKERS IN THE FOLLOWING FIELDS:

(a) COMPLIANCE OFFICERS WITH REGARD TO THE FEDERAL "OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970", 29 U.S.C. SEC. 651 ET SEQ., INCLUDING SPECIFICALLY WORKING IN CONFINED SPACES;

(b) COMPLIANCE OFFICERS WITH REGARD TO CODES PUBLISHED BY THE AMERICAN PETROLEUM INSTITUTE AND AMERICAN SOCIETY OF MECHANICAL ENGINEERS, OR THEIR SUCCESSOR ORGANIZATIONS;

(c) THE HANDLING OF HAZARDOUS MATERIALS;

(d) WELDERS WORKING ON OIL AND GAS PROCESS LINES, INCLUDING:

(I) KNOWLEDGE OF THE FLOWLINE RULES PROMULGATED PURSUANT TO SUBSECTION (19) OF THIS SECTION;

(II) A MINIMUM OF SEVEN THOUSAND HOURS OF DOCUMENTED ON-THE-JOB TRAINING; AND

(III) PASSAGE OF THE INTERNATIONAL CODE COUNCIL EXAM F31, NATIONAL STANDARD JOURNEYMAN MECHANICAL, OR AN ANALOGOUS SUCCESSOR EXAM, FOR ANY PERSON WORKING ON PRESSURIZED PROCESS LINES IN UPSTREAM AND MIDSTREAM OPERATIONS.".

Finance — After consideration on the merits, the Committee recommends that **SB19-137** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-133** be referred to the Committee on Appropriations with favorable recommendation.

Local Government — After consideration on the merits, the Committee recommends that **SB19-158** 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 19 through 27 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 35-80-106.4, **amend** (1), (3) introductory portion, and (3)(d); **repeal** (3)(c); and **add** (3)(e) as follows:

35-80-106.4. Sterilization of ownerless dogs and cats required - rules - exceptions - violations. (1) An animal shelter or pet animal rescue shall not release a dog or cat to a prospective owner unless

~~(a)~~ the animal has been sterilized by a licensed veterinarian. ~~or~~

~~(b) (I) The prospective owner signs an agreement to have the animal sterilized by a licensed veterinarian within ninety days after the date of release and deposits a fee, in an amount specified by rule of the commissioner, with the animal shelter or pet animal rescue.~~

~~(II) Upon receiving a written statement from the licensed veterinarian who performed the sterilization procedure that the dog or cat has been sterilized, the animal shelter or pet animal rescue shall refund the deposit to the prospective owner.~~

~~(III) If the prospective owner fails to provide the animal shelter or pet animal rescue with a written statement from a licensed veterinarian stating that the veterinarian performed a sterilization procedure on the dog or cat within ninety days after signing the agreement:~~

~~(A) The prospective owner shall forfeit the deposit and the animal shelter or pet animal rescue shall forward the amount of the deposit to the pet overpopulation fund created in section 35-80-116.5 (5) or a local dedicated spay and neuter fund; and~~

~~(B) The animal shelter or pet animal rescue may promptly reclaim the animal from the prospective owner.~~

(3) This section ~~shall~~ DOES not apply to:

(c) ~~Animal shelters or pet animal rescues with existing sterilization programs that ensure that every dog or cat is sterilized before being released; or~~

(d) Public animal shelters eligible for waiver of licensing fees pursuant to rules promulgated by the commissioner; OR

(e) A FACILITY IN AN AREA WITH LIMITED ACCESS TO LICENSED VETERINARIANS THAT HAS BEEN GRANTED AN EXEMPTION BY THE COMMISSIONER.".

Page 4, strike lines 1 through 7.

Page 4, strike line 9 and substitute "(1) introductory portion, (1)(b), and (3); and **add**".

Page 4, strike lines 20 through 27.

Page 5, strike line 1.

Local Government

After consideration on the merits, the Committee recommends that **SB19-141** 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, before "CITY" insert "A".

Page 2, line 8, before "COUNTY" insert "THE UNINCORPORATED AREA OF A".

Local Government

After consideration on the merits, the Committee recommends that **SB19-152** 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 **SB19-151** 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: SB19-184, 185, and 186.
Correctly Engrossed: SB19-077, 078, and 138.
Correctly Revised: HB19-1114.
Correctly Rerevised: HB19-1152.
Correctly Enrolled: SB19-019, 029, and 071.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR19-004 by Senator(s) Garcia and Cooke--Concerning the designation of September 27 as "First Responder Appreciation Day" in Colorado.

Laid over until Friday, March 8, 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:

SB19-078 by Senator(s) Donovan and Bridges; also Representative(s) Hansen and Herod--Concerning the protection of the open internet, and, in connection therewith, disqualifying an internet service provider from receiving high cost support mechanism money or other money received to finance broadband deployment if the internet service provider engages in certain practices that interfere with the open internet, requiring an internet service provider that engages in such practices to refund any such money received, and requiring a governmental body contracting for broadband internet access service to give preference to an internet service provider that certifies that it will not engage in practices that interfere with the open internet.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Danielson, Fenberg, Foote, Garcia, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Todd, Winter, and Zenzinger.

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

Laid over until Friday, March 8, retaining its place on the calendar.

SB19-138 by Senator(s) Winter and Priola; also Representative(s) Bird--Concerning bonding requirements for contractors that are a party to certain public-private initiatives.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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.

HB19-1114 by Representative(s) Catlin and Valdez D.; also Senator(s) Danielson and Cooke--Concerning the implementation under state law by the commissioner of agriculture of federal produce safety standards for farms.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fields, Garcia, Gardner, Ginal, Gonzales, Hisey, Rodriguez, Sonnenberg, and Tate.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1105 by Representative(s) Mullica and Saine, Beckman, Soper, Caraveo, Galindo, Humphrey, Lontine; also Senator(s) Marble and Winter--Concerning the ability of advanced practice nurses with prescriptive authority to obtain level I accreditation under the "Workers' Compensation Act of Colorado".

Amendment No. 1(L.005), by Senator Marble.

Amend reengrossed bill, page 2, strike lines 2 and 3 and substitute

"**SECTION 1.** In Colorado Revised Statutes, 8-42-101, **add** (3.5)(a)(I)(D) and (3.5)(a)(I)(E) as follows:".

Page 2, strike lines 8 through 16 and substitute "(3.5) (a) (I) (D) AN ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY PURSUANT TO SECTION 12-38-111.6 MAY RECEIVE LEVEL I ACCREDITATION FOR PURPOSES OF RECEIVING ONE HUNDRED PERCENT REIMBURSEMENT UNDER THE MEDICAL FEE SCHEDULE CREATED IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION.

(E) NOTHING IN THIS SUBSECTION (3.5)(a) GRANTS ANY PERSON OTHER THAN A PHYSICIAN LICENSED UNDER THE "COLORADO MEDICAL PRACTICE ACT" THE AUTHORITY TO DETERMINE THAT NO PERMANENT MEDICAL IMPAIRMENT HAS RESULTED FROM THE INJURY PURSUANT TO SUBSECTION (3.6)(b) OF THIS SECTION OR THAT A CLAIMANT HAS ATTAINED MAXIMUM MEDICAL IMPROVEMENT PURSUANT TO SECTION 8-42-107 (8)(b)(I).".

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1105 as amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-042.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, March 5, 2019, at 10:21a.m.:
SB19-081.

TRIBUTES

Honoring:

Maelah Robinson-Castillo -- By President Leroy M. Garcia.
Gail Devore -- By Senator Robert Rodriguez.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, March 7, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

63rd Legislative Day Thursday, March 7, 2019

Prayer

By the chaplain, Father Joseph Dang, Denver Police Chaplain.

Call to Order

By the President at 9:00 a.m.

Roll Call

Present--32
Excused--3, Hill, Holbert, Smallwood.
Present later--3, Hill, Holbert, Smallwood.

Quorum

The President announced a quorum present.

Pledge

By Senator Ginal.

Reading of the Journal

On motion of Senator Foote, reading of the Journal of Wednesday, March 6, 2019, 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 **HB19-1108** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SR19-004.
Correctly Reengrossed: SB19-078 and 138.
Correctly Revised: HB19-1105.
Correctly Rerevised: HB19-1114.

MESSAGE FROM THE HOUSE

March 6, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1201, 1209.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1180, 1166, 1150, amended as printed in House Journal, March 5, 2019.

The House has passed on Third Reading and returns herewith SB19-009, 025.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-049, 035, 046, amended as printed in House Journal, March 5, 2019.

The House has adopted the First Report of the First Conference Committee on SB19-128, as printed in House Journal, March 4, 2019, and has repassed the bill as so amended. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

March 6, 2019

We herewith transmit:

Without comment, HB19-1201 and 1209.
Without comment, as amended, HB19-1150, 1166, and 1180.
Without comment, as amended, SB19-035, 046, and 049.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-146** be referred to the Committee on Finance with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-145** be referred to the Committee on Finance with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-164** 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 "2026." and substitute "2028.".

Page 2, line 9, strike "(27)(a)(VIII)" and substitute "(29)(a)(V)".

Page 2, strike lines 16 through 19 and substitute:

"(29) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2028:
(V) IN-HOME SUPPORT SERVICES ESTABLISHED IN PART 12 OF ARTICLE 6 OF TITLE 25.5.".

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 REAL ESTATE APPRAISERS

for terms expiring July 1, 2021:

Patrice Suzanne Campbell, SRA of Grand Junction, Colorado, to serve as a real estate appraiser with expertise in eminent domain matters, appointed;

Joshua H. Walitt, SRA, MNAA, CDEI of Grand Junction, Colorado to serve as a representative of appraisal management companies, appointed;

Matthew J. Salazar of Centennial, Colorado, to serve as a representative of commercial banking, appointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-142** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 3, strike "SECTION" and substitute "SUBSECTION (1)(d)".

Page 3, strike lines 5 through 14 and substitute:

"**SECTION 3. Act subject to petition - effective date.** This act takes effect September 1, 2019; 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary After consideration on the merits, the Committee recommends that **SB19-182** 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:

SB19-187 by Senator(s) Lee and Gardner; --Concerning commissions on judicial performance.
Judiciary

HB19-1004 by Representative(s) Roberts and Catlin; also Senator(s) Donovan--Concerning a proposal for implementing a competitive state option for more affordable health care coverage in Colorado, and, in connection therewith, requesting authorization to use existing federal money for the proposed state option and taking other actions toward the implementation of the state option, and making an appropriation.
Health & Human Services

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.
Health & Human Services

HB19-1150 by Representative(s) Titone; also Senator(s) Danielson--Concerning the recreation of the consumer insurance council as an advisory body to the commissioner of insurance.
Health & Human Services

HB19-1153 by Representative(s) McCluskie and Wilson, Roberts; also Senator(s) Donovan and Rankin--Concerning measures to enable local district colleges to serve more students.
Education

HB19-1166 by Representative(s) Singer and Larson; also Senator(s) Zenzinger--Concerning name-based criminal history record checks, and, in connection therewith, requiring certain persons and entities to submit to a name-based criminal history record check as a condition of employment, appointment, registration, licensure, or certification.
Judiciary

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1180 by Representative(s) Geitner; also Senator(s) Gardner and Lee--Concerning the clarification of the definition of a police working horse for the purpose of cruelty to animals.
Judiciary

HB19-1201 by Representative(s) Kipp and Wilson; also Senator(s) Coram--Concerning the ability of a board of education of a school district to meet in executive session to discuss the district's strategy in conducting negotiations relating to certain employment-related agreements.
Education

HB19-1209 by Representative(s) Froelich and Valdez A.; also Senator(s) Bridges--Concerning repealing aeronautical reporting requirements.
Business, Labor, & Technology

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:

HB19-1105 by Representative(s) Mullica and Saine, Beckman, Soper, Caraveo, Galindo, Humphrey, Lontine; also Senator(s) Marble and Winter--Concerning the ability of advanced practice nurses with prescriptive authority to obtain level I accreditation under the "Workers' Compensation Act of Colorado".

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Garcia, Gardner, Ginal, Hisey, Lundeen, Moreno, Priola, Rankin, Scott, Sonnenberg, Story, Tate, Todd, and Woodward.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1083 by Representative(s) Hooton and Van Winkle, Bird, Buck, Buentello, Exum, Landgraf, Larson, Liston, McKean, Melton, Michaelson Jenet, Mullica, Soper, Titone; also Senator(s) Williams A. and Cooke, Ginal, Priola--Concerning a reclassification of the regulation of athletic trainers from registration to licensure.

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

HB19-1148 by Representative(s) Herod; also Senator(s) Coram and Gonzales--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

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

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

Laid over until Friday, March 8, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	E	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1083, HB19-1148.
Laid over until Friday, March 8: HB19-1172.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-128

****
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 SB19-128, concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, and, in connection therewith, making and reducing appropriations, 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.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend reengrossed bill, page 3, strike line 11 and substitute:

"**22-54-104. District total program - definitions.** (5) For purposes of the formulas used in this section:
(g) (I) For".

Strike pages 5 through 8 and substitute:

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

"**SECTION 4. Appropriation to the department of education for the fiscal year beginning July 1, 2018.** In Session Laws of Colorado 2018, section 2 of chapter 424, (HB 18-1322), **amend** Part III (2)(A) and footnote 4, as footnote 4 is amended by section 11 of chapter 250, (HB18-1379), Session Laws of Colorado 2018, as follows:

Section 2. **Appropriation.**

PART III
DEPARTMENT OF EDUCATION

(2) ASSISTANCE TO PUBLIC SCHOOLS						
(A) Public School Finance						
Administration	1,754,244				84,387[a]	1,669,857[b]
					(0.9 FTE)	(17.0 FTE)
Financial Transparency System Maintenance	600,000				600,000[c]	
State Share of Districts' Total Program Funding[4]	~~4,386,861,735~~		~~3,070,085,534~~	793,100,000[d]	~~523,676,201[5]~~	
	4,309,271,310		3,005,395,234		510,776,076[e]	
Hold-harmless Full-day Kindergarten Funding	~~8,498,576~~				~~8,498,576[f]~~	
	8,486,511				8,486,511[f]	
District Per Pupil Reimbursements for Juveniles Held in Jail	10,000				10,000[f]	
At-risk Supplemental Aid	5,094,358				5,094,358[g]	
At-risk Per Pupil Additional Funding	5,000,000				5,000,000[g]	
	~~4,407,818,913~~					
	4,330,216,423					

[a] This amount shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

[b] This amount shall be transferred from the State Share of Districts' Total Program Funding line item appropriation in the Assistance to Public Schools section of this department.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[c] This amount shall be from the Financial Reporting Fund created in Section 24-44-105 (6)(a), C.R.S.

[d] This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

[e] Of this amount, ~~$411,729,424~~ $398,829,299 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution and $111,946,777 shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution. Of the amount appropriated from the State Public School Fund, $47,231,460 is estimated to be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Sections 22-54-114 (1) and 34-63-102, C.R.S., $56,317,799 is estimated to be from State Public School Fund reserves, and $8,397,518 is estimated to be from interest and income earned on the investment of money in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3)(f), C.R.S.

[f] These amounts shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

[g] These amounts shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S., from interest and income earned on the investment of money in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3)(f), C.R.S.

TOTALS PART III

(EDUCATION)	~~$5,760,809,014~~	~~$3,257,991,776~~	$793,100,000[a]	~~$1,053,136,768~~[b]	$39,385,509[c]	$617,194,961[d]
	$5,683,206,524	$3,193,301,476		$1,040,224,578[b]		

[a] This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

[b] Of this amount, $4,046,629 contains an (I) notation.

[c] Of this amount, $20,100,000 contains an (I) notation.

[d] This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

4 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- Pursuant to Section 22-35-108 (2)(a), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Accelerating Students Through Concurrent Enrollment (ASCENT) Program for FY 2018-19. It is the General Assembly's intent that the Department of Education be authorized to utilize up to ~~$3,727,500~~ $3,726,000 of this appropriation to fund qualified students designated as ASCENT Program participants. This amount is calculated based on an estimated 500 FTE participants funded at a rate of ~~$7,455~~ $7,452 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.".

Respectfully submitted,

Senate Committee:	House Committee:
(Signed)	(Signed)
Dominick Moreno, Chair	Chris Hansen, Chair
Bob Rankin	Daneya Esgar
Rachel Zenzinger	Kim Ransom

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 1, 2019 at 11:30 a.m.:
SB19-024.

To the Governor for signature on Wednesday, March 6, 2019, at 10:25 a.m.:
SB19-042.

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

February 27, 2019

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
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for terms expiring December 31, 2022:

Daniel Anthony Lee Ramos of Denver, Colorado, a Democrat, appointed;

Kasia Iwanizcko MacLeod of Denver, Colorado, a Democrat, appointed;

Amy Lentz of Grand Junction, Colorado, an Unaffiliated member, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/1/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Education

February 20, 2019

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 HIGHER EDUCATION

for a term expiring July 1, 2019:

Stephanie F. Donner of Denver, Colorado, a resident of the First Congressional District and a Democrat, occasioned by the resignation of John L. Anderson of Durango, Colorado, appointed;

for terms expiring July 1, 2022:

Pardis Mahdavi, PhD of Denver, Colorado, a resident of the First Congressional District and a Democrat, appointed;

Vanecia B. Kerr of Aurora, Colorado, a resident of the Sixth Congressional District and a Democrat, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/21/2019
Andrew Carpenter, Senate Reader

Committee on Education

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education

After consideration on the merits, the Committee recommends that **HB19-1137** 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.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Legal Services

After consideration on the merits, the Committee recommends that **SB19-168** 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 12 and 13 and substitute:

"(M) Rule 6.5.1, which states in part "Deferred design/build (shop drawing) submittals for fire protection and life safety systems …";
(N) Rule 6.5.2, which states in part "Shop (Installation) drawings for fire protection and life safety systems …";".

Reletter succeeding sub-subparagraphs accordingly.

Page 7, after line 10 insert:

"(W) Rule 10.2.1, which states "Fire Inspectors performing construction plan review and inspections must be "Qualified Fire Inspectors" as defined in section 24-33.5-1202 (2.5), C.R.S.";".

Reletter succeeding sub-subparagraphs accordingly.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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 WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2022:

Christopher Treese of Glenwood Springs, Colorado, to serve as a representative from the Main Colorado drainage basin, and as a representative with experience in public health issues related to drinking water or water quality matters, appointed;

Robert Edward Wolff of Durango, Colorado, to serve as a representative from the San Miguel-Dolores-San Juan drainage basin, and as a representative with experience in the engineering aspects of water projects, reappointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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
ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD

for a term expiring August 31, 2022:

Jennifer Tice Opila of Northglenn, Colorado, to serve as the Governor's designee and occasioned by the resignation of Gary W. Baughman of Lakewood, Colorado, appointed.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-148** 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

After consideration on the merits, the Committee recommends that **SB19-147** 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

After consideration on the merits, the Committee recommends that **HB19-1113** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 9, strike "NONCOMMERCIAL".

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-162** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-160** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 4, after line 8 insert:

"**SECTION 5.** In Colorado Revised Statutes, 42-4-235, **amend** (4)(a)(I); and **add** (4)(a)(III) as follows:

42-4-235. Minimum standards for commercial vehicles - motor carrier safety fund - created - definition - rules. (4) (a) (I) EXCEPT AS DESCRIBED IN SUBSECTION (4)(a)(III) OF THIS SECTION, the chief of the Colorado state patrol shall adopt rules for the operation of all commercial vehicles and, as specified in subsection (4)(a)(II) of this section, vehicles that would be commercial vehicles but for the fact that they have a manufacturer's gross vehicle weight rating or gross combination rating of

ten thousand one pounds or more but not more than sixteen thousand pounds. In adopting the rules, the chief shall use as general guidelines the standards contained in the current rules and regulations of the United States department of transportation relating to safety regulations, qualifications of drivers, driving of motor vehicles, parts and accessories, notification and reporting of accidents, hours of service of drivers, inspection, repair and maintenance of motor vehicles, financial responsibility, insurance, and employee safety and health standards; except that rules regarding financial responsibility and insurance do not apply to a commercial vehicle as defined in subsection (1) of this section that is also subject to regulation by the public utilities commission under article 10.1 of title 40. On and after September 1, 2003, all commercial vehicle safety inspections conducted to determine compliance with rules promulgated by the chief pursuant to this ~~paragraph (a)~~ SUBSECTION (4)(a) must be performed by an enforcement official, as defined in section 42-20-103 (2), who has been certified by the commercial vehicle safety alliance, or any successor organization thereto, to perform level I inspections.

(III) RULES ESTABLISHING INSURANCE REQUIREMENTS FOR VEHICLES USED BY LICENSED RIVER OUTFITTERS ARE ESTABLISHED BY THE PARKS AND WILDLIFE COMMISSION PURSUANT TO SECTION 33-32-103 (1)(e).".

Renumber succeeding section accordingly.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program.
Business, Labor, & Technology

HB19-1037 by Representative(s) Hansen and Esgar; also Senator(s) Donovan--Concerning energy asset management, and, in connection therewith, authorizing the issuance of low-cost ratepayer-backed bonds and creating the Colorado energy impact assistance authority to mitigate the impacts of power plant retirements on Colorado workers and communities.
Agriculture & Natural Resources

HB19-1185 by Representative(s) Benavidez; also Senator(s) Gonzales--Concerning the establishment of a new state holiday in place of Columbus day.
State, Veterans, & Military Affairs

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Lundeen was added as a Senate Joint Prime Sponsor with Senator Fields and Representative Landgraf on SB19-185.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-044 and 069.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance

After consideration on the merits, the Committee recommends that **SB19-181** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 15, line 5, strike "(2)(d)" and substitute "(2)(d); and **add** (3)".

Page 15, line 6, strike "**duties.**" and substitute "**duties - repeal.**".

Page 15, after line 12 insert:

"(3) (a) THE DIRECTOR OF THE COMMISSION SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY BY JANUARY 1, 2021, REGARDING ANY RECOMMENDED STRUCTURAL CHANGES TO THE COMMISSION, INCLUDING MAKING COMMISSION MEMBERSHIP A FULL-TIME PAID POSITION AND EVALUATING THE USE OF ADDITIONAL ADMINISTRATIVE LAW JUDGES AND HEARING OFFICERS TO ALLOW THE COMMISSION TO DEVOTE MORE OF ITS TIME AND EFFORTS TO SETTING POLICY AND PROMULGATING RULES.

(b) THE DIRECTOR'S REPORT MUST INCLUDE THE FOLLOWING INFORMATION:

(I) A SUMMARY OF ANY RELEVANT INFORMATION LEARNED FROM A REVIEW OF THE STRUCTURE OF OTHER STATES' PROFESSIONAL AND NONPROFESSIONAL OIL AND GAS COMMISSIONS; AND

(II) AN ANALYSIS AS TO WHETHER AND TO WHAT EXTENT THE COMMISSION HAS ADEQUATE SCIENTIFIC EXPERTISE IN THE AREAS OF OIL AND GAS MINERAL RESOURCE DEVELOPMENT, INCLUDING GEOLOGISTS, PETROLEUM GEOLOGISTS, AND PETROLEUM ENGINEERS.

(c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2022.".

Page 17, line 24, strike "LEGISLATION ENACTED IN 2019" and substitute "SENATE BILL 19-181, ENACTED IN 2019,".

Page 18, line 2, strike "REQUIRE" and substitute "REQUIRES".

Page 18, line 3, after the period add "WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(f)(III)(A), THE DIRECTOR SHALL PUBLISH SPECIFIC CRITERIA CONCERNING PERMIT REVIEWS PURSUANT TO THIS SUBSECTION (1)(f)(III)(A).".

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, March 8, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

64th Legislative Day Friday, March 8, 2019

Prayer — By Senator Holbert.

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

Roll Call — Present--35

Quorum — The President announced a quorum present.

Presentation of Colors — By the AMR Colorado Honor Guard, members attending include Lt. Commander Curtis Roberts, Lt. Mark Brown, Lt. Deb Cardozo, and Jasmine Diaz.

Musical Presentation — By Colleen Reno, an AMR Colorado paramedic, singing "The Star-Spangeled Banner" and "God Bless America".

Pledge — By Senator Ginal.

Reading of the Journal — On motion of Senator Foote, reading of the Journal of Thursday, March 7, 2019, 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
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for a term expiring July 7, 2019:

Kristin Engel Waters, PhD of Denver, Colorado, to serve as a person employed as an educator at a high school an occasioned by the resignation of Sean Precious of Denver, Colorado, appointed;

for terms expiring July 7, 2020:

Jenifer Louise Hufman of Dolores, Colorado, to serve as a person employed as an educator in a high school in a rural district, reappointed.

James Nickel Thurman of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, appointed.

Education — After consideration on the merits, the Committee recommends that **SB19-161** be referred to the Committee on Appropriations with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB19-129** 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 14.

Page 3, strike line 1.

Renumber succeeding sections accordingly.

Page 3, strike lines 7 through 17 and substitute:

"(n) TO PREPARE AN ANNUAL REPORT OF INFORMATION RECEIVED FROM ONLINE SCHOOLS AND THE AUTHORIZERS OF ONLINE SCHOOLS CONCERNING STUDENTS WHO WITHDRAW FROM ENROLLMENT AFTER THE PUPIL ENROLLMENT COUNT DAY. THE REPORT MUST, AT A MINIMUM, INCLUDE THE DATE ON WHICH THE STUDENT WITHDREW FROM ENROLLMENT; THE GRADE LEVEL AT WHICH THE STUDENT WAS ENROLLED AT THE BEGINNING OF THE SCHOOL YEAR AND THE GRADE LEVEL AT WHICH THE STUDENT WAS ENROLLED WHEN THE STUDENT TRANSFERRED; AND, TO THE EXTENT KNOWN, WHETHER THE STUDENT DURING THE SAME SCHOOL YEAR ENROLLED IN ANOTHER PUBLIC SCHOOL, A PRIVATE SCHOOL, OR A NONPUBLIC HOME-BASED EDUCATIONAL PROGRAM AS DEFINED IN SECTION 22-33-104.5 OR GRADUATED FROM OR COMPLETED HIGH SCHOOL. THE ONLINE DIVISION SHALL SUBMIT THE REPORT TO THE STATE BOARD AND THE".

Page 3, line 24, strike "(2)(d); and **add** (4)(c)" and substitute "(2)(d)".

Page 4, line 22, after "SCHOOL," insert "AS DETERMINED BY THE DEPARTMENT PURSUANT TO SECTION 22-30.7-106 (9),".

Page 4, line 23, strike the first "SCHOOL" and substitute "SCHOOL, AS DETERMINED BY THE DEPARTMENT PURSUANT TO SECTION 22-30.7-106 (9),".

Page 5, strike lines 5 through 27.

Page 6, strike line 1 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 22-30.7-106, **add** (9) as follows:

22-30.7-106. Certification of multi-district online schools - criteria - rules. (9) THE DEPARTMENT SHALL DETERMINE WHETHER A NEWLY AUTHORIZED MULTI-DISTRICT ONLINE SCHOOL IS ACTUALLY A NEW MULTI-DISTRICT ONLINE SCHOOL OR A SUCCESSOR TO A PREVIOUSLY AUTHORIZED MULTI-DISTRICT ONLINE SCHOOL BY APPLYING CRITERIA ADOPTED BY THE DEPARTMENT. IF THE DEPARTMENT DETERMINES THAT A NEWLY AUTHORIZED MULTI-DISTRICT ONLINE SCHOOL IS A SUCCESSOR SCHOOL, THE AUTHORIZER FOR THE MULTI-DISTRICT ONLINE SCHOOL MAY, WITHIN THIRTY DAYS AFTER RECEIVING NOTICE OF THE DECISION, APPEAL THE DECISION TO THE STATE BOARD PURSUANT TO THE STATE BOARD'S ADMINISTRATIVE POLICIES.".

Renumber succeeding sections accordingly.

Page 6, line 8, strike "DEFINED IN SECTION 22-30.7-102," and substitute "DETERMINED BY THE DEPARTMENT PURSUANT TO SECTION 22-30.7-106 (9),".

Page 6, line 9, strike "SCHOOL" and substitute "SCHOOL, AS DETERMINED BY THE DEPARTMENT PURSUANT TO SECTION 22-30.7-106 (9),".

SENATE SERVICES REPORT

Correctly Printed: SB19-187 and 188.
Correctly Revised: HB19-1083 and 1148.
Correctly Rerevised: HB19-1105.
Correctly Enrolled: SB19-009 and 025.

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:

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

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

YES	18	NO	17	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	N	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	N	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Fenberg, and Foote.

HB19-1083 by Representative(s) Hooton and Van Winkle, Bird, Buck, Buentello, Exum, Landgraf, Larson, Liston, McKean, Melton, Michaelson Jenet, Mullica, Soper, Titone; also Senator(s) Williams A. and Cooke, Ginal, Priola--Concerning a reclassification of the regulation of athletic trainers from registration to licensure.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Moreno.

HB19-1148 by Representative(s) Herod; also Senator(s) Coram and Gonzales--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Foote, Ginal, Lee, Moreno, Pettersen, Priola, Rodriguez, Williams A., and Zenzinger.

Senator Coram requested his name be removed as joint prime sponsor on HB19-1148.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-141 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the authority to create an entertainment district, and, in connection therewith, authorizing an entertainment district within a county or city and county and permitting an optional premises to be included in an entertainment district.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 6, page 393 and placed in members' bill files.)

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

SB19-152 by Senator(s) Williams A.; --Concerning the continuation of the public safety communications subcommittee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

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

SB19-151 by Senator(s) Bridges; --Concerning the continuation of the emergency planning subcommittee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by 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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-141 as amended, SB19-152, SB19-151.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (HB19-1172) of Friday, March 8, was laid over until Monday, March 11, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SR19-004 by Senator(s) Garcia and Cooke--Concerning the designation of September 27 as "First Responder Appreciation Day" in Colorado.

On request of Senator Cooke, the resolution was read at length.

Amendment No. 1(L.001), by Senator Cooke.

> Amend printed resolution, page 3, line 14, after "Police;" insert "Colorado Fraternal Order of Police; Colorado Police Protective Association;".
>
> Page 3, line 17, after "Colorado;" insert "Denver Police Protective Association;".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

Senate in recess. Senate reconvened.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-049 by Senator(s) Fields; also Representative(s) Michaelson Jenet--Concerning increasing the statute of limitations for certain failure to report child sexual abuse crimes.

Senator Fields moved that the Senate concur in House amendments to SB19-049, as printed in House journal, February 27, pages 458-459. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-035 by Senator(s) Court; also Representative(s) Benavidez--Concerning enforcement measures available to the department of revenue for the collection of delinquent taxes, and, in connection therewith, making an appropriation.

Senator Court moved that the Senate concur in House amendments to SB19-035, as printed in House journal, February 28, pages 477-478. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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.

SB19-046 by Senator(s) Tate, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean--Concerning an amendment to the definition of "appraisal management company" to align with the definition in federal law.

Senator Tate moved that the Senate concur in House amendments to SB19-046, as printed in House journal, March 5, pages 545-546. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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

SB19-128 by Senator(s) Moreno and Todd, Zenzinger, Rankin; also Representative(s) Esgar and McLachlan, Hansen, Ransom--Concerning adjustments to appropriations in the 2018-19 fiscal year for state share of total program funding for school finance, and, in connection therewith, making and reducing appropriations.

Senator Moreno moved for the adoption of the first report of the first conference committee on SB19-128, as printed in Senate journal, March 7, pages 403-406. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fields, Garcia, Hill, and Sonnenberg.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-057.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1001** 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, strike lines 10 through 14 and substitute:

"**25.5-4-402.8. Hospital expenditure report - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ACQUIRED" MEANS THE PURCHASE BY A HOSPITAL, OR ENTITY THAT IS OWNED BY OR UNDER COMMON OWNERSHIP AND CONTROL WITH THE HOSPITAL, OF ALL OR SUBSTANTIALLY ALL OF AN ORGANIZATION SUBJECT TO SUBSECTION (1)(b)(I) OR (1)(b)(II) OF THIS SECTION THROUGH AN ASSET, EQUITY, OR SIMILAR PURCHASE AGREEMENT THAT IS A SINGLE TRANSACTION OR SERIES OF TRANSACTIONS.

(b) "AFFILIATED" OR "AFFILIATE" MEANS THERE IS A CONTRACTUAL RELATIONSHIP BETWEEN A HOSPITAL OR AN ENTITY THAT IS OWNED BY OR UNDER COMMON OWNERSHIP AND CONTROL WITH THE HOSPITAL WHERE THE CONTRACTUAL RELATIONSHIP ENABLES THE HOSPITAL OR AN ENTITY THAT IS OWNED BY OR UNDER COMMON OWNERSHIP AND CONTROL WITH THE HOSPITAL TO EXERCISE CONTROL OVER ONE OF THE FOLLOWING ENTITIES:

(I) ANOTHER HOSPITAL;

(II) AN ENTITY OWNED BY OR UNDER COMMON OWNERSHIP AND CONTROL WITH ANOTHER HOSPITAL; OR

(III) A PHYSICIAN GROUP PRACTICE.

(c) "CONTROL" MEANS THE POSSESSION, DIRECT OR INDIRECT, OF THE POWER TO DIRECT OR CAUSE THE DIRECTION OF MANAGEMENT AND POLICIES OF AN AFFILIATE, WHETHER THROUGH THE OWNERSHIP OF EQUITY OR MEMBERSHIP, BY CONTRACT OR OTHERWISE.

(d) "MAJOR PAYER GROUP" INCLUDES COMMERCIAL INSURERS, MEDICARE, MEDICAID, INDIVIDUALS WHO SELF-PAY, A FINANCIAL ASSISTANCE PLAN, AND THE "COLORADO INDIGENT CARE PROGRAM", ESTABLISHED IN PART 1 OF ARTICLE 3 OF THIS TITLE 25.5.".

Page 3, line 26, strike "(1)(b)" and substitute "(2)(b)".

Page 4, line 24, strike "(1)(b)(I) AND (1)(b)(II)" and substitute "(2)(b)(I) AND (2)(b)(II)".

Page 4, line 26, strike "(1)(b)(III)" and substitute "(2)(b)(III)".

Page 5, line 14, strike "(1)(b)(II)(A)" and substitute "(2)(b)(II)(A)".

Page 8, line 8, after "DEPARTMENT" insert "OF".

Strike "(1)(b)(III)(N)" and substitute "(2)(b)(III)(N)" on: **Page 4**, lines 3 and 9.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1068** 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 **HB19-1041** 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 **SB19-052** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"**SECTION 1.** In Colorado Revised Statutes, 25-3.5-103, **add with amended and relocated provisions** (8.8) as follows:

25-3.5-103. Definitions. As used in this article 3.5, unless the context otherwise requires:

(8.8) **[Formerly 25-3.5-203 (5)]** ~~For the purposes of this article, unless the context otherwise requires,~~ "Medical direction" includes, but is not limited to, the following:

(a) Approval of the medical components of treatment protocols and appropriate prearrival instructions;

(b) Routine review of program performance and maintenance of active involvement in quality improvement activities, including access to dispatch tapes as necessary for the evaluation of procedures;

(c) Authority to recommend appropriate changes to protocols for the improvement of patient care; and

(d) ~~Provide~~ PROVISION OF oversight for the ongoing education, training, and quality assurance for providers of emergency care.

SECTION 2. In Colorado Revised Statutes, 25-3.5-203, **amend** (1)(b)(IV) and (1)(b)(V); and **add** (1)(b)(VI) as follows:

25-3.5-203. Emergency medical service providers - certification - renewal of certificate - duties of department - rules - criminal history record checks - definitions. (1) (b) The department shall certify emergency medical service providers. The board shall adopt rules for the certification of emergency medical service providers. The rules must include the following:

(IV) Disciplinary sanctions, which ~~shall~~ MUST include provisions for the denial, revocation, and suspension of certificates and the suspension and probation of certificate holders; ~~and~~

(V) An appeals process pursuant to sections 24-4-104 and 24-4-105 ~~C.R.S.,~~ that is applicable to department decisions in connection with certifications and sanctions; AND

(VI) A STATEMENT THAT AN EMERGENCY MEDICAL SERVICE PROVIDER MAY PRACTICE IN A CLINICAL SETTING, AS DEFINED IN SECTION 25-3.5-207 (1)(a), SUBJECT TO THE REQUIREMENTS OF SECTION 25-3.5-207 AND RULES ADOPTED BY THE BOARD.

SECTION 3. In Colorado Revised Statutes, 25-3.5-205, **amend** (2) and (5)(a) as follows:

25-3.5-205. Emergency medical service providers - investigation - discipline. (2) An emergency medical service provider, THE MEDICAL SUPERVISOR OF AN EMERGENCY MEDICAL SERVICE PROVIDER IN A CLINICAL SETTING, AS THOSE TERMS ARE DEFINED IN SECTION 25-3.5-207 (1), the employer of an emergency medical service provider, a medical director, and a physician providing medical direction of an emergency medical service provider shall report to the department any misconduct that is known or reasonably believed by the person to have occurred.

(5) For the purposes of this section:

(a) "Medical director" means a physician who ~~supervises certified~~ PROVIDES MEDICAL DIRECTION TO emergency medical service providers consistent with the rules adopted by the ~~executive~~ director or chief medical officer, as applicable, under section 25-3.5-206.

SECTION 4. In Colorado Revised Statutes, 25-3.5-206, **amend** (4)(a) introductory portion, (4)(a)(III), and (4)(a.5)(I); and **add** (5) as follows:

25-3.5-206. Emergency medical practice advisory council - creation - powers and duties - emergency medical service provider scope of practice - definitions - rules. (4) (a) The director or, if the director is not a physician, the chief medical officer shall adopt rules in accordance with article 4 of title 24 ~~C.R.S.,~~ concerning the scope of practice of emergency medical service providers. ~~for prehospital care.~~ The rules must include the following:

(III) Criteria for requests to waive the scope of practice rules IN A PREHOSPITAL SETTING and the conditions for ~~such~~ THE waivers;

(a.5) (I) ~~On or before January 1, 2018,~~ The director or, if the director is not a physician, the chief medical officer shall adopt rules in accordance with article 4 of title 24 ~~C.R.S.,~~ concerning the scope of practice of a community paramedic. An emergency medical service provider's endorsement as a community paramedic, issued pursuant to the

rules adopted under section 25-3.5-203.5, is valid for as long as the emergency medical service provider maintains ~~his or her~~ certification by the department.

(5) AS USED IN THIS SECTION:

(a) "INTERFACILITY TRANSPORT" HAS THE MEANING SET FORTH IN SECTION 25-3.5-207 (1)(c).

(b) "PREHOSPITAL SETTING" MEANS ONE OF THE FOLLOWING SETTINGS IN WHICH AN EMERGENCY MEDICAL SERVICE PROVIDER PERFORMS PATIENT CARE, WHICH CARE IS SUBJECT TO MEDICAL DIRECTION BY A MEDICAL DIRECTOR:

(I) AT THE SITE OF AN EMERGENCY;

(II) DURING EMERGENCY TRANSPORT; OR

(III) DURING INTERFACILITY TRANSPORT.

(c) "SCOPE OF PRACTICE" HAS THE MEANING SET FORTH IN SECTION 25-3.5-207 (1)(f).

SECTION 5. In Colorado Revised Statutes, **add** 25-3.5-207 as follows:

25-3.5-207. Ability of certified emergency medical service providers to work in clinical settings - restrictions - definitions - rules. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CLINICAL SETTING" MEANS A HEALTH FACILITY LICENSED OR CERTIFIED BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103 (1)(a).

(b) "IN-SCOPE TASKS AND PROCEDURES" MEANS TASKS AND PROCEDURES PERFORMED BY AN EMERGENCY MEDICAL SERVICE PROVIDER WITHIN THE EMERGENCY MEDICAL SERVICE PROVIDER'S SCOPE OF PRACTICE.

(c) "INTERFACILITY TRANSPORT" MEANS THE MOVEMENT OF A PATIENT FROM ONE LICENSED HEALTH CARE FACILITY TO ANOTHER LICENSED HEALTH CARE FACILITY.

(d) "MEDICAL SUPERVISION" MEANS THE OVERSIGHT, GUIDANCE, AND INSTRUCTIONS THAT A MEDICAL SUPERVISOR PROVIDES TO AN EMERGENCY MEDICAL SERVICE PROVIDER.

(e) "MEDICAL SUPERVISOR" MEANS A COLORADO-LICENSED PHYSICIAN, PHYSICIAN ASSISTANT, ADVANCED PRACTICE NURSE, OR REGISTERED NURSE.

(f) "SCOPE OF PRACTICE" MEANS THE TASKS, MEDICATIONS, AND PROCEDURES THAT AN EMERGENCY MEDICAL SERVICE PROVIDER IS AUTHORIZED TO PERFORM OR ADMINISTER IN ACCORDANCE WITH SECTIONS 25-3.5-203 AND 25-3.5-206 AND RULES PROMULGATED PURSUANT TO THOSE SECTIONS.

(2) IN ACCORDANCE WITH THE LIMITATIONS CONTAINED IN THIS ARTICLE 3.5, AN EMERGENCY MEDICAL SERVICE PROVIDER MAY WORK IN A CLINICAL SETTING SUBJECT TO THE FOLLOWING CONDITIONS:

(a) THE EMERGENCY MEDICAL SERVICE PROVIDER MAY PERFORM ONLY TASKS AND PROCEDURES THAT ARE WITHIN THE EMERGENCY MEDICAL SERVICE PROVIDER'S APPLICABLE SCOPE OF PRACTICE;

(b) THE EMERGENCY MEDICAL SERVICE PROVIDER SHALL PERFORM IN-SCOPE TASKS AND PROCEDURES PURSUANT TO ORDERS OR INSTRUCTIONS FROM, AND UNDER THE MEDICAL SUPERVISION OF, A MEDICAL SUPERVISOR;

(c) MEDICAL SUPERVISION MUST BE PROVIDED BY A MEDICAL SUPERVISOR WHO IS IMMEDIATELY AVAILABLE AND PHYSICALLY PRESENT AT THE CLINICAL SETTING WHERE THE CARE IS BEING DELIVERED TO PROVIDE OVERSIGHT, GUIDANCE, OR INSTRUCTION TO THE EMERGENCY MEDICAL SERVICE PROVIDER DURING THE EMERGENCY MEDICAL SERVICE PROVIDER'S PERFORMANCE OF IN-SCOPE TASKS AND PROCEDURES;

(d) THE MEDICAL SUPERVISOR OF THE EMERGENCY MEDICAL SERVICE PROVIDER MUST BE LICENSED IN GOOD STANDING; AND

(e) EACH CLINICAL SETTING AT WHICH AN EMERGENCY MEDICAL SERVICE PROVIDER PERFORMS IN-SCOPE TASKS AND PROCEDURES PURSUANT TO THIS SECTION SHALL, IN COLLABORATION WITH ITS MEDICAL STAFF, ESTABLISH OPERATING POLICIES AND PROCEDURES THAT ENSURE THAT EMERGENCY MEDICAL SERVICE PROVIDERS PERFORM TASKS AND PROCEDURES AND ADMINISTER MEDICATIONS WITHIN THEIR SCOPE OF PRACTICE.

(3) NOTHING IN THIS SECTION ALTERS THE AUTHORITY OF A

PHYSICIAN OR REGISTERED NURSE IN A CLINICAL SETTING TO DELEGATE ACTS, INCLUDING THE ADMINISTRATION OF MEDICATIONS, THAT ARE OUTSIDE OF AN EMERGENCY MEDICAL SERVICE PROVIDER'S SCOPE OF PRACTICE PURSUANT TO SECTIONS 12-36-106 OR 12-38-132, AS APPROPRIATE.

(4) THE BOARD MAY PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 6. Repeal of provisions being relocated in this act. In Colorado Revised Statutes, **repeal** 25-3.5-203 (5).

SECTION 7. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 conduct occurring on or after the applicable effective date of this act.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1010** be referred to the Committee on Finance with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-001** 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 9, line 22, strike "five ~~hundred thousand~~ MILLION" and substitute "TWO MILLION five hundred thousand".

Page 10, after line 18 insert:

"**SECTION 9. Appropriation.** For the 2019-20 state fiscal year, $2,500,000 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 center for research into substance use disorder prevention, treatment, and recovery support strategies for the medication assisted treatment expansion pilot program.".

Renumber succeeding section accordingly.

Page 1, line 108, strike "**AND**".

Page 1, line 109, strike "**PROGRAM.**" and substitute "**PROGRAM; AND MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-012** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Transportation and Energy Committee Report, dated February 14, 2019, page 5 after line 3 insert:

"**SECTION 4. Appropriation.** For the 2018-19 state fiscal year, $7,425 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the Colorado state titling and registration account in the highway users tax fund created in section 42-1-211 (2)(a)(I), C.R.S. To implement this act, the division

may use this appropriation for DRIVES maintenance and support.".

Renumber succeeding sections in the committee report accordingly.

Amend printed bill, page 1, strike line 102 and substitute "**DRIVING, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-064** 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 Judiciary Report, dated January 28, 2019, page 1, line 2, after "AFTER" insert "JULY 1, 2019, AND".

Page 1, line 4, strike "19," and substitute "30, 2019, AND JUNE 30,".

Page 1, line 7, strike "(7)(e)(IV)" and substitute "(7)(f.5)(IV)".

Page 1, line 11, after "AFTER" insert "JULY 1, 2019, AND".

Page 1, line 13, after "of" insert "JUNE 30, 2019, AND".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-065** 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, after line 20 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $57,242 is appropriated to the department of public health and environment for use by the health facilities and emergency medical services division. This appropriation is from the emergency medical services account within the highway users tax fund created in section 25-3.5-603 (1)(a), C.R.S., and is based on an assumption that the division will require an additional 0.8 FTE. To implement this act, the division may use this appropriation for the peer health assistance program related to emergency medical services.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROVIDERS.**" and substitute "**PROVIDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-086** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 30, strike lines 7 through 27.

Strike pages 31 through 42.

Page 43, strike lines 1 through 4.

Renumber succeeding sections accordingly.

Page 110, after line 6 insert:

"**SECTION 72. Appropriation.** For the 2019-20 state fiscal year, $59,360 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 related to information technology services.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**ENTITIES.**" and subsitute "**ENTITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-094** 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 **SB19-099** 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 February 19, 2019, page 18, after line 22 insert:

"**SECTION 12. Appropriation.** (1) For the 2019-20 state fiscal year, $42,056 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 as follows:

(a) $36,783 for personal services, which amount is based on an assumption that the division will require an additional 0.6 FTE; and

(b) $5,273 for operating expenses.".

Renumber succeeding section in the Committee Report accordingly.

Amend printed bill, page 1, line 102 strike "**(2015)".**" and substitute "**(2015)", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-139** 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 16 through 22 and substitute:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $1,737,800 is appropriated to the department of revenue. This appropriation is from the licensing services cash fund created in section 42-2-114.5 (1), C.R.S., and is based on an assumption that the department will require an additional 21.6 FTE. To implement this act, the department may use this appropriation as follows:

Excutive director's office, administration and support	
Health, life, and dental	$189,475
Short-term disability	$1,545
S.B. 04-257 amortization equalization disbursement	$40,660
S.B. 06-235 supplemental amortization equalization disbursement	$40,660
Leased space	$38,000
Division of motor vehicles, driver services	
Personal services	$909,560 (21.6 FTE)
Operating expenses	$470,060
Drivers license documents	$47,840".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-181** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 27, after line 9 insert:

"**SECTION 16. Appropriation.** (1) For the 2019-20 state fiscal

year, $770,959 is appropriated to the department of natural resources. This appropriation consists of $678,431 cash funds from the oil and gas conservation and environmental response fund created in section 34-60-122 (5)(a), C.R.S., and $92,528 cash funds from the wildlife cash fund created in section 33-1-112 (1)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $489,759 from the oil and gas conservation and environmental response fund for use by the oil and gas conservation commission for program costs, which amount is based on an assumption that the oil and gas conservation commission will require an additional 5.0 FTE;

(b) $88,628 from the wildlife cash fund for wildlife operations, which amount is based on an assumption that the division of wildlife will require an additional 1.0 FTE;

(c) $6,038, which consists of $3,900 from the wildlife cash fund and $2,138 from the oil and gas conservation and environmental response fund, for vehicle lease payments; and

(d) $186,534 from the oil and gas conservation and environmental response fund for the purchase of legal services.

(2) For the 2019-20 state fiscal year, $186,534 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of natural resources under subsection (1)(d) of this section and is based on an assumption that the department of law will require an additional 1.0 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of natural resources.".

Renumber succeeding sections accordingly.

Page 1, line 102, strike "**OPERATIONS.**" and substitute "**OPERATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

MESSAGE FROM THE HOUSE

March 8, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1178, 1191, 1198.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1200, amended as printed in House Journal, March 7, 2019.

The House has passed on Third Reading and returns herewith SB19-105, 068.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-032, amended as printed in House Journal, March 7, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

March 8, 2019

We herewith transmit:

Without comment, HB19-1178 and 1198.
Without comment, as amended, HB19-1191 and 1200.
Without comment, as amended, SB19-032.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-189 by Senator(s) Todd and Lundeen, Hill, Bridges, Story; also Representative(s) Cutter--Concerning the continuation of the concurrent enrollment advisory board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Education

SB19-190 by Senator(s) Todd and Rankin; also Representative(s) McLachlan and Wilson--Concerning measures to increase the number of individuals who are well-prepared to teach in public schools, and, in connection therewith, creating the "Growing Great Teachers Act".
Education

SB19-191 by Senator(s) Bridges and Marble; --Concerning defendants' rights related to pretrial bond.
Judiciary

MESSAGE FROM THE GOVERNOR

Wednesday, March 6, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-023 - Cryptocurrency Exemption Colorado Digital Token Act
Approved Wednesday, March 6, 2019 2:52 p.m.

Sincerely,
(signed)
Jared Polis
Governor

Wednesday, March 7, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-083 - Colorado Department Of Public Health And Environment Air Quality Control
Approved Thursday, March 7, 2019 2:08 p.m.

SB 19-082 - Repeal Board Of Health Authority Over Colorado Department Of Public Health And Environment Funds
Approved Thursday, March 7, 2019 2:09 p.m.

SB 19-080 - Colorado Department of Public Health And Environment Emergency Epidemic Preparedness
Approved Thursday, March 7, 2019 2:41 p.m.

SB 19-070 - Department Of Natural Resources Language Update
Approved Thursday, March 7, 2019 2:39 p.m.

SB 19-039- Interdistrict Transportation Of Students
Approved Thursday, March 7, 2019 2:46 p.m.

Sincerely,
(signed)
Jared Polis
Governor

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

February 14, 2019

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 AGRICULTURAL DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS

for a term expiring June 30, 2021:

Hannah Denelle Wilks of Arvada, Colorado, a Democrat, to serve as a member with knowledge of agricultural activity in the state, and who shall represent the various agriculture operations and geographical regions of the state, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/15/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

January 31, 2019

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
UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

for terms expiring January 1, 2020:

Christopher Kampmann of Firestone, Colorado, to serve as a representative of municipalities, appointed;

James Moody of Denver, Colorado, to serve as a representative of contractors, appointed;

Randall Paul Wheelock of Empire, Colorado, to serve as a representative of Colorado counties, appointed;

Jeffery M. Rumer of Blackhawk, Colorado, to serve as a representative of excavators, appointed;

Jeannette Aileen Jones of Longmont, Colorado, to serve as a representative of energy producers, appointed;

Michael Andrew Mills of Aurora, Colorado, to serve as a representative of water utilities, appointed;

for terms expiring January 1, 2021:

Lori Warner of Littleton, Colorado to serve as a representative of pipeline companies, appointed;

Mark Frederick Jurgemeyer of Denver, Colorado to serve as a representative of rural electric cooperatives, appointed;

Eric Graham Kirkpatrick of Castle Rock, Colorado, to serve as a representative of investor owned utilities, appointed;

James Patrick Fitzgerald of Greenwood Village, Colorado, to serve as a representative of special districts, appointed;

Katharine Marie Duitsman, PE of Centennial, Colorado, to serve as a representative of engineers, appointed;

for a term expiring January 1, 2022:

Raymond Keith Swerdfeger of Pueblo West, Colorado to serve as a representative of excavators, appointed;

Julie A. Mileham, AIC, ARM-P, CPCU, MBA of Aurora, Colorado, to serve as a representative of transportation, appointed;

Mark Frasier of Fort Morgan, Colorado, to serve as a representative actively engaged in farming or ranching, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/4/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, & Technology

On motion of Senator Gonzales, the Senate adjourned until 10:00 a.m., Monday, March 11, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

67th Legislative Day Monday, March 11, 2019

Prayer — By Senator Bridges.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Gonzales.

Reading of the Journal — On motion of Senator Danielson, reading of the Journal of Friday, March 8, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-189, 190, and 191.
Correctly Engrossed: SB19-141, 151, and 152; SR19-004.
Correctly Reengrossed: SB19-077.
Correctly Rerevised: HB19-1083 and 1148.
Correctly Enrolled: SB19-035, 046, 049, 068, 105, and 128.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-192 by Senator(s) Winter and Priola; also Representative(s) Jackson--Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution to administer a fee-based waste diversion grant program.
Local Government

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:

SB19-141 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the authority to create an entertainment district, and, in connection therewith, authorizing an entertainment district within a county or city and county and permitting an optional premises to be included in an entertainment district.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	E
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Lundeen, Priola, Tate, and Woodward.

SB19-152 by Senator(s) Williams A.; also Representative(s) Duran and Arndt--Concerning the continuation of the public safety communications subcommittee, and, in connection therewith, implementing the recommendations contained in the 2018 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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	E
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

SB19-151 by Senator(s) Bridges; also Representative(s) Exum--Concerning the continuation of the emergency planning subcommittee, and, in connection therewith, implementing the recommendations contained in the 2018 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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	E
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Tate.

Committee of the Whole

On motion of Senator Rodriguez, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Rodriguez 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:

HB19-1137 by Representative(s) Wilson and Valdez D., Buckner; also Senator(s) Priola, Pettersen--Concerning supporting high school students' interest in early childhood education through the teacher cadet program.

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

SB19-168 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman and Herod, Snyder, Soper, Van Winkle--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules of state agencies.

Amendment No. 1, Legal Services Committee Amendment.
(Printed in Senate Journal, March 7, page 407 and placed in members' bill files.)

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

SB19-148 by Senator(s) Hisey and Sonnenberg, Coram, Donovan, Ginal; also Representative(s) Valdez D. and Catlin--Concerning the continuation of the seed potato advisory committee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

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

SB19-147 by Senator(s) Hisey and Sonnenberg, Coram, Donovan, Ginal; also Representative(s) Valdez D. and Catlin--Concerning the continuation of the seed potato act, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by 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 Rodriguez, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	E
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-168 as amended, SB19-148, SB19-147, HB19-1137.

Committee of the Whole

On motion of Senator Rodriguez, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Rodriguez 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, had been considered and action taken thereon as follows:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

At the request of Senator Cooke, the bill was read at length.

Laid over until Wednesday, March 13, retaining its place on the calendar.

On motion of Majority Leader Fenberg, 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 (SB19-182, HB19-1113) of Monday, March 11, was laid over until Tuesday, March 12, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	E
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Laid over until Wednesday, March 13: HB19-1172.
Laid over until Tuesday, March 12: SB19-182, HB19-1113.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 11, was laid over until Wednesday, March 13, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB19-032.
Consideration of Governor's Appointments--Consent Calendar:
Members of the Board of Real Estate Appraisers
Members of the Colorado Water Resources and Power Development Authority
Members of the Rocky Mountain Low-Level Radioactive Waste Board

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INTRODUCTION OF BILLS -- FIRST READING

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

SB19-193 by Senator(s) Ginal and Lee, Gardner; --Concerning the continuation of the "Colorado Medical Practice Act", and, in connection therewith, continuing the Colorado medical board, eliminating the sixty-day limit on the pro bono license, repealing the requirement that a letter of admonition be sent to licensees by certified mail, and updating language and making technical amendments.
Judiciary

SB19-194 by Senator(s) Garcia and Zenzinger; also Representative(s) Froelich and Van Winkle, Bird-Concerning the addition of Colorado state university - global campus as a designated institution of higher education for purposes of tuition assistance for members of the National Guard.
State, Veterans, & Military Affairs

HB19-1178 by Representative(s) McLachlan, Van Winkle, Geitner; also Senator(s) Donovan--Concerning the name simplification of Western state Colorado university to Western Colorado university.
Education

HB19-1191 by Representative(s) Arndt; also Senator(s) Donovan--Concerning the ability of a farm stand to be operated on a principal use site of any sized land area regardless of whether the site has been zoned by a local government for agricultural operations.
Agriculture & Natural Resources

HB19-1198 by Representative(s) Valdez A. and Valdez D.; also Senator(s) Bridges and Priola--Concerning the powers and duties of the electric vehicle grant fund.
Transportation & Energy

HB19-1200 by Representative(s) Arndt; also Senator(s) Bridges and Coram--Concerning the point of compliance related to the treatment process involved in treating reclaimed domestic wastewater for indoor nonpotable uses within a building where the general public can access plumbing fixtures that are used to deliver the reclaimed domestic wastewater.
Local Government

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-019 and 029; SR19-004; HB19-1034, 1047, 1063, 1077, 1084, 1100, 1175.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 8th, 2019, at 05:50 p.m.:
SB19-044, 057, and 069.

LETTERS

March 11, 2019

The Honorable Leroy Garcia
President of the Senate
Colorado General Assembly

Mr. President,

Earlier today Senator John Cooke asked for HB 19-1172 to be read at length. For approximately two hours the Senate Reader, as supported by Senate staff, began to read that bill. At some point thereafter, as many as five laptop computers were utilized to read the bill at a pace that was well beyond the ability to comprehend.

Mr. President, I refer you to the Constitution of the State of Colorado, Article V Section 22, "Reading and Passage of Bills", which states "*Every Bill should be read by title when introduced, and at length on two different days in each house; provided, however, any reading at length may be dispensed with upon unanimous consent of the members present*."

Senate Rule 40(a), "Parliamentary Authority" stipulates that "*The latest edition of Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which it is not inconsistent with these rules and the Joint Rules of the Senate and the House of Representatives*".

Mason's Rules of Order Section 720, 3, states "***A substantial compliance** with the constitutional requirement as to the reading of bills is generally sufficient, although it has been held that the requirement of reading the bill on different days is mandatory. **Mandatory requirements must be complied with***."

Mr. President, I appreciate our conversation earlier today during which I made the request to slow the reading machines to a pace that would be comprehensible. My understanding is that you view the current pace to comply with the State Constitution. I disagree.

Senate Rule 16(e) says "*Any Senator shall have the right to protest or remonstrate any action of the Senate, and such protest or remonstrance, with the reasons therefor, if reduced to writing, shall without alteration or delay be, with the consent of the Senate, entered in the journal if the protest or remonstrance is not personal in its nature*." Therefore, I offer this letter as protest to the manner, specifically the speed, at which HB 19-1172 was read at length today. Per rule 16(3) I ask that this letter be entered into the Journal.

Respectfully yours,
(signed)
Chris Holbert
Senate Minority Leader

cc: Cindi Markwell, Secretary of the Senate

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, March 12, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

68th Legislative Day Tuesday, March 12, 2019

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

Reading of the Journal Pursuant to Senate Rule 14 (b), and at the request of Senator Holbert, the Journal of Monday, March 11, 2019, was read at length.

Senator Gardner requested a correction be made to the Journal.

The roll call was taken with the following result:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was **lost**.

Senator Gardner requested a correction be made to the Journal.

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was **lost**.

On motion of Senator Danielson, the Journal was approved as corrected by the Secretary, by the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1043** 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: SB19-192, 193, and 194.
Correctly Engrossed: SB19-147, 148, and 168.
Correctly Reengrossed: SB19-141, 151, and 152.
Correctly Revised: HB19-1137.
Correctly Enrolled: SR19-004.

MESSAGE FROM THE HOUSE

March 11, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1065.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1023, 1186, 1207, 1086, 1026, 1210, 1128, amended as printed in House Journal, March 8, 2018.

The House has passed on Third Reading and returns herewith SB19-103, 016, 017.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1197, 1092, amended as printed in House Journal, March 11, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

March 11, 2019

We herewith transmit:

Without comment, HB19-1065.
Without comment, as amended, HB19-1023, 1026, 1086, 1128, 1186, 1207, and 1210.
Without comment, as amended, HB19-1092 and 1197.

Upon request of Majority Leader Fenberg, **SB19-168, SB19-148,** and **SB19-147** were removed from the Third Reading of Bills--Final Passage--Consent Calendar of Tuesday, March 12, 2019, and placed at the end of the Third Reading of Bills Final Passage Calendar of Tuesday, March 12, 2019.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (HB19-1137) of Tuesday, March 12, was laid over until Wednesday, March 13, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB19-168, SB19-148, SB19-147) of Tuesday, March 12, was laid over until Wednesday, March 13, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills--Consent Calendar (HB19-1001, HB19-1068, HB19-1041, SB19-001, SB19-064, SB19-065, SB19-094) of Tuesday, March 12, was laid over until Wednesday, March 13, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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 bill had been considered and action taken thereon as follows:

SB19-181 by Senator(s) Fenberg; also Representative(s) Becker--Concerning additional public welfare protections regarding the conduct of oil and gas operations.

At the request of Senator Gardner, the bill was read at length.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, March 6, pages 391-392 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, March 7, page 410 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, pages 424-425 and placed in members' bill files.)

Majority Leader Fenberg 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.

Senate in recess. Senate reconvened.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Committee of the Whole

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

Committee of the Whole reconvened.

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:

SB19-181 by Senator(s) Fenberg; also Representative(s) Becker--Concerning additional public welfare protections regarding the conduct of oil and gas operations.

(Amended in general orders as printed in Senate journal, March 12, page 439.)

Amendment No. 4(L.044), by Senator Fenberg.

Amend printed bill, page 18, line 25, strike "REGULATE" and substitute "NOT ACT ARBITRARILY OR CAPRICIOUSLY IN REGULATING".

Amendment No. 5(L.038), by Senator Fenberg.

Amend printed bill, page 23, strike lines 8 through 12 and substitute:

"(I) THE APPLICANT HAS FILED AN APPLICATION WITH THE LOCAL GOVERNMENT WITH JURISDICTION TO APPROVE THE SITING OF THE PROPOSED OIL AND GAS LOCATION AND THE LOCAL GOVERNMENT'S DISPOSITION OF THE APPLICATION; OR

(II) THE LOCAL GOVERNMENT WITH JURISDICTION DOES NOT REGULATE THE SITING OF".

Amendment No. 6(L.039), by Senator Fenberg.

Amend the Transportation and Energy Committee Report, dated March 5, 2019, page 3, line 2, strike "TRAINING;" and substitute "TRAINING, WHICH REQUIREMENT CAN BE MET BY AN EMPLOYEE WORKING UNDER THE SUPERVISION OF A PERSON WITH THE REQUISITE SEVEN THOUSAND HOURS OF TRAINING;".

Amendment No. 7(L.041), by Senator Fenberg.

Amend printed bill, page 15, line 14, strike "(1)" and substitute "(1); and **add** (4)".

Page 16, after line 24 insert:

"(4) (a) EXCEPT AS SPECIFIED IN SUBSECTION (4)(b) OF THIS SECTION, NOTHING IN THIS ARTICLE 60 AUTHORIZES THE STATE OR ITS LOCAL GOVERNMENTS, INCLUDING THE COMMISSION, BOARDS OF COUNTY COMMISSIONERS, AND MUNICIPALITIES, TO REGULATE THE ACTIVITIES OF:

(I) FEDERALLY RECOGNIZED INDIAN TRIBES, THEIR POLITICAL SUBDIVISIONS, OR TRIBALLY CONTROLLED AFFILIATES, UNDERTAKEN OR TO BE UNDERTAKEN WITH RESPECT TO MINERAL EVALUATION, EXPLORATION, OR DEVELOPMENT ON LANDS WITHIN THE EXTERIOR BOUNDARIES OF AN INDIAN RESERVATION LOCATED WITHIN THE STATE; OR

(II) THIRD PARTIES, UNDERTAKEN OR TO BE UNDERTAKEN WITH RESPECT TO MINERAL EVALUATION, EXPLORATION, OR DEVELOPMENT ON INDIAN TRUST LANDS WITHIN THE EXTERIOR BOUNDARIES OF AN INDIAN RESERVATION LOCATED WITHIN THE STATE.

(b) REGULATION BY THE STATE OR ITS LOCAL GOVERNMENTS, INCLUDING THE COMMISSION, BOARDS OF COUNTY COMMISSIONERS, AND MUNICIPALITIES, APPLICABLE TO NON-INDIANS CONDUCTING OIL AND GAS OPERATIONS ON LANDS WITHIN THE EXTERIOR BOUNDARIES OF THE SOUTHERN UTE INDIAN RESERVATION MAY APPLY TO LANDS WHERE BOTH THE SURFACE AND THE OIL AND GAS ESTATES ARE OWNED IN FEE BY A PERSON OTHER THAN THE SOUTHERN UTE INDIAN TRIBE, REGARDLESS OF WHETHER THE LANDS ARE COMMUNITIZED OR POOLED WITH INDIAN MINERAL LANDS.".

Amendment No. 8(L.073), by Senator Scott.

Amend printed bill, page 25, line 6, strike "FIFTEEN" and substitute "THIRTEEN".

Page 25, line 8, strike "EIGHTY-FIVE" and substitute "EIGHTY-SEVEN".

Amendment No. 9(L.074), by Senator Fenberg.

Amend printed bill, page 7, line 21, strike "ADDRESS:" and substitute "ADDRESS MATTERS SPECIFIED IN THIS SUBSECTION (1)(h) AND TO PROTECT AND MINIMIZE ADVERSE IMPACTS TO PUBLIC HEALTH, SAFETY, AND WELFARE AND THE ENVIRONMENT. FOR PURPOSES OF THIS SUBSECTION (1)(h), "MINIMIZE ADVERSE IMPACTS" MEANS, TO THE EXTENT NECESSARY AND REASONABLE, TO PROTECT PUBLIC HEALTH,

SAFETY, AND WELFARE AND THE ENVIRONMENT BY AVOIDING ADVERSE IMPACTS FROM OIL AND GAS OPERATIONS AND MINIMIZING AND MITIGATING THE EXTENT AND SEVERITY OF THOSE IMPACTS THAT CANNOT BE AVOIDED. THE FOLLOWING MATTERS ARE COVERED BY THIS SUBSECTION (1)(h):".

Page 7, strike lines 23 through 27.

Page 8, strike lines 1 through 3.

Renumber succeeding subparagraphs accordingly.

Amendment No. 10(L.035), by Senator Fenberg.

Amend the Finance Committee Report, dated March 7, 2019, page 2, strike lines 2 and 3 and substitute:

"Page 17 of the bill, strike lines 23 and 24 and substitute "COMMISSION HAS PROMULGATED ANY RULES REQUIRED TO BE ADOPTED BY SUBSECTIONS (2.5)(a), (11)(c), AND (19) OF THIS SECTION AND".".

Amendment No. 11(L.076), by Senator Fenberg.

Amend printed bill, page 7, line 6, strike "(1)(i) and (2)" and substitute "(1)(i), (2), and (3)".

Page 9, before line 6 insert:

"(3) (a) TO PROVIDE A LOCAL GOVERNMENT WITH TECHNICAL EXPERTISE REGARDING WHETHER A PRELIMINARY OR FINAL DETERMINATION OF THE LOCATION OF AN OIL AND GAS FACILITY OR OIL AND GAS LOCATION COULD AFFECT OIL AND GAS RESOURCE RECOVERY:

(I) ONCE AN OPERATOR, AS DEFINED IN SECTION 34-60-103 (6.8), FILES AN APPLICATION FOR THE LOCATION AND SITING OF AN OIL AND GAS FACILITY OR OIL AND GAS LOCATION AND THE LOCAL GOVERNMENT HAS MADE EITHER A PRELIMINARY OR FINAL DETERMINATION REGARDING THE APPLICATION, THE LOCAL GOVERNMENT MAY ASK THE DIRECTOR OF THE OIL AND GAS CONSERVATION COMMISSION PURSUANT TO SECTION 34-60-104.5 (3) TO APPOINT A TECHNICAL REVIEW BOARD TO CONDUCT A TECHNICAL REVIEW OF THE PRELIMINARY OR FINAL DETERMINATION AND ISSUE A REPORT THAT CONTAINS THE BOARD'S CONCLUSIONS.

(II) ONCE A LOCAL GOVERNMENT HAS MADE A FINAL DETERMINATION REGARDING AN APPLICATION SPECIFIED IN SUBSECTION (3)(a)(I) OF THIS SECTION OR IF THE LOCAL GOVERNMENT HAS NOT MADE A FINAL DETERMINATION ON AN APPLICATION WITHIN TWO HUNDRED TEN DAYS AFTER FILING BY THE OPERATOR, THE OPERATOR MAY ASK THE DIRECTOR OF THE OIL AND GAS CONSERVATION COMMISSION PURSUANT TO SECTION 34-60-104.5 (3) TO APPOINT A TECHNICAL REVIEW BOARD TO CONDUCT A TECHNICAL REVIEW OF THE FINAL DETERMINATION AND ISSUE A REPORT THAT CONTAINS THE BOARD'S CONCLUSIONS.

(b) A LOCAL GOVERNMENT MAY FINALIZE ITS PRELIMINARY DETERMINATION WITHOUT ANY CHANGES BASED ON THE TECHNICAL REVIEW REPORT, FINALIZE ITS PRELIMINARY DETERMINATION WITH CHANGES BASED ON THE REPORT, OR RECONSIDER OR DO NOTHING WITH REGARD TO ITS ALREADY FINALIZED DETERMINATION.

(c) IF AN APPLICANT OR LOCAL GOVERNMENT REQUESTS A TECHNICAL REVIEW PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, THE PERIOD TO APPEAL A LOCAL GOVERNMENT'S DETERMINATION PURSUANT TO RULE 106 (a)(4) OF THE COLORADO RULES OF CIVIL PROCEDURE IS TOLLED UNTIL THE REPORT SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION HAS BEEN ISSUED, AND THE APPLICANT IS AFFORDED THE FULL PERIOD TO APPEAL THEREAFTER.".

Page 15, line 5, strike "(2)(d)" and substitute "(2)(d); and **add** (3)".

Page 15, after line 12 insert:

"(3) (a) UPON RECEIPT OF REQUEST FOR TECHNICAL REVIEW FILED PURSUANT TO SECTION 29-20-104 (3)(a), THE DIRECTOR OF THE COMMISSION SHALL APPOINT TECHNICAL REVIEW BOARD MEMBERS. THE MEMBERSHIP OF THE TECHNICAL REVIEW BOARD MUST INCLUDE SUBJECT MATTER EXPERTS IN LOCAL LAND USE PLANNING AND OIL AND GAS EXPLORATION AND PRODUCTION AND MAY INCLUDE SUBJECT MATTER EXPERTS IN ENVIRONMENTAL SCIENCES, PUBLIC HEALTH SCIENCES, OR OTHER DISCIPLINES RELEVANT TO THE DISPUTED ISSUES, AS DETERMINED BY THE DIRECTOR. THE TECHNICAL REVIEW BOARD SHALL CONDUCT A TECHNICAL REVIEW OF THE PRELIMINARY OR FINAL SITING DETERMINATION PURSUANT TO THE CRITERIA SPECIFIED IN SUBSECTION (3)(b) OF THIS SECTION AND, AT ITS DISCRETION, MAY MEET TO CONFER INFORMALLY WITH THE PARTIES. THE TECHNICAL REVIEW MUST BE COMPLETED BY ISSUANCE OF A REPORT WITHIN SIXTY DAYS AFTER THE DIRECTOR APPOINTS THE EXPERTS.

(b) A TECHNICAL REVIEW:

(I) MUST ADDRESS THE ISSUES IN DISPUTE AS IDENTIFIED BY THE OPERATOR AND THE LOCAL GOVERNMENT, WHICH MAY INCLUDE IMPACTS TO THE RECOVERY OF THE RESOURCE BY THE PRELIMINARY OR FINAL SITING DETERMINATION OF THE LOCAL GOVERNMENT; WHETHER THE LOCAL GOVERNMENT'S DETERMINATION WOULD REQUIRE TECHNOLOGIES THAT ARE NOT AVAILABLE OR ARE IMPRACTICABLE GIVEN THE CONTEXT OF THE PERMIT APPLICATION; AND WHETHER THE OPERATOR IS PROPOSING TO USE BEST MANAGEMENT PRACTICES; AND

(II) MUST RESULT IN THE ISSUANCE OF A REPORT.".

Amendment No. 12(L.075), by Senator Fenberg.

Amend printed bill, page 11, strike lines 5 and 6 and substitute:

"(5.5) "Minimize adverse impacts" means, to ~~wherever reasonably practicable~~ THE EXTENT NECESSARY AND REASONABLE TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE, THE ENVIRONMENT, AND WILDLIFE RESOURCES, TO:".

Amendment No. 13(L.077), by Senator Fenberg.

Amend the Finance Committee Report, dated March 7, 2019, page 2, after line 3 insert:

"Page 17 of the bill, line 27, strike "DETERMINES" and substitute "DETERMINES, PURSUANT TO OBJECTIVE CRITERIA TO BE PUBLISHED BY THE DIRECTOR WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (1)(f)(III) AND FOLLOWING A PUBLIC COMMENT PERIOD,".".

Page 2 of the report, strike lines 5 through 8.

Amendment No. 14(L.036), by Senator Fenberg.

Amend printed bill, page 14, line 15, after "IN" insert "TECHNICAL EXPERTISE RELEVANT TO THE ISSUES CONSIDERED BY THE COMMISSION OR".

Page 26, lines 19 and 20, strike "**preemption - most protective standard controls.**" and substitute "**preemption.**".

Page 27, strike lines 3 through 9 and substitute "AS SPECIFIED IN SECTION 34-60-105 (1)(b). A LOCAL GOVERNMENT'S REGULATIONS MAY BE MORE PROTECTIVE OR STRICTER THAN STATE REQUIREMENTS.".

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.)

On motion of Majority Leader Fenberg, 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 (SB19-182, HB19-1113, SB19-129, SB19-012, SB19-086, SB19-099, SB19-139) of Tuesday, March 12, was laid over until Wednesday, March 13, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB19-181 by Senator(s) Fenberg; also Representative(s) Becker--Concerning additional public welfare protections regarding the conduct of oil and gas operations.

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.069) to SB 19-181, did pass.

Amend printed bill, page 27, strike lines 10 through 15 and substitute:

"**SECTION 17. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 conduct occurring on or after the applicable effective date of this act, including determinations of applications pending on the effective date.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-181 as amended.
Laid over until Wednesday, March 13: SB19-182, HB19-1113, SB19-129, SB19-012, SB19-086, SB19-099, SB19-139.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for a term expiring July 7, 2019:

Kristin Engel Waters, PhD of Denver, Colorado, to serve as a person employed as an educator at a high school an occasioned by the resignation of Sean Precious of Denver, Colorado, appointed;

for terms expiring July 7, 2020:

Jenifer Louise Hufman of Dolores, Colorado, to serve as a person employed as an educator in a high school in a rural district, reappointed.

James Nickel Thurman of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, March 12, 2019, at 11:15 a.m.:
SB19-019 and 029.

MESSAGE FROM THE GOVERNOR

Monday, March 11, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-024 - Taxes Paid By Electronic Funds Transfer
Approved Monday, March 11, 2019 3:01 p.m.

Sincerely,
(signed)
Jared Polis
Governor

March 11, 2019

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 hereby issue an Executive Order removing a member from the State Board for Community Colleges and Occupational Education.

ORDERED:

That Theresa Kathleen Pena of Denver, Colorado, be and she is hereby removed for cause from the:

STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

effective immediately, this Executive Order supersedes that portion of Executive Orader A 2015-362 appointing Theresa Kathleen Pena to the Board.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/12/2019
Andrew Carpenter, Senate Reader

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, March 13, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

69th Legislative Day Wednesday, March 13, 2019

Prayer — By the chaplain, Pastor Brian Ricker, First Baptist Church of Lafayette.

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 Gonzales.

Reading of the Journal — On motion of Senator Danielson, reading of the Journal of Tuesday, March 12, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-181.
Correctly Enrolled: SB19-016, 107, and 103.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Foote was added as a joint prime sponsor with Senator Fenberg and Representative Becker on SB19-181.

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:

HB19-1137 by Representative(s) Wilson and Valdez D., Buckner; also Senator(s) Priola, Pettersen--Concerning supporting high school students' interest in early childhood education through the teacher cadet 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Court, Fields, Foote, Garcia, Ginal, Hisey, Moreno, Rankin, Story, 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:

SB19-168 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman and Herod, Snyder, Soper, Van Winkle--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules of state agencies.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Holbert, and Tate.

SB19-148 by Senator(s) Hisey and Sonnenberg, Coram, Donovan, Ginal; also Representative(s) Valdez D. and Catlin--Concerning the continuation of the seed potato advisory committee, and, in connection therewith, implementing the recommendations contained in the 2018 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	33	NO	1	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Garcia, Moreno, Priola, Tate, Todd, and Woodward.

SB19-147 by Senator(s) Hisey and Sonnenberg, Coram, Donovan, Ginal; also Representative(s) Valdez D. and Catlin--Concerning the continuation of the seed potato act, and, in connection therewith, implementing the recommendations contained in the 2018 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	33	NO	1	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Garcia, Pettersen, Tate, Todd, and Woodward.

SB19-181 by Senator(s) Fenberg and Foote; also Representative(s) Becker--Concerning additional public welfare protections regarding the conduct of oil and gas operations, and, in connection therewith, making an appropriation.

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

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Gonzales, Lee, Moreno, Story, Williams A., and Winter.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

HB19-1001 by Representative(s) Kennedy, Rankin; also Senator(s) Moreno and Rankin--Concerning hospital transparency measures required to analyze the efficacy of hospital delivery system reform incentive payments.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 8, page 419 and placed in members' bill files.)

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

HB19-1068 by Representative(s) Arndt, Hooton; also Senator(s) Moreno, Zenzinger--Concerning the elimination of the requirement that the state board of health comply with certain statutory requirements concerning the preparation of operational planning functions as if the state board were the executive director of the department of public health and environment.

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

HB19-1041 by Representative(s) Buckner; also Senator(s) Rodriguez--Concerning the prevention of human exposure to surgical smoke during surgery at certain licensed health care facilities.

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

SB19-001 by Senator(s) Garcia; also Representative(s) Buentello--Concerning the expansion of the medication-assisted treatment expansion pilot program, and, in connection therewith, shifting administration of the program from the college of nursing to the center for research into substance use disorder prevention, treatment, and recovery support strategies; expanding the counties that may participate in the program; extending the duration of the program; and increasing the funding for the program.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 8, page 204 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, page 422 and placed in members' bill files.)

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

SB19-064 by Senator(s) Lee; also Representative(s) Weissman--Concerning retention of criminal justice programs funding.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 29, page 121 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, page 423 and placed in members' bill files.)

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

SB19-065 by Senator(s) Garcia; also Representative(s) Exum--Concerning the creation of a peer health assistance program for emergency medical service providers.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 8, pages 204-205 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, February 27, pages 337-338 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, page 423 and placed in members' bill files.)

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

SB19-094 by Senator(s) Lundeen and Todd, Gardner, Hill, Sonnenberg, Zenzinger; also Representative(s) Garnett, Buckner--Concerning the legislative interim committee on school finance.

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-001 as amended, SB19-064 as amended, SB19-065 as amended, SB19-094, HB19-1001 as amended, HB19-1068, HB19-1041.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

Laid over until Thursday, March 14, retaining its place on the calendar.

SB19-182 by Senator(s) Williams A. and Gonzales, Bridges, Court, Garcia, Priola; also Representative(s) Arndt and Benavidez--Concerning the repeal of the death penalty by the general assembly.

Laid over until Thursday, March 14, retaining its place on the calendar.

HB19-1113 by Representative(s) Roberts and McLachlan, Arndt, Buentello, McCluskie, Titone; also Senator(s) Donovan--Concerning the protection of water quality from adverse impacts caused by mineral mining.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, March 7, page 408 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.)

SB19-129 by Senator(s) Story, Danielson; also Representative(s) Froelich, Bird, Kipp--Concerning the regulation of online schools.

Laid over until Thursday, March 14, retaining its place on the calendar.

SB19-012 by Senator(s) Court; also Representative(s) Melton--Concerning the use of mobile electronic devices while driving.

Laid over until Thursday, March 14, retaining its place on the calendar.

SB19-099 by Senator(s) Todd; also Representative(s) Tipper--Concerning the "Revised Uniform Athlete Agents Act (2015)".

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 7, pages 175-177 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, February 20, pages 263-274 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, page 424 and placed in members' bill files.)

Amendment No. 4(L.003), by Senator Todd.

Amend the Finance Committee Report, dated February 19, 2019, page 18, line 34, strike "5 through 11" and substitute "6 through 12".

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

SB19-139 by Senator(s) Coram and Moreno, Priola; also Representative(s) Galindo and Singer--Concerning the issuance by the department of revenue of identification documents to people who are not lawfully present in Colorado on a permanent basis, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 1, page 364 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, page 424 and placed in members' bill files.)

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

SB19-086 by Senator(s) Lee; also Representative(s) Bird--Concerning updates to the laws governing business entities.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 5, page 157 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, pages 423-424 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

HB19-1113 by Representative(s) Roberts and McLachlan, Arndt, Buentello, McCluskie, Titone; also Senator(s) Donovan--Concerning the protection of water quality from adverse impacts caused by mineral mining.

Senator Coram moved to amend the Report of the Committee of the Whole to show that the following Coram floor amendment, (L.005) to HB 19-1113, did pass.

Amend reengrossed bill, page 3, line 5, after "(II)" insert "(A)".

Page 3, line 6, strike "SECTION," and substitute "SECTION BUT SUBJECT TO SUBSECTION (7)(g)(II)(B) OF THIS SECTION,".

Page 3, after line 10 insert:

(B) "NOTHING IN THIS SUBSECTION (7)(g)(II) APPLIES TO A TECHNICAL AMENDMENT TO A PERMIT.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	E	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	Y
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-099 as amended, SB19-139 as amended, SB19-086 as amended, HB19-1113 as amended.
Laid over until Thursday, March 14: HB19-1172, SB19-182, SB19-129, SB19-012.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB19-032) of Wednesday, March 13, was laid over until Thursday, March 14, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for terms expiring July 1, 2021:

Patrice Suzanne Campbell, SRA of Grand Junction, Colorado, to serve as a real estate appraiser with expertise in eminent domain matters, appointed;

Joshua H. Walitt, SRA, MNAA, CDEI of Grand Junction, Colorado, to serve as a representative of appraisal management companies, appointed;

Matthew J. Salazar of Centennial, Colorado, to serve as a representative of commercial banking, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2022:

Christopher Treese of Glenwood Springs, Colorado, to serve as a representative from the Main Colorado drainage basin, and as a representative with experience in public health issues related to drinking water or water quality matters, appointed;

Robert Edward Wolff of Durango, Colorado, to serve as a representative from the San Miguel-Dolores-San Juan drainage basin, and as a representative with experience in the engineering aspects of water projects, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
ROCKY MOUNTAIN LOW-LEVEL RADIOACTIVE WASTE BOARD

for a term expiring August 31, 2022:

Jennifer Tice Opila of Northglenn, Colorado, to serve as the Governor's designee and occasioned by the resignation of Gary W. Baughman of Lakewood, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-043 and 071.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-195 by Senator(s) Fields and Gardner; also Representative(s) Kraft-Tharp and Landgraf--Concerning enhancements to behavioral health services and policy coordination for children and youth.
Health & Human Services

SB19-196 by Senator(s) Lee and Danielson; --Concerning the modification of procurement requirements for state contracts for public projects.
State, Veterans, & Military Affairs

SB19-197 by Senator(s) Zenzinger; also Representative(s) Kennedy--Concerning the continuation of the pilot program to allow an eligible person with a spinal cord injury to receive complementary or alternative medicine.
Finance

HB19-1023 by Representative(s) Saine and Jackson, McLachlan, Roberts; also Senator(s) Marble and Todd, Zenzinger--Concerning issuance of driving authorization documents to foster children who are under eighteen years of age.
Transportation & Energy

HB19-1065 by Representative(s) Soper and Roberts; also Senator(s) Rankin--Concerning public hospital boards of trustees, and, in connection therewith, eliminating the restriction that a board may not include more than four local residents and allowing a board to unilaterally acquire real or personal property by lease if the board has designated the public hospital as an enterprise.
Health & Human Services

HB19-1086 by Representative(s) Duran; also Senator(s) Pettersen--Concerning the conduct of plumbing inspections to ensure compliance with the plumbing law.
Business, Labor, & Technology

HB19-1092 by Representative(s) Valdez A., Caraveo, Duran, Galindo, Mullica, Singer, Sullivan; also Senator(s) Ginal--Concerning a prohibition on future ownership of an animal for persons convicted of animal cruelty.
Judiciary

HB19-1128 by Representative(s) Kraft-Tharp and Saine, Michaelson Jenet; also Senator(s) Fields and Smallwood, Todd--Concerning intercepts, and, in connection therewith, intercepting lottery winnings to pay outstanding court obligations.
Finance

HB19-1186 by Representative(s) McLachlan and Exum; also Senator(s) Bridges and Cooke--Concerning fingerprinting options for background checks for school employees.
Education

HB19-1197 by Representative(s) Carver and Singer; also Senator(s) Lee and Gardner--Concerning restrictions on making public the personal information of government employees whose official duties involve child abuse and neglect cases.
Judiciary

HB19-1207 by Representative(s) Roberts; also Senator(s) Donovan and Rankin--Concerning a requirement that motor vehicles meet traction-control standards for winter conditions.
Transportation & Energy

HB19-1210 by Representative(s) Melton and Galindo, Arndt, Benavidez, Buckner, Buentello, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Herod, Jackson, Kennedy, McLachlan, Michaelson Jenet, Mullica, Singer, Sirota, Sullivan, Weissman; also Senator(s) Danielson and Moreno, Court, Fields, Foote, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, Todd, Zenzinger--Concerning the repeal of the prohibitions on a local government establishing minimum wage laws within its jurisdiction.
Business, Labor, & Technology

TRIBUTES

Honoring:

The School of Engineering and Biomedical Science at Pueblo County -- By President Leroy M. Garcia.

Latino Advocacy Day -- By Senator Robert Rodriguez, President Leroy Garcia, Senator Julie Gonzales, Senator Dominick Moreno, Representative Serena Gonzales-Gutierrez, Representative Monica Duran, Representative Adrienne Benavidez, Representative Bri Buentello, Representative Yadira Caraveo, Representative Rochelle Galindo, Representative Sonya Jaquez-Lewis, Representative Kerry Tipper, Representative Alex Valdez, and Representative Donald Valdez.

Zoelsmann's Bakery & Deli -- By President Leroy M. Garcia.

Roger Evans -- By Senator Jerry Sonnenberg.

International Women's Day -- By Senator Rhonda Fields.

Nicole Quartiero -- By President Leroy M. Garcia.

Colorado Aerospace Day -- By Senator Nancy Todd and Bob Gardner.

Sergeant Howard Jackson -- By President Leroy M. Garcia.

Martin George Hernandez -- By President Leroy M. Garcia.

Mannie and Corinne Rodriguez -- By President Leroy M. Garcia.

Robert Carricato -- By President Leroy M. Garcia.

Bob Zimmerman -- By Senator Kerry Donovan.

Glenn Kotz -- By Senator Kerry Donovan.

Buck Allen -- By Senator Kerry Donovan.

Joy Harrison -- By Senator Kerry Donovan.

George McCollum -- By Senator Kerry Donovan.

Howard Jackson -- By Senator Kerry Donovan.

George Hernandez -- By Senator Kerry Donovan.

Bill Zeisel -- By Senator Kerry Donovan.

Civil Air Patrol -- By Senator Larry Crowder.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, March 14, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

70th Legislative Day Thursday, March 14, 2019

Prayer By Senator Hisey.

Call to Order By the President at 11:00 a.m.

Roll Call Present--35

Quorum The President announced a quorum present.

On motion of Majority Leader Fenberg, 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 Sienna Snook, STEM Lab, Northglenn.

Reading of the Journal On motion of Senator Danielson, reading of the Journal of Wednesday, March 13, 2019, 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 **SB19-004** 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 through 13.

Strike pages 3 through 5.

Page 6, strike lines 1 through 17 and substitute:

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

(a) Currently, premiums for health insurance across the nine health insurance geographic rating regions in Colorado, as well as the number of insurance carriers available and the number and variety of plans offered in the different regions, vary significantly;

(b) Premiums in rural areas, especially in the eastern plains and the western slope areas of the state, are considerably higher than premiums in metropolitan areas, and the number of carriers and the diversity of plans they offer are very limited in those areas. In fact, only one carrier is currently offering plans on the health benefit exchange in some rural areas of the state.

(c) Many Coloradans in rural areas are cost-burdened in that they spend more than twenty percent of their household income on premiums for health insurance but earn too much to qualify for subsidies available under federal law;

(d) Because of the financial burden high-cost health insurance places on individuals in rural areas of the state, a considerable number of these cost-burdened individuals may not purchase health insurance in 2019, exacerbating the problems of few carriers, few plan options, and high costs of health insurance in rural regions of the state as well as

increasing the number of uninsured individuals in those areas; and

(e) It is therefore important to modernize the laws authorizing health care cooperatives to enable consumers to help control health care costs by negotiating rates on a collective basis directly with providers.".

Renumber succeeding sections accordingly.

Page 1, strike lines 103 through 105.

Page 1, line 106, strike "**PLANS AND**".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1004** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1069** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1150** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1038** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-054** 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, 42-1-102, **amend** (58); and **add** (102.6) as follows:

42-1-102. Definitions. As used in articles 1 to 4 of this title 42, unless the context otherwise requires:

(58) (a) "Motor vehicle" means:

(I) Any self-propelled vehicle that is designed primarily for travel on ~~the public~~ highways and that is generally and commonly used to transport persons and property over ~~the public highways; or~~ HIGHWAYS;

(II) A low-speed electric vehicle; OR

(III) A SURPLUS MILITARY VEHICLE.

(b) ~~except that the term~~ "MOTOR VEHICLE" does not include electrical assisted bicycles, low-power scooters, wheelchairs, or vehicles moved solely by human power.

(c) (I) For the purposes of the offenses described in sections 42-2-128, 42-4-1301, 42-4-1301.1, and 42-4-1401 for farm tractors and off-highway vehicles, as defined in section 33-14.5-101 (3), operated on streets and highways, "motor vehicle" includes a farm tractor or an off-highway vehicle that is not otherwise classified as a motor vehicle.

(II) For the purposes of sections 42-2-127, 42-2-127.7, 42-2-128, 42-2-138, 42-2-206, 42-4-1301, and 42-4-1301.1, "motor vehicle" includes a low-power scooter.

(102.6) "SURPLUS MILITARY VEHICLE":

(a) MEANS A SELF-PROPELLED VEHICLE THAT:

(I) HAS BEEN PURCHASED FOR NONMILITARY USE;

(II) WAS COMMONLY USED BY THE UNITED STATES ARMED FORCES TO TRANSPORT PERSONS OR PROPERTY OVER THE HIGHWAY; AND

(III) WAS BUILT FOR THE UNITED STATES ARMED FORCES.

(b) DOES NOT INCLUDE HIGH MOBILITY MULTIPURPOSE WHEELED VEHICLES, ALSO KNOWN AS HMMWVS OR HUMVEES.

SECTION 2. In Colorado Revised Statutes, 42-5-201, **add** (11.5) as follows:

42-5-201. Definitions. As used in this part 2, unless the context otherwise requires:

(11.5) "SURPLUS MILITARY VEHICLE" HAS THE SAME MEANING SET FORTH IN SECTION 42-1-102.

SECTION 3. In Colorado Revised Statutes, 42-5-202, **add** (5) as follows:

42-5-202. Vehicle identification number inspection. (5) A SURPLUS MILITARY VEHICLE NEED NOT HAVE A PHYSICAL INSPECTION TO DETERMINE WHETHER THE VEHICLE IS ROADWORTHY AS PART OF A VEHICLE IDENTIFICATION NUMBER INSPECTION PERFORMED IN ACCORDANCE WITH THIS PART 2.

SECTION 4. In Colorado Revised Statutes, 42-6-102, **amend** (11.5)(a); **repeal** (11.5)(b)(III); and **add** (20.5) as follows:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(11.5) (a) "Off-highway vehicle" means a self-propelled vehicle that is:

(I) Designed to travel on wheels or tracks in contact with the ground; AND

(II) Designed primarily for use off of the public highways. ~~and~~

(III) ~~Generally and commonly used to transport persons for recreational purposes.~~

(b) "Off-highway vehicle" includes vehicles commonly known as all-terrain vehicles and snowmobiles but does not include:

(III) ~~Military vehicles;~~

(20.5) "SURPLUS MILITARY VEHICLE" HAS THE SAME MEANING SET FORTH IN SECTION 42-1-102.

SECTION 5. In Colorado Revised Statutes, 42-6-107, **amend** (1)(a)(II) as follows:

42-6-107. Certificates of title - contents - rules. (1) (a) (II) In addition to other information that the director may by rule require, the certificates of title must contain the make and model of the motor or off-highway vehicle described in the record, if the information is available, together with the motor and any other serial number of the vehicle; ~~and~~ a description of any other marks or symbols placed upon the vehicle by the vehicle manufacturer for identification purposes; AND, IF THE VEHICLE IS A SURPLUS MILITARY VEHICLE, A NOTATION TO THAT EFFECT.

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.".

Page 1, line 101, strike "**DEMILITARIZED MOTOR**" and substitute "**SURPLUS MILITARY**".

Judiciary

After consideration on the merits, the Committee recommends that **SB19-166** 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 "**-revocation.**" and substitute "**-revocation - rules - definition.**".

Page 2, lines 15 and 16, strike "COMPARABLE ADMINISTRATIVE INVESTIGATION;" and substitute "ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS;".

Page 3, line 6, strike "AND".

Page 3, line 7, after "THAT" insert "ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY".

Page 3, line 14, strike "INVESTIGATION." and substitute:

"INVESTIGATION; AND

(C) THE CERTIFICATE HOLDER HAS ELECTED NOT TO EXERCISE, OR HAS EXHAUSTED, THE INTERNAL DISCIPLINARY APPEAL RIGHTS PROVIDED BY THE OFFICER'S EMPLOYER; AND

(III) THE P.O.S.T. BOARD HAS DETERMINED, AFTER CONDUCTING A HEARING AND APPEALS PROCESS PROVIDED PURSUANT TO RULES OF THE P.O.S.T. BOARD AND IN COMPLIANCE WITH SECTIONS 24-4-104 AND 24-4-105, THAT THE CERTIFICATE HOLDER KNOWINGLY MADE AN UNTRUTHFUL STATEMENT CONCERNING A MATERIAL FACT OR KNOWINGLY OMITTED A MATERIAL FACT ON AN OFFICIAL CRIMINAL JUSTICE RECORD, WHILE TESTIFYING UNDER OATH, OR DURING AN INTERNAL AFFAIRS INVESTIGATION OR ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS.".

Page 3, line 18, after the period insert "THE FORM MUST REQUIRE THE OFFICIAL SUBMITTING THE FORM TO ATTEST, UNDER PENALTY OF PERJURY, THAT, TO THE BEST OF THE OFFICIAL'S KNOWLEDGE AND BELIEF, THE STATEMENTS ON THE FORM ARE TRUE, CORRECT, AND COMPLETE, AND THAT ANY FALSE STATEMENT, MISSTATEMENT, OR INACCURACY MAY RESULT IN REVOCATION OF THE OFFICIAL'S CERTIFICATION AS WELL AS CRIMINAL PROSECUTION.".

Page 4, lines 3 and 4, strike "COMPARABLE ADMINISTRATIVE INVESTIGATION," and substitute "ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS,".

Page 4, strike lines 8 through 10.

Reletter succeeding paragraphs accordingly.

Page 4, before line 16 insert:

"(e) A PERSON WHO HAS HAD HIS OR HER P.O.S.T. CERTIFICATION REVOKED PURSUANT TO THIS SUBSECTION (2.5) MAY SEEK JUDICIAL REVIEW PURSUANT TO THE PROVISIONS OF SECTION 24-4-106.".

Reletter succeeding paragraphs accordingly.

Page 4, lines 23 and 24, strike "COMPARABLE ADMINISTRATIVE INVESTIGATION," and substitute "ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS,".

Page 5, line 7, strike "COMPARABLE ADMINISTRATIVE INVESTIGATION," and substitute "ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS,".

Page 5, line 8, after "AGENCY" insert "EMPLOYING THE PEACE OFFICER, OR THE LAST LAW ENFORCEMENT AGENCY TO EMPLOY THE PEACE OFFICER,".

Page 5, after line 16 insert:

"(i) FOR THE PURPOSES OF THIS SUBSECTION (2.5), "ADMINISTRATIVE INVESTIGATION AND DISCIPLINARY PROCESS" MEANS AN EMPLOYER'S FORMAL PROCESS OF INTERNAL CONTROL THAT ASSURES THAT AN ALLEGATION OF VIOLATION OF EMPLOYER RULES, POLICY, PROCEDURE, OR OTHER MISCONDUCT OR IMPROPER ACTIONS BY AN EMPLOYEE ARE SUBJECT TO A COMPLETE AND OBJECTIVE INVESTIGATION RESULTING IN FINDINGS OF FACT AND DISCIPLINARY ACTION FOR ANY SUBSTANTIATED VIOLATION.

(j) THE P.O.S.T. BOARD MAY PROMULGATE RULES FOR THE IMPLEMENTATION OF THIS SUBSECTION (2.5).".

Judiciary

After consideration on the merits, the Committee recommends that **SB19-136** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 20, after "2018," insert "AND CONTINUING THROUGH JUNE 30, 2020,".

Judiciary After consideration on the merits, the Committee recommends that **HB19-1180** 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 **HB19-1155** 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: SB19-195, 196, and 197.
Correctly Engrossed: SB19-001, 064, 065, 086, 094, 099, and 139.
Correctly Reengrossed: SB19-147, 148, 168, and 181.
Correctly Revised: HB19-1001, 1113, 1041, and 1068.
Correctly Rerevised: HB19-1137.

On motion of Majority Leader Fenberg, 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.

The Senate observed a moment of silence and rang the Senate chimes in memory of Corporal Daniel Groves, Colorado State Patrol.

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:

HB19-1001 by Representative(s) Kennedy; also Senator(s) Moreno and Rankin--Concerning hospital transparency measures required to analyze the efficacy of hospital delivery system reform incentive payments.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Court, Danielson, Donovan, Fenberg, Garcia, Ginal, Lee, Pettersen, Rodriguez, Todd, Williams A., and Winter.

HB19-1068 by Representative(s) Arndt, Hooton; also Senator(s) Moreno, Zenzinger--Concerning the elimination of the requirement that the state board of health comply with certain statutory requirements concerning the preparation of operational planning functions as if the state board were the executive director of the department of public health and environment.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

HB19-1041 by Representative(s) Buckner; also Senator(s) Rodriguez--Concerning the prevention of human exposure to surgical smoke during surgery at certain licensed health care facilities.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Ginal, Gonzales, Todd, and Winter.

SB19-001 by Senator(s) Garcia; also Representative(s) Buentello--Concerning the expansion of the medication-assisted treatment expansion pilot program, and, in connection therewith, shifting administration of the program from the college of nursing to the center for research into substance use disorder prevention, treatment, and recovery support strategies; expanding the counties that may participate in the program; extending the duration of the program; increasing the funding for the program; 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Ginal, Gonzales, Hisey, Pettersen, Priola, Rodriguez, Story, Tate, Todd, Williams A., Winter, and Zenzinger.

SB19-064 by Senator(s) Lee; also Representative(s) Weissman--Concerning retention of criminal justice programs funding.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Fenberg, Garcia, Ginal, Gonzales, Story, Todd, Williams A., and Winter.

SB19-065 by Senator(s) Garcia; also Representative(s) Exum--Concerning the creation of a peer health assistance program for emergency medical service 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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Crowder, Danielson, Donovan, Fenberg, Gardner, Ginal, Gonzales, Priola, Rankin, Rodriguez, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

SB19-094 by Senator(s) Lundeen and Todd, Gardner, Hill, Sonnenberg, Zenzinger; also Representative(s) Garnett, Buckner--Concerning the legislative interim committee on school finance.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Ginal, Rankin, Story, and Woodward.

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:

HB19-1113 by Representative(s) Roberts and McLachlan, Arndt, Buentello, McCluskie, Titone; also Senator(s) Donovan--Concerning the protection of water quality from adverse impacts caused by mineral mining.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Danielson, Fenberg, Garcia, Ginal, Lee, Pettersen, Rodriguez, Story, and Winter.

SB19-099 by Senator(s) Todd; also Representative(s) Tipper--Concerning the "Revised Uniform Athlete Agents Act (2015)", and, in connection therewith, making an appropriation.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Ginal.

SB19-139 by Senator(s) Coram and Moreno, Priola; also Representative(s) Galindo and Singer--Concerning the issuance by the department of revenue of identification documents to people who are not lawfully present in Colorado on a permanent basis, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Foote, Ginal, Gonzales, Lee, Rodriguez, Tate, Todd, and Winter.

SB19-086 by Senator(s) Lee; also Representative(s) Bird--Concerning updates to the laws governing business entities, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Priola, Rankin, Scott, Smallwood, and Tate.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Danielson 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:

HB19-1043 by Representative(s) Galindo; also Senator(s) Danielson--Concerning the ability of life care institutions to post a surety bond as a form of required reserve.

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1043.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

Laid over until Monday, March 18, retaining its place on the calendar.

SB19-182 by Senator(s) Williams A. and Gonzales, Bridges, Court, Garcia, Priola; also Representative(s) Arndt and Benavidez--Concerning the repeal of the death penalty by the general assembly.

Laid over until Friday, March 15, retaining its place on the calendar.

SB19-012 by Senator(s) Court; also Representative(s) Melton--Concerning the use of mobile electronic devices while driving.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, February 15, pages 241-244 and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Hisey.

Amend the Transportation and Energy Committee Report, dated February 14, 2019, page 4, line 14, strike "4" and substitute "~~4~~ ***2***".

Page 4, line 41, strike "~~100.00~~ ***150.00***" and substitute "100.00".

Page 5, line 1, strike "300.00" and substitute "~~300.00~~ ***200.00***".

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, March 8, pages 422-423 and placed in members' bill files.)

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

Amend the Transportation and Energy Committee Report, dated February 14, 2019, page 4, strike line 2 and substitute "DUTIES;

(c) THE USE OF A MOBILE ELECTRONIC DEVICE BY A PROFESSIONAL ACTING WITHIN THE SCOPE OF THE PROFESSIONAL'S EMPLOYMENT IF THE USE IF REQUIRED BY THE PROFESSIONAL'S EMPLOYER AND NECESSARY FOR THE PERFORMANCE OF THE PROFESSIONAL'S DUTIES;

(d) THE USE OF A MOBILE ELECTRONIC DEVICE TO INTERACT WITH A MEDICAL DEVICE; OR".

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

Page 4, after line 4 insert:

"(8) A LAW ENFORCEMENT OFFICER SHALL NOT CITE A COMMERCIAL DRIVER FOR A VIOLATION OF THIS SECTION IF THE COMMERCIAL DRIVER IS CITED FOR A VIOLATION OF 49 CFR 392.82.".

Page 4, line 5, strike "(8)" and substitute "(9)".

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

SB19-129 by Senator(s) Story, Danielson; also Representative(s) Froelich, Bird, Kipp--Concerning the regulation of online schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, March 8, pages 411-412 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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-012 as amended, SB19-129 as amended.
Laid over until Friday, March 15: SB19-182.
Laid over until Monday, March 18: HB19-1172.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-032 by Senator(s) Scott; also Representative(s) McCluskie--Concerning the routing of hazardous materials being transported on the roadways of the state.

Senator Scott moved that the Senate concur in House amendments to SB19-032 as printed in House journal, February 27, page 459, and March 7, pages 595-596. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Thursday, March 14, 2019, at 10:00 a.m.: SB19-043 and 071.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-155** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 6, after line 9 insert:

"**SECTION 6.** In Colorado Revised Statutes, 12-2-119, **amend** (5) and (9) as follows:

12-2-119. Continuing education. (5) (a) As a condition of renewing, reactivating, or reinstating a certificate of certified public accountant, every applicant shall comply with continuing education requirements adopted by the board.

(b) A NONRESIDENT CERTIFICATE HOLDER APPLYING TO RENEW, REACTIVATE, OR REINSTATE A CERTIFICATE OF CERTIFIED PUBLIC ACCOUNTANT ISSUED IN THIS STATE THAT DEMONSTRATES COMPLIANCE, THROUGH AN ATTESTATION SUBMITTED WITH A RENEWAL, REACTIVATION, OR REINSTATEMENT APPLICATION, WITH THE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL, REACTIVATION, OR REINSTATEMENT OF A CERTIFICATE IN THE STATE IN WHICH THE CERTIFICATE HOLDER'S

PRINCIPAL PLACE OF BUSINESS IS LOCATED IS DEEMED TO HAVE SATISFIED THE CONTINUING EDUCATION REQUIREMENTS OF THIS SECTION.

(9) The board shall determine in each case whether a holder of certificate of certified public accountant has complied with continuing education requirements adopted by the board OR HAS DEMONSTRATED COMPLIANCE, IN ACCORDANCE WITH SUBSECTION (5)(b) OF THIS SECTION, WITH THE CONTINUING EDUCATION REQUIREMENTS OF THE STATE IN WHICH THE CERTIFICATE HOLDER'S PRINCIPAL PLACE OF BUSINESS IS LOCATED.".

Renumber succeeding sections accordingly.

Page 11, after line 16 insert:

"**SECTION 15.** In Colorado Revised Statutes, 12-100-115, **amend as relocated by House Bill 19-1172** (1) and (5) as follows:

12-100-115. Continuing education - rules. (1) (a) As a condition of renewing, reactivating, or reinstating a certificate of certified public accountant, every applicant shall comply with continuing education requirements adopted by the board.

(b) A NONRESIDENT CERTIFICATE HOLDER APPLYING TO RENEW, REACTIVATE, OR REINSTATE A CERTIFICATE OF CERTIFIED PUBLIC ACCOUNTANT ISSUED IN THIS STATE THAT DEMONSTRATES COMPLIANCE, THROUGH AN ATTESTATION SUBMITTED WITH A RENEWAL, REACTIVATION, OR REINSTATEMENT APPLICATION, WITH THE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL, REACTIVATION, OR REINSTATEMENT OF A CERTIFICATE IN THE STATE IN WHICH THE CERTIFICATE HOLDER'S PRINCIPAL PLACE OF BUSINESS IS LOCATED IS DEEMED TO HAVE SATISFIED THE CONTINUING EDUCATION REQUIREMENTS OF THIS SECTION.

(5) The board shall determine in each case whether a holder of certificate of certified public accountant has complied with continuing education requirements adopted by the board OR HAS DEMONSTRATED COMPLIANCE, IN ACCORDANCE WITH SUBSECTION (1)(b) OF THIS SECTION, WITH THE CONTINUING EDUCATION REQUIREMENTS OF THE STATE IN WHICH THE CERTIFICATE HOLDER'S PRINCIPAL PLACE OF BUSINESS IS LOCATED.".

Renumber succeeding sections accordingly.

Page 14, line 7, strike "11 through 19" and substitute "12 through 21".

Page 14, line 9, strike "11 through 19" and substitute "12 through 21".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-188** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 5, strike lines 13 through 18 and substitute:

"(2) "COVERED INDIVIDUAL" MEANS AN INDIVIDUAL WHO, DURING THE INDIVIDUAL'S QUALIFYING YEAR HAS:

(a) ELECTED COVERAGE UNDER SECTION 8-13.3-313;

(b) BEEN EMPLOYED BY AND WORKED FOR ONE OR MORE EMPLOYERS FOR A COMBINED TOTAL OF AT LEAST SIX HUNDRED EIGHTY HOURS; OR

(c) IN THE CASE OF AIRLINE FLIGHT CREW MEMBERS, WORKED FOR, OR BEEN PAID BY, ONE OR MORE EMPLOYERS FOR FIVE HUNDRED FOUR HOURS.".

Page 15, strike lines 9 through 11 and substitute:

"(4) (a) THE DIVISION SHALL APPROVE OR DENY A CLAIM FOR BENEFITS WITHIN FOURTEEN DAYS AFTER RECEIVING THE CLAIM.

(b) AFTER EXHAUSTING THE ADMINISTRATIVE PROCESS SPECIFIED IN THIS SECTION, A COVERED INDIVIDUAL OR THE EMPLOYEE OF A COVERED INDIVIDUAL MAY APPEAL THE DECISION OF THE DIVISION IN THE

MANNER SPECIFIED IN ARTICLE 74 OF THIS TITLE 8.".

Page 19, after line 3 insert:

"(5) THE DIVISION SHALL, IN A TIMELY MANNER, PROVIDE ELECTRONIC DATA TO THE DEPARTMENT OF REVENUE WITH INFORMATION REGARDING TAXPAYERS TO WHOM BENEFITS HAVE BEEN PAID IN ACCORDANCE WITH THIS PART 3, INCLUDING THE BENEFICIARY'S TAX IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER, THE AMOUNT OF BENEFITS PAID, AND THE TAX YEAR IN WHICH BENEFITS WERE RECEIVED.".

Page 19, line 7, strike "PREMIUMS," and substitute "PREMIUMS AND".

Page 19, line 8, strike "(2)(d)," and substitute "(2)(d)."

Page 19, strike line 9 and substitute "MONEY IN THE".

Page 20, line 1, strike "(2)(a)." and substitute "(2)(a); EXCEPT THAT EMPLOYERS THAT HAVE FOUR OR FEWER EMPLOYEES OR ARE LOCAL GOVERNMENTS, AS DEFINED IN SECTION 29-1-802 (4), SHALL PAY ONE-EIGHTH OF THE PREMIUM AMOUNT; AND EMPLOYERS THAT HAVE FIVE TO TEN EMPLOYEES OR ARE STATE GOVERNMENTS SHALL PAY ONE-FOURTH OF THE PREMIUM AMOUNT.".

Page 20, strike lines 2 through 6 and substitute "TO WAGES THAT ARE GREATER THAN ONE HUNDRED FORTY PERCENT OF THE AVERAGE WEEKLY WAGE PER EMPLOYEE PER WEEK. PREMIUMS ESTABLISHED IN ACCORDANCE WITH THIS".

Page 20, line 20, after "YEAR." add "THE PREMIUMS ESTABLISHED IN ACCORDANCE WITH THIS SUBSECTION (2)(a)(II)(B) SHALL NOT EXCEED NINETY-NINE ONE HUNDREDTHS OF ONE PERCENT OF WAGES PER EMPLOYEE.".

Page 21, line 4, after "YEAR." add "THE PREMIUMS ESTABLISHED IN ACCORDANCE WITH THIS SUBSECTION (2)(a)(II)(C) SHALL NOT EXCEED NINETY-NINE ONE HUNDREDTHS OF ONE PERCENT OF WAGES PER EMPLOYEE.".

Page 22, strike lines 20 through 27 and insert:

"(5) (a) AN AGGRIEVED INDIVIDUAL MAY BRING A CLAIM AGAINST AN EMPLOYER FOR A VIOLATION OF THIS SECTION.

(b) THE CLAIM MAY BE RESOLVED THROUGH MEDIATION IF THE AGGRIEVED INDIVIDUAL AND THE EMPLOYER EACH AGREE.

(c) A CLAIM BROUGHT IN ACCORDANCE WITH THIS SECTION MUST BE FILED WITHIN TWO YEARS AFTER THE DATE ON WHICH THE AGGRIEVED INDIVIDUAL KNEW OR SHOULD HAVE KNOWN OF THE VIOLATION.

(d) THE DIVISION SHALL RULE ON THE CLAIM WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE CLAIM IS FILED. IF THE DIVISION FINDS THAT AN EMPLOYER HAS VIOLATED THIS SECTION, THE DIVISION MAY PROVIDE THE AGGRIEVED INDIVIDUAL WITH ECONOMIC DAMAGES, LIQUIDATED DAMAGES, ATTORNEY FEES, AND EQUITABLE RELIEF.

(e) AN AGGRIEVED INDIVIDUAL SHALL NOT BRING A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION UNTIL A CLAIM BROUGHT UNDER THIS SECTION IS RESOLVED, MEDIATION IS COMPLETE, OR ONE HUNDRED EIGHTY DAYS ELAPSE FROM THE DATE ON WHICH THE CLAIM WAS FILED.".

Page 23, strike line 3 and substitute "THE FMLA OR PART 2 OF THIS ARTICLE 13.3. IF A".

Page 27, line 20, after "(1)(b);" insert "AND".

Page 27, strike lines 22 through 24 and substitute "8-13.3-309 (2)(a).".

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1039** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 8, after line 7 insert:

"**SECTION 4.** In Colorado Revised Statutes, 42-2-302, **add** (2.5) as follows:

42-2-302. Department may or shall issue - limitations - rules. (2.5) (a) THE DEPARTMENT SHALL ISSUE A NEW IDENTIFICATION CARD TO A PERSON WHO HAS A GENDER DIFFERENT FROM THE SEX DENOTED ON THAT PERSON'S IDENTIFICATION CARD WHEN THE DEPARTMENT RECEIVES:

(I) A STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE DEPARTMENT, FROM THE PERSON, OR FROM THE PERSON'S PARENT, IF THE PERSON IS A MINOR, OR FROM THE PERSON'S GUARDIAN OR LEGAL REPRESENTATIVE, SIGNED UNDER PENALTY OF LAW, CONFIRMING THE SEX DESIGNATION ON THE PERSON'S IDENTIFICATION CARD DOES NOT ALIGN WITH THE PERSON'S GENDER IDENTITY; AND

(II) IF THE PERSON IS A MINOR UNDER THE AGE OF EIGHTEEN, A STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE DEPARTMENT, SIGNED UNDER PENALTY OF LAW, FROM A PROFESSIONAL MEDICAL OR MENTAL HEALTH CARE PROVIDER LICENSED IN GOOD STANDING IN COLORADO OR AN EQUIVALENT LICENSE IN GOOD STANDING FROM ANOTHER JURISDICTION, STATING THAT THE MINOR HAS UNDERGONE SURGICAL, HORMONAL, OR OTHER TREATMENT APPROPRIATE FOR THAT PERSON FOR THE PURPOSE OF GENDER TRANSITION, BASED ON CONTEMPORARY MEDICAL STANDARDS, AND, IN THE PROVIDER'S PROFESSIONAL OPINION, THE MINOR'S GENDER DESIGNATION SHOULD BE CHANGED ACCORDINGLY, OR THE MINOR HAS AN INTERSEX CONDITION, AND, IN THE PROVIDER'S PROFESSIONAL OPINION, THE MINOR'S GENDER DESIGNATION SHOULD BE CHANGED ACCORDINGLY; OR

(III) A NEW BIRTH CERTIFICATE ISSUED PURSUANT TO SECTION 25-2-113.8.

(b) THE DEPARTMENT MAY ONLY AMEND A SEX DESIGNATION FOR AN INDIVIDUAL'S IDENTIFICATION CARD ONE TIME UPON THE INDIVIDUAL'S REQUEST. ANY FURTHER REQUESTS FROM THE INDIVIDUAL FOR ADDITIONAL SEX DESIGNATION CHANGES REQUIRE THE SUBMISSION OF A COURT ORDER INDICATING THAT THE SEX DESIGNATION CHANGE IS REQUIRED.

SECTION 5. In Colorado Revised Statutes, 42-2-505, **add** (1.5) as follows:

42-2-505. Identification documents - individuals not lawfully present - rules. (1.5) (a) THE DEPARTMENT SHALL ISSUE A NEW IDENTIFICATION DOCUMENT TO A PERSON WHO HAS A GENDER DIFFERENT FROM THE SEX DENOTED ON THAT PERSON'S IDENTIFICATION DOCUMENT WHEN THE DEPARTMENT RECEIVES:

(I) A STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE DEPARTMENT, FROM THE PERSON, OR FROM THE PERSON'S PARENT, IF THE PERSON IS A MINOR, OR FROM THE PERSON'S GUARDIAN OR LEGAL REPRESENTATIVE, SIGNED UNDER PENALTY OF LAW, CONFIRMING THE SEX DESIGNATION ON THE PERSON'S IDENTIFICATION DOCUMENT DOES NOT ALIGN WITH THE PERSON'S GENDER IDENTITY; AND

(II) IF THE PERSON IS A MINOR UNDER THE AGE OF EIGHTEEN, A STATEMENT, IN A FORM OR FORMAT DESIGNATED BY THE DEPARTMENT, SIGNED UNDER PENALTY OF LAW, FROM A PROFESSIONAL MEDICAL OR MENTAL HEALTH CARE PROVIDER LICENSED IN GOOD STANDING IN COLORADO OR AN EQUIVALENT LICENSE IN GOOD STANDING FROM ANOTHER JURISDICTION, STATING THAT THE MINOR HAS UNDERGONE SURGICAL, HORMONAL, OR OTHER TREATMENT APPROPRIATE FOR THAT PERSON FOR THE PURPOSE OF GENDER TRANSITION, BASED ON CONTEMPORARY MEDICAL STANDARDS, AND, IN THE PROVIDER'S PROFESSIONAL OPINION, THE MINOR'S GENDER DESIGNATION SHOULD BE CHANGED ACCORDINGLY, OR THE MINOR HAS AN INTERSEX CONDITION, AND, IN THE PROVIDER'S PROFESSIONAL OPINION, THE MINOR'S GENDER DESIGNATION SHOULD BE CHANGED ACCORDINGLY; OR

(III) A NEW BIRTH CERTIFICATE ISSUED PURSUANT TO SECTION 25-2-113.8.

(b) THE DEPARTMENT MAY ONLY AMEND A SEX DESIGNATION FOR

AN INDIVIDUAL'S IDENTIFICATION DOCUMENT ONE TIME UPON THE INDIVIDUAL'S REQUEST. ANY FURTHER REQUESTS FROM THE INDIVIDUAL FOR ADDITIONAL SEX DESIGNATION CHANGES REQUIRE THE SUBMISSION OF A COURT ORDER INDICATING THAT THE SEX DESIGNATION CHANGE IS REQUIRED.".

Renumber succeeding sections accordingly.

Strike "OR IDENTITY DOCUMENT" on: **Page 6**, lines 23 and 24, and 25 and 26; and **Page 7**, lines 4 and 22.

Senate in recess. Senate reconvened.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-009, 025, 046.

MESSAGE FROM THE GOVERNOR

Thursday, March 14, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-111 - Suppl Approp Dept Correction
Approved Thursday, March 14, 2019 3:10 p.m.

SB 19-113 - Suppl Approp Department Healthcare Policy & Fin
Approved Thursday, March 14, 2019 3:11 p.m.

Sincerely,
(signed)
Jared Polis
Governor

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, March 15, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

71st Legislative Day Friday, March 15, 2019

Prayer — By Senator Bridges.

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

Roll Call — Present--34
Excused--1, Story.
Present later--1, Story.

Quorum — The President announced a quorum present.

Pledge — By Senator Gonzales.

Reading of the Journal — On motion of Senator Danielson, reading of the Journal of Thursday, March 14, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture & Natural Resources — The Committee on Agriculture & Natural Resources 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, 2022:

Jaclyn K. Brown of Oak Creek, Colorado, to serve as a representative of the Yampa-White drainage basin and as a Democrat, appt.

Agriculture & Natural Resources — The Committee on Agriculture & Natural Resources has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2022:

Gail Sheridan Schwartz of Basalt, Colorado, to serve as a representative of the main Colorado drainage basin and as a Democrat, appt;

Jessica Rae Brody of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, appt.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1191** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **HB19-1153** 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 **HB19-1201** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB19-183** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-178** 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 3, after "ENTITY" insert "AND LICENSED BY THE STATE DEPARTMENT".

Page 7, line 12, after "DEPARTMENT" insert "AND SUPERVISED BY THE STATE DEPARTMENT.".

Page 7, strike lines 13 and 14 and substitute "THE PROGRAM SHALL BE ADMINISTERED BY COUNTY DEPARTMENTS PURSUANT TO THIS ARTICLE 7. THE STATE DEPARTMENT".

Page 7, line 26, strike "2019," and substitute "2020,".

Page 10, line 27, strike "THE STATE DEPARTMENT OR A" and substitute "A".

Page 11, lines 24 and 25, strike "STATE DEPARTMENT OR".

Page 12, line 26, strike "STATE DEPARTMENT OR".

Page 13, lines 7 and 8, strike "STATE DEPARTMENT OR".

Page 13, line 11, strike "STATE DEPARTMENT OR".

Page 13, lines 23 and 24, strike "STATE DEPARTMENT OR".

Page 14, line 3, strike "STATE DEPARTMENT OR".

Page 14, line 7, strike "STATE DEPARTMENT'S OR".

Page 14, line 23, strike "STATE DEPARTMENT OR".

Page 14, line 27, strike "STATE DEPARTMENT OR".

Page 15, line 10, strike "STATE DEPARTMENT OR".

Page 15, line 14, strike "STATE DEPARTMENT OR".

Finance After consideration on the merits, the Committee recommends that **SB19-167** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-173** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB19-1127** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-012 and 129.
Correctly Reengrossed: SB19-001, 064, 065, 086, 094, 099, and 139.
Correctly Revised: HB19-1043.
Correctly Rerevised: HB19-1001, 1041, 1068, and 1113.
Correctly Enrolled: SB19-032.

On motion of Majority Leader Fenberg, 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:

HB19-1043 by Representative(s) Galindo; also Senator(s) Danielson--Concerning the ability of life care institutions to post a surety bond as a form of required reserve.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, 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:

SB19-012 by Senator(s) Court; also Representative(s) Melton--Concerning the use of mobile electronic devices while driving, and, in connection therewith, making an appropriation.

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

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Ginal, Priola, Tate, and Todd.

SB19-129 by Senator(s) Story, Danielson; also Representative(s) Froelich, Bird, Kipp--Concerning the regulation of online schools.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Donovan, Fields, Rodriguez, and Todd.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, March 15, was laid over until Monday, March 18, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB19-182.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 15, 2019, at 8:33 a.m.:
SB19-009, 025, and 046.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1031** 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 23 through 26 and substitute:

"**SECTION 3. Act subject to petition - effective date.** This act takes effect December 1, 2020; 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 2020 and, in such case, will take effect December 1, 2020, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

Page 3, strike lines 1 through 6.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1028** be referred to the Committee of the Whole with favorable recommendation.

Local Government

After consideration on the merits, the Committee recommends that **HB19-1200** 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 **HB19-1106** 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 11, strike "APPLICATION." and substitute "APPLICATION OR ANY NONREFUNDABLE FEE THAT PRECEDES THE ONSET OF TENANCY. "RENTAL APPLICATION FEE" DOES NOT INCLUDE A REFUNDABLE SECURITY DEPOSIT OR ANY RENT THAT IS PAID BEFORE THE ONSET OF TENANCY.".

Page 5, line 10, after "RECORD" insert "OR DEFERRED JUDGMENT".

Page 5, line 17, strike "FELONY".

Page 5, line 20, after "PART 1" insert "OR PART 6".

Page 6, line 15, strike "COSTS." and substitute "COSTS AND REASONABLE ATTORNEY FEES.".

Page 6, line 17, strike "A GOOD-FAITH" and substitute "AN".

Page 6, line 22, strike "IMMUNE FROM LIABILITY FOR THE VIOLATION." and substitute "NOT LIABLE FOR DAMAGES AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION.".

Local Government

After consideration on the merits, the Committee recommends that **HB19-1052** 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 **HB19-1078** 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 11, strike "NOTARIZED".

Local Government

After consideration on the merits, the Committee recommends that **SB19-159** be referred to the Committee on Finance with favorable recommendation.

Local Government

After consideration on the merits, the Committee recommends that **HB19-1035** 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 2 through 14.

Renumber succeeding sections accordingly.

Page 2, strike lines 17 and 18 and substitute:

"**12-23-117. Permit fees.** (2) (a) ~~Because electrical inspections are matters of statewide concern,~~ The maximum ~~fees~~ FEE, established annually,".

Page 2, strike lines 21 and 22 and substitute "be more than ~~fifteen percent above those provided for in this section, and no such~~ ONE HUNDRED TWENTY DOLLARS, AS ADJUSTED ANNUALLY, STARTING JANUARY 1, 2021, BASED ON THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX. ADDITIONALLY, A LOCAL GOVERNMENT DESCRIBED IN THIS SUBSECTION (2) OR A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION MAY ADJUST THE FEE BY IMPOSING AN ADDITIONAL TIERED CHARGE BASED ON SIZE OR VALUATION OF THE IMPROVEMENT AND A MULTIPLIER OF EIGHT PERCENT OF THE FEE. NEITHER A local government".

Page 2, line 23, strike the first "or" and substitute "~~or~~ DESCRIBED IN THIS SUBSECTION (2) NOR A".

Page 2, line 24, strike "A" and substitute:

"(b) A".

Page 3, after line 9 insert:

"**SECTION 2.** In Colorado Revised Statutes, 12-115-121, **amend as relocated by House Bill 19-1172** (2) as follows:

12-115-121. Inspection fees. (2) (a) ~~Because electrical inspections are matters of statewide concern,~~ The maximum ~~fees~~ FEE, established annually, chargeable for electrical inspections by any city, town, county, city and county, or qualified state institution of higher education shall not be more than ~~fifteen percent above those provided for in this section, and no such~~ ONE HUNDRED TWENTY DOLLARS, AS ADJUSTED ANNUALLY, STARTING JANUARY 1, 2021, BASED ON THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF LABOR'S BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR DENVER-AURORA-LAKEWOOD FOR ALL ITEMS PAID BY ALL URBAN CONSUMERS, OR ITS APPLICABLE PREDECESSOR OR SUCCESSOR INDEX. ADDITIONALLY, A LOCAL GOVERNMENT DESCRIBED IN THIS SUBSECTION (2) OR A QUALIFIED STATE INSTITUTION OF HIGHER EDUCATION MAY ADJUST THE FEE BY IMPOSING AN ADDITIONAL TIERED CHARGE BASED ON SIZE OR VALUATION OF THE IMPROVEMENT AND A MULTIPLIER OF EIGHT PERCENT OF THE FEE. NEITHER A local government ~~or~~ DESCRIBED IN THIS SUBSECTION (2) NOR A qualified state institution of higher education shall impose or collect any other fee or charge related to electrical inspections or permits.

(b) A qualified state institution of higher education may choose not to require fees as part of the permitting process. A documented permitting and inspection system must be instituted by each qualified state institution of higher education as a tracking system that is available to the board for the purpose of investigating any alleged violation of this article 115. The permitting and inspection system must include information specifying the project, the name of the inspector, the date of the inspection, the job-site address, the scope of the project, the type of the inspection, the result of the inspection, the reason and applicable code sections for partially passed or failed inspections, and the names of the contractors on the project who are subject to inspection.".

Renumber succeeding section accordingly.

Page 3, line 10, strike "This" and substitute "(1) Except as otherwise provided in subsection (2) of this section, this".

Page 3, after line 19 insert:

"(2) Section 2 of this act takes effect only if House Bill 19-1172 becomes law, in which case section 2 takes effect October 1, 2019.".

Local Government

After consideration on the merits, the Committee recommends that **HB19-1170** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, strike lines 24 through 26 and substitute:

"(2.3) A TENANT WHO GIVES A LANDLORD ELECTRONIC NOTICE OF A CONDITION SHALL SEND SUCH NOTICE ONLY TO THE E-MAIL ADDRESS, PHONE NUMBER, OR ELECTRONIC PORTAL SPECIFIED BY THE LANDLORD IN THE RENTAL AGREEMENT FOR COMMUNICATIONS. IN THE ABSENCE OF SUCH A PROVISION IN THE RENTAL AGREEMENT, THE TENANT SHALL COMMUNICATE WITH THE LANDLORD IN A MANNER THAT THE LANDLORD HAS PREVIOUSLY USED TO COMMUNICATE WITH THE TENANT. THE TENANT SHALL RETAIN SUFFICIENT PROOF OF DELIVERY OF THE ELECTRONIC NOTICE.".

Page 7, line 2, after "THE" insert "RESIDENTIAL".

Page 8, line 17, after "THE" insert "RESIDENTIAL".

Page 10, line 4, after "leased" insert "RESIDENTIAL".

Page 10, line 5, before "premises" insert "RESIDENTIAL".

Page 13, strike lines 6 through 14 and substitute "OR MORE RENT PAYMENTS IF THE RESIDENTIAL PREMISES:

(A) SATISFIES THE REQUIREMENTS FOR A LOW-INCOME HOUSING CREDIT PURSUANT TO 26 U.S.C. SEC. 42;

(B) WAS CONSTRUCTED, ACQUIRED, DEVELOPED, OR REHABILITATED WITH FUNDING PROVIDED PURSUANT TO SECTION 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS AMENDED, CODIFIED AT 42 U.S.C. SECS. 1437f AND 1437g;

(C) WAS CONSTRUCTED, ACQUIRED, DEVELOPED, OR REHABILITATED WITH FUNDING PROVIDED FROM THE HOME INVESTMENT PARTNERSHIPS PROGRAM OF THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; OR

(D) INCLUDES UNITS THAT WERE CONSTRUCTED WITH FUNDING PROVIDED BY ANY FEDERAL OR STATE PROGRAM THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE INCOME AND THAT CURRENTLY HAS A RECORDED LAND USE RESTRICTION THAT IS MONITORED BY A FEDERAL, STATE, COUNTY, OR MUNICIPAL AGENCY TO ENSURE COMPLIANCE.".

Page 13, line 22, after the second "THE" insert "RESIDENTIAL".

Page 16, after line 25 insert:

"**SECTION 9.** In Colorado Revised Statutes, **amend** 38-12-801 as follows:

38-12-801. Written rental agreement - copy - tenant. (1) If there is a written rental agreement, ~~then~~ the landlord shall provide the tenant with a copy of the agreement that is signed by the landlord and the tenant, no later than the seventh day after the tenant has signed the agreement. A landlord may provide the tenant with an electronic copy of the agreement, unless the tenant requests a paper copy, in which case the landlord shall provide the tenant with a paper copy.

(2) A WRITTEN RENTAL AGREEMENT MUST INCLUDE A STATEMENT INDICATING TO THE TENANT THE NAME AND ADDRESS OF THE PERSON WHO IS THE LANDLORD OR THE LANDLORD'S AUTHORIZED AGENT. IF THE IDENTITY OF A LANDLORD OR A LANDLORD'S AUTHORIZED AGENT CHANGES, THE NEW LANDLORD OR AUTHORIZED AGENT, NOT LATER THAN ONE BUSINESS DAY AFTER SUCH CHANGE, SHALL:

(a) PROVIDE EACH TENANT OF THE LANDLORD WRITTEN OR ELECTRONIC NOTICE OF THE CHANGE; OR

(b) POST THE IDENTITY OF THE NEW LANDLORD OR NEW AUTHORIZED AGENT IN A CONSPICUOUS LOCATION ON THE RESIDENTIAL PREMISES.".

Renumber succeeding sections accordingly.

Senate in recess. Senate reconvened.

Journal correction:

Page 461, line 38, after "Kennedy" strike ", Rankin".

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, March 18, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

74th Legislative Day Monday, March 18, 2019

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, Bridges, Coram.
Present later--1, Bridges.

Quorum

The President announced a quorum present.

Pledge

By Senator Lee.

Reading of the Journal

On motion of Senator Hisey, reading of the Journal of Friday, March 15, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HUMAN SERVICES

effective February 4, 2019 or a term expiring at the pleasure of the Governor:

Michelle Barnes of Golden Colorado, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1177** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 25, strike "A HEARING BY TELEPHONE MUST BE".

Page 5, strike lines 26 and 27 and substitute "A COPY OF THE TELEPHONE HEARING MUST BE PROVIDED TO THE RESPONDENT PRIOR TO THE HEARING FOR AN EXTREME RISK PROTECTION ORDER.".

Page 7, line 18, after "PETITION" add " AND A NOTICE THAT INCLUDES REFERRALS TO APPROPRIATE RESOURCES, INCLUDING DOMESTIC VIOLENCE, BEHAVIORAL HEALTH, AND COUNSELING RESOURCES,".

Page 11, line 26, strike "CORROBORATED".

Page 28, strike line 11 and substitute "U.S.C. SEC. 922 (d)(4) OR (g)(4). THIS SUBSECTION (6) DOES NOT ALTER A TEMPORARY EXTREME RISK PROTECTION ORDER OR AN EXTREME RISK PROTECTION ORDER, AND A RESPONDENT SUBJECT TO A TEMPORARY EXTREME RISK PROTECTION ORDER OR AN EXTREME RISK PROTECTION ORDER IS PROHIBITED FROM POSSESSING A FIREARM UNDER STATE LAW. THIS SUBSECTION (6) DOES NOT CHANGE THE DUTY TO ENTER A TEMPORARY EXTREME RISK

PROTECTION ORDER OR EXTREME RISK PROTECTION ORDER INTO THE APPROPRIATE DATABASES PURSUANT TO SECTION 13-14.5-110.".

Page 29, strike lines 8 through 13.

SENATE SERVICES REPORT

Correctly Reengrossed: SB19-012 and 129.
Correctly Rerevised: HB19-1043.

MESSAGE FROM THE HOUSE

March 15, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-006, amended as printed in House Journal, March 14, 2019, and amended on Third Reading as printed in House Journal, March 15, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1118, 1095 amended as printed in House Journal, March 14, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-100, 079, amended as printed in House Journal, March 14, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

March 15, 2019

We herewith transmit:

Without comment, as amended, HB19-1095 and 1118.
Without comment, as amended, SB19-006, 079, and 100.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-198 by Senator(s) Todd and Coram; also Representative(s) Buentello and Gray--Concerning the continued management of waste tires.
State, Veterans, & Military Affairs

SB19-199 by Senator(s) Todd and Rankin; also Representative(s) McCluskie and Wilson--Concerning measures to support effective implementation of the "Colorado Reading to Ensure Academic Development Act" for all students who receive services pursuant to READ plans.
Education

HB19-1026 by Representative(s) Catlin and McCluskie; also Senator(s) Coram and Donovan--Concerning fines assessed for violations of laws administered by the division of parks and wildlife.
Agriculture & Natural Resources

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Foote 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:

HB19-1180 by Representative(s) Geitner; also Senator(s) Gardner and Lee--Concerning the clarification of the definition of a police working horse for the purpose of cruelty to animals.

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

HB19-1155 by Representative(s) Michaelson Jenet and Carver; also Senator(s) Lundeen and Foote--Concerning adding certain conduct to the definition of sexual contact.

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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	E	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1180, HB19-1155.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, March 18, was laid over until Tuesday, March 19, retaining its place on the calendar.

General Orders--Second Reading of Bills: HB19-1172, SB19-182.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1008, 1033, 1042, 1062, 1071, 1082, 1098; HJR19-1011.

MESSAGE FROM THE GOVERNOR

Friday March 15, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-081 - Repeal Cancer Drug Repository Act
Approved Friday, March 15 2:26 p.m.

SB 19-029 - Income Tax Residency Presumption For Military
Approved Friday, March 15 2:30 p.m.

S**B 19-042** - National Popular Vote
Approved Friday, March 15 2:25 p.m.

SB 19-057 - Employee Information Student Loan Repayment Programs
Approved Friday, March 15 2:37 p.m.

Sincerely,
(signed)
Jared Polis
Governor

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

February 14, 2019

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 STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2022:

Honorable Lois Anne Tochtrop of Thornton, Colorado, a Democrat from the Seventh Congressional District, reappointed;

Michael J. Schliep of Brighton, Colorado, a Democrat from the Sixth Congressional District, and a member with substantial experience in agriculture or in the activities of 4-H clubs, appointed;

Dianna Marie Coram of Montrose, Colorado, a Republican from the Western Slope and the Third Congressional District, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/15/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

February 27, 2019

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

for terms expiring December 31, 2022:

Barbara Barnes Grogan of Denver, Colorado, to serve as a Democrat, reappointed;

Marissa Molina of Denver, Colorado, to serve as a member who is not affiliated with a political party, appointed;

Russell Gordon Noles of Jersey City, New Jersey, to serve as a Democrat, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/1/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Education

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 18, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-102, 041, amended as printed in House Journal, March 15, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1192, 1149, amended as printed in House Journal, March 15, 2019.

The House has postponed indefinitely SB19-092. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB19-1114, 1105, 1001, 1113, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 18, 2019

We herewith transmit:

Without comment, as amended, HB19-1149 and 1192.
Without comment, as amended, SB19-041 and 102.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-049, 105, and 128.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Story was added as a Senate joint prime sponsor with Senator Coram and Representatives Kipp and Wilson on HB19-1201.

On motion of Senator Winter, the Senate adjourned until 9:00 a.m., Tuesday, March 19, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

75th Legislative Day Tuesday, March 19, 2019

Prayer — By the chaplain, Rev. Norm Bouchard, Center for Spiritual Living, Colorado Springs.

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

Roll Call — Present--29
Excused--6, Cooke, Garcia, Gardner, Ginal, Holbert, Scott.
Present later--1, Garcia.

Quorum — The President *Pro Tem* announced a quorum present.

Pledge — By Senator Lee.

Reading of the Journal — On motion of Senator Hisey, reading of the Journal of Monday, March 18, 2019, 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 **SB19-002** 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 February 7, 2019, page 20, after line 24 insert:

"**SECTION 5. Appropriation.** For the 2019-20 state fiscal year, $115,273 is appropriated to the department of law. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.4 FTE. To implement this act, the department may use this appropriation for the consumer credit unit.".

Renumber succeeding section accordingly.

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

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1177** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1007** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-010** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Health and Human Services Committee Report, dated January 17, 2019, page 1, strike lines 10 through 15 and substitute:

""**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $3,000,000 is appropriated to the department of education. This

appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., and is based on an assumption that the department will require an additional 1.0 FTE. To implement this act, the department may use this appropriation for the behavioral health care professional matching grant program.".".

Amend printed bill, page 1, line 102, strike "**SCHOOLS.**" and substitute "**SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-005** 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 23 insert:

"**SECTION 5. Appropriation - adjustments to 2019 long bill.** (1) For the 2019-20 state fiscal year, $1,361,217 is appropriated to the department of health care policy and financing. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $469,293 for personal services, which amount is based on an assumption that the department will require an additional 4.1 FTE;

(b) $59,230 for operating expenses;

(c) $186,534 for legal services;

(d) $296,160 for payments to OIT; and

(e) $350,000 for general professional services and special projects.

(2) For the 2019-20 state fiscal year, $186,534 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of health care policy and financing under subsection (1)(c) of this section and is based on an assumption that the department of law will require an additional 1.0 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of health care policy and financing.

(3) For the 2019-20 state fiscal year, $296,160 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 subsection (1)(d) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of health care policy and financing.

(4) The appropriation in subsection (1)(a) of this section is based on the assumption that the anticipated amount of federal funds received for the 2019-20 state fiscal year by the department of health care policy and financing for personal services will decrease by $70,000.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**RESIDENTS.**" and substitute "**RESIDENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-003** 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 20, insert:

"**SECTION 6. Appropriation.** (1) For the 2019-20 state fiscal year, $623,969 is appropriated to the department of higher education for use by the Colorado commission on higher education. This appropriation is from the general fund. To implement this act, the commission may use this appropriation as follows:

(a) $123,969 for administration, which amount is based on an assumption that the department will require an additional 1.4 FTE; and

(b) $500,000 for student loan repayments.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**SHORTAGES.**" and substitute "**SHORTAGES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1173** 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 **HB19-1129** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB19-1209** 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: SB19-198 and 199.
Correctly Revised: HB19-1155 and 1180.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR19-005 by Senator(s) Hisey--Concerning recognition of "Single Parents' Day".

Laid over until Thursday, March 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:

HB19-1180 by Representative(s) Geitner; also Senator(s) Gardner and Lee--Concerning the clarification of the definition of a police working horse for the purpose of cruelty to animals.

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Coram, Donovan, Hisey, Lundeen, Marble, Pettersen, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Tate, Todd, Winter, and Woodward.

HB19-1155 by Representative(s) Michaelson Jenet and Carver; also Senator(s) Lundeen and Foote--Concerning adding certain conduct to the definition of sexual contact.

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	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, Hill, Hisey, Marble, and Woodward.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Foote 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:

HB19-1153 by Representative(s) McCluskie and Wilson, Roberts; also Senator(s) Donovan and Rankin--Concerning measures to enable local district colleges to serve more students.

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

SB19-178 by Senator(s) Foote; also Representative(s) Singer--Concerning the subsidization of adoption for eligible children in Colorado.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 15, page 474 and placed in members' bill files.)

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

HB19-1200 by Representative(s) Arndt; also Senator(s) Bridges and Coram--Concerning the point of compliance related to the treatment process involved in treating reclaimed domestic wastewater for indoor nonpotable uses within a building where the general public can access plumbing fixtures that are used to deliver the reclaimed domestic wastewater.

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

HB19-1052 by Representative(s) McCluskie and Rich; also Senator(s) Rankin and Bridges--Concerning the creation of special districts to provide early childhood development services.

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

HB19-1035 by Representative(s) Rich and Roberts; also Senator(s) Woodward and Ginal--Concerning an increase in the flexibility to set fees for electrical inspections that are not conducted by the state.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 15, pages 477-478 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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-178 as amended, HB19-1153, HB19-1200, HB19-1052, HB19-1035 as amended.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Foote 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:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

Laid over until Wednesday, March 20, retaining its place on the calendar.

SB19-182 by Senator(s) Williams A. and Gonzales, Bridges, Court, Garcia, Priola; also Representative(s) Arndt and Benavidez--Concerning the repeal of the death penalty by the general assembly.

Laid over until Wednesday, March 20, retaining its place on the calendar.

HB19-1191 by Representative(s) Arndt; also Senator(s) Donovan--Concerning the ability of a farm stand to be operated on a principal use site of any sized land area regardless of whether the site has been zoned by a local government for agricultural operations.

Amendment No. 1(L.003), by Senator Donovan.

Amend reengrossed bill, page 5, line 1, after "PERMIT" insert "OR TO COMPLY WITH ANY OTHER APPLICABLE LAWS".

Page 5, line 2, strike "PERMITTING OR LICENSING" and substitute "PERMITTING, LICENSING, OR OTHER APPLICABLE LEGAL".

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

HB19-1201 by Representative(s) Kipp and Wilson; also Senator(s) Coram and Story--Concerning the ability of a board of education of a school district to meet in executive session to discuss the district's strategy in conducting negotiations relating to certain employment-related agreements.

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

SB19-183 by Senator(s) Priola and Todd; also Representative(s) Michaelson Jenet and Wilson--Concerning creation of a voluntary alternate process for dissolution and annexation of the territory of a school district under specified circumstances.

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

HB19-1028 by Representative(s) Hooton and Ransom, Baisley, Van Winkle; also Senator(s) Coram and Fenberg, Marble--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding autism spectrum disorders to the list of disabling medical conditions for medical marijuana use.

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

HB19-1106 by Representative(s) Titone and Gonzales-Gutierrez, Benavidez, Buckner, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, McLachlan, Singer, Sirota, Valdez A., Weissman; also Senator(s) Pettersen--Concerning the rental application process for prospective tenants.

Laid over until Wednesday, March 20, retaining its place on the calendar.

HB19-1078 by Representative(s) Lewis, Pelton, Baisley, Beckman, Sandridge, Larson, Buck, Rich, Van Winkle, Geitner, Ransom, Neville, Catlin, Carver, Humphrey, Saine, Soper, Williams D.; also Senator(s) Marble and Garcia--Concerning a requirement that consent of the owner of real property be obtained before the property may be listed on the national register of historic places.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 15, page 477 and placed in members' bill files.)

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

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Laid over until Wednesday, March 20, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-183, HB19-1191 as amended, HB19-1201, HB19-1028, HB19-1078 as amended.
Laid over until Wednesday, March 20: HB19-1172, SB19-182, HB19-1106, HB19-1170.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-006 by Senator(s) Williams A.; also Representative(s) Kraft-Tharp and Van Winkle--Concerning an electronic sales and use tax simplification system, and, in connection therewith, requiring the office of information technology to conduct a sourcing method for the development of the system and requiring the department of revenue to establish the implementation of the system for the acceptance of returns and processing of payments for the sales and use tax levied by the state and any local taxing jurisdictions, and making an appropriation.

Senator Williams moved that the Senate concur in House amendments to SB19-006, as printed in House journal, February 12, pages 273-275, and March 15, pages 675-677. The motion was **adopted** by the following roll call vote:

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-100 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the creation of the "Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act".

Laid over until Wednesday, March 20, retaining its place on the calendar.

SB19-079 by Senator(s) Todd and Priola, Cooke, Coram, Court, Fenberg, Ginal, Moreno, Williams A., Winter, Zenzinger; also Representative(s) Esgar and Landgraf--Concerning a requirement that certain practitioners prescribe controlled substances electronically.

Laid over until Wednesday, March 20, retaining its place on the calendar.

SB19-041 by Senator(s) Smallwood; also Representative(s) Kraft-Tharp--Concerning a required contract provision regarding the payment of premiums by a policyholder to a health insurance carrier for each individual covered under a health insurance policy.

Senator Smallwood moved that the Senate concur in House amendments to SB19-041, as printed in House journal, March 14, page 669, and March 15, page 684. The motion was **adopted** by the following roll call vote:

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	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: Bridges.

SB19-102 by Senator(s) Zenzinger, Todd, Donovan, Fenberg, Fields, Moreno, Pettersen, Rodriguez, Williams A.; also Representative(s) Titone--Concerning permitting a public school to include operation as a community school in its innovation plan.

Senator Zenzinger moved that the Senate concur in House amendments to SB19-102, as printed in House journal, March 14, page 669. The motion was **adopted** by the following roll call vote:

YES	29	NO	0	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	23	NO	6	EXCUSED	6	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	E	Gardner	E	Moreno	Y	Tate	Y
Coram	Y	Ginal	E	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	E	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	E
Fields	Y	Lundeen	N	Sonnenberg	N		

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 and Tate.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, March 19, was laid over until Wednesday, March 20, retaining its place on the calendar.

Consideration of Governor's Appointments--Consent Calendar:
Member of the Colorado Water Conservation Board
Consideration of Governor's Appointments:
Members of the Colorado Water Conservation Board

MESSAGE FROM THE GOVERNOR

Monday, March 18, 2019

Colorado State Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the State Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-044 - Colorado Department Of Public Health And Environment Emergency Medical And Trauma Care System
Approved Monday, March 18, 2019 3:12 p.m.

SB 19-069 - Nonpublic School Teacher Development Programs
Approved Monday, March 18, 2019 3:03 p.m.

Sincerely,
(signed)
Jared Polis
Governor

MESSAGE FROM THE HOUSE

March 19, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1205, 1217

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1024, 1138, 1214, 1206, amended as printed in House Journal, March 18, 2019.

The House has passed on Third Reading and returns herewith SB19-095.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1025** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB19-163** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1166** 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 63, strike lines 20 through 23 and substitute:

"**SECTION 78. Effective date.** (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Sections 57 and 60 of this act take effect only if House Bill 19-1090 does not become law.

(3) Sections 68 through 77 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 68 through 77 take effect on October 1, 2019.".

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 appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2021:

Roy H. Otto of Greeley, Colorado, and occasioned by the resignation of Kelly Eugene Arnold of Windsor, Colorado, appointed.

MESSAGE FROM THE REVISOR OF STATUTES

March 19, 2019

We herewith transmit:

Without comment, HB19-1205 and 1217.
Without comment, as amended, HB19-1024, 1138, 1206, and 1214.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-200 by Senator(s) Gonzales, Sonnenberg; also Representative(s) Valdez A.--Concerning an exception to the prohibition on removing an alcohol beverage from a premises licensed to serve alcohol beverages at the national western center.
Local Government

SB19-201 by Senator(s) Pettersen, Tate; also Representative(s) Tipper and McKean--Concerning the creation of a process by which certain parties to an adverse health care incident may discuss potential outcomes.
Judiciary

SB19-202 by Senator(s) Danielson; --Concerning ballot access for voters with disabilities.
State, Veterans, & Military Affairs

HB19-1095 by Representative(s) Cutter and Landgraf; also Senator(s) Fields--Concerning physician assistants, and, in connection therewith, establishing requirements for the supervision of physician assistants, establishing liability for physician assistants, increasing the number of physician assistant members on the Colorado medical board, and making an appropriation.
Health & Human Services

HB19-1118 by Representative(s) Jackson and Galindo, Buentello, Cutter, Duran, Gonzales-Gutierrez, Hooton, Jaquez Lewis, Kennedy, Roberts, Snyder, Buckner, Caraveo, Coleman, Exum, Hansen, Herod, Lontine, Melton, Michaelson Jenet, Singer, Valdez A., Weissman; also Senator(s) Williams A., Court, Danielson, Fenberg, Fields, Lee, Rodriguez, Winter--Concerning the time allowed for a tenant to cure a lease violation that is not a substantial violation.
Business, Labor, & Technology

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, March 19, 2019, at 11:19 a.m.:
SB19-049, 105, and 128.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, March 20, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

76th Legislative Day Wednesday, March 20, 2019

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community Mennonite Church, Englewood.

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 Lee.

Reading of the Journal — On motion of Senator Hisey, reading of the Journal of Tuesday, March 19, 2019, 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 **SB19-160** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-179** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1135** be referred to the Committee of the Whole with favorable recommendation.

Trans-portation & Energy — After consideration on the merits, the Committee recommends that **SB19-144** 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 7 and 8 and substitute "control signal ~~which~~ THAT is inoperative, ~~or which~~ THAT remains on steady red or steady yellow during several time cycles, OR THAT DOES NOT RECOGNIZE A MOTORCYCLE THAT IS OPERATED BY THE DRIVER, the ~~rules~~".
>
> Page 2, strike lines 20 through 27.
>
> Page 3, strike lines 1 through 5.

SENATE SERVICES REPORT

Correctly Printed: SB19-200, 201, and 202.
Correctly Engrossed: SB19-178 and 183.
Correctly Revised: HB19-1028, 1035, 1052, 1078, 1153, 1191, 1200, and 1201.
Correctly Rerevised: HB19-1155 and 1180.
Correctly Enrolled: SB19-006, 041, 095, and 102.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-203 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett and Neville, Becker-Concerning payment of expenses of the legislative department.
Appropriations

On motion of Majority Leader Fenberg, 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.

Upon request of Senator Hill, **HB19-1153, SB19-178, HB19-1200, HB19-1052,** and **HB19-1035** were removed from the Third Reading of Bills--Final Passage--Consent Calendar of Wednesday, March 20, 2019, and were placed at the end of the Third Reading of Bills Final Passage Calendar of Wednesday, March 20, 2019.

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:

HB19-1191 by Representative(s) Arndt; also Senator(s) Donovan--Concerning the ability of a farm stand to be operated on a principal use site of any sized land area regardless of whether the site has been zoned by a local government for agricultural operations.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Fields, Garcia, Gardner, Ginal, Hisey, Lundeen, Marble, Moreno, Priola, Scott, Smallwood, Sonnenberg, Tate, and Woodward.

HB19-1201 by Representative(s) Kipp and Wilson; also Senator(s) Coram and Story--Concerning the ability of a board of education of a school district to meet in executive session to discuss the district's strategy in conducting negotiations relating to certain employment-related agreements.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Ginal, Tate, Todd, and Woodward.

SB19-183 by Senator(s) Priola and Todd; also Representative(s) Michaelson Jenet and Wilson--Concerning creation of a voluntary alternate process for dissolution and annexation of the territory of a school district under specified 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Moreno, and Tate.

HB19-1028 by Representative(s) Hooton and Ransom, Baisley, Van Winkle; also Senator(s) Coram and Fenberg, Marble--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding autism spectrum disorders to the list of disabling medical conditions for medical marijuana use.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Gonzales, Moreno, Tate, and Todd.

HB19-1078 by Representative(s) Lewis, Pelton, Baisley, Beckman, Sandridge, Larson, Buck, Rich, Van Winkle, Geitner, Ransom, Neville, Catlin, Carver, Humphrey, Saine, Soper, Williams D.; also Senator(s) Marble and Garcia--Concerning a requirement that consent of the owner of real property be obtained before the property may be listed on the national register of historic places.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gardner, Ginal, Holbert, Lundeen, Moreno, Priola, Rankin, Scott, Smallwood, Tate, Todd, and Woodward.

HB19-1153 by Representative(s) McCluskie and Wilson, Roberts; also Senator(s) Donovan and Rankin--Concerning measures to enable local district colleges to serve more students.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Fields, Garcia, Gardner, Ginal, Gonzales, Hill, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Story, Tate, Todd, Williams A., Winter, and Zenzinger.

SB19-178 by Senator(s) Foote; also Representative(s) Singer--Concerning the subsidization of adoption for eligible children 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

HB19-1200 by Representative(s) Arndt; also Senator(s) Bridges and Coram--Concerning the point of compliance related to the treatment process involved in treating reclaimed domestic wastewater for indoor nonpotable uses within a building where the general public can access plumbing fixtures that are used to deliver the reclaimed domestic wastewater.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Priola, Smallwood, and Tate.

HB19-1052 by Representative(s) McCluskie and Rich; also Senator(s) Rankin and Bridges--Concerning the creation of special districts to provide early childhood development 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Donovan, Fields, Foote, Gonzales, Lee, Moreno, Story, Todd, and Winter.

HB19-1035 by Representative(s) Rich and Roberts; also Senator(s) Woodward and Ginal--Concerning an increase in the flexibility to set fees for electrical inspections that are not conducted by the 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Hisey, Moreno, Priola, Rankin, Scott, Smallwood, and Tate.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Foote 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:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

Laid over until Monday, April 1, retaining its place on the calendar.

SB19-182 by Senator(s) Williams A. and Gonzales, Bridges, Court, Garcia, Priola; also Representative(s) Arndt and Benavidez--Concerning the repeal of the death penalty by the general assembly.

Laid over until Monday, April 1, retaining its place on the calendar.

HB19-1106 by Representative(s) Titone and Gonzales-Gutierrez, Benavidez, Buckner, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, McLachlan, Singer, Sirota, Valdez A., Weissman; also Senator(s) Pettersen--Concerning the rental application process for prospective tenants.

Laid over until Thursday, March 21, retaining its place on the calendar.

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Laid over until Thursday, March 21, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Laid over until Thursday, March 21: HB19-1106, HB19-1170.
Laid over until Monday, April 1: HB19-1172, SB19-182.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-100 by Senator(s) Gardner; also Representative(s) Tipper--Concerning the creation of the "Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act".

Senator Gardner moved that the Senate concur in House amendments to SB19-100, as printed in House journal, March 6, pages 592-593, and March 12, pages 655-656. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Smallwood.

SB19-079 by Senator(s) Todd and Priola, Cooke, Coram, Court, Fenberg, Ginal, Moreno, Williams A., Winter, Zenzinger; also Representative(s) Esgar and Landgraf--Concerning a requirement that certain practitioners prescribe controlled substances electronically.

Senator Priola moved that the Senate concur in House amendments to SB19-079, as printed in House journal, March 7, pages 607-611. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO WATER CONSERVATION BOARD

for a term expiring February 12, 2022:

Jaclyn K. Brown of Oak Creek, Colorado, to serve as a representative of the Yampa-White drainage basin and as a Democrat, appt.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HUMAN SERVICES

effective February 4, 2019 or a term expiring at the pleasure of the Governor:

Michelle Barnes of Golden Colorado, appointed.

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBER OF THE
COLORADO WATER CONSERVATION BOARD

for a term expiring February 12, 2022:

Jessica Rae Brody of Denver, Colorado, to serve as a representative from the City and County of Denver and as a Democrat, appt.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO WATER CONSERVATION BOARD

for a term expiring February 12, 2022:

Gail Sheridan Schwartz of Basalt, Colorado, to serve as a representative of the main Colorado drainage basin and as a Democrat, appt;

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1001, 1041, 1043, 1044, 1068, 1083, 1137, 1148, 1152.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 20, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1213.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1160, 1194, 1179, 1030, 1220, 1224, amended as printed in House Journal, March 19, 2019.

The House has passed on Third Reading and returns herewith SB19-109.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-106, amended as printed in House Journal, March 19, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

March 20, 2019

We herewith transmit:

Without comment, HB19-1213.
Without comment, as amended, HB19-1160, 1194, 1179, 1030, 1220, and 1224.
Without comment, as amended, SB19-106.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR19-006 by Senator(s) Fields and Tate--Concerning the designation of March 26, 2019, as "Colorado Children's Health Day".

Laid over until Tuesday, March 26, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-204 by Senator(s) Story, Todd, Danielson, Gonzales, Rodriguez; also Representative(s) Arndt and Bird, Cutter, Froelich, Kipp--Concerning implementation of supplemental accountability systems by local education providers for measuring public school performance, and, in connection therewith, creating the local accountability system grant program.
Education

HB19-1138 by Representative(s) Williams D. and Melton, Humphrey; also Senator(s) Williams A. and Priola--Concerning the credit an owner of a vehicle may receive for fees paid to register a motor vehicle when the vehicle is sold before the registration expires, and, in connection therewith, making an appropriation.
Finance

HB19-1149 by Representative(s) Gonzales-Gutierrez; also Senator(s) Lee--Concerning directing the age of delinquency task force of the Colorado commission on criminal and juvenile justice to study serving emerging adults in the juvenile justice system.
Judiciary

HB19-1205 by Representative(s) Arndt; also Senator(s) Court--Concerning allowing reimbursement for expenses for members of the restorative justice coordinating council.
Judiciary

HB19-1214 by Representative(s) Hansen, Esgar, Ransom; also Senator(s) Rankin, Moreno, Zenzinger--Concerning a requirement that the joint budget committee recommend new methods to finance the state's ongoing capital needs.
Appropriations

HB19-1217 by Representative(s) Becker; also Senator(s) Court and Tate--Concerning the elimination of the two percent increase in the member contribution rate to the public employees' retirement association for members in the local government division of the association.
Finance

TRIBUTES

Honoring:

Troy Davenport -- By President Leroy M. Garcia.
Beulah School of Natural Sciences -- By President Leroy M. Garcia.
Emily Gallegos-Jones -- By President Leroy M. Garcia.
Sophia Silva -- By President Leroy M. Garcia.
Elijah Garcia -- By President Leroy M. Garcia.
Regis University -- By Senator Julie Gonzales.
SSgt Martin J. Kraska -- By Senator Robert Rodriguez.
Delta Sigma Theta Sorority, Incorporated, Colorado Springs Alumnae Chapter -- By Senator Angela Williams.
Delta Sigma Theta Sorority, Incorporated, Denver Alumnae Chapter -- By Senator Angela Williams.
Global Citizen's Geography Club -- By Senator Mike Foote.
Jaslynn Gallegos -- By Senator Dominick Moreno.

On motion of Senator Story, the Senate adjourned until 9:00 a.m., Thursday, March 21, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

77th Legislative Day Thursday, March 21, 2019

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
Excused--1, Scott.
Present later--1, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Lee.

Reading of the Journal — Senator Hisey moved the reading of the Journal of Wednesday, March 20, 2019, be dispensed with and that the Journal be approved as corrected by the Secretary.

On a substitute motion, pursuant to Senate Rule 14 (b), and at the request of Senator Hill, the Journal of Wednesday, March 20, 2019, was read at length, and approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Education — After consideration on the merits, the Committee recommends that **SB19-189** 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 **HB19-1186** 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 **HB19-1197** 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 **HB19-1119** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB19-143** 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 through 13.

Strike pages 3 through 5.

Page 6, strike lines 1 through 3.

Renumber succeeding sections accordingly.

Page 6, line 4, after "**amend**" insert "(1),".

Page 6, strike line 7 and substitute:

"**17-1-119.7. Prison population management measures.** (1) The department shall track the prison bed vacancy rate in both correctional facilities and state-funded private contract prison beds on a monthly basis. If the vacancy rate falls below ~~two~~ THREE percent for thirty consecutive days, the department shall notify the governor, the joint budget committee, the parole board, each elected district attorney, the chief judge of each judicial district, the state public defender, and the office of community corrections in the department of public safety. The department shall notify the governor, the joint budget committee, the parole board, each elected district attorney, the chief judge of each judicial district, the state public defender, and the office of community corrections once the vacancy rate exceeds ~~three~~ FOUR percent for thirty consecutive days.".

Page 6, line 10, strike "may:" and substitute "~~may~~ SHALL:".

Page 6, line 21, strike "AN APPROVED" and substitute "A FAVORABLE".

Page 7, line 4, after "INMATE" insert "AND A DATE OF RELEASE".

Page 7, strike line 5.

Page 7, line 6, strike "RELEASE".

Page 7, line 8, after "REVIEW" insert "OR HEARING".

Page 8, line 3, after "16-22-102 (9);" insert "OR ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVES UNLAWFUL SEXUAL BEHAVIOR;".

Page 8, line 6, after "**amend**" insert "(1.5)(d), (1.5)(g)(I),".

Page 8, strike line 9 and substitute:

"**17-2-103. Arrest of parolee - revocation proceedings.** (1.5) (d) If a parolee has a technical violation, the parolee's community parole officer, with the approval of the director of the division of adult parole or the director's designee, may impose a brief term of confinement in the county jail, not to exceed ~~five~~ FOURTEEN consecutive days, as an intermediate sanction.

(g) Notwithstanding any other provision of this section, a community parole officer may bypass the use of intermediate sanctions or any additional intermediate sanctions in response to a technical violation of parole and file a complaint seeking revocation of parole if:

(I) The parolee has received up to four intermediate sanctions committing the parolee to a brief term of incarceration in jail, EXCEPT FOR A PAROLEE FOR WHOM SUBSECTION (11)(b)(III) OF THIS SECTION APPLIES; or".

Page 9, line 11, after "16-22-102 (9);" insert "OR ANY OTHER OFFENSE, THE UNDERLYING FACTUAL BASIS OF WHICH INVOLVES UNLAWFUL SEXUAL BEHAVIOR;".

Page 9, strike lines 12 through 19 and substitute "article 6.5 of title 18, or section 18-6-801, the board may revoke parole and request the sheriff of the county in which the hearing is held to transport the parolee to a place of confinement for a period not to exceed thirty days and order the parolee confined at a facility designated by the executive director.".

Page 10, line 6, strike "**add** (19)" and substitute "**amend** (3)(h.1)(I), (4)(f)(I)(C), (4)(f)(I)(D), and (5)(c)(II); and **add** (4)(f)(I)(E) and (19)".

Page 10, strike line 8 and substitute:

"**17-2-201. State board of parole - duties - definitions.** (3) The chairperson, in addition to other provisions of law, has the following powers and duties:

(h.1) To contract with qualified individuals to serve as release hearing officers:

(I) To conduct parole application hearings for inmates convicted of class 4, class 5, or class 6 felonies or level 3 or level 4 drug felonies who have been assessed to be less than high risk by the Colorado risk assessment scale developed pursuant to section 17-22.5-404 (2)(a), OR HEARINGS PURSUANT TO SUBSECTION (19) OF THIS SECTION pursuant to rules adopted by the parole board; and

(4) The board has the following powers and duties:

(f) (I) To conduct an initial or subsequent parole release review in lieu of a hearing, without the presence of the inmate, if:

(C) The inmate has a statutory discharge date or mandatory release date within six months after his or her next ordinarily scheduled parole hearing and victim notification is not required pursuant to section 24-4.1-302.5; ~~or~~

(D) The inmate is assessed to be a "low" or "very low" risk on the validated risk assessment instrument developed pursuant to section 17-22.5-404 (2), the inmate meets readiness criteria established by the board, and victim notification is not required pursuant to section 24-4.1-302.5; OR

(E) THE INMATE IS SUBJECT TO SUBSECTION (19) OF THIS SECTION.

(5) (c) (II) EXCEPT IF THE OFFENDER IS SUBJECT TO SUBSECTION (19) OF THIS SECTION, if the offender fails to pay the restitution, he or she may be returned to the board and, upon proof of failure to pay, the board shall:".

Page 10, line 18, after "PAROLE" insert "BOARD".

Page 10, line 25, after "DAYS;" insert "IS REQUIRED TO BE CONSIDERED BY THE FULL BOARD FOR RELEASE;".

Page 11, after line 11 insert:

"**SECTION 5.** In Colorado Revised Statutes, 17-22.5-402, **add** (4) as follows:

17-22.5-402. Discharge from custody. (4) A PERSON DISCHARGED FROM A CORRECTIONAL FACILITY WITHOUT SUPERVISION IS ELIGIBLE TO RECEIVE REENTRY SUPPORT SERVICES FROM THE DEPARTMENT OR COMMUNITY-BASED ORGANIZATIONS THAT RECEIVE FUNDING FROM THE DEPARTMENT TO PROVIDE REENTRY SERVICES FOR UP TO ONE YEAR AFTER THE PERSON'S DATE OF DISCHARGE.".

Renumber succeeding sections accordingly

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-149** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 1, strike "(6)" and substitute "(1)(b)(XX), (1)(b)(XXII), (4)(f), and (6); **repeal** (4)(a)(I); and **add** (1)(b)(XXIV) and (1)(b)(XXV)".

Page 2, after line 3 insert:

"(1) (b) The membership of the council must reflect, to the extent possible, representation of urban and rural areas of the state and a balance of expertise, both governmental and nongovernmental, in issues relating to human trafficking. The council must include members with expertise in child welfare and human services to address the unique needs of child victims, including those child victims who are involved in the child welfare system. The membership of the council consists of the following persons, appointed as follows:

(XX) ~~Two~~ FOUR persons who are former victims of human

trafficking, ~~one~~ TWO who ~~is a~~ ARE former ~~victim~~ VICTIMS of human trafficking for involuntary servitude and ~~one~~ TWO who ~~is a~~ ARE former ~~victim~~ VICTIMS of human trafficking for sexual servitude, each to be appointed by the governor or his or her designee;

(XXII) One person to be appointed by the commissioner of agriculture; ~~and~~

(XXIV) A REPRESENTATIVE OF A STATEWIDE COALITION FOR VICTIMS OF DOMESTIC VIOLENCE, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER DESIGNEE; AND

(XXV) ONE PERSON WHO IS A SPECIALIST IN ISSUES OR RESEARCH REGARDING INVOLUNTARY SERVITUDE TRAFFICKING, TO BE APPOINTED BY THE GOVERNOR OR HIS OR HER DESIGNEE.

(4) The council shall hold its first meeting on or before November 1, 2014, at a time and place to be designated by the executive director of the department of public safety, or by his or her designee. The council shall meet at least four times each year and shall carry out the following duties:

(a) On or before January 1, 2016, make recommendations to the judiciary committees of the house of representatives and senate, or any successor committees, concerning:

(I) ~~Whether the general assembly should establish standards and a process for the certification of organizations that provide services to victims of human trafficking;~~

(f) Identify best practices for the prevention of ALL FORMS OF human trafficking, ~~particularly for the prevention of~~ INCLUDING BUT NOT LIMITED TO child sex trafficking AND INVOLUNTARY SERVITUDE TRAFFICKING;".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1185** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-104** 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** article 99 to title 22 as follows:

ARTICLE 99

Eliminate Duplicate Regulations

22-99-101. Elimination of duplicate regulations commission - creation - definition. (1) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION THE ELIMINATION OF DUPLICATE REGULATIONS COMMISSION, REFERRED TO IN THIS ARTICLE 99 AS THE "COMMISSION".

(2) THE COMMISSION CONSISTS OF:

(a) THE COMMISSIONER OF EDUCATION, OR HIS OR HER DESIGNEE;

(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES, OR HIS OR HER DESIGNEE;

(c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, OR HIS OR HER DESIGNEE; AND

(d) AT LEAST THREE PRACTITIONERS, APPOINTED BY THE COMMISSIONER OF EDUCATION, WHOSE PROGRAMS ARE IN GOOD LICENSING STANDING WITH THE DEPARTMENT OF HUMAN SERVICES AND ARE OPERATED BY, OR ON BEHALF OF, A SCHOOL DISTRICT, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL.

(3) FOR PURPOSES OF THIS ARTICLE 99, UNLESS THE CONTEXT OTHERWISE REQUIRES, "PROGRAM" MEANS A SCHOOL-AGED CHILD CARE PROGRAM THAT HOLDS A LICENSE PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, INCLUDING A BEFORE AND AFTER SCHOOL PROGRAM, DAY CAMP, SUMMER CAMP, EXTENDED DAY PROGRAM, OR PLAYGROUND PROGRAM, AND OPERATES ON THE PROPERTY OF A SCHOOL DISTRICT, DISTRICT

CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL.

22-99-102. Duties. (1) THE COMMISSION SHALL:

(a) ANALYZE AND IDENTIFY DUPLICATE REGULATIONS PROMULGATED BY THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HUMAN SERVICES, AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT RELATING TO HEALTH AND SAFETY REQUIREMENTS FOR PROGRAMS, INCLUDING, WITHOUT LIMITATION, THE ACTIVE OVERSIGHT AND MONITORING OF SUCH PROGRAMS; AND

(b) IDENTIFY WHICH REGULATIONS DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION MAY BE ELIMINATED, REVISED, OR DELEGATED TO THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HUMAN SERVICES, OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO ELIMINATE DUPLICATE REGULATIONS AND ENSURE THE EFFICIENT REGULATION OF THE HEALTH AND SAFETY REQUIREMENTS FOR PROGRAMS.

(2) WHEN PERFORMING THE DUTIES IN SUBSECTION (1) OF THIS SECTION, THE COMMISSION SHALL:

(a) CONSIDER AND PRIORITIZE ORAL AND WRITTEN PUBLIC TESTIMONY;

(b) CONSIDER AND PRIORITIZE UPDATING REGULATIONS CONSISTENT WITH EVIDENCE-BASED RESEARCH REGARDING THE HEALTH AND SAFETY OF CHILDREN; AND

(c) CONSIDER AND PRIORITIZE UPDATING REGULATIONS TO ALIGN WITH REQUIREMENTS FOR FEDERAL FUNDING ELIGIBILITY.

(2) ON OR BEFORE JUNE 30, 2020, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HUMAN SERVICES, AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL COMMENCE RESPECTIVE RULE-MAKING PROCEEDINGS CONSISTENT WITH THE OUTCOMES OF THE COMMISSION.

22-99-103. Repeal of article. THIS ARTICLE 99 IS REPEALED, EFFECTIVE JULY 1, 2021.

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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-174** 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 **SB19-194** 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 **HB19-1131** 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 16 and 17 and substitute "ALSO PROVIDE NOTICE OF THE EXISTENCE OF ANY GENERIC PRESCRIPTION DRUGS OR BIOSIMILARS FROM THE SAME".

Page 3, line 1, after "ACTIVITY" insert "UNDERTAKEN WITH THE INTENT TO SELL A PRESCRIPTION DRUG".

Page 3, strike lines 24 and 25 and substitute "ALSO PROVIDE NOTICE OF

THE EXISTENCE OF ANY GENERIC PRESCRIPTION DRUGS OR BIOSIMILARS FROM THE SAME".

Page 4, line 5, after "ACTIVITY" insert "UNDERTAKEN WITH THE INTENT TO SELL A PRESCRIPTION DRUG".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-153** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 6, strike line 20 and substitute:

"**SECTION 7.** In Colorado Revised Statutes, **add** 12-32-120 as follows:

12-32-120. Bone marrow aspirations from the tibia. (1) THE BOARD MAY PERMIT A PODIATRIST TO PERFORM BONE MARROW ASPIRATIONS FROM THE TIBIA DISTAL TO THE TIBIAL TUBERCLE IF THE PODIATRIST:

(a) HAS SUCCESSFULLY COMPLETED A PODIATRIC SURGERY RESIDENCY WITH THE RECONSTRUCTION REARFOOT/ANKLE SURGERY CERTIFICATION; AND

(b) IS IN GOOD STANDING WITH THE BOARD.

SECTION 8. In Colorado Revised Statutes, **add to article 290 as relocated by House Bill 19-1172** 12-290-123 as follows:

12-290-123. Bone marrow aspirations from the tibia. (1) THE BOARD MAY PERMIT A PODIATRIST TO PERFORM BONE MARROW ASPIRATIONS FROM THE TIBIA DISTAL TO THE TIBIAL TUBERCLE IF THE PODIATRIST:

(a) HAS SUCCESSFULLY COMPLETED A PODIATRIC SURGERY RESIDENCY WITH THE RECONSTRUCTION REARFOOT/ANKLE SURGERY CERTIFICATION; AND

(b) IS IN GOOD STANDING WITH THE BOARD.

SECTION 9. In Colorado Revised Statutes, 12-30-108, **repeal as relocated by House Bill 19-1172** (4)(a)(I)(F) as follows:

12-30-108. Confidential agreement to limit practice - violation grounds for discipline. (4) (a) This section does not apply to:

(I) The following health care professionals:

(F) ~~Podiatrists regulated pursuant to article 290 of this title 12;~~

SECTION 10. In Colorado Revised Statutes, 12-290-105, **amend as relocated by House Bill 19-1172** (4) as follows:

12-290-105. Appointment of members of podiatry board - terms - repeal of article. (4) This article 290 is repealed, effective ~~July 1, 2019~~ SEPTEMBER 1, 2026. Before the repeal, the functions of the board are scheduled for review in accordance with section 24-34-104.

SECTION 11. In Colorado Revised Statutes, 12-290-107, **amend as relocated by House Bill 19-1172** (1)(c); and **add** (1)(c.5) as follows:

12-290-107. Examination as to qualifications - rules. (1) Every person desiring to practice podiatry in this state shall be examined as to the person's qualifications, except as otherwise provided in this article 290. Each applicant shall submit, in a manner approved by the board, an application containing satisfactory proof that the applicant:

(c) Has completed one year of a residency program approved by the board as established by rules promulgated by the board; ~~and~~

(c.5) HAS PASSED AN EXAMINATION APPROVED BY THE BOARD AS ESTABLISHED BY RULES PROMULGATED BY THE BOARD; AND

SECTION 12. In Colorado Revised Statutes, 12-290-108, **amend as relocated by House Bill 19-1172** (3)(j) as follows:

12-290-108. Issuance, revocation, or suspension of license - probation - unprofessional conduct - definitions - immunity in professional review. (3) "Unprofessional conduct" as used in this article 290 means:

(j) ~~The physical or mental disability as to render the licensee unable to perform podiatry with reasonable skill and with safety to the patient;~~ FAILING TO:

(I) NOTIFY THE BOARD OF A PHYSICAL ILLNESS, PHYSICAL

CONDITION, OR BEHAVIORAL OR MENTAL HEALTH DISORDER THAT AFFECTS THE PODIATRIST'S ABILITY TO PRACTICE PODIATRIC MEDICINE WITH REASONABLE SKILL AND SAFETY TO PATIENTS;

(II) ACT WITHIN THE LIMITATIONS CREATED BY A PHYSICAL ILLNESS, PHYSICAL CONDITION, OR BEHAVIORAL OR MENTAL HEALTH DISORDER THAT RENDERS THE PODIATRIST UNABLE TO PRACTICE PODIATRIC MEDICINE WITH REASONABLE SKILL AND SAFETY TO PATIENTS; OR

(III) COMPLY WITH THE LIMITATIONS AGREED TO UNDER A CONFIDENTIAL AGREEMENT ENTERED PURSUANT TO SECTION 12-290-123.

SECTION 13. In Colorado Revised Statutes, 12-290-113, **amend as relocated by House Bill 19-1172** (2)(c)(III) as follows:

12-290-113. Disciplinary action by board. (2) (c) On completion of an investigation, the board shall make a finding that:

(III) The complaint or investigation discloses an instance of misconduct that, in the opinion of the board, does not warrant formal action by the board but that should not be dismissed as being without merit, in which case the board may ~~send~~ ISSUE a letter of admonition ~~by certified mail~~ to the licensee in accordance with section 12-20-404 (4);

SECTION 14. In Colorado Revised Statutes, **add to article 290 as relocated by House Bill 19-1172** 12-290-123 as follows:

12-290-123. Confidential agreements to limit practice - violation grounds for discipline. (1) EXCEPT AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION, SECTION 12-30-108 CONCERNING CONFIDENTIAL AGREEMENTS TO LIMIT PRACTICE APPLIES TO THIS ARTICLE 290.

(2) THIS SECTION AND SECTION 12-30-108 DO NOT APPLY TO A LICENSEE SUBJECT TO DISCIPLINE UNDER SECTION 12-290-108 (3)(c).

SECTION 15. Effective date. This act takes effect July 1, 2019; except that sections 8 through 14 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 8 through 14 take effect October 1, 2019.".

Renumber succeeding section accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1086** be referred to the Committee of the Whole with favorable recommendation.

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, 2022:

Charles Patterson "Buzz" Moore of Grand Junction, Colorado, a licensed mortgage loan originator, reappointed;

Fred Joseph of Denver, Colorado, a member of the public at large, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-156** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, line 16, strike "portion and (1.2);" and substitute "portion, (1.2), and (1.3);".

Page 3, after line 25 insert:

"(1.3) "Electric light, heat, and power" means the standard types of electricity that are supplied by an electric utility, regardless of whether

the source is an electric utility or the inverter output circuit of a photovoltaic system or a similar circuit from another type of renewable energy system OR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, and used and consumed in a real estate improvement or real estate fixture.".

Page 10, line 1, after "12-115-103," insert "**amend as relocated by House Bill 19-1172** (3); and".

Page 10, after line 8 insert:

"(3) "Electric light, heat, and power" means the standard types of electricity that are supplied by an electric utility, regardless of whether the source is an electric utility or the inverter output circuit of a photovoltaic system or a similar circuit from another type of renewable energy system OR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, and used and consumed in a real estate improvement or real estate fixture.".

SENATE SERVICES REPORT

Correctly Printed: SB19-203 and 204; SR19-005 and 006.
Correctly Reengrossed: SB19-178 and 183.
Correctly Rerevised: HB19-1028, 1035, 1052, 1078, 1153, 1191, 1200, and 1201.
Correctly Enrolled: SB19-079 and 100.

On motion of Majority Leader Fenberg, 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.

Upon request of Senator Hill, **HB19-1173, HB19-1209,** and **HB19-1166** were removed from the General Orders--Second Reading of Bills--Consent Calendar of Thursday, March 21, 2019, and were placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 21, 2019.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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, had been considered and action taken thereon as follows:

HB19-1106 by Representative(s) Titone and Gonzales-Gutierrez, Benavidez, Buckner, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, McLachlan, Singer, Sirota, Valdez A., Weissman; also Senator(s) Pettersen--Concerning the rental application process for prospective tenants.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 15, page 477 and placed in members' bill files.)

Amendment No. 2(L.034), by Senator Pettersen.

Amend the Local Government Committee Report, dated March 14, 2019, page 1, strike line 11 and substitute "Page 6, line 17, strike "MAKE A GOOD-FAITH EFFORT TO".".

Amendment No. 3(L.035), by Senator Pettersen.

Amend reengrossed bill, page 6, line 11, strike "**penalties**" and substitute "**liability**".

Page 6, after line 22 insert:

"(4) A PERSON WHO PURPOSEFULLY AND IN BAD FAITH BRINGS A MERITLESS CLAIM AGAINST A LANDLORD UNDER THIS PART 9 IS LIABLE FOR THE LANDLORD'S COURT COSTS AND REASONABLE ATTORNEY FEES IN DEFENDING THE CLAIM.".

At the request of Senator Hill, the bill was read at length.

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

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Laid over until Friday, March 22, retaining its place on the calendar.

SB19-002 by Senator(s) Winter and Fenberg; also Representative(s) Jackson--Concerning the regulation of student education loan servicers.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 8, pages 191-203 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, February 27, page 338 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, March 19, page 487 and placed in members' bill files.)

Amendment No. 4(L.004), by Senator Winter.

Amend the Education Committee Report, dated February 7, 2019, page 13, line 38, after the period add "IF A STUDENT LOAN SERVICER IS NOT ALSO THE LOAN HOLDER OR IS NOT ACTING ON BEHALF OF THE LOAN HOLDER, THE STUDENT LOAN SERVICER SATISFIES THE REQUIREMENT ESTABLISHED BY THIS SUBSECTION (5)(a) BY PROVIDING THE NEW STUDENT LOAN SERVICER WITH INFORMATION NECESSARY FOR THE NEW STUDENT LOAN SERVICER TO HONOR ALL BENEFITS ORIGINALLY REPRESENTED AS AVAILABLE TO A STUDENT LOAN BORROWER DURING THE REPAYMENT OF THE STUDENT EDUCATION LOAN AND PRESERVE THE AVAILABILITY OF THE BENEFITS, INCLUDING ANY BENEFITS FOR WHICH THE STUDENT LOAN BORROWER HAS NOT YET QUALIFIED.".

Page 14, line 10, strike "COMPLETE" and substitute "NOTIFY AFFECTED STUDENT LOAN BORROWERS OF".

Page 14, line 12, after the period add "THE NOTICE MUST INCLUDE:
(I) THE IDENTITY OF THE NEW STUDENT LOAN SERVICER;
(II) THE EFFECTIVE DATE OF THE TRANSFER OF THE STUDENT LOAN BORROWER'S STUDENT EDUCATION LOAN TO THE NEW STUDENT LOAN SERVICER;
(III) THE DATE ON WHICH THE EXISTING STUDENT LOAN SERVICER WILL NO LONGER ACCEPT PAYMENTS; AND
(IV) THE CONTACT INFORMATION FOR THE NEW STUDENT LOAN SERVICER.".

At the request of Senator Hill, the bill was read at length.

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.)

HB19-1007 by Representative(s) Sirota; also Senator(s) Zenzinger--Concerning the establishment of contribution limits under the "Fair Campaign Practices Act" for candidates for county offices, and, in connection therewith, making an appropriation.

At the request of Senator Hill, the bill was read at length.

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

Majority Leader Fenberg 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.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2021:

Troy Glen Waters of Fruita, Colorado, appointed;

Joan Card of Boulder, Colorado, appointed;

Richard Clark Hum of Nathrop, Colorado, reappointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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 a term expiring August 1, 2020:

Charles R. Adams of Lakewood, Colorado, to serve as a representative from the regulated community and as an Unaffiliated, reappointed.

for terms expiring August 1, 2021:

Christopher Stephen Gilbreath of Westminster, Colorado, to serve as a representative from the regulated community and as a Republican, appointed;

Laura Jeane Davis of Westminster, Colorado, to serve as a representative of the government or academic community and as a Republican, appointed;

Cathryn Stewart of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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, 2019:

Glen S. Frihauf of Wiggins, Colorado, to serve as a resident agriculturist from the North Kiowa-Bijou Basin, and occasioned by the removal of Daniel L. Farmer of Colorado Springs, Colorado, appointed.

for a term expiring May 1, 2022:

Miguel Angel Diaz of Monte Vista, Colorado, to serve as a representative from Water Division 3 and as an agriculturist, appointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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, 2022:

Erik Mohrlang of Fort Morgan, Colorado, to represent the confinement cattle industry, appointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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 AGRICULTURAL DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS

for a term expiring June 30, 2021:

Hannah Denelle Wilks of Arvada, Colorado, a Democrat, to serve as a member with knowledge of agricultural activity in the state, and who shall represent the various agriculture operations and geographical regions of the state, reappointed.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-150** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 4, after line 26 insert:

"**SECTION 7.** In Colorado Revised Statutes, 35-55-113, **amend** (1), (2)(a), (3), and (5) as follows:

35-55-113. Veterinary inspection - rules. (1) (a) AN ACCREDITED AND LICENSED VETERINARIAN SHALL INSPECT all livestock consigned and delivered on the premises of any licensed public livestock market before ~~being~~ THE LIVESTOCK ARE offered for sale. ~~shall be inspected by an authorized veterinarian of the department of agriculture.~~ The veterinarian shall ~~examine~~ INSPECT or test, as indicated or required, animals consigned to the public livestock market for the purpose of determining their condition of health and freedom from infectious or contagious animal diseases. If, in the opinion of the ~~examining~~ INSPECTING veterinarian, ~~said~~ THE animals are free of ~~symptoms~~ CLINICAL SIGNS of infectious or contagious disease and have not, to the best of ~~his~~ THE VETERINARIAN'S knowledge, been exposed to any infectious or

contagious diseases, ~~he~~ THE VETERINARIAN shall issue a ~~health~~ SIGNED certificate ~~signed by him,~~ OF VETERINARY INSPECTION to any purchaser who so requests. ~~Said health~~ THE VETERINARIAN SHALL DELIVER THE certificate ~~shall be delivered~~ OF VETERINARY INSPECTION to the purchaser at the time of rendering the account of sale or bill of sale.

(b) In addition to the requirements of this subsection (1) for all interstate movements, livestock must meet federal interstate and state of destination requirements. THE VETERINARIAN AND THE PUBLIC LIVESTOCK MARKET SHALL IMMEDIATELY ISOLATE AND HOLD all animals ~~found to be~~ affected with any recognized infectious or contagious diseases ~~shall be immediately isolated, quarantined, and held~~ in conformity with the health requirements of Colorado law and the rules ~~and regulations~~ of the department of agriculture. ~~All fees or taxes for veterinary services, prior to the sale of the livestock, shall be paid by~~ The operator of the public livestock market ~~All livestock intended for interstate shipment, on which~~ SHALL PAY ALL FEES OR TAXES FOR VETERINARY SERVICES. THE BUYER OR THE PERSON WHO INTENDS TO SHIP THROUGH INTERSTATE COMMERCE SHALL PAY THE EXPENSES FOR INSPECTIONS OR TESTS THAT ARE REQUIRED BY the United States department of agriculture ~~requires specific inspections or tests~~ AND that can only be made by an approved and licensed veterinarian. ~~shall be made at the expense of the buyer or the party who intends to move them interstate.~~

(2) (a) Swine may be moved from a public livestock market if, upon inspection, the swine are found free from ~~symptoms~~ CLINICAL SIGNS of ~~cholera or other~~ contagious, infectious, or communicable diseases and in a ~~thriving~~ condition OF HEALTH.

(3) Feeding swine and breeding swine ~~going~~ THAT ARE BEING MOVED from a market to a farm ~~shall~~ MUST be identified by an approved ear tag, individual tattoo, or ear notch AS EACH IS REQUIRED BY 9 CFR 71.19. Sows and boars ~~going~~ THAT ARE BEING SENT to slaughter ~~shall~~ MUST be identified in accordance with the market swine identification program as prescribed in the SWINE BRUCELLOSIS CONTROL/ERADICATION STATE-FEDERAL-INDUSTRY uniform methods and rules ~~for brucellosis eradication~~ published by the U.S.D.A. animal plant health inspection service agency ~~in effect July 1, 1981, and as amended from time to time thereafter~~ (APHIS 91-55-042).

(5) If, in the judgment of an ~~authorized~~ ACCREDITED AND LICENSED veterinarian, ~~of the department,~~ an animal presented at a public livestock market is injured, disabled, or diseased beyond recovery, the veterinarian shall humanely euthanize the animal or direct the consignor to immediately remove the animal from the premises of the public livestock market. THE CONSIGNOR IS RESPONSIBLE FOR all expenses incurred for euthanasia and disposal of an animal under ~~the provisions of~~ this subsection (5). ~~are the responsibility of the consignor.~~ THE CONSIGNEE IS NOT RESPONSIBLE FOR collection of expenses. ~~shall not be the responsibility of the consignee.~~".

Renumber succeeding section accordingly.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1026** be referred to the Committee on Finance with favorable recommendation.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **SB19-184** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB19-1010** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-145** be referred to the Committee on Appropriations with favorable recommendation.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-205 by Senator(s) Danielson and Zenzinger; also Representative(s) Michaelson Jenet and Duran--Concerning the creation of a license plate to honor women veterans of the United States armed forces.
Transportation & Energy

SB19-206 by Senator(s) Priola and Tate; --Concerning the continuation of the standing efficiency accountability committee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Business, Labor, & Technology

HB19-1024 by Representative(s) McKean and Buentello; also Senator(s) Todd and Coram--Concerning creation of the Colorado youth advisory council review committee, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1192 by Representative(s) Gonzales-Gutierrez and Buentello, Benavidez, Buckner, Caraveo, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, Melton, Mullica, Singer, Sirota, Titone, Valdez A., Valdez D., Weissman; also Senator(s) Gonzales, Garcia, Moreno, Rodriguez--Concerning the inclusion of matters relating to American minorities in the teaching of social contributions in civil government in public schools, and, in connection therewith, establishing the history, culture, social contributions, and civil government in education commission to make recommendations to include the history, culture, and social contributions of American Indians, Latinos, African Americans, and Asian Americans, the lesbian, gay, bisexual, and transgender individuals within these minority groups, the contributions and persecution of religious minorities, and the intersectionality of significant social and cultural features within these communities, in the teaching and content standards for history and civics, and making an appropriation.
Education

HB19-1206 by Representative(s) Coleman and Larson; also Senator(s) Bridges and Lundeen--Concerning removing equity gaps in higher education by ensuring more students have access to supplemental academic instruction.
Education

Committee of the Whole

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

Committee of the Whole reconvened.

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:

SB19-010 by Senator(s) Fields; also Representative(s) McLachlan and Valdez D.--Concerning professional behavioral health services for schools.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 18, pages 73-74 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 19, pages 487-488 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Fields.

Amend printed bill, page 4, line 11, after "(3)(f)" insert "and (7)".

Page 6, after line 4 insert:

"(7) GRANT APPLICATIONS AND REPORTING WILL BE DESIGNED TO LIMIT ADMINISTRATIVE BURDEN ON APPLICANTS AND RECIPIENTS.".

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

SB19-003 by Senator(s) Zenzinger and Coram; also Representative(s) McLachlan and Wilson, Rankin--Concerning the educator loan forgiveness program to address educator shortages.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, January 25, page 109 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 19, pages 488-489 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.)

HB19-1129 by Representative(s) Michaelson Jenet and Esgar, Duran, Herod, Valdez A., Galindo, Jaquez Lewis, Titone; also Senator(s) Fenberg, Moreno, Ginal--Concerning prohibiting a mental health care provider from engaging in conversion therapy with a patient under eighteen years of age.

Amendment No. 1(L.006), by Senator Fenberg.

Amend reengrossed bill, page 4, strike lines 12 through 19.

Renumber succeeding sections accordingly.

Page 7, line 6, strike "6, 7, 8, and 9" and substitute "5, 6, 7, and 8".

Page 7, line 7, strike "6, 7, 8, and 9" and substitute "5, 6, 7, and 8".

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

HB19-1173 by Representative(s) Garnett and Neville, Becker; also Senator(s) Fenberg and Holbert--Concerning the authority of an ex officio member of the legislative council to appoint a temporary replacement for that ex officio member at a meeting of the legislative council.

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

HB19-1209 by Representative(s) Froelich and Valdez A.; also Senator(s) Bridges--Concerning repealing aeronautical reporting requirements.

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

HB19-1166 by Representative(s) Singer and Larson; also Senator(s) Zenzinger--Concerning name-based criminal history record checks, and, in connection therewith, requiring certain persons and entities to submit to a name-based criminal history record check as a condition of employment, appointment, registration, licensure, or certification.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 19, page 496 and placed in members' bill files.)

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

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and in connection therewith, making an appropriation.

Laid over until Friday, March 22, retaining its place on the calendar.

SB19-005 by Senator(s) Rodriguez and Ginal; also Representative(s) Jaquez Lewis--Concerning wholesale importation of prescription pharmaceutical products from Canada for resale to Colorado residents.

Laid over until Friday, March 22, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB19-002 by Senator(s) Winter and Fenberg; --Concerning the regulation of student education loan servicers.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Winter floor amendment, (L.004) to SB 19-002, did pass.

Amend the Education Committee Report, dated February 7, 2019, page 13, line 38, after the period add "IF A STUDENT LOAN SERVICER IS NOT ALSO THE LOAN HOLDER OR IS NOT ACTING ON BEHALF OF THE LOAN HOLDER, THE STUDENT LOAN SERVICER SATISFIES THE REQUIREMENT ESTABLISHED BY THIS SUBSECTION (5)(a) BY PROVIDING THE NEW STUDENT LOAN SERVICER WITH INFORMATION NECESSARY FOR THE NEW STUDENT LOAN SERVICER TO HONOR ALL BENEFITS ORIGINALLY REPRESENTED AS AVAILABLE TO A STUDENT LOAN BORROWER DURING THE REPAYMENT OF THE STUDENT EDUCATION LOAN AND PRESERVE THE AVAILABILITY OF THE BENEFITS, INCLUDING ANY BENEFITS FOR WHICH THE STUDENT LOAN BORROWER HAS NOT YET QUALIFIED.".

Page 14, line 10, strike "COMPLETE" and substitute "NOTIFY AFFECTED STUDENT LOAN BORROWERS OF".

Page 14, line 12, after the period add "THE NOTICE MUST INCLUDE:
(I) THE IDENTITY OF THE NEW STUDENT LOAN SERVICER;
(II) THE EFFECTIVE DATE OF THE TRANSFER OF THE STUDENT LOAN BORROWER'S STUDENT EDUCATION LOAN TO THE NEW STUDENT LOAN SERVICER;
(III) THE DATE ON WHICH THE EXISTING STUDENT LOAN SERVICER WILL NO LONGER ACCEPT PAYMENTS; AND
(IV) THE CONTACT INFORMATION FOR THE NEW STUDENT LOAN SERVICER.".

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	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

SB19-003 by Senator(s) Zenzinger and Coram; also Representative(s) McLachlan and Wilson, Rankin--Concerning the educator loan forgiveness program to address educator shortages.

Senator Lundeen moved to amend the Report of the Committee of the Whole to show that the following Lundeen floor amendment, (L.006) to SB 19-003, did pass.

> Amend printed bill, page 8, line 25, strike "position" and substitute "position,".
>
> Page 8, line 27, before "FOR" insert "OR, FOR AN EDUCATOR RATED AS HIGHLY EFFECTIVE, UP TO SEVEN THOUSAND DOLLARS,".

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	19	EXCUSED	1	ABSENT	0
Bridges	E	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	N	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	E	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-002 as amended, SB19-010 as amended, SB19-003 as amended, HB19-1106 as amended, HB19-1007, HB19-1129 as amended, HB19-1173, HB19-1209, HB19-1166 as amended.
Laid over until Friday, March 22: HB19-1170, HB19-1177, SB19-005.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SR19-005) of Thursday, March 21, 2019, was laid over until Friday, March 22, 2019, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-106 by Senator(s) Cooke and Zenzinger; also Representative(s) Tipper and Larson--Concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments.

Senator Cooke moved that the Senate not concur in House amendments to SB19-106, as printed in House journal, March 14, page 669, 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
Bridges	E	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBER OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2021:

Roy H. Otto of Greeley, Colorado, and occasioned by the resignation of Kelly Eugene Arnold of Windsor, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	E	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Donovan, Chair, Ginal, and Crowder were appointed as Senate conferees on the first conference committee on **HB19-1029**.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Local Government

After consideration on the merits, the Committee recommends that **SB19-192** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 9, after line 18 insert:

"(f) THE TERM OF OFFICE OF BOARD MEMBERS IS THREE YEARS; EXCEPT THAT THE INITIAL TERMS OF MEMBERS APPOINTED PURSUANT TO SUBSECTION (3)(d)(III) OF THIS SECTION ARE TWO YEARS.".

Page 11, line 22, after "(c)" insert "(I)".

Page 12, line 5, strike "(I)" and substitute "(A)".

Page 12, line 10, strike "(II)" and substitute "(B)".

Page 12, line 13, strike "(III)" and substitute "(C)".

Page 12, after line 14 insert:

"(II) THE POLICES AND PROCEDURES SPECIFIED BY THE BOARD MUST INCLUDE THE FOLLOWING LIMITATIONS FOR GRANT APPLICANTS THAT ARE EITHER A WASTE HAULER OR A LANDFILL OWNER OR OPERATOR, WHICH THE BOARD SHALL APPLY ONLY TO THE PORTIONS OF AN APPLICATION THAT RELATE TO INFRASTRUCTURE OR EQUIPMENT:
(A) ONLY FIFTY PERCENT OF INFRASTRUCTURE OR EQUIPMENT CAN BE FUNDED THROUGH THE GRANT PROGRAM;
(B) IF THE BOARD AWARDS A GRANT TO A WASTE HAULER OR LANDFILL OWNER OR OPERATOR FOR INFRASTRUCTURE OR EQUIPMENT, THE GRANTEE IS INELIGIBLE TO RECEIVE A GRANT FOR THE FOLLOWING FIVE YEARS.".

Page 12, after line 22 insert:

"(II) NOT ALLOCATE MORE THAN TWENTY PERCENT OF THE ANNUAL FUND BALANCE IN ANY SINGLE GRANT AWARD;".

Renumber succeeding subparagraphs accordingly.

Local Government

After consideration on the merits, the Committee recommends that **SB19-157** be referred to the Committee on Finance with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-195** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 8, line 3, strike "TITLE 12." and substitute "TITLE 12, OR A PROFESSIONAL PERSON AS DEFINED IN SECTION 27-65-102 (17).".

Page 10, strike lines 17 through 20 and substitute "(4)".

Reletter succeeding subsections accordingly.

Page 11, line 9, strike "2024." and substitute "2025.".

Page 13, line 13, after "FOR" insert "COUNTIES AND".

Page 13, line 14, strike "AND COUNTY".

Page 20, strike line 19 and substitute:
"(I) TWO COUNTY REPRESENTATIVES, WHO ARE EITHER A COUNTY COMMISSIONER OR A DIRECTOR OF A COUNTY DEPARTMENT OF HUMAN OR

SOCIAL SERVICES, WITH ONE REPRESENTATIVE FROM AN URBAN COUNTY AND ONE REPRESENTATIVE FROM A RURAL COUNTY;"

Page 20, strike lines 22 and 23.

Renumber succeeding subparagraphs accordingly.

Page 21, line 3, strike "OR PSYCHIATRIST".

Page 24, line 9, strike "2024." and substitute "2025.".

Page 26, strike lines 26 and 27.

Page 27, strike lines 1 through 8 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add** (16)(a)(IV) and (16)(a)(V) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (16) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2025:

(IV) THE CHILDREN AND YOUTH BEHAVIORAL HEALTH POLICY COORDINATION COMMISSION CREATED IN SECTION 24-20-604.

(V) THE CHILDREN AND YOUTH BEHAVIORAL HEALTH POLICY COORDINATION ADVISORY COUNCIL CREATED IN SECTION 24-20-607.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1065** 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 GOVERNOR

Thursday, March 21, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-019 - County Fireworks Restrictions July 4th
Approved Thursday, March 21, 2019 at 4:22 p.m.

SB 19-043 - Increasing Number of District Court Judges
Approved Thursday, March 21, 2019 at 4:04 p.m.

SB 19-071 - Child Hearsay Exception
Approved Thursday, March 21, 2019 at 4:15 p.m.

Sincerely,
(signed)
Jared Polis
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-016, 017, 035, 068, and 103.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-180** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, line 8, strike "JANUARY 1 AND".

Page 7, line 6, strike "AND".

Page 7, line 10, strike "STATUS." and substitute "STATUS;

(VI) THE NUMBER OF REFERRALS TO A RENTAL ASSISTANCE OR MEDIATION PROGRAM PROVIDED TO CLIENTS; AND

(VII) THE OUTCOME OF EACH CLIENT'S CASE, INCLUDING WHETHER A CASE WAS DISMISSED, JUDGMENT FOR POSSESSION WAS ENTERED, OR A STIPULATED AGREEMENT WAS MADE THAT PREVENTED A JUDGMENT FOR POSSESSION OR PROVIDED THE CLIENT WITH AN OPPORTUNITY TO VACATE A JUDGMENT FOR POSSESSION, AND WHETHER THE CLIENT HAD TO MOVE FROM THE RESIDENCE AND, IF SO, WHETHER THE CLIENT RECEIVED ADDITIONAL TIME TO MOVE.".

Page 8, line 3, strike "INDIGENT TENANTS;" and substitute "TENANTS, ORGANIZED BY WHETHER THE TENANT WAS REPRESENTED BY AN ATTORNEY;".

Page 8, line 4, strike "ISSUED;" and substitute "ISSUED, ORGANIZED BY WHETHER THE TENANT WAS REPRESENTED BY AN ATTORNEY;".

Page 8, line 5, strike "INDIGENT".

Page 8, strike lines 7 and 8.

Renumber succeeding subparagraphs accordingly.

Page 8, line 10, strike "PETITIONS;" and substitute "PETITIONS, ORGANIZED BY WHETHER THE TENANT WAS REPRESENTED BY AN ATTORNEY;".

Page 8, line 11, strike "THE" and substitute "BASED ON INFORMATION REPORTED TO THE ADMINISTRATOR BY QUALIFYING ORGANIZATIONS, THE".

Page 8, line 16, strike "THE" and substitute, "BASED ON INFORMATION REPORTED TO THE ADMINISTRATOR BY QUALIFYING ORGANIZATIONS, THE".

Page 8, strike lines 19 and 20, and substitute:

"(VII) BASED ON INFORMATION REPORTED TO THE ADMINISTRATOR BY QUALIFYING ORGANIZATIONS, THE NUMBER OF INDIGENT CLIENTS WHO WERE PROVIDED LEGAL ADVICE.".

Journal correction:

Page 501, line 70, strike "Court", and insert "Coram".

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, March 22, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

78th Legislative Day Friday, March 22, 2019

Prayer — By the chaplain, Jonathan Drinkwine, Area Director of YoungLife, Douglas County.

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

Roll Call — Present--34
Excused--1, Bridges.
Present later--1, Bridges.

Quorum — The President announced a quorum present.

Pledge — By Senator Lee.

Reading of the Journal — Senator Hisey moved the reading of the Journal of Thursday, March 21, 2019, be dispensed with and that the Journal be approved as corrected by the Secretary.

On a substitute motion, pursuant to Senate Rule 14 (b), and at the request of Senator Hill, the Journal of Thursday, March 21, 2019, was read at length, and approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **SB19-203** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-133** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Health and Human Services Committee Report, dated February 21, 2019, page 11, after line 15 insert:

"**SECTION 10. Appropriation.** (1) For the 2019-20 state fiscal year, $33,622 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 as follows:

(a) $13,374 for use by the division of professions and occupations for personal services, which amount is based on an assumption that the division will require an additional 0.2 FTE;

(b) $4,703 for use by the division of professions and occupations for operating expenses; and

(c) $15,545 for use by the executive director's office and administrative services for the purchase of legal services.

(2) For the 2019-20 state fiscal year, $15,545 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1)(c) 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 section accordingly.

Amend printed bill, page 1, line 101, strike "**COUNSELORS.**" and substitute "**COUNSELORS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-137** 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 7 insert:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $218,825 is appropriated to the department of higher education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.0 FTE. To implement this act, the department may use this appropriation for the Colorado student leaders institute.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**INSTITUTE.**" and substitute "**INSTITUTE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-154** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB19-162** 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 **SB19-164** 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 **SB19-052** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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 COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2020:

Andy McElhany of Colorado Springs, Colorado, a Republican, reappointed;

for terms expiring July 1, 2022:

Nancy Inez Brown of Colorado Springs, Colorado, a Republican, reappointed;

Michelle Ann Butler of Colorado Springs, Colorado, an Unaffiliated, reappointed;

Allan G. Ward of Poncha Springs, Colorado, an unregistered voter, 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
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for a term expiring July 7, 2019:

Bryan David Yates of Buena Vista, Colorado, to serve as a person from the community who has an interest or experience in education, and occasioned by the resignation of Ledy Garcia Eckstein, 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 COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2019:

Stephanie F. Donner of Denver, Colorado, a resident of the First Congressional District and a Democrat, occasioned by the resignation of John L. Anderson of Durango, Colorado, appointed;

for terms expiring July 1, 2022:

Pardis Mahdavi, PhD of Denver, Colorado, a resident of the First Congressional District and a Democrat, appointed;

Vanecia B. Kerr of Aurora, Colorado, a resident of the Sixth Congressional District and a Democrat, 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 FORT LEWIS COLLEGE

for terms expiring December 31, 2022:

Janet Kier Lopez Vilsack, PhD of Mountain View, Colorado, a Democrat, appointed;

Alan G. Hill of Denver, Colorado, an Unaffiliated, 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
COLLEGEINVEST BOARD OF DIRECTORS

for a term expiring July 31, 2022:

Sarah R. Williamson, CFP, CIMA, CDFA of Denver, Colorado, reappointed.

Education After consideration on the merits, the Committee recommends that **SB19-171** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **SB19-096** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend page 4, line 15, strike "MODELED ON" and "THAT MIRROR".

Page 5, line 13, strike "BASIS;" and substitute "BASIS THAT ALIGNS WITH THE TIMING OF REQUIRED FEDERAL GREENHOUSE GAS REPORTING;".

Page 5, line 15, after "LAW;" add "AND".

Page 5, after line 15 insert:

"(III) REPORT, IN METRIC TONS, THE AMOUNT OF EMISSIONS OF EACH OF THE SEVEN INDIVIDUAL COMPONENTS OF GREENHOUSE GASES AS WELL AS THE CARBON DIOXIDE EQUIVALENT OF THOSE EMISSIONS.".

Page 6, strike lines 9 and 10.

Reletter succeeding sub-subparagraphs accordingly.

Page 6, line 18, strike "2005, 2007, AND 2014" and substitute "2005".

Page 6, line 19, strike "INVENTORIES," and substitute "INVENTORY,".

Page 6, line 26, strike "YEAR" and substitute "FIVE YEARS".

Page 7, line 1, strike "SECTION." and substitute "SECTION; EXCEPT THAT THE COMMISSION CAN SPECIFY A DIFFERENT PERIOD IF IT DETERMINES THAT AN EARLIER FORECAST IS NEEDED DUE TO THE OCCURRENCE OF AN EXTRAORDINARY EVENT THAT WOULD SIGNIFICANTLY AFFECT THE FORECAST.".

SENATE SERVICES REPORT

Correctly Printed: SB19-205 and 206.
Correctly Engrossed: SB19-002, 003, and 010.
Correctly Revised: HB19-1007, 1106, 1129, 1166, 1173, and 1209.
Correctly Enrolled: SB19-109.

On motion of Majority Leader Fenberg, 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.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills.

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, and Senator Moreno 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, had been considered and action taken thereon as follows:

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 18, pages 481-482 and placed in members' bill files.)

At the request of Senator Hill, the bill was read at length.

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.)

SB19-005 by Senator(s) Rodriguez and Ginal; also Representative(s) Jaquez Lewis--Concerning wholesale importation of prescription pharmaceutical products from Canada for resale to Colorado residents.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 1, pages 142-143 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 19, page 488 and placed in members' bill files.)

Amendment No. 3(L.018), by Senator Ginal.

Amend printed bill, page 4, line 7, strike "384." and substitute "384 AND INCLUDES ONLY PRESCRIPTION PHARMACEUTICAL PRODUCTS THAT ARE INTENDED FOR HUMAN CONSUMPTION.".

Senator Hill requested the bill be read at length, then later asked that the reading be dispensed with.

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

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:

HB19-1135 by Representative(s) Gray; also Senator(s) Tate and Winter--Concerning a clarification that the income tax credit for retrofitting a residence to increase a residence's accessibility is available for changes made to a residence that benefit a qualified individual's dependent.

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

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 15, pages 478-479 and placed in members' bill files.)

Amendment No. 2(L.024), by Senator Williams.

Amend reengrossed bill, page 5, strike lines 22 and 23 and substitute:

"(II) NINETY-SIX HOURS, WHERE THE CONDITION IS AS DESCRIBED IN SUBSECTION (2)(a)(I) OF THIS SECTION AND THE TENANT HAS INCLUDED

WITH THE NOTICE PERMISSION TO THE LANDLORD OR TO THE LANDLORD'S AUTHORIZED AGENT TO ENTER THE RESIDENTIAL PREMISES.".

Page 11, line 8, strike "TWO" and substitute "FOUR".

Page 11, line 22, strike "TWO" and substitute "FOUR".

Amendment No. 3(L.027), by Senator Williams.

Amend reengrossed bill, page 5, line 6, strike "(2.3) and (2.5)" and substitute "(2.2), (2.3), and (2.5)".

Page 5, line 7, strike "A" and substitute "EXCEPT AS DESCRIBED IN SUBSECTION (2.2) OF THIS SECTION, a".

Page 5, after line 23 insert:

"(2.2) IN A CASE IN WHICH A RESIDENTIAL PREMISES HAS MOLD THAT IS ASSOCIATED WITH DAMPNESS, OR THERE IS ANY OTHER CONDITION CAUSING THE RESIDENTIAL PREMISES TO BE DAMP, WHICH CONDITION, IF NOT REMEDIED, WOULD MATERIALLY INTERFERE WITH THE LIFE, HEALTH, OR SAFETY OF A TENANT, A LANDLORD BREACHES THE WARRANTY OF HABITABILITY IF THE LANDLORD FAILS:

(a) WITHIN TWENTY-FOUR HOURS, TO MITIGATE IMMEDIATE RISK FROM MOLD BY INSTALLING A CONTAINMENT, STOPPING ACTIVE SOURCES OF WATER TO THE MOLD, AND INSTALLING A HIGH-EFFICIENCY PARTICULATE AIR FILTRATION DEVICE TO REDUCE TENANTS' EXPOSURE TO MOLD;

(b) TO MAINTAIN THE CONTAINMENT DESCRIBED IN SUBSECTION (2.2)(a) OF THIS SECTION UNTIL THE ACTIONS DESCRIBED IN SUBSECTION (2.2)(c) OF THIS SECTION ARE EXECUTED; AND

(c) WITHIN A REASONABLE AMOUNT OF TIME, TO EXECUTE THE FOLLOWING REMEDIAL ACTIONS TO REMOVE THE HEALTH RISK POSED BY MOLD:

(I) ESTABLISH APPROPRIATE PROTECTIONS FOR WORKERS AND OCCUPANTS;

(II) ELIMINATE OR LIMIT MOISTURE SOURCES AND DRY ALL MATERIALS;

(III) DECONTAMINATE OR REMOVE DAMAGED MATERIALS AS APPROPRIATE;

(IV) EVALUATE WHETHER THE PREMISES HAS BEEN SUCCESSFULLY REMEDIATED; AND

(V) REASSEMBLE THE PREMISES TO CONTROL SOURCES OF MOISTURE AND NUTRIENTS AND THEREBY PREVENT OR LIMIT THE RECURRENCE OF MOLD.".

Amendment No. 4(L.028), by Senator Williams.

Amend reengrossed bill, page 4, after line 24 insert:

"(6) "MOLD" MEANS MICROSCOPIC ORGANISMS OR FUNGI THAT CAN GROW IN DAMP CONDITIONS IN THE INTERIOR OF A BUILDING.".

Renumber succeeding subsections accordingly.

Page 5, lines 12 and 13, strike "is materially dangerous or hazardous to" and substitute "~~is~~ materially ~~dangerous or hazardous to~~ INTERFERES WITH".

Page 7, line 4, strike "TENANT;" and substitute "TENANT, EXCLUDING THE PRESENCE OF MOLD THAT IS MINOR AND FOUND ON SURFACES THAT CAN ACCUMULATE MOISTURE AS PART OF THEIR PROPER FUNCTIONING AND INTENDED USE;".

Amendment No. 5(L.029), by Senator Williams.

Amend reengrossed bill, page 5, line 6, strike "(2)" and substitute "(2), (3),".

Page 6, after line 6 insert:

"(3) When any condition described in subsection (2) of this section is caused by the misconduct of the tenant, a member of the tenant's household, a guest or invitee of the tenant, or a person under the tenant's direction or control, the condition does not constitute a breach of the warranty of habitability. It is not misconduct by a victim of domestic violence; domestic abuse; unlawful sexual behavior, as described in section 16-22-102 (9); or stalking under this subsection (3) if the condition is the result of domestic violence; domestic abuse; unlawful sexual behavior, as described in section 16-22-102 (9); or stalking and the landlord has been given written OR ELECTRONIC notice and evidence of domestic violence; domestic abuse; unlawful sexual behavior, as described in section 16-22-102 (9); or stalking, as described in section 38-12-402 (2)(a).".

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

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and, in connection therewith, making an appropriation.

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.086) to HB 19-1177, does fit under the title and did pass.

Amend reengrossed bill, page 3, strike lines 2 through 26 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 27-65-105, **amend** (1)(a)(I), (1)(b), and (5) as follows:

27-65-105. Emergency procedure. (1) Emergency procedure may be invoked under one of the following conditions:

(a) (I) When any person appears to have a mental health disorder and, as a result of such mental health disorder, appears to be an imminent danger to others or to himself or herself or appears to be gravely disabled AND THE PERSON IS IN NEED OF EXTREME RISK PROTECTION ORDER, then an intervening professional, as specified in subsection (1)(a)(II) of this section, upon probable cause and with such assistance as may be required, may take the person into custody, or cause the person to be taken into custody, and placed in a facility designated or approved by the executive director for a seventy-two-hour treatment and evaluation TO BE CONDUCTED BY A PSYCHOLOGIST. If such a facility is not available, the person may be taken to an emergency medical services facility FOR EVALUATION BY A PSYCHOLOGIST.

(b) Upon an affidavit sworn to or affirmed before a judge that relates sufficient facts to establish that a person appears to have a mental health disorder and, as a result of the mental health disorder, appears to be an imminent danger to others or to himself or herself or appears to be gravely disabled AND THE PERSON IS IN NEED OF EXTREME RISK PROTECTION ORDER, the court may order the person described in the affidavit to be taken into custody and placed in a facility designated or approved by the executive director for a seventy-two-hour treatment and evaluation TO BE CONDUCTED BY A PSYCHOLOGIST. Whenever in this article 65 a facility is to be designated or approved by the executive director, hospitals, if available, must be approved or designated in each county before other facilities are approved or designated. Whenever in this article 65 a facility is to be designated or approved by the executive

director as a facility for a stated purpose and the facility to be designated or approved is a private facility, the consent of the private facility to the enforcement of standards set by the executive director is a prerequisite to the designation or approval.

(5) Each person admitted to a seventy-two-hour treatment and evaluation facility under the provisions of this ~~article shall~~ ARTICLE 65 MUST receive an evaluation TO BE CONDUCTED BY A PSYCHOLOGIST as soon as possible after he or she is admitted and ~~shall~~ MUST receive such treatment and care as his or her condition requires for the full period that he or she is held, AND THE PSYCHOLOGIST SHALL FILE A COPY OF THE EVALUATION WITH THE DISTRICT COURT WHERE THE PERSON ADMITTED RESIDES. THE COURT THEN SHALL DETERMINE WHETHER TO PROCEED PURSUANT TO SECTION 27-65-107. The person ~~shall~~ MUST be released before seventy-two hours have elapsed if, in the opinion of the professional person in charge of the evaluation, the person no longer requires evaluation or treatment. Persons who have been detained for seventy-two-hour evaluation and treatment ~~shall~~ MUST be released, referred for further care and treatment on a voluntary basis, or certified for treatment pursuant to section 27-65-107.

SECTION 2. In Colorado Revised Statutes, 27-65-106, **amend** (6) and (7) as follows:

27-65-106. Court-ordered evaluation for persons with mental health disorders. (6) Whenever it appears, by petition and screening pursuant to this section, to the satisfaction of the court that probable cause exists to believe that the respondent has a mental health disorder and, as a result of the mental health disorder, is a danger to others or to himself or herself or is gravely disabled AND THE PERSON IS IN NEED OF EXTREME RISK PROTECTION ORDER and that efforts have been made to secure the cooperation of the respondent, ~~who~~ BUT HE OR SHE has refused or failed to accept evaluation voluntarily, the court shall issue an order for evaluation authorizing a certified peace officer to take the respondent into custody and place him or her in a facility designated by the executive director for seventy-two-hour treatment and evaluation TO BE CONDUCTED BY A PSYCHOLOGIST. At the time of taking the respondent into custody, a copy of the petition and the order for evaluation must be given to the respondent and promptly thereafter to any one person designated by the respondent and to the person in charge of the seventy-two-hour treatment and evaluation facility named in the order or his or her designee.

(7) The respondent ~~shall~~ MUST be evaluated as promptly as possible and ~~shall~~ MUST in no event be detained longer than seventy-two hours under the court order, excluding Saturdays, Sundays, and holidays if treatment and evaluation services are not available on those days. THE PSYCHOLOGIST SHALL FILE A COPY OF THE EVALUATION WITH THE DISTRICT COURT WHERE THE PERSON ADMITTED RESIDES WITHIN SEVENTY-TWO HOURS, AND THE COURT SHALL HOLD A HEARING IMMEDIATELY AFTER RECEIVING THE REPORT TO DETERMINE WHETHER TO PROCEED PURSUANT TO SECTION 27-65-107. Within that time, the respondent ~~shall~~ MUST be released, referred for further care and treatment on a voluntary basis, or certified for short-term treatment.".

Strike pages 4 through 32.

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	19	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Call of the Senate. Call raised.

Senator Tate moved to amend the Report of the Committee of the Whole to show that the following Tate floor amendment, (L.077) to HB 19-1177, did pass.

> Amend the State, Veterans, & Military Affairs Committee Report, dated March 15, 2019, page 1, strike line 19.

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	11	NO	19	EXCUSED	2	ABSENT	3
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	E	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	E	Williams A.	N
Crowder	A	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	A	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	A	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.087) to HB 19-1177, did pass.

> Amend reengrossed bill, page 6, line 27, strike "FIREARM" and substitute "FIREARM, EXCEPT FOR A FIREARM NECESSARY TO CONDUCT ANY MILITARY EMPLOYMENT-RELATED DUTIES;".
>
> Page 15, line 1, strike "FIREARM" and substitute "FIREARM, EXCEPT FOR A FIREARM NECESSARY TO CONDUCT ANY MILITARY EMPLOYMENT-RELATED DUTIES;".

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	12	NO	18	EXCUSED	2	ABSENT	3
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	E	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	E	Williams A.	N
Crowder	A	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	A	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	A	President	Y
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Marble moved to amend the Report of the Committee of the Whole to show that the following Marble floor amendment, (L.088) to HB 19-1177, did pass.

> Amend reengrossed bill, page 15, line 21, strike "(12)" and substitute "(12) (a)".
>
> Page 16, after line 2 insert:
>
> "(12) (b) IF THE COURT DENIES THE ISSUANCE OF AN EXTREME RISK PROTECTION ORDER BUT ORDERED A TEMPORARY EXTREME RISK PROTECTION ORDER, THE COURT SHALL DESTROY ALL RECORDS RELATED TO THE PETITION FOR THE TEMPORARY EXTREME RISK PROTECTION ORDER AND THE PETITION FOR THE EXTREME RISK PROTECTION ORDER AND REMOVE ALL ASSOCIATED RECORDS FROM ONLINE SOURCES.".

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	11	NO	19	EXCUSED	2	ABSENT	3
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	E	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	E	Williams A.	N
Crowder	A	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	A	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	A	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	30	NO	0	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-005 as amended, HB19-1177 as amended, HB19-1135, HB19-1170 as amended.

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:

HB19-1106 by Representative(s) Titone and Gonzales-Gutierrez, Benavidez, Buckner, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, McLachlan, Singer, Sirota, Valdez A., Weissman; also Senator(s) Pettersen--Concerning the rental application process for prospective tenants.

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

YES	20	NO	10	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter, and Zenzinger.

SB19-002 by Senator(s) Winter and Fenberg; also Representative(s) Roberts and Jackson--Concerning the regulation of student education loan servicers, 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	9	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Danielson, Donovan, Fields, Foote, Garcia, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Tate, Todd, and Williams A.

HB19-1007 by Representative(s) Sirota; also Senator(s) Zenzinger--Concerning the establishment of contribution limits under the "Fair Campaign Practices Act" for candidates for county offices, and, in connection therewith, making an appropriation.

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

YES	19	NO	11	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Fields, Foote, Garcia, Gonzales, Lee, Moreno, Todd, and Winter.

SB19-010 by Senator(s) Fields; also Representative(s) McLachlan and Valdez D.--Concerning professional behavioral health services for schools, and, in connection therewith, making an appropriation.

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

YES	22	NO	8	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Fenberg, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Todd, Winter, and Zenzinger.

SB19-003 by Senator(s) Zenzinger and Coram; also Representative(s) McLachlan and Wilson, Rankin--Concerning the educator loan forgiveness program to address educator shortages, 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	5	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Court, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Moreno, Pettersen, Rankin, Rodriguez, Sonnenberg, Story, Todd, Williams A., and Winter.

HB19-1129 by Representative(s) Michaelson Jenet and Esgar, Duran, Herod, Valdez A., Galindo, Jaquez Lewis, Titone; also Senator(s) Fenberg, Moreno, Ginal--Concerning prohibiting a mental health care provider from engaging in conversion therapy with a patient under eighteen years of age.

Laid over until Monday, March 25, retaining its place on the calendar.

HB19-1173 by Representative(s) Garnett and Neville, Becker; also Senator(s) Fenberg and Holbert--Concerning the authority of an ex officio member of the legislative council to appoint a temporary replacement for that ex officio member at a meeting of the legislative council.

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

YES	30	NO	0	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Gonzales, Marble, Rodriguez, Story, and Tate.

HB19-1209 by Representative(s) Froelich and Valdez A.; also Senator(s) Bridges--Concerning repealing aeronautical reporting requirements.

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

YES	30	NO	0	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Rankin, Tate, Winter, and Woodward.

HB19-1166 by Representative(s) Singer and Larson; also Senator(s) Zenzinger--Concerning name-based criminal history record checks, and, in connection therewith, requiring certain persons and entities to submit to a name-based criminal history record check as a condition of employment, appointment, registration, licensure, or certification.

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

YES	30	NO	0	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Gonzales, Lee, Tate, Williams A., Winter, and Woodward.

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:

SB19-144 by Senator(s) Zenzinger; also Representative(s) Roberts--Concerning allowing a driver of a motorcycle to proceed past a malfunctioning traffic control signal.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, March 20, page 499 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 Moreno, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	30	NO	0	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-144 as amended.

CONSIDERATION OF RESOLUTIONS

SR19-005 by Senator(s) Hisey--Concerning recognition of "Single Parents' Day".

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

YES	30	NO	0	EXCUSED	2	ABSENT	3
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	E	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	A	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	A	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	A	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Court, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Rankin, Rodriguez, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

MESSAGE FROM THE HOUSE

March 22, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1174, 1225, 1208, 1087, amended as printed in House Journal, March 21, 2019.

The House has passed on Third Reading and returns herewith SB19-152, 151.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-014, amended as printed in House Journal March 21, 2019 and amended on Third Reading as printed in House Journal, March 22, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1221, amended as printed in House Journal, March 21, 2019, and amended on Third Reading as printed in House Journal, March 22, 2019.

The House has voted to concur in the Senate amendments to HB19-1078, 1035, 1191 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 22, 2019

We herewith transmit:

Without comment, as amended, HB19-1087, 1174, 1208, 1221, and 1225.
Without comment, as amended, SB19-014.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 22, 2019, at 8:42 a.m.:
SB19-016, 017, 035, 068, and 103.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Zenzinger, Chair, Court, and Cooke were appointed as Senate conferees on the first conference committee on **SB19-106**.

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, March 25, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

81st Legislative Day Monday, March 25, 2019

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, Priola, Williams.
Present later--1, Priola.

Quorum — The President announced a quorum present.

Pledge — By Senator Pettersen.

Reading of the Journal — Pursuant to Senate Rule 14 (b), and at the request of Senator Lundeen, the Journal of Friday, March 22, 2019, was read at length.

Senator Smallwood requested a correction be made to the Journal.

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was **lost**.

Senator Scott requested a correction be made to the Journal.

Senate in recess. Senate reconvened.

Less than a majority of all members elected to the Senate having voted in the affirmative, the motion was **lost**.

Senator Coram requested a correction be made to the Journal.

The roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	N	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Senator Priola requested a correction be made to the Journal.

The roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bridges	N	Foote	Y	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

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

Journal correction:

Page 537, line 29, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; line 32, strike "Coram A" and substitute "Coram E"; line 33, strike "Priola A" and substitute "Priola E".
Page 538, lines 1, 34, and 51, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; lines 4, 37, and 54, strike "Coram A" and substitute "Coram E"; lines 5, 38, and 55, strike "Priola A" and substitute "Priola E".
Page 539, lines 13 and 37, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; lines 16 and 40, strike "Coram A" and substitute "Coram E"; lines 17 and 41, strike "Priola A" and substitute "Priola E".
Page 540, lines 1, 25, and 50, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; lines 4, 28, and 53, strike "Coram A" and substitute "Coram E"; lines 5, 29, and 54, strike "Priola A" and substitute "Priola E".
Page 541, lines 15 and 37, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; lines 18 and 40, strike "Coram A" and substitute "Coram E"; lines 19 and 41, strike "Priola A" and substitute "Priola E".
Page 542, lines 1 and 49, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; lines 4 and 52, strike "Coram A" and substitute "Coram E"; lines 5 and 53, strike "Priola A" and substitute "Priola E".
Page 543, line 8, strike "Excused 0 Absent 5" and substitute "Excused 2 Absent 3"; line 11, strike "Coram A" and substitute "Coram E"; line 12, strike "Priola A" and substitute "Priola E".

On motion of Senator Lundeen, the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-005 and 144; SR19-005.
Correctly Reengrossed: SB19-002, 003, and 010.
Correctly Revised: HB19-1135, 1170, and 1177.
Correctly Rerevised: HB19-1007, 1106, 1166, 1173, and 1209.

MESSAGE FROM THE HOUSE

March 25, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1196, 1238

The House has passed on Third Reading and returns herewith SB19-031.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-076, 088, amended as printed in House Journal, March 22, 2019.

In response to the request of the Senate, the Speaker has appointed Representatives Tipper, chairman, Hooton, and Larson as House conferees on the First Conference Committee on SB19-106.

MESSAGE FROM THE REVISOR OF STATUTES

March 25, 2019

We herewith transmit:

Without comment, HB19-1196 and 1238.
Without comment, as amended, SB19-076 and 088.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-207 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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, 2019, except as otherwise noted.
Appropriations

SB19-208 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a transfer of money from the state employee reserve fund to the general fund.
Appropriations

SB19-209 by Senator(s) Zenzinger, Moreno, Rankin; also Representative(s) Hansen, Esgar--Concerning provisions relating to PACE programs, and, in connection therewith, determining the funding methodology for the 2019-20 fiscal year and fiscal years thereafter, requiring the department of health care policy and financing to meet with Colorado PACE programs during the 2019 legislative interim to consider PACE program funding and other issues relating to PACE programs, and making an appropriation.
Appropriations

SB19-210 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Ransom, Esgar, Hansen--Concerning juvenile detention beds, and, in connection therewith, reducing appropriations.
Appropriations

SB19-211 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--Concerning changes to the mental health criminal justice diversion programs, and, in connection therewith, making an appropriation.
Appropriations

SB19-212 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar, Hansen--Concerning general fund support to implement the state water plan, and, in connection therewith, making an appropriation.
Appropriations

SB19-213 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Ransom, Esgar, Hansen--Concerning transfers from the marijuana cash fund to the marijuana tax cash fund.
Appropriations

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning capital-related transfers of money.
Appropriations

SB19-215 by Senator(s) Rodriguez; also Representative(s) Lontine--Concerning the creation of the parents encouraging parents conference for parents of children with disabilities.
Education

SB19-216 by Senator(s) Bridges; also Representative(s) Bird--Concerning incentives for local education providers to provide innovative learning opportunities for high school students.
Education

HB19-1030 by Representative(s) Soper and Roberts; also Senator(s) Rankin and Zenzinger--Concerning creating the crime of unlawful electronic sexual communication.
Judiciary

HB19-1087 by Representative(s) Soper and Hansen, Coleman, McKean, Snyder, Williams D.; also Senator(s) Woodward and Bridges--Concerning online notice of public meetings of a local governmental entity.
Local Government

HB19-1160 by Representative(s) Landgraf and Singer, Pelton, Bockenfeld, Larson, Wilson, McKean, Catlin, Gonzales-Gutierrez, Mullica; also Senator(s) Gardner--Concerning a mental health facility pilot program, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1194 by Representative(s) Lontine and Larson; also Senator(s) Priola and Fields--Concerning the discipline of preschool through second grade students enrolled in publicly funded education programs.
Education

HB19-1213 by Representative(s) Titone; also Senator(s) Priola--Concerning the compensation payable to a member of a board of directors of an urban drainage and flood control district.
Local Government

HB19-1220 by Representative(s) Sullivan; also Senator(s) Fields--Concerning allowing a court facility dog to accompany a witness during testimony.
Judiciary

HB19-1224 by Representative(s) Herod, Arndt, Bird, Buckner, Buentello, Caraveo, Cutter, Duran, Esgar, Froelich, Galindo, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Sirota, Tipper, Titone; also Senator(s) Winter--Concerning providing free menstrual hygiene products to people in custody.
Judiciary

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:

SB19-144 by Senator(s) Zenzinger; also Representative(s) Roberts--Concerning allowing a driver of a motorcycle to proceed past a malfunctioning traffic control signal.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Gardner, Hill, Hisey, Holbert, Lundeen, Marble, Rankin, Scott, Smallwood, Sonnenberg, Tate, Todd, and Woodward.

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:

HB19-1129 by Representative(s) Michaelson Jenet and Esgar, Duran, Herod, Valdez A., Galindo, Jaquez Lewis, Titone; also Senator(s) Fenberg, Moreno, Ginal--Concerning prohibiting a mental health care provider from engaging in conversion therapy with a patient under eighteen years of age.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fields, Foote, Gonzales, Pettersen, Rodriguez, Story, Winter, and Zenzinger.

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and in connection therewith, making an appropriation.

Laid over until Tuesday, March 26, retaining its place on the calendar.

SB19-005 by Senator(s) Rodriguez and Ginal; also Representative(s) Jaquez Lewis--Concerning wholesale importation of prescription pharmaceutical products from Canada for resale to Colorado residents, and, in connection therewith, making an appropriation.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	E
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Crowder, Danielson, Donovan, Fields, Foote, Garcia, Gonzales, Lee, Pettersen, Story, and Todd.

HB19-1135 by Representative(s) Gray; also Senator(s) Tate and Winter--Concerning a clarification that the income tax credit for retrofitting a residence to increase a residence's accessibility is available for changes made to a residence that benefit a qualified individual's dependent.

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

YES	27	NO	7	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Crowder, Garcia, Ginal, Hill, Lee, Pettersen, Story, Todd, and Zenzinger.

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Laid over until Tuesday, March 26, retaining its place on the calendar.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Upon request of Majority Leader Fenberg, **SB19-174** was removed from the General Orders--Second Reading of Bills--Consent Calendar of Monday, March 25, 2019, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, March 25, 2019.

Senate in recess. Senate reconvened.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Bridges 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:

SB19-189 by Senator(s) Todd and Lundeen, Hill, Bridges, Story; also Representative(s) Cutter--Concerning the continuation of the concurrent enrollment advisory board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

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

HB19-1186 by Representative(s) McLachlan and Exum; also Senator(s) Bridges and Cooke--Concerning fingerprinting options for background checks for school employees.

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

HB19-1197 by Representative(s) Carver and Singer; also Senator(s) Lee and Gardner--Concerning restrictions on making public the personal information of government employees whose official duties involve child abuse and neglect cases.

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

SB19-194 by Senator(s) Garcia and Zenzinger; also Representative(s) Froelich and Van Winkle, Bird-Concerning the addition of Colorado state university - global campus as a designated institution of higher education for purposes of tuition assistance for members of the National Guard.

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

HB19-1065 by Representative(s) Soper and Roberts; also Senator(s) Rankin--Concerning public hospital boards of trustees, and, in connection therewith, eliminating the restriction that a board may not include more than four local residents and allowing a board to unilaterally acquire real or personal property by lease if the board has designated the public hospital as an enterprise.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

The Committee of the Whole took the following action:

Passed on second reading: SB19-189, SB19-194, HB19-1186, HB19-1197, HB19-1065.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1119 by Representative(s) Coleman, Herod, Exum, Benavidez, Gonzales-Gutierrez, Lontine; also Senator(s) Foote--Concerning public disclosure of a completed peace officer internal investigation file.

Laid over until Tuesday, March 26, retaining its place on the calendar.

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.

Laid over until Tuesday, March 26, retaining its place on the calendar.

HB19-1086 by Representative(s) Duran; also Senator(s) Pettersen--Concerning the conduct of plumbing inspections to ensure compliance with the plumbing law.

Laid over until Tuesday, March 26, retaining its place on the calendar.

SB19-174 by Senator(s) Garcia and Hill; also Representative(s) Buentello and Neville--Concerning tuition assistance eligibility for dependent children of certain persons, and, in connection therewith, determining eligibility for dependents of prisoners of war, military personnel missing in action, National Guardsmen, law enforcement officers, and firefighters.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

The Committee of the Whole took the following action:

Passed on second reading: SB19-174.
Laid over until Tuesday, March 26: HB19-1119, HB19-1131, HB19-1086.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-014 by Senator(s) Coram; also Representative(s) Carver and Tipper--Concerning requirements that secondhand dealers record transactions involving store value cards.

Senator Coram moved that the Senate concur in House amendments to SB19-014, as printed in House journal, March 15, page 696, and March 22, pages 753-755. The motion was **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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 Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2022:

Charles Patterson “Buzz” Moore of Grand Junction, Colorado, a licensed mortgage loan originator, reappointed;

Fred Joseph of Denver, Colorado, a member of the public at large, reappointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

MEMBERS OF THE
WATER QUALITY CONTROL COMMISSION

for terms expiring February 15, 2021:

Troy Glen Waters of Fruita, Colorado, appointed;

Joan Card of Boulder, Colorado, appointed;

Richard Clark Hum of Nathrop, Colorado, reappointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for a term expiring August 1, 2020:

Charles R. Adams of Lakewood, Colorado, to serve as a representative from the regulated community and as an Unaffiliated, reappointed.

for terms expiring August 1, 2021:

Christopher Stephen Gilbreath of Westminster, Colorado, to serve as a representative from the regulated community and as a Republican, appointed;

Laura Jeane Davis of Westminster, Colorado, to serve as a representative of the government or academic community and as a Republican, appointed;

Cathryn Stewart of Denver, Colorado, to serve as a member of the public and as a Democrat, appointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

MEMBERS OF THE
GROUND WATER COMMISSION

for a term expiring May 1, 2019:

Glen S. Frihauf of Wiggins, Colorado, to serve as a resident agriculturist from the North Kiowa-Bijou Basin, and occasioned by the removal of Daniel L. Farmer of Colorado Springs, Colorado, appointed.

for a term expiring May 1, 2022:

Miguel Angel Diaz of Monte Vista, Colorado, to serve as a representative from Water Division 3 and as an agriculturist, appointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

MEMBER OF THE
STATE BOARD OF STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2022:

Erik Mohrlang of Fort Morgan, Colorado, to represent the confinement cattle industry, appointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

MEMBER OF THE
COLORADO AGRICULTURAL DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS

for a term expiring June 30, 2021:

Hannah Denelle Wilks of Arvada, Colorado, a Democrat, to serve as a member with knowledge of agricultural activity in the state, and who shall represent the various agriculture operations and geographical regions of the state, reappointed.

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR19-005.

MESSAGE FROM THE GOVERNOR

Monday, March 25, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-009 - Financial Incentives For Rural Educators
Approved Monday, March 25, 2019 at 2:06 P.M.

SB19-025 - Information To Students Regarding SafeHaven Laws
Approved Monday, March 25, 2019 at 2:14 P.M.

SB19-046 - Appraisal Management Company Definition
Approved Monday, March 25, 2019 at 2:20 P.M.

Sincerely,
(signed)
Jared Polis
Governor

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, March 26, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

82nd Legislative Day Tuesday, March 26, 2019

Prayer — By the chaplain, Pastor Chris Casillas, Horizon Baptist Church, Thornton.

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 Pettersen.

Reading of the Journal — On motion of Senator Lundeen, reading of the Journal of Monday, March 25, 2019, 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 **SB19-207** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

> Amend printed bill, page 221, line 8, in the ITEM & SUBTOTAL column strike "3,466,578" and substitute "3,016,578" and in the GENERAL FUND column strike "450,000".
>
> Adjust affected totals accordingly.
>
> Page 526, line 11, after "and" insert "$140,789,518".
>
> Page 527, line 5, after "$350,282,385" insert "contains an (I) notation and $177,408,484" and strike "and contains an (I) notation.".

Appropriations — After consideration on the merits, the Committee recommends that **SB19-208** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-209** 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 **SB19-210** 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 **SB19-211** 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 **SB19-212** 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 **SB19-213** 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 **SB19-214** 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: SB19-207, 208, 209, 210, 211, 212, 213, 214, 215, and 216.
Correctly Engrossed: SB19-174, 189, and194.
Correctly Reengrossed: SB19-005 and 144.
Correctly Revised: HB19-1065, 1186, and 1197.
Correctly Rerevised: HB19-1129 and 1135.
Correctly Enrolled: SB19-031, 151, and 152.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-217 by Senator(s) Foote and Tate; also Representative(s) Snyder--Concerning healthcare provider liens related to charges for medical care provided to a person injured as a result of the negligence or wrongful acts of another person.
Health & Human Services

HB19-1196 by Representative(s) Gonzales-Gutierrez; also Senator(s) Moreno--Concerning student financial assistance for students who are classified as in-state students for tuition purposes.
Education

HB19-1221 by Representative(s) Coleman and Valdez A.; also Senator(s) Bridges and Pettersen--Concerning the regulation of electric scooters.
Transportation & Energy

HB19-1238 by Representative(s) Gray and Van Winkle; also Senator(s) Winter and Priola--Concerning the authority of the division of housing to regulate factory-built structures.
Business, Labor, & Technology

On motion of Majority Leader Fenberg, 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

SR19-006 by Senator(s) Fields and Tate--Concerning the designation of March 26, 2019, as "Colorado Children's Health Day".

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Todd, Winter, Woodward, and Zenzinger.

Senate in recess. Senate reconvened.

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 appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2020:

Ajay Menon, PhD of Fort Collins, Colorado, to serve as a representative of statewide chamber of commerce and as an Unaffiliated, and occasioned by the resignation of Ulysses J. Chaney of Colorado Springs, Colorado, appointed.

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, 2021:

Longinos Gonzalez of Colorado Springs, Colorado, a Republican and a veteran who has been honorably released or separated from the Armed Forces of the United States, and occasioned by the deployment and resignation of Lacey Golonka of Castle Rock, Colorado, appointed.

for terms expiring June 30, 2022:

Sheila Marie Quadrini Scanlon of Aurora, Colorado, to serve as a veteran and as a Republican, appointed;

Duane E. Dailey of Hot Sulphur Springs, Colorado, to serve as a veteran and as a Republican, reappointed.

State, Veterans, & Military Affairs

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

MEMBER OF THE
BOARD OF COMMISSIONERS OF VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2022:

Karren E. Kowalski, PhD, RN, NEA-BC, ANEF, FAAN of Larkspur, Colorado, a veteran, reappointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1024** be referred to the Committee on Legislative Council with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-198** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, line 8, strike "**rules.**" and substitute "**rules - repeal.**".

Page 3, strike line 9 and substitute:

"(1) (a) (I) (A) UNTIL DECEMBER 31, 2019, RETAILERS OF NEW MOTOR VEHICLE TIRES AND NEW TRAILER TIRES SHALL COLLECT A WASTE TIRE FEE IN AN AMOUNT TO BE SET BY THE COMMISSION, BY RULE, NOT TO EXCEED ONE DOLLAR AND FIFTY CENTS ON THE SALE OF EACH NEW TIRE. THE STATE TREASURER SHALL CREDIT THE REVENUE FROM THE FEE ASSESSED IN THIS SUBSECTION (1)(a)(I)(A) TO THE WASTE TIRE ADMINISTRATION, ENFORCEMENT, MARKET DEVELOPMENT, AND CLEANUP FUND CREATED IN SECTION 30-20-1404.

(B) THIS SUBSECTION (1)(a)(I) IS REPEALED, EFFECTIVE JULY 1, 2020.

(II) EFFECTIVE JANUARY 1, 2020, AND CONTINUING THROUGH DECEMBER 31, 2025, retailers of new motor vehicle".

Renumber succeeding subparagraphs accordingly.

Page 3, line 18, after the period add "THE COMMISSION SHALL SET THE FEE IN AN AMOUNT THAT IS SUFFICIENT TO:

(A) OFFSET THE DEPARTMENT'S DIRECT AND INDIRECT COSTS OF IMPLEMENTING THIS PART 14, WHICH COSTS MUST NOT EXCEED THE EQUIVALENT OF FIFTY-FIVE CENTS FOR EACH NEW TIRE SOLD; AND

(B) COVER THE REBATE PROGRAM DESCRIBED IN SECTION 30-20-1405.".

Page 3, strike line 26 and substitute:

"(2) (a) ~~Until December 31, 2017~~ FROM JANUARY 1, 2020, THROUGH DECEMBER 31, 2025, the state treasurer".

Page 4, strike line 2 and substitute:

"(I) ~~Thirty percent~~ THE PORTION OF THE FEE COLLECTED TO OFFSET THE COSTS DESCRIBED IN SUBSECTION (1)(a)(III)(A) OF THIS SECTION to the waste tire administration,".

Page 4, strike line 5 and substitute:

"(II) ~~Sixty-five percent~~ THE PORTION OF THE FEE COLLECTED TO COVER THE COSTS DESCRIBED IN SUBSECTION (1)(a)(III)(B) OF THIS SECTION to the end users fund created".

Page 4, line 14, strike "(1)" and substitute "(1), (2) introductory portion, (2)(l), and (2)(m); and **add** (2)(o)".

Page 4, line 20, strike "(2)(a)(I) ~~or (2)(b)~~" and substitute "~~(2)(a)(I) or (2)(b)~~".

Page 5, line 3, strike "JUNE 30," and substitute "DECEMBER 31,".

Page 5, line 5, strike "JULY 1, 2025," and substitute "JANUARY 1, 2026,".

Page 5, after line 5 insert:

"(2) The department shall use the ~~moneys~~ MONEY in the fund for:

(l) Maintaining an online complaint form and processes for law enforcement, fire departments, and citizens to report potential waste tire violations; ~~and~~

(m) In conjunction with the division of fire prevention and control in the department of public safety, developing a model fire prevention, training, and firefighting plan, hiring a consultant to assist in

developing the plan, and reimbursing the division of fire prevention AND CONTROL for its time spent assisting the department in implementing this ~~paragraph (m)~~ SUBSECTION (2)(m); AND

(o) ENCOURAGING WASTE TIRE MARKET DEVELOPMENT.".

Page 5, line 8, strike "**monthly**" and substitute "**quarterly**".

Page 5, strike lines 21 through 23 and substitute:

"(b) A WASTE TIRE HAULER OF TIRES IN A RURAL COUNTY IS ONLY ELIGIBLE FOR REBATES PURSUANT TO THIS SUBSECTION (2) IF THE WASTE TIRE HAULER IS ALSO AN END USER OR HAS CONTRACTED WITH AN END USER THAT IS ALSO A WASTE TIRE HAULER.".

Page 7, strike line 2 and substitute "REQUIREMENT THAT THE DEPARTMENT:

(I) GIVE NOTICE OF THE ANTICIPATED".

Page 7, line 4, after "REBATE; insert "AND

(II) PAY A PROPORTIONALLY REDUCED REBATE BEGINNING WITH TIER 1 AND RURAL WASTE TIRE HAULER REBATE RECIPIENTS, CONTINUING TO TIER 2 REBATE RECIPIENTS, AND ENDING WITH TIER 3 REBATE RECIPIENTS;".

Page 7, line 9, strike "TYPE-B-DERIVED TIRES," and substitute "TYPE-B TIRE-DERIVED AGGREGATE,".

Page 7, line 13, strike "TYPE-A-DERIVED TIRES," and substitute "TYPE-A TIRE-DERIVED AGGREGATE,".

Page 7, line 19, strike "RECOVERY;" and substitute "RECOVERY OR OTHER CLEAN TECHNOLOGIES AS DEFINED AND APPROVED BY THE COMMISSION BY RULE;".

Page 8, strike lines 10 through 12 and substitute:

"(II) ALL FUTURE REBATES PURSUANT TO THIS SECTION AND GRANTS OF MONEY FROM THE WASTE TIRE ADMINISTRATION, ENFORCEMENT, MARKET DEVELOPMENT, AND CLEANUP FUND CREATED IN SECTION 30-20-1404 TO AN APPLICANT THAT KNOWINGLY OR INTENTIONALLY PROVIDES FALSE INFORMATION TO THE DEPARTMENT WHEN APPLYING FOR A REBATE OR FOR A GRANT OF MONEY FROM THE WASTE TIRE ADMINISTRATION, ENFORCEMENT, MARKET DEVELOPMENT, AND CLEANUP FUND.".

Page 9, strike lines 1 through 3 and substitute:

"(9) (a) THE DEPARTMENT MAY ISSUE REBATES AFTER JANUARY 1, 2026, ONLY FOR END USES OCCURRING AND REBATES APPLIED FOR ON OR BEFORE DECEMBER 31, 2025.".

Page 9, line 8, strike "2025," and substitute "2026,".

Page 9, line 10, strike "2025." and substitute "2026.".

Page 9, line 25, strike "MONOFILL." and substitute "MONOFILL OR UNLESS AN EMERGENCY EVENT OF LIMITED DURATION SUCH AS A FIRE OR FLOOD, AS DEFINED BY THE COMMISSION, HAS OCCURRED.".

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 August 20, 2018 for a term expiring July 1, 2021:

Kristen Hilkey of Arvada, Colorado, to serve as a law enforcement representative, and as Chair, and occasioned by the change in designation of Joe Morales of Parker, Colorado, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-201** 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 ""PATIENT"" and substitute "IF THE PATIENT IS DECEASED, "PATIENT"".

Page 4, line 18, strike "MERELY".

Page 4, line 27, after "A" insert "PROCEEDING ARISING DIRECTLY OUT OF THE ADVERSE HEALTH CARE INCIDENT, INCLUDING A".

Page 5, line 3, strike "WERE" and substitute "ARE".

Page 5, line 19, strike "WERE" and substitute "ARE".

Page 8, strike lines 2 and 3 and substitute "MAY REQUIRE A PATIENT TO EXECUTE ALL".

Page 9, line 1, strike "PROCEEDING," and substitute "PROCEEDING ARISING DIRECTLY OUT OF THE ADVERSE HEALTH CARE INCIDENT,".

Judiciary

After consideration on the merits, the Committee recommends that **SB19-165** be referred to the Committee on Appropriations with favorable recommendation.

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:

SB19-189 by Senator(s) Todd and Lundeen, Hill, Bridges, Story; also Representative(s) Cutter--Concerning the continuation of the concurrent enrollment advisory board, and, in connection therewith, implementing the recommendations contained in the 2018 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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fields, Garcia, Gardner, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Rodriguez, Tate, Winter, Woodward, and Zenzinger.

HB19-1186 by Representative(s) McLachlan and Exum; also Senator(s) Bridges and Cooke--Concerning fingerprinting options for background checks for school employees.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Danielson, Gardner, Ginal, Holbert, Lundeen, Marble, Moreno, Scott, Story, Tate, Todd, Winter, and Woodward.

HB19-1197 by Representative(s) Carver and Singer; also Senator(s) Lee and Gardner--Concerning restrictions on making public the personal information of government employees whose official duties involve child abuse and neglect 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Ginal, Gonzales, Hisey, Holbert, Lundeen, Pettersen, Priola, Rankin, Rodriguez, Scott, Story, Tate, Todd, Winter, Woodward, and Zenzinger.

SB19-194 by Senator(s) Garcia and Zenzinger; also Representative(s) Froelich and Van Winkle, Bird-Concerning the addition of Colorado state university - global campus as a designated institution of higher education for purposes of 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Fields, Foote, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Sonnenberg, Story, Tate, Todd, Winter, and Woodward.

HB19-1065 by Representative(s) Soper and Roberts; also Senator(s) Rankin--Concerning public hospital boards of trustees, and, in connection therewith, eliminating the restriction that a board may not include more than four local residents and allowing a board to unilaterally acquire real or personal property by lease if the board has designated the public hospital as an enterprise.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Gardner, 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:

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and in connection therewith, making an appropriation.

Laid over until Wednesday, March 27, retaining its place on the calendar.

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Gonzales, Moreno, Pettersen, Rodriguez, and Winter.

SB19-174 by Senator(s) Garcia and Hill; also Representative(s) Buentello and Neville--Concerning tuition assistance eligibility for dependent children of certain persons, and, in connection therewith, determining eligibility for dependents of prisoners of war, military personnel missing in action, National Guardsmen, law enforcement officers, and firefighters.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Winter, Woodward, and Zenzinger.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-137 by Senator(s) Todd and Crowder; also Representative(s) Hansen and Wilson--Concerning the extension of the Colorado student leaders institute.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 22, pages 530 and placed in members' bill files.)

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

SB19-162 by Senator(s) Coram, Danielson, Donovan, Sonnenberg; also Representative(s) McCluskie-Concerning the continuation of the river outfitter advisory committee, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

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

SB19-164 by Senator(s) Todd and Crowder; also Representative(s) Mullica--Concerning the continuation of in-home support services within the "Colorado Medical Assistance Act", and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 7, page 400 and placed in members' bill files.)

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

SB19-052 by Senator(s) Garcia; also Representative(s) Mullica--Concerning expansion of an emergency medical service provider's scope of practice.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 8, pages 419-422 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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-137 as amended, SB19-162, SB19-164 as amended, SB19-052 as amended.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1119 by Representative(s) Coleman, Herod, Exum, Benavidez, Gonzales-Gutierrez, Lontine; also Senator(s) Foote--Concerning public disclosure of a completed peace officer internal investigation file.

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

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.

Laid over until Wednesday, March 27, retaining its place on the calendar.

HB19-1086 by Representative(s) Duran; also Senator(s) Pettersen--Concerning the conduct of plumbing inspections to ensure compliance with the plumbing law.

Laid over until Wednesday, March 27, retaining its place on the calendar.

SB19-203 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett and Neville, Becker-Concerning payment of expenses of the legislative department.

Amendment No. 1(L.003), by Senators Todd and Lee.

Amend printed bill, page 2, line 3, strike "$51,173,908" and substitute "$51,308,908".

Page 2, line 4, strike "$49,967,990" and substitute "$50,102,990".

Page 2, line 7, strike "$17,628,749" and substitute "$17,763,749".

Page 2, line 8, strike "$17,538,749" and substitute "$17,673,749".

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.)

SB19-133 by Senator(s) Ginal and Todd; also Representative(s) Michaelson Jenet--Concerning the regulation of genetic counselors.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 22, pages 304-310 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 22, pages 529-530 and placed in members' bill files.)

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

SB19-154 by Senator(s) Court, Fields; also Representative(s) Sirota--Concerning the continuation of the regulation of psychiatric technicians by the state board of nursing, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB19-203 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett and Neville, Becker-
Concerning payment of expenses of the legislative department.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.002) to SB 19-203, did pass.

Amend printed bill, page 2, line 11, strike "and".

Page 2, line 13, after the semicolon add "and
(III) With regard to the portion that is allocated for partisan full-time employee personnel services to the majority and minority caucuses of the Senate, must be divided in proportion to caucus membership;".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.001) to SB 19-203, did pass.

Amend printed bill, page 2, line 3, strike "$51,173,908" and substitute "$50,799,437".

Page 2, line 4, strike "$49,967,990" and substitute "$49,593,519".

Page 2, line 7, strike "$17,628,749" and substitute "$17,271,698".

Page 2, line 8, strike "$17,538,749" and substitute "$17,181,698".

Page 3, line 12, strike "$1,575,417" and substitute "$1,566,707".

Page 3, line 14, strike "$1,575,417" and substitute "$1,566,707".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-203 as amended, SB19-133 as amended, SB19-154, HB19-1119.
Laid over until Wednesday, March 27: HB19-1131, HB19-1086.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-076 by Senator(s) Scott; also Representative(s) Rich and Valdez D.--Concerning the procurement of consulting engineer services for department of transportation construction projects.

Senator Scott moved that the Senate concur in House amendments to SB19-076, as printed in House journal, March 21, page 750. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Winter.

SB19-088 by Senator(s) Gardner; also Representative(s) Tipper and McKean--Concerning the adoption of the "Revised Uniform Unclaimed Property Act".

Senator Gardner moved that the Senate concur in House amendments to SB19-088, as printed in House journal, March 20, page 735. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	N	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2020:

Andy McElhany of Colorado Springs, Colorado, a Republican, reappointed;

for terms expiring July 1, 2022:

Nancy Inez Brown of Colorado Springs, Colorado, a Republican, reappointed;

Michelle Ann Butler of Colorado Springs, Colorado, an Unaffiliated, reappointed;

Allan G. Ward of Poncha Springs, Colorado, an unregistered voter, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for a term expiring July 7, 2019:

Bryan David Yates of Buena Vista, Colorado, to serve as a person from the community who has an interest or experience in education, and occasioned by the resignation of Ledy Garcia Eckstein, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2019:

Stephanie F. Donner of Denver, Colorado, a resident of the First Congressional District and a Democrat, occasioned by the resignation of John L. Anderson of Durango, Colorado, appointed;

for terms expiring July 1, 2022:

Pardis Mahdavi, PhD of Denver, Colorado, a resident of the First Congressional District and a Democrat, appointed;

Vanecia B. Kerr of Aurora, Colorado, a resident of the Sixth Congressional District and a Democrat, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

for terms expiring December 31, 2022:

Janet Kier Lopez Vilsack, PhD of Mountain View, Colorado, a Democrat, appointed;

Alan G. Hill of Denver, Colorado, an Unaffiliated, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for a term expiring July 31, 2022:

Sarah R. Williamson, CFP, CIMA, CDFA of Denver, Colorado, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	E
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 26, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1232.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1219, amended as printed in House Journal, March 25, 2019.

The House has passed on Third Reading and returns herewith SB19-129, 147.

MESSAGE FROM THE REVISOR OF STATUTES

March 26, 2019

We herewith transmit:

Without comment, HB19-1232.
Without comment, as amended, HB19-1219.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-218 by Senator(s) Gonzales; also Representative(s) Jaquez Lewis--Concerning the continuation of the medical marijuana program, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Finance

HB19-1179 by Representative(s) Gray; also Senator(s) Lee--Concerning the financial risk profiles of legal investments of public funds.
Finance

HB19-1208 by Representative(s) Singer and Landgraf, Buckner, Catlin, Exum, Liston, Pelton, Soper, Wilson; also Senator(s) Fields and Gardner, Cooke, Coram, Crowder, Sonnenberg, Woodward--Concerning the designation of physical therapists as health care providers for the purpose of ensuring compliance with required head trauma guidelines in organized youth athletic activities.
Health & Human Services

HB19-1225 by Representative(s) Herod and Soper, Roberts; also Senator(s) Lundeen and Lee--Concerning prohibiting the use of monetary bail for certain levels of offenses except in certain circumstances.
Judiciary

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

February 27, 2019

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
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2021:

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, reappointed;

Tamara Olson of Colorado Springs, Colorado, to serve as a parent of a student who is, or who has been enrolled in an institute charter school, and as an Unaffiliated, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/1/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Education

March 4, 2019

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
MINED LAND RECLAMATION BOARD

for terms expiring March 1, 2023:

Eleanor Irene Wareham-Morris of Breckenridge, Colorado, an individual with substantial experience in the mining industry, appointed;

John William Singletary of Pueblo, Colorado, an individual with substantial experience in the agricultural industry, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture & Natural Resources

March 4, 2019

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 AGRICULTURAL COMMISSION

for terms expiring March 1, 2023:

Kathryn Bedell of Grand Junction, Colorado, a Democrat, from the Fourth Agricultural District, to serve as a member from the State at-large, appointed;

Segundo Diaz of Alamosa, Colorado, a Republican, from the Third Agricultural District, reappointed;

George Whitten, of Saguache, Colorado, a Democrat, from the Third Agricultural District, to serve as a member from the State at-large, appointed;

Colleen Peppler of Platteville, Colorado, a Democrat, from the Second Agricultural District, to serve as a member from the State at-large, appointed;

Brant Harrison, of Palisade, Colorado, a Republican, from the Fourth Agricultural District, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture & Natural Resources

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, March 27, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

83rd Legislative Day Wednesday, March 27, 2019

Prayer — By the chaplain, Rabbi Eliot J. Baskin, Temple Emmanuel, 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 Pettersen.

Reading of the Journal — On motion of Senator Lundeen, reading of the Journal of Tuesday, March 26, 2019, 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 **SB19-146** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 6, strike "(2)(b)(I)(E) and".

Page 3, strike lines 12 and 13.

Finance — After consideration on the merits, the Committee recommends that **SB19-155** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-159** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1128** be referred to the Committee on Appropriations with favorable recommendation.

Transportation & Energy — After consideration on the merits, the Committee recommends that **HB19-1198** be referred to the Committee of the Whole with favorable recommendation.

Transportation & Energy — After consideration on the merits, the Committee recommends that **HB19-1023** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 14, after "SECTION;" add "AND".

Page 6, line 15, strike "(A)".

Page 6, strike line 17 and substitute "SUBSECTION (1.5).".

Page 6, strike lines 18 through 21.

SENATE SERVICES REPORT

Correctly Printed: SB19-217 and 218.
Correctly Engrossed: SB19-052, 133, 137, 154, 162, 164, and 203; SR19-006.
Correctly Reengrossed: SB19-174, 189, and 194.
Correctly Revised: HB19-1119.
Correctly Rerevised: HB19-1065, 1170, 1186, and 1197.
Correctly Enrolled: SB19-014, 076, 088, 129, and 147.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1105, 1113, 1114, 1180.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Tate was added as a Senate joint prime sponsor with Senator Pettersen and Representatives Tipper and McKean on SB19-201.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB19-1029

****
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 HB19-1029, concerning the Republican river water conservation district, and, in connection therewith, expanding the boundaries of the district and adjusting the meeting schedule of the district's board of directors, 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 7, strike lines 7 through 13 and substitute:

"**37-50-138.5. Prohibition on duplication of water use fees.** NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 50 TO THE CONTRARY, A PERSON OR ENTITY WITHIN THE DISTRICT, WHICH PERSON OR ENTITY IS OBLIGATED TO PROVIDE AUGMENTATION TO A RIVER SYSTEM OTHER THAN THE REPUBLICAN RIVER PURSUANT TO A DECREED PLAN OF AUGMENTATION, IS NOT REQUIRED TO PAY WATER USE FEES TO THE DISTRICT.".

Respectfully submitted,

House Committee:	Senate Committee:
Jeni Arndt, Chair	Kerry Donovan, Chair
Dylan Roberts	Larry Crowder
Marc Catlin	Joann Ginal

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-209, SB19-210, SB19-211, SB19-212, SB19-213, SB19-214, and SB19-201, were made Special Orders--Consent Calendar at 1:23 p.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 1:23 p.m. having arrived, Senator Foote 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 Foote 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:

SB19-209 by Senator(s) Zenzinger, Moreno, Rankin; also Representative(s) Hansen, Esgar--Concerning provisions relating to PACE programs, and, in connection therewith, determining the funding methodology for the 2019-20 fiscal year and fiscal years thereafter, requiring the department of health care policy and financing to meet with Colorado PACE programs during the 2019 legislative interim to consider PACE program funding and other issues relating to PACE programs, and making an appropriation.

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

SB19-210 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Ransom, Esgar, Hansen--Concerning juvenile detention beds, and, in connection therewith, reducing appropriations.

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

SB19-211 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--Concerning changes to the mental health criminal justice diversion programs, and, in connection therewith, making an appropriation.

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

SB19-212 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar, Hansen--Concerning general fund support to implement the state water plan, and, in connection therewith, making an appropriation.

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

SB19-213 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Ransom, Esgar, Hansen--Concerning transfers from the marijuana cash fund to the marijuana tax cash fund.

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

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning capital-related transfers of money.

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

SB19-201 by Senator(s) Pettersen and Tate; also Representative(s) Tipper and McKean--Concerning the creation of a process by which certain parties to an adverse health care incident may discuss potential outcomes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 26, page 562 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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-209, SB19-210, SB19-211, SB19-212, SB19-213, SB19-214, SB19-201 as amended.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-207 and SB19-208 were made Special Orders at 1:45 p.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 1:45 p.m. having arrived, Senator Foote moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Foote 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:

SB19-207 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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, 2019, except as otherwise noted.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 26, page 557 and placed in members' bill files.)

Amendment No. 2(J.062), by Senator Crowder.

> Amend printed bill, page 312, line 9, in the ITEM & SUBTOTAL column strike "55,000" and substitute "110,000" and in the GENERAL FUND column strike "55,000" and substitute "110,000".
>
> Adjust affected totals accordingly.

Amendment No. 3(J.044), by Senator Donovan.

Amend printed bill, page 316, line 13, in the ITEM & SUBTOTAL column strike "750,000" substitute "780,000" and in the GENERAL FUND column strike "750,000" and substitute "780,000".

Adjust affected totals accordingly.

Amendment No. 4(J.038), by Senator Todd.

Amend printed bill, page 513, line 12, in the TOTAL column strike "1,942,606,932" and substitute "1,942,631,932" and in the GENERAL FUND column strike "30,000,000" and substitute "30,025,000".

Adjust affected totals accordingly.

PURPOSE: Provides $25,000 General Fund to the Department of **Transportation** for a grade separation study.

Amendment No. 5(J.072), by Senator Hill.

Amend printed bill, page 513, line 12, in the TOTAL column strike "1,942,606,932" and substitute "2,048,606,932" and in the GENERAL FUND column strike "30,000,000" and substitute "136,000,000".

Adjust affected totals accordingly.

Page 527, line 3, strike "**BUDGETS**" and substitute "**BUDGETS**[97a]".

Page 527, after line 12 insert:

"**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

97a Grand Totals -- Operating Budgets -- It is the General Assembly's intent that the Governor's Office of State Planning and Budgeting determine which line items throughout the operating budget require reduced spending authority based on Section 16 of the bill.".

Page 626, after line 11 insert:

"**SECTION 16. Appropriation.** Notwithstanding any other provision of this act, appropriations in section 2 of this act from the general fund, excluding the general fund exempt, are reduced by $106,000,000.".

Renumber succeeding section accordingly.

Amendment No. 6(J.053), by Senator Coram.

Amend printed bill, after page 624 insert:

1 **"SECTION 14. Appropriation to the department of public health and environment for the fiscal year beginning July 1, 2018.** In Session Laws of Colorado 2018, section

2 2 of chapter 424, (HB 18-1322), **amend** Part XVI (9)(D)(1) and **add** footnote 96a, as the affected totals are amended by Section 1 of SB19-120, as follows:

3 Section 2. **Appropriation.**

4 **PART XVI**

5 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

6

7 **(9) PREVENTION SERVICES DIVISION**

8 **(D) Family and Community Health**

9 (1) Women's Health

10	Family Planning Program		
11	Administration[96]	1,551,445	367,375	1,184,070(I)
12		(9.9 FTE)		
13	Family Planning Purchase			
14	of ~~Services[96]~~ SERVICES[96,96a]	7,323,361	3,734,461	3,588,900(I)
15	Family Planning Federal			
16	Grants[96]	184,300		184,300(I)
17				(2.0 FTE)
18	Maternal and Child Health	4,821,700		4,821,700[a]
19				(9.5 FTE)
20		13,880,806		

[a] This amount shall be from the Maternal and Child Health Block Grant.

TOTALS PART XVI (PUBLIC HEALTH AND ENVIRONMENT)	$584,916,798	$50,338,133	$429,909[a]	$187,686,994[b]	$47,439,428	$299,022,334[c]

[a] This amount is not subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S., and shall be General Fund Exempt pursuant to Section 24-22-117 (1)(c)(I)(B.5), C.R.S.

[b] Of this amount, $600,000 contains an (I) notation.

[c] Of this amount, $279,273,828 contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

96a DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, PREVENTION SERVICES DIVISION, FAMILY AND COMMUNITY HEALTH, WOMEN'S HEALTH, FAMILY PLANNING PURCHASE OF SERVICES -- THIS APPROPRIATION REMAINS AVAILABLE FOR EXPENDITURE UNTIL THE CLOSE OF THE 2019-20 STATE FISCAL YEAR.".

Renumber succeeding sections accordingly.

Amendment No. 7(J.046), by Senator Winter.

Amend printed bill, page 626, after line 11 insert:

"**SECTION 16. Appropriation.** Notwithstanding any other provision of this act, appropriations in section 2 of this act are increased by the following amounts for parental leave:

Department	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Agriculture	$23,185	$2,201	$20,984	$0	$0
Corrections	1,006,950	977,839	29,111	0	0
Education	37,450	13,642	5,707	3,437	14,664
Governor	24,712	3,556	0	21,156	0
Health Care Policy and Financing	172,826	84,232	962	275	87,357
Higher Education	353,378	0	1,506	351,872	0
Human Services	724,317	471,981	38,080	156,006	58,250
Judicial	104,178	104,178	0	0	0
Labor and Employment	132,608	13,747	55,192	0	63,669
Law	10,859	10,859	0	0	0
Legislature	8,347	8,347	0	0	0
Local Affairs	3,958	1,148	555	1,465	790
Military and Veterans Affairs	3,248	1,494	0	0	1,754
Natural Resources	95,868	7,021	86,150	1,985	712
Personnel	17,642	7,612	213	9,817	0
Public Health and Environment	128,615	19,047	44,872	64,696	0
Public Safety	65,828	41,509	24,319	0	0
Regulatory Agencies	23,237	454	21,559	1,224	0
Revenue	80,583	0	80,583	0	0
State	2,613	0	2,613	0	0
Transportation	76,465	0	76,465	0	0
Treasury	660	417	243	0	0
TOTAL	$3,097,527	$1,769,284	$489,114	$611,933	$227,196

Renumber succeeding section accordingly.

Amendment No. 8(J.061), by Senators Pettersen, Priola, Bridges, Coram, Tate, and Foote.

Amend printed bill, page 206, line 6, in the ITEM & SUBTOTAL column strike "6,907,168" and substitute "7,176,160" and in the CASH FUNDS column strike "577,174[a]" and substitute "846,166[a]".

Adjust affected totals accordingly.

Page 206, line 12, strike "$442,870" and substitute "$711,862".

Page 208, line 12, in the ITEM & SUBTOTAL column strike "32,347,796" and substitute "37,507,942" and in the CASH FUNDS column strike "306,250[a]" and substitute "5,466,396[a]".

Adjust affected totals accordingly.

Page 210, line 1, after "amount," insert "$5,160,146 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.,".

Amendment No. 9(J.054), by Senators Pettersen, Priola, Bridges, Coram, Tate, and Foote.

Amend printed bill, page 309, line 10, in the ITEM & SUBTOTAL column strike "36,528,793" and substitute "40,828,793" and in the CASH FUNDS column strike "15,300,000[c]" and substitute "19,600,000[c]".

Adjust affected totals accordingly.

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.)

SB19-208 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB19-207 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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, 2019, except as otherwise noted.

Senator Lundeen moved to amend the Report of the Committee of the Whole to show that the following Lundeen floor amendment, (J.001) to SB 19-207, did pass.

Amend printed bill, page 150, line 7, strike "Institutions" and substitute "Institutions[24a]" and in the ITEM & SUBTOTAL column strike "5,436,960" and substitute "5,636,960".

Page 150, line 8, in the ITEM & SUBTOTAL column strike "466,027,393" and substitute "466,227,393" and in the GENERAL FUND column strike "97,557,533" and substitute "97,757,533".

Adjust affected totals accordingly.

Page 154, line 14, strike "**Colorado**[22,25]" and substitute "**Colorado**[22,24a,25]", in the ITEM & SUBTOTAL column strike "1,484,913,728" and substitute "1,485,113,728", and in the REAPPROPRIATED FUNDS column strike "244,273,926[b]" and substitute "244,473,926[b]".

Page 155, line 5, strike "$2,900,000" and substitute "$3,100,000".

Adjust affected totals accordingly.

Page 167, after line 13 insert:

"24a Department of Higher Education, College Opportunity Fund Program, Fee-for-service Contracts with State Institutions, Limited Purpose Fee-for-Service Contracts with State Institutions; and Governing Boards, Regents of the University of Colorado -- It is the General Assembly's intent that $200,000 added for limited purpose fee-for-service contracts with the Regents of the University of Colorado be allocated by the Regents to implement a cybersecurity apprenticeship program administered by the National Cybersecurity Center.".

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
Bridges	Y	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	N	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	Y	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senators Winter and Hisey moved to amend the Report of the Committee of the Whole to show that the following Winter and Hisey floor amendment, (J.049) to SB 19-207, did pass.

Amend printed bill, page 118, line 12, strike "Individuals[15]" and substitute "Individuals[15,15a]", in the TOTAL column strike "7,860,474,247" and substitute "7,863,388,995", in the GENERAL FUND column strike "1,371,650,695(M)" and substitute "1,373,108,069(M)", and in the FEDERAL FUNDS column strike "4,519,492,117" and substitute "4,520,949,491".

Adjust affected totals accordingly.

Page 135, after line 7 insert:

"15a Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals -- This line item includes $2,914,748 total funds, including $1,457,374 General Fund, for the purpose of increasing provider rates for: (1) home health skilled nursing, physical therapist, occupational therapist, and speech therapist rates by 10.3 percent; (2) private duty nursing LPN rates by 11.3 percent; and (3) private duty nursing RN rates by 1.8 percent. The appropriation assumes the rate increases would take effect April 15, 2020 and would require another approximately $5.5 million General Fund in FY 2020-21 to annualize the cost.".

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	30	NO	5	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senators Fields and Williams A. moved to amend the Report of the Committee of the Whole to show that the following Williams A. and Fields floor amendment, (J.056) to SB 19-207, did pass.

> Amend printed bill, page 428, line 2, in the ITEM & SUBTOTAL column strike "953,103" and substitute "1,453,103" and in the GENERAL FUND column strike "953,103" and substitute "1,453,103".
>
> Adjust affected totals accordingly.

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	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

Senators Fields and Gardner moved to amend the Report of the Committee of the Whole to show that the following Fields and Gardner floor amendment, (J.050) to SB 19-207, did pass.

> Amend printed bill, page 453, line 13, in the ITEM & SUBTOTAL column strike "434,720" and substitute "1,263,720" and in the GENERAL FUND column strike "434,720" and substitute "1,263,720".
>
> Adjust affected totals accordingly.

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	26	NO	9	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senator Scott moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (J.064) to SB 19-207, did pass.

Amend printed bill, page 466, line 13, in the ITEM & SUBTOTAL column strike "6,136,636" and substitute "6,536,636" and in the GENERAL FUND column strike "497,640" and substitute "897,640".

Adjust affected totals accordingly.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	Y
Court	N	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	N	Winter	Y
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	Y
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Winter floor amendment, (J.046) to SB 19-207, did not pass.

Amend printed bill, page 626, after line 11 insert:

"**SECTION 16. Appropriation.** Notwithstanding any other provision of this act, appropriations in section 2 of this act are increased by the following amounts for parental leave:

Department	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Agriculture	$23,185	$2,201	$20,984	$0	$0
Corrections	1,006,950	977,839	29,111	0	0
Education	37,450	13,642	5,707	3,437	14,664
Governor	24,712	3,556	0	21,156	0
Health Care Policy and Financing	172,826	84,232	962	275	87,357
Higher Education	353,378	0	1,506	351,872	0
Human Services	724,317	471,981	38,080	156,006	58,250
Judicial	104,178	104,178	0	0	0
Labor and Employment	132,608	13,747	55,192	0	63,669
Law	10,859	10,859	0	0	0
Legislature	8,347	8,347	0	0	0
Local Affairs	3,958	1,148	555	1,465	790
Military and Veterans Affairs	3,248	1,494	0	0	1,754

Department	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds
Natural Resources	95,868	7,021	86,150	1,985	712
Personnel	17,642	7,612	213	9,817	0
Public Health and Environment	128,615	19,047	44,872	64,696	0
Public Safety	65,828	41,509	24,319	0	0
Regulatory Agencies	23,237	454	21,559	1,224	0
Revenue	80,583	0	80,583	0	0
State	2,613	0	2,613	0	0
Transportation	76,465	0	76,465	0	0
Treasury	660	417	243	0	0
TOTAL	$3,097,527	$1,769,284	$489,114	$611,933	$227,196

Renumber succeeding section accordingly.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	Y	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (J.021) to SB 19-207, did pass.

Amend printed bill, page 260, line 6, in the ITEM & SUBTOTAL column strike "114,545" and substitute "111,000" and in the GENERAL FUND column strike "114,545" and substitute "111,000".

Page 260, line 8, in the ITEM & SUBTOTAL column strike "3,368,980" and substitute "3,264,702" and in the GENERAL FUND column strike "3,368,980" and substitute "3,264,702".

Page 260, line 11, in the ITEM & SUBTOTAL column strike "3,368,980" and substitute "3,264,702" and in the GENERAL FUND column strike "3,368,980" and substitute "3,264,702".

Page 260, line 12, in the ITEM & SUBTOTAL column strike "4,539,548" and substitute "2,269,774" and in the GENERAL FUND column strike "4,539,548" and substitute "2,269,774".

Page 260, line 13, in the ITEM & SUBTOTAL column strike "2,185,039" and substitute "2,122,112" and in the GENERAL FUND column strike "2,185,039" and substitute "2,122,112".

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	17	NO	18	EXCUSED	0	ABSENT	0
Bridges	N	Foote	Y	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	N	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senator Priola moved to amend the Report of the Committee of the Whole to show that the following Pettersen, Priola, Bridges, Coram, and Tate floor amendment, (J.042) to SB 19-207, did pass.

Amend printed bill, page 31, line 15, in the ITEM & SUBTOTAL column strike "39,010,073" and substitute "40,740,073" and in the CASH FUNDS column insert "1,730,000[b]".

Adjust affected totals accordingly.

Page 32, after line 5 insert:

"[b] This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.".

Page 206, line 6, in the ITEM & SUBTOTAL column strike "6,907,168" and substitute "7,052,161" and in the CASH FUNDS column strike "577,174[a]" and substitute "722,167[a]".

Adjust affected totals accordingly.

Page 206, line 12, strike "$442,870" and substitute "$587,863".

Page 212, line 2, in the ITEM & SUBTOTAL column strike "5,689,020" and substitute "10,764,302" and in the CASH FUNDS column strike "5,689,020[a]" and substitute "10,764,302[a]".

Page 212, line 5, in the ITEM & SUBTOTAL column strike "12,203,833" and substitute "14,303,833" and in the CASH FUNDS column insert "2,100,000[a]".

Adjust affected totals accordingly.

Page 451, line 14, in the ITEM & SUBTOTAL column strike "6,427,099" and substitute "6,472,799" and in the CASH FUNDS column strike "2,221,108[a]" and substitute "2,266,808[a]".

Adjust affected totals accordingly.

Page 452, line 4, strike "$1,651,201" and substitute "$1,696,901".

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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	N
Fenberg	Y	Lee	N	Smallwood	N	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

Senator Priola moved to amend the Report of the Committee of the Whole to show that the following Winter, Bridges, Coram, and Tate floor amendment, (J.069) to SB 19-207, did pass.

Amend printed bill, page 127, line 6, in the ITEM & SUBTOTAL column strike "1,500,000" and substitute "1,700,000" and in the CASH FUNDS column strike "1,500,000[e]" and substitute "1,700,000[e]".

Adjust affected totals accordingly.

Page 154, line 14, in the ITEM & SUBTOTAL column strike "1,484,913,728" and substitute "1,486,413,728" and in the CASH FUNDS column strike "1,240,639,802[a]" and substitute "1,242,139,802[a]".

Adjust affected totals accordingly.

Page 155, line 2, strike "and".

Page 155, line 3, strike "C.R.S." and substitute "C.R.S., and $1,500,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.".

Page 206, line 6, in the ITEM & SUBTOTAL column strike "6,907,168" and substitute "7,002,987" and in the CASH FUNDS column strike "577,174[a]" and substitute "672,993[a]".

Page 206, line 8, in the ITEM & SUBTOTAL column strike "322,105" and substitute "328,043" and in the CASH FUNDS column strike "57,374[a]" and substitute "63,312[a]".

Adjust affected totals accordingly.

Page 206, line 12, strike "$442,870" and substitute "$544,627".

Page 208, line 12, in the ITEM & SUBTOTAL column strike "32,347,796" and substitute "33,212,796" and in the CASH FUNDS column strike "306,250[a]" and substitute "1,171,250[a]".

Adjust affected totals accordingly.

Page 210, line 1, after "amount," insert "$865,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.,".

Page 388, line 6, in the ITEM & SUBTOTAL column strike "9,465,083" and substitute "14,465,083" and in the CASH FUNDS column strike "1,828,389[a]" and substitute "6,828,389[a]".

Adjust affected totals accordingly.

Page 411, line 2, in the ITEM & SUBTOTAL column strike "350,000" and substitute "379,443" and in the CASH FUNDS column strike "50,000[h]" and substitute "79,443[h]".

Adjust affected totals accordingly.

Page 412, line 13, strike "This amount" and substitute "Of this amount, $50,000" and strike "C.R.S." and substitute "C.R.S., and $29,443 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	15	NO	20	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	N	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	N
Fenberg	Y	Lee	N	Smallwood	N	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-207 as amended, SB19-208.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR19-006.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Marble replaced Senator Pettersen as the Senate prime sponsor with Representative Galindo on SB19-163.

Upon announcement of President Garcia, Senator Bridges was added as a Senate joint prime sponsor with Senator Danielson on SB19-171.

Upon announcement of President Garcia, Senator Lee replaced Senator Gardner as the Senate prime sponsor with Representatives Landgraf and Singer on HB19-1160.

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:

SB19-137 by Senator(s) Todd and Crowder; also Representative(s) Hansen and Wilson--Concerning the extension of the Colorado student leaders institute, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Fields, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Tate, Williams A., Winter, and Woodward.

SB19-162 by Senator(s) Coram, Danielson, Donovan, Sonnenberg; also Representative(s) McCluskie-Concerning the continuation of the river outfitter advisory committee, and, in connection therewith, implementing the recommendations contained in the 2018 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	31	NO	4	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Ginal, Gonzales, Story, and Tate.

SB19-164 by Senator(s) Todd and Crowder; also Representative(s) Mullica--Concerning the continuation of in-home support services within the "Colorado Medical Assistance Act", and, in connection therewith, implementing the recommendations contained in the 2018 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	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

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

Co-sponsor(s) added: Coram, Court, Garcia, Ginal, Priola, Rankin, Smallwood, Story, Tate, and Winter.

SB19-052 by Senator(s) Garcia; also Representative(s) Mullica--Concerning expansion of an emergency medical service provider's scope of practice.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Fields, Gardner, Ginal, Gonzales, Lee, Marble, Moreno, Priola, Rankin, Scott, Smallwood, Story, 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:

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and in connection therewith, making an appropriation.

Laid over until Thursday, March 28, retaining its place on the calendar.

HB19-1119 by Representative(s) Coleman, Herod, Exum, Benavidez, Gonzales-Gutierrez, Lontine; also Senator(s) Foote--Concerning public disclosure of a completed peace officer internal investigation file.

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	N	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Gonzales and Moreno.

SB19-203 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett and Neville, Becker-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	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Moreno and Todd.

SB19-133 by Senator(s) Ginal and Todd; also Representative(s) Michaelson Jenet--Concerning the regulation of genetic counselors, and, in connection therewith, making an appropriation.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Tate.

SB19-154 by Senator(s) Court, Fields; also Representative(s) Sirota--Concerning the continuation of the regulation of psychiatric technicians by the state board of nursing, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Laid over until Thursday, March 28, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, March 27, was laid over until Thursday, March 28, retaining its place on the calendar.

General Orders -- Second Reading of Bills: HB19-1131, HB19-1086.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-219 by Senator(s) Pettersen; also Representative(s) Gonzales-Gutierrez--Concerning the continuation of the "Colorado Licensing of Controlled Substances Act", and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Health & Human Services

HB19-1174 by Representative(s) Esgar and Catlin; also Senator(s) Gardner and Pettersen--Concerning out-of-network health care services provided to covered persons, and, in connection therewith, making an appropriation.
Judiciary

TRIBUTES

Honoring:

Community Leaders from the City of Aurora -- By Senator Rhonda Fields and Senator Nancy Todd.
Colorado State University Pueblo Women's Track Team -- By President Leroy M. Garcia.
Colorado State University Pueblo Men's Track Team -- By President Leroy M. Garcia.
South Girls Basketball -- By President Leroy M. Garcia.
Amanda Blickensderfer -- By President Leroy M. Garcia.
Nico Martin -- By President Leroy M. Garcia.
Javin Billings -- By President Leroy M. Garcia.
Gabi Lucero -- By President Leroy M. Garcia.
Annabelle Hoblinger -- By President Leroy M. Garcia.
Trinitee Barnes -- By President Leroy M. Garcia.
Coach Dan Radiff -- By President Leroy M. Garcia.
Coach Ty Trahern -- By President Leroy M. Garcia.
Coach Shannan Lane -- By President Leroy M. Garcia.
Clayton McPherson -- By President Leroy M. Garcia.
Bleeding Disorders Awareness Month -- By Senator Joann Ginal.
Michael Sudak -- By Senator Rachel Zenzinger.
Karen Cowling -- By Senator Rachel Zenzinger.
Patsy Pfaff -- By Senator Rachel Zenzinger.
Mary Jo Giddings -- By Senator Rachel Zenzinger.
Jerry Marks -- By Senator Rachel Zenzinger.
Silas Malers -- By Senator Joann Ginal.
Gamble Pet Clinic -- By Senator Joann Ginal.
Haley Kendall -- By Senator Joann Ginal.
Mardi Moore -- By Senator Steve Fenberg.
Ariel Solomon -- By Senator Steve Fenberg.
High Precision Devices -- By Senator Steve Fenberg.
Larry Gold -- By Senator Steve Fenberg.
Alyssa Harding -- By Senator Steve Fenberg.
Sam Mamet -- By President Leroy M. Garcia and Speaker of the House KC Becker.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, March 28, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

84th Legislative Day Thursday, March 28, 2019

Prayer — By the chaplain, Pastor James Rice, Gateway Baptist Church, Loveland.

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

Roll Call — Present--34
Excused--1, Priola.
Present later--1, Priola.

Quorum — The President announced a quorum present.

Pledge — By Senator Pettersen.

Reading of the Journal — On motion of Senator Lundeen, reading of the Journal of Wednesday, March 27, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-219.
Correctly Engrossed: SB19-201, 207, 208, 209, 210, 211, 212, 213, and 214.
Correctly Reengrossed: SB19-052, 133, 137, 162, 164, and 203.
Correctly Rerevised: HB19-1119.

On motion of Majority Leader Fenberg, 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.

The Senate continued out of order for moments of personal privilege.

Senate in recess. Senate reconvened.

Upon request of Majority Leader Fenberg, **SB19-212** and **SB19-201** were removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, March 28, 2019, and were placed at the end of the Third Reading of Bills Final Passage Calendar of Thursday, March 28, 2019.

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:

SB19-209 by Senator(s) Zenzinger, Moreno, Rankin; also Representative(s) Hansen, Esgar--Concerning provisions relating to PACE programs, and, in connection therewith, determining the funding methodology for the 2019-20 fiscal year and fiscal years thereafter, requiring the department of health care policy and financing to meet with Colorado PACE programs during the 2019 legislative interim to consider PACE program funding and other issues relating to PACE programs, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Foote and Tate.

SB19-210 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Ransom, Esgar, Hansen--Concerning juvenile detention beds, and, in connection therewith, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Hisey, Priola, and Tate.

SB19-211 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--Concerning changes to the mental health criminal justice diversion programs, and, in connection therewith, making an appropriation.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Hisey, Priola, Tate, and Woodward.

SB19-213 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Ransom, Esgar, Hansen--Concerning transfers from the marijuana cash fund to the marijuana tax cash 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Priola, and Tate.

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, 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:

SB19-154 by Senator(s) Court, Fields; also Representative(s) Sirota--Concerning the continuation of the regulation of psychiatric technicians by the state board of nursing, and, in connection therewith, implementing the recommendations contained in the 2018 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	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

SB19-207 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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, 2019, except as otherwise noted.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Holbert, Lee, Pettersen, Priola, Story, Tate, Todd, Williams A., and Winter.

SB19-208 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--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	28	NO	7	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Tate.

SB19-212 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar, Hansen--Concerning general fund support to implement the state water plan, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	N	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Priola and Tate.

SB19-201 by Senator(s) Pettersen and Tate; also Representative(s) Tipper and McKean--Concerning the creation of a process by which certain parties to an adverse health care incident may discuss potential outcomes.

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

Third Reading Amendment No. 1(L.003), by Senator Pettersen.

Amend engrossed bill, page 3, strike lines 1 through 5 and substitute:

"(4) (a) "OPEN DISCUSSION" MEANS ALL COMMUNICATIONS THAT ARE MADE UNDER SECTION 25-51-103 AND INCLUDES MEMORANDA, WORK PRODUCT, DOCUMENTS, AND OTHER MATERIALS THAT:

(I) ARE PREPARED FOR, OR SUBMITTED IN THE COURSE OF OR IN CONNECTION WITH, COMMUNICATIONS UNDER SECTION 25-51-103; AND

(II) ARE NOT MATERIALS DESCRIBED IN SUBSECTION (4)(b) OF THIS SECTION.

(b) "OPEN DISCUSSION" DOES NOT INCLUDE COMMUNICATIONS, MEMORANDA, WORK PRODUCT, DOCUMENTS, OR OTHER MATERIALS THAT ARE OTHERWISE SUBJECT TO DISCOVERY AND THAT WERE NOT PREPARED SPECIFICALLY FOR USE IN AN OPEN DISCUSSION UNDER SECTION 25-51-103 AS SPECIFIED IN SECTION 25-51-105 (2).".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Bridges, Court, Gardner, Ginal, Lee, Moreno, and Woodward.

HB19-1177 by Representative(s) Sullivan and Garnett; also Senator(s) Court and Pettersen--Concerning creation of an extreme risk protection order, and in connection therewith, making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Danielson, Fenberg, Foote, Ginal, and Gonzales.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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:

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 21, pages 513-514 and placed in members' bill files.)

Amendment No. 2(L.015), by Senator Smallwood.

Amend reengrossed bill, page 2, strike lines 13 through 19.

Page 2, line 20, strike "(b)" and substitute "(2)".

Page 2, line 21, strike "(I)" and substitute "(a)".

Page 3, line 1, strike "(II)" and substitute "(b)".

Page 3, strike lines 7 through 9.

Page 3, strike lines 21 through 27.

Page 4, line 1, strike "(b)" and substitute "(2)".

Page 4, line 2, strike "(I)" and substitute "(a)".

Page 4, line 5, strike "(II)" and substitute "(b)".

Page 4, strike lines 11 through 13.

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

HB19-1086 by Representative(s) Duran; also Senator(s) Pettersen--Concerning the conduct of plumbing inspections to ensure compliance with the plumbing law.

Amendment No. 1(L.007), by Senator Pettersen.

Amend reengrossed bill, page 5, line 14, after "TIME." insert "EACH INSPECTING ENTITY'S PROCEDURES MUST INCLUDE PROVISIONS THAT ALLOW FOR INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS WHILE ACTUAL PLUMBING WORK IS BEING CONDUCTED, WITH A FOCUS ON LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS PERMITTED BY THE INSPECTING ENTITY.".

Page 5, after line 24 insert:

"(c) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION. IF THE BOARD DETERMINES, AS A RESULT OF A FORMAL COMPLAINT, THAT AN INSPECTING ENTITY IS CONDUCTING PLUMBING INSPECTIONS THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THE INSPECTING ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTION 12-58-104 (1)(m), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL ORDER DIRECTING THE INSPECTING ENTITY TO CEASE AND DESIST CONDUCTING PLUMBING INSPECTIONS UNTIL THE INSPECTING ENTITY COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE PLUMBING INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE-AND-DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(c), THE INSPECTING ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING THE INSPECTING ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.".

Page 8, line 16, after "TIME." insert "EACH INSPECTING ENTITY'S PROCEDURES MUST INCLUDE PROVISIONS THAT ALLOW FOR INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS WHILE ACTUAL PLUMBING WORK IS BEING CONDUCTED, WITH A FOCUS ON LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS PERMITTED BY THE INSPECTING ENTITY.".

Page 8, after line 25 insert:

"(c) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION. IF THE BOARD DETERMINES, AS A RESULT OF A FORMAL COMPLAINT, THAT AN INSPECTING ENTITY IS CONDUCTING PLUMBING INSPECTIONS THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THE INSPECTING ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTION 12-155-105 (1)(m), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL ORDER DIRECTING THE INSPECTING ENTITY TO CEASE AND DESIST CONDUCTING PLUMBING INSPECTIONS UNTIL THE INSPECTING ENTITY COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE PLUMBING INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE-AND-DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(c), THE INSPECTING ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING THE INSPECTING ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.".

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1131 as amended, HB19-1086 as amended.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Assistant Majority Leader Fields, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2020:

Ajay Menon, PhD of Fort Collins, Colorado, to serve as a representative of statewide chamber of commerce and as an Unaffiliated, and occasioned by the resignation of Ulysses J. Chaney of Colorado Springs, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2021:

Longinos Gonzalez of Colorado Springs, Colorado, a Republican and a veteran who has been honorably released or separated from the Armed Forces of the United States, and occasioned by the deployment and resignation of Lacey Golonka of Castle Rock, Colorado, appointed.

for terms expiring June 30, 2022:

Sheila Marie Quadrini Scanlon of Aurora, Colorado, to serve as a veteran and as a Republican, appointed;

Duane E. Dailey of Hot Sulphur Springs, Colorado, to serve as a veteran and as a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
BOARD OF COMMISSIONERS OF
VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2022:

Karren E. Kowalski, PhD, RN, NEA-BC, ANEF, FAAN of Larkspur, Colorado, a veteran, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
STATE BOARD OF PAROLE

effective August 20, 2018 for a term expiring July 1, 2021:

Kristen Hilkey of Arvada, Colorado, to serve as a law enforcement representative, and as Chair, and occasioned by the change in designation of Joe Morales of Parker, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB19-1029 by Representative(s) Arndt; also Senator(s) Crowder--Concerning the Republican river water conservation district, and, in connection therewith, expanding the boundaries of the district and adjusting the meeting schedule of the district's board of directors.

Senator Crowder moved for the adoption of the first report of the first conference committee on HB19-1029, as printed in Senate journal, March 27, page 578. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SR19-007 by Senator(s) Fields and Gardner--Concerning the recognition of the week of April 7-13, 2019, as National Crime Victims' Rights Week.

Laid over until Monday, April 8, retaining its place on the calendar.

SR19-008 by Senator(s) Fields--Concerning recognition of the month of April as "Child Abuse Prevention Month".

Laid over until Tuesday, April 2, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

March 28, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-148.

The House has voted to concur in the Senate amendments to HB19-1106, 1166, 1129, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB19-1170 and requests that a conference committee be appointed. The Speaker has appointed Representatives Jackson, chairman, Weissman, and Larson as House conferees on the First Conference Committee on HB19-1170. The bill is transmitted herewith.

The House has voted to grant the House conferees on the First Conference Committee on HB19-1170 to consider matters not at issue between the two houses.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-014, 031, and 032; HB19-1028, 1153, 1155, 1200.

On motion of Assistant Majority Leader Fields, the Senate adjourned until 9:00 a.m., Friday, March 29, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

85th Legislative Day Friday, March 29, 2019

Prayer — By the chaplain, Pastor C. Jason Walker, Broomfield Baptist Church.

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 Fenberg, 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 Girl Scout Troop 67653: Sienna, Presley, Hadley, Kelly, Sophia, Lena, Brisa, and Gia.

Reading of the Journal — On motion of Senator Lundeen, reading of the Journal of Thursday, March 28, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SR19-007 and SR-008.
Correctly Reengrossed: SB19-154, 201, 207, 208, 209, 210, 211, 212, 213, and 214.
Correctly Revised: HB19-1086 and 1131.
Correctly Rerevised: HB19-1177.
Correctly Enrolled: SB19-148; SR19-006.

APPOINTMENTS TO CONFERENCE COMMITTEE

In response to a request from the House, Senators Williams, Chair, Bridges, and Woodward were appointed as Senate conferees on the first conference committee on **HB19-1170**.

On motion of Majority Leader Fenberg, 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.

The Senate observed a moment of silence and rang the Senate chimes in memory of Army Green Berets, Sergeant First Class Will D. Lindsay of Cortez, Colorado, and Specialist Joseph P. Collette of Lancaster, Ohio, who were killed in action in Kunduz province, Afghanistan on Friday, March 22, 2019.

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:

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	N	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Crowder, Priola, Smallwood, and Tate.

HB19-1086 by Representative(s) Duran; also Senator(s) Pettersen--Concerning the conduct of plumbing inspections to ensure compliance with the plumbing law.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Fenberg, Winter, and Zenzinger.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1198 by Representative(s) Valdez A. and Valdez D.; also Senator(s) Bridges and Priola--Concerning the powers and duties of the electric vehicle grant fund.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1198.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **SB19-195** be re-referred to the Committee on Health & Human Services with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1031** 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 16 through 22.

Renumber succeeding section accordingly.

Page 1, line 102, strike "CAREGIVER," and substitute "CAREGIVER."

Strike line 103.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1038** 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 **HB19-1069** 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 **HB19-1150** 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 **SB19-004** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-166** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, before line 17 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $40,056 is appropriated to the department of law. This appropriation is

from the P.O.S.T. board cash fund created in section 24-31-303 (2)(b), C.R.S., and is based on an assumption that the department will require an additional 0.6 FTE. To implement this act, the department may use this appropriation for peace officers standards and training board support.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**STATEMENT.**" and substitute "**STATEMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-167** 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 27 insert:

"**SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal year, $56,364 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of $51,864 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S., and $4,500 from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $51,864 from the license plate cash fund for license plate ordering; and

(b) $4,500 from the Colorado DRIVES vehicle services account in the highway users tax fund for DRIVES maintenance and support.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PLATE.**" and substitute "**PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-085** 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:

SB19-220 by Senator(s) Marble and Fenberg; also Representative(s) Saine and Arndt--Concerning updates to the industrial hemp regulatory program administered by the commissioner of agriculture to align the program with the regulatory requirements set forth in the federal "Agricultural Improvement Act of 2018".
Agriculture & Natural Resources

SB19-221 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making an appropriation.
Agriculture & Natural Resources

SB19-222 by Senator(s) Lee and Story, Bridges, Gonzales, Hisey, Rankin, Winter; also Representative(s) Esgar and Landgraf, Herod, Larson, Liston, Pelton, Rich, Roberts, Sandridge, Soper, Will, Wilson--Concerning the improvement of access to behavioral health services for individuals at risk of institutionalization.
Judiciary

SB19-223 by Senator(s) Lee; also Representative(s) Weissman and Landgraf--Concerning actions related to competency to proceed.
Judiciary

SB19-224 by Senator(s) Gonzales and Fenberg; --Concerning the continuation of the regulated marijuana programs, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Finance

HB19-1219 by Representative(s) Gonzales-Gutierrez; also Senator(s) Crowder--Concerning modernization of the permanency hearing statutes.
Judiciary

HB19-1232 by Representative(s) Gonzales-Gutierrez and Catlin; also Senator(s) Coram and Rodriguez-Concerning the alignment of compliance with the federal "Indian Child Welfare Act".
State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-041, 079, 095, 100, 102, and 109.

MESSAGE FROM THE GOVERNOR

Thursday, March 28, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-049 - Statute Of Limitation Failure Report Child Abuse
Approved Thursday, March 28, 2019 at 2:54 P.M.

SB19-128 - School Finance Mid-year Adjustments
Approved Thursday, March 28, 2019 at 3:25 P.M.

SB19-105 - Colorado Uniform Directed Trust Act
Approved Thursday, March 28, 2019 at 2:05 P.M.

SB19-017 - Requirements for CDOT Land Acquisition
Approved Thursday, March 28, 2019 at 3:27 P.M.

SB19-035 - DOR Department Of Revenue Enforcement Measures Of Tax Owed
Approved Thursday, March 28, 2019 at 3:24 P.M.

Sincerely,
(signed)
Jared Polis
Governor

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Senator Williams moved that the Senate conferees on the first conference committee on HB19-1170 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.

MESSAGE FROM THE HOUSE

March 29, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1183, 1147, 1090, amended as printed in House Journal, March 28, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-138, amended as printed in House Journal, March 28, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-181, amended as printed in House Journal, March 28, 2019 and amended on Third Reading as printed in House Journal, March 29, 2019.

The House has passed on Third Reading and returns herewith SB19-097.

MESSAGE FROM THE REVISOR OF STATUTES

March 29, 2019

We herewith transmit:

Without comment, as amended, HB19-1147 and 1183.
Without comment, as amended, SB19-138 and 181.
With comment, as amended, HB19-1090.

INTRODUCTION OF RESOLUTIONS

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

SJR19-006 by Senator(s) Lundeen, Gardner, Hill, Hisey, Lee; also Representative(s) Carver, Geitner, Liston, Sandridge, Williams D.--Concerning the recognition of the 35th Space Symposium and celebrating the premier international space policy and program forum.

Laid over until Monday, April 8, retaining its place on the calendar.

SR19-009 by Senator(s) Zenzinger and Gonzales--Concerning the designation of April 2, 2019, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persistent problem of wage disparity.

Laid over until Tuesday, April 2, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

February 27, 2019

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 terms expiring March 1, 2021:

Hon. Ronald E. Engels of Central City, Colorado, a resident of the Second Congressional District and a Democrat, to serve an at-large member and county commissioner, and occasioned by the resignation of Hon. Lew Gaiter, III of Livermore, Colorado, appointed.

Daniel Michael Pastula, MD, MHS of Denver, Colorado, to serve as an at-large member and as an Unaffiliated, and occasioned by the change in designation of Nadeen Muaatasem Ibrahim of Aurora, Colorado, appointed.

for terms expiring March 1, 2023:

Raymond O. Estacio of Denver, Colorado, a resident of the First Congressional District, a Democrat, reappointed;

Evelinn A. Borrayo of Fort Collins, Colorado, a resident of the Second Congressional District, a Democrat, reappointed;

Thomas Butts of Thornton, Colorado, a resident of the Seventh Congressional District, an Unaffiliated member, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/1/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

February 27, 2019

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, 2023:

Constance “Connie” M. Rule of Lakewood, Colorado, to serve as a public member, reappointed;

Julie Ann Holligan Westendorff of Durango, Colorado, to serve as a county commissioner, reappointed;

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, reappointed;

John Kefalas of Fort Collins, Colorado, to serve as a county commissioner, appointed;

Lynne Telford of Colorado Springs, Colorado, to serve as a public member, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/1/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

March 4, 2019

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 CHILDREN'S TRUST FUND BOARD

effective November 27, 2018 for terms expiring November 7, 2021:

Stephanie Villafuerte, JD of Evergreen, Colorado, to serve as a member with knowledge of child abuse prevention, appointed;

Bridget Burnett, PsyD of Centennial, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

APPOINTMENT LETTER

Appointment A letter of designation and appointment was read and assigned to committee as follows:

February 25, 2019

The Honorable Leroy M. Garcia
President of the Colorado State Senate
Colorado State Capitol
200 East Colfax, Room 346
Denver, Colorado 80203

Dear President Garcia:

On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

From the 7th Congressional District: Ray Baker, for a term effective April 1, 2018 and continuing until March 31, 2022 (or until his successor is appointed by the Board of Regents). This will be Mr. Baker's second term on the Hospital Authority Board of Directors.

This appointment was approved by the Board of Regents at the April 6, 2018 regular board meeting. A copy of the resolution to this effect and biographical information are attached.

Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

Please let me know if you have any questions.

Sincerely,
(signed)
Cheryl Espinoza
Assistant Secretary to the Board of Regents
Rec'd: 2/25/2019
Andrew Carpenter, Senate Reader

Committee on Health & Human Services

On motion of Senator Marble, the Senate adjourned until 10:00 a.m., Monday, April 1, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

88th Legislative Day Monday, April 1, 2019

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 Story.

Reading of the Journal — On motion of Senator Rodriguez, reading of the Journal of Friday, March 29, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-220, 221, 222, 223, and 224; SJR19-006; SR19-009.
Correctly Revised: HB19-1198.
Correctly Rerevised: HB19-1086 and 1131.
Correctly Enrolled: SB19-097.

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:

HB19-1198 by Representative(s) Valdez A. and Valdez D.; also Senator(s) Bridges and Priola--Concerning the powers and duties of the electric vehicle grant fund.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	N	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (HB19-1172 and SB19-182) of Monday, April 1, was laid over until Tuesday, April 2, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-138 by Senator(s) Winter and Priola; also Representative(s) Bird--Concerning bonding requirements for contractors that are a party to certain public-private initiatives.

Senator Priola moved that the Senate concur in House amendments to SB19-138, as printed in House journal, March 22, page 765. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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.

SB19-181 by Senator(s) Fenberg and Foote; also Representative(s) Becker and Caraveo--Concerning additional public welfare protections regarding the conduct of oil and gas operations, and, in connection therewith, making an appropriation.

Laid over until Tuesday, April 2, retaining its place on the calendar.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB19-106 by Senator(s) Cooke and Zenzinger; also Representative(s) Tipper and Larson--Concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments.

Senator Zenzinger moved that the Senate conferees on the first conference committee on SB19-106 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**.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-129.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 29, 2019, at 3:40PM:
SB19-014, 031, 032, 041, 079, 095, 100, 102, and 109.

To the Governor for signature on Monday, April 1, 2019, at 8:15 A.M.:
SB19-129.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 1, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1218, 1003, 1211, amended as printed in House Journal, March 29, 2019.

The House has passed on Third Reading and returns herewith SB19-141.

The House has voted to grant the House conferees on the First Conference Committee on SB19-106 to consider matters not at issue between the two houses.

The House has adopted the First Report of the First Conference Committee on HB19-1029, as printed in House Journal, March 27, 2019, and has repassed the bill as amended.

The House has voted to concur in the Senate amendments to HB19-1177, 1086, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB19-1131 and requests that a conference committee be appointed. The Speaker has appointed Representatives Jaquez Lewis, chairman, Lontine, and Beckman as House conferees on the First Conference Committee on HB19-1131. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 1, 2019

We herewith transmit:

Without comment, as amended, HB19-1003, 1211, and 1218.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-225 by Senator(s) Gonzales and Rodriguez, Foote, Moreno; also Representative(s) Lontine and Gonzales-Gutierrez, Duran, Galindo, Jackson, Singer, Sirota--Concerning the ability of local governments to stabilize rents on private residential property.
State, Veterans, & Military Affairs

SB19-226 by Senator(s) Winter; also Representative(s) Caraveo--Concerning the ability of county governments to establish voluntary housing agreement programs in the unincorporated areas of a county.
Local Government

SB19-227 by Senator(s) Pettersen and Gonzales; also Representative(s) Kennedy and Herod--
Concerning the reduction of harm caused by substance use disorders, and, in connection therewith, authorizing schools to obtain a supply of opiate antagonists; specifying that a licensed or certified hospital may be used as a clean syringe exchange site; creating the opiate antagonist purchase fund; expanding the household medication take-back program in the department of public health and environment; requiring a person that makes an automated external defibrillator available to the public to also make an opiate antagonist available; requiring the department of human services to use mobile response units to provide medication-assisted treatment and opiate antagonist training; and prohibiting the office of behavior health in the department of human services from penalizing a facility that initiates into medication-assisted treatment an individual who does not have documentation verifying identification.
Health & Human Services

SB19-228 by Senator(s) Winter and Moreno; also Representative(s) Buentello and Singer--
Concerning measures to prevent substance abuse, and, in connection therewith, requiring certain prescribers to complete substance use disorder training; prohibiting physicians and physician assistants from accepting benefits for prescribing specific medications; requiring opioid prescriptions to bear warning labels; allowing medical examiners access to the prescription drug monitoring program; providing funding to address opioid and substance use disorders through public health interventions in local communities; requiring state departments to report receipt and eligibility for federal funds for HIV and hepatitis testing; requiring the office of behavioral health in the department of human services to administer grant programs; requiring the center for research into substance use disorder prevention, treatment, and recovery support strategies to develop and implement a program to increase public awareness concerning the safe use, storage, and disposal of antagonist drugs, to conduct a needs assessment among mothers and pregnant women, and to implement a grant program; and requiring the office of behavioral health in the department of human services to administer a child and maternal health pilot program.
Health & Human Services

SB19-229 by Senator(s) Winter and Foote; also Representative(s) Gonzales-Gutierrez and Mullica--
Concerning the use of campaign contributions to reimburse a candidate for dependent care expenses incurred by the candidate in undertaking campaign activities.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Monday, April 1, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-016 - Severance Tax Operational Fund Distribution Methodology
Approved Monday, April 1, 2019 at 12:36 P.M.

SB 19-068 - Expand Disclosure Electioneering Communications
Approved Monday, April 1, 2019 at 1:10 P.M.

SB 19-103 - Legalizing Minors' Businesses
Approved Monday, April 1, 2019 at 2:07 P.M.

Sincerely,
(signed)
Jared Polis
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-147; HB19-1035, 1065.

On motion of Senator Gonzales, the Senate adjourned until 9:00 a.m., Tuesday, April 2, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

89th Legislative Day Tuesday, April 2, 2019

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

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

Roll Call — Present--32
Excused--3, Bridges, Foote, Pettersen.
Present later--3, Bridges, Foote, Pettersen,

Quorum — The President announced a quorum present.

Pledge — By Senator Story.

Reading of the Journal — On motion of Senator Rodriguez, reading of the Journal of Monday, April 1, 2019, 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 **HB19-1205** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1224** 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 9, strike "consistently" and substitute "routinely".

Page 2, line 14, strike "few" and substitute "limited".

Page 2, line 18, strike "effectuate." and substitute "take effect.".

Page 2, line 21, before "abnormalities" insert "clinical".

Page 2, line 23, after "custody" insert "who are women, transgender, or nonbinary".

Page 4, line 3, after "RESTRICTION" strike "TO" and substitute "ON".

Page 4, lines 7 and 8, strike "PANTILINERS, MENSTRUAL SPONGES, AND MENSTRUAL CUPS." and substitute "AND PANTILINERS.".

Page 4, line 17, strike "TO" and substitute "ON".

Page 5, lines 1 and 2, strike "PANTILINERS, MENSTRUAL SPONGES, AND MENSTRUAL CUPS." and substitute "AND PANTILINERS.".

Page 5, line 11, strike "TO" and substitute "ON".
Page 5, lines 15 and 16, strike "PANTILINERS, MENSTRUAL SPONGES, AND MENSTRUAL CUPS." and substitute "AND PANTILINERS.".

Judiciary After consideration on the merits, the Committee recommends that **SB19-193** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 4, line 16, strike "(1)(a)" and substitute "(1)(a); and **add** (1)(nn)".

Page 4, after line 25 insert:

"(nn) (I) ANY SUSPENSION OF A LICENSE PURSUANT TO SECTION 24-4-104 (4) AS A RESULT OF A FORMAL CHARGE FOR A CRIME PURSUANT TO TITLE 18, OR THAT UNDER FEDERAL LAW OR THE LAW OF ANOTHER STATE WOULD CONSTITUTE A CRIME UNDER TITLE 18, WHERE THE BOARD FINDS THE CRIME IS A CONTINUING THREAT TO PATIENT SAFETY.

(II) A SUSPENSION ISSUED PURSUANT TO SUBSECTION (1)(nn)(I) OF THIS SECTION MAY BE CONTINUED UNTIL DISMISSAL, ACQUITTAL, OR CONVICTION OF THE CHARGES. A HEARING ON THE SUSPENSION MAY NOT OCCUR UNTIL AFTER THE DISMISSAL, ACQUITTAL, OR CONVICTION OF SUCH CHARGE UNLESS THE LICENSEE OPTS TO PROCEED TO A HEARING REGARDING THE SUSPENSION.".

Page 7, line 23, strike "(1)(a)" and substitute "(1)(a); and **add as relocated by House Bill 19-1172** (1)(ee)".

Page 8, after line 5 insert:

"(ee) (I) ANY SUSPENSION OF A LICENSE PURSUANT TO SECTION 24-4-104 (4) AS A RESULT OF A FORMAL CHARGE FOR A CRIME PURSUANT TO TITLE 18, OR THAT UNDER FEDERAL LAW OR THE LAW OF ANOTHER STATE WOULD CONSTITUTE A CRIME UNDER TITLE 18, WHERE THE BOARD FINDS THE CRIME IS A CONTINUING THREAT TO PATIENT SAFETY.

(II) A SUSPENSION ISSUED PURSUANT TO SUBSECTION (1)(ee)(I) OF THIS SECTION MAY BE CONTINUED UNTIL DISMISSAL, ACQUITTAL, OR CONVICTION OF THE CHARGES. A HEARING ON THE SUSPENSION MAY NOT OCCUR UNTIL AFTER THE DISMISSAL, ACQUITTAL, OR CONVICTION OF SUCH CHARGE UNLESS THE LICENSEE OPTS TO PROCEED TO A HEARING REGARDING THE SUSPENSION.".

SENATE SERVICES REPORT

Correctly Printed: SB19-225, 226, 227, 228, and 229.
Correctly Rerevised: HB19-1198.
Correctly Enrolled: SB19-138.

On motion of Majority Leader Fenberg, 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

SR19-008 by Senator(s) Fields--Concerning recognition of the month of April as "Child Abuse Prevention Month".

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	E	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

SR19-009 by Senator(s) Zenzinger and Gonzales--Concerning the designation of April 2, 2019, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persistent problem of wage disparity.

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

YES	30	NO	3	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	E	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Lee, Moreno, Rodriguez, Story, Todd, Williams A., and Winter.

Upon request of Majority Leader Fenberg, **HB19-1031** and **SB19-167** were removed from the General Orders--Second Reading of Bills--Consent Calendar of Tuesday, April 2, 2019, and were placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 2, 2019.

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:

HB19-1038 by Representative(s) Duran and Lontine; also Senator(s) Ginal and Story--Concerning dental services for pregnant women covered under the children's basic health plan, and, in connection therewith, making an appropriation.

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

HB19-1069 by Representative(s) Jackson; also Senator(s) Danielson--Concerning the certification of sign language interpreters for the purpose of title protection, and, in connection therewith, making an appropriation.

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

HB19-1150 by Representative(s) Titone; also Senator(s) Danielson--Concerning the recreation of the consumer insurance council as an advisory body to the commissioner of insurance.

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	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	E	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	E	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1038, HB19-1069, HB19-1150.

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, and Senator Moreno 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:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

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

SB19-182 by Senator(s) Williams A. and Gonzales, Bridges, Court, Garcia, Priola; also Representative(s) Arndt and Benavidez--Concerning the repeal of the death penalty by the general assembly.

Laid over until Saturday, May 4.

SB19-004 by Senator(s) Donovan; also Representative(s) Roberts--Concerning measures to address the high costs of health insurance in the state, and, in connection therewith, authorizing the state personnel director to implement a pilot program to allow residents of a specified region to participate in state employee medical benefit plans and modifying the health care coverage cooperatives laws to include consumer protections and allow consumers to collectively negotiate rates directly with providers.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 14, pages 457-458 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Donovan.

Amend printed bill, page 18, strike lines 22 through 24 and substitute:

"**SECTION 14. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Amendment No. 3(L.005), by Senator Donovan.

Amend printed bill, page 9, strike lines 25 through 27.

Page 10, strike lines 1 through 3.

Renumber succeeding sections accordingly.

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

SB19-166 by Senator(s) Fields and Gardner; also Representative(s) Roberts--Concerning the P.O.S.T. board revoking the certification of a peace officer who is found to have made an untruthful statement.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, pages 459-460 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 29, pages 613-614 and placed in members' bill files.)

Amendment No. 3(L.007), by Senator Gardner.

Amend the Judiciary Committee Report, dated March 13, 2019, page 1, strike lines 14 and 15, and substitute:

"(III) THE CERTIFICATE HOLDER, AFTER RECEIVING THE NOTICE FROM THE P.O.S.T. BOARD DESCRIBED IN SUBSECTION (2.5)(e) OF THIS SECTION, EITHER DOES NOT REQUEST A HEARING, OR REQUESTS A HEARING AND THE HEARING OFFICER HAS DETERMINED, AFTER CONDUCTING THE HEARING PURSUANT TO THE RULES OF THE".

Page 2, line 16, strike ""(e)" and substitute:

""(e) UPON RECEIPT OF THE FORM FROM A LAW ENFORCEMENT AGENCY PURSUANT TO SUBSECTION (2.5)(b) OF THIS SECTION, THE P.O.S.T. BOARD SHALL NOTIFY THE CERTIFICATE HOLDER OF THE CERTIFICATE HOLDER'S RIGHT TO REQUEST A SHOW CAUSE HEARING PURSUANT TO THE RULES OF THE P.O.S.T. BOARD AND IN COMPLIANCE WITH SECTIONS 24-4-104 AND 24-4-105.

(f)".

Page 2, line 17, after "MAY" insert "APPEAL THE DECISION TO THE FULL P.O.S.T. BOARD PURSUANT TO THE RULES OF THE P.O.S.T. BOARD AND SECTION 24-4-105, AND MAY".

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

SB19-085 by Senator(s) Danielson and Pettersen, Fields, Donovan, Winter, Gonzales, Court, Zenzinger, Todd, Story, Ginal, Williams A., Rodriguez, Lee, Moreno, Garcia, Fenberg, Foote, Bridges; also Representative(s) Buckner and Gonzales-Gutierrez, Benavidez, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Titone, Valdez A., Weissman--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities.

Laid over until Wednesday, April 3, retaining its place on the calendar.

HB19-1031 by Representative(s) Gray; also Senator(s) Gonzales--Concerning allowing each parental guardian to serve as a minor medical marijuana patient's primary caregiver, and, in connection therewith, making an appropriation.

A majority of all members elected to the Senate having voted in the affirmative, the bill was re-referred to the Committee on Appropriations.

SB19-167 by Senator(s) Danielson; also Representative(s) Exum and Duran--Concerning the creation of a Colorado professional fire fighters license plate.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 29, page 614 and placed in members' bill files.)

Amendment No. 2(L.001), by Senator Danielson.

Amend printed bill, page 2, line 4, strike "**fighters.**" and substitute "**fighters - definition.**".

Page 2, line 5, strike "BEGINNING ON OR BEFORE JANUARY 1, 2020, THE" and substitute "THE".

Page 3, line 1, after "(b)" insert "(I)".

Page 3, after line 13 insert:

"(II) THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL USE THE DONATION REQUIRED IN THIS SUBSECTION (3)(b) TO DIRECTLY AID AND SUPPORT FIRST RESPONDERS, FIRE FIGHTERS, AND FAMILY MEMBERS OF FIRST RESPONDERS OR FIRE FIGHTERS. THE ORGANIZATION SHALL FILE AN ANNUAL STATEMENT ACCOUNTING FOR THE COLLECTION AND USE OF THE DONATIONS.".

Page 3, strike line 27 and substitute:

"(5) THE GENERAL ASSEMBLY DETERMINES THAT THE COLORADO PROFESSIONAL FIRE FIGHTERS LICENSE PLATE IS A DISTINCTIVE SPECIAL LICENSE PLATE, AND THEREFORE, SECTION 42-3-207 (5), (6), AND (7) DOES NOT APPLY TO THIS SECTION.

(6) FOR THE PURPOSES OF THIS SECTION, "PROFESSIONAL FIRE FIGHTER" MEANS AN OFFICER OF OR MEMBER OF THE FOLLOWING IF THE OFFICER OR MEMBER RECEIVES COMPENSATION TO DIRECTLY END DESTRUCTIVE FIRES:

(a) A FIRE DEPARTMENT; OR

(b) A FIRE-FIGHTING AGENCY OF THE STATE OR OF A POLITICAL SUBDIVISION OF THE STATE.".

Page 4, strike lines 1 through 14.

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 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-004 as amended, SB19-166 as amended, SB19-167 as amended, HB19-1172.
Laid over until Wednesday, April 3: SB19-085.
Laid over until Saturday, May 4: SB19-182.
Re-referred to Appropriations: HB19-1031.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-181 by Senator(s) Fenberg and Foote; also Representative(s) Becker and Caraveo--Concerning additional public welfare protections regarding the conduct of oil and gas operations, and, in connection therewith, making an appropriation.

Laid over until Wednesdday, April 3, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-185** 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 15, strike "18-3-503, **add** (3)" and substitute "**add** 18-7-209".

Page 4, strike lines 17 and 18 and substitute:
"**18-7-209. Immunity from prostitution-related offenses - victims - human trafficking of a minor for involuntary servitude - human trafficking of a minor for sexual servitude.** IF".

Page 4, line 21, strike "18-7-203,".

Page 4, strike lines 24 and 25 and substitute "SERVITUDE, PURSUANT TO SECTION 18-3-503 (2), OR HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE, PURSUANT TO SECTION 18-3-504 (2), AT THE TIME OF THE OFFENSE BEING CHARGED, THE MINOR IS IMMUNE FROM CRIMINAL".

Page 4, line 26, strike "OFFENSE." and substitute "CHARGES.".

Page 5, line 19, strike "(a)".

Page 5, strike lines 25 through 27.

Page 6, strike lines 1 through 6.

Page 6, line 7, strike "18-1-708.5" and substitute "18-1-713".

Page 6, line 9, strike "**18-1-708.5.**" and substitute "**18-1-713.**"

Page 6, strike line 11 and substitute "(1) EXCEPT AS PROVIDED IN SECTION 18-7-209,".

Page 6, line 14, strike "WAS:" and substitute "WAS, AT THE TIME OF THE OFFENSE:".

Page 6, strike lines 24 through 27.

Page 7, strike lines 1 through 8 and substitute "**servitude - provision of services - reporting.** IF A LAW ENFORCEMENT OFFICER ENCOUNTERS A PERSON WHO".

Page 7, line 11, strike "18-7-203,".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-202** be referred to the Committee on Appropriations with favorable recommendation.

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Hisey was added as a Senate joint prime sponsor with Senator Ginal and Representative Singer on SB19-177.

APPOINTMENTS TO CONFERENCE COMMITTEE

In response to a request from the House, Senators Winter, Chair, Fields, and Smallwood were appointed as Senate conferees on the first conference committee on **HB19-1131**.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-230 by Senator(s) Moreno; --Concerning the Colorado refugee services program.
State, Veterans, & Military Affairs

SB19-231 by Senator(s) Moreno; --Concerning the creation of the Colorado second chance scholarship in the pursuit of higher education for youth previously committed to the division of youth services.
Education

SB19-232 by Senator(s) Foote; also Representative(s) Weissman--Concerning the codification of the rules of the secretary of state addressing the procedures for the enforcement of state laws governing campaign finance.
State, Veterans, & Military Affairs

SB19-233 by Senator(s) Lee; --Concerning combined reporting by a corporation for Colorado state income tax purposes.
Finance

HB19-1147 by Representative(s) Snyder, Esgar, Caraveo, Exum, Michaelson Jenet, Mullica; also Senator(s) Lee--Concerning revisions to the traumatic brain injury program, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1211 by Representative(s) Michaelson Jenet and Caraveo; also Senator(s) Williams A.--Concerning prior authorization requests submitted by providers for a determination of coverage of health care services under a health benefit plan.
Health & Human Services

HB19-1218 by Representative(s) Roberts; also Senator(s) Donovan--Concerning the Colorado water conservation board's authority to use water that a water right owner voluntarily loans to the board for instream flow purposes.
Agriculture & Natural Resources

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-006, 076, 151, and 152; SR19-008 and SR19-009; HB19-1007, 1078, 1119, 1135, 1173, 1191, 1201, 1209.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 2, 2019, at 2:20 p.m.:
SB19-147.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, April 3, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

90th Legislative Day Wednesday, April 3, 2019

Prayer — By the chaplain, Rev. Diana Thompson, Tri-State Denver Buddhist Temple.

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 Story.

Reading of the Journal — On motion of Senator Rodrgiuez, reading of the Journal of Tuesday, April 2, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

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, 2023:

Anthea Teresa Martin of Denver, Colorado to serve, a Democrat and resident of the First Congressional District, reappointed;

Brian Arnold of Aurora, Colorado, an Unaffiliated member and resident of the Sixth Congressional District, appointed;

Raymond Timothy Hudner of Grand Junction, Colorado, a Republican and resident of the Third Congressional District, reappointed.

Local Government — After consideration on the merits, the Committee recommends that **SB19-200** 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 **HB19-1087** 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 **HB19-1213** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-192** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Local Government Committee Report, dated March 21, 2019, page 2, line 5, strike "BALANCE" and substitute "REVENUE".

Finance After consideration on the merits, the Committee recommends that **SB19-197** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-157** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-153** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation & Energy After consideration on the merits, the Committee recommends that **HB19-1207** 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, after line 22 insert:

"**SECTION 2.** In Colorado Revised Statutes, 43-2-145, **add** (10) as follows:

43-2-145. Transportation legislation review - committee - definition - repeal. (10) (a) IN THE 2019 INTERIM BETWEEN THE FIRST REGULAR SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY AND THE SECOND REGULAR SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY, THE DEPARTMENT OF TRANSPORTATION AND THE COLORADO STATE PATROL, IN COORDINATION WITH THE COMMITTEE, SHALL MEET WITH STAKEHOLDERS TO DISCUSS OPTIONS AND METHODS OF TRACTION CONTROL ENFORCEMENT, INCLUDING THE LEGALITY AND FEASABILITY OF PHYSICAL INSPECTION CHECKPOINTS, ON PASSENGER VEHICLES OPERATING ON INTERSTATE 70 BETWEEN MILEPOST 133 (DOTSERO) AND MILEPOST 259 (MORRISON). IN ACCORDANCE WITH THIS PROCESS, THE DEPARTMENT OF TRANSPORTATION AND THE COLORADO STATE PATROL SHALL DETERMINE WHETHER THE BEST SOLUTION IS FOR THE DEPARTMENT OF TRANSPORTATION TO PROPOSE RULES OR TO RECOMMEND LEGISLATION TO THE COMMITTEE. BY SEPTEMBER 1, 2019, THE DEPARTMENT OF TRANSPORTATION AND THE COLORADO STATE PATROL SHALL REPORT THEIR RECOMMENDATIONS TO THE COMMITTEE.

(b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2020.".

Renumber succeeding section accordingly.

SENATE SERVICES REPORT

Correctly Printed: SB19-230, 231, 232, and 233.
Correctly Engrossed: SB19-004, 166, and 167; SR19-008 and 009.
Correctly Revised: HB19-1038, 1069, 1150, and 1172.
Correctly Enrolled: SB19-141; SR19-008.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR19-007 by Senator(s) Moreno, Bridges, Fenberg, Fields, Gardner, Hill, Lundeen, Scott, Tate, Todd, Williams A., Winter, Woodward; also Representative(s) Kraft-Tharp, Buentello, Caraveo, Gray, Hooton, Landgraf, Lontine, McKean, Melton, Michaelson Jenet, Roberts, Titone, Valdez A., Valdez D.--Concerning designation of the first full week of May as "Tardive Dyskinesia Awareness Week".

Laid over until Tuesday, April 9, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1090 by Representative(s) Gray and Van Winkle, Arndt, Buckner, Buentello, Galindo, Hooton, Larson, Lontine, Melton, Michaelson Jenet, Valdez A.; also Senator(s) Gonzales and Hill, Coram, Ginal, Holbert, Marble, Rodriguez, Williams A., Winter--Concerning measures to allow greater investment flexibility in marijuana businesses, and, in connection therewith, making an appropriation.
Finance
Appropriations

Upon request of Senator Hill, Majority Leader Fenberg asked that **HB19-1150** be removed from the Third Reading of Bills--Final Passage--Consent Calendar of Wednesday, April 3, 2019, and placed at the end of the Third Reading of Bills Final Passage Calendar of Wednesday, April 3, 2019.

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:

HB19-1038 by Representative(s) Duran and Lontine; also Senator(s) Ginal and Story--Concerning dental services for pregnant women covered under the children's basic health plan, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Garcia, Gardner, Gonzales, Lundeen, Moreno, Pettersen, Priola, Rankin, Rodriguez, Smallwood, Tate, Todd, Winter, Woodward, and Zenzinger.

HB19-1069 by Representative(s) Jackson; also Senator(s) Danielson--Concerning the certification of sign language interpreters for the purpose of title protection, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Story, Tate, Todd, Williams A., and Winter.

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:

HB19-1172 by Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle; also Senator(s) Gardner and Cooke, Foote, Lee, Rodriguez--Concerning an organizational recodification of title 12 of the Colorado Revised Statutes, and, in connection therewith, limiting substantive changes to those that conform similar provisions to achieve uniformity, eliminate redundancy, or allow for the consolidation of common provisions or that eliminate provisions that are archaic or obsolete.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Crowder, Ginal, Holbert, Lundeen, Priola, Tate, Todd, and Woodward.

SB19-004 by Senator(s) Donovan; also Representative(s) Roberts--Concerning measures to address the high costs of health insurance in the state, and, in connection therewith, modifying the health care coverage cooperatives laws to include consumer protections and allow consumers to collectively negotiate rates directly with providers.

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Danielson, Fenberg, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, and Zenzinger.

SB19-166 by Senator(s) Fields and Gardner; also Representative(s) Roberts--Concerning the P.O.S.T. board revoking the certification of a peace officer who is found to have made an untruthful statement, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Fenberg and Moreno.

SB19-167 by Senator(s) Danielson; also Representative(s) Exum and Duran--Concerning the creation of a Colorado professional fire fighters license plate, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Crowder, Fields, Foote, Garcia, Gardner, Ginal, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Williams A., and Winter.

HB19-1150 by Representative(s) Titone; also Senator(s) Danielson--Concerning the recreation of the consumer insurance council as an advisory body to the commissioner of insurance.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Donovan, Ginal, Moreno, Pettersen, Priola, Rodriguez, Story, Tate, and Winter.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

SB19-085 by Senator(s) Danielson and Pettersen, Fields, Donovan, Winter, Gonzales, Court, Zenzinger, Todd, Story, Ginal, Williams A., Rodriguez, Lee, Moreno, Garcia, Fenberg, Foote, Bridges; also Representative(s) Buckner and Gonzales-Gutierrez, Benavidez, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Titone, Valdez A., Weissman--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 21, pages 289-290 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

SB19-085 by Senator(s) Danielson and Pettersen, Fields, Donovan, Winter, Gonzales, Court, Zenzinger, Todd, Story, Ginal, Williams A., Rodriguez, Lee, Moreno, Garcia, Fenberg, Foote, Bridges; also Representative(s) Buckner and Gonzales-Gutierrez, Benavidez, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Titone, Valdez A., Weissman--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities.

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Woodward floor amendment, (L.036) to SB 19-085, did pass.

Amend printed bill, page 6, strike lines 18 through 27.

Page 7, strike lines 1 through 14.

Renumber succeeding sections accordingly.

Page 10, strike lines 22 through 27.

Page 11, strike lines 1 and 2.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-085 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-181 by Senator(s) Fenberg and Foote; also Representative(s) Becker and Caraveo--Concerning additional public welfare protections regarding the conduct of oil and gas operations, and, in connection therewith, making an appropriation.

Senator Fenberg moved that the Senate concur in House amendments to SB19-181, as printed in House journal, March 27, pages 794-795, March 28, pages 839-845, and March 29, pages 882-883. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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.

MESSAGE FROM THE HOUSE

April 3, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1167, 1244, amended as printed in House Journal, April 2, 2019.

The House has passed on Third Reading and returns herewith SB19-203.

MESSAGE FROM THE REVISOR OF STATUTES

April 3, 2019

We herewith transmit:

Without comment, as amended, HB19-1167 and 1244.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1052.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR19-008 by Senator(s) Lundeen, Gardner, Hill, Hisey, Lee; also Representative(s) Carver, Geitner, Liston, Sandridge, Williams D.--Concerning the recognition of the 35th Space Symposium and celebrating the premier international space policy and program forum.

Laid over until Friday, April 5, retaining its place on the calendar.

SR19-010 by Senator(s) Zenzinger and Cooke--Concerning declaring the week of May 12-18, 2019, as Police Week, and, in connection therewith, declaring May 15, 2019, as Peace Officers' Memorial Day.

Laid over until Thursday, 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:

SB19-234 by Senator(s) Rodriguez and Foote; also Representative(s) Weissman--Concerning the continuation of the functions of professional review committees, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Judiciary

HB19-1003 by Representative(s) Hansen and Valdez A.; also Senator(s) Foote and Story--Concerning community solar gardens.
Transportation & Energy

HB19-1183 by Representative(s) Roberts; also Senator(s) Bridges--Concerning the placement of automated external defibrillators in public places, and, in connection therewith, making an appropriation.
Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-148 and 203.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 3, 2019, at 11:17 a.m.:
SB19-006, 076, 151, and 152.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

March 27, 2019

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
STATE BOARD OF HEALTH

for a term expiring March 1, 2023:

Kendall Paul Alexander of Greeley, Colorado, a resident of the Fourth Congressional District, and as an Unaffiliated, to serve as a member at-large, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/28/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

March 20, 2019

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 CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2023:

Richard Lee Lewis Jr. of Aurora, Colorado, to serve as a majority business owner with employees numbering more than 50, and as a Democrat, appointed;

Kendra Meredith Anderson of Denver, Colorado, to serve as a majority business owner with employees numbering more than 5 but less than 50 employees, and as an Unaffiliated member, appointed;

Sergio Raudel Cordova of Littleton, Colorado, to serve as a representative of an employee association that represents workers in Colorado, and as a Democrat, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/20/2019
Cindi L. Markwell, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

March 4, 2019

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 ENERGY RESEARCH AUTHORITY

for a term expiring July 1, 2022:

Michelle Hadwiger of Denver, Colorado, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation & Energy

March 7, 2019

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 HEALTHCARE AFFORDABILITY
AND SUSTAINABILITY ENTERPRISE (CHASE)

for a term expiring May 15, 2019:

Brent Bowman of Denver, Colorado, to serve as representative of a statewide organization of health insurance carriers, and occasioned by the resignation of Thomas A. Rennell of Englewood, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/8/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

March 11, 2019

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

for terms expiring December 31, 2019:

Hanna Skandera of Denver, Colorado, to serve as a Republican from the First Congressional District, and occasioned by the removal of Theresa Kathleen Pena of Denver, Colorado, appointed;

for terms expiring December 31, 2022:

Landon Mascareñaz of Denver, Colorado, to serve as a Democrat from the First Congressional District, appointed;

Terrance Douglas McWilliams of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, appointed;

Presley F. Askew of Wheat Ridge, Colorado, to serve as an Unaffiliated from the Seventh Congressional District, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/12/2019
Andrew Carpenter, Senate Reader

Committee on Education

TRIBUTES

Honoring:

Lt Col James Harvey III -- By Senator Angela Williams.
Col James Randall -- By Senator Angela Williams.
2nd Lt Franklin Macon -- By Senator Angela Williams.
Ara Davis -- By Senator Steve Fenberg.
Olivia Beresford -- By Senator Steve Fenberg.
Sydney Canova -- By Senator Steve Fenberg.
Keara Friel -- By Senator Steve Fenberg.
Silas Ure -- By Senator Steve Fenberg.
Quinn Logan -- By Senator Steve Fenberg.
Malie Chipouras -- By Senator Steve Fenberg.
Rylan Neumann -- By Senator Steve Fenberg.
Grace Abboud -- By Senator Steve Fenberg.
Clover Spielman -- By Senator Steve Fenberg.
Addison Engel -- By Senator Steve Fenberg.
Tamar Greenstreet -- By Senator Steve Fenberg.
Skylar Armstrong -- By Senator Steve Fenberg.
Micah Hertrich -- By Senator Kerry Donovan.
Rich Deckard -- By Senator Kerry Donovan.
Nico Carvacho -- By Senator Joann Ginal.
Kiwanis Club -- By Senator Joann Ginal.
Betty Moseley -- By Senator Joann Ginal.
Denver Zoo -- By Senator Angela Williams and Representative Leslie Herod.
The van Westrum Family -- By Senator Tammy Story.
Cole Hernandez -- By President Leroy M. Garcia.
Jacob Sabus -- By President Leroy M. Garcia.
Kristian Arguello -- By President Leroy M. Garcia.
Bryce Garcia -- By President Leroy M. Garcia.
Gavin Howes -- By President Leroy M. Garcia.
Xavier Espinoza -- By President Leroy M. Garcia.
Jacob Gonzales -- By President Leroy M. Garcia.
Dillon Derting -- By President Leroy M. Garcia.
Estela's Mill Stop Cafe -- By President Leroy M. Garcia.
Mike and Sabrina Guana -- By President Leroy M. Garcia.
Randy Evetts -- By President Leroy M. Garcia.
Alpha Phi Alpha Fraternity, Inc. -- By Senator Dominick Moreno.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, April 4, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

91st Legislative Day Thursday, April 4, 2019

Prayer — By the chaplain, Pastor Mark Harper, Impact Rock Church, Erie.

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

Roll Call — Present--33
Excused--2, Garcia, Moreno.
Present later--1, Moreno.

Quorum — The President *Pro Tem* announced a quorum present.

Pledge — By Senator Story.

Reading of the Journal — On motion of Senator Rodriguez, reading of the Journal of Wednesday, April 3, 2019, 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 **SB19-195** 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.** The general assembly finds and declares that, in 2017, suicide was the leading cause of death for children and youth 10 to 24 years of age in the state of Colorado. Childhood and adolescence are critical periods of risk for the onset of a behavioral health disorder. Nationally, half of all lifetime cases of mental illness begin by 14 years of age and three-quarters begin by 24 years of age. Children and youth may be exposed to trauma, maltreatment, and other adverse childhood experiences that may be risk factors for behavioral health diagnoses in adolescence and adulthood, and there is a need to strengthen the protective factors for child and youth health and safety because children and youth have unique physical and behavioral health needs. Additionally, many children and youth are left undiagnosed and untreated because they have not been exposed to adverse childhood experiences or do not show outward signs that would identify the child or youth as at risk.

SECTION 2. In Colorado Revised Statutes, **add** part 8 to article 5 of title 25.5 as follows:

PART 8
CHILDREN AND YOUTH BEHAVIORAL
HEALTH SYSTEM IMPROVEMENTS

25.5-5-801. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) IN ORDER TO PROVIDE QUALITY BEHAVIORAL HEALTH SERVICES TO FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH CHALLENGES, BEHAVIORAL HEALTH SERVICES SHOULD BE COORDINATED AMONG STATE DEPARTMENTS AND POLITICAL SUBDIVISIONS OF THE STATE AND SHOULD BE CULTURALLY COMPETENT, COST-EFFECTIVE, AND PROVIDED IN THE LEAST RESTRICTIVE SETTINGS;

(b) THE BEHAVIORAL HEALTH SYSTEM AND CHILD- AND YOUTH-SERVING AGENCIES ARE OFTEN CONSTRAINED BY RESOURCE CAPACITY AND SYSTEMIC BARRIERS THAT CAN CREATE DIFFICULTIES IN

PROVIDING APPROPRIATE AND COST-EFFECTIVE INTERVENTIONS AND SERVICES FOR CHILDREN AND YOUTH;

(c) CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH CHALLENGES MAY REQUIRE A MULTI-SYSTEM LEVEL OF CARE THAT CAN LEAD TO DUPLICATION AND FRAGMENTATION OF SERVICES. TO AVOID THESE PROBLEMS, KEEP FAMILIES TOGETHER, AND SUPPORT CAREGIVERS DURING A CHILD'S OR YOUTH'S BEHAVIORAL HEALTH CHALLENGE, DEPARTMENTS AND POLITICAL SUBDIVISIONS OF THE STATE MUST COLLABORATE WITH ONE ANOTHER;

(d) THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT OF 2018", AS DEFINED IN SECTION 26-5-101 (4.5), WILL BRING MAJOR CHANGES TO THE CHILD WELFARE SYSTEM, INCLUDING SUPPORTING MORE CHILDREN IN THE COMMUNITY AND REQUIRING A STRONG AND EFFECTIVE CHILD AND YOUTH BEHAVIORAL HEALTH SYSTEM; AND

(e) THE COLORADO STATE INNOVATION MODEL, AN INITIATIVE HOUSED IN THE OFFICE OF THE GOVERNOR, HAS WORKED TO INTEGRATE BEHAVIORAL HEALTH AND PHYSICAL HEALTH, HAS MADE SIGNIFICANT PROGRESS ADVANCING THE USE OF ALTERNATIVE PAYMENT MODELS, AND HAS CREATED INFRASTRUCTURE FOR SCREENING AND INNOVATIVE PAYMENT REFORMS. HOWEVER, FUTURE WORK IS NEEDED TO FURTHER EXPAND AND IMPROVE INTEGRATED SERVICES FOR CHILDREN AND FAMILIES, WITH A FOCUS ON EARLY AND UPSTREAM INTERVENTIONS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, BUILDING UPON WORK COMPLETED BY COLORADO'S TRAUMA-INFORMED SYSTEM OF CARE, COLORADO MUST IMPLEMENT A MODEL OF COMPREHENSIVE SYSTEM OF CARE FOR FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH CHALLENGES.

25.5-5-802. Definitions. AS USED IN THIS PART 8, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AT RISK OF DEVELOPING A BEHAVIORAL HEALTH DISORDER" MEANS THE OCCURRENCE OF ANY NUMBER OF PSYCHOLOGICAL OR SOCIAL RISK FACTORS, SUCH AS TRAUMA, THAT MAY MAKE A PERSON MORE LIKELY TO DEVELOP A BEHAVIORAL HEALTH DISORDER.

(2) "AT RISK OF OUT-OF-HOME PLACEMENT" MEANS A CHILD OR YOUTH WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5 AND THE CHILD OR YOUTH:

(a) HAS BEEN DIAGNOSED AS HAVING A MENTAL HEALTH DISORDER, AS DEFINED IN SECTION 27-65-102 (11.5), OR A BEHAVIORAL HEALTH DISORDER; AND

(b) MAY REQUIRE A LEVEL OF CARE THAT IS PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY, INPATIENT PSYCHIATRIC HOSPITAL, OR OTHER INTENSIVE CARE SETTING OUTSIDE OF THE CHILD'S OR YOUTH'S HOME. "AT RISK OF OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH WHO:

(I) IS ENTERING THE DIVISION OF YOUTH SERVICES; OR

(II) IS AT RISK OF CHILD WELFARE INVOLVEMENT.

(3) "BEHAVIORAL HEALTH DISORDER" MEANS A SUBSTANCE USE DISORDER, MENTAL HEALTH DISORDER, OR ONE OR MORE SUBSTANTIAL DISORDERS OF THE COGNITIVE, VOLITIONAL, OR EMOTIONAL PROCESSES THAT GROSSLY IMPAIR JUDGMENT OR CAPACITY TO RECOGNIZE REALITY OR TO CONTROL BEHAVIOR, INCLUDING SERIOUS EMOTIONAL DISTURBANCES. "BEHAVIORAL HEALTH DISORDER" ALSO INCLUDES THOSE MENTAL HEALTH DISORDERS LISTED IN THE MOST RECENT VERSIONS OF THE DIAGNOSTIC STATISTICAL MANUAL OF MENTAL HEALTH DISORDERS, THE DIAGNOSTIC CLASSIFICATION OF MENTAL HEALTH AND DEVELOPMENTAL DISORDERS OF INFANCY AND EARLY CHILDHOOD, AND THE INTERNATIONAL STATISTICAL CLASSIFICATION OF DISEASES AND RELATED HEALTH PROBLEMS.

(4) "BEHAVIORAL HEALTH SERVICES" OR "BEHAVIORAL HEALTH SYSTEM" MEANS THE CHILD AND YOUTH SERVICE SYSTEM THAT ENCOMPASSES PREVENTION AND PROMOTION OF EMOTIONAL HEALTH, PREVENTION AND TREATMENT SERVICES FOR MENTAL HEALTH AND SUBSTANCE USE CONDITIONS, AND RECOVERY SUPPORT.

(5) "CHILD AND YOUTH" MEANS A PERSON WHO IS TWENTY-SIX YEARS OF AGE OR YOUNGER.

(6) "MANAGED CARE ENTITY" MEANS AN ENTITY THAT ENTERS INTO A CONTRACT TO PROVIDE SERVICES IN THE STATEWIDE MANAGED

CARE SYSTEM PURSUANT TO ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5.

(7) "MENTAL HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED AS A MENTAL HEALTH PROFESSIONAL PURSUANT TO ARTICLE 43 OF TITLE 12 OR A PROFESSIONAL PERSON AS DEFINED IN SECTION 27-65-102 (17).

(8) "OUT-OF-HOME PLACEMENT" MEANS A CHILD OR YOUTH WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5 AND THE CHILD OR YOUTH:

(a) HAS BEEN DIAGNOSED AS HAVING A MENTAL HEALTH DISORDER, AS DEFINED IN SECTION 27-65-102 (11.5), OR A BEHAVIORAL HEALTH DISORDER; AND

(b) MAY REQUIRE A LEVEL OF CARE THAT IS PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY, INPATIENT PSYCHIATRIC HOSPITAL, OR OTHER INTENSIVE CARE SETTING OUTSIDE OF THE CHILD'S OR YOUTH'S HOME. "OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH WHO:

(I) HAS ENTERED THE DIVISION OF YOUTH SERVICES; OR

(II) IS AT RISK OF CHILD WELFARE INVOLVEMENT.

(9) "STANDARDIZED ASSESSMENT TOOL" MEANS A MULTI-PURPOSE INSTRUMENT THAT FACILITATES THE LINK BETWEEN ASSESSMENT AND LEVEL OF CARE AND INDIVIDUALIZED SERVICE PLANNING; FACILITATES QUALITY IMPROVEMENT ACTIVITIES; AND ALLOWS FOR MONITORING OF OUTCOMES OF SERVICES.

(10) "WRAPAROUND" MEANS A HIGH-FIDELITY, INDIVIDUALIZED, FAMILY-CENTERED, STRENGTHS-BASED, AND INTENSIVE CARE PLANNING AND MANAGEMENT PROCESS USED IN THE DELIVERY OF BEHAVIORAL HEALTH SERVICES FOR A CHILD OR YOUTH WITH A BEHAVIORAL HEALTH DISORDER, COMMONLY UTILIZED AS PART OF THE SYSTEM OF CARE FRAMEWORK.

25.5-5-803. High-fidelity wraparound services for children and youth - federal approval - reporting. (1) NO LATER THAN MARCH 1, 2020, THE STATE DEPARTMENT SHALL SEEK FEDERAL AUTHORIZATION FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PROVIDE WRAPAROUND SERVICES FOR ELIGIBLE CHILDREN AND YOUTH WHO ARE AT RISK OF OUT-OF-HOME PLACEMENT OR IN AN OUT-OF-HOME PLACEMENT. PRIOR TO SEEKING FEDERAL AUTHORIZATION, THE STATE DEPARTMENT SHALL SEEK INPUT FROM RELEVANT STAKEHOLDERS INCLUDING COUNTIES, MANAGED CARE ENTITIES PARTICIPATING IN THE STATEWIDE MANAGED CARE SYSTEM, FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH DISORDERS, COMMUNITIES THAT HAVE PREVIOUSLY IMPLEMENTED WRAPAROUND SERVICES, MENTAL HEALTH PROFESSIONALS, AND OTHER RELEVANT DEPARTMENTS. THE STATE DEPARTMENT SHALL CONSIDER TIERED CARE COORDINATION AS AN APPROACH WHEN DEVELOPING THE WRAPAROUND MODEL.

(2) UPON FEDERAL AUTHORIZATION, THE STATE DEPARTMENT SHALL REQUIRE MANAGED CARE ENTITIES TO IMPLEMENT WRAPAROUND SERVICES, WHICH MAY BE CONTRACTED OUT TO A THIRD PARTY. THE STATE DEPARTMENT SHALL ENSURE CARE COORDINATORS AND THOSE RESPONSIBLE FOR IMPLEMENTING WRAPAROUND SERVICES HAVE ADEQUATE TRAINING AND RESOURCES TO SUPPORT CHILDREN AND YOUTH WHO MAY HAVE CO-OCCURRING DIAGNOSES, INCLUDING BEHAVIORAL HEALTH DISORDERS AND PHYSICAL OR INTELLECTUAL OR DEVELOPMENTAL DISABILITIES. ATTENTION MUST ALSO BE GIVEN TO THE GEOGRAPHIC DIVERSITY OF THE STATE IN DESIGNING THIS PROGRAM IN RURAL COMMUNITIES.

(3) UPON IMPLEMENTATION OF THE WRAPAROUND SERVICES, THE STATE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES SHALL MONITOR AND REPORT THE ANNUAL COST SAVINGS ASSOCIATED WITH ELIGIBLE CHILDREN AND YOUTH RECEIVING WRAPAROUND SERVICES TO THE PUBLIC THROUGH THE ANNUAL HEARING, PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL REQUIRE MANAGED CARE ENTITIES TO REPORT DATA ON THE UTILIZATION AND EFFECTIVENESS OF WRAPAROUND SERVICES.

(4) THE STATE DEPARTMENT SHALL WORK COLLABORATIVELY WITH THE DEPARTMENT OF HUMAN SERVICES, COUNTIES, AND OTHER DEPARTMENTS, AS APPROPRIATE, TO DEVELOP, IMPLEMENT, AND OVERSEE

WRAPAROUND SERVICES FOR CHILDREN AND YOUTH AT RISK OF OUT-OF-HOME PLACEMENT OR IN AN OUT-OF-HOME PLACEMENT. AS PART OF ROUTINE COLLABORATION, THE STATE DEPARTMENT SHALL DEVELOP A MODEL OF SUSTAINABLE FUNDING FOR WRAPAROUND SERVICES IN CONSULTATION WITH THE DEPARTMENT OF HUMAN SERVICES. WRAPAROUND SERVICES PROVIDED TO ELIGIBLE CHILDREN AND YOUTH PURSUANT TO THIS SECTION MUST BE COVERED UNDER THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5. THE STATE DEPARTMENT MAY USE TARGETING CRITERIA TO RAMP UP WRAPAROUND SERVICES AS SERVICE CAPACITY INCREASES, OR TEMPORARILY, AS NECESSARY, TO MEET CERTAIN FEDERAL FINANCIAL PARTICIPATION REQUIREMENTS.

25.5-5-804. Standardized assessment tool - standardized screening tools - single referral and entry point. (1) **Standardized assessment tool.** NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT AND DEPARTMENT OF HUMAN SERVICES SHALL JOINTLY SELECT A SINGLE STANDARDIZED ASSESSMENT TOOL TO FACILITATE IDENTIFICATION OF BEHAVIORAL HEALTH ISSUES AND OTHER RELATED NEEDS IN CHILDREN AND YOUTH AND TO DEVELOP A PLAN TO IMPLEMENT THE TOOL FOR PROGRAMMATIC UTILIZATION. THE STATE DEPARTMENT AND DEPARTMENT OF HUMAN SERVICES SHALL CONSULT WITH COUNTIES, STAKEHOLDERS, AND OTHER RELEVANT DEPARTMENTS, AS APPROPRIATE, PRIOR TO SELECTING THE TOOL.

(2) **Standardized screening tools.** NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES SHALL SELECT DEVELOPMENTALLY APPROPRIATE AND CULTURALLY COMPETENT STATEWIDE BEHAVIORAL HEALTH STANDARDIZED SCREENING TOOLS FOR PRIMARY CARE PROVIDERS SERVING CHILDREN, YOUTH, AND CAREGIVERS IN THE PERINATAL PERIOD, INCLUDING POSTPARTUM WOMEN. THE STATE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES MAY MAKE THE TOOLS AVAILABLE ELECTRONICALLY FOR HEALTH CARE PROFESSIONALS AND THE PUBLIC. PRIOR TO THE ADOPTION OF THE STANDARDIZED ASSESSMENT TOOL DESCRIBED IN SUBSECTION (1) OF THIS SECTION, AND THE STANDARDIZED SCREENING TOOLS DESCRIBED IN THIS SUBSECTION (2), THE STATE DEPARTMENT SHALL LEAD A PUBLIC CONSULTATION PROCESS INVOLVING RELEVANT STAKEHOLDERS, INCLUDING HEALTH CARE PROFESSIONALS, WITH INPUT FROM THE DEPARTMENT OF HUMAN SERVICES, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND THE DIVISION OF INSURANCE.

(3) **Statewide referral and entry point.** NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF HUMAN SERVICES, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND OTHER RELEVANT DEPARTMENTS AND COUNTIES, AS NECESSARY, SHALL DEVELOP A PLAN FOR ESTABLISHING A SINGLE STATEWIDE REFERRAL AND ENTRY POINT FOR CHILDREN AND YOUTH WHO HAVE A POSITIVE BEHAVIORAL HEALTH SCREENING OR WHOSE NEEDS ARE IDENTIFIED THROUGH A STANDARDIZED ASSESSMENT. IN DEVELOPING THE SINGLE STATEWIDE REFERRAL AND ENTRY POINT, THE STATE DEPARTMENT SHALL SEEK INPUT FROM RELEVANT STAKEHOLDERS, INCLUDING COUNTIES, MANAGED CARE ENTITIES PARTICIPATING IN THE STATEWIDE MANAGED CARE SYSTEM, FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH DISORDERS, COMMUNITIES THAT HAVE PREVIOUSLY IMPLEMENTED WRAPAROUND SERVICES, MENTAL HEALTH PROFESSIONALS, AND OTHER RELEVANT DEPARTMENTS.

25.5-5-805. Integrated funding pilot. NO LATER THAN JULY 1, 2021, THE STATE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF HUMAN SERVICES, COUNTIES, AND OTHER RELEVANT DEPARTMENTS, SHALL DESIGN AND RECOMMEND A CHILD AND YOUTH BEHAVIORAL HEALTH DELIVERY SYSTEM PILOT PROGRAM THAT ADDRESSES THE CHALLENGES OF FRAGMENTATION AND DUPLICATION OF BEHAVIORAL HEALTH SERVICES. THE PILOT PROGRAM SHALL INTEGRATE FUNDING FOR BEHAVIORAL HEALTH INTERVENTION AND TREATMENT SERVICES ACROSS THE STATE TO SERVE CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH DISORDERS. TO IMPLEMENT THE PROVISIONS OF THIS SECTION, THE STATE DEPARTMENT SHALL COLLABORATE WITH THE DEPARTMENT OF HUMAN SERVICES AND OTHER RELEVANT STAKEHOLDERS, INCLUDING COUNTIES, MANAGED CARE ENTITIES, AND FAMILIES.

SECTION 3. In Colorado Revised Statutes, **add** article 51 to title 25 as follows:

ARTICLE 51

Standardized Screening and Assessment Tool Training

25-51-101. Training on standardized screening tools and standardized assessment tool. FOLLOWING THE SELECTION OF THE STANDARDIZED SCREENING TOOLS AND THE STANDARDIZED ASSESSMENT TOOL, AS DESCRIBED IN SECTION 25.5-5-804, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL ENSURE ADEQUATE STATEWIDE TRAINING ON THE STANDARDIZED SCREENING TOOLS AND THE STANDARDIZED ASSESSMENT TOOL FOR PRIMARY CARE PROVIDERS AND OTHER INTERESTED HEALTH CARE PROFESSIONALS WHO CARE FOR CHILDREN, ENSURING THAT TRAINING IS OFFERED AT NO COST TO THE PROFESSIONAL. TRAINING SERVICES MAY BE CONTRACTED OUT TO A THIRD PARTY.

SECTION 4. In Colorado Revised Statutes, **add** article 62 to title 27 as follows:

ARTICLE 62

High-fidelity Wraparound Services for Children and Youth

27-62-101. High-fidelity wraparound services for children and youth - interagency coordination - reporting. (1) PURSUANT TO SECTION 25.5-5-803 (4), THE DEPARTMENT OF HUMAN SERVICES SHALL WORK COLLABORATIVELY WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, COUNTIES, AND OTHER RELEVANT DEPARTMENTS, AS APPROPRIATE, TO DEVELOP AND OVERSEE WRAPAROUND SERVICES FOR CHILDREN AND YOUTH AT RISK OF OUT-OF-HOME PLACEMENT OR IN AN OUT-OF-HOME PLACEMENT. AS PART OF ROUTINE COLLABORATION, THE DEPARTMENT OF HUMAN SERVICES SHALL ASSIST THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING IN DEVELOPING A MODEL OF SUSTAINABLE FUNDING FOR WRAPAROUND SERVICES. THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL MONITOR AND REPORT THE ANNUAL COST SAVINGS ASSOCIATED WITH ELIGIBLE CHILDREN AND YOUTH RECEIVING WRAPAROUND SERVICES TO THE PUBLIC THROUGH THE ANNUAL HEARING, PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(2) TWO FULL-TIME STAFF PERSONS SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT AND FACILITATE INTERAGENCY COORDINATION PURSUANT TO THIS ARTICLE 62, PART 8 OF ARTICLE 5 OF TITLE 25.5, AND ANY OTHER RELATED INTERAGENCY BEHAVIORAL HEALTH EFFORTS AS DETERMINED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES.

27-62-102. Standardized screening tools - standardized assessment tool - interagency coordination - single referral and entry point. (1) **Standardized assessment tool.** PURSUANT TO SECTION 25.5-5-804 (1), NO LATER THAN JULY 1, 2020, THE DEPARTMENT OF HUMAN SERVICES SHALL COORDINATE WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING TO JOINTLY SELECT A SINGLE STANDARDIZED ASSESSMENT TOOL TO FACILITATE IDENTIFICATION OF BEHAVIORAL HEALTH ISSUES AND OTHER RELATED NEEDS IN CHILDREN AND YOUTH AND TO DEVELOP A PLAN TO IMPLEMENT THE TOOL FOR PROGRAMMATIC UTILIZATION.

(2) **Standardized screening tools.** PURSUANT TO SECTION 25.5-5-804 (2), NO LATER THAN JULY 1, 2020, THE DEPARTMENT OF HUMAN SERVICES SHALL ASSIST THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING IN SELECTING DEVELOPMENTALLY APPROPRIATE AND CULTURALLY COMPETENT STATEWIDE BEHAVIORAL HEALTH STANDARDIZED SCREENING TOOLS FOR PRIMARY CARE PROVIDERS SERVING CHILDREN, YOUTH, AND CAREGIVERS IN THE PERINATAL PERIOD, INCLUDING POSTPARTUM WOMEN. THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND THE DEPARTMENT OF HUMAN SERVICES MAY MAKE THE TOOLS AVAILABLE ELECTRONICALLY FOR HEALTH CARE PROFESSIONALS AND THE PUBLIC.

(3) **Statewide referral and entry point.** PURSUANT TO SECTION 25.5-5-804 (3), NO LATER THAN JULY 1, 2020, THE DEPARTMENT OF HUMAN SERVICES SHALL ASSIST THE DEPARTMENT OF HEALTH CARE

POLICY AND FINANCING IN DEVELOPING A PLAN FOR ESTABLISHING A SINGLE STATEWIDE REFERRAL AND ENTRY POINT FOR CHILDREN AND YOUTH WHO HAVE A POSITIVE BEHAVIORAL HEALTH SCREENING OR WHOSE NEEDS ARE IDENTIFIED THROUGH A STANDARDIZED ASSESSMENT.

SECTION 5. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 **HB19-1208** 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 **SB19-172** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 13, strike "and (15)".

Page 2, line 16, strike "PURPOSEFUL" and substitute "INTENTIONAL".

Page 2, strike lines 19 through 21.

Page 2, strike line 23 and substitute "(6); and **add** (9) as follows:".

Page 3, strike lines 1 through 6 and substitute:

"**18-6.5-103. Crimes against at-risk persons - classifications.** (6) (a) Any person who knowingly commits caretaker neglect against an at-risk person or knowingly acts in a manner likely to be injurious to the physical or mental welfare of an at-risk person commits a class 1 misdemeanor.

(b) A PERSON WHO UNLAWFULLY ABANDONS AN AT-RISK PERSON COMMITS A CLASS 1 MISDEMEANOR.

(9) (a) A PERSON COMMITS FALSE IMPRISONMENT OF AN AT-RISK PERSON IF:

(I) (A) THE PERSON CONFINES OR DETAINS AN AT-RISK PERSON IN A LOCKED OR BARRICADED ROOM UNDER CIRCUMSTANCES THAT CAUSE BODILY INJURY OR SERIOUS EMOTIONAL DISTRESS; AND

(B) SUCH CONFINEMENT OR DETENTION WAS PART OF A CONTINUED PATTERN OF CRUEL PUNISHMENT OR UNREASONABLE ISOLATION OR CONFINEMENT OF THE AT-RISK PERSON; OR

(II) THE PERSON CONFINES OR DETAINS AN AT-RISK PERSON AND UNREASONABLY RESTRICTS THAT PERSON'S FREEDOM OF MOVEMENT BY TYING, CAGING, CHAINING, OR OTHERWISE USING SIMILAR PHYSICAL RESTRAINTS OR BY THREATENING OR INTIMIDATING THE AT-RISK PERSON.

(b) FALSE IMPRISONMENT OF AN AT-RISK PERSON IS A CLASS 6 FELONY.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1095** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 9, strike lines 10 through 15.

Renumber succeeding sections accordingly.

Page 16, after line 6, insert:

"**SECTION 9. Appropriation.** For the 2019-20 state fiscal year, $4,650 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 operating expenses.".

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-177** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 19, after "INCLUDE" insert "CARE OF CHILDREN, TREATMENT OF CHILDREN,".

Page 2, line 20, strike "CHILDREN" and substitute "CHILDREN,".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1160** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, after line 27 insert:

"(6) THE COLORADO LONG-TERM CARE OMBUDSMAN OFFICE, ESTABLISHED PURSUANT TO SECTION 26-11.5-104, HAS ACCESS TO THE PREMISES AND RESIDENTS OF A MENTAL HEALTH FACILITY DURING REASONABLE HOURS FOR THE PURPOSES SET OUT IN THE FEDERAL "OLDER AMERICANS ACT OF 1965."

SECTION 3. In Colorado Revised Statutes, 26-11.5-103, **amend** (3)(c); and **add** (3)(d) as follows:

26-11.5-103. Definitions. As used in this article 11.5, unless the context otherwise requires:

(3) "Long-term care facility" or "facility" means:

(c) Any swing bed in an extended care facility; AND

(d) A MENTAL HEALTH FACILITY PARTICIPATING IN THE PILOT PROGRAM ESTABLISHED PURSUANT TO SECTION 25-3-120.".

Renumber succeeding sections accordingly.

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, 2022:

Victoria McColm of Colorado Springs, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, 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, 2021:

Carl Joseph Herrmann of Wellington, Colorado, representing employers who have demonstrated good risk management experience with respect to their workers' compensation insurance, 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
BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2021:

Harrietta Irene Sanders of Denver, Colorado, to serve as a member of the public, appointed.

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
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2020:

Honorable Gilbert Ortiz of Pueblo, Colorado, to serve as a representative of local government, and occasioned by the resignation of Honorable Lew Gaiter III of Fort Collins, Colorado, appointed.

for a term expiring June 1, 2021:

Mary Kay Hogan of Denver, Colorado, to serve as a representative of the private sector, reappointed;

for a term expiring June 1, 2022:

Hannah Parsons of Colorado Springs, Colorado, to serve as a representative of the private sector, appointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-206** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1238** 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 **SB19-169** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, after line 11 insert:

"**SECTION 2.** In Colorado Revised Statutes, **add** 24-37.5-116 as follows:

24-37.5-116. Major information technology projects - project management and metrics. (1) (a) THE OFFICE SHALL ENSURE THAT EVERY MAJOR INFORMATION TECHNOLOGY PROJECT HAS A PROJECT MANAGER IN THE OFFICE. THE OFFICE AND THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR THE MAJOR INFORMATION TECHNOLOGY PROJECT SHALL ENSURE THAT THE PROJECT MANAGER FROM THE OFFICE IS REGULARLY INVOLVED IN THE MANAGEMENT OF THE PROJECT. THE PROJECT MANAGER FOR EACH MAJOR INFORMATION TECHNOLOGY PROJECT IS REQUIRED TO DEVELOP, IN COORDINATION WITH THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR A MAJOR INFORMATION TECHNOLOGY PROJECT, APPLICABLE PROJECT BASELINE METRICS FOR THE PROJECT AS SPECIFIED IN SUBSECTION (1)(b) OF THIS SECTION TO BE USED TO TRACK THE PROGRESS OF THE PROJECT. THE PROJECT MANAGER FOR EACH MAJOR INFORMATION TECHNOLOGY PROJECT SHALL OBTAIN APPROVAL FOR THE PROJECT BASELINE METRICS FROM THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR THE MAJOR INFORMATION TECHNOLOGY PROJECT. THE OFFICE SHALL ENSURE THAT THE CONTRACTOR DOES NOT BEGIN WORK ON A MAJOR INFORMATION TECHNOLOGY PROJECT UNTIL THE PROJECT MANAGER HAS DEVELOPED THE BASELINE METRICS FOR THE PROJECT AND THE BASELINE METRICS HAVE BEEN APPROVED BY THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR THE PROJECT.

(b) THE PROJECT MANAGER FOR A MAJOR INFORMATION TECHNOLOGY PROJECT IS REQUIRED TO DEVELOP BASELINE METRICS FOR THE PROJECT THAT INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) THE PROJECT SCOPE, INCLUDING A STATEMENT OF THE PRODUCTS, SERVICES, AND RESULTS THAT A PROJECT IS REQUIRED TO DELIVER;

(II) THE PROJECT SCHEDULE, INCLUDING THE PLANNED DATES FOR SIGNIFICANT MILESTONES FOR A PROJECT;

(III) THE PROJECT BUDGET, INCLUDING THE AUTHORIZED ESTIMATED BUDGET FOR ALL PHASES OF THE PROJECT; AND

(IV) THE EXPECTED AND ACCEPTABLE QUALITY OF THE PROJECT.

(2) (a) THE OFFICE SHALL DEVELOP, IN COOPERATION WITH THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR A MAJOR INFORMATION TECHNOLOGY PROJECT, PERFORMANCE INDICATORS FOR THE PROJECT TO BE USED TO MONITOR THE PROJECT. THE PERFORMANCE INDICATORS SHALL INCLUDE QUANTITATIVE METRICS TO ASSESS VARIATIONS IN THE BASELINE METRICS FOR A PROJECT, SUCH AS A SCHEDULE AND COST PERFORMANCE MEASUREMENTS. THE OFFICE, IN COORDINATION WITH THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR A MAJOR INFORMATION TECHNOLOGY PROJECT, SHALL ALSO ESTABLISH QUANTITATIVE CRITICAL SUCCESS FACTORS TO TRACK THE SUCCESS OF EACH MAJOR INFORMATION TECHNOLOGY PROJECT.

(b) IF THE OFFICE CHOOSES TO USE COLOR LEVELS AS PERFORMANCE INDICATORS, THE OFFICE SHALL INCLUDE A DEFINITION OF EACH COLOR LEVEL AND SHALL SPECIFY THE PERFORMANCE INDICATOR VALUE USED TO ASSIGN THE COLOR LEVEL.

(c) THE OFFICE SHALL CREATE AND MAINTAIN ON ITS WEBSITE A USER-FRIENDLY, PUBLIC-FACING DATA VISUALIZATION TOOL THAT PROVIDES AN ANALYSIS AND VISUAL REPRESENTATION OF THE PERFORMANCE INDICATORS THAT IT DEVELOPS PURSUANT TO THIS SECTION.

(3) (a) AFTER THE PROJECT MANAGER HAS OBTAINED APPROVAL FOR THE PROJECT BASELINE METRICS FROM THE APPLICABLE STATE AGENCY PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE PROJECT MANAGER SHALL PROVIDE THE FOLLOWING TO THE JOINT TECHNOLOGY COMMITTEE:

(I) THE APPROVED BASELINE METRICS THAT WILL BE USED TO

TRACK THE PROGRESS OF THE PROJECT;

(II) THE PERFORMANCE INDICATORS THAT WILL BE USED TO ASSESS VARIATIONS IN THE BASELINE METRICS FOR THE PROJECT; AND

(III) THE QUANTITATIVE CRITICAL SUCCESS FACTORS THAT WILL BE USED TO TRACK THE SUCCESS OF THE PROJECT.

(b) IF A PROJECT MANAGER FOR A MAJOR INFORMATION TECHNOLOGY PROJECT MODIFIES THE PERFORMANCE INDICATORS FOR THE PROJECT DURING THE DURATION OF THE PROJECT, THE PROJECT MANAGER SHALL NOTIFY THE JOINT TECHNOLOGY COMMITTEE OF THE CHANGE AND SHALL PROVIDE THE UPDATED PERFORMANCE INDICATORS TO THE COMMITTEE.

(4) (a) AFTER THE PROJECT MANAGER HAS PROVIDED THE BASELINE METRICS, PERFORMANCE INDICATORS, AND CRITICAL SUCCESS FACTORS FOR A MAJOR INFORMATION TECHNOLOGY PROJECT TO THE JOINT TECHNOLOGY COMMITTEE PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE OFFICE SHALL CREATE QUARTERLY STATUS REPORTS REGARDING THE MAJOR INFORMATION TECHNOLOGY PROJECT USING THE PERFORMANCE INDICATORS THAT WERE SPECIFIED FOR THE PROJECT BY THE PROJECT MANAGER. THE OFFICE SHALL PROVIDE THE QUARTERLY STATUS REPORT FOR EACH MAJOR INFORMATION PROJECT TO THE JOINT TECHNOLOGY COMMITTEE AND SHALL INCLUDE IN THE REPORT THE BUDGET SPECIFIED IN THE PROJECT BASELINE METRICS, THE COMMITTED BUDGET FOR THE PROJECT TO DATE, AND THE AMOUNT THAT HAS BEEN SPENT ON THE PROJECT TO DATE.

(b) IF THE QUARTERLY STATUS REPORT FOR A MAJOR INFORMATION TECHNOLOGY PROJECT INDICATES THAT THE PROJECT IS UNLIKELY TO ACHIEVE THE PERFORMANCE INDICATORS ESTABLISHED FOR THE PROJECT, THE OFFICE SHALL PLACE THE PROJECT ON A LIST FOR MORE INTENSE MONITORING.

(c) IN THE COURSE OF MONITORING MAJOR INFORMATION TECHNOLOGY PROJECTS THE OFFICE SHALL DETERMINE WHETHER THERE IS A NEED FOR CORRECTIVE ACTION FOR THE PROJECT. IF THE OFFICE DETERMINES THAT THE PROJECT IS NOT IN COMPLIANCE WITH THE ESTABLISHED BASELINE METRICS FOR THE PROJECT, THAT THE VARIANCES IN THE ESTABLISHED PERFORMANCE INDICATORS OR SUCCESS FACTORS ESTABLISHED FOR THE PROJECT ARE INTOLERABLE, OR THAT THE PROJECT IS OTHERWISE IN NEED OF CORRECTIVE ACTION, THE OFFICE SHALL NOTIFY THE STATE AGENCY THAT IS A PARTY TO THE CONTRACT FOR THE PROJECT OF THE OFFICE'S RECOMMENDED CORRECTIVE ACTION FOR THE PROJECT.".

Renumber succeeding sections accordingly.

Page 4, lines 12 and 13, strike "and 24-103-406".

Page 4, strike lines 14 through 27.

Strike page 5.

Page 6, strike lines 1 through 21.

Page 6, line 22, strike "**24-103-406.**" and substitute "**24-103-405.**".

Education After consideration on the merits, the Committee recommends that **SB19-170** 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 corrected printed bill, page 2, after line 1 insert:

"**SECTION 1. Short title.** The short title of this act is the "Ensuring Access to Higher Education Act".".

Renumber succeeding sections accordingly.

Page 2, after line 14 insert:

"(c) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102 (10).".

Page 4, after line 20 insert:

"(b) AN APPLICANT'S PRIOR CONVICTIONS, WITHIN FIVE YEARS BEFORE SUBMITTING THE APPLICATION, FOR ASSAULT, KIDNAPPING, VOLUNTARY MANSLAUGHTER, OR MURDER;".

Reletter succeeding paragraphs accordingly.

Page 6, line 14, strike "January" and substitute "May".

Education

After consideration on the merits, the Committee recommends that **SB19-176** 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, 22-35-103, **amend** (6); and **add** (17) as follows:

22-35-103. Definitions. As used in this article 35, unless the context otherwise requires:

(6) (a) "Concurrent enrollment" means the simultaneous enrollment of a qualified student in a local education provider and in one or more postsecondary courses, including academic or career and technical education courses, which may include course work related to apprenticeship programs or internship programs, at an institution of higher education pursuant to the provisions of this ~~article~~ ARTICLE 35, AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN, EXCEPT AS PROVIDED IN SECTION 22-35-105 (4)(c). AS PROVIDED IN SECTION 22-35-104 (5) AND (6)(b)(II), UPON SUCCESSFULLY COMPLETING A CONCURRENT ENROLLMENT POSTSECONDARY COURSE, THE QUALIFIED STUDENT MUST RECEIVE CREDIT THAT APPLIES TO COMPLETION OF HIGH SCHOOL GRADUATION REQUIREMENTS AND POSTSECONDARY CREDIT THAT APPLIES TOWARD COMPLETION OF BASIC SKILLS REQUIREMENTS, APPLIES TOWARD EARNING A CERTIFICATE OR DEGREE AWARDED THROUGH AN APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM, OR IS APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 OR IS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a).

(b) "Concurrent enrollment" does not include a student's simultaneous enrollment in:

(I) A local education provider and in one or more secondary career and technical education courses, ADVANCED PLACEMENT COURSES, OR INTERNATIONAL BACCALAUREATE COURSES;

(II) AN EARLY COLLEGE AND A POSTSECONDARY COURSE, WHICH ENROLLMENT IS NOT SUBJECT TO THE PROVISIONS OF THIS ARTICLE 35;

(III) A P-TECH SCHOOL, AS DEFINED IN SECTION 22-35.3-102, AND A POSTSECONDARY COURSE, WHICH ENROLLMENT IS SUBJECT TO THE PROVISIONS OF ARTICLE 35.3 OF THIS TITLE 22; OR

(IV) A LOCAL EDUCATION PROVIDER AND A POSTSECONDARY COURSE THAT DOES NOT MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (6)(a) OF THIS SECTION.

(17) "STUDENT GROUP" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-11-103.

SECTION 2. In Colorado Revised Statutes, 22-35-104, **amend** (1)(a), (1)(b), (6)(b)(I), and (6)(b)(II); and **add** (6)(b)(IV.5), (8)(d), and (15) as follows:

22-35-104. Enrollment in an institution of higher education - cooperative agreement. (1) (a) (I) BEGINNING IN THE 2020-21 SCHOOL YEAR AND IN EACH SCHOOL YEAR THEREAFTER, EACH LOCAL EDUCATION PROVIDER THAT ENROLLS STUDENTS IN GRADES NINE THROUGH TWELVE SHALL PROVIDE THOSE STUDENTS THE OPPORTUNITY TO CONCURRENTLY ENROLL IN POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, AS PROVIDED IN THIS ARTICLE 35.

(II) A qualified student enrolled in a high school of a school

district who ~~has applied to and received~~ APPLIES TO AND RECEIVES approval from the superintendent of the school district or ~~his or her~~ THE SUPERINTENDENT'S designee, or a qualified student enrolled in a district charter school, an institute charter school, or a high school of a BOCES who ~~has applied to and received~~ APPLIES TO AND RECEIVES approval from the chief administrator of the district charter school, an institute charter school, or a high school of a BOCES, pursuant to subsection (2) of this section may register with and concurrently enroll in an institution of higher education in accordance with the provisions of this ~~article~~ ARTICLE 35. A SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE, OR THE CHIEF ADMINISTRATOR OF A SCHOOL SHALL NOT UNREASONABLY DENY A QUALIFIED STUDENT APPROVAL TO CONCURRENTLY ENROLL IN POSTSECONDARY COURSES PURSUANT TO THIS ARTICLE 35.

(III) EXCEPT AS DESCRIBED IN SUBSECTIONS (1)(c) AND (1)(d) OF THIS SECTION AND SECTIONS 22-35-108 AND 22-35-109, A LOCAL EDUCATION PROVIDER SHALL NOT LIMIT THE NUMBER OF POSTSECONDARY COURSES, INCLUDING ACADEMIC COURSES AND CAREER AND TECHNICAL EDUCATION COURSES, WHICH MAY INCLUDE COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, IN WHICH A QUALIFIED STUDENT MAY CONCURRENTLY ENROLL DURING THE NINTH, TENTH, ELEVENTH, OR TWELFTH GRADE, EXCEPT TO THE DEGREE THAT THE LOCAL EDUCATION PROVIDER IS UNABLE TO PROVIDE ACCESS TO THE POSTSECONDARY COURSES DUE TO TECHNOLOGICAL CAPACITY.

(b) (I) Each local education provider shall annually notify all students and parents or legal guardians of students enrolled in the local education provider of the opportunity for concurrent enrollment by qualified students in postsecondary courses, including academic courses and career and technical education courses, including course work related to apprenticeship programs and internship programs. The notice provided pursuant to this subsection (1)(b)(I) must include the local education provider's timelines affecting student eligibility for concurrent enrollment courses and a statement informing students that they may significantly reduce their college expenses, increase the likelihood that they will complete college, and earn marketable workforce skills by taking concurrent enrollment courses. IN PROVIDING NOTICE OF CONCURRENT ENROLLMENT OPPORTUNITIES, A LOCAL EDUCATION PROVIDER AND AN INSTITUTION OF HIGHER EDUCATION SHALL NOT REFER TO ENROLLMENT IN A PROGRAM OR COURSE AS CONCURRENT ENROLLMENT IF THE PROGRAM OR COURSE DOES NOT MEET THE DEFINITION OF CONCURRENT ENROLLMENT OR IF THE CONDITIONS OF ENROLLMENT DO NOT MEET THE REQUIREMENTS SPECIFIED IN THIS SECTION.

(II) At least six weeks prior to the beginning of the enrollment period for postsecondary concurrent enrollment courses, the local education provider shall provide to each student and the ~~parents~~ PARENT or legal guardian of the student written notice, which notice may be sent electronically, of all postsecondary courses offered ~~at a~~ FOR CONCURRENT ENROLLMENT AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN AT THE local education provider's facility, ~~and the cost to the student of each course, as well as~~ options for enrolling in CONCURRENT ENROLLMENT courses AT NO TUITION COST TO THE QUALIFIED STUDENT OR THE QUALIFIED STUDENT'S PARENT OR LEGAL GUARDIAN at an institution of higher education's facility, ~~and the~~ ANY ANTICIPATED cost to the QUALIFIED student ~~of~~ FOR FEES OR BOOKS FOR those courses, ~~This subsection (1)(b)(II) applies to all postsecondary courses available to the student regardless of whether the courses meet the requirements of this section~~ AND THE NUMBER AND TRANSFERABILITY OF COURSE CREDITS THAT A QUALIFIED STUDENT MAY EARN BY ENROLLING IN THE CONCURRENT ENROLLMENT COURSES.

(III) At the time of enrollment, each local education provider shall notify the student and the STUDENT'S parent or legal guardian ~~of the student if the postsecondary course in which the student is enrolling including a postsecondary course offered as part of a program of off-campus instruction pursuant to section 23-1-109, does not meet the requirements of this section~~ OF THE NUMBER AND TRANSFERABILITY OF THE POSTSECONDARY CREDITS THE STUDENT MAY EARN BY COMPLETING THE CONCURRENT ENROLLMENT COURSE, INCLUDING WHETHER THE

CREDITS APPLY TO ONE OR MORE APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS, WHETHER THE CREDITS ARE APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125, AND WHETHER THE CREDITS ARE PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a).

(IV) The notice DESCRIBED IN SUBSECTION (1)(b)(III) OF THIS SECTION must include information about other postsecondary courses available to the student ~~pursuant to this section~~ THROUGH CONCURRENT ENROLLMENT at ~~low or~~ no cost to the student, that are credit-bearing and applicable toward earning a degree or certificate at ~~an~~ THE institution of higher education OFFERING THE COURSE or at ~~any~~ ANOTHER institution of higher education if the course is approved for statewide transfer pursuant to section 23-1-125. ~~The institution of higher education offering the postsecondary course shall inform the local education provider as to whether the postsecondary course meets the requirements of this section.~~

(V) THE INSTITUTION OF HIGHER EDUCATION THAT OFFERS A POSTSECONDARY COURSE THROUGH CONCURRENT ENROLLMENT SHALL INFORM THE LOCAL EDUCATION PROVIDER AS TO THE NUMBER AND TRANSFERABILITY OF THE COURSE CREDITS AND ANY ANTICIPATED COSTS FOR FEES OR BOOKS FOR THE COURSE.

(6) (b) A cooperative agreement must include, but need not be limited to:

(I) The amount AND TRANSFERABILITY of academic credit to be granted for course work successfully completed by a qualified student concurrently enrolled in the institution of higher education;

(II) A requirement that course work completed by a qualified student through concurrent enrollment at the institution of higher education qualify as basic skills credit or academic credit ~~applicable toward earning a degree or certificate at the institution~~ THAT APPLIES TOWARD EARNING A CERTIFICATE OR DEGREE AWARDED THROUGH AN APPROVED POSTSECONDARY CAREER AND TECHNICAL EDUCATION PROGRAM OR IS APPROVED FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 OR IS PART OF A STATEWIDE DEGREE TRANSFER AGREEMENT PURSUANT TO SECTION 23-1-108 (7)(a);

(IV.5) PROVISIONS PURSUANT TO WHICH THE LOCAL EDUCATION PROVIDER AND THE INSTITUTION OF HIGHER EDUCATION MAY SHARE STUDENT CONTACT AND ACADEMIC INFORMATION TO FACILITATE THE STUDENT'S CONCURRENT ENROLLMENT AND THE RECORDING OF THE STUDENT'S ACADEMIC PERFORMANCE IN THE CONCURRENT ENROLLMENT COURSE;

(8) (d) THE AUTHORIZING SCHOOL DISTRICT OF A DISTRICT CHARTER SCHOOL SHALL NOT PROHIBIT THE DISTRICT CHARTER SCHOOL FROM ALLOWING QUALIFIED STUDENTS OF THE DISTRICT CHARTER SCHOOL TO CONCURRENTLY ENROLL, SUBJECT TO THE APPROVAL OF THE SUPERINTENDENT OR HIS OR HER DESIGNEE AS PROVIDED IN SUBSECTION (8)(b)(II) OF THIS SECTION, PURSUANT TO THE PROVISIONS OF A COOPERATIVE AGREEMENT THAT IS ENTERED INTO BY THE SCHOOL DISTRICT AND AN INSTITUTION OF HIGHER EDUCATION.

(15) A LOCAL EDUCATION PROVIDER THAT OFFERS COURSES FOR CONCURRENT ENROLLMENT THAT ARE TAUGHT BY EMPLOYEES OF THE LOCAL EDUCATION PROVIDER MAY CONTRACT WITH ANOTHER LOCAL EDUCATION PROVIDER TO ALLOW STUDENTS ENROLLED BY THE CONTRACTING LOCAL EDUCATION PROVIDER TO PARTICIPATE IN THE CONCURRENT ENROLLMENT COURSES.

SECTION 3. In Colorado Revised Statutes, 22-35-105, **repeal** (3)(b) as follows:

22-35-105. Financial provisions - payment of tuition. (3) (b) ~~Nothing in this subsection (3) shall be interpreted to prohibit an institution of higher education from charging tuition or associated fees to a qualified student or his or her parent or legal guardian in addition to the tuition paid by the student's local education provider to the institution pursuant to paragraph (a) of this subsection (3).~~

SECTION 4. In Colorado Revised Statutes, **add** 22-35-113 and 22-35-114 as follows:

22-35-113. Concurrent enrollment - website. (1) BY JULY 1, 2020, THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION, WITH ADVICE FROM THE STATE BOARD, SHALL MAKE

AVAILABLE TO THE PUBLIC A CONCURRENT ENROLLMENT WEBSITE TO PROVIDE INFORMATION TO STUDENTS, PARENTS, AND LEGAL GUARDIANS CONCERNING CONCURRENT ENROLLMENT OPTIONS AND REQUIREMENTS. THE DEPARTMENTS MUST ENSURE THAT THE WEBSITE IS CLEAR, EASY TO NAVIGATE, AND GENERALLY USER-FRIENDLY. IN ADDITION, THE WEBSITE MUST AT A MINIMUM:

(a) CLEARLY EXPLAIN, DIFFERENTIATE, COMPARE, AND CONTRAST CONCURRENT ENROLLMENT; DUAL ENROLLMENT PROGRAMS; EARLY COLLEGE; THE ASCENT PROGRAM; P-TECH HIGH SCHOOLS, AS DEFINED IN SECTION 22-35.3-102; INTERNATIONAL BACCALAUREATE PROGRAMS; AND ADVANCED PLACEMENT COURSES;

(b) EXPLAIN AND DIFFERENTIATE THE CHALLENGES, BENEFITS, AND COSTS OF PARTICIPATING IN THE PROGRAMS LISTED IN SUBSECTION (1)(a) OF THIS SECTION;

(c) PROVIDE INFORMATION CONCERNING CONCURRENT ENROLLMENT IN COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS OR INTERNSHIP PROGRAMS, INCLUDING THE POSTSECONDARY CREDIT AVAILABLE FOR COMPLETING THE COURSE WORK;

(d) PROVIDE INFORMATION CONCERNING THE ELIGIBILITY REQUIREMENTS AND THE GENERAL PROCEDURE TO APPLY TO PARTICIPATE IN CONCURRENT ENROLLMENT AND, WHERE AVAILABLE, LINKS TO INFORMATION ON LOCAL EDUCATION PROVIDER WEBSITES CONCERNING PARTICIPATION IN CONCURRENT ENROLLMENT;

(e) PROVIDE INFORMATION CONCERNING CONCURRENTLY ENROLLING IN POSTSECONDARY COURSES AS ONLINE OR BLENDED LEARNING COURSES, INCLUDING THE POSTSECONDARY COURSES AVAILABLE THROUGH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM DESCRIBED IN SECTION 22-5-119;

(f) PROVIDE INFORMATION CONCERNING THE PAYMENT OF THE COSTS OF CONCURRENT ENROLLMENT, INCLUDING TUITION, WHICH IS NOT CHARGEABLE TO THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN EXCEPT AS PROVIDED IN SECTION 22-35-105 (4)(c), FEES AND BOOKS, WHICH MAY BE CHARGEABLE TO THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, AND TRANSPORTATION;

(g) EXPLAIN THE TRANSFERABILITY OF POSTSECONDARY CREDITS EARNED THROUGH CONCURRENT ENROLLMENT, INCLUDING ANY LIMITS ON TRANSFERRING THE CREDITS;

(h) PROVIDE INFORMATION CONCERNING THE COSTS OF ENROLLING IN POSTSECONDARY EDUCATION, INCLUDING CAREER AND TECHNICAL EDUCATION COURSES AND CERTIFICATE PROGRAMS, FOLLOWING HIGH SCHOOL GRADUATION;

(i) PROVIDE A LINK TO INFORMATION PROVIDED BY THE COLORADO WORKFORCE DEVELOPMENT COUNCIL CONCERNING APPRENTICESHIP PROGRAMS, INTERNSHIP PROGRAMS, AND THE ANNUAL COLORADO TALENT REPORT PRODUCED PURSUANT TO SECTION 24-46.3-103; AND

(j) PROVIDE A LINK TO INFORMATION CONCERNING AVERAGE WAGES FOR GRADUATES FROM DIFFERENT PROGRAMS AT DIFFERENT INSTITUTIONS OF HIGHER EDUCATION.

22-35-114. Concurrent enrollment expansion and innovation grant program - created - report - rules. (1) THERE IS CREATED IN THE DEPARTMENT THE CONCURRENT ENROLLMENT EXPANSION AND INNOVATION GRANT PROGRAM TO PROVIDE GRANTS, SUBJECT TO AVAILABLE APPROPRIATIONS, TO PARTNERING LOCAL EDUCATION PROVIDERS AND INSTITUTIONS OF HIGHER EDUCATION, REFERRED TO IN THIS SECTION AS A "PARTNERSHIP", THAT SEEK TO BEGIN OFFERING, OR TO EXPAND THEIR CAPACITY TO OFFER, CONCURRENT ENROLLMENT OPPORTUNITIES TO QUALIFIED STUDENTS. A SINGLE PARTNERSHIP MAY INCLUDE MULTIPLE LOCAL EDUCATION PROVIDERS AND MULTIPLE INSTITUTIONS OF HIGHER EDUCATION. A PARTNERSHIP THAT SEEKS A GRANT MUST SUBMIT AN APPLICATION TO THE DEPARTMENT IN ACCORDANCE WITH RULES OF THE STATE BOARD. THE APPLICATION MUST INCLUDE:

(a) THE NUMBER OF QUALIFIED STUDENTS, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP, PARTICIPATING IN CONCURRENT ENROLLMENT IN EACH OF THE PRECEDING FIVE SCHOOL YEARS, INCLUDING THE TYPES OF POSTSECONDARY COURSES IN WHICH QUALIFIED STUDENTS

ENROLLED, INCLUDING ACADEMIC AND CAREER AND TECHNICAL EDUCATION COURSES, WHICH MAY HAVE INCLUDED COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS; THE NUMBER OF POSTSECONDARY CREDITS EARNED; AND WHETHER THE POSTSECONDARY CREDITS WERE GENERALLY TRANSFERABLE TO INSTITUTIONS OF HIGHER EDUCATION THROUGHOUT THE STATE;

(b) THE NUMBER OF QUALIFIED STUDENTS, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP, WHO APPLIED FOR CONCURRENT ENROLLMENT IN EACH OF THE PRECEDING FIVE SCHOOL YEARS BUT WERE DENIED AND THE REASONS FOR THE DENIALS;

(c) THE FINANCIAL TERMS OF THE COOPERATIVE AGREEMENT BETWEEN THE MEMBERS OF THE PARTNERSHIP;

(d) THE MANNER IN WHICH THE LOCAL EDUCATION PROVIDER AND THE PARTNERING INSTITUTION OF HIGHER EDUCATION PUBLICIZE THE AVAILABILITY OF CONCURRENT ENROLLMENT TO ITS STUDENTS AND THE AMOUNT OF COUNSELING PROVIDED TO STUDENTS AND THEIR PARENTS OR LEGAL GUARDIANS CONCERNING THE COSTS AND BENEFITS OF CONCURRENT ENROLLMENT AND THE TRANSFERABILITY OF CREDITS OBTAINED THROUGH CONCURRENT ENROLLMENT;

(e) A DESCRIPTION OF THE MANNER IN WHICH THE PARTNERSHIP PLANS TO USE THE GRANT MONEY TO EXPAND THE NUMBER OF QUALIFIED STUDENTS CONCURRENTLY ENROLLED IN POSTSECONDARY COURSES, WHICH MAY INCLUDE:

(I) ASSISTING ONE OR MORE TEACHERS WITH THE COST OF OBTAINING A GRADUATE DEGREE IN A SPECIFIC SUBJECT SO THAT THE TEACHER MAY BE CERTIFIED TO TEACH A POSTSECONDARY COURSE AT A HIGH SCHOOL;

(II) REMOVING BARRIERS TO CONCURRENT ENROLLMENT FOR STUDENTS, WHICH MAY INCLUDE PAYING THE COSTS OF BOOKS, SUPPLIES, FEES, OR TRANSPORTATION;

(III) SHARING DATA BETWEEN THE MEMBERS OF THE PARTNERSHIP, WHICH MAY INCLUDE PURCHASING TECHNOLOGY SOFTWARE AND EQUIPMENT TO ASSIST IN THE STUDENT ENROLLMENT PROCESS; AND

(IV) PROVIDING SERVICES, SUPPORT, AND COORDINATION RESOURCES FOR CONCURRENT ENROLLMENT FOR EITHER OR BOTH MEMBERS OF THE PARTNERSHIP; AND

(f) ANY ADDITIONAL INFORMATION REQUIRED BY RULE OF THE STATE BOARD, INCLUDING INFORMATION THAT DEMONSTRATES THE APPLICANT'S NEED FOR FINANCIAL SUPPORT FOR CONCURRENT ENROLLMENT AND THE LIKELIHOOD THAT THE APPLICANT'S USE OF THE GRANT WILL INCREASE THE PARTICIPATION OF LOW-INCOME OR FIRST-GENERATION STUDENTS IN CONCURRENT ENROLLMENT.

(2) THE DEPARTMENT OF EDUCATION IN COORDINATION WITH THE DEPARTMENT OF HIGHER EDUCATION SHALL REVIEW EACH GRANT APPLICATION RECEIVED AND RECOMMEND TO THE STATE BOARD APPLICANTS THAT MAY RECEIVE GRANTS AND THE RECOMMENDED AMOUNT OF EACH GRANT. BEGINNING IN THE 2020-21 SCHOOL YEAR, SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE BOARD, TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION, SHALL AWARD GRANTS TO APPLYING PARTNERSHIPS PURSUANT TO THIS SECTION. IN MAKING RECOMMENDATIONS AND AWARDING GRANTS, THE DEPARTMENTS AND THE STATE BOARD SHALL AWARD GRANTS TO PARTNERSHIPS THAT:

(a) DO NOT PROVIDE CONCURRENT ENROLLMENT OR CONCURRENTLY ENROLL FEW QUALIFIED STUDENTS AT THE TIME OF APPLICATION;

(b) DEMONSTRATE THE GREATEST DEGREE OF NEED FOR FINANCIAL SUPPORT TO EXPAND CONCURRENT ENROLLMENT;

(c) DEMONSTRATE THE MOST EFFECTIVE USE OF THE GRANT MONEY TO PROVIDE THE GREATEST EXPANSION OF CONCURRENT ENROLLMENT, WHICH MAY INCLUDE EXPANDING BY USING TECHNOLOGICAL STRATEGIES OR PARTNERING WITH THE STATEWIDE SUPPLEMENTAL ONLINE AND BLENDED LEARNING PROGRAM DESCRIBED IN SECTION 22-5-119 AND MUST INCLUDE EXPANDING THE PARTICIPATION OF LOW-INCOME OR FIRST-GENERATION STUDENTS IN CONCURRENT

ENROLLMENT;

(d) HAVE DEMONSTRATED SUCCESS IN PROVIDING CONCURRENT ENROLLMENT TO A LARGE PERCENTAGE OF THE QUALIFIED STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDERS AND ARE SEEKING TO IMPLEMENT INNOVATIONS TO EXPAND THE NUMBER OF QUALIFIED STUDENTS CONCURRENTLY ENROLLED; OR

(e) HAVE A PLAN IN PLACE TO ENSURE THAT COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS IS ELIGIBLE TO RECEIVE TRANSFERABLE POSTSECONDARY COURSE CREDITS.

(3) (a) EACH PARTNERSHIP THAT RECEIVES A GRANT PURSUANT TO THIS SECTION SHALL REPORT TO THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION THE MANNER IN WHICH IT USES THE GRANT MONEY AND ANY OTHER INFORMATION REQUESTED BY EITHER THE DEPARTMENT OF EDUCATION OR THE DEPARTMENT OF HIGHER EDUCATION TO PREPARE THE REPORT REQUIRED IN SUBSECTION (3)(b) OF THIS SECTION.

(b) ON OR BEFORE FEBRUARY 1, 2022, AND ON OR BEFORE FEBRUARY 1 EACH YEAR THEREAFTER, THE DEPARTMENT OR EDUCATION IN COORDINATION WITH THE DEPARTMENT OF HIGHER EDUCATION SHALL PREPARE A REPORT CONCERNING IMPLEMENTATION OF THE CONCURRENT ENROLLMENT EXPANSION AND INNOVATION GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE:

(I) THE GRANT RECIPIENTS AND THE AMOUNT OF THE GRANT AWARDED TO EACH RECIPIENT;

(II) THE MANNER IN WHICH EACH GRANT RECIPIENT USED THE GRANT MONEY RECEIVED;

(III) THE NUMBER AND DEMOGRAPHICS OF THE QUALIFIED STUDENTS CONCURRENTLY ENROLLED IN POSTSECONDARY COURSES IN THE SCHOOL YEARS BEFORE AND AFTER THE GRANT RECIPIENT RECEIVED THE GRANT;

(IV) THE NUMBER OF TEACHERS WHO RECEIVED A CREDENTIAL USING ASSISTANCE RECEIVED FROM A GRANT;

(V) THE TYPES OF POSTSECONDARY COURSES, INCLUDING CAREER AND TECHNICAL EDUCATION COURSES AND ANY COURSE WORK RELATED TO APPRENTICESHIP PROGRAMS AND INTERNSHIP PROGRAMS, IN WHICH QUALIFIED STUDENTS ENROLLED IN THE SCHOOL YEARS BEFORE AND AFTER THE GRANT RECIPIENT RECEIVED THE GRANT;

(VI) THE NUMBER AND TRANSFERABILITY OF THE POSTSECONDARY CREDITS EARNED THROUGH CONCURRENT ENROLLMENT IN THE SCHOOL YEARS BEFORE AND AFTER THE GRANT RECIPIENT RECEIVED THE GRANT;

(VII) THE HIGH SCHOOL GRADUATION RATE OF EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN THE GRANT PROGRAM, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP;

(VIII) THE NUMBER OF STUDENTS WHO PARTICIPATED IN CONCURRENT ENROLLMENT WHO COMPLETED AN ASSOCIATE DEGREE OR A CERTIFICATE FROM AN APPROVED CAREER AND TECHNICAL EDUCATION PROGRAM, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP; AND

(IX) THE NUMBER OF STUDENTS WHO PARTICIPATED IN CONCURRENT ENROLLMENT AND MATRICULATED TO A TWO-YEAR OR FOUR-YEAR INSTITUTION, IN TOTAL AND DISAGGREGATED BY STUDENT GROUP.

(c) THE DEPARTMENT SHALL SUBMIT THE REPORT TO THE STATE BOARD, THE DEPARTMENT OF HIGHER EDUCATION, THE COMMISSION, AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. THE DEPARTMENT SHALL ALSO POST THE REPORT ON THE CONCURRENT ENROLLMENT WEBSITE CREATED PURSUANT TO SECTION 22-35-113.

(d) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SUBSECTION (3) CONTINUES INDEFINITELY.

(4) THE GENERAL ASSEMBLY MAY APPROPRIATE MONEY FOR GRANTS AS PROVIDED IN THIS SECTION. NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, IN A BUDGET YEAR IN WHICH THE GENERAL ASSEMBLY DOES NOT APPROPRIATE MONEY FOR GRANTS PURSUANT TO THIS SECTION, THE DEPARTMENT AND THE STATE BOARD ARE NOT REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS

SECTION.

SECTION 5. In Colorado Revised Statutes, 22-35-107, **amend** (2) introductory portion, (2)(c), and (3) as follows:

22-35-107. Concurrent enrollment advisory board - created - membership - duties - reports - repeal. (2) The board ~~shall consist~~ CONSISTS of the following ~~fourteen~~ members:

(c) ~~Three~~ FIVE representatives appointed by the governor, including at least one member who has experience in postsecondary student counseling, student admissions, and financial aid, ~~and~~ at least one member who has experience in public budgeting and finance, A PARENT OF A STUDENT ENROLLED IN PUBLIC SCHOOL, AND A STUDENT ENROLLED IN HIGH SCHOOL;

(3) Each appointing authority shall make its initial appointments no later than October 1, 2009. THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENT OF A PARENT AND STUDENT PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION NO LATER THAN OCTOBER 1, 2019. Each member of the board ~~shall serve~~ SERVES at the pleasure of the member's appointing authority for a term of three years. The appropriate appointing authority shall fill any vacancies arising during a member's term on the board.

SECTION 6. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 **HB19-1206** 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: SB19-234; SJR19-008; SR19-010.
Correctly Engrossed: SB19-085.
Correctly Reengrossed: SB19-004, 166, and 167.
Correctly Rerevised: HB19-1038, 1069, 1150, and 1172.
Correctly Enrolled: SB19-181 and 203.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-235 by Senator(s) Fenberg and Danielson; also Representative(s) Esgar--Concerning the transfer of electronic records by voter registration agencies in order to register voters.
State, Veterans, & Military Affairs

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:

SB19-085 by Senator(s) Danielson and Pettersen, Fields, Donovan, Winter, Gonzales, Court, Zenzinger, Todd, Story, Ginal, Williams A., Rodriguez, Lee, Moreno, Garcia, Fenberg, Foote, Bridges; also Representative(s) Buckner and Gonzales-Gutierrez, Benavidez, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Titone, Valdez A., Weissman--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities.

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

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	E
Fields	Y	Lundeen	N	Sonnenberg	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 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:

HB19-1224 by Representative(s) Herod, Arndt, Bird, Buckner, Buentello, Caraveo, Cutter, Duran, Esgar, Froelich, Galindo, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Sirota, Tipper, Titone; also Senator(s) Winter--Concerning providing free menstrual hygiene products to people in custody.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 2, page 627 and placed in members' bill files.)

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

SB19-185 by Senator(s) Fields and Lundeen; also Representative(s) Landgraf and Roberts--Concerning protections for minor human trafficking victims, and, in connection therewith, requiring a post-enactment review of the implementation of this act.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 2, pages 633-634 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 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-185 as amended, HB19-1224 as amended.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary

After consideration on the merits, the Committee recommends that **SB19-175** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 13 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 42-2-127, **add** (5)(e.7) as follows:

42-2-127. Authority to suspend license - to deny license - type of conviction - points. (5) Point system schedule:

Type of conviction Points

(e.7) SERIOUS BODILY INJURY TO A VULNERABLE ROAD USER.....12".

Page 3, line 26, strike "WHO CAUSES" and substitute "WHOSE ACTIONS ARE THE PROXIMATE CAUSE OF".

Page 4, line 17, strike "42-2-128.5; AND" and substitute "42-2-127 ; AND".

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1030** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 12 through 19.

Renumber succeeding sections accordingly.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-187** 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 13 through 22 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.".

Judiciary After consideration on the merits, the Committee recommends that **HB19-1225** 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 **SB19-008** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 5, strike lines 1 through 9.

Renumber succeeding sections accordingly.

Page 9, after line 21 insert:

"**SECTION 5.** In Colorado Revised Statutes, **add** part 9 to article 20.5 of title 25 as follows:

PART 9

HARM REDUCTION GRANT PROGRAM

25-20.5-901. Harm reduction grant program - creation - application - permissible uses - department duties. (1) SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A HARM REDUCTION GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "GRANT PROGRAM", TO REDUCE HEALTH RISKS ASSOCIATED WITH DRUG USE AND IMPROVE COORDINATION BETWEEN LAW ENFORCEMENT AGENCIES, PUBLIC HEALTH AGENCIES, AND COMMUNITY-BASED ORGANIZATIONS. THE DEPARTMENT MAY CONTRACT WITH AN INDEPENDENT ENTITY FOR THE ADMINISTRATION OF THE GRANT PROGRAM.

(2) TO BE ELIGIBLE TO RECEIVE GRANT FUNDING PURSUANT TO THIS PART 9, AN ENTITY MUST BE A NONPROFIT ORGANIZATION IN GOOD STANDING AND REGISTERED WITH THE FEDERAL INTERNAL REVENUE SERVICE AND THE COLORADO SECRETARY OF STATE'S OFFICE, A LOCAL PUBLIC HEALTH AGENCY ESTABLISHED PURSUANT TO SECTION 25-1-506, OR A LAW ENFORCEMENT AGENCY. GRANTEES MUST BE WILLING TO PROVIDE SERVICES TO INDIVIDUALS WHO MAY NOT BE READY TO SEEK ADDICTION TREATMENT SERVICES OR WHO ARE IN RECOVERY.

(3) ON OR BEFORE NOVEMBER 1, 2019, THE DEPARTMENT SHALL DEVELOP:

(a) ELIGIBILITY CRITERIA FOR NONPROFIT ORGANIZATIONS, LOCAL PUBLIC HEALTH AGENCIES, AND LAW ENFORCEMENT AGENCIES;

(b) THE GRANT APPLICATION PROCESS AND SCHEDULE;

(c) A PROCESS FOR DETERMINING THE AMOUNT OF EACH GRANT THAT IS AWARDED; AND

(d) THE PERFORMANCE METRICS AND DATA COLLECTION REQUIRED OF GRANTEES.

(4) (a) PERMISSIBLE USES OF FUNDING PROVIDED PURSUANT TO THIS GRANT PROGRAM INCLUDE, BUT ARE NOT LIMITED TO:

(I) TRAININGS RELEVANT TO THE FIELD OF HARM REDUCTION, WHICH MAY INCLUDE HOW TO ADMINISTER NALOXONE;

(II) PURCHASING AND PROVIDING STERILE EQUIPMENT AND SYRINGE DISPOSAL EQUIPMENT;

(III) PROVIDING DIRECT SERVICES TO PERSONS WHO HAVE COME INTO CONTACT WITH OR WHO ARE AT RISK OF COMING INTO CONTACT WITH THE CRIMINAL JUSTICE SYSTEM, WHICH MAY INCLUDE ACCESSING TREATMENT AND HEALTH CARE SERVICES, OVERDOSE PREVENTION ACTIVITIES, AND RECOVERY SUPPORT SERVICES;

(IV) OUTREACH AND ENGAGEMENT TO PEOPLE WHO COME INTO CONTACT WITH OR WHO ARE AT-RISK OF COMING INTO CONTACT WITH THE CRIMINAL JUSTICE SYSTEM AND WHO ARE IN NEED OF MENTAL HEALTH OR SUBSTANCE USE DISORDER SERVICES;

(V) FACILITATING COMMUNICATION, TRAINING, AND TECHNICAL ASSISTANCE AMONG LAW ENFORCEMENT AGENCIES, PUBLIC HEALTH AGENCIES, AND COMMUNITY-BASED HARM REDUCTION AGENCIES;

(VI) COORDINATING LOCAL EFFORTS REGARDING CO-RESPONDER AND DIVERSION PROGRAMS; AND

(VII) AURICULAR ACUDETOX TRAINING AND SERVICES.

(b) IN ORDER TO ENSURE GRANTEES ARE COORDINATING EFFORTS

ACROSS PUBLIC HEALTH AND CRIMINAL JUSTICE SYSTEMS AT THE LOCAL LEVEL, FUNDING MAY BE USED TO SUPPORT A HARM REDUCTION AND LAW ENFORCEMENT LIAISON WHO HAS EXPERIENCE WORKING WITH COMMUNITY-BASED ORGANIZATIONS, LOCAL PUBLIC HEALTH AGENCIES, AND LAW ENFORCEMENT AGENCIES.

(5) THE DEPARTMENT SHALL NOT AWARD ANY GRANT MONEY IN EXCESS OF THE AMOUNT IN THE HARM REDUCTION GRANT PROGRAM CASH FUND CREATED PURSUANT TO SECTION 25-20.5-902.

25-20.5-902. Harm reduction grant program cash fund - creation. (1) THE HARM REDUCTION GRANT PROGRAM CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND.

(2) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(3) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSES OF THIS PART 9.

(4) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON SEPTEMBER 1, 2024, TO THE GENERAL FUND.

25-20.5-903. Rules. THE DEPARTMENT MAY PROMULGATE RULES AS NECESSARY FOR THE IMPLEMENTATION OF THIS PART 9.

25-20.5-904. Repeal of part - sunset review. THIS PART 9 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024. BEFORE ITS REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE GRANT PROGRAM IN ACCORDANCE WITH SECTION 24-34-104.

SECTION 6. In Colorado Revised Statutes, 24-34-104, **add** (25)(a)(XX) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (25) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2024:

(XX) THE HARM REDUCTION GRANT PROGRAM CREATED IN SECTION 25-20.5-901.".

Renumber succeeding sections accordingly.

Page 9, line 26, strike "ALLOW" and substitute "HAVE A POLICY IN PLACE ON OR BEFORE JANUARY 1, 2020, THAT DESCRIBES HOW".

Page 10, line 1, strike "TO BE PROVIDED, AS" and substitute "WILL BE PROVIDED, WHEN".

Page 10, strike lines 13 through 17.

Renumber succeeding subsection accordingly.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, April 5, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

92nd Legislative Day Friday, April 5, 2019

Prayer — By the chaplain, Father Andre Mahanna, St. Rafka Maronite Catholic Church, Lakewood.

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

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

Quorum — The President *Pro Tem* announced a quorum present.

Pledge — By Senator Story.

Reading of the Journal — On motion of Senator Rodriguez, reading of the Journal of Thursday, April 4, 2019, 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 **SB19-191** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, line 2, before "ARRESTEE" insert "IN-CUSTODY".

Page 3, line 4, strike "THE DEFENDANT'S ARREST." and substitute "AN ARRESTED DEFENDANT ARRIVES AT A JAIL OR HOLDING FACILITY.".

Page 3, line 5, strike "A" and substitute "AN IN-CUSTODY".

Page 3, line 5 and 6, strike "THE DEFENDANT'S ARREST." and substitute "AN ARRESTED DEFENDANT ARRIVES AT A JAIL OR HOLDING FACILITY. AFTER SETTING BOND FOR A DEFENDANT WHO IS IN JAIL CUSTODY, THE COURT SHALL PROMPTLY PROVIDE THE JAIL WITH THE DEFENDANT'S BOND INFORMATION".

Page 3, line 7, after the period add "WHEN HIGH-SPEED INTERNET ACCESS IS UNAVAILABLE IN A RURAL JURISDICTION MAKING AUDIOVISUAL CONFERENCING IMPOSSIBLE, THE COURT MAY CONDUCT THE HEARING TELEPHONICALLY. THE CHIEF JUDGE OF EACH JUDICIAL DISTRICT SHALL DEVELOP, IN CONJUNCTION WITH REPRESENTATIVES FROM SHERIFFS' OFFICES, PUBLIC DEFENDERS' OFFICES, DISTRICT ATTORNEYS' OFFICES, AND ANY OTHER AGENCIES DETERMINED NECESSARY BY THE CHIEF JUDGE, PLANS FOR COMPLYING WITH THIS SUBSECTION (2)(a). IN DEVELOPING THE PLAN, THE CHIEF JUDGE SHALL EVALUATE THE POTENTIAL OF UTILIZING NEW OR EXISTING AUDIOVISUAL CONFERENCE TECHNOLOGY. IN AREAS WHERE A LACK OF BROADBAND COVERAGE MAKES AUDIOVISUAL CONFERENCING IMPOSSIBLE OR UNRELIABLE, THE CHIEF JUDGE MAY EVALUATE THE POTENTIAL OF UTILIZING TELEPHONIC HEARINGS. NO LATER THAN NOVEMBER 1, 2019, THE STATE COURT ADMINISTRATOR'S OFFICE SHALL REPORT TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES, THE PLANS FOR ALL TWENTY-TWO JUDICIAL DISTRICTS, NOT INCLUDING THE DENVER COUNTY COURT. THE REPORT MUST INCLUDE AN ESTIMATE OF RESOURCES NECESSARY TO IMPLEMENT THIS SUBSECTION (2)(a).".

Page 3, line 12, after the period insert "NOTWITHSTANDING THE

PROVISIONS OF THIS SECTION, A SHERIFF MAY ALLOW AN INDIVIDUAL TO CHOOSE TO STAY IN JAIL OVERNIGHT AFTER RELEASE WHEN EXTENUATING CIRCUMSTANCES EXIST, INCLUDING INCLEMENT WEATHER, LACK OF TRANSPORTATION, OR LACK OF SHELTER."

Page 3, lines 23 and 24, strike "DEFENDANT WITHIN TWO HOURS AFTER THE DEFENDANT'S BOND HAS BEEN POSTED." and substitute "DEFENDANT AS SOON AS PRACTICABLE BUT NO LATER THAN FOUR HOURS AFTER THE DEFENDANT IS PHYSICALLY PRESENT IN THE JAIL AND THE DEFENDANT'S BOND HAS BEEN POSTED.".

Page 3,strike line 26, and substitute "TO DETAIN THE DEFENDANT; EXCEPT THAT, IF THE DEFENDANT IS ORDERED RELEASED UPON CONDITION OF BEING SUBJECT TO ELECTRONIC MONITORING, THE DEFENDANT MAY BE HELD UP TO AS LONG PRACTICABLE BUT NO LATER THAN TWENTY-FOUR HOURS AFTER THE DEFENDANT IS PHYSICALLY PRESENT IN THE JAIL AND THE DEFENDANT'S BOND HAS BEEN POSTED, IF SUCH DELAY IS NECESSARY TO ENSURE THE DEFENDANT IS FITTED WITH ELECTRONIC MONITORING AND THAT THE COURT HAS AUTHORIZED THE DEFENDANT TO BE HELD UNTIL THE ELECTRONIC MONITOR IS FITTED.".

Page 3, line 27, strike "SERVICES, INCLUDING BEING FITTED".

Page 4, line 1, strike "TWO" and substitute "FOUR".

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
SECURITIES BOARD

for terms expiring July 1, 2021:

Thomas H. Kenning of Carbondale, Colorado, a member of the public at large residing west of the continental divide, reappointed;

Keith Michael Olivia, JD of Boulder, Colorado, who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, appointed.

Finance

After consideration on the merits, the Committee recommends that **SB19-150** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB19-1217** be referred to the Committee of the Whole 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
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2023:

Constance "Connie" M. Rule of Lakewood, Colorado, to serve as a public member, reappointed;

Julie Ann Holligan Westendorff of Durango, Colorado, to serve as a county commissioner, reappointed;

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, reappointed; and

John Kefalas of Fort Collins, Colorado, to serve as a county commissioner, 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
COLORADO HEALTHCARE AFFORDABILITY
AND SUSTAINABILITY ENTERPRISE (CHASE)

for a term expiring May 15, 2021:

Kathryn Jean Ashenfelter of Denver, Colorado, to serve as an employee of a hospital in Colorado, reappointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-219** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike line 20 and substitute "(3), (6)(a)(II), and (23.5); **repeal** (23); and **add** (16.5) as follows:"

Page 3, after line 7 insert:
"(16.5) "OPIOID TREATMENT PROGRAM" MEANS A TREATMENT PROGRAM LICENSED PURSUANT TO THIS PART 2 AND CERTIFIED AS AN OPIOID TREATMENT PROGRAM BY THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION PURSUANT TO THE RULES OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE FEDERAL DRUG ENFORCEMENT ADMINISTRATION, TO PROVIDE MEDICATION-ASSISTED TREATMENT FOR PEOPLE DIAGNOSED WITH AN OPIOID-USE DISORDER.".

Page 3, after line 10 insert
"(23.5) "Substance use disorder treatment program" means a program licensed pursuant to this part 2 for the detoxification, withdrawal, or maintenance treatment of a person with a substance use disorder. "SUBSTANCE USE DISORDER TREATMENT PROGRAM" INCLUDES AN OPIOID TREATMENT PROGRAM.".

Page 5, line 23, strike "(2)" and substitute "(2); and **add** (3)".

Page 5, line 24, strike "**Rules.**" and substitute "**Rules - policies.**".

Page 6, after line 1 insert:
"(3) THE DEPARTMENT SHALL DEVELOP A POLICY THAT SEPARATES THE ADMINISTRATION OF THIS PART 2 FROM THE ADMINISTRATION OF ARTICLE 81 OF THIS TITLE 27. THE POLICY MUST ENSURE THAT THE DEPARTMENT'S PERFORMANCE OF ITS DUTIES PURSUANT TO THIS PART 2 DOES NOT INTERFERE WITH THE PERFORMANCE OF ITS DUTIES AS REQUIRED BY ARTICLE 81 OF THIS TITLE 27.".

Page 6, line 12, strike "SUBSTANCE USE DISORDER TREATMENT PROGRAM" and substitute "OPIOID TREATMENT PROGRAM".

Page 6, lines 22 and 23, strike "CLINIC OR PROGRAM, EACH SUBSTANCE USE DISORDER TREATMENT PROGRAM" and substitute "OPIOID TREATMENT PROGRAM, EACH OPIOID TREATMENT PROGRAM".

Page 7, lines 1 and 2, strike "SUBSTANCE USE DISORDER TREATMENT PROGRAM" and substitute "OPIOID TREATMENT PROGRAM".

Page 7, lines 5 and 6, strike "SUBSTANCE USE DISORDER TREATMENT PROGRAM" and substitute "OPIOID TREATMENT PROGRAM".

Page 7, line 12, strike "SUBSTANCE USE DISORDER TREATMENT PROGRAMS" and substitute "OPIOID TREATMENT PROGRAMS".

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
CHARTER SCHOOL INSTITUTE BOARD

for a term expiring July 1, 2021:

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, 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 OF METROPOLITAN
STATE UNIVERSITY OF DENVER

for terms expiring December 31, 2022:

Barbara Barnes Grogan of Denver, Colorado, to serve as a Democrat, reappointed;

Marissa Molina of Denver, Colorado, to serve as a member who is not affiliated with a political party, appointed;

Russell Gordon Noles of Jersey City, New Jersey, to serve as a Democrat, 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
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2022:

Erich Marshall Ferchau of Gunnison, Colorado, a Republican, reappointed;

James Charles Pribyl of Louisville, Colorado, a Democrat, 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 THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2020:

Richard L. Monfort of Greeley, Colorado, a Republican, reappointed;

for a term expiring December 31, 2022:

Janice Carrie Sinden of Evergreen, Colorado, a Republican, reappointed;

Stephen Moreland Jordan, PhD of Lafayette, Colorado, an Unaffiliated, appointed.

Education

After consideration on the merits, the Committee recommends that **SB19-215** 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 8 through 11 and substitute ""CONFERENCE", PER YEAR.".

Page 3, line 12, strike "PARENTS WHO ATTEND THE CONFERENCE.".

Page 3, lines 20 through 21, strike "OVER TWO AND ONE-HALF DAYS AND TWO NIGHTS." and substitute "OF SUFFICIENT LENGTH FOR CONTENT TO BE DELIVERED, INCLUDING AT LEAST ONE OVERNIGHT STAY.".

Page 3, line 22, strike "HOTEL" and substitute "VENUE".

Page 3, lines 23 through 24, strike "NEEDS, WITH PRIORITY GIVEN TO MOUNTAIN VENUES DURING TOURIST OFF-SEASONS." and substitute "NEEDS.".

Page 3, strike lines 25 through 27 and substitute:

"(7) THE DEPARTMENT SHALL PROVIDE ALL CONFERENCE PARTICIPANTS WITH LODGING AND FOOD, SUBJECT TO AVAILABLE FUNDING AND CONSISTENT WITH STATE FISCAL RULES.".

Page 4, strike lines 1 through 3.

Page 4, strike lines 4 through 25 and substitute:

"(8) THE CONFERENCE CURRICULUM MUST INCLUDE TOPICS THAT ENABLE PARENTS TO EFFECTIVELY PARTNER WITH THEIR CHILDREN'S TEACHERS AND SCHOOLS TO PROVIDE CHILDREN WITH APPROPRIATE EDUCATION SERVICES SUCH AS, BUT NOT LIMITED TO, THE STAGES OF GRIEVING; SPECIAL EDUCATION IN COLORADO AND THE PROGRAM STANDARDS FOR PARENT ENGAGEMENT IN SCHOOLS; AN INDIVIDUAL WITH A DISABILITY'S LEGAL RIGHTS UNDER THE FEDERAL "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. 1400 ET SEQ., AS AMENDED, OR OTHER RELATED FEDERAL OR STATE LAWS; PARTICIPATION IN REGIONAL WORK SESSIONS ON FAMILY AND SCHOOL PARTNERSHIPS AND RESOURCES; AND HOW PARENTS OF CHILDREN WITH A DISABILITY CAN ADVOCATE FOR THEIR CHILDREN.

(9) THE CONFERENCE MUST PROVIDE PEER SUPPORT FOR PARENTS AT WORKING MEALS AND DURING BREAKS.".

Education

After consideration on the merits, the Committee recommends that **SB19-190** 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 with amended and relocated provisions** article 78 to title 23 as follows:

ARTICLE 78
Teacher Preparation Programs
PART 1
GENERAL PROVISIONS

23-78-101. Short title. THE SHORT TITLE OF THIS ARTICLE 78 IS THE "GROWING GREAT TEACHERS ACT".

23-78-102. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) HIGH-QUALITY TEACHING IS THE LINCHPIN FOR EFFECTIVE, HIGH-QUALITY EDUCATION IN THE SCHOOLS OF THE STATE. TO BE AN EXCELLENT, EFFECTIVE EDUCATOR, AN INDIVIDUAL MUST RECEIVE COMPREHENSIVE, RIGOROUS, AND EFFECTIVE TRAINING IN THE ART AND SCIENCE OF TEACHING AND IN THE SKILLS AND SUBJECTS THAT THE INDIVIDUAL WILL TEACH.

(b) LOCAL EDUCATION PROVIDERS WHO HIRE TEACHERS WHO HAVE NOT COMPLETED AN ADEQUATE PREPARATION, INCLUDING HIGH-QUALITY CLINICAL PRACTICE, ARE LIKELY TO EXPERIENCE A HIGH TURNOVER RATE BECAUSE NEW TEACHERS WHO ARE NOT WELL TRAINED LEAVE THE PROFESSION IN THEIR FIRST YEAR OF TEACHING AT MORE THAN TWICE THE RATE OF THOSE WHO HAVE HAD CLINICAL PRACTICE AND RIGOROUS PREPARATION;

(c) STUDENT ACHIEVEMENT IS LIKELY TO SUFFER WHEN TEACHERS ARE NOT WELL PREPARED FOR THE CHALLENGES OF THE CLASSROOM AND WHEN TEACHERS DO NOT REMAIN ON THE JOB FOR MORE THAN ONE OR TWO YEARS. IN ADDITION, SCHOOLS WITH HIGH TEACHER TURNOVER RATES STRUGGLE TO MAKE LONG-TERM IMPROVEMENT.

(d) RESEARCH SUGGESTS THAT AN EFFECTIVE TEACHER PREPARATION PROGRAM SHOULD INCLUDE OPPORTUNITIES FOR TEACHER CANDIDATES TO SPEND TIME IN THE CLASSROOM BEGINNING IN THE FIRST YEAR OF THE PROGRAM AND CONTINUING AND INCREASING THROUGHOUT THE PROGRAM, CULMINATING IN A FULL YEAR OF CLINICAL PRACTICE USING A CLASSROOM RESIDENCY MODEL IN THE FINAL YEAR OF THE PROGRAM; AND

(e) TO BE EFFECTIVE, CLINICAL PRACTICE MUST BE DIRECTED AND MENTORED BY AN EXPERIENCED, HIGH-QUALITY MASTER TEACHER WHO DEVOTES SIGNIFICANT TIME TO WORKING WITH THE TEACHER CANDIDATE. THESE MASTER TEACHERS SHOULD RECEIVE TRAINING FOR THE ROLE OF MENTOR TEACHER THAT RESULTS IN A LICENSE ENDORSEMENT AS WELL AS MEANINGFUL COMPENSATION FOR THE TIME SPENT WORKING WITH A TEACHER CANDIDATE AND SUFFICIENT TIME WITHIN THE DAILY WORK SCHEDULE TO SPEND WITH THE TEACHER CANDIDATE.

(2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS APPROPRIATE TO DIRECT THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HIGHER EDUCATION TO COLLABORATE WITH LOCAL EDUCATION PROVIDERS, APPROVED EDUCATOR PREPARATION PROGRAMS, ALTERNATIVE TEACHER PROGRAMS, AND OTHER INTERESTED PARTIES TO IDENTIFY BEST PRACTICES IN PROVIDING COMPREHENSIVE, RIGOROUS, AND EFFECTIVE TEACHER PREPARATION AND GUIDELINES FOR IMPLEMENTING THESE BEST PRACTICES. THE GENERAL ASSEMBLY FURTHER FINDS THAT IT IS IN THE BEST INTERESTS OF THE STATE TO ESTABLISH A GRANT PROGRAM TO PROVIDE FUNDING FOR TRAINING AND REIMBURSEMENTS FOR MENTOR TEACHERS WHO PROVIDE GUIDANCE AND OVERSIGHT FOR TEACHER CANDIDATES WHILE THEY PARTICIPATE IN CLINICAL PRACTICE.

23-78-103. Definitions. AS USED IN THIS PART 1, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ALTERNATIVE TEACHER PROGRAM" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-60.5-102.

(2) "APPROVED EDUCATOR PREPARATION PROGRAM" MEANS AN EDUCATOR PREPARATION PROGRAM FOR TEACHERS THAT THE COMMISSION ON HIGHER EDUCATION HAS REVIEWED PURSUANT TO SECTION 23-1-121 AND DETERMINED MEETS THE PERFORMANCE-BASED STANDARDS ESTABLISHED BY THE COMMISSION PURSUANT TO SECTION 23-1-121 AND THE REQUIREMENTS OF SECTION 23-1-108.

(3) "CLINICAL PRACTICE" MEANS PRACTICAL, FIELD-BASED EXPERIENCE THAT A TEACHER CANDIDATE GAINS THROUGH WORKING IN A CLASSROOM UNDER THE DIRECT SUPERVISION OF A MENTOR TEACHER.

(4) "COMMISSION" MEANS THE COLORADO COMMISSION ON HIGHER EDUCATION ESTABLISHED IN SECTION 23-1-102.

(5) "EDUCATOR PREPARATION PROGRAM" OR "PROGRAM" MEANS AN ALTERNATIVE TEACHER PROGRAM OR AN APPROVED EDUCATOR PREPARATION PROGRAM.

(6) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" MEANS A PUBLIC, PRIVATE, OR PROPRIETARY POSTSECONDARY INSTITUTION AUTHORIZED BY THE COMMISSION ON HIGHER EDUCATION TO OFFER EDUCATOR PREPARATION PROGRAMS.

(7) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT ORGANIZED PURSUANT TO ARTICLE 30 OF TITLE 22; A BOARD OF COOPERATIVE SERVICES, CREATED PURSUANT TO ARTICLE 5 OF TITLE 22, THAT OPERATES A PUBLIC SCHOOL; OR A CHARTER SCHOOL THAT IS AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE

30.5 OF TITLE 22 OR BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22.

(8) "MASTER CERTIFICATE" MEANS THE CERTIFICATE ISSUED BY THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 22-60.5-202 AND THE IMPLEMENTING RULES OF THE STATE BOARD OF EDUCATION, WHICH RECOGNIZES PROFESSIONAL TEACHER LICENSEES WHO ARE INVOLVED IN ONGOING PROFESSIONAL DEVELOPMENT AND TRAINING AND WHO HAVE ADVANCED COMPETENCIES OR EXPERTISE OR WHO HAVE DEMONSTRATED OUTSTANDING ACHIEVEMENTS.

(9) "NATIONAL-BOARD CERTIFIED" MEANS THAT A TEACHER HOLDS A CERTIFICATION FROM THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS.

(10) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

(11) "TEACHER CANDIDATE" MEANS A PERSON WHO IS ENROLLED IN AN EDUCATOR PREPARATION PROGRAM FOR TEACHING.

23-78-104. Educator preparation program - best practices - guidelines - report. (1) THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE DEANS OF THE SCHOOLS OF EDUCATION IN COLORADO INSTITUTIONS OF HIGHER EDUCATION, OR THEIR DESIGNEES, SHALL REVIEW RESEARCH AND PRACTICES FROM OTHER STATES AND OTHER COUNTRIES TO IDENTIFY BEST PRACTICES IN PROVIDING EDUCATOR PREPARATION PROGRAMS, INCLUDING EFFECTIVE CURRICULA, COURSE SCOPE AND SEQUENCE, AND TIMING OF AND EFFECTIVE PRACTICES IN PROVIDING CLINICAL PRACTICE. THE DEPARTMENTS AND DEANS, OR THEIR DESIGNEES, SHALL WORK WITH PERSONS WHO IMPLEMENT ALTERNATIVE TEACHER PROGRAMS, LOCAL EDUCATION PROVIDERS, TEACHERS, AND OTHER INTERESTED PARTIES IN IDENTIFYING THE BEST PRACTICES. NO LATER THAN JANUARY 1, 2020, THE DEPARTMENTS SHALL JOINTLY ADOPT GUIDELINES TO ASSIST EDUCATOR PREPARATION PROGRAMS IN ADOPTING AND IMPLEMENTING THE BEST PRACTICES.

(2) THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION SHALL JOINTLY PREPARE A REPORT CONCERNING THE IDENTIFIED BEST PRACTICES, THE ADOPTED GUIDELINES, AND REGULATORY AND LEGISLATIVE RECOMMENDATIONS TO ENSURE THAT THE POLICIES AND CRITERIA FOR REVIEWING AND APPROVING EDUCATOR PREPARATION PROGRAMS PURSUANT TO SECTIONS 22-2-109 (5) AND 23-1-121 ALIGN WITH THE IDENTIFIED BEST PRACTICES AND ARE DESIGNED TO DETERMINE THE DEGREE TO WHICH EDUCATOR PREPARATION PROGRAMS ARE IMPLEMENTING THE BEST PRACTICES. ON OR BEFORE JANUARY 15, 2020, THE DEPARTMENTS SHALL SUBMIT THE REPORT TO THE COMMISSION, THE STATE BOARD, AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES. TO THE EXTENT NECESSARY, THE COMMISSION SHALL AMEND ITS GUIDELINES AND THE STATE BOARD SHALL AMEND ITS RULES TO ALIGN WITH THE BEST PRACTICES.

(3) ON OR BEFORE MARCH 1, 2020, EACH EDUCATOR PREPARATION PROGRAM SHALL SUBMIT TO THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION A PLAN DEMONSTRATING HOW THE EDUCATOR PREPARATION PROGRAM EXPECTS TO PHASE IN IMPLEMENTATION OF THE IDENTIFIED BEST PRACTICES OVER THE FOLLOWING THREE ACADEMIC YEARS.

23-78-105. Teacher mentor grant program - created - standards - report. (1) THERE IS CREATED IN THE DEPARTMENT OF HIGHER EDUCATION THE TEACHER MENTOR GRANT PROGRAM TO PROVIDE MONEY TO PARTNERING LOCAL EDUCATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS TO PROVIDE TRAINING AND STIPENDS FOR TEACHERS WHO SERVE AS MENTORS FOR TEACHER CANDIDATES PARTICIPATING IN CLINICAL PRACTICE. SUBJECT TO AVAILABLE APPROPRIATIONS AND QUALIFYING APPLICATIONS, THE DEPARTMENT OF HIGHER EDUCATION SHALL AWARD GRANTS BEGINNING IN THE 2019-20 BUDGET YEAR. THE DEPARTMENT SHALL ESTABLISH THE DURATION OF EACH GRANT AS A PERIOD OF UP TO THREE BUDGET YEARS, SUBJECT TO ANNUAL REVIEW AND RENEWAL.

(2) A PARTNERSHIP CONSISTING OF AT LEAST ONE LOCAL EDUCATION PROVIDER AND AT LEAST ONE EDUCATOR PREPARATION

PROGRAM MAY SUBMIT AN APPLICATION FOR A GRANT TO THE DEPARTMENT OF HIGHER EDUCATION IN ACCORDANCE WITH GUIDELINES ADOPTED BY THE DEPARTMENT. THE DEPARTMENT SHALL ESTABLISH THE APPLICATION REQUIREMENTS, WHICH MUST INCLUDE A PLAN BY WHICH THE APPLICANT INTENDS TO SUSTAIN THE TEACHER MENTOR PROGRAM AFTER THE GRANT PERIOD ENDS. IN SELECTING GRANT RECIPIENTS, THE DEPARTMENT SHALL ENSURE, TO THE EXTENT PRACTICABLE, THAT THE GRANT RECIPIENTS INCLUDE APPLICANTS OF VARYING SIZE FROM RURAL, URBAN, AND SUBURBAN AREAS ACROSS THE STATE. THE DEPARTMENT MAY AWARD GRANTS ONLY TO THOSE APPLICANTS THAT COMMIT TO IMPLEMENTING A TEACHER MENTOR PROGRAM THAT:

(a) RECRUITS ONLY TEACHERS WHO HAVE AT LEAST THREE YEARS OF EXPERIENCE TEACHING AND, TO THE EXTENT PRACTICABLE:

(I) ARE RATED EFFECTIVE OR HIGHER THROUGH A LICENSED PERSONNEL PERFORMANCE EVALUATION SYSTEM PURSUANT TO ARTICLE 9 OF TITLE 22; AND

(II) HOLD A MASTER CERTIFICATE OR ARE NATIONAL-BOARD CERTIFIED;

(b) PROVIDES TRAINING IN MENTORING BEST PRACTICES, AS IDENTIFIED PURSUANT TO SUBSECTION (3) OF THIS SECTION, FOR ALL TEACHERS WHO ARE RECRUITED TO SERVE AS MENTOR TEACHERS;

(c) ENSURES THAT THE EMPLOYING LOCAL EDUCATION PROVIDER PROVIDES TIME WITHIN THE MENTOR TEACHER'S SCHEDULE TO PROVIDE OVERSIGHT AND SUPPORT FOR THE TEACHER CANDIDATE;

(d) PAYS EACH MENTOR TEACHER A STIPEND OF AT LEAST TWO THOUSAND DOLLARS PER SCHOOL YEAR OR AT LEAST TWO THOUSAND FIVE HUNDRED DOLLARS PER SCHOOL YEAR IF THE MENTOR TEACHER HOLDS A MASTER CERTIFICATE OR IS NATIONAL-BOARD CERTIFIED;

(e) IN ADDITION TO MENTORING TEACHER CANDIDATES, PROVIDES MENTORING FOR NEWLY EMPLOYED TEACHERS THROUGH AN INDUCTION PROGRAM FOR AT LEAST TWO SCHOOL YEARS AFTER EMPLOYMENT; AND

(f) COLLECTS AND PROVIDES TO THE DEPARTMENT OF HIGHER EDUCATION NONIDENTIFYING DATA CONCERNING TEACHER EFFECTIVENESS RATINGS, RETENTION, AND OTHER JOB-SATISFACTION AND SUCCESS MEASURES, AS DESCRIBED BY THE DEPARTMENT, FOR TEACHERS WHO RECEIVE MENTORING THROUGH THE TEACHER MENTOR PROGRAM.

(3) THE DEPARTMENT OF HIGHER EDUCATION AND THE DEPARTMENT OF EDUCATION, IN COLLABORATION, SHALL WORK WITH THE DEANS OF THE SCHOOLS OF EDUCATION IN COLORADO INSTITUTIONS OF HIGHER EDUCATION, OR THEIR DESIGNEES, PERSONS WHO IMPLEMENT ALTERNATIVE TEACHER PROGRAMS, LOCAL EDUCATION PROVIDERS, TEACHERS, AND OTHER INTERESTED PARTIES TO IDENTIFY BEST PRACTICE STANDARDS AND GUIDELINES FOR TEACHER MENTORING. THE DEPARTMENT OF HIGHER EDUCATION SHALL ADOPT THE STANDARDS AND GUIDELINES AND MAKE THEM AVAILABLE TO LOCAL EDUCATION PROVIDERS AND EDUCATOR PREPARATION PROGRAMS BY JANUARY 1, 2020, AND SHALL REVIEW AND UPDATE THE STANDARDS AS NECESSARY. A TEACHER RESIDENCY PROGRAM THAT IS OPERATING PURSUANT TO ARTICLE 60.3 OF TITLE 22, A TEACHING FELLOWSHIP PROGRAM THAT IS OPERATING PURSUANT TO PART 3 OF THIS ARTICLE 78, OR A GROW YOUR OWN EDUCATOR PROGRAM THAT IS OPERATING PURSUANT TO SECTION 22-60.5-208.5 AND THAT PROVIDES MENTORING FOR TEACHER CANDIDATES THAT MEETS THE STANDARDS ADOPTED PURSUANT TO THIS SUBSECTION (3) MAY APPLY TO RECEIVE A GRANT THROUGH THE TEACHER MENTOR GRANT PROGRAM, SUBJECT TO THE REQUIREMENTS SPECIFIED IN THIS SECTION.

(4) (a) BEGINNING IN THE 2020-21 BUDGET YEAR, THE DEPARTMENT OF HIGHER EDUCATION SHALL ANNUALLY PREPARE A REPORT CONCERNING THE IMPLEMENTATION OF THE TEACHER MENTOR GRANT PROGRAM. THE REPORT MUST INCLUDE:

(I) THE NUMBER, AMOUNT, AND DURATION OF THE GRANTS AWARDED AND THE NAMES OF EDUCATOR PREPARATION PROGRAMS AND LOCAL EDUCATION PROVIDERS PARTICIPATING IN THE GRANT RECIPIENT PARTNERSHIPS;

(II) A SUMMARY OF THE INFORMATION RECEIVED FROM GRANT RECIPIENTS PURSUANT TO SUBSECTION (2)(f) OF THIS SECTION; AND

(III) ANY REGULATOR OR LEGISLATIVE RECOMMENDATIONS FOR

IMPROVING THE IMPLEMENTATION OF TEACHER MENTOR PROGRAMS ACROSS THE STATE.

(b) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), ON OR BEFORE JANUARY 15, 2021, AND ON OR BEFORE JANUARY 15 EACH YEAR THEREAFTER, THE DEPARTMENT OF HIGHER EDUCATION SHALL SUBMIT THE REPORT TO THE COMMISSION, THE DEPARTMENT OF EDUCATION, THE STATE BOARD, AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES.

(5) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE MONEY TO THE DEPARTMENT OF HIGHER EDUCATION FOR THE PURPOSES OF THIS SECTION. THE DEPARTMENT MAY USE UP TO ONE PERCENT OF THE AMOUNT ANNUALLY APPROPRIATED TO PAY THE DIRECT ADMINISTRATIVE COSTS INCURRED IN IMPLEMENTING THE TEACHER MENTOR GRANT PROGRAM.

PART 2
COLLABORATIVE EDUCATOR PREPARATION
GRANT PROGRAM

23-78-201. [Formerly 23-1-120.9 (1)] Legislative declaration. The general assembly finds that, after studying the teacher shortage issue in Colorado, the department of higher education and the department of education concluded that one strategy for addressing the issue is to promote collaboration among educator preparation programs, alternative teacher programs, school districts, boards of cooperative services, and public schools to facilitate more effective preparation, placement, and retention of educators. The general assembly finds, therefore, that it is appropriate to create a grant program to support educator preparation partnerships involving educator preparation programs, alternative teacher programs, school districts, boards of cooperative services, and public schools to provide targeted educator preparation initiatives that improve the quality and applicability of educator preparation and the intentional placement of newly trained educators with school districts and public schools.

23-78-202. [Formerly 23-1-120.9 (2)] Definitions. ~~(2)~~ As used in this ~~section~~ PART 2, unless the context otherwise requires:

~~(a)~~ (1) "Board of cooperative services" means a board of cooperative services created and existing pursuant to article 5 of title 22.

~~(b)~~ (2) "Educator preparation program" means an approved educator preparation program as defined in section 23-1-121 or an alternative teacher program as defined in section 22-60.5-102.

~~(c)~~ (3) "Local education provider" means a school district, board of cooperative services, or public school.

~~(d)~~ (4) "Public school" means a school that derives its support, in whole or in part, from money raised by a general state or school district tax and includes a school of a school district, a public school operated by a board of cooperative services, and an institute charter school authorized by the state charter school institute pursuant to part 5 of article 30.5 of title 22.

~~(e)~~ (5) "School district" means a school district organized and existing pursuant to law but does not include a local college district.

23-78-203. Collaborative educator preparation grant program - created - reporting. (1) **[Formerly 23-1-120.9 (3)]** There is created in the department the collaborative educator preparation grant program to support development and implementation of targeted educator preparation initiatives by partnerships of educator preparation programs and local education providers to prepare educators specifically for employment by the partnering local education providers. Subject to available appropriations, the department shall award grants to partnerships of local education providers and educator preparation programs to fund educator preparation initiatives developed as provided in ~~subsection (4)~~ SUBSECTION (2) of this section.

(2) **[Formerly 23-1-120.9 (4)]** Beginning in August of 2018, the department, working with the rural education coordinator established pursuant to section 23-76-103, shall convene meetings between local education providers and educator preparation programs to assist them in developing joint, targeted educator preparation initiatives to submit for

grant funding. The department may contract with one or more other entities to assist local education providers and educator preparation programs in developing initiatives. An educator preparation initiative may include but need not be limited to the following strategies:

(a) Teacher residency programs developed and operated jointly by an educator preparation program and a partnering local education provider;

(b) Programs to provide educator preparation for paraprofessionals already employed by the partnering local education provider or for students enrolled by or graduating from the partnering local education provider;

(c) Programs to support educator preparation specifically for local education providers in rural areas of the state;

(d) The use of technology to support long-distance supervision and support for educator candidates and newly licensed educators;

(e) Creation of a dual licensure preparation program to prepare an individual to meet multiple needs of a partnering local education provider; and

(f) Other activities or initiatives to align educator preparation programs and activities with the specific needs of the partnering local education providers.

(3) **[Formerly 23-1-120.9 (5)]** The department shall review the grant initiatives submitted by partnering educator preparation programs and local education providers, and developed as provided in ~~subsection (4)~~ SUBSECTION (2) of this section, and, subject to available appropriations, award one-time grants to the partnering educator preparation programs and local education providers. In awarding grants, the department shall consider the quality of the initiative, the level of difficulty demonstrated by the local education provider in attracting and retaining educators, the likelihood that the initiative will assist the local education provider in attracting and retaining educators to address particular educator shortages, the likelihood that the initiative will contribute to better student outcomes, and the provisions included for continuing the initiative after the grant money is no longer available.

(4) **[Formerly 23-1-120.9 (6)]** (a) Each partnership that receives a grant shall submit a report to the department concerning implementation of the grant initiative, which must include at a minimum:

(I) A description of the strategies implemented using the grant money;

(II) The number of educator candidates and newly licensed educators served; and

(III) An evaluation of the success of the strategies in improving the quality of preparation, meeting the needs of the partnering local education provider, and improving the retention of educators by the partnering local education provider, to the extent such information is available.

(b) On or before November 1, 2020, the department shall prepare and submit to the joint budget committee and the education committees of the house of representatives and the senate, or any successor committees, a report concerning the implementation of the collaborative educator preparation grant program. The report must include a summary of the information received from grant recipients pursuant to ~~subsection (6)(a)~~ SUBSECTION (4)(a) of this section and an evaluation of the effect of the grant program in increasing educator quality and educator retention and in reducing the educator shortage in the state.

(5) **[Formerly 23-1-120.9 (7)]** The general assembly shall appropriate money for the 2018-19 fiscal year to implement this section. Any unexpended and unencumbered money from the appropriation made for the purposes of this section remains available for expenditure by the department for the purposes of this section in the 2019-20 fiscal year without further appropriation.

23-78-204. [Formerly 23-1-120.9 (8)] Repeal of part. This ~~section~~ PART 2 is repealed, effective July 1, 2021.

PART 3
TEACHING FELLOWSHIP PROGRAMS

23-78-301. [Formerly 23-3.9-201] Short title. The short title of

this ~~part 2~~ PART 3 is the "Rural Colorado Grow Your Own Educator Act".

23-78-302. [Formerly 23-3.9-202] Legislative declaration. (1) The general assembly finds that:

(a) A shortage in the availability of teachers to fill teaching positions in rural local education providers is causing a significant hardship for rural local education providers;

(b) The shortage is due, in part, to the high rate of turnover of teachers entering and leaving the profession. Following graduation and initial employment, a high percentage of teachers leave the profession within five years.

(c) The shortage in some rural local education providers also arises because teachers, after teaching in the rural local education provider for a few years, choose to relocate to a more urban area or to an area with a lower cost of living;

(d) A program through which a rural local education provider and an institution of higher education enter into an agreement to provide a teaching fellowship in the rural local education provider for selected teacher candidates in their final year of an approved educator preparation program, which leads to employment by the rural local education provider upon graduation, will help to ensure that teachers are well prepared to meet the rural local education provider's needs and expectations, have met specific competencies the rural local education provider identified as being necessary, and are acclimated into the rural local education provider upon hiring. A teacher who receives this level of specific preparation for employment with a specific employer is more likely to remain in the profession and thereby help to reduce the teacher shortage.

(e) In selecting teacher candidates to participate in a teaching fellowship program, a rural local education provider and an institution of higher education should give preference to applicants who resided within the area surrounding the rural local education provider before attending a higher education institution and are seeking the opportunity to return to the local education provider as a teacher.

23-78-303. [Formerly 23-3.9-203] Definitions. As used in this ~~part 2~~ PART 3, unless the context otherwise requires:

(1) "Agreement" means a teaching fellowship program agreement as described in ~~section 23-3.9-205~~ SECTION 23-78-305.

(2) "Approved educator preparation program" has the same meaning as provided in section 23-1-121.

(3) "Eligible student" means an in-state student, as defined in section 23-7-102, who is enrolled in the final year of an approved educator preparation program at an institution of higher education.

(4) "Institution of higher education" or "institution" means:

(a) A state institution of higher education, as defined in section 23-18-102;

(b) A local district college that offers an approved educator preparation program; or

(c) A private college or university, as defined in section 23-2-102, that is authorized pursuant to article 2 of this title 23 and offers an approved educator preparation program.

(5) "Rural charter school" means a charter school that is authorized by a rural school district pursuant to part 1 of article 30.5 of title 22 or an institute charter school that is authorized by the state charter school institute pursuant to part 5 of article 30.5 of title 22 and is located within a rural school district.

(6) "Rural local education provider" means a rural school district, a rural charter school, or a board of cooperative services that operates a public school that is located within a rural school district.

(7) "Rural school district" means a school district in Colorado that the department of education determines is rural, based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area.

(8) "Stipend" means a teaching fellowship stipend distributed to a teaching fellow as state-based financial aid as provided in ~~section 23-3.9-206~~ SECTION 23-78-306.

(9) "Teaching fellow" means an eligible student who participates

in a teaching fellowship program.

(10) "Teaching fellowship program" or "program" means a teaching fellowship program created by a rural local education provider and an institution of higher education pursuant to an agreement as described in ~~section 23-3.9-205~~ SECTION 23-78-305.

23-78-304. [Formerly 23-3.9-204] Department of education - eligible rural local education provider - identified. Within thirty days after May 25, 2018, the department of education shall identify geographic areas of the state and specific subject areas and grade levels for which there are critical shortages of qualified teachers to fill elementary and secondary teaching positions in public schools. The department shall post a map showing the identified geographic areas and a list of the identified subjects on the department website. The department shall annually review the pertinent data and update the identified geographic areas and subjects as appropriate.

23-78-305. [Formerly 23-3.9-205] Teaching fellowship program - agreements - requirements - report. (1) The governing board of a rural local education provider may enter into an agreement with an institution of higher education to create a teaching fellowship program if the rural local education provider:

(a) Is located within one of the geographic areas, or is seeking to fill a teaching position in one of the subjects, identified by the department of education pursuant to ~~section 23-3.9-204~~ SECTION 23-78-304;

(b) Demonstrates a serious, chronic difficulty in hiring or retaining teachers; and

(c) Demonstrates a level of financial need that makes payment of fifty percent of a teaching fellow's stipend a hardship for the rural local education provider.

(2) At a minimum, each agreement must describe the roles and expectations of the rural local education provider and the institution of higher education in implementing the program, including at a minimum:

(a) The commitment of the rural local education provider and the institution of higher education to jointly design an individualized, one-year teaching fellowship for each teaching fellow who is selected, which fellowship is designed to meet the needs of both the rural local education provider and the teaching fellow. At a minimum, the design must include:

(I) An evaluation at the beginning of the fellowship year of each applying eligible student's strengths and areas for growth and improvement, the needs of the rural local education provider, and the competencies that the applying eligible student, if selected, must master over the course of the fellowship year, which the rural local education provider and the institution of higher education use, in part, for determining whether the eligible student is well-matched with the rural local education provider;

(II) Joint selection by the rural local education provider and the institution of higher education of each teaching fellow and any criteria, in addition to that identified in subsection (2)(a)(I) of this section, that they apply in selecting the teaching fellows. The rural local education provider and the institution may give priority to an applying eligible student who resided within the area surrounding the rural local education provider before attending the institution and seeks to return to the rural local education provider as a teacher.

(III) Identification of the competencies that each teaching fellow is expected to master by the completion of the fellowship year, which are in addition to the teacher quality standards adopted by the state board of education pursuant to section 22-2-109 and reflect the unique needs of the rural local education provider;

(IV) Explanation of how the rural local education provider and the institution of higher education will support the teaching fellow in mastering the identified competencies;

(V) Assignment by the rural local education provider of an experienced, nonprobationary teacher who has received a highly effective rating through the rural local education provider's performance evaluation system implemented pursuant to section 22-9-106 to act as a supervising teacher for the teaching fellow; and

(VI) Inclusion of the teaching fellow in the range of activities expected of the teachers employed by the rural local education provider, including at a minimum professional development opportunities and the rural local education provider's new teacher induction program;

(b) The commitment of the rural local education provider to extend an offer of employment to each teaching fellow who successfully completes the fellowship year, as determined by the rural local education provider based on the teaching fellow's mastery of the competencies, satisfactory completion of assigned duties, completion of graduation requirements, and attainment of an initial teacher license as provided in article 60.5 of title 22;

(c) The commitment of the institution of higher education to:

(I) Provide a stipend to each selected teaching fellow as provided in ~~section 23-3.9-206~~ SECTION 23-78-306;

(II) Disburse the stipend using the standard methods for allocating state-based financial aid; and

(III) Award to the teaching fellow course credits for the fellowship and ensure the teaching fellow has the opportunity to complete during the fellowship year any other course work or other requirements to complete the approved educator preparation program in which the teaching fellow is enrolled; and

(d) The acknowledgment of the rural local education provider and the institution of higher education that either party may cancel the agreement at any time for any reason. The agreement must specify the responsibilities of each party if either cancels the agreement, including at a minimum the responsibilities owed to a teaching fellow if the agreement is cancelled during his or her fellowship year.

(3) During the one-year teaching fellowship, each teaching fellow is expected to complete the approved educator preparation program in which he or she is enrolled and any additional requirements for completing his or her postsecondary credential. Each teaching fellow must commit to at least two full school years of employment by the rural local education provider following completion of the fellowship year if the teaching fellow receives an offer of employment from the rural local education provider for each of the two school years. A teaching fellow who receives offers of employment for both school years and does not complete the two full school years of employment must repay the amount received as a stipend during the fellowship year.

(4) A rural local education provider that is located within one of the geographic areas, or that is seeking to fill a teaching position in one of the subjects, identified by the department of education pursuant to ~~section 23-3.9-204~~ SECTION 23-78-304, may enter into agreements with multiple institutions of higher education. A rural local education provider may enter into an agreement with an institution of higher education regardless of whether the rural local education provider is located within the institution's service area. A rural local education provider may seek assistance from the department of higher education in identifying an appropriate institution of higher education with which to enter into an agreement.

(5) (a) The rural local education provider and institution of higher education that enter into an agreement shall annually prepare a report concerning the implementation of the agreement. The report, at a minimum, must include:

(I) The number of teaching fellows participating in the program and the subjects they were teaching;

(II) Whether the teaching fellows mastered the competencies identified by the rural local education provider and the institution of higher education;

(III) The effectiveness of the agreement and any modifications necessary to improve the quality of the teaching fellowship program;

(IV) Whether the participating rural local education provider employed the teaching fellow at the completion of the fellowship and the number of years the teaching fellow remains employed with the rural local education provider, to the extent the information is available; and

(V) If available, data concerning the performance of teaching fellows after they are employed by the rural local education provider.

(b) A rural local education provider and an institution of higher

education that enter into an agreement shall annually decide whether to renew the agreement for the upcoming school year and may modify the agreement as appropriate.

(6) An institution of higher education that enters into an agreement shall file the finalized agreement, notices of renewal of the agreement, any modifications to the agreement, documentation of the participating rural local education provider's chronic hiring difficulty and financial need, and copies of the annual report with the department of higher education.

23-78-306. [Formerly 23-3.9-206] Teaching fellowship stipends - amount - funding. (1) Subject to available appropriations, up to one hundred teaching fellows per year, selected as provided in subsection (2) of this section, shall receive financial assistance in the form of a stipend in the amount of ten thousand dollars disbursed during the fellowship year. The stipend is in addition to any other financial assistance that may be available to the teaching fellow. A teaching fellow may apply the stipend to pay the costs of attendance during the year in which he or she participates in the teaching fellowship program.

(2) The teaching fellowship stipends shall be paid fifty percent by the department of higher education as part of the state financial assistance program and fifty percent by the participating institution of higher education as institutional financial assistance. An institution of higher education that participates in a teaching fellowship program shall notify the department of higher education of the enrollment of each student who enters into a teaching fellowship program. Based on the level of chronic hiring difficulty and financial need demonstrated by each participating rural local education provider, the department shall annually select up to one hundred students enrolled in teaching fellowship programs to receive the stipend and shall forward to the institution fifty percent of the amount of the stipend for each selected student. The institution shall provide the remaining fifty percent of the stipend and disburse one hundred percent of each stipend to the selected teaching fellows as provided in ~~section 23-3.9-205 (1)(c)~~ SECTION 23-78-305 (1)(c).

(3) If, upon completion of a teaching fellowship program, a teaching fellow does not accept an offer of employment made by the participating rural local education provider, or does not complete two full school years of employment as required in ~~section 23-3.9-205 (3)~~ SECTION 23-78-305 (3), the teaching fellow must repay the amount received as a stipend during the teaching fellowship year in accordance with terms established by the participating institution of higher education, and upon receipt of repayment the institution shall refund to the department of higher education the amount of the stipend paid as state financial aid.

(4) The general assembly shall annually appropriate to the department of higher education the amount required to implement the teaching fellowship programs as provided in this ~~part 2~~ PART 3. Any unexpended and unencumbered money from an appropriation made for the purposes of this ~~part 2~~ PART 3 remains available for expenditure by the department for the purposes of this ~~part 2~~ PART 3 in the next fiscal year without further appropriation.

23-78-307. [Formerly 23-3.9-207] Department of higher education - review of agreements - report. (1) The department of higher education shall review each agreement, and any modifications to the agreement, that it receives from an institution of higher education to ensure that the agreement meets the minimum requirements specified in ~~section 23-3.9-205~~ SECTION 23-78-305. If the department finds that an agreement does not meet the requirements, it shall return the agreement to the appropriate rural local education provider and institution of higher education for modification.

(2) The department of higher education shall review the annual report received concerning each teaching fellowship program and submit an annual summary report to the state board of education, the Colorado commission on higher education, the joint budget committee of the general assembly, and the education committees of the house of representatives and the senate, or any successor committees. The department of higher education shall prepare and submit the summary report annually, notwithstanding section 24-1-136 (11)(a)(I), as part of

the report required in section 23-1-121 (6). At a minimum, the summary report must include:

(a) Data concerning implementation of the teaching fellowship programs across the state, including:

(I) The participating rural local education providers and institutions of higher education;

(II) The number of teaching fellows; and

(III) The subjects and grade levels that the fellows are teaching; and

(b) An evaluation of the effectiveness of the teaching fellowship programs in reducing the shortage of teachers in the state, based at least in part on the number of teaching fellows who are employed by the participating rural local education providers at the completion of the fellowship, the number who remain employed through subsequent years, and the level of performance of the persons who are employed as teachers following completion of a teaching fellowship, to the extent the data is available.

SECTION 2. In Colorado Revised Statutes, 22-60.5-106, **add** (3) as follows:

22-60.5-106. Endorsement of license - effect - rules. (3) THE DEPARTMENT OF EDUCATION SHALL COLLABORATE WITH THE DEPARTMENT OF HIGHER EDUCATION TO CREATE A MENTOR TEACHER ENDORSEMENT FOR TEACHERS WHO PROVIDE MENTORING AND OVERSIGHT FOR TEACHER CANDIDATES IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE DEPARTMENT OF HIGHER EDUCATION PURSUANT TO SECTION 23-78-105 (3). THE STATE BOARD OF EDUCATION BY RULE SHALL ESTABLISH THE CRITERIA FOR THE ENDORSEMENT, WHICH MUST, AT A MINIMUM, INCLUDE SUCCESSFULLY COMPLETING TRAINING PROVIDED BY AN EDUCATOR PREPARATION PROGRAM, AS DEFINED IN SECTION 23-78-103, AND AT LEAST ONE FULL SCHOOL YEAR OF SUCCESSFUL EXPERIENCE SERVING AS A MENTOR TEACHER FOR A TEACHER CANDIDATE WHO IS PARTICIPATING IN CLINICAL PRACTICE, AS DEFINED IN SECTION 23-78-103.

SECTION 3. In Colorado Revised Statutes, 22-60.5-110, **amend** (3)(b) introductory portion as follows:

22-60.5-110. Renewal of licenses. (3) (b) A professional licensee shall complete such ongoing professional development within the period of time for which such professional license is valid. Such professional development may include, but need not be limited to, in-service education programs, including programs concerning juvenile mental health issues and the awareness and prevention of youth suicide and training in preventing, identifying, and responding to child sexual abuse and assault; college or university credit from an accepted institution of higher education or a community, technical, or local district college; educational travel that meets the requirements specified in ~~paragraph (d) of this subsection (3)~~ SUBSECTION (3)(d) OF THIS SECTION, involvement in school reform; SERVICE AS A MENTOR TEACHER FOR TEACHER CANDIDATES PARTICIPATING IN CLINICAL PRACTICE, AS DEFINED IN SECTION 23-78-103; internships; and ongoing professional development training and experiences. The state board of education, by rule, may establish minimum criteria for professional development; except that such criteria shall not:

SECTION 4. In Colorado Revised Statutes, 23-1-121, **amend** (2)(d) as follows:

23-1-121. Commission directive - approval of educator preparation programs - review. (2) The commission shall adopt policies establishing the requirements for educator preparation programs offered by institutions of higher education. The department shall work in cooperation with the state board of education in developing the requirements for educator preparation programs. At a minimum, the requirements must ensure that each educator preparation program complies with section 23-1-125, is designed on a performance-based model, and includes:

(d) A requirement that ~~during the course of the preparation program,~~ each teacher candidate in an initial licensure program complete ~~a minimum of eight hundred hours~~ AT LEAST ONE FULL, CONTINUOUS SCHOOL YEAR OF SUPERVISED FIELD-BASED EXPERIENCE THAT RELATES

TO PREDETERMINED LEARNING STANDARDS AND INCLUDES BEST PRACTICES; and, DURING THE COURSE OF THE PREPARATION PROGRAM, each principal and administrator candidate complete a minimum of three hundred hours, and each other advanced degree or add-on endorsement candidate complete AN appropriate PERIOD, OF supervised field-based experience that relates to predetermined learning standards and includes best practices and national norms related to the candidate's endorsement;

SECTION 5. Repeal of provisions being relocated in this act. In Colorado Revised Statutes, **repeal** 23-1-120.9 and part 2 of article 3.9 of title 23.

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.".

Education — After consideration on the merits, the Committee recommends that **HB19-1178** 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 & Energy — After consideration on the merits, the Committee recommends that **SB19-205** be referred to the Committee on Finance with favorable recommendation.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **SB19-221** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 11, strike line 17 and substitute "39-29-108. ~~Except as otherwise set forth in section 39-29-109.5,~~ All".

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **SB19-186** be referred to the Committee on Finance with favorable recommendation.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1080** be referred to the Committee of the Whole with favorable recommendation.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **SB19-220** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, strike line 13.

Page 2, line 16, strike "development." and substitute "development; and

(e) To ensure that Colorado continues to lead the nation in public policy supporting the hemp industry, the general assembly and the department of agriculture support all pathways to new hemp variety development, including the development of certified seed and the support of developers of new varieties of hemp seed who may choose not to enter the certified seed system for their proprietary genetics.".

SENATE SERVICES REPORT

Correctly Printed: SB19-235.
Correctly Engrossed: SB19-185.
Correctly Reengrossed: SB19-085.
Correctly Revised: HB19-1224.

MESSAGE FROM THE HOUSE

April 4, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1222.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1231, amended as printed in House Journal, April 3, 2019.

The House has passed on Third Reading and returns herewith SB19-078.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-091, amended as printed in House Journal, April 3, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 4, 2019

We herewith transmit:

Without comment, HB19-1222.
Without comment, as amended, HB19-1231.
Without comment, as amended, SB19-091.

INTRODUCTION OF RESOLUTIONS

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

SCR19-002 by Senator(s) Lundeen; also Representative(s) Geitner--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning modifications to the operations of the general assembly, and, in connection therewith, decreasing the maximum length of regular sessions of the general assembly from one hundred twenty calendar days to ninety calendar days in even-numbered years and to sixty calendar days in odd-numbered years, limiting the number of bills and resolutions that a member of the general assembly may introduce during a regular session of the general assembly, establishing a biennial budget process, and establishing the process for consideration of the general appropriation bill.
State, Veterans, & Military Affairs

SCR19-003 by Senator(s) Priola; also Representative(s) Gray--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a requirement that the general assembly enact a law to replace the existing state excise taxes on gasoline and other liquid motor fuel with an additional state sales and use tax to be used exclusively to fund the construction, maintenance, and supervision of the surface transportation system.
Transportation & Energy

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1222 by Representative(s) Kipp and McCluskie; also Senator(s) Story--Concerning a grant program to reduce the amount of the international baccalaureate exam fee paid by students.
Education

HB19-1231 by Representative(s) Froelich and Kipp, Benavidez, Jaquez Lewis, Melton, Mullica, Titone, Valdez A.; also Senator(s) Lee--Concerning efficiency standards for equipment sold in Colorado, and, in connection therewith, requiring certain appliances, plumbing fixtures, and other products sold for residential or commercial use to meet energy efficiency and water efficiency standards.
Transportation & Energy

HB19-1244 by Representative(s) Coleman and Carver, Singer; also Senator(s) Fields and Gardner, Cooke, Tate--Concerning the peace officers mental health support grant program, and, in connection therewith, allowing certain agencies to apply for grants from the program and expanding the permissible uses of money awarded as grants under the program.
Judiciary

On motion of Majority Leader Fenberg, 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

SJR19-008 by Senator(s) Lundeen, Gardner, Hill, Hisey, Lee; also Representative(s) Carver, Geitner, Liston, Sandridge, Williams D.--Concerning the recognition of the 35th Space Symposium and celebrating the premier international space policy and program forum.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Ginal, Gonzales, Holbert, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, 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:

HB19-1224 by Representative(s) Herod, Arndt, Bird, Buckner, Buentello, Caraveo, Cutter, Duran, Esgar, Froelich, Galindo, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Sirota, Tipper, Titone; also Senator(s) Winter--Concerning providing free menstrual hygiene products to people in custody.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Fenberg, Ginal, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Tate, Todd, Williams A., and Zenzinger.

SB19-185 by Senator(s) Fields and Lundeen; also Representative(s) Landgraf and Roberts--Concerning protections for minor human trafficking victims, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Foote, Gardner, Ginal, Hisey, Lee, Moreno, Pettersen, Smallwood, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

SB19-200 by Senator(s) Gonzales, Sonnenberg; also Representative(s) Valdez A.--Concerning an exception to the prohibition on removing an alcohol beverage from a premises licensed to serve alcohol beverages at the national western center.

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

HB19-1087 by Representative(s) Soper and Hansen, Coleman, McKean, Snyder, Williams D.; also Senator(s) Woodward and Bridges--Concerning online notice of public meetings of a local governmental entity.

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

HB19-1207 by Representative(s) Roberts; also Senator(s) Donovan and Rankin--Concerning a requirement that motor vehicles meet traction-control standards for winter conditions.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, April 3, page 638 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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-200, HB19-1087, HB19-1207 as amended.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1213 by Representative(s) Titone; also Senator(s) Priola--Concerning the compensation payable to a member of a board of directors of an urban drainage and flood control district.

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	N	Lee	Y	Smallwood	N	President	E
Fields	Y	Lundeen	N	Sonnenberg	N		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1213.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE HOUSING BOARD

for terms expiring January 31, 2023:

Anthea Teresa Martin of Denver, Colorado to serve, a Democrat and resident of the First Congressional District, reappointed;

Brian Arnold of Aurora, Colorado, an Unaffiliated member and resident of the Sixth Congressional District, appointed;

Raymond Timothy Hudner of Grand Junction, Colorado, a Republican and resident of the Third Congressional District, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 4, 2019, at 10:00 a.m.:
SB19-148 and 203.

MESSAGE FROM THE GOVERNOR

Thursday, April 4, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-095 - Five-year Review Of Higher Education Funding Formula
Approved Thursday, April 4, 2019 at 2:53 P.M.

Sincerely,
(signed)
Jared Polis
Governor

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB19-1208, HB19-1238, SB19-170, HB19-1206, and HB19-1225, were made Special Orders--Consent Calendar at 10:08 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 10:08 a.m. having arrived, Senator Gonzales 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 Gonzales 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:

HB19-1208 by Representative(s) Singer and Landgraf, Buckner, Catlin, Exum, Liston, Pelton, Soper, Wilson; also Senator(s) Fields and Gardner, Cooke, Coram, Crowder, Sonnenberg, Woodward--Concerning the designation of physical therapists as health care providers for the purpose of ensuring compliance with required head trauma guidelines in organized youth athletic activities.

At the request of Senator Todd, and upon notice of Majority Leader Fenberg, ordered removed from the Special Orders--Second Reading of Bills--Consent Calendar of Friday, April 5, 2019, and placed on the Special Orders--Second Reading of Bills Calendar of Friday, April 5, 2019.

HB19-1238 by Representative(s) Gray and Van Winkle; also Senator(s) Winter and Priola--Concerning the authority of the division of housing to regulate factory-built structures.

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

SB19-170 by Senator(s) Rodriguez and Tate, Court, Donovan, Fenberg, Fields, Gonzales, Lundeen, Marble, Moreno, Priola, Scott, Smallwood, Todd, Williams A.; also Representative(s) Herod, Benavidez, Cutter, Gonzales-Gutierrez, Hooton, McLachlan, Melton, Singer, Weissman--Concerning an inquiry into a college applicant's nonacademic conduct prior to admission.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 4, pages 658-659 and placed in members' bill files.)

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

HB19-1206 by Representative(s) Coleman and Larson; also Senator(s) Bridges and Lundeen--Concerning removing equity gaps in higher education by ensuring more students have access to supplemental academic instruction.

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

HB19-1225 by Representative(s) Herod and Soper, Roberts; also Senator(s) Lundeen and Lee--Concerning prohibiting the use of monetary bail for certain levels of offenses except in certain circumstances.

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-170 as amended, HB19-1238, HB19-1206, HB19-1225. Laid over to the end of the Special Orders--Second Reading of Bills calendar, Friday, April 5: HB19-1208.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Special Orders--Second Reading of Bills Calendar (HB19-1208) of Friday, April 5, was laid over until Monday, April 8, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, a Member of the Special Funds Board for Workers' Compensation Self Insurers, a Member of the Workers' Compensation Cost Containment Board, a Member of the Board of Real Estate Appraisers, and the Members of the Statewide Internet Portal Authority were made Special Orders--Governor's Appointments--Consent Calendar at 10:20 a.m.

Senate in recess. Senate reconvened.

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

The hour of 10:20 a.m. having arrived, on motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

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

for a term expiring July 1, 2022:

Victoria McColm of Colorado Springs, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2021:

Carl Joseph Herrmann of Wellington, Colorado, representing employers who have demonstrated good risk management experience with respect to their workers' compensation insurance, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2021:

Harrietta Irene Sanders of Denver, Colorado, to serve as a member of the public, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2020:

Honorable Gilbert Ortiz of Pueblo, Colorado, to serve as a representative of local government, and occasioned by the resignation of Honorable Lew Gaiter III of Fort Collins, Colorado, appointed.

for a term expiring June 1, 2021:

Mary Kay Hogan of Denver, Colorado, to serve as a representative of the private sector, reappointed;

for a term expiring June 1, 2022:

Hannah Parsons of Colorado Springs, Colorado, to serve as a representative of the private sector, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	E
Fields	Y	Lundeen	Y	Sonnenberg	Y		

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, April 8, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

95th Legislative Day Monday, April 8, 2019

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, Donovan, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Woodward.

Reading of the Journal — On motion of Senator Winter, reading of the Journal of Friday, April 5, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SCR19-002 and 003.
Correctly Engrossed: SB19-170 and 200; SJR-008.
Correctly Reengrossed: SB19-185.
Correctly Revised: HB19-1087, 1206, 1207, 1213, 1225, and 1238.
Correctly Rerevised: HB19-1224.
Correctly Enrolled: SB19-078; SR19-009.

MESSAGE FROM THE HOUSE

April 5, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-209, 210, 211, 212.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-207, 208, 213, amended as printed in House Journal, April 4, 2019.

The House has adopted the First Report of the First Conference Committee on SB19-106, as printed in House Journal, April 2, 2019, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB19-1129 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 5, 2019

We herewith transmit:

Without comment, as amended, SB19-207, 208, and 213.

On motion of Majority Leader Fenberg, 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 Fenberg, 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

SR19-007 by Senator(s) Fields and Gardner--Concerning the recognition of the week of April 7-13, 2019, as National Crime Victims' Rights Week.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Fenberg, Foote, Garcia, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

Senate in recess. Senate reconvened.

CONSIDERATION OF RESOLUTIONS (cont'd)

SJR19-006 by Senator(s) Lundeen; also Representative(s) Carver--Concerning the recognition of the 35th Space Symposium and celebrating the premier international space policy and program forum.

Laid over until Saturday, May 4.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1208 by Representative(s) Singer and Landgraf, Buckner, Catlin, Exum, Liston, Pelton, Soper, Wilson; also Senator(s) Fields and Gardner, Cooke, Coram, Crowder, Sonnenberg, Woodward--Concerning the designation of physical therapists as health care providers for the purpose of ensuring compliance with required head trauma guidelines in organized youth athletic activities.

Amendment No. 1(L.005), by Senator Todd.

Amend reengrossed bill, page 2, line 11, after "IN" insert "PEDIATRIC".

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1208 as amended.

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:

SB19-200 by Senator(s) Gonzales, Sonnenberg; also Representative(s) Valdez A.--Concerning an exception to the prohibition on removing an alcohol beverage from a premises licensed to serve alcohol beverages at the national western center.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Ginal, Hisey, Moreno, Priola, Rodriguez, Scott, Williams A., and Woodward.

HB19-1087 by Representative(s) Soper and Hansen, Coleman, McKean, Snyder, Williams D.; also Senator(s) Woodward and Bridges--Concerning online notice of public meetings of a local governmental entity.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Gonzales, Hisey, Moreno, and Todd.

HB19-1238 by Representative(s) Gray and Van Winkle; also Senator(s) Winter and Priola--Concerning the authority of the division of housing to regulate factory-built structures.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Holbert.

SB19-170 by Senator(s) Rodriguez and Tate, Court, Donovan, Fenberg, Fields, Gonzales, Lundeen, Marble, Moreno, Priola, Scott, Smallwood, Todd, Williams A.; also Representative(s) Herod, Benavidez, Cutter, Gonzales-Gutierrez, Hooton, McLachlan, Melton, Singer, Weissman--Concerning an inquiry into a college applicant's nonacademic conduct prior to admission.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Garcia, Story, and Winter.

HB19-1206 by Representative(s) Coleman and Larson; also Senator(s) Bridges and Lundeen--Concerning removing equity gaps in higher education by ensuring more students have access to supplemental academic instruction.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Gardner, Gonzales, Hisey, Moreno, Rodriguez, Story, Todd, Winter, and Woodward.

HB19-1225 by Representative(s) Herod and Soper, Roberts; also Senator(s) Lundeen and Lee--Concerning prohibiting the use of monetary bail for certain levels of offenses except in certain circumstances.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Fenberg, Garcia, Gardner, Gonzales, Moreno, Pettersen, Rodriguez, Story, Winter, and Woodward.

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:

HB19-1213 by Representative(s) Titone; also Senator(s) Priola--Concerning the compensation payable to a member of a board of directors of an urban drainage and flood control district.

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

YES	22	NO	11	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	N	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	E	Rankin	Y	Winter	Y
Danielson	N	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	E	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

HB19-1207 by Representative(s) Roberts; also Senator(s) Donovan and Rankin--Concerning a requirement that motor vehicles meet traction-control standards for winter conditions.

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

YES	27	NO	6	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	N	Scott	Y	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Moreno, Priola, and Todd.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1030 by Representative(s) Soper and Roberts; also Senator(s) Rankin and Zenzinger--Concerning creating the crime of unlawful electronic sexual communication.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 4, page 667 and placed in members' bill files.)

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

SB19-187 by Senator(s) Lee and Gardner; --Concerning commissions on judicial performance.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 4, page 667 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Gardner.

Amend printed bill, page 3, line 24, strike "(2)(h)(II)" and substitute "(2)(h)(II); and **add** (2)(d)(I.5)".

Page 4, strike lines 5 through 10 and substitute "but not limited to attorneys, jurors, represented and unrepresented litigants; law enforcement personnel; attorneys within the district attorneys' and public defenders' offices, employees of the court, court interpreters, employees of probation offices, AND employees of local departments of social services; and victims of crimes, as defined in section 24-4.1-302 (5);

(I.5) THE SURVEYS DEVELOPED PURSUANT TO SUBSECTION (2)(d)(I) OF THIS SECTION ARE TO BE DISTRIBUTED PRIMARILY THROUGH ELECTRONIC MEANS, AND THE STATE COMMISSION SHALL MAKE EFFORTS TO LOCATE ELECTRONIC MAIL ADDRESSES FOR THE PARTIES IDENTIFIED IN SAID SUBSECTION.".

Page 4, line 12, strike "CITIZENS" and substitute "INTERESTED PARTIES".

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-187 as amended, HB19-1030 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-091 by Senator(s) Fields and Cooke; also Representative(s) Singer--Concerning support of peace officers involved in a use of force incident.

Senator Fields moved that the Senate concur in House amendments to SB19-091, as printed in House journal, March 8, page 634, and April 2, page 915. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	E	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Moreno.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-106

****
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 SB19-106, concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments, has met and reports that it has agreed upon the following:

1. 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 8, strike "SIXTY-FIVE" and substitute "FIFTY-FIVE".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 6, after line 5 insert:

SECTION 3. In Colorado Revised Statutes, 31-31-704.5, **amend** (4) as follows:

31-31-704.5. Entry into the social security supplemental plan. (4) The board shall promulgate rules relating to standards for disclosure of all ramifications and procedures for obtaining member approval pursuant to subsection (3) of this section. The board shall also promulgate rules relating to standards for granting an employer's application for participation in the social security supplemental plan and for the submission of information to the board by the employer. The rules shall contain a provision specifying that an employer that opts to participate in the plan shall not be permitted to opt out of the plan at any later date. THE BOARD MAY ADOPT A RULE ALLOWING AN ELIGIBLE INDIVIDUAL ACTIVE EMPLOYEE OF AN AFFILIATING DEPARTMENT TO ELECT TO REMAIN IN A PREDECESSOR PLAN AND NOT BE COVERED UNDER THE SOCIAL SECURITY SUPPLEMENTAL PLAN.".

Renumber succeeding section accordingly.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Rachel Zenzinger, Chair	Kerry Tipper, Chair
John Cooke	Colin Larson
Lois Court	Edie Hooton

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1029, 1038, 1069, 1086, 1150, 1166.

MESSAGE FROM THE HOUSE

April 8, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1256, 1286.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1168, 1246, 1254, 1274, amended as printed in House Journal, April 5, 2019.

The House has passed on Third Reading and returns herewith SB19-052, 183.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-214, amended as printed in House Journal, April 5, 2019.

The House has voted to concur in the Senate amendments to HB19-1224 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 8, 2019

We herewith transmit:

Without comment, HB19-1256 and 1286.
Without comment, as amended, HB19-1168, 1246, 1254, and 1274.
Without comment, as amended, SB19-214.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

HB19-1167 by Representative(s) Duran and Carver; also Senator(s) Rodriguez and Holbert--Concerning an authorization for notaries public to perform notarial acts using audio-video communication.
Judiciary

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR19-007.

MESSAGE FROM THE GOVERNOR

Monday, April 8, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-032 - Hazardous Materials Transportation Routing
Approved April 8, 2019 at 2:01 P.M.

SB 19-102 - Innovation School Operating
Approved April 8, 2019 at 2:07 P.M.

SB 19-109 - Adjust Damages Limitations For Inflation
Approved April 8, 2019 at 2:10 P.M.

SB 19-031 - Child Welfare Allocations Committee
Approved April 8, 2019 at 2:14 P.M.

SB 19-041 - Health Insurance Contract Carrier And Policyholder
Approved April 8, 2019 at 2:16 P.M.

SB 19-100 - Unauthorized Disclosure Of Intimate Images Act
Approved April 8, 2019 at 3:01 P.M.

SB 19-014 - Organized Retail Theft Prevention
Approved April 8, 2019 at 3:00 P.M.

SB 19-079 - Electronic Prescribing Controlled Substances
Approved April 8, 2019 at 2:54 P.M.

Sincerely,
(signed)
Jared Polis
Governor

Appointment

A letter of designation and appointment from Governor Jared Polis was read and assigned to committee as follows:

March 4, 2019

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
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2020:

Jamie Linell Harkins of Boulder, Colorado, and occasioned by the resignation of Hon. Cari Hermacinski of Steamboat Springs, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Local Government

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, April 9, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

96th Legislative Day Tuesday, April 9, 2019

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

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 Woodward.

Reading of the Journal — On motion of Senator Winter, reading of the Journal of Monday, April 8, 2019, 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 **SB19-179** 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 17, strike "24-33.5-1807," and substitute "24-33.5-1807 (1),".
>
> Page 2, line 18, strike "the enhance" and substitute "program administration".
>
> Page 2, strike line 19.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-163** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-160** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-159** 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 **SB19-155** 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 **SB19-146** 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 **SB19-145** 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 **SB19-054** 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.

Strike the State, Veterans, and Military Affairs Committee Report, dated March 13, 2019, and substitute:

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

"**SECTION 1.** In Colorado Revised Statutes, 42-6-102, **amend** (11.5)(b) introductory portion and (11.5)(b)(III); and **add** (6.3) and (20.5) as follows:

42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:

(6.3) "HISTORICAL MILITARY VEHICLE" MEANS A VEHICLE OF ANY SIZE OR WEIGHT THAT IS VALUED FOR HISTORICAL PURPOSES, THAT WAS MANUFACTURED FOR USE BY ANY NATION'S ARMED FORCES, AND THAT IS MAINTAINED IN A CONDITION THAT REPRESENTS ITS MILITARY DESIGN AND MARKINGS.

(11.5) (b) "Off-highway vehicle" includes vehicles commonly known as all-terrain vehicles, ~~and~~ snowmobiles, AND SURPLUS MILITARY VEHICLES but does not include:

(III) HISTORICAL military vehicles;

(20.5) "SURPLUS MILITARY VEHICLE" MEANS A SELF-PROPELLED VEHICLE THAT WAS:

(I) PURCHASED FOR NONMILITARY USE; AND

(II) BUILT FOR THE UNITED STATES ARMED FORCES.

SECTION 2. In Colorado Revised Statutes, 33-14.5-101, **amend** the introductory portion and (3) introductory portion; and **repeal** (3)(c) as follows:

33-14.5-101. Definitions. As used in this ~~article~~ ARTICLE 14.5, unless the context otherwise requires:

(3) "Off-highway vehicle" means any self-propelled vehicle ~~which~~ THAT is designed to travel on wheels or tracks in contact with the ground, ~~which is~~ designed primarily for use off of the public highways, and ~~which is~~ generally and commonly used to transport persons for recreational purposes. "OFF-HIGHWAY VEHICLE" INCLUDES SURPLUS MILITARY VEHICLES AS DEFINED IN SECTION 42-6-102. "Off-highway vehicle" does not include the following:

(c) ~~Military vehicles;~~

SECTION 3. Appropriation. For the 2019-20 state fiscal year, $45,000 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation for DRIVES maintenance and support.

SECTION 4. 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.".

Page 1 of the bill, line 101, strike "**DEMILITARIZED MOTOR**" and substitute "**SURPLUS MILITARY**".

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

Appro-priations

After consideration on the merits, the Committee recommends that **HB19-1214** 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 **HB19-1128** 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 **HB19-1025** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **HB19-1023** 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, before line 14 insert:

"**SECTION 6. Appropriation.** For the 2019-20 state fiscal year, $6,750 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S.To implement this act, the division may use this appropriation for DRIVES maintenance and support.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**AGE.**" and substitute "**AGE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **HB19-1010** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-229** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-230** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-196** 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** 24-92-115 as follows:

24-92-115. Apprenticeship utilization requirements - mechanical, electrical, and plumbing contracts - public projects - definition. (1) (a) UNLESS PROHIBITED BY APPLICABLE FEDERAL LAW, AND EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION, THE CONTRACT FOR ANY PUBLIC WORKS PROJECT THAT DOES NOT RECEIVE FEDERAL MONEY, INCLUDING A PUBLIC PROJECT THAT WILL HAVE AN INTEGRATED PROJECT DELIVERY CONTRACT PURSUANT TO ARTICLE 93 OF THIS TITLE 24, IN THE AMOUNT OF ONE MILLION DOLLARS OR MORE SHALL REQUIRE THE GENERAL CONTRACTOR OR OTHER FIRM TO WHICH THE CONTRACT IS AWARDED TO SUBMIT, AT THE TIME THE MECHANICAL, ELECTRICAL, OR PLUMBING SUBCONTRACTOR IS PUT UNDER CONTRACT, DOCUMENTATION TO THE AGENCY OF GOVERNMENT THAT:

(I) IDENTIFIES THE CONTRACTORS OR SUBCONTRACTORS THAT WILL BE USED FOR ALL MECHANICAL, SHEET METAL, FIRE SUPPRESSION, SPRINKLER FITTING, ELECTRICAL, AND PLUMBING WORK REQUIRED ON THE PROJECT;

(II) CERTIFIES THAT ALL FIRMS IDENTIFIED PARTICIPATE IN APPRENTICESHIP PROGRAMS REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION OR STATE APPRENTICESHIP COUNCILS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF LABOR AND HAVE A PROVEN RECORD OF GRADUATING APPRENTICES AS FOLLOWS:

(A) BEGINNING JULY 1, 2021, THROUGH JUNE 30, 2026, A MINIMUM OF FIFTEEN PERCENT OF ITS APPRENTICES FOR AT LEAST THREE OF THE PAST FIVE YEARS;

(B) BEGINNING JULY 1, 2026, THROUGH JUNE 30, 2031, A MINIMUM OF TWENTY PERCENT OF APPRENTICES FOR AT LEAST THREE OF THE PAST FIVE YEARS; AND

(C) BEGINNING JULY 1, 2031, AND EACH YEAR THEREAFTER, A MINIMUM OF THIRTY PERCENT OF APPRENTICES FOR AT LEAST THREE OF THE PAST FIVE YEARS; AND

(III) SUPPLIES SUPPORTING DOCUMENTATION FROM THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP VERIFYING THE INFORMATION PROVIDED IN THE CERTIFICATION SPECIFIED IN SUBSECTION (1)(a)(II) OF THIS SECTION.

(b) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE DEPARTMENT OF TRANSPORTATION, REGARDLESS OF THE AMOUNT OR FUNDING SOURCE OF THE PUBLIC PROJECT. THE PROVISIONS OF THIS SECTION ALSO DOES NOT APPLY TO ANY COUNTY, CITY AND COUNTY, CITY, MUNICIPALITY, TOWN, SCHOOL DISTRICT, SPECIAL DISTRICT, OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE.

(c) FOR THE PURPOSES OF SUBSECTION (1)(a)(II) OF THIS SECTION, "GRADUATING" MEANS THE COMPLETION OF A MULTI-YEAR PROGRAM, INCLUDING THE REQUISITE CLASSROOM COURSE WORK AND ON-THE-JOB TRAINING REQUIREMENTS AND A CERTIFICATE OF COMPLETION ISSUED BY THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP.

(2) THE DOCUMENTATION REQUIRED PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL BE MADE PUBLICLY AVAILABLE BY THE CONTRACTING AGENCY OF GOVERNMENT THROUGH ITS WEBSITE WITHIN THIRTY DAYS FROM WHEN IT IS SUBMITTED.

(3) TO ENSURE COMPLIANCE WITH THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION, THE GENERAL CONTRACTOR OR OTHER FIRM TO WHICH THE CONTRACT IS AWARDED SHALL AGREE TO PROVIDE ADDITIONAL DOCUMENTATION TO THE CONTRACTING AGENCY REGARDING AFFECTED APPRENTICESHIP TRAINING PROGRAMS RELATING TO THE REQUIREMENTS OF THIS SECTION.

(4) A CONTRACTOR THAT PLANS TO SUBMIT A BID FOR A PUBLIC WORKS PROJECT MAY REQUEST A WAIVER OF THE REQUIREMENTS OF THIS SECTION PRIOR TO SUBMITTING A BID. A CONTRACTOR THAT REQUESTS A WAIVER MUST PROVIDE SUBSTANTIAL EVIDENCE TO THE AGENCY OF GOVERNMENT SOLICITING THE CONTRACT THAT THERE ARE NO AVAILABLE, ELIGIBLE SUBCONTRACTORS TO FULFILL THE MECHANICAL, ELECTRICAL, OR PLUMBING PORTIONS OF THE CONTRACT. EACH AGENCY OF GOVERNMENT THAT HAS CONTRACTS FOR PUBLIC PROJECTS SUBJECT TO THE REQUIREMENTS OF THIS SECTION SHALL MAKE PUBLIC ALL WAIVERS AND THE SPECIFIC RATIONALE FOR GRANTING THE WAIVER.

(5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO SUPERSEDE THE REQUIREMENTS FOR LICENSED PLUMBERS, LICENSED ELECTRICIANS, OR APPRENTICES REGISTERED WITH THE STATE PURSUANT TO TITLE 12, INCLUDING SECTIONS 12-23-105, 12-23-110.5, 12-58-105, AND 12-58-117.

(6) (a) TO PROMOTE AND FACILITATE THE DEVELOPMENT OF NEW APPRENTICESHIP PROGRAMS, AN APPRENTICESHIP PROGRAM THAT DOES NOT SATISFY THE REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION MAY PETITION THE DEPARTMENT OF LABOR AND EMPLOYMENT FOR CONDITIONAL APPROVAL FOR PURPOSES OF THIS SECTION. TO BE ALLOWED CONDITIONAL APPROVAL, AN APPRENTICESHIP PROGRAM MUST DEMONSTRATE THE FOLLOWING:

(I) THE PROGRAM HAS BEEN REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION OR A STATE APPRENTICESHIP COUNCIL AND HAS BEEN PROVIDING TRAINING FOR AT LEAST SIX MONTHS; AND

(II) THE PROGRAM IS PERFORMING BONA FIDE APPRENTICESHIP TRAINING AS EVIDENCED BY INFORMATION SHOWING THAT IT HAS THE REQUITE FACILITIES, PERSONNEL, AND OTHER RESOURCES NEEDED TO PROVIDE SUCH TRAINING; AND

(b) (I) IF CONDITIONAL APPROVAL IS GRANTED, THE PROGRAM WILL REMAIN ELIGIBLE FOR FUTURE COVERED PROJECTS, SUBJECT TO ANNUAL REVIEWS BY THE DEPARTMENT OF LABOR AND EMPLOYMENT FOR FIVE YEARS AFTER CONDITIONAL APPROVAL IS GRANTED OR UNTIL IT CAN

SATISFY THE REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION AND CAN SHOW A THREE-YEAR GRADUATION TRACK RECORD.

(II) TO MAINTAIN CONDITIONAL APPROVAL PURSUANT TO THIS SUBSECTION (6), THE APPRENTICESHIP PROGRAM MUST DEMONSTRATE TO THE DEPARTMENT OF LABOR AND EMPLOYMENT THAT IT HAS REGISTERED NEW APPRENTICES INTO ITS PROGRAM FOR EVERY YEAR IT HAS BEEN IN OPERATION AND THAT IT HAS ADVANCED, AT A MINIMUM, TEN PERCENT OF ITS APPRENTICES IN EACH YEAR OF OPERATION. THE DEPARTMENT SHALL RESCIND A CONDITIONAL APPROVAL FOR ANY PROGRAM THAT FAILS TO MAINTAIN THESE STANDARDS.

SECTION 2. In Colorado Revised Statutes, **add** part 2 to article 92 of title 24 as follows:

PART 2

PREVAILING WAGE FOR PUBLIC PROJECTS

24-92-201. Definitions. AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AGENCY OF GOVERNMENT" MEANS ANY AGENCY, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, INSTITUTION, OR SECTION OF THE STATE WHICH IS A BUDGETARY UNIT EXERCISING CONSTRUCTION CONTRACTING AUTHORITY OR DISCRETION. "AGENCY OF GOVERNMENT" DOES NOT INCLUDE ANY COUNTY, CITY AND COUNTY, CITY, MUNICIPALITY, TOWN, SCHOOL DISTRICT, SPECIAL DISTRICT, OR ANY OTHER POLITICAL SUBDIVISION OF THE STATE.

(2) "CONTRACTOR"MEANS ANY PERSON HAVING A CONTRACT FOR A PUBLIC PROJECT WITH AN AGENCY OF GOVERNMENT.

(3) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF PERSONNEL.

(4) "EMPLOYEES" MEANS EMPLOYEES OF CONTRACTORS OR SUBCONTRACTORS PERFORMING JOBS ON VARIOUS TYPES OF PUBLIC PROJECTS INCLUDING MECHANICS, LABORERS, AND OTHER CONSTRUCTION EMPLOYEES.

(5) "PUBLIC PROJECT" MEANS ANY CONSTRUCTION, ALTERATION, REPAIR, DEMOLITION, OR IMPROVEMENT OF ANY LAND, BUILDING, STRUCTURE, FACILITY, ROAD, HIGHWAY, BRIDGE, OR OTHER PUBLIC IMPROVEMENT SUITABLE FOR AND INTENDED FOR USE IN THE PROMOTION OF PUBLIC HEALTH, WELFARE, OR SAFETY AND ANY OPERATION OR MAINTENANCE PROGRAMS FOR THE OPERATION AND UPKEEP OF SUCH PROJECTS. "PUBLIC PROJECT" INCLUDES ANY WORK, CONSTRUCTION, OR REPAIR PERFORMED BY A PRIVATE PARTY THROUGH A CONTRACT TO RENT, LEASE, OR PURCHASE AT LEAST FIFTY PERCENT OF THE PROJECT BY ONE OR MORE AGENCIES OF GOVERNMENT.

(6) "WAGES", "SCALE OF WAGES", "WAGE RATES", "MINIMUM WAGES", AND "PREVAILING WAGES" MEANS:

(a) THE BASIC HOURLY RATE OF PAY; AND

(b) FOR MEDICAL OR HOSPITAL CARE, PENSIONS ON RETIREMENT OR DEATH, COMPENSATION FOR INJURIES OR ILLNESS RESULTING FROM OCCUPATIONAL ACTIVITY, OR INSURANCE TO PROVIDE ANY OF THE FORGOING, FOR UNEMPLOYMENT BENEFITS, LIFE INSURANCE, DISABILITY AND SICKNESS INSURANCE, OR ACCIDENT INSURANCE, FOR VACATION AND HOLIDAY PAY, FOR DEFRAYING THE COSTS OF APPRENTICESHIP OR OTHER SIMILAR PROGRAMS, OR FOR OTHER BONA FIDE FRINGE BENEFITS, BUT ONLY WHERE THE CONTRACTOR OR SUBCONTRACTOR IS NOT REQUIRED BY OTHER FEDERAL, STATE, OR LOCAL LAW TO PROVIDE ANY OF THOSE BENEFITS, THE AMOUNT OF:

(I) THE RATE OF CONTRIBUTION IRREVOCABLY MADE BY A CONTRACTOR OR SUBCONTRACTOR TO A TRUSTEE OR TO A THIRD PERSON UNDER A FUND, PLAN, OR PROGRAM; AND

(II) THE RATE OF COSTS TO THE CONTRACTOR OR SUBCONTRACTOR THAT MAY BE REASONABLY ANTICIPATED IN PROVIDING BENEFITS TO EMPLOYEES PURSUANT TO AN ENFORCEABLE COMMITMENT TO CARRY OUT A FINANCIALLY RESPONSIBLE PLAN OR PROGRAM WHICH WAS COMMUNICATED IN WRITING TO THE EMPLOYEES AFFECTED.

24-92-202. Contractors subject to provisions - weekly payment of employees - rules. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, ANY CONTRACTOR WHO IS AWARDED A CONTRACT FOR A PUBLIC PROJECT BY AN AGENCY OF GOVERNMENT IN THE AMOUNT OF FIFTY THOUSAND DOLLARS OR MORE, AND ANY SUBCONTRACTORS WORKING ON THE PUBLIC PROJECT, SHALL PAY THEIR EMPLOYEES AT WEEKLY INTERVALS AND SHALL COMPLY WITH THE

ENFORCEMENT PROVISIONS ESTABLISHED IN SECTION 24-92-209. THIS PART 2 APPLIES TO A CONTRACT FOR A PUBLIC PROJECT AWARDED PURSUANT TO PART 1 OF THIS ARTICLE 92 AND TO AN INTEGRATED PROJECT DELIVERY CONTRACT FOR A PUBLIC PROJECT AWARDED PURSUANT TO ARTICLE 93 OF THIS TITLE 24. THIS PART 2 DOES NOT APPLY TO CONTRACTS FOR PUBLIC PROJECTS THAT RECEIVE FEDERAL FUNDING.

(2) THIS PART 2 DOES NOT APPLY TO THE DEPARTMENT OF TRANSPORTATION, REGARDLESS OF THE AMOUNT OR FUNDING SOURCE OF THE PUBLIC PROJECT; EXCEPT THAT THE DEPARTMENT OF TRANSPORTATION IS REQUIRED TO PAY EMPLOYEES PERFORMING WORK ON ANY PUBLIC PROJECT, REGARDLESS OF THE AMOUNT OR FUNDING SOURCE OF THE PUBLIC PROJECT, IN ACCORDANCE WITH THE REQUIREMENTS OF THE FEDERAL "DAVIS-BACON ACT", 40 U.S.C. SEC 3141, ET SEQ.

(3) THE DIRECTOR MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE 24 AS MAY BE NECESSARY TO ADMINISTER AND ENFORCE ANY REQUIREMENT OF THIS PART 2.

24-92-203. Prevailing rate of wages and other payments - specifications in solicitations and contract. (1) BEFORE AWARDING ANY CONTRACT FOR A PUBLIC PROJECT IN THE AMOUNT OF FIFTY THOUSAND DOLLARS OR MORE, AN AGENCY OF GOVERNMENT SHALL OBTAIN FROM THE DIRECTOR THE GENERAL PREVAILING RATE, AS DETERMINED BY THE DIRECTOR PURSUANT TO SECTION 24-92-205, OF THE REGULAR, HOLIDAY, AND OVERTIME WAGES PAID AND THE GENERAL PREVAILING PAYMENTS ON BEHALF OF EMPLOYEES TO LAWFUL WELFARE, PENSION, VACATION, APPRENTICE TRAINING, AND EDUCATIONAL FUNDS IN THE STATE, FOR EACH EMPLOYEE NEEDED TO EXECUTE THE CONTRACT FOR THE PUBLIC PROJECT. PAYMENTS TO THE FUNDS MUST CONSTITUTE AN ORDINARY BUSINESS EXPENSE DEDUCTION FOR FEDERAL INCOME TAX PURPOSES BY CONTRACTORS AND SUBCONTRACTORS.

(2) AN AGENCY OF GOVERNMENT SHALL SPECIFY IN THE COMPETITIVE SOLICITATION FOR A PUBLIC PROJECT IN THE AMOUNT OF FIFTY THOUSAND DOLLARS OR MORE AND IN THE CONTRACT FOR SUCH PUBLIC PROJECT, THE GENERAL PREVAILING RATE OF THE REGULAR, HOLIDAY, AND OVERTIME WAGES PAID AND THE PAYMENTS ON BEHALF OF EMPLOYEES TO THE WELFARE, PENSION, VACATION, APPRENTICE TRAINING, AND EDUCATION FUNDS EXISTING IN THE GEOGRAPHIC LOCALITY FOR EACH EMPLOYEE NEEDED TO EXECUTE THE CONTRACT OR WORK.

(3) THE GENERAL PREVAILING RATE OF THE REGULAR, HOLIDAY, AND OVERTIME WAGES PAID AND THE PAYMENTS ON BEHALF OF EMPLOYEES TO THE WELFARE, PENSION, VACATION, APPRENTICE TRAINING, AND EDUCATION FUNDS SPECIFIED IN THE COMPETITIVE SOLICITATION AND IN THE CONTRACT FOR A PUBLIC PROJECT PURSUANT TO SUBSECTION (2) OF THIS SECTION SHALL REMAIN THE SAME FOR THE DURATION OF THE WORK ON THE PUBLIC PROJECT.

24-92-204. Specification in contract - payment of wages - amount and frequency - unclaimed prevailing wages special trust fund - creation. (1) EVERY CONTRACT FOR A PUBLIC PROJECT SUBJECT TO THE PROVISIONS OF THIS PART 2 SHALL CONTAIN A STIPULATION THAT:

(a) THE CONTRACTOR AND ANY SUBCONTRACTORS SHALL PAY ALL THE EMPLOYEES EMPLOYED DIRECTLY ON THE SITE OF THE WORK, UNCONDITIONALLY AND NOT LESS OFTEN THAN ONCE A WEEK, AND WITHOUT SUBSEQUENT DEDUCTION OR REBATE ON ANY ACCOUNT, THE FULL AMOUNTS ACCRUED AT TIME OF PAYMENT COMPUTED AT WAGE RATES NOT LESS THAN THOSE STATED IN THE COMPETITIVE SOLICITATION, REGARDLESS OF ANY CONTRACTUAL RELATIONSHIPS THAT MAY BE ALLEGED TO EXIST BETWEEN THE CONTRACTOR OR SUBCONTRACTOR AND THE EMPLOYEES;

(b) THE SCALE OF WAGES TO BE PAID SHALL BE POSTED BY THE CONTRACTOR IN A PROMINENT AND EASILY ACCESSIBLE PLACE AT THE SITE OF THE WORK;

(c) THE CONTRACTOR AND ANY SUBCONTRACTORS SHALL PREPARE AND SUBMIT PAYROLL REPORTS TO THE CONTRACTING AGENCY OF GOVERNMENT ON A MONTHLY BASIS THAT DISCLOSE ALL RELEVANT PAYROLL INFORMATION, INCLUDING THE NAME AND ADDRESS OF ANY ENTITIES TO WHICH FRINGE BENEFITS ARE PAID, AND THAT THE CONTRACTING AGENCY OF GOVERNMENT IS REQUIRED TO REVIEW THE CERTIFIED PAYROLL REPORTS IN A TIMELY MANNER;

(d) THE CONTRACTOR AND ANY SUBCONTRACTORS SHALL MAINTAIN ON THE SITE WHERE PUBLIC PROJECTS ARE BEING CONSTRUCTED A DAILY LOG OF EMPLOYEES EMPLOYED EACH DAY ON THE PUBLIC PROJECT. THE LOG SHALL INCLUDE, AT A MINIMUM, FOR EACH EMPLOYEE HIS OR HER NAME, PRIMARY JOB TITLE, AND EMPLOYER, AND SHALL BE KEPT ON A FORM PRESCRIBED BY THE DIRECTOR. THE LOG SHALL BE AVAILABLE FOR INSPECTION ON THE SITE AT ALL TIMES BY THE CONTRACTING AGENCY OF GOVERNMENT AND THE DIRECTOR.

(e) IF THE CONTRACTOR OR ANY SUBCONTRACTORS FAIL TO PAY THE WAGES AS REQUIRED BY THE CONTRACT, THE STATE CONTROLLER SHALL NOT APPROVE A WARRANT OR DEMAND FOR PAYMENT TO THE CONTRACTOR UNTIL THE CONTRACTOR PROVIDES THE DIRECTOR WITH EVIDENCE, SATISFACTORY TO THE DIRECTOR, THAT THE WAGES REQUIRED BY THE CONTRACT HAVE BEEN PAID. IF THE CONTRACTOR OR ANY SUBCONTRACTOR FAILS TO PAY WAGES AS ARE REQUIRED BY THE CONTRACT, THE CONTRACTING AGENCY OF GOVERNMENT SHALL NOT APPROVE A WARRANT OR DEMAND FOR PAYMENT TO THE CONTRACTOR UNTIL THE CONTRACTOR FURNISHES THE CONTRACTING AGENCY OF GOVERNMENT EVIDENCE SATISFACTORY TO SUCH AGENCY OF GOVERNMENT THAT SUCH WAGES SO REQUIRED BY THE CONTRACT HAVE BEEN PAID; EXCEPT THAT THE CONTRACTING AGENCY OF GOVERNMENT SHALL APPROVE AND PAY ANY PORTION OF A WARRANT OR DEMAND FOR PAYMENT TO THE CONTRACTOR TO THE EXTENT THE AGENCY OF GOVERNMENT HAS BEEN FURNISHED EVIDENCE SATISFACTORY TO THE AGENCY OF GOVERNMENT THAT THE CONTRACTOR OR ONE OR MORE SUBCONTRACTORS HAS PAID SUCH WAGES REQUIRED BY THE CONTRACT, EVEN IF THE CONTRACTOR HAS NOT FURNISHED EVIDENCE THAT ALL OF THE SUBCONTRACTORS HAVE PAID WAGES AS REQUIRED BY THE CONTRACT. ANY CONTRACTOR OR SUBCONTRACTOR MAY USE THE FOLLOWING PROCEDURE IN ORDER TO SATISFY THE REQUIREMENTS OF THIS SECTION:

(I) THE CONTRACTOR OR SUBCONTRACTOR MAY SUBMIT TO THE DIRECTOR, FOR EACH EMPLOYEE TO WHOM SUCH WAGES ARE DUE, A CHECK AS REQUIRED BY THE DIRECTOR. SUCH CHECK SHALL BE PAYABLE TO THAT EMPLOYEE OR TO THE STATE SO IT IS NEGOTIABLE BY EITHER OF THOSE PARTIES. EACH SUCH CHECK SHALL BE IN AN AMOUNT REPRESENTING THE DIFFERENCE BETWEEN THE ACCRUED WAGES REQUIRED TO BE PAID TO THAT EMPLOYEE BY THE CONTRACT AND THE WAGES ACTUALLY PAID BY THE CONTRACTOR OR SUBCONTRACTOR.

(II) IF ANY CHECK SUBMITTED PURSUANT THIS SUBSECTION (1)(e) CANNOT BE DELIVERED TO THE EMPLOYEE WITHIN A REASONABLE PERIOD AS DETERMINED BY THE DIRECTOR, THEN IT SHALL BE NEGOTIATED BY THE STATE AND THE PROCEEDS DEPOSITED IN THE DIRECTOR'S UNCLAIMED PREVAILING WAGES SPECIAL TRUST FUND, WHICH IS HEREBY CREATED IN THE STATE TREASURY. NOTHING IN THIS SUBSECTION (1) SHALL BE CONSTRUED TO LESSEN THE RESPONSIBILITY OF THE CONTRACTOR OR SUBCONTRACTOR TO ATTEMPT TO LOCATE AND PAY ANY EMPLOYEE TO WHOM WAGES ARE DUE.

(III) ANY VALID, VERIFIED CLAIM FOR PREVAILING WAGES THAT IS ACTUALLY RECEIVED BY THE STATE THROUGH NEGOTIATION OF ANY CHECK SUBMITTED PURSUANT TO THIS SUBSECTION (1)(e) MUST BE MADE PRIOR TO TWO YEARS AFTER THE DATE OF THE LAST UNDERPAYMENT BY THE CONTRACTOR OR ANY SUBCONTRACTOR TO THE EMPLOYEE TO WHOM SUCH WAGES WERE DUE. AFTER SUCH DATE, THE STATE SHALL NO LONGER BE LIABLE FOR PAYMENT. THE STATE, AS TRUSTEE, SHALL PAY SUCH CLAIMANT ONLY THE AMOUNT OF THE CHECK THAT IS ACTUALLY NEGOTIATED, REGARDLESS OF ANY DISPUTE AS TO ANY ADDITIONAL AMOUNT OF WAGES OWED TO THE EMPLOYEE. NO INTEREST SHALL BE PAID BY THE STATE ON ANY FUNDS RECEIVED OR DISBURSED PURSUANT TO THIS SUBSECTION (1)(e)(III).

(IV) ON THE LAST WORKING DAY OF EACH MONTH, THE AMOUNT OF ANY CLAIM FOR WHICH THE STATE IS NO LONGER LIABLE SHALL BE CREDITED TO THE GENERAL FUND, EXCEPT AS OTHERWISE REQUIRED BY LAW.

(V) THE DIRECTOR SHALL MAINTAIN A LIST OF ALL UNCLAIMED, STATE-NEGOTIATED PREVAILING WAGE CHECKS FOR WHICH THE STATE IS LIABLE. SUCH LIST SHALL BE UPDATED MONTHLY AND SHALL BE AVAILABLE FOR INSPECTION AT THE OFFICE OF THE DIRECTOR.

24-92-205. Investigation and determination of prevailing

wages - filing of schedule. (1) IN DETERMINING THE APPLICABLE PREVAILING WAGE FOR PUBLIC PROJECTS PURSUANT TO SECTION 24-92-204, THE DIRECTOR SHALL USE APPROPRIATE WAGE DETERMINATIONS ISSUED BY THE UNITED STATES DEPARTMENT OF LABOR IN ACCORDANCE WITH THE "DAVIS-BACON ACT", 40 U.S.C. SEC. 3141, ET SEQ., TO ESTABLISH THE PREVAILING WAGE RATES FOR THE APPLICABLE TRADES OR OCCUPATION FOR THE GEOGRAPHIC LOCALITY OF THE PUBLIC PROJECT. THE DIRECTOR SHALL KEEP A SCHEDULE ON FILE IN HIS OR HER OFFICE OF THE CUSTOMARY PREVAILING RATE OF WAGES AND PAYMENTS MADE TO OR ON BEHALF OF THE EMPLOYEES, WHICH SHALL BE OPEN TO PUBLIC INSPECTION.

(2) THE DIRECTOR SHALL UPDATE THE APPLICABLE PREVAILING WAGE FOR PUBLIC PROJECTS AS DETERMINED PURSUANT TO SUBSECTION (1) OF THIS SECTION ON OR BEFORE JULY 1, 2022, AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER.

24-92-206. Statutory provisions included in contracts. A COPY OF SECTIONS 24-92-203 AND 24-92-204 SHALL BE INSERTED IN ALL CONTRACTS FOR PUBLIC PROJECTS AWARDED BY AN AGENCY OF GOVERNMENT IF THE CONTRACT PRICE IS FIFTY THOUSAND DOLLARS OR MORE.

24-92-207. Prevailing wage rates - posting. (1) EACH CONTRACTOR AWARDED A CONTRACT FOR PUBLIC PROJECT WITH A CONTRACT PRICE OF FIFTY THOUSAND DOLLARS OR MORE AND EACH SUBCONTRACTOR WHO PERFORMS WORK ON THE PUBLIC PROJECT SHALL POST IN CONSPICUOUS PLACES ON THE PROJECT, WHERE EMPLOYEES ARE EMPLOYED, POSTERS THAT CONTAIN THE CURRENT PREVAILING RATE OF WAGES AND THE CURRENT PREVAILING RATE OF PAYMENTS TO THE FUNDS REQUIRED TO BE PAID FOR EACH EMPLOYEE EMPLOYED TO EXECUTE THE CONTRACT AS ESTABLISHED IN SECTIONS 24-92-203 AND 24-92-204, AND THE RIGHTS AND REMEDIES OF ANY EMPLOYEE DESCRIBED IN SECTION 24-92-210 FOR NONPAYMENT OF ANY WAGES EARNED PURSUANT TO THIS SECTION. THE POSTERS SHALL BE FURNISHED TO CONTRACTORS AND SUBCONTRACTORS BY THE DIRECTOR IN A FORM AND MANNER TO BE DETERMINED BY THE DIRECTOR.

(2) A CONTRACTOR OR SUBCONTRACTOR WHO FAILS TO COMPLY WITH THIS SECTION SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL PAY TO THE DIRECTOR ONE HUNDRED DOLLARS FOR EACH CALENDAR DAY OF NONCOMPLIANCE AS DETERMINED BY THE DIRECTOR.

(3) CONTRACTS SET FORTH IN THIS SECTION SHALL NOT BE AWARDED BY AN AGENCY OF GOVERNMENT UNTIL THE DIRECTOR HAS PREPARED AND DELIVERED THE POSTERS TO THE CONTRACTOR TO WHOM THE CONTRACT IS TO BE AWARDED.

24-92-208. Apprenticeship contribution rate. (1) (a) THE DIRECTOR SHALL ESTABLISH A SEPARATE APPRENTICESHIP CONTRIBUTION RATE UNDER THE PREVAILING WAGE AND FRINGE BENEFIT REQUIREMENTS OF THIS PART 2.

(b) THE CONTRACTING AGENCY OF GOVERNMENT SHALL SPECIFY IN THE COMPETITIVE SOLICITATION FOR A PUBLIC PROJECT IN THE AMOUNT OF FIFTY THOUSAND DOLLARS OR MORE AND IN THE CONTRACT FOR SUCH PUBLIC PROJECT THE APPRENTICESHIP CONTRIBUTION RATE AND FRINGE BENEFIT REQUIREMENTS OF THIS PART 2.

(c) THE DIRECTOR SHALL UPDATE THE APPLICABLE APPRENTICESHIP CONTRIBUTION RATE AS DETERMINED PURSUANT TO SUBSECTION (1)(a) OF THE SECTION ON OR BEFORE JULY 1, 2022, AND ON OR BEFORE JULY 1 EACH YEAR THEREAFTER.

(d) THE APPLICABLE APPRENTICESHIP CONTRIBUTION RATE SPECIFIED IN THE COMPETITIVE SOLICITATION AND IN THE CONTRACT FOR A PUBLIC PROJECT PURSUANT TO THIS SUBSECTION (1) SHALL REMAIN THE SAME FOR THE DURATION OF THE WORK ON THE PUBLIC PROJECT.

(2) THE AMOUNT OF THE APPRENTICESHIP CONTRIBUTION WILL BE SET IN ACCORDANCE WITH THE APPRENTICESHIP CONTRIBUTION OF THE COLLECTIVE BARGAINING AGREEMENT OF THE APPLICABLE TRADE IN THE GEOGRAPHIC LOCALITY OF THE PUBLIC PROJECT. CONTRACTORS SHALL ACHIEVE COMPLIANCE WITH THIS REQUIREMENT BY ONE OF THE FOLLOWING OPTIONS:

(a) CONTRACTORS SIGNATORY TO THE APPLICABLE COLLECTIVE BARGAINING AGREEMENT SHALL BE REQUIRED TO PAY NO MORE THAN THE APPRENTICESHIP CONTRIBUTION RATE OF THE AGREEMENT;

(b) CONTRACTORS THAT ARE NOT SIGNATORY TO THE APPLICABLE

COLLECTIVE BARGAINING AGREEMENT BUT THAT PARTICIPATE IN AN APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S EMPLOYMENT AND TRAINING ADMINISTRATION OR A STATE APPRENTICESHIP COUNCIL REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR SHALL PAY THE DETERMINED APPRENTICESHIP CONTRIBUTION TO THAT PROGRAM; OR

(c) CONTRACTORS THAT DO NOT QUALIFY FOR EITHER OPTION SPECIFIED IN SUBSECTION (2)(a) OR (2)(b) OF THIS SECTION SHALL BE REQUIRED TO PAY THE AMOUNT OF THE APPRENTICESHIP CONTRIBUTION TO AFFECTED WORKERS IN CASH PAYMENTS IN ADDITION TO THE OTHER COMPONENTS OF THE PREVAILING WAGE AND FRINGE BENEFIT PACKAGE REQUIRED PURSUANT TO THIS PART 2.

(3) THE APPRENTICESHIP CONTRIBUTION RATE SHALL BE DEDUCTED FROM THE PREVAILING WAGE RATE PACKAGE TO AVOID DOUBLE PAYMENT BY THE CONTRACTOR OR SUBCONTRACTOR.

24-92-209. Enforcement - rules. (1) UPON RECEIPT OF A COMPLAINT OR UPON ANALYSIS OF CERTIFIED PAYROLL RECORDS, A CONTRACTING AGENCY OF GOVERNMENT SHALL REPORT ANY PERCEIVED VIOLATION OF THIS PART 2 TO THE CONTRACTOR WITHIN FORTY-EIGHT HOURS OF BEING MADE AWARE OF THE PERCEIVED VIOLATION. IN CONNECTION WITH THE PERCEIVED VIOLATION:

(a) THE CONTRACTING AGENCY OF GOVERNMENT SHALL ALLOW THE CONTRACTOR TO CURE THE PERCEIVED VIOLATION WITHIN FIFTEEN CALENDAR DAYS IF THE CONTRACTOR CAN DEMONSTRATE THE INSTANCE IN QUESTION WAS THE RESULT OF LEGITIMATE ADMINISTRATIVE ERROR.

(b) IF THE CONTRACTOR DOES NOT REMEDY THE PERCEIVED VIOLATION WITHIN FIFTEEN CALENDAR DAYS OR IF THE CONTRACTING AGENCY DETERMINES THAT THE PERCEIVED VIOLATION WAS WILLFUL, THE CONTRACTING AGENCY SHALL REPORT THE PERCEIVED VIOLATION TO THE DEPARTMENT OF LABOR AND EMPLOYMENT FOR INVESTIGATION.

(2) (a) THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL INVESTIGATE ALL COMPLAINTS REFERRED TO THE DEPARTMENT BY THE CONTRACTING AGENCY OF GOVERNMENT TO DETERMINE IF THE PERCEIVED VIOLATION WAS CONDUCTED IN A WILLFUL MANNER.

(b) FOR THE PURPOSES OF THIS SECTION, "WILLFUL VIOLATION" INCLUDES INTENTIONAL VIOLATIONS AND THOSE VIOLATIONS MADE WITH RECKLESS DISREGARD OR DELIBERATE IGNORANCE OF THE LAW.

(3) IF THE DEPARTMENT OF LABOR AND EMPLOYMENT DETERMINES THAT A WILLFUL VIOLATION OCCURRED, IT SHALL REQUIRE RESTITUTION OF APPLICABLE BACK PAY FOR THE IMPACTED EMPLOYEES AND SHALL SUBJECT THE CONTRACTOR TO THE FOLLOWING FINES:

(a) FIVE THOUSAND DOLLARS FOR THE FIRST VIOLATION IN ADDITION TO WAGE RESTITUTION TO THE IMPACTED EMPLOYEES;

(b) TEN THOUSAND DOLLARS FOR THE SECOND VIOLATION IN ADDITION TO WAGE RESTITUTION TO THE IMPACTED EMPLOYEES; AND

(c) TWENTY-FIVE THOUSAND DOLLARS FOR THE THIRD AND ALL SUBSEQUENT VIOLATIONS IN ADDITION TO WAGE RESTITUTION TO THE IMPACTED EMPLOYEES.

(4) AT THE DISCRETION OF THE DIRECTOR, THE CONTRACTOR MAY BE DEBARRED IF THEY HAVE BEEN FOUND TO HAVE THREE OR MORE WILLFUL VIOLATIONS IN ANY FIVE YEAR PERIOD. THE TERM OF DEBARMENT WILL BE THREE YEARS.

(5) THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL MAINTAIN A LIST OF CONTRACTORS WHO HAVE BEEN FOUND TO HAVE WILLFULLY VIOLATED THIS ACT, INCLUDING DETAILS OF THE VIOLATION, ON A PUBLICLY AVAILABLE WEBSITE.

(6) IF A CONTRACTING AGENCY OF GOVERNMENT OR THE DEPARTMENT OF LABOR AND EMPLOYMENT FAILS TO RESOLVE AN ACTIONABLE WAGE CLAIM WITHIN ONE HUNDRED TWENTY DAYS, THE EMPLOYEE SHALL HAVE THE RIGHT TO FILE A PRIVATE LAWSUIT PURSUANT TO SECTION 24-92-210.

(7) THE DEPARTMENT OF LABOR AND EMPLOYMENT MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE 24 AS MAY BE NECESSARY TO ADMINISTER AND ENFORCE ANY REQUIREMENT OF THIS PART 2. SUCH RULES MAY INCLUDE A REASONABLE ADMINISTRATIVE APPEAL PROCESS FOR DETERMINATIONS MADE PURSUANT TO THIS SECTION.

24-92-210. Private right of action to collect wages or benefits - definition. (1) AN EMPLOYEE OR FORMER EMPLOYEE OF A CONTRACTOR

OR SUBCONTRACTOR MAY BRING A CIVIL ACTION FOR A VIOLATION OF SECTION 24-92-204 FOR APPROPRIATE INJUNCTIVE RELIEF, ACTUAL DAMAGES, OR BOTH WITHIN THREE YEARS AFTER THE OCCURRENCE OF THE ALLEGED VIOLATION. AN ACTION COMMENCED PURSUANT TO THIS SECTION MAY BE BROUGHT IN THE DISTRICT COURT FOR THE COUNTY WHERE THE ALLEGED VIOLATION OCCURRED, THE COUNTY WHERE THE COMPLAINANT RESIDES, OR THE COUNTY WHERE THE PERSON AGAINST WHOM IN THE CIVIL COMPLAINT IS FILED RESIDES OR HAS THEIR PRINCIPAL PLACE OF BUSINESS. ANY CONTRACTOR OR SUBCONTRACTOR WHO VIOLATES SECTION 24-92-204 SHALL BE LIABLE TO THE AFFECTED EMPLOYEE OR EMPLOYEES IN THE AMOUNT OF UNPAID WAGES OR BENEFITS PLUS INTEREST.

(2) A CONTRACTOR OR SUBCONTRACTOR'S RESPONSIBILITY AND LIABILITY IS SOLELY FOR ITS OWN EMPLOYEES.

(3) AN ACTION INITIATED PURSUANT TO THIS SECTION MAY BE BROUGHT BY ONE OR MORE EMPLOYEES OR FORMER EMPLOYEES ON BEHALF OF HIM OR HERSELF OR THEMSELVES AND OTHER EMPLOYEES SIMILARLY SITUATED; EXCEPT THAT NO EMPLOYEE SHALL BE A PARTY PLAINTIFF TO ANY SUCH ACTION UNLESS HE OR SHE CONSENTS IN WRITING TO BECOME SUCH A PARTY AND SUCH CONSENT IS FILED IN THE COURT IN WHICH SUCH ACTION IS BROUGHT.

(4) IF THE COURT FINDS THAT AN ACTION BROUGHT PURSUANT TO THIS SECTION WAS FRIVOLOUS, THE COURT SHALL AWARD COSTS AND ATTORNEY FEES TO THE DEFENDANT IN THE ACTION.

(5) THE COURT IN AN ACTION FILED UNDER THIS SECTION SHALL AWARD AFFECTED EMPLOYEES OR FORMER EMPLOYEES LIQUIDATED DAMAGES IN AN AMOUNT EQUAL TO TWO TIMES THE AMOUNT OF UNPAID WAGES OR BENEFITS OWED. UNPAID FRINGE BENEFIT CONTRIBUTIONS OWED PURSUANT TO THIS SECTION IN ANY FORM SHALL BE PAID TO THE APPROPRIATE BENEFIT FUND; EXCEPT THAT IN THE ABSENCE OF AN APPROPRIATE FUND THE BENEFIT SHALL BE PAID DIRECTLY TO THE INDIVIDUAL.

(6) THE FILING OF A CIVIL ACTION UNDER THIS SECTION SHALL NOT PRECLUDE THE DIRECTOR FROM PROHIBITING A CONTRACTOR OR SUBCONTRACTOR FROM BIDDING ON OR OTHERWISE PARTICIPATING IN STATE CONTRACTS OR FROM PROHIBITING TERMINATION OF WORK ON FAILURE TO PAY AGREED WAGES.

(7) (a) ANY PERSON, FIRM, OR CORPORATION FOUND TO HAVE WILLFULLY MADE A FALSE OR FRAUDULENT REPRESENTATION IN CONNECTION WITH WAGE OBLIGATIONS OWED ON A CONTRACT SHALL BE REQUIRED TO PAY A CIVIL PENALTY IN AN AMOUNT OF NO LESS THAN ONE THOUSAND DOLLARS AND NOT GREATER THAN THREE THOUSAND DOLLARS PER REPRESENTATION. SUCH PENALTIES SHALL BE RECOVERABLE IN CIVIL ACTIONS FILED PURSUANT TO THIS SECTION.

(b) FOR PURPOSES OF THIS SUBSECTION (7) "WILLFULLY" MEANS REPRESENTATIONS THAT ARE KNOWN TO BE FALSE OR REPRESENTATIONS MADE WITH DELIBERATE IGNORANCE OR RECKLESS DISREGARD FOR THEIR TRUTH OR FALSITY.

(8) AN EMPLOYER SHALL NOT DISCHARGE, THREATEN, OR OTHERWISE DISCRIMINATE AGAINST AN EMPLOYEE, OR FORMER EMPLOYEE, REGARDING COMPENSATION TERMS, CONDITIONS, LOCATIONS OR PRIVILEGES OF EMPLOYMENT BECAUSE THE EMPLOYEE OR FORMER EMPLOYEE, OR A PERSON OR ORGANIZATION ACTING ON HIS OR HER BEHALF REPORTS OR MAKES A COMPLAINT UNDER THIS SECTION OR OTHERWISE ASSERTS HIS OR HER RIGHTS UNDER THIS SECTION.

SECTION 3. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 solicitations issued on or after July 1, 2021.".

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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PERSONNEL AND ADMINISTRATION

effective immediately, for a term expiring at the pleasure of the Governor:

Kara Veitch of Denver, Colorado, 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
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2021:

Megan Marie Strong of Thornton, Colorado, representing employers who have demonstrated good risk management experience with respect to their workers' compensation insurance, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1118** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-187; SR19-007.
Correctly Reengrossed: SB19-170 and 200.
Correctly Revised: HB19-1030 and 1208.
Correctly Rerevised: HB19-1087, 1206, 1207, 1213, 1225, and 1238.
Correctly Enrolled: SB19-052, 091, 183, 209, 210, 211, and 212; SR19-007.

On motion of Majority Leader Fenberg, 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

SJR19-007 by Senator(s) Moreno, Bridges, Fenberg, Fields, Gardner, Hill, Lundeen, Scott, Tate, Todd, Williams A., Winter, Woodward; also Representative(s) Kraft-Tharp, Buentello, Caraveo, Gray, Hooton, Landgraf, Lontine, McKean, Melton, Michaelson Jenet, Roberts, Titone, Valdez A., Valdez D.--Concerning designation of the first full week of May as "Tardive Dyskinesia Awareness Week".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Cooke, Coram, Court, Crowder, Danielson, Donovan, Foote, Garcia, Ginal, Gonzales, Hisey, Holbert, Lee, Marble, Pettersen, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Story, 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:

HB19-1208 by Representative(s) Singer and Landgraf, Buckner, Catlin, Exum, Liston, Pelton, Soper, Wilson; also Senator(s) Fields and Gardner, Cooke, Coram, Crowder, Sonnenberg, Woodward--Concerning the designation of physical therapists as health care providers for the purpose of ensuring compliance with required head trauma guidelines in organized youth athletic activities.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Ginal, Marble, Priola, Story, and Tate.

HB19-1030 by Representative(s) Soper and Roberts; also Senator(s) Rankin and Zenzinger--Concerning creating the crime of unlawful electronic sexual communication.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Fields, Foote, Garcia, Gardner, Hisey, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, and Woodward.

SB19-187 by Senator(s) Lee and Gardner; also Representative(s) Bird and McKean--Concerning commissions on judicial performance.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

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:

HB19-1178 by Representative(s) McLachlan, Van Winkle, Geitner; also Senator(s) Donovan--Concerning the name simplification of Western state Colorado university to Western Colorado university.

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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1178.

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, and Senator Fields 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:

HB19-1217 by Representative(s) Becker; also Senator(s) Court and Tate--Concerning the elimination of the two percent increase in the member contribution rate to the public employees' retirement association for members in the local government division of the association.

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

HB19-1080 by Representative(s) Bockenfeld; also Senator(s) Cooke and Garcia--Concerning benefits for first responders with a disability.

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 Fields, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1217, HB19-1080.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-207 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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, 2019, except as otherwise noted.

Senator Moreno moved that the Senate not concur in House amendments to SB19-207, as printed in House journal, April 2, pages 906-907, and April 4, pages 968-973, 976-977, and 992-993, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The President appointed Senators Moreno, Chair, Zenzinger, and Rankin as Senate conferees on the first conference committee on SB19-207.

Senator Moreno moved that the Senate conferees on the first conference committee on **SB19-207** 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.

SB19-208 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a transfer of money from the state employee reserve fund to the general fund.

Senator Moreno moved that the Senate not concur in House amendments to SB19-208, as printed in House journal, April 2, page 907, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The President appointed Senators Moreno, Chair, Zenzinger, and Rankin as Senate conferees on the first conference committee on SB19-208.

Senator Moreno moved that the Senate conferees on the first conference committee on **SB19-208** 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.

SB19-213 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Ransom, Esgar, Hansen--Concerning transfers from the marijuana cash fund to the marijuana tax cash fund.

Senator Rankin moved that the Senate concur in House amendments to SB19-213, as printed in House journal, April 4, pages 967-968. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning capital-related transfers of money.

Senator Rankin moved that the Senate not concur in House amendments to SB19-214, as printed in House journal, April 2, page 907, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The President appointed Senators Moreno, Chair, Zenzinger, and Rankin as Senate conferees on the first conference committee on SB19-214.

Senator Rankin moved that the Senate conferees on the first conference committee on **SB19-214** 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 Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2021:

Thomas H. Kenning of Carbondale, Colorado, a member of the public at large residing west of the continental divide, reappointed;

Keith Michael Olivia, JD of Boulder, Colorado, who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2023:

Constance “Connie” M. Rule of Lakewood, Colorado, to serve as a public member, reappointed;

Julie Ann Holligan Westendorff of Durango, Colorado, to serve as a county commissioner, reappointed;

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, reappointed; and

John Kefalas of Fort Collins, Colorado, to serve as a county commissioner, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO HEALTHCARE AFFORDABILITY
AND SUSTAINABILITY ENTERPRISE (CHASE)

for a term expiring May 15, 2021:

Kathryn Jean Ashenfelter of Denver, Colorado, to serve as an employee of a hospital in Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
CHARTER SCHOOL INSTITUTE BOARD

for a term expiring July 1, 2021:

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, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF TRUSTEES OF METROPOLITAN
STATE UNIVERSITY OF DENVER

for terms expiring December 31, 2022:

Barbara Barnes Grogan of Denver, Colorado, to serve as a Democrat, reappointed;

Marissa Molina of Denver, Colorado, to serve as a member who is not affiliated with a political party, appointed;

Russell Gordon Noles of Jersey City, New Jersey, to serve as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2022:

Erich Marshall Ferchau of Gunnison, Colorado, a Republican, reappointed;

James Charles Pribyl of Louisville, Colorado, a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

for a term expiring December 31, 2020:

Richard L. Monfort of Greeley, Colorado, a Republican, reappointed;

for terms expiring December 31, 2022:

Janice Carrie Sinden of Evergreen, Colorado, a Republican, reappointed;

Stephen Moreland Jordan, PhD of Lafayette, Colorado, an Unaffiliated, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-106 by Senator(s) Cooke and Zenzinger; also Representative(s) Tipper and Larson--Concerning an additional process by which a board of county commissioners may initiate the withdrawal of current employees who are peace officers from a defined contribution retirement plan offered by one or more local governments.

Senator Zenzinger moved for the adoption of the first report of the first conference committee on SB19-106, as printed in Senate journal, April 8, page 704. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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)

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1149** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1220** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1092** 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 3, after "(2)(a.5)(V.5)" insert "and (4)"

Page 2, line 6, strike "**animals.**" and substitute "**animals - short title.**".

Page 3, after line 16, insert:
"(4) THE SHORT TITLE OF THIS SECTION IS "PUNKY'S LAW".".

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
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2020:

Kathleen Hall, RN, BSN, MS, PhD of Grand Junction, Colorado, to serve from the Green Party from Congressional District 3, and occasioned by the resignation of Debra Kay Bailey of Grand Junction, Colorado, appointed;

for terms expiring July 1, 2022:

Sean C. Wood, CFP, AIF, CAP of Evergreen, Colorado, to serve as a Republican from Congressional District 2, reappointed; and

Christina St. Tropez Johnson of Lakewood, Colorado, to serve as a Democrat from Congressional District 7, reappointed.

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 HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Ellen S. Roberts of Durango, Colorado, appointed;

for terms expiring July 1, 2021:

Tamra Joyce Ward of Denver, Colorado, reappointed;

Cathey McClain Finlon of Denver, Colorado, reappointed;

Ann Alexander Pritzlaff of Denver, Colorado, reappointed.

Local Government

The Committee on Local Government 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, 2020:

Gregory L. Moore of Golden Colorado, representing state financial expertise, occasioned by the resignation of Albert C. Yates of Denver, Colorado, appointed.

Local Government

After consideration on the merits, the Committee recommends that **SB19-034** be postponed indefinitely.

Local Government

After consideration on the merits, the Committee recommends that **SB19-226** be postponed indefinitely.

MESSAGE FROM THE HOUSE

April 9, 2019

Mr. President:

The Speaker has appointed Representatives Esgar, chairman, Hansen, and Ransom as House conferees on the First Conference Committee on SB19-207, 208, 214.

The House has voted to grant the House conferees on the First Conference Committee on SB19-207, 208, 214 to consider matters not at issue between the two houses.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1189, amended as printed in House Journal, April 8, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB19-144, amended on Third Reading as printed in House Journal April 9, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 9, 2019

We herewith transmit:

Without comment, as amended, HB19-1189.
Without comment, as amended, SB19-144.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; --Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.
Transportation & Energy

SB19-237 by Senator(s) Rodriguez; --Concerning amending the "Colorado Consumer Protection Act" to clarify the damages for which plaintiffs are eligible.
Judiciary

HB19-1168 by Representative(s) McCluskie and Rich, Buckner, Esgar, Kennedy, McLachlan, Roberts, Soper; also Senator(s) Donovan and Rankin--Concerning the creation of the Colorado reinsurance program to provide reinsurance payments to health insurers to aid in paying high-cost insurance claims, and, in connection therewith, authorizing the commissioner of insurance to seek approval from the federal government to waive applicable federal requirements, request federal funds, or both, to enable the state to implement the program, making the program contingent upon waiver or funding approval, and making an appropriation.
Health & Human Services

HB19-1246 by Representative(s) Van Winkle and Kraft-Tharp; also Senator(s) Cooke and Moreno--Concerning the regulation of food truck businesses by local governments.
Local Government

HB19-1254 by Representative(s) McLachlan and Van Winkle; also Senator(s) Fields and Priola--Concerning the notice requirements of employers with regard to the sharing of gratuities.
Business, Labor, & Technology

HB19-1256 by Representative(s) Gray and Snyder; also Senator(s) Todd--Concerning electronic filing of certain taxes.
Business, Labor, & Technology

HB19-1274 by Representative(s) Snyder; also Senator(s) Hisey--Concerning the ability of the boards of county commissioners to delegate to county administrative officials certain land use determinations affecting subdivision platting.
Local Government

HB19-1286 by Representative(s) Kraft-Tharp and Liston; also Senator(s) Todd--Concerning limiting the number of people who may sell vehicles to dealers under a wholesaler's license issued by the motor vehicle dealer board.
Business, Labor, & Technology

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-088, 097, and 138; HB19-1186, 1197, 1198.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor Jared Polis was read and assigned to committee as follows:

April 4, 2019

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:

CHIEF MEDICAL OFFICER OF THE
COLORADO DEPARTMENT OF
PUBLIC HEALTH AND ENVIRONMENT

effective immediately for a term expiring at the Pleasure of the Governor:

Tista S. Ghosh, M.D., M.P.H., of Denver, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 4/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Gardner was added as a Senate Joint Prime Sponsor with Senator Lee and Representatives Weissman and Landgraf on SB19-223.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, April 10, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

97th Legislative Day Wednesday, April 10, 2019

Prayer — By the chaplain, Rabbi Eliot J. Baskin, Temple Emmanuel, 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 Woodward.

Reading of the Journal — On motion of Senator Winter, reading of the Journal of Tuesday, April 9, 2019, 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 **SB19-175** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-205** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-236 and 237; SJR19-007.
Correctly Engrossed: SJR19-007.
Correctly Reengrossed: SB19-187.
Correctly Revised: HB19-1080, 1178, and 1217.
Correctly Rerevised: HB19-1030 and 1208.
Correctly Enrolled: SB19-106 and 213.

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:

HB19-1178 by Representative(s) McLachlan, Van Winkle, Geitner; also Senator(s) Donovan--Concerning the name simplification of Western state Colorado university to Western Colorado university.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Fields, Gonzales, Priola, Rodriguez, Tate, Todd, and Winter.

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:

HB19-1217 by Representative(s) Becker; also Senator(s) Court and Tate--Concerning the elimination of the two percent increase in the member contribution rate to the public employees' retirement association for members in the local government division of the association.

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

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Pettersen and Priola.

HB19-1080 by Representative(s) Bockenfeld; also Senator(s) Cooke and Garcia--Concerning benefits for first responders with a disability.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Gardner, Ginal, Gonzales, Hisey, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Scott, Sonnenberg, Story, Tate, Todd, Williams A., Winter, and Woodward.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-144 by Senator(s) Zenzinger; also Representative(s) Roberts--Concerning allowing a driver of a motorcycle to proceed past a malfunctioning traffic control signal.

Senator Zenzinger moved that the Senate concur in House amendments to SB19-144, as printed in House journal, April 9, pages 1053-1054. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fields, and Priola.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-159, SB19-155, SB19-146, SB19-145, SB19-054, HB19-1214, HB19-1128, and HB19-1023, were made Special Orders -- Consent Calendar at 9:28 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 9:28 a.m. having arrived, Senator Foote 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 Foote 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:

SB19-159 by Senator(s) Bridges and Donovan, Crowder, Ginal, Williams A.; also Representative(s) McCluskie--Concerning the continuation of the passenger tramway safety board, and, in connection therewith, implementing some of the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

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

SB19-155 by Senator(s) Williams A. and Priola; also Representative(s) Kraft-Tharp and Snyder--Concerning the continuation of the state board of accountancy, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 14, pages 468-469 and placed in members' bill files.)

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

SB19-146 by Senator(s) Pettersen; also Representative(s) Kennedy--Concerning the continuation of the regulation by the department of public health and environment of entities that provide home care services, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 27, page 577 and placed in members' bill files.)

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

SB19-145 by Senator(s) Todd; also Representative(s) Valdez A.--Concerning the continuation of the regulation of dialysis care by the department of public health and environment.

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

SB19-054 by Senator(s) Crowder; also Representative(s) Valdez D.--Concerning the regulation of demilitarized motor vehicles for the purposes of operation on the highway.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 14, pages 458-459 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, page 708 and placed in members' bill files.)

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

HB19-1214 by Representative(s) Hansen, Esgar, Ransom; also Senator(s) Rankin, Moreno, Zenzinger--Concerning a requirement that the joint budget committee recommend new methods to finance the state's ongoing capital needs.

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

HB19-1128 by Representative(s) Kraft-Tharp and Saine, Michaelson Jenet; also Senator(s) Fields and Smallwood, Todd--Concerning intercepts, and, in connection therewith, intercepting lottery winnings to pay outstanding court obligations.

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

HB19-1023 by Representative(s) Saine and Jackson, McLachlan, Roberts; also Senator(s) Marble and Todd, Zenzinger--Concerning issuance of driving authorization documents to foster children who are under eighteen years of age.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, March 27, page 577 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, page 709 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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-159, SB19-155 as amended, SB19-146 as amended, SB19-145, SB19-054 as amended, HB19-1214, HB19-1128, HB19-1023 as amended.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the Executive Director of the Department of Personnel and Administration, a Member of the Workers' Compensation Cost Containment Board, Members of the Colorado Commission on the Aging, and Members of the State Historical Society Board of Directors, were made Special Orders--Governor's Appointments--Consent Calendar at 9:42 a.m.

Senate in recess. Senate reconvened.

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

The hour of 9:42 a.m. having arrived, on motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF PERSONNEL AND ADMINISTRATION

effective immediately, for a term expiring at the pleasure of the Governor:

Kara Veitch of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2021:

Megan Marie Strong of Thornton, Colorado, representing employers who have demonstrated good risk management experience with respect to their workers' compensation insurance, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2020:

Kathleen Hall, RN, BSN, MS, PhD of Grand Junction, Colorado, to serve from the Green Party from Congressional District 3, and occasioned by the resignation of Debra Kay Bailey of Grand Junction, Colorado, appointed;

for terms expiring July 1, 2022:

Sean C. Wood, CFP, AIF, CAP of Evergreen, Colorado, to serve as a Republican from Congressional District 2, reappointed; and

Christina St. Tropez Johnson of Lakewood, Colorado, to serve as a Democrat from Congressional District 7, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2019:

Ellen S. Roberts of Durango, Colorado, appointed;

for a term expiring July 1, 2020:

Gregory L. Moore of Golden Colorado, representing state financial expertise, occasioned by the resignation of Albert C. Yates of Denver, Colorado, appointed.

for terms expiring July 1, 2021:

Tamra Joyce Ward of Denver, Colorado, reappointed;

Cathey McClain Finlon of Denver, Colorado, reappointed;

Ann Alexander Pritzlaff of Denver, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB19-1131

****
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 HB19-1131, concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party, has met and reports that it has agreed upon the following:

That the Senate 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 2, line 16, strike "AND WHOLESALE ACQUISITION COSTS".

Page 3, line 1, after "ACTIVITY" insert "THAT DOES NOT INCLUDE CONVERSATIONS AT SCIENTIFIC CONFERENCES AND".

Page 3, line 24, strike "AND WHOLESALE ACQUISITION COSTS".

Page 4, line 5, after "ACTIVITY" insert "THAT DOES NOT INCLUDE CONVERSATIONS AT SCIENTIFIC CONFERENCES AND".

Respectfully submitted,

House Committee:
(signed)
Sonya Jaquez Lewis, Chair
Susan Lontine

Senate Committee:
(signed)
Faith Winter, Chair
Rhonda Fields

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance

After consideration on the merits, the Committee recommends that **SB19-224** 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 2 through 13.

Strike pages 4 through 94.

Page 95, strike lines 1 through 18.

Renumber succeeding sections accordingly.

Page 95, after line 18 insert:

"**SECTION 1.** In Colorado Revised Statutes, **add** 44-12-902 as follows:

44-12-902. Unlawful open and public consumption. (1) THE OPEN AND PUBLIC, AS DEFINED IN SECTION 18-18-102 (20.3), CONSUMPTION OF MARIJUANA IS PROHIBITED.

(2) THE GOVERNING BODY OF A COUNTY, CITY, CITY AND COUNTY, OR MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION AUTHORIZING MARIJUANA CONSUMPTION LOCATIONS OR CIRCUMSTANCES THAT ARE EXCEPTIONS TO THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS SECTION IF THE LOCATIONS ARE NOT ACCESSIBLE TO THE PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC WITHOUT RESTRICTION, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON THE AGE OF THE MEMBERS OF THE PUBLIC WHO ARE ALLOWED ACCESS TO SUCH LOCATION.

(3) THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO ANY BUSINESS LICENSED PURSUANT TO THIS ARTICLE 12 THAT PERMITS CONSUMPTION ON ITS PREMISES IF THE BUSINESS IS OPERATING WITHIN THE CONDITIONS OF LICENSURE.".

Renumber succeeding sections accordingly.

Page 96, strike lines 21 through 27.

Strike page 97.

Page 98, strike lines 1 through 18.

Renumber succeeding sections accordingly.

Page 98, after line 18 insert:

"**SECTION 5.** In Colorado Revised Statutes, 18-18-102, **add** (20.3) as follows:

18-18-102. Definitions. As used in this article 18:

(20.3) (a) "OPEN" OR "OPENLY" MEANS OBSERVABLE BY THE PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC.

(b) "PUBLIC" OR "PUBLICLY" MEANS A PLACE TO WHICH THE PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC HAS ACCESS WITHOUT RESTRICTION, INCLUDING BUT NOT LIMITED TO STREETS AND HIGHWAYS, TRANSPORTATION FACILITIES, PLACES OF AMUSEMENT, PARKS, PLAYGROUNDS, AND THE COMMON AREAS OF BUILDINGS AND OTHER FACILITIES.

(c) "OPEN AND PUBLIC" OR "OPENLY AND PUBLICLY" DOES NOT INCLUDE ANY ACTIVITY OCCURRING ON PRIVATE RESIDENTIAL PROPERTY BY THE OCCUPANT OR HIS OR HER GUESTS.".

Renumber succeeding sections accordingly.

Page 99, after line 22 insert:

"(1) "ACCELERATOR CULTIVATOR" MEANS A PERSON QUALIFIED FOR AN ACCELERATOR LICENSE, LICENSED TO CULTIVATE ON THE PREMISES OF A RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE AND DISTRIBUTE RETAIL MARIJUANA TO RETAIL MARIJUANA PRODUCTS MANUFACTURERS AND RETAIL MARIJUANA STORES.

(2) "ACCELERATOR-ENDORSED LICENSEE" MEANS A RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE OR RETAIL MARIJUANA

PRODUCTS MANUFACTURER LICENSEE WHO HAS, PURSUANT TO RULE, BEEN ENDORSED TO HOST AND OFFER TECHNICAL AND CAPITAL SUPPORT TO AN ACCELERATOR LICENSEE OPERATING ON ITS PREMISES.

(3) "ACCELERATOR LICENSEE" MEANS A PERSON WHO HAS RESIDED IN A CENSUS TRACT DESIGNATED BY THE OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE AS AN OPPORTUNITY ZONE FOR FIVE OF THE TEN YEARS PRIOR TO APPLICATION AND HAS NOT BEEN THE BENEFICIAL OWNER OF A LICENSE ISSUED PURSUANT TO THIS ARTICLE 10.

(4) "ACCELERATOR MANUFACTURER" MEANS A PERSON QUALIFIED FOR AN ACCELERATOR LICENSE, LICENSED TO MANUFACTURE AND DISTRIBUTE RETAIL MARIJUANA CONCENTRATES AND RETAIL MARIJUANA PRODUCTS ON THE PREMISES OF AN ACCELERATOR-ENDORSED MANUFACTURING LICENSEE.".

Renumber succeeding sections accordingly.

Page 119, after line 8, insert:

"(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (5), HOLDING OR EXERCISING THE PRIVILEGES OF ANY LICENSE ISSUED PURSUANT TO THIS ARTICLE 10 SHALL NOT CONSTITUTE AN UNSUITABLE OR UNLAWFUL ACT OR PRACTICE WITHIN THE MEANING OF THE STATUTES AND RULES GOVERNING THE COLORADO LIMITED GAMING CONTROL COMMISSION.".

Page 123, line 18, strike "ANY PERSON" and substitute "A PERSON WHO IS NOT LICENSED PURSUANT TO THIS ARTICLE 10".

Page 123, line 25, after "QUESTION" insert "OF A PERSON WHO IS NOT LICENSED PURSUANT TO THIS ARTICLE 10".

Page 130, after line 10, insert:

"(IX) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES THAT PREVENT OBSOLETE TESTING OF MARIJUANA AND MARIJUANA PRODUCTS, INCLUDING, BUT NOT LIMITED TO, POTENCY TESTING OF MARIJUANA ALLOCATED TO EXTRACTIONS, AND CONTAMINANT TESTING OF MARIJUANA PRODUCTS WHEN ALL INPUTS OF THE MARIJUANA PRODUCT HAVE PASSED CONTAMINANT TESTING PURSUANT TO SUBSECTION (2)(d) OF THIS SECTION.".

Page 135, line 3, strike "age." and substitute "age;".

Page 135, after line 3 insert:

"(aa) THE IMPLEMENTATION OF AN ACCELERATOR PROGRAM INCLUDING BUT NOT LIMITED TO RULES TO ESTABLISH SEVERED LIABILITY FOR LICENSEES OPERATING ON THE SAME PHYSICAL PREMISES, SEVERED CUSTODIANSHIP OF REGULATED PRODUCTS, PROTECTIONS OF THE INTELLECTUAL PROPERTY OF THE ACCELERATOR LICENSEE, INCENTIVES FOR LICENSEES ENDORSED AS ACCELERATORS, AND ADDITIONAL REQUIREMENTS IF A PERSON APPLYING FOR AN ACCELERATOR ENDORSEMENT HAS LESS THAN TWO YEARS EXPERIENCE OPERATING A LICENSED FACILITY UNDER THIS TITLE 10; AND

(bb) CONDITIONS UNDER WHICH A LICENSEE IS AUTHORIZED TO TRANSFER ELECTRONIC CANNABIS WASTE TO A PERSON FOR THE PURPOSES OF RECYCLING OR REUSE. THE CONDITIONS MUST INCLUDE CONTRACT REQUIREMENTS THAT STIPULATE WHAT THE ELECTRONIC CANNABIS WASTE WILL BE USED FOR; RECORD-KEEPING REQUIREMENTS; SECURITY MEASURES RELATED TO THE TRANSPORT AND TRANSFER OF ELECTRONIC CANNABIS WASTE; HANDLING CONTAMINATED ELECTRONIC CANNABIS WASTE REQUIREMENTS; AND PROCESSES ASSOCIATED WITH HANDLING ELECTRONIC CANNABIS WASTE. THE RULES SHALL NOT REQUIRE LICENSEES TO ALTER OR DESTROY ELECTRONIC CANNABIS WASTE PRIOR TO TRANSFER.".

Page 137, after line 14, insert:

"(h) A REQUIREMENT THAT EVERY MEDICAL MARIJUANA STORE AND RETAIL MARIJUANA STORE POST, AT ALL TIMES AND IN A PROMINENT PLACE, A WARNING THAT HAS A MINIMUM HEIGHT OF THREE INCHES AND A WIDTH OF SIX INCHES AND THAT READS:

WARNING: USING MARIJUANA, IN ANY FORM, WHILE YOU

ARE PREGNANT OR BREASTFEEDING PASSES THC TO YOUR BABY AND MAY BE HARMFUL TO YOUR BABY. THERE IS NO KNOWN SAFE AMOUNT OF MARIJUANA USE DURING PREGNANCY OR BREASTFEEDING.".

Page 151, line 26, strike "(8)(c)" and substitute "(13)(c)".

Page 152, line 2, strike "(8)(a) OR (8)(b)." and substitute "(13)(a) OR (13)(b).".

Page 153, line 15, after "CONVICTION;" insert "EXCEPT FOR AN ACCELERATOR LICENSE, A MARIJUANA CONVICTION IS NOT THE SOLE BASIS FOR LICENSE DENIAL;".

Page 170, after line 18 insert:

"(c) (I) A MEDICAL MARIJUANA CULTIVATION FACILITY OR RETAIL MARIJUANA CULTIVATION FACILITY THAT HAS OBTAINED AN APPROVED CHANGE OF LOCATION FROM THE STATE LICENSING AUTHORITY MAY OPERATE ONE LICENSE AT TWO GEOGRAPHICAL LOCATIONS FOR THE PURPOSE OF TRANSITIONING OPERATIONS FROM ONE LOCATION TO ANOTHER IF:

(A) THE TOTAL PLANTS CULTIVATED AT BOTH LOCATIONS DO NOT EXCEED ANY PLANT COUNT LIMIT IMPOSED ON THE LICENSE BY THIS ARTICLE 10 AND ANY RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;

(B) THE LICENSED PREMISES OF BOTH GEOGRAPHICAL LOCATIONS COMPLY WITH ALL SURVEILLANCE, SECURITY, AND INVENTORY TRACKING REQUIREMENTS IMPOSED BY THIS ARTICLE 10 AND ANY RULES PROMULGATED BY THE STATE LICENSING AUTHORITY;

(C) BOTH THE TRANSFERRING LOCATION AND THE RECEIVING LOCATION TRACK ALL PLANTS VIRTUALLY IN TRANSITION IN THE SEED-TO-SALE TRACKING SYSTEM TO ENSURE PROPER TRACKING FOR TAXATION AND TRACKING PURPOSES;

(D) OPERATION AT BOTH GEOGRAPHICAL LOCATIONS DOES NOT EXCEED ONE HUNDRED EIGHTY DAYS, UNLESS FOR GOOD CAUSE SHOWN, THE ONE-HUNDRED-EIGHTY-DAY DEADLINE MAY BE EXTENDED FOR AN ADDITIONAL ONE HUNDRED TWENTY DAYS; AND

(E) THE MEDICAL MARIJUANA CULTIVATION FACILITY OR RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE OBTAINS THE PROPER STATE PERMIT AND LOCAL PERMIT OR LICENSE. IF THE CHANGE OF LOCATION IS WITHIN THE SAME LOCAL JURISDICTION, THE LICENSEE MUST FIRST OBTAIN A TRANSITION PERMIT FROM THE STATE LICENSING AUTHORITY AND, IF REQUIRED BY THE LOCAL JURISDICTION, A TRANSITION PERMIT OR OTHER FORM OF APPROVAL FROM THE LOCAL LICENSING AUTHORITY OR LOCAL JURISDICTION. IF THE CHANGE OF LOCATION IS TO A DIFFERENT LOCAL JURISDICTION, THE LICENSEE MUST FIRST OBTAIN A LICENSE FROM THE LOCAL LICENSING AUTHORITY OR LOCAL JURISDICTION WHERE IT INTENDS TO LOCATE, A TRANSITION PERMIT FROM THE STATE LICENSING AUTHORITY, AND, IF REQUIRED BY THE LOCAL JURISDICTION, A TRANSITION PERMIT OR OTHER FORM OF APPROVAL FROM THE LOCAL LICENSING AUTHORITY OR LOCAL JURISDICTION FOR THE LOCAL JURISDICTION WHERE IT INTENDS TO LOCATE.

(II) CONDUCT AT EITHER LOCATION MAY BE BASIS FOR FINE, SUSPENSION, REVOCATION, OR OTHER SANCTION AGAINST THE LICENSE.".

Page 175, line 12, strike "AND".

Page 175, line 13, strike "LICENSE." and substitute "LICENSE;".

Page 175, after line 13 insert:

"(VII) RETAIL MARIJUANA ACCELERATOR CULTIVATOR LICENSE; AND

(VIII) RETAIL MARIJUANA ACCELERATOR MANUFACTURER LICENSE;".

Page 177, after line 26 insert:

"(6) FOR A PERSON APPLYING FOR AN ACCELERATOR LICENSE, THE STATE LICENSING AUTHORITY SHALL NOT DENY AN APPLICATION ON THE SOLE BASIS OF THE PRIOR MARIJUANA CONVICTION OF THE APPLICANT AND

AT ITS DISCRETION MAY WAIVE OTHER REQUIREMENTS.".

Page 182, strike lines 12 through 16 and substitute:

"~~(8)~~ (7) ~~All medical marijuana sold at a licensed medical marijuana center shall be labeled with a list of all chemical additives, including but not limited to nonorganic pesticides, herbicides, and fertilizers, that were used in the cultivation and the production of the medical marijuana.~~".

Page 190, lines 4 through 8, strike "A medical ~~marijuana-infused~~ MARIJUANA products manufacturer shall not use medical marijuana from more than five different medical marijuana ~~centers~~ STORES or medical ~~marijuana-infused~~ MARIJUANA products manufacturers in total in the production of one medical ~~marijuana-infused~~ MARIJUANA product." and substitute "~~A medical marijuana-infused products manufacturer shall not use medical marijuana from more than five different medical marijuana centers or medical marijuana-infused products manufacturers in total in the production of one medical marijuana-infused product.~~".

Page 206, after line 25, insert:

"(12) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A LICENSED RETAIL MARIJUANA STORE MAY COMPENSATE ITS EMPLOYEES USING PERFORMANCE-BASED INCENTIVES, INCLUDING SALES-BASED PERFORMANCE-BASED INCENTIVES.".

Page 211, line 18, strike "INCENTIVES." and substitute "INCENTIVES, INCLUDING SALES-BASED PERFORMANCE-BASED INCENTIVES.".

Page 211, after line 18 insert:

"(9) AN ACCELERATOR CULTIVATOR LICENSEE MAY OPERATE ON THE PREMISES OF A RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE IF BEFORE EACH ACCELERATOR LICENSEE OPERATES, THE RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE HAS ITS PREMISES ENDORSED PURSUANT TO RULE AND EACH ACCELERATOR LICENSEE IS LICENSED TO OPERATE ON THAT PREMISES.

(10) A RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE THAT HOSTS AN ACCELERATOR LICENSEE MAY, PURSUANT TO RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE TO AN ACCELERATOR LICENSEE OPERATING ON ITS PREMISES. A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE THAT HOSTS A CANNABIS OPPORTUNITY MANUFACTURER LICENSEE MAY, PURSUANT TO RULE, PROVIDE CAPITAL ASSISTANCE TO A CANNABIS OPPORTUNITY MANUFACTURER LICENSEE OPERATING ON ITS PREMISES.

(11) A RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE THAT HOSTS AN ACCELERATOR LICENSEE, PURSUANT TO RULE AND AGENCY DISCRETION, MAY BE ELIGIBLE FOR REDUCTION IN LICENSE FEES OR OTHER INCENTIVES AVAILABLE THROUGH THE DEPARTMENT OF REVENUE OR THE OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE.".

Page 213, line 11, strike "or" and substitute "~~or~~".

Page 213, line 15, strike "maintained." and substitute "maintained; OR".

Page 213, after line 15 insert:

"(c) ACCELERATOR MANUFACTURER LICENSEE SO LONG AS BEFORE EACH ACCELERATOR MANUFACTURER LICENSEE OPERATES, THE MANUFACTURER LICENSEE HAS ITS PREMISES ENDORSED PURSUANT TO RULE AND EACH ACCELERATOR LICENSEE IS LICENSED TO OPERATE ON THAT PREMISES.".

Page 218, strike line 8 and substitute "INCENTIVES, INCLUDING SALES-BASED PERFORMANCE-BASED INCENTIVES.".

Page 218, after line 8 insert:

"(13) A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE THAT HOSTS AN ACCELERATOR MANUFACTURER LICENSEE MAY, PURSUANT TO RULE, PROVIDE TECHNICAL AND COMPLIANCE ASSISTANCE TO AN ACCELERATOR LICENSEE OPERATING ON ITS PREMISES. A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE THAT HOSTS A

CANNABIS OPPORTUNITY MANUFACTURER LICENSEE MAY, PURSUANT TO RULE, PROVIDE CAPITAL ASSISTANCE TO A CANNABIS OPPORTUNITY MANUFACTURER LICENSEE OPERATING ON ITS PREMISES.

(14) A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSEE, PURSUANT TO RULE AND AGENCY DISCRETION, MAY BE ELIGIBLE FOR REDUCTION IN LICENSE FEES AND FOR GRANTS THROUGH THE OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE.".

Page 221, after line 4, insert:

"**44-10-607. Retail marijuana accelerator cultivator license.** A RETAIL MARIJUANA ACCELERATOR CULTIVATOR LICENSE MAY BE ISSUED TO A PERSON TO OPERATE A CULTIVATION OPERATION ON THE SITE OF RETAIL MARIJUANA CULTIVATION FACILITY WITH AN ACCELERATOR ENDORSEMENT. THE RETAIL MARIJUANA ACCELERATOR CULTIVATOR MAY RECEIVE TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE WITH AN ACCELERATOR ENDORSEMENT.

44-10-608. Retail marijuana accelerator manufacturer license. A RETAIL MARIJUANA ACCELERATOR MANUFACTURER LICENSE MAY BE ISSUED TO A PERSON TO OPERATE A RETAIL MARIJUANA PRODUCTS MANUFACTURING OPERATION ON THE SITE OF RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY WITH AN ACCELERATOR ENDORSEMENT. THE RETAIL MARIJUANA ACCELERATOR MANUFACTURER MAY RECEIVE TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT FROM THE RETAIL MARIJUANA PRODUCTS MANUFACTURER WITH AN ACCELERATOR ENDORSEMENT.".

Page 223, line 12, after "LICENSE;" insert "EXCEPT IF IT IS FOR PURPOSES OF RECYCLING;".

Page 223, line 16, after "CONSUMED;" insert "EXCEPT IF IT IS FOR PURPOSES OF RECYCLING;".

Page 227, after line 7 insert:

"**44-10-702. Unlawful open and public consumption.** (1) THE OPEN AND PUBLIC, AS DEFINED IN SECTION 18-18-102 (20.3), CONSUMPTION OF MARIJUANA IS PROHIBITED.

(2) THE GOVERNING BODY OF A COUNTY, CITY, CITY AND COUNTY, OR MUNICIPALITY MAY ADOPT AN ORDINANCE OR RESOLUTION AUTHORIZING MARIJUANA CONSUMPTION LOCATIONS OR CIRCUMSTANCES THAT ARE EXCEPTIONS TO THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS SECTION IF THE LOCATIONS ARE NOT ACCESSIBLE TO THE PUBLIC OR A SUBSTANTIAL NUMBER OF THE PUBLIC WITHOUT RESTRICTION, INCLUDING BUT NOT LIMITED TO RESTRICTIONS ON THE AGE OF THE MEMBERS OF THE PUBLIC WHO ARE ALLOWED ACCESS TO SUCH LOCATION.

(3) THE PROHIBITION IN SUBSECTION (1) OF THIS SECTION DOES NOT APPLY TO ANY BUSINESS LICENSED PURSUANT TO THIS ARTICLE 10 THAT PERMITS CONSUMPTION ON ITS PREMISES IF THE BUSINESS IS OPERATING WITHIN THE CONDITIONS OF LICENSURE.".

Page 227, line 11, strike "money, EXCEPT FOR FINES," and substitute "money".

Page 230, line 15, strike "~~and fines~~" and substitute "and fines".

Page 230, line 19, strike "EXCEPT AS OTHERWISE PROVIDED, ALL".

Page 230, strike lines 20 through 23.

Page 243, line 12 and 13, strike "44-10-103 (23) OR (42);" and substitute "44-10-103 (26) OR (45);".

Page 245, line 15, strike "44-10-103 (23)" and substitute "44-10-103 (26)".

Page 245, line 16, strike "44-10-103 (42)." and substitute "44-10-103 (45).".

Page 255, line 2, strike "44-10-103 (50)," and substitute "44-10-103 (53),".

Page 257, line 23, strike "44-10-103 (23)." and substitute "44-10-103 (26).".

Page 259, line 11, strike "45 through 76" and substitute "6 through 37"

Page 259, lines 21 and 22, strike "45 through 76" and substitute "6 through 37".

Finance

After consideration on the merits, the Committee recommends that **SB19-218** 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 "(2)(a.5)(II)," insert "(2)(c),", after "(3.5)(d)," insert "(5)(a),", and after "(7)(d)," insert "(9)(c),".

Page 2, line 4, after "**add**" insert "(2)(d.4), (3)(d), and".

Page 3, after line 1 insert:

"(c) "In good standing", with respect to a physician's OR MEDICAL PROFESSIONAL'S license, means:

(I) The physician holds a doctor of medicine or doctor of osteopathic medicine degree from an accredited medical school, OR THE MEDICAL PROFESSIONAL HOLDS A DEGREE IN A MEDICAL FIELD WITHIN HIS OR HER SCOPE OF PRACTICE;

(II) The physician holds a valid license to practice medicine, OR THE MEDICAL PROFESSIONAL HOLDS A VALID LICENSE TO PRACTICE WITHIN HIS OR HER SCOPE OF PRACTICE, in Colorado that does not contain a restriction or condition that prohibits the recommendation of medical marijuana or for a license issued prior to July 1, 2011, a valid, unrestricted and unconditioned license; and

(III) The physician OR MEDICAL PROFESSIONAL has a valid and unrestricted United States department of justice federal drug enforcement administration controlled substances registration.

(d.4) "PHYSICIAN", WHEN MAKING MEDICAL MARIJUANA RECOMMENDATIONS FOR A DISABLING MEDICAL CONDITION, INCLUDES A MEDICAL PROFESSIONAL WITH PRESCRIPTIVE AUTHORITY ACTING WITHIN THE SCOPE OF HIS OR HER PRACTICE.".

Page 3, after line 25 insert:

"(d) THE STATE HEALTH AGENCY SHALL PROMULGATE RULES RELATED TO THE LENGTH OF TIME A REGISTRY IDENTIFICATION CARD ISSUED TO A PATIENT WITH A DISABLING MEDICAL CONDITION IS VALID.".

Page 4, after line 15 insert:

"(a) The physician ~~shall have~~ HAS a valid and active license to practice medicine, which license is in good standing, OR THE MEDICAL PROFESSIONAL HOLDS A VALID LICENSE TO PRACTICE WITHIN HIS OR HER SCOPE OF PRACTICE, WHICH LICENSE IS IN GOOD STANDING.".

Page 4, strike line 23, and substitute "RECOMMENDATION; EXCEPT WHEN MAKING A MEDICAL MARIJUANA RECOMMENDATION FOR A PATIENT WITH A DISABLING MEDICAL CONDITION, THE RECOMMENDATION MAY BE MADE BY A MEDICAL PROFESSIONAL WITH PRESCRIPTIVE AUTHORITY ACTING WITHIN THE SCOPE OF HIS OR HER PRACTICE.".

Page 6, after line 3 insert:

"(9) **Registry identification card required - denial - revocation - renewal.** (c) A patient or primary caregiver registry identification card ~~shall be~~ IS valid for one year UNLESS THE STATE HEALTH AGENCY CHANGES THE LENGTH OF VALIDITY PURSUANT TO ITS AUTHORITY IN SUBSECTION (3)(d) OF THIS SECTION and ~~shall~~ MUST contain a unique identification number. It ~~shall be~~ IS the responsibility of the patient or primary caregiver to apply to renew his or her registry identification card prior to the date on which the card expires. The state health agency shall develop a form for a patient or primary caregiver to use in renewing his or her registry identification card.".

Page 6, after line 13 insert:

"**SECTION 2.** In Colorado Revised Statutes, 25-1.5-110, **amend** (2) and (3) as follows:

25-1.5-110. Monitor health effects of marijuana - report. (2) (a) The department shall appoint a panel of health care professionals with expertise in, ~~cannabinoid physiology to monitor the relevant information~~ BUT NOT LIMITED TO, NEUROSCIENCE, EPIDEMIOLOGY, TOXICOLOGY, CANNABIS PHYSIOLOGY, AND CANNABIS QUALITY CONTROL TO FURTHER DIRECT POLICY. Notwithstanding section 24-1-136 (11)(a)(I), the panel shall provide a report by January 31, 2015, and every two years thereafter to the state board of health, the department of revenue, and the general assembly. The department shall make the report available on its website. The panel shall establish criteria for studies to be reviewed, reviewing studies and other data, and making recommendations, as appropriate, for policies intended to protect consumers of marijuana or marijuana products and the general public.

(b) IN ORDER TO ALLOW THE PUBLIC TO EVALUATE ANY CONFLICT OF INTEREST AMONG THE PANEL, EACH PANELIST SHALL DISCLOSE ALL FINANCIAL INTERESTS THE PANELIST HAS RELATED TO THE HEALTH CARE INDUSTRY AND THE REGULATED MARIJUANA INDUSTRY. THE DISCLOSURES MUST BE INCLUDED IN THE REPORT REQUIRED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION.

(3) The department may ~~collect Colorado-specific data that reports adverse health events involving marijuana use from the all-payer claims database, hospital discharge data, and behavioral risk factors~~ INQUIRE TO COLLECT COLORADO-SPECIFIC DATA THAT INVOLVES HEALTH OUTCOMES ASSOCIATED WITH CANNABIS FROM ALL-PAYER CLAIMS DATA, HOSPITAL DISCHARGE DATA, AND AVAILABLE PEER-REVIEWED RESEARCH STUDIES.".

Renumber succeeding sections accordingly.

Finance

After consideration on the merits, the Committee recommends that **SB19-188** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Strike the Business, Labor, and Technology Committee Report, dated March 13, 2019.

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

"**SECTION 1.** In Colorado Revised Statutes, **add** part 3 to article 13.3 of title 8 as follows:

PART 3
FAMILY AND MEDICAL LEAVE INSURANCE

8-13.3-301. Short title. THE SHORT TITLE OF THIS PART 3 IS THE "FAMILY AND MEDICAL LEAVE INSURANCE ACT" OR "FAMLI ACT".

8-13.3-302. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) COLORADO IS A FAMILY-FRIENDLY STATE, AND PROVIDING THE WORKERS OF COLORADO WITH FAMILY AND MEDICAL LEAVE INSURANCE WILL ENCOURAGE AN ENTREPRENEURIAL ATMOSPHERE AND ECONOMIC GROWTH AND PROMOTE A HEALTHY BUSINESS CLIMATE;

(b) THE UNITED STATES IS THE ONLY INDUSTRIALIZED NATION IN THE WORLD THAT DOES NOT MANDATE ACCESS TO PAID LEAVE BENEFITS. SIMULTANEOUSLY, NEARLY HALF OF AMERICANS LIVE PAYCHECK TO PAYCHECK AND ARE UNABLE TO ACCESS TWO THOUSAND DOLLARS IN THE EVENT OF AN EMERGENCY.

(c) LEAVE UNDER THE FEDERAL "FAMILY AND MEDICAL LEAVE ACT OF 1993", AS AMENDED, PUB.L. 103-3, CODIFIED AT 29 U.S.C. SEC. 2601 ET SEQ., IS BOTH UNPAID AND UNAVAILABLE TO MORE THAN FORTY PERCENT OF PRIVATE SECTOR WORKERS IN THE UNITED STATES. THIS PART 3, KNOWN AS THE STATE "FAMILY AND MEDICAL LEAVE INSURANCE ACT" OR "FAMLI ACT", PROVIDES A NECESSARY SAFETY NET FOR ALL COLORADO WORKERS, AS PAID FAMILY AND MEDICAL LEAVE ALLOWS WORKERS TO REMAIN IN THE WORKFORCE, STAY SAFE, SEEK NECESSARY MEDICAL TREATMENT, AND PROVIDE CARE TO LOVED ONES AT CRITICAL

TIMES.

(d) EVERY WORKER AT SOME POINT IN HIS OR HER LIFE WILL NEED TO TAKE TIME OFF WORK FOR FAMILY OR HEALTH REASONS, MAKING THIS AN ISSUE THAT AFFECTS ALL WORKERS. WHEN WORKERS NEED LEAVE BUT CANNOT TAKE IT, ECONOMIC AND SOCIAL COSTS ACCUMULATE.

(e) PAID LEAVE BENEFITS EMPLOYERS BY IMPROVING RECRUITMENT OPPORTUNITIES AND REDUCING TURNOVER. THEREFORE, IT BENEFITS THE PUBLIC TO PROVIDE FAMILY AND MEDICAL LEAVE INSURANCE FOR COLORADO WORKERS.

(f) THE PREMIUMS COLLECTED UNDER THIS PART 3 ARE USED EXCLUSIVELY FOR THE PAYMENT OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS AND THE ADMINISTRATION OF THE PROGRAM. THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE IS CREATED AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, OPERATING AS A GOVERNMENT-RUN BUSINESS THAT PROVIDES FAMILY AND MEDICAL LEAVE INSURANCE SERVICES.

(g) EMPLOYEE AND EMPLOYER CONTRIBUTIONS ARE COLLECTED AT RATES REASONABLY CALCULATED TO PROVIDE THE PROGRAM'S LEAVE BENEFITS AND SUPPORTING ADMINISTRATION OF THE PROGRAM, AND THE FISCAL APPROACH IN THIS PART 3 WAS INFORMED BY THE EXPERIENCE OF OTHER STATE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAMS, MODELING BASED ON THE COLORADO WORKFORCE, AND INPUT FROM A VARIETY OF STAKEHOLDERS IN COLORADO;

(h) WORKERS NEED COMPREHENSIVE PAID FAMILY AND MEDICAL LEAVE TO ADDRESS DOMESTIC ABUSE, SEXUAL ASSAULT OR ABUSE, AND STALKING, WHICH POSE SERIOUS HEALTH AND SAFETY CONCERNS. DOMESTIC ABUSE, SEXUAL ASSAULT OR ABUSE, AND STALKING ARE QUALIFYING PURPOSES FOR FAMILY AND MEDICAL LEAVE UNDER THIS PART 3;

(i) THIS PART 3 REFLECTS THE REALITY AND DIVERSITY OF COLORADO FAMILIES BY ALLOWING WORKERS TO CARE FOR A RANGE OF FAMILY MEMBERS AND CLOSE LOVED ONES WHEN THEY ARE DEALING WITH A SERIOUS HEALTH CONDITION;

(j) JOB PROTECTION IS ESSENTIAL TO ENSURING WORKERS CAN TAKE THE LEAVE THEY NEED WITHOUT RISKING THEIR JOBS OR THEIR ECONOMIC SECURITY;

(k) COMPREHENSIVE, UNIVERSAL PAID FAMILY AND MEDICAL LEAVE IS ESPECIALLY IMPORTANT FOR LOW-INCOME WORKERS LIVING PAYCHECK TO PAYCHECK. WITHOUT THE LEGAL RIGHTS THEY NEED, THESE WORKERS ARE DISPROPORTIONATELY MORE LIKELY TO LACK ACCESS TO PAID LEAVE AND ARE LEAST ABLE TO AFFORD TO TAKE UNPAID LEAVE.

(l) THIS PART 3 OFFERS PORTABLE BENEFITS THAT WORKERS CAN TAKE WITH THEM AS THEY MOVE FROM JOB TO JOB OR COMBINE MULTIPLE SOURCES OF INCOME. PORTABLE BENEFITS ARE ESSENTIAL IN A CHANGING ECONOMY, WHERE MORE AND MORE WORKERS FIND THEMSELVES RELYING ON INSECURE JOBS OR PIECING TOGETHER MULTIPLE TYPES OF JOBS TO MAKE ENDS MEET.

(m) RECOGNIZING THAT MANY PEOPLE NOW WORK OUTSIDE THE TRADITIONAL EMPLOYER-EMPLOYEE STRUCTURE, THIS PART 3 ALSO ALLOWS SELF-EMPLOYED WORKERS TO PARTICIPATE IN THE PROGRAM IF THEY CHOOSE, PROVIDING ACCESS TO NEEDED BENEFITS AND ADDED SECURITY;

(n) PAID FAMILY AND MEDICAL LEAVE KEEPS WORKERS EMPLOYED AND SAVES EMPLOYERS MONEY THROUGH IMPROVED RETENTION, AS REPLACING A WORKER TYPICALLY COSTS AT LEAST ONE-FIFTH OF THAT WORKER'S ANNUAL SALARY;

(o) RESEARCH FROM STATES THAT HAVE IMPLEMENTED PAID FAMILY AND MEDICAL LEAVE PROGRAMS HAS SHOWN THAT EMPLOYERS BENEFIT THROUGH IMPROVED WORKER PRODUCTIVITY, PERFORMANCE, AND MORALE;

(p) WITH ACCESS TO PAID FAMILY AND MEDICAL LEAVE, WORKERS ARE ABLE TO RECOVER FROM ILLNESS AND RETURN TO FULL PRODUCTIVITY MORE QUICKLY, WHICH IN TURN HELPS AN EMPLOYER'S BOTTOM LINE. WHEN WORKERS HAVE TO RETURN TO WORK BEFORE A CHRONIC CONDITION IS STABILIZED OR BEFORE THEY HAVE HEALED FROM AN INJURY, THEY ARE MORE LIKELY TO RELAPSE OR REINJURE THEMSELVES.

(q) WITHOUT AN INSURANCE SYSTEM, EMPLOYERS WHO PROVIDE PAID FAMILY AND MEDICAL LEAVE MAY NEED TO COVER THE FULL COSTS OUT OF POCKET, WHEREAS AN INSURANCE SYSTEM BENEFITS EMPLOYERS

BY POOLING COSTS AND MAKING IT MORE AFFORDABLE TO PROVIDE PAID FAMILY AND MEDICAL LEAVE TO THEIR WORKFORCE;

(r) ACCESS TO PAID FAMILY AND MEDICAL LEAVE THROUGH AN INSURANCE PROGRAM LEVELS THE PLAYING FIELD FOR SMALL BUSINESS OWNERS, WHO OFTEN CANNOT AFFORD TO OFFER THE SAME GENEROUS PAID FAMILY AND MEDICAL LEAVE BENEFITS AS LARGER COMPANIES AND THEREFORE FACE A COMPETITIVE DISADVANTAGE IN HIRING;

(s) AS REPORTED IN 2014 BY THE COUNCIL OF ECONOMIC ADVISERS, AN AGENCY WITHIN THE EXECUTIVE OFFICE OF THE PRESIDENT, "[P]AID LEAVE POLICIES CAN HELP BUSINESS RECRUIT TALENTED WORKERS WHO PLAN TO STAY WITH A FIRM AFTER HAVING CHILDREN... PAID LEAVE HAS BEEN SHOWN TO INCREASE THE PROBABILITY THAT WOMEN CONTINUE IN THEIR JOB AFTER HAVING A CHILD, RATHER THAN QUITTING PERMANENTLY, SAVING EMPLOYERS THE EXPENSE OF RECRUITING AND TRAINING ADDITIONAL EMPLOYEES." THE REPORT FURTHER FINDS, "[B]Y ENABLING WORKERS WHO WOULD HAVE OTHERWISE DROPPED OUT OF THE LABOR FORCE TO INSTEAD TAKE SHORT-TERM LEAVE, SUCH POLICIES COULD BENEFIT THEIR EMPLOYER'S LONG-TERM PRODUCTIVITY BY IMPROVING RECRUITMENT, RETENTION, AND WORKER MOTIVATION."

(t) A RECENT UNITED STATES DEPARTMENT OF LABOR STUDY FOUND THAT LACK OF LEAVE MEANS THAT NEARLY FIVE MILLION WOMEN IN THE UNITED STATES LEAVE THE WORKFORCE FOR FAMILY CAREGIVING RESPONSIBILITIES AND THAT IF THOSE WOMEN PARTICIPATED IN THE ECONOMY AT THE SAME RATE AS THEIR PEERS IN CANADA, A COUNTRY WITH GENEROUS PAID FAMILY AND MEDICAL LEAVE BENEFITS, ECONOMIC ACTIVITY IN THE UNITED STATES WOULD BE FIVE HUNDRED BILLION DOLLARS HIGHER EVERY YEAR, A BENEFIT TO ALL COMPANIES;

(u) ACCORDING TO PEW RESEARCH CENTER, THE PERCENTAGE OF MOTHERS NOT IN THE WORKFORCE GREW TO TWENTY-NINE PERCENT IN 2012, UP FROM TWENTY-THREE PERCENT IN 1999. A MAJORITY OF UNEMPLOYED WOMEN REPORTED THAT THEY WERE HOME TO CARE FOR A FAMILY MEMBER, WHILE ONLY SIX PERCENT SAID THEY WERE HOME BECAUSE THEY COULD NOT FIND WORK. WHEN WOMEN, WHO COMPRISE FORTY-SEVEN PERCENT OF THE UNITED STATES' WORKFORCE, LEAVE THE WORKFORCE, LABOR SUPPLY GOES DOWN AND THE COST OF LABOR FOR BUSINESS GOES UP. ACCESS TO PAID LEAVE INCREASES LABOR SUPPLY AND THEREFORE DECREASES LABOR COSTS FOR BUSINESSES, PARTICULARLY IN TIGHT COMPETITIVE LABOR MARKETS.

8-13.3-303. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AVERAGE WEEKLY WAGE" MEANS THE AVERAGE WEEKLY WAGE DETERMINED IN ACCORDANCE WITH SECTION 8-47-106.

(2) "COVERED INDIVIDUAL" MEANS AN INDIVIDUAL WHO, DURING THE INDIVIDUAL'S QUALIFYING YEAR HAS:

(a) ELECTED COVERAGE UNDER SECTION 8-13.3-313;

(b) BEEN EMPLOYED BY AND WORKED FOR ONE OR MORE EMPLOYERS FOR A COMBINED TOTAL OF AT LEAST SIX HUNDRED EIGHTY HOURS; OR

(c) IN THE CASE OF AIRLINE FLIGHT CREW MEMBERS, WORKED FOR, OR BEEN PAID BY, ONE OR MORE EMPLOYERS FOR FIVE HUNDRED FOUR HOURS.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(4) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

(5) "DIVISION" MEANS THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE CREATED IN SECTION 8-13.3-304.

(6) "DOMESTIC ABUSE" MEANS ANY ACT DESCRIBED IN SECTION 13-14-101 (2) OR ANY OTHER CRIME, THE UNDERLYING FACTUAL BASIS OF WHICH HAS BEEN FOUND BY A COURT ON THE RECORD TO INCLUDE AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1).

(7) "ELIGIBLE INDIVIDUAL" MEANS AN INDIVIDUAL WHO SATISFIES THE REQUIREMENTS OF SECTION 8-13.3-306 AND IS ELIGIBLE TO RECEIVE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS AND, EXCEPT AS OTHERWISE SPECIFIED IN THIS PART 3, FAMILY AND MEDICAL LEAVE.

(8) "EMPLOYEE" MEANS ANY INDIVIDUAL, INCLUDING A MIGRATORY LABORER, PERFORMING LABOR OR SERVICES FOR THE BENEFIT OF ANOTHER, IRRESPECTIVE OF WHETHER THE COMMON-LAW RELATIONSHIP OF MASTER AND SERVANT EXISTS. FOR THE PURPOSES OF THIS PART 3, AN INDIVIDUAL PRIMARILY FREE FROM CONTROL AND

DIRECTION IN THE PERFORMANCE OF THE LABOR OR SERVICES, BOTH UNDER THE INDIVIDUAL'S CONTRACT FOR THE PERFORMANCE OF THE LABOR OR SERVICES AND IN FACT, AND WHO IS CUSTOMARILY ENGAGED IN AN INDEPENDENT TRADE, OCCUPATION, PROFESSION, OR BUSINESS RELATED TO THE LABOR OR SERVICES PERFORMED IS NOT AN "EMPLOYEE".

(9) (a) "EMPLOYER" MEANS ANY PERSON ENGAGED IN COMMERCE OR AN INDUSTRY OR ACTIVITY AFFECTING COMMERCE THAT:

(I) EMPLOYS AT LEAST ONE PERSON FOR EACH WORKING DAY DURING EACH OF TWENTY OR MORE CALENDAR WORKWEEKS IN THE CURRENT OR IMMEDIATELY PRECEDING CALENDAR YEAR; OR

(II) PAID WAGES OF ONE THOUSAND FIVE HUNDRED DOLLARS OR MORE DURING ANY CALENDAR QUARTER IN THE PRECEDING CALENDAR YEAR.

(b) "EMPLOYER" INCLUDES:

(I) A PERSON WHO ACTS, DIRECTLY OR INDIRECTLY, IN THE INTEREST OF AN EMPLOYER WITH REGARD TO ANY OF THE EMPLOYEES OF THE EMPLOYER;

(II) A SUCCESSOR IN INTEREST OF AN EMPLOYER THAT ACQUIRES ALL OF THE ORGANIZATION, TRADE, OR BUSINESS OR SUBSTANTIALLY ALL OF THE ASSETS OF ONE OR MORE EMPLOYERS; AND

(III) THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

(c) "EMPLOYER" DOES NOT INCLUDE A PERSON DESCRIBED IN SUBSECTION (9)(a) OR (9)(b) OF THIS SECTION THAT IS A CARRIER AS DEFINED IN 45 U.S.C. SEC. 151.

(10) "FAMILY AND MEDICAL LEAVE" MEANS LEAVE FROM WORK UNDER THIS PART 3.

(11) "FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS" OR "BENEFITS" MEANS THE BENEFITS PROVIDED UNDER THE PROGRAM.

(12) "FAMILY MEMBER" MEANS:

(a) A COVERED INDIVIDUAL'S IMMEDIATE FAMILY MEMBER, AS DEFINED IN SECTION 2-4-401 (3.7);

(b) A CHILD TO WHOM THE COVERED INDIVIDUAL STANDS IN LOCO PARENTIS OR A PERSON WHO STOOD IN LOCO PARENTIS TO THE COVERED INDIVIDUAL WHEN THE COVERED INDIVIDUAL WAS A MINOR;

(c) A PERSON FOR WHOM THE COVERED INDIVIDUAL IS RESPONSIBLE FOR PROVIDING UNPAID PHYSICAL, PSYCHOLOGICAL, HEALTH, LEGAL, OR FINANCIAL ASSISTANCE, AS WELL AS SUPPORT, OF THE TYPE TRADITIONALLY PROVIDED BY FAMILY, WITH:

(I) ACCESS TO AND ADMINISTRATION OF MEDICAL CARE;

(II) THE ACTIVITIES OF DAILY LIVING AS DEFINED IN SECTION 25.5-6-104 (2)(a); OR

(III) THE INSTRUMENTAL ACTIVITIES OF DAILY LIVING AS DEFINED IN SECTION 25.5-6-104 (2)(g); OR

(d) A PERSON WITH WHOM THE COVERED INDIVIDUAL IS IN A COMMITTED RELATIONSHIP THAT INCLUDES:

(I) SHARED FINANCIAL INTERDEPENDENCE OR DEPENDENCE;

(II) RESPONSIBILITY FOR EACH OTHER'S COMMON WELFARE; AND

(III) EITHER:

(A) THE INTENT TO MARRY OR ENTER INTO A CIVIL UNION IN THE FUTURE; OR

(B) THE INTENT FOR THE RELATIONSHIP TO LAST INDEFINITELY.

(13) "FMLA" MEANS THE FEDERAL "FAMILY AND MEDICAL LEAVE ACT OF 1993", AS AMENDED, PUB.L. 103-3, CODIFIED AT 29 U.S.C. SEC. 2601 ET SEQ.

(14) "FMLA LEAVE" MEANS LEAVE FROM WORK AND ALL BENEFITS AUTHORIZED BY THE FMLA.

(15) "FUND" MEANS THE FAMILY AND MEDICAL LEAVE INSURANCE FUND CREATED IN SECTION 8-13.3-309.

(16) "HEALTH CARE PROVIDER" MEANS ANY PERSON LICENSED, CERTIFIED, OR REGISTERED UNDER FEDERAL OR STATE LAW TO PROVIDE MEDICAL OR EMERGENCY SERVICES. THE TERM INCLUDES PHYSICIANS, DOCTORS, NURSES, AND MIDWIVES.

(17) "LOCAL GOVERNMENT" HAS THE SAME MEANING AS SET FORTH IN SECTION 29-1-304.5 (3)(b).

(18) "PREMIUM" MEANS THE PAYMENTS AN INDIVIDUAL AND EMPLOYER ARE REQUIRED BY THIS PART 3 TO PAY TO THE DIVISION FOR THE PROGRAM.

(19) "PROGRAM" MEANS THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM ESTABLISHED PURSUANT TO SECTION 8-13.3-305.

(20) "QUALIFYING EXIGENCY" MEANS A NEED ARISING OUT OF A FAMILY MEMBER'S ACTIVE DUTY SERVICE OR NOTICE OF AN IMPENDING CALL OR ORDER TO ACTIVE DUTY IN THE ARMED FORCES, INCLUDING, BUT NOT LIMITED TO, PROVIDING FOR THE CARE OR OTHER NEEDS OF THE MILITARY MEMBER'S CHILD OR OTHER FAMILY MEMBER, MAKING FINANCIAL OR LEGAL ARRANGEMENTS FOR THE MILITARY MEMBER, ATTENDING COUNSELING, ATTENDING MILITARY EVENTS OR CEREMONIES, SPENDING TIME WITH THE MILITARY MEMBER DURING A REST AND RECUPERATION LEAVE OR FOLLOWING RETURN FROM DEPLOYMENT, OR MAKING ARRANGEMENTS FOLLOWING THE DEATH OF THE MILITARY MEMBER.

(21) "QUALIFYING YEAR" MEANS THE FIRST FOUR OF THE LAST FIVE COMPLETED CALENDAR QUARTERS OR THE LAST FOUR COMPLETED CALENDAR QUARTERS IMMEDIATELY PRECEDING THE FIRST DAY OF A COVERED INDIVIDUAL'S APPLICATION YEAR.

(22) (a) "SERIOUS HEALTH CONDITION" MEANS AN ILLNESS, INJURY, IMPAIRMENT, OR PHYSICAL OR MENTAL CONDITION THAT INVOLVES:

(I) INPATIENT CARE IN A HOSPITAL, HOSPICE, OR RESIDENTIAL MEDICAL CARE FACILITY; OR

(II) CONTINUING TREATMENT BY A HEALTH CARE PROVIDER.

(b) "SERIOUS HEALTH CONDITION" INCLUDES DOMESTIC ABUSE, SEXUAL ASSAULT OR ABUSE, AND STALKING.

(23) "SEXUAL ASSAULT OR ABUSE" MEANS ANY ACT, ATTEMPTED ACT, OR THREATENED ACT OF UNLAWFUL SEXUAL BEHAVIOR, AS DESCRIBED IN SECTION 16-11.7-102 (3), OR SEXUAL ASSAULT, AS DESCRIBED IN SECTION 18-3-402, COMMITTED BY ANY PERSON AGAINST ANOTHER PERSON REGARDLESS OF THE RELATIONSHIP BETWEEN THE ACTOR AND THE VICTIM.

(24) "STALKING" MEANS ANY ACT, ATTEMPTED ACT, OR THREATENED ACT OF STALKING, AS DESCRIBED IN SECTION 18-3-602.

8-13.3-304. Division of family and medical leave insurance - creation as an enterprise - authority to issue bonds. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE, THE HEAD OF WHICH IS THE DIRECTOR OF THE DIVISION.

(2) (a) THE DIVISION CONSTITUTES AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, AS LONG AS THE DIVISION RETAINS AUTHORITY TO ISSUE REVENUE BONDS AND THE DIVISION 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. FOR AS LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SECTION, THE DIVISION IS NOT SUBJECT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(b) THE ENTERPRISE ESTABLISHED PURSUANT TO THIS SUBSECTION (2) HAS ALL THE POWERS AND DUTIES AUTHORIZED BY THIS PART 3 PERTAINING TO FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS. THE FUND CONSTITUTES PART OF THE ENTERPRISE ESTABLISHED PURSUANT TO THIS SUBSECTION (2).

(c) NOTHING IN THIS SUBSECTION (2) LIMITS OR RESTRICTS THE AUTHORITY OF THE DIVISION TO EXPEND ITS REVENUES CONSISTENT WITH THIS PART 3.

(d) THE DIVISION IS HEREBY AUTHORIZED TO ISSUE REVENUE BONDS FOR THE EXPENSES OF THE DIVISION, WHICH BONDS MAY BE SECURED BY ANY REVENUES OF THE DIVISION. REVENUE FROM THE BONDS ISSUED PURSUANT TO THIS SUBSECTION (2) SHALL BE DEPOSITED INTO THE FUND.

8-13.3-305. Family and medical leave insurance program - creation - division duties - outreach and education - rules. (1) (a) THE DIVISION SHALL ESTABLISH AND ADMINISTER A FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM TO GRANT FAMILY AND MEDICAL LEAVE TO ELIGIBLE INDIVIDUALS AND PAY FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS TO ELIGIBLE INDIVIDUALS AS SPECIFIED IN THIS PART 3.

(b) STARTING JULY 1, 2020, THE DIVISION SHALL ESTABLISH AND IMPLEMENT THE PROGRAM, INCLUDING SETTING PREMIUM AMOUNTS BY RULE IN ACCORDANCE WITH SECTION 8-13.3-309 (2)(a).

(2) THE DIVISION SHALL ESTABLISH PROCEDURES AND FORMS FOR FILING CLAIMS FOR BENEFITS UNDER THE PROGRAM. THE DIVISION SHALL

NOTIFY AN EMPLOYER WITHIN FIVE BUSINESS DAYS AFTER A COVERED INDIVIDUAL FILES A CLAIM FOR BENEFITS UNDER SECTION 8-13.3-306.

(3) THE DIVISION SHALL USE INFORMATION-SHARING AND INTEGRATION TECHNOLOGY TO FACILITATE THE DISCLOSURE OF RELEVANT INFORMATION OR RECORDS PERTAINING TO A COVERED INDIVIDUAL IF THE COVERED INDIVIDUAL CONSENTS TO THE DISCLOSURE IN ACCORDANCE WITH THIS PART 3.

(4) INFORMATION CONTAINED IN THE DIVISION'S FILES AND RECORDS PERTAINING TO A COVERED INDIVIDUAL UNDER THIS PART 3 ARE CONFIDENTIAL AND NOT OPEN TO PUBLIC INSPECTION; EXCEPT THAT A COVERED INDIVIDUAL OR A PERSON AUTHORIZED BY A COVERED INDIVIDUAL, AS EVIDENCED BY A SIGNED AUTHORIZATION FROM THE COVERED INDIVIDUAL, MAY REVIEW THE FILES AND RECORDS OR RECEIVE SPECIFIC INFORMATION FROM THE FILES AND RECORDS. IN ADDITION, A PUBLIC EMPLOYEE MAY ACCESS AND USE THE INFORMATION IN THE PERFORMANCE OF THE PUBLIC EMPLOYEE'S OFFICIAL DUTIES.

(5) (a) BY JULY 1, 2022, AND FOR AS LONG AS THE PROGRAM CONTINUES, THE DIVISION SHALL DEVELOP AND IMPLEMENT OUTREACH SERVICES TO EDUCATE THE PUBLIC ABOUT THE AVAILABILITY OF FAMILY AND MEDICAL LEAVE AND BENEFITS UNDER THIS PART 3 FOR COVERED INDIVIDUALS.

(b) THE DIVISION SHALL ENSURE THAT THE OUTREACH INFORMATION EXPLAINS, IN AN EASY-TO-UNDERSTAND FORMAT, AT LEAST THE FOLLOWING:

(I) ELIGIBILITY REQUIREMENTS;

(II) THE CLAIMS PROCESS;

(III) WEEKLY BENEFIT AMOUNTS AND MAXIMUM BENEFITS PAYABLE;

(IV) NOTICE AND DOCUMENTATION REQUIREMENTS;

(V) REINSTATEMENT AND NONDISCRIMINATION RIGHTS;

(VI) CONFIDENTIALITY OF FILES AND RECORDS;

(VII) THE RELATIONSHIP BETWEEN EMPLOYMENT PROTECTION, LEAVE FROM EMPLOYMENT, AND WAGE REPLACEMENT BENEFITS UNDER THIS PART 3 AND OTHER LAWS, COLLECTIVE BARGAINING AGREEMENTS, AND EMPLOYER POLICIES; AND

(VIII) ANY OTHER DETAILS OR INFORMATION ABOUT THE PROGRAM THE DIVISION DEEMS APPROPRIATE.

(c) THE DIVISION SHALL DEVELOP A PROGRAM NOTICE THAT DETAILS THE PROGRAM REQUIREMENTS, BENEFITS, CLAIMS PROCESS, PAYROLL DEDUCTION REQUIREMENTS, AND OTHER PERTINENT PROGRAM INFORMATION. EACH EMPLOYER SHALL POST THE PROGRAM NOTICE IN A PROMINENT LOCATION IN THE WORKPLACE AND NOTIFY ITS EMPLOYEES OF THE PROGRAM, IN WRITING, UPON HIRING AND UPON LEARNING OF AN EMPLOYEE EXPERIENCING AN EVENT THAT TRIGGERS ELIGIBILITY PURSUANT TO SECTION 8-13.3-306.

(d) THE DIVISION SHALL PROVIDE THE INFORMATION REQUIRED BY THIS SUBSECTION (5) IN A MANNER THAT IS CULTURALLY COMPETENT AND LINGUISTICALLY APPROPRIATE.

(e) THE DIVISION MAY, ON ITS OWN OR THROUGH A CONTRACT WITH AN OUTSIDE VENDOR, USE A PORTION OF THE MONEY IN THE FUND TO DEVELOP, IMPLEMENT, AND ADMINISTER OUTREACH SERVICES.

8-13.3-306. Family and medical leave insurance benefits - application - eligibility - rules. (1) BEGINNING JANUARY 1, 2024, EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, AN INDIVIDUAL IS ELIGIBLE TO TAKE FAMILY AND MEDICAL LEAVE AND TO RECEIVE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS IF THE INDIVIDUAL:

(a) IS TAKING FAMILY AND MEDICAL LEAVE FOR ONE OF THE FOLLOWING PURPOSES:

(I) A SERIOUS HEALTH CONDITION;

(II) CARING FOR A NEW CHILD DURING THE FIRST YEAR AFTER THE BIRTH OR ADOPTION OF THE CHILD OR THE PLACEMENT OF THE CHILD THROUGH FOSTER CARE;

(III) CARING FOR A FAMILY MEMBER WHO HAS A SERIOUS HEALTH CONDITION; OR

(IV) A QUALIFYING EXIGENCY;

(b) FILES A CLAIM FOR BENEFITS IN A FORM AND MANNER REQUIRED BY THE DIRECTOR BY RULE;

(c) IS A COVERED INDIVIDUAL;

(d) CONSENTS TO THE DISCLOSURE OF INFORMATION OR RECORDS

DEEMED CONFIDENTIAL UNDER STATE LAW PURSUANT TO SECTION 8-13.3-305 (4); AND

(e) (I) IF CURRENTLY EMPLOYED, ATTESTS, IN THE APPLICATION FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS, THAT THE INDIVIDUAL NOTIFIED THE INDIVIDUAL'S EMPLOYER OF THE INTENT TO TAKE FAMILY AND MEDICAL LEAVE FROM WORK FOR ONE OF THE PURPOSES SPECIFIED IN SUBSECTION (1)(a) OF THIS SECTION.

(II) IN ANY CASE IN WHICH THE NECESSITY FOR FAMILY AND MEDICAL LEAVE IS FORESEEABLE, THE INDIVIDUAL SHALL PROVIDE THE INDIVIDUAL'S EMPLOYER WITH NOT LESS THAN THIRTY DAYS' NOTICE BEFORE THE DATE THE LEAVE IS TO BEGIN OF THE INDIVIDUAL'S INTENTION TO TAKE LEAVE UNDER THIS PART 3. IF THE NECESSITY FOR LEAVE IS NOT FORESEEABLE OR PROVIDING THIRTY DAYS' NOTICE IS NOT POSSIBLE, THE INDIVIDUAL SHALL PROVIDE THE NOTICE AS SOON AS PRACTICABLE.

(2) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION, THE DIVISION SHALL REQUIRE A COVERED INDIVIDUAL WHO APPLIES FOR BENEFITS TO:

(a) ATTEST TO THE NEED FOR LEAVE AND THAT THE COVERED INDIVIDUAL:

(I) (A) HAS A SERIOUS HEALTH CONDITION;

(B) BECAUSE OF A BIRTH, ADOPTION, OR PLACEMENT THROUGH FOSTER CARE, IS CARING FOR A NEW CHILD DURING THE FIRST YEAR AFTER BIRTH, ADOPTION, OR PLACEMENT OF THE CHILD;

(C) IS CARING FOR A FAMILY MEMBER WHO HAS A SERIOUS HEALTH CONDITION; OR

(D) IS TAKING LEAVE FOR A QUALIFYING EXIGENCY;

(II) IS NOT RECEIVING UNEMPLOYMENT INSURANCE BENEFITS; AND

(b) FOR LEAVE DESCRIBED IN SUBSECTION (1)(a)(I) OR (1)(a)(III) OF THIS SECTION, SUBMIT A CERTIFICATION FROM THE HEALTH CARE PROVIDER PROVIDING HEALTH CARE TO THE COVERED INDIVIDUAL OR THE COVERED INDIVIDUAL'S FAMILY MEMBER, AS APPLICABLE, SUPPORTING THE CLAIM THAT THE COVERED INDIVIDUAL OR THE COVERED INDIVIDUAL'S FAMILY MEMBER HAS A SERIOUS HEALTH CONDITION AND ESTIMATING THE FREQUENCY AND DURATION OF LEAVE NEEDED. TO PROVIDE EVIDENCE THAT THE COVERED INDIVIDUAL OR THE COVERED INDIVIDUAL'S FAMILY MEMBER HAS A SERIOUS HEALTH CONDITION RELATED TO DOMESTIC ABUSE, SEXUAL ASSAULT OR ABUSE, OR STALKING, THE COVERED INDIVIDUAL MAY PROVIDE DOCUMENTS, INCLUDING, BUT NOT LIMITED TO:

(I) A POLICE REPORT WRITTEN WITHIN THE PRIOR SIXTY DAYS;

(II) A VALID PROTECTION ORDER; OR

(III) A WRITTEN STATEMENT ESTIMATING THE FREQUENCY AND DURATION OF LEAVE NEEDED FROM A HEALTH CARE PROVIDER OR APPLICATION ASSISTANT, AS DEFINED IN SECTION 24-30-2103 (4), WHO EXAMINED OR CONSULTED WITH THE COVERED INDIVIDUAL OR COVERED INDIVIDUAL'S FAMILY MEMBER.

(3) (a) SUBJECT TO LIMITATIONS ESTABLISHED BY THE DIRECTOR BY RULE, A COVERED INDIVIDUAL'S FAMILY MEMBER MAY, WHEN THE COVERED INDIVIDUAL IS UNABLE TO DO SO DUE TO A SERIOUS HEALTH CONDITION:

(I) FILE A CLAIM FOR BENEFITS ON BEHALF OF THE COVERED INDIVIDUAL PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION;

(II) NOTIFY THE COVERED INDIVIDUAL'S EMPLOYER ON BEHALF OF THE COVERED INDIVIDUAL PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION; OR

(III) SUBMIT CERTIFICATION FROM A HEALTH CARE PROVIDER ON BEHALF OF THE COVERED INDIVIDUAL PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION.

(b) A COVERED INDIVIDUAL'S FAMILY MEMBER SHALL NOT FILE, NOTIFY, OR SUBMIT UNDER SUBSECTION (3)(a) OF THIS SECTION IF THE FAMILY MEMBER IS THE INDIVIDUAL ACCUSED OF DOMESTIC ABUSE, SEXUAL ASSAULT OR ABUSE, OR STALKING AGAINST THE COVERED INDIVIDUAL FOR WHICH THE COVERED INDIVIDUAL IS REQUESTING FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS.

(c) A COVERED INDIVIDUAL SHALL NOT BE ADVERSELY AFFECTED IF A FAMILY MEMBER FAILS TO ACT IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION.

(d) SECTION 8-13.3-307 (2)(a) APPLIES IF A FAMILY MEMBER DOES NOT FILE A CLAIM, FURNISH NOTICE, OR SUBMIT CERTIFICATION ON BEHALF

OF THE COVERED INDIVIDUAL UNDER SUBSECTION (3)(a) OF THIS SECTION.

(4) A COVERED INDIVIDUAL WHO OTHERWISE MEETS THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION IS ELIGIBLE FOR FAMILY AND MEDICAL LEAVE AND BENEFITS:

(a) REGARDLESS OF WHETHER THE COVERED INDIVIDUAL IS CURRENTLY EMPLOYED OR IS WORKING AT AN ADDITIONAL JOB WHILE TAKING FAMILY AND MEDICAL LEAVE; OR

(b) IF THE COVERED INDIVIDUAL FAILS TO FILE AN APPLICATION FOR BENEFITS PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION, NOTIFY THE INDIVIDUAL'S EMPLOYER PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION, OR SUBMIT A CERTIFICATION PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, BUT THE PAYMENT OF BENEFITS IS SUBJECT TO THE LIMITATIONS SPECIFIED IN SECTION 8-13.3-307 (2)(a).

(5) (a) THE DIVISION SHALL APPROVE OR DENY A CLAIM FOR BENEFITS WITHIN FOURTEEN DAYS AFTER RECEIVING THE CLAIM.

(b) THE DIRECTOR SHALL ESTABLISH A SYSTEM FOR ADMINISTRATIVE REVIEW AND DETERMINATION OF CLAIMS IN THE SAME MANNER AS SECTION 8-74-102 AND PURSUANT TO ADDITIONAL RULES AS PRESCRIBED BY THE DIRECTOR.

(c) A COVERED INDIVIDUAL MAY APPEAL THE DETERMINATION OF THE DIVISION AND OBTAIN A HEARING IN THE SAME MANNER AS SPECIFIED IN SECTION 8-74-103. THE HEARING OFFICER'S DECISION MAY BE APPEALED IN THE SAME MANNER AS SPECIFIED IN SECTION 8-4-111.5 (5).

(d) IF A COVERED INDIVIDUAL FILES A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION TO ENFORCE A JUDGMENT MADE UNDER THIS SECTION, ANY FILING FEE UNDER ARTICLE 32 OF TITLE 13 SHALL BE WAIVED.

8-13.3-307. Duration of benefits - payment intervals. (1) (a) THE MAXIMUM NUMBER OF WEEKS FOR WHICH AN ELIGIBLE INDIVIDUAL MAY TAKE FAMILY AND MEDICAL LEAVE AND FOR WHICH FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS ARE PAYABLE TO AN ELIGIBLE INDIVIDUAL FOR A PURPOSE SPECIFIED IN SECTION 8-13.3-306 (1)(a) IN ANY CONSECUTIVE FIFTY-TWO-WEEK PERIOD IS TWELVE WEEKS.

(b) THE MAXIMUM NUMBER OF TOTAL WEEKS FOR WHICH AN ELIGIBLE INDIVIDUAL MAY TAKE FAMILY AND MEDICAL LEAVE AND FOR WHICH FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS ARE PAYABLE TO AN ELIGIBLE INDIVIDUAL IN AGGREGATE FOR SEPARATE PURPOSES SPECIFIED IN SECTION 8-13.3-306 (1)(a) IN ANY CONSECUTIVE FIFTY-TWO-WEEK PERIOD IS TWELVE WEEKS.

(2) (a) FAILURE BY A COVERED INDIVIDUAL WHO IS OTHERWISE ELIGIBLE UNDER SECTION 8-13.3-306 TO FILE A CLAIM FOR BENEFITS PURSUANT TO SECTION 8-13.3-306 (1)(b), FURNISH NOTICE TO AN EMPLOYER PURSUANT TO SECTION 8-13.3-306 (1)(e), OR SUBMIT CERTIFICATION FROM A HEALTH CARE PROVIDER IN THE MANNER SPECIFIED IN SECTION 8-13.3-306 (2)(b) DOES NOT INVALIDATE A CLAIM FOR BENEFITS OR AN ELIGIBLE INDIVIDUAL'S ELIGIBILITY FOR BENEFITS, BUT THE DIVISION IS NOT REQUIRED TO PAY BENEFITS FOR A PERIOD OF MORE THAN TWO WEEKS PRIOR TO THE DATE ON WHICH THE ELIGIBLE INDIVIDUAL FILES THE REQUIRED APPLICATION, FURNISHES NOTICE TO THE INDIVIDUAL'S EMPLOYER, OR SUBMITS THE CERTIFICATION FROM THE HEALTH CARE PROVIDER, AS APPLICABLE, UNLESS THE ELIGIBLE INDIVIDUAL DEMONSTRATES TO THE SATISFACTION OF THE DIVISION THAT:

(I) GOOD CAUSE EXISTS, AS DETERMINED BY THE DIVISION, FOR THE ELIGIBLE INDIVIDUAL'S FAILURE TO TIMELY SUBMIT THE APPLICATION OR CERTIFICATION OR FURNISH THE NOTICE TO THE INDIVIDUAL'S EMPLOYER; AND

(II) THE ELIGIBLE INDIVIDUAL SUBMITTED THE APPLICATION AND CERTIFICATION AND NOTIFIED THE INDIVIDUAL'S EMPLOYER AS SOON AS POSSIBLE.

(b) THE DIVISION SHALL NOTIFY THE ELIGIBLE INDIVIDUAL'S EMPLOYER OF THE DIVISION'S DETERMINATION MADE PURSUANT TO THIS SUBSECTION (2).

(3) THE DIVISION SHALL MAKE THE FIRST PAYMENT OF BENEFITS TO AN ELIGIBLE INDIVIDUAL WITHIN TWO WEEKS AFTER THE ELIGIBLE INDIVIDUAL FILES THE CLAIM FOR BENEFITS AND SHALL MAKE SUBSEQUENT PAYMENTS WEEKLY OR BIWEEKLY.

8-13.3-308. Amount of benefits - maximum weekly benefit. (1) (a) THE DIVISION SHALL DETERMINE AN ELIGIBLE INDIVIDUAL'S WEEKLY BENEFIT AMOUNT, SUBJECT TO SUBSECTION (1)(b) OF THIS

SECTION, AS FOLLOWS:

(I) NINETY PERCENT OF THE ELIGIBLE INDIVIDUAL'S WEEKLY WAGE FOR ALL WAGES THAT ARE LESS THAN FIFTY PERCENT OF THE AVERAGE WEEKLY WAGE; AND

(II) FIFTY PERCENT OF THE ELIGIBLE INDIVIDUAL'S WEEKLY WAGE FOR ALL WAGES THAT EQUAL OR EXCEED FIFTY PERCENT OF THE AVERAGE WEEKLY WAGE.

(b) THE MAXIMUM WEEKLY BENEFIT AMOUNT DETERMINED UNDER SUBSECTION (1)(a) OF THIS SECTION MUST NOT EXCEED ONE THOUSAND DOLLARS PER WEEK. STARTING JANUARY 1, 2025, THE DIVISION SHALL ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT TO AN AMOUNT EQUAL TO NINETY PERCENT OF THE AVERAGE WEEKLY WAGE.

(c) THE DIVISION SHALL CALCULATE AN ELIGIBLE INDIVIDUAL'S WEEKLY BENEFIT AMOUNT BASED ON THE ELIGIBLE INDIVIDUAL'S WEEKLY WAGE EARNED FROM THE JOB FROM WHICH THE ELIGIBLE INDIVIDUAL IS TAKING FAMILY AND MEDICAL LEAVE. IF THE ELIGIBLE INDIVIDUAL IS ABLE TO CONTINUE WORKING AT AN ADDITIONAL JOB WHERE THE INDIVIDUAL IS NOT TAKING LEAVE WHILE TAKING FAMILY AND MEDICAL LEAVE, THE DIVISION SHALL NOT CONSIDER THE ELIGIBLE INDIVIDUAL'S WEEKLY WAGE EARNED FROM THE ADDITIONAL JOB WHEN CALCULATING THE ELIGIBLE INDIVIDUAL'S WEEKLY BENEFIT AMOUNT.

(2) FOR PURPOSES OF CALCULATING AN ELIGIBLE INDIVIDUAL'S WEEKLY BENEFIT IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION, THE ELIGIBLE INDIVIDUAL'S WEEKLY WAGE IS ONE-THIRTEENTH OF THE WAGES PAID DURING THE QUARTER OF THE ELIGIBLE INDIVIDUAL'S BASE PERIOD, AS DEFINED IN SECTION 8-70-103 (2), OR ALTERNATIVE BASE PERIOD, AS DEFINED IN SECTION 8-70-103 (1.5), IN WHICH THE TOTAL WAGES WERE HIGHEST. FOR PURPOSES OF THIS SUBSECTION (2), WAGES INCLUDE , BUT ARE NOT LIMITED TO, SALARY, WAGES, TIPS, COMMISSIONS, AND OTHER COMPENSATION AS DETERMINED BY THE DIRECTOR BY RULE.

(3) AN ELIGIBLE INDIVIDUAL MAY TAKE INTERMITTENT LEAVE IN INCREMENTS OF ONE HOUR OR SHORTER IF CONSISTENT WITH THE INCREMENTS THE EMPLOYER TYPICALLY USES TO MEASURE EMPLOYEE LEAVE; EXCEPT THAT BENEFITS ARE NOT PAYABLE UNTIL THE ELIGIBLE INDIVIDUAL ACCUMULATES AT LEAST ONE DAY OR EIGHT HOURS OF FAMILY AND MEDICAL LEAVE.

(4) THE DIVISION SHALL NOT REDUCE THE WEEKLY BENEFIT AMOUNT BY THE AMOUNT OF WAGE REPLACEMENT THAT AN ELIGIBLE INDIVIDUAL RECEIVES WHILE ON FAMILY AND MEDICAL LEAVE UNDER ANY OF THE FOLLOWING CONDITIONS, UNLESS THE AGGREGATE AMOUNT AN ELIGIBLE INDIVIDUAL WOULD RECEIVE WOULD EXCEED THE ELIGIBLE INDIVIDUAL'S WEEKLY WAGE:

(a) A TEMPORARY DISABILITY POLICY OR PROGRAM OF AN EMPLOYER;

(b) A PAID FAMILY OR MEDICAL LEAVE POLICY OF AN EMPLOYER; OR

(c) ACCRUED PAID LEAVE, INCLUDING, BUT NOT LIMITED TO, SICK, VACATION, OR PERSONAL TIME, THAT AN ELIGIBLE INDIVIDUAL VOLUNTARILY ELECTS TO TAKE.

(5) (a) AN EMPLOYER MAY PAY FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS DIRECTLY TO AN ELIGIBLE INDIVIDUAL AND SEEK REIMBURSEMENT AS PROVIDED IN THIS SUBSECTION (5).

(b) EXCEPT AS PROVIDED IN SUBSECTION (5)(c) OF THIS SECTION, IF AN EMPLOYER MAKES ADVANCE PAYMENTS TO AN EMPLOYEE THAT ARE EQUAL TO OR GREATER THAN THE AMOUNT REQUIRED UNDER THIS PART 3, DURING ANY PERIOD OF FAMILY AND MEDICAL LEAVE FOR WHICH THE EMPLOYEE IS ENTITLED TO THE BENEFITS PROVIDED BY THIS PART 3, THE DIVISION SHALL REIMBURSE THE EMPLOYER FROM THE FUND IN AN AMOUNT EQUAL TO ANY BENEFITS DUE OR TO BECOME DUE FOR THE EMPLOYEE UNDER THIS PART 3 IF THE EMPLOYER'S CLAIM FOR REIMBURSEMENT IS FILED WITH THE DIVISION PRIOR TO THE DIVISION'S PAYMENT OF BENEFITS TO THE EMPLOYEE.

(c) IF AN EMPLOYER THAT PROVIDES FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS THROUGH A PRIVATE PLAN APPROVED PURSUANT TO SECTION 8-13.3-315 MAKES ADVANCE PAYMENTS TO AN EMPLOYEE THAT ARE EQUAL TO OR GREATER THAN THE AMOUNT REQUIRED UNDER THIS PART 3, DURING ANY PERIOD OF FAMILY AND MEDICAL LEAVE FOR WHICH THE EMPLOYEE IS ENTITLED TO THE BENEFITS PROVIDED BY THIS PART 3, THE ENTITY THAT ISSUED THE PRIVATE PLAN SHALL REIMBURSE THE

EMPLOYER IN AN AMOUNT EQUAL TO ANY BENEFITS DUE OR TO BECOME DUE FOR THE EXISTING FAMILY AND MEDICAL LEAVE, IF THE EMPLOYER'S CLAIM FOR REIMBURSEMENT IS FILED WITH THE ENTITY THAT ISSUED THE PRIVATE PLAN PRIOR TO PAYMENT OF THE BENEFITS UNDER THE PRIVATE PLAN TO THE EMPLOYEE.

(d) THIS SUBSECTION (5) DOES NOT DIMINISH ANY RIGHTS OR REMEDIES FOR THE EMPLOYEE UNDER THIS PART 3, INCLUDING BUT NOT LIMITED TO ALL RIGHTS PROVIDED UNDER SECTION 8-13.3-310.

(6) THE DIVISION SHALL, IN A TIMELY MANNER, PROVIDE ELECTRONIC DATA TO THE DEPARTMENT OF REVENUE WITH INFORMATION REGARDING TAXPAYERS TO WHOM BENEFITS HAVE BEEN PAID IN ACCORDANCE WITH THIS PART 3, INCLUDING THE BENEFICIARY'S TAX IDENTIFICATION NUMBER OR SOCIAL SECURITY NUMBER, THE AMOUNT OF BENEFITS PAID, AND THE TAX YEAR IN WHICH BENEFITS WERE RECEIVED.

8-13.3-309. Family and medical leave insurance fund - creation - employee premiums - rules. (1) (a) THERE IS HEREBY CREATED IN THE STATE TREASURY THE FAMILY AND MEDICAL LEAVE INSURANCE FUND. THE FUND CONSISTS OF PREMIUMS PAID PURSUANT TO SUBSECTION (2) OF THIS SECTION AND REVENUES FROM REVENUE BONDS ISSUED IN ACCORDANCE WITH SECTION 8-13.3-304 (2)(d). MONEY IN THE FUND MAY BE USED ONLY TO PAY REVENUE BONDS; TO REIMBURSE EMPLOYERS WHO PAY FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS DIRECTLY TO EMPLOYEES IN ACCORDANCE WITH SECTION 8-13.3-308 (5)(a); TO REIMBURSE MEMBERS OF THE FAMILY AND MEDICAL LEAVE INSURANCE ADVISORY BOARD IN ACCORDANCE WITH SECTION 8-13.3-317 (4); AND TO PAY BENEFITS UNDER, AND TO ADMINISTER, THE PROGRAM PURSUANT TO THIS PART 3, INCLUDING TECHNOLOGY COSTS TO ADMINISTER THE PROGRAM AND OUTREACH SERVICES DEVELOPED UNDER SECTION 8-13.3-305 (5). INTEREST EARNED ON THE INVESTMENT OF MONEY IN THE FUND REMAINS IN THE FUND. ANY MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND. STATE MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSE OF THIS SECTION. THE GENERAL ASSEMBLY SHALL NOT APPROPRIATE MONEY FROM THE FUND FOR THE GENERAL EXPENSES OF THE STATE.

(b) THE DIVISION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, AND DONATIONS, INCLUDING PROGRAM-RELATED INVESTMENTS AND COMMUNITY REINVESTMENT FUNDS, TO FINANCE THE COSTS OF ESTABLISHING AND IMPLEMENTING THE PROGRAM.

(2) (a) (I) EFFECTIVE JANUARY 1, 2023, EACH INDIVIDUAL EMPLOYED BY AN EMPLOYER IN THIS STATE SHALL PAY SIXTY PERCENT AND EACH EMPLOYER IN THE STATE SHALL PAY FORTY PERCENT OF THE PREMIUM AMOUNT DETERMINED IN ACCORDANCE WITH THIS SUBSECTION (2)(a). THE DIRECTOR SHALL NOT APPLY THE PREMIUM TO WAGES THAT EXCEED EIGHTY PERCENT OF THE CONTRIBUTION AND BENEFIT BASE LIMIT ESTABLISHED ANNUALLY BY THE UNITED STATES SOCIAL SECURITY ADMINISTRATION FOR PURPOSES OF THE FEDERAL "OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AMENDMENTS OF 1965", AS AMENDED, PUB.L. 89-97. PREMIUMS ESTABLISHED IN ACCORDANCE WITH THIS SUBSECTION (2) ARE FEES AND NOT TAXES.

(II) (A) FOR THE 2023 AND 2024 CALENDAR YEARS, THE PREMIUM AMOUNT IS SIXTY-FOUR ONE-HUNDREDTHS OF ONE PERCENT OF WAGES PER EMPLOYEE.

(B) FOR THE 2025 CALENDAR YEAR, THE DIRECTOR SHALL SET THE PREMIUM BASED ON A PERCENT OF EMPLOYEE WAGES AND AT THE RATE NECESSARY TO OBTAIN A TOTAL AMOUNT OF PREMIUM CONTRIBUTIONS EQUAL TO ONE HUNDRED FIFTY PERCENT OF THE BENEFITS PAID DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR PLUS AN AMOUNT EQUAL TO ONE HUNDRED PERCENT OF THE COST OF ADMINISTRATION OF THE PAYMENT OF THOSE BENEFITS DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR. THE PREMIUMS ESTABLISHED IN ACCORDANCE WITH THIS SUBSECTION (2)(a)(II)(B) MUST NOT EXCEED NINETY-NINE ONE HUNDREDTHS OF ONE PERCENT OF WAGES PER EMPLOYEE.

(C) FOR THE 2026 CALENDAR YEAR AND EACH CALENDAR YEAR THEREAFTER, THE DIRECTOR SHALL SET THE PREMIUM BASED ON A PERCENT OF EMPLOYEE WAGES AND AT THE RATE NECESSARY TO OBTAIN A TOTAL AMOUNT OF PREMIUM CONTRIBUTIONS EQUAL TO BETWEEN ONE HUNDRED TWENTY-FIVE AND ONE HUNDRED FIFTY PERCENT OF THE

BENEFITS PAID DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR PLUS AN AMOUNT EQUAL TO ONE HUNDRED PERCENT OF THE COST OF ADMINISTRATION OF THE PAYMENT OF THOSE BENEFITS DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR. THE PREMIUMS ESTABLISHED IN ACCORDANCE WITH THIS SUBSECTION (2)(a)(II)(C) MUST NOT EXCEED NINETY-NINE ONE HUNDREDTHS OF ONE PERCENT OF WAGES PER EMPLOYEE.

(b) EACH EMPLOYER SHALL COLLECT THE EMPLOYEE'S SHARE OF THE PREMIUM AMOUNT FROM EACH EMPLOYEE AS A PAYROLL DEDUCTION FROM THE EMPLOYEE'S WAGES EACH PAYROLL PERIOD AND SHALL REMIT THE EMPLOYEE'S SHARE AND THE EMPLOYER'S SHARE OF THE PREMIUM AMOUNT TO THE DIVISION, WHICH SHALL TRANSMIT THE PREMIUMS TO THE STATE TREASURER FOR DEPOSIT IN THE FUND.

(3) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, IF A LOCAL GOVERNMENT HAS DECLINED PARTICIPATION IN THE PROGRAM IN ACCORDANCE WITH SECTION 8-13.3-314:

(a) THE LOCAL GOVERNMENT IS NOT REQUIRED TO PAY THE PREMIUMS IMPOSED IN THIS SECTION OR COLLECT PREMIUMS FROM EMPLOYEES WHO HAVE ELECTED COVERAGE PURSUANT TO SECTION 8-13.3-313.

(b) AN EMPLOYEE OF THE LOCAL GOVERNMENT IS NOT REQUIRED TO PAY THE PREMIUMS IMPOSED IN THIS SECTION UNLESS THE EMPLOYEE HAS ELECTED COVERAGE PURSUANT TO SECTION 8-13.3- 313.

8-13.3-310. Employment protection - discrimination prohibited - rules. (1) (a) AN ELIGIBLE INDIVIDUAL WHO WAS EMPLOYED BY AN EMPLOYER FOR NINETY DAYS OR LONGER AND WHO TAKES FAMILY AND MEDICAL LEAVE UNDER THIS PART 3 FOR THE INTENDED PURPOSE OF THE LEAVE IS ENTITLED, ON RETURN FROM THE LEAVE:

(I) TO BE RESTORED BY THE EMPLOYER TO THE POSITION OF EMPLOYMENT HELD BY THE ELIGIBLE INDIVIDUAL WHEN THE LEAVE COMMENCED; OR

(II) TO BE RESTORED TO AN EQUIVALENT POSITION WITH EQUIVALENT EMPLOYMENT BENEFITS, PAY, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

(b) THIS SUBSECTION (1) DOES NOT APPLY TO A SEASONAL WORKER, AS DEFINED IN SECTION 8-73-106.

(2) AN EMPLOYER SHALL NOT DISCHARGE, DEMOTE, OR OTHERWISE DISCRIMINATE OR TAKE ANY ADVERSE EMPLOYMENT ACTION AGAINST AN INDIVIDUAL BECAUSE THE INDIVIDUAL:

(a) FILED FOR, APPLIED FOR, OR USED BENEFITS UNDER THIS PART 3;

(b) COMMUNICATED TO THE EMPLOYER AN INTENT TO FILE A CLAIM FOR BENEFITS, A COMPLAINT, OR AN APPEAL;

(c) TESTIFIED, AGREED TO TESTIFY, OR OTHERWISE ASSISTED IN ANY PROCEEDING UNDER THIS PART 3; OR

(d) TOOK, OR ATTEMPTED TO TAKE, FAMILY AND MEDICAL LEAVE.

(3) AN EMPLOYER SHALL NOT REDUCE AN ELIGIBLE INDIVIDUAL'S BENEFITS THAT HAVE ACCRUED PRIOR TO THE DATE ON WHICH THE FAMILY AND MEDICAL LEAVE COMMENCED BASED ON THE ELIGIBLE INDIVIDUAL'S CONDUCT SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(4) DURING ANY PERIOD OF FAMILY AND MEDICAL LEAVE TAKEN UNDER THIS PART 3, AN EMPLOYER SHALL MAINTAIN ANY EXISTING HEALTH BENEFITS OF THE ELIGIBLE INDIVIDUAL FOR THE DURATION OF THE LEAVE AS IF THE ELIGIBLE INDIVIDUAL CONTINUED TO WORK FROM THE DATE THE ELIGIBLE INDIVIDUAL COMMENCED FAMILY AND MEDICAL LEAVE.

(5) (a) THE DIVISION SHALL ENFORCE THIS SECTION, INCLUDING ESTABLISHING A SYSTEM UTILIZING MULTIPLE MEANS OF COMMUNICATION TO RECEIVE COMPLAINTS REGARDING NONCOMPLIANCE WITH THIS SECTION. ANY INDIVIDUAL AGGRIEVED BY A VIOLATION OF THIS SECTION MAY FILE A COMPLAINT WITH THE DIVISION AGAINST AN EMPLOYER FOR A VIOLATION OF THIS SECTION.

(b) UPON RECEIVING A COMPLAINT ALLEGING A VIOLATION OF THIS SECTION, THE DIVISION SHALL INVESTIGATE THE COMPLAINT IN A TIMELY MANNER AND MAY RESOLVE THE CLAIM THROUGH MEDIATION BETWEEN THE AGGRIEVED INDIVIDUAL AND THE EMPLOYER IF THE AGGRIEVED INDIVIDUAL AND THE EMPLOYER EACH AGREE TO MEDIATE AND AGREE TO THE RESOLUTION.

(c) A CLAIM BROUGHT IN ACCORDANCE WITH THIS SECTION MUST

BE FILED WITHIN TWO YEARS AFTER THE DATE OF THE LAST EVENT CONSTITUTING THE ALLEGED VIOLATION FOR WHICH THE ACTION IS BROUGHT.

(d) THE DIVISION SHALL CONSULT WITH AND KEEP COMPLAINANTS NOTIFIED REGARDING THE STATUS OF THEIR COMPLAINT, ANY RESULTING INVESTIGATION, AND ANY NOTICE OF VIOLATION REGARDING THEIR CLAIM. IF THE DIVISION RULES THAT A VIOLATION HAS OCCURRED, THE DIVISION SHALL ISSUE TO THE OFFENDING EMPLOYER A NOTICE OF VIOLATION AND ANY FINES PURSUANT TO SUBSECTION (5)(h) OF THIS SECTION. THE DIRECTOR MAY GRANT A REASONABLE PERIOD OF TIME, BUT IN NO EVENT LONGER THAN FOURTEEN DAYS AFTER THE DAY OF NOTIFICATION, FOR CORRECTION OF THE VIOLATION. IF THE VIOLATION IS CORRECTED WITHIN THAT PERIOD, NO FINE SHALL BE IMPOSED. THE DIRECTOR SHALL, BY RULE, PROVIDE DETAILS REGARDING THE WAIVER OF FINES AND PRESCRIBE THE FORM AND WORDING OF NOTICES OF VIOLATION, INCLUDING INFORMATION ON APPEALING THE DECISION OF THE DIVISION.

(e) THE DIVISION SHALL RULE ON A CLAIM WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE CLAIM IS FILED.

(f) AN AGGRIEVED INDIVIDUAL SHALL NOT BRING A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION UNTIL:

(I) A CLAIM BROUGHT UNDER THIS SECTION HAS BEEN RULED UPON BY THE DIVISION;

(II) MEDIATION IS COMPLETE AND THE CLAIM IS RESOLVED; OR

(III) ONE HUNDRED EIGHTY DAYS HAVE ELAPSED FROM THE DATE ON WHICH THE CLAIM WAS FILED.

(g) AN EMPLOYER WHO VIOLATES THIS SECTION IS SUBJECT TO THE DAMAGES AND EQUITABLE RELIEF AVAILABLE UNDER 29 U.S.C. SEC. 2617 (a)(1), INCLUDING ECONOMIC DAMAGES, LIQUIDATED DAMAGES, ATTORNEY FEES, AND EQUITABLE RELIEF INCLUDING, BUT NOT LIMITED TO, REINSTATEMENT TO EMPLOYMENT. IF THE AGGRIEVED INDIVIDUAL FILES A CIVIL ACTION IN A COURT OF COMPETENT JURISDICTION AFTER A FINDING BY THE DIVISION THAT AN EMPLOYER HAS VIOLATED THIS SECTION, ANY FILING FEE UNDER ARTICLE 32 OF TITLE 13 SHALL BE WAIVED.

(h) THE DIRECTOR, BY RULE, SHALL ESTABLISH A FINE STRUCTURE FOR EMPLOYERS WHO VIOLATE THIS SECTION. THE DIRECTOR SHALL TRANSFER ANY FINES COLLECTED PURSUANT TO THIS SECTION TO THE STATE TREASURER FOR DEPOSIT IN THE FUND.

(6) NOTHING IN THIS SECTION RELIEVES AN EMPLOYER OF ANY OBLIGATION UNDER A COLLECTIVE BARGAINING AGREEMENT.

(7) THIS SECTION DOES NOT APPLY TO AN EMPLOYEE OF A LOCAL GOVERNMENT THAT HAS ELECTED COVERAGE PURSUANT TO SECTION 8-13.3-313.

8-13.3-311. Coordination of benefits - rules. (1) (a) LEAVE TAKEN UNDER THIS PART 3 RUNS CONCURRENTLY WITH ANY FMLA LEAVE OR LEAVE TAKEN UNDER PART 2 OF THIS ARTICLE 13.3. IF A PERIOD OF FAMILY AND MEDICAL LEAVE RECEIVED BY AN EMPLOYEE UNDER THIS PART 3 IS CONCURRENTLY DESIGNATED AS LEAVE PURSUANT TO THE FMLA OR PART 2 OF THIS ARTICLE 13.3, THE EMPLOYER SHALL NOTIFY THE EMPLOYEE OF THE DESIGNATION AND SHALL ALSO PROVIDE THE EMPLOYEE WITH THE NOTICE REQUIRED UNDER 29 CFR 825.300 (d).

(b) AN EMPLOYER MAY REQUIRE THAT PAYMENT MADE OR LEAVE TAKEN UNDER THIS PART 3 BE MADE OR TAKEN CONCURRENTLY OR OTHERWISE COORDINATED WITH PAYMENT MADE OR LEAVE ALLOWED UNDER THE TERMS OF DISABILITY OR FAMILY CARE LEAVE UNDER AN EMPLOYER POLICY OR EMPLOYMENT CONTRACT, AS APPLICABLE. THE EMPLOYER SHALL GIVE ITS EMPLOYEES WRITTEN NOTICE OF THIS REQUIREMENT.

(c) NOTWITHSTANDING SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION, AN EMPLOYER SHALL NOT REQUIRE AN EMPLOYEE TO USE OR EXHAUST TIME OFF UNDER AN EMPLOYER POLICY, INCLUDING PAID TIME OFF, VACATION TIME, OR SICK TIME, PRIOR TO USE OF FAMILY AND MEDICAL LEAVE UNDER THIS PART 3. IN ADDITION, AN EMPLOYER SHALL NOT REQUIRE AN EMPLOYEE TO CHARGE ALL OR PART OF THE EMPLOYEE'S FAMILY AND MEDICAL LEAVE UNDER THIS PART 3 TO UNUSED ACCRUALS OR OTHER PAID TIME OFF, INCLUDING VACATION TIME AND SICK TIME, EXCEPT WHERE THE EMPLOYER MAINTAINS A SEPARATE BANK OF PAID TIME SOLELY FOR THE PURPOSE OF PAID FAMILY AND MEDICAL LEAVE UNDER THIS PART 3.

(d) SUBJECT TO THE LIMITATIONS UNDER SECTION 8-13.3-308 (4),

AN EMPLOYEE MAY SUPPLEMENT THE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS THE EMPLOYEE IS RECEIVING THROUGH THE PROGRAM, THROUGH VACATION, SICK, OR OTHER PAID TIME OFF, TO ENSURE THAT THE EMPLOYEE IS RECEIVING ONE HUNDRED PERCENT OF THE EMPLOYEE'S WEEKLY WAGE. NOTHING IN THIS SUBSECTION (1)(d) REQUIRES AN EMPLOYEE TO RECEIVE OR USE, OR AN EMPLOYER TO PROVIDE, ADDITIONAL PAID TIME OFF AS DESCRIBED THIS SUBSECTION (1)(d).

(2) (a) FOR A COVERED INDIVIDUAL WHO IS ELIGIBLE FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS DUE TO A SERIOUS HEALTH CONDITION RESULTING FROM AN ACCIDENT, INJURY, OR OCCUPATIONAL DISEASE FOR WHICH THE RIGHT OF COMPENSATION EXISTS UNDER SECTION 8-41-301, THE WEEKLY BENEFIT AMOUNT SHALL BE REDUCED, BUT NOT BELOW ZERO, BY AN AMOUNT EQUAL TO SEVENTY-FIVE PERCENT OF:

(I) ANY TEMPORARY DISABILITY BENEFITS PAID FOR THAT WEEK PURSUANT TO SECTION 8-42-105 OR 8-42-106; OR

(II) THE PERMANENT TOTAL DISABILITY BENEFITS PAID PURSUANT TO SECTION 8-42-111.

(b) NOTWITHSTANDING ANY OTHER LAW, BENEFITS PAID TO AN INDIVIDUAL PURSUANT TO THE "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF THIS TITLE 8, SHALL NOT BE REDUCED OR OFFSET BASED ON THE RECEIPT OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS PURSUANT TO THIS PART 3.

(c) COMBINED WORKERS' COMPENSATION BENEFITS AND FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS PAID IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION MUST NOT EXCEED A COVERED INDIVIDUAL'S WEEKLY WAGE. WHERE COMBINED BENEFITS WOULD OTHERWISE EXCEED THE COVERED INDIVIDUAL'S WEEKLY WAGE, THE OFFSET PROVIDED FOR IN SUBSECTION (2)(a) OF THIS SECTION SHALL BE INCREASED TO ENSURE COMBINED BENEFITS DO NOT EXCEED THE COVERED INDIVIDUAL'S WEEKLY WAGE.

(d) (I) WHERE BENEFITS HAVE BEEN PAID PRIOR TO A DETERMINATION OF ELIGIBILITY FOR TEMPORARY DISABILITY BENEFITS OR PERMANENT TOTAL DISABILITY BENEFITS UNDER THE "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF THIS TITLE 8, FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS MAY BE RETROACTIVELY REDUCED AS SET FORTH IN SUBSECTION (2)(a) OF THIS SECTION ONCE WORKERS' COMPENSATION BENEFITS HAVE BEEN PAID. THE DIRECTOR MAY ADOPT RULES TO DEVELOP A PROCEDURE FOR RECOVERING EXCESS BENEFITS, WHICH MAY INCLUDE THE ASSERTION OF A LIEN AGAINST ANY TEMPORARY DISABILITY BENEFITS OR PERMANENT TOTAL DISABILITY BENEFITS PAID PURSUANT TO ARTICLES 40 TO 47 OF THIS TITLE 8. IF A WORKERS' COMPENSATION CLAIM IS BROUGHT BY THE COVERED INDIVIDUAL, AND THE COVERED INDIVIDUAL INCURS A PERSONAL LIABILITY TO PAY ATTORNEY FEES AND COSTS, THE AMOUNT OF THE LIEN MUST NOT EXCEED THE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS PAID, LESS THE AMOUNT OF THOSE ATTORNEY FEES AND COSTS.

(II) A LIEN OR RECOVERY OF EXCESS BENEFITS PURSUANT TO THIS SUBSECTION (2)(d) IS NOT A REDUCTION OR OFFSET OF BENEFITS PAID TO AN INDIVIDUAL FOR PURPOSES OF SUBSECTION (2)(a) OF THIS SECTION.

(e) WHERE INDIVIDUALS ARE CONCURRENTLY ELIGIBLE FOR BENEFITS DUE TO A SERIOUS HEALTH CONDITION RESULTING FROM AN ACCIDENT, INJURY, OR OCCUPATIONAL DISEASE FOR WHICH THE RIGHT OF COMPENSATION EXISTS UNDER SECTION 8-41-301 AND UNDER THIS PART 3 FOR A PURPOSE UNRELATED TO THAT SERIOUS HEALTH CONDITION, THE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS SHALL BE REDUCED BY AN AMOUNT TO BE DETERMINED BY THE DIRECTOR BY RULE. COMBINED WORKERS' COMPENSATION BENEFITS AND FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS PAID IN ACCORDANCE WITH THIS SUBSECTION (2)(e) MUST NOT EXCEED A COVERED INDIVIDUAL'S WEEKLY WAGE. THE DIRECTOR SHALL ADOPT RULES TO ESTABLISH THE PROCESS AND REQUIRED DOCUMENTATION REQUIRED FOR CONCURRENT RECEIPT OF BENEFITS.

(3) (a) THIS PART 3 DOES NOT DIMINISH:

(I) THE RIGHTS, PRIVILEGES, OR REMEDIES OF AN EMPLOYEE UNDER A COLLECTIVE BARGAINING AGREEMENT, EMPLOYER POLICY, OR EMPLOYMENT CONTRACT; OR

(II) AN EMPLOYER'S OBLIGATION TO COMPLY WITH A COLLECTIVE BARGAINING AGREEMENT, EMPLOYER POLICY, OR EMPLOYMENT CONTRACT, AS APPLICABLE, THAT PROVIDES GREATER LEAVE THAN FMLA

LEAVE OR FAMILY AND MEDICAL LEAVE.

(b) AFTER THE EFFECTIVE DATE OF THIS PART 3, AN EMPLOYER POLICY ADOPTED OR RETAINED MUST NOT DIMINISH AN EMPLOYEE'S RIGHT TO BENEFITS UNDER THIS PART 3. ANY AGREEMENT BY AN EMPLOYEE TO WAIVE THE EMPLOYEE'S RIGHTS UNDER THIS PART 3 IS VOID AS AGAINST PUBLIC POLICY.

8-13.3-312. Erroneous payments - disqualification for benefits - penalties - rules. (1) A COVERED INDIVIDUAL WHO, IN CONNECTION WITH AN APPLICATION FOR BENEFITS UNDER THE PROGRAM, WILLFULLY MAKES A FALSE STATEMENT OR MISREPRESENTATION REGARDING A MATERIAL FACT OR WILLFULLY FAILS TO REPORT A MATERIAL FACT IS DISQUALIFIED FROM:

(a) FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS FOR ONE YEAR FROM THE DATE THE DIVISION DISCOVERS THE FALSE STATEMENT, MISREPRESENTATION, OR WILLFUL FAILURE TO REPORT A MATERIAL FACT; AND

(b) EMPLOYMENT PROTECTION, AS PROVIDED IN SECTION 8-13.3-310 (1)(a).

(2) IF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS ARE PAID ERRONEOUSLY OR AS A RESULT OF WILLFUL MISREPRESENTATION, OR IF A CLAIM FOR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS IS REJECTED AFTER BENEFITS ARE PAID, THE DIVISION MAY SEEK REPAYMENT OF BENEFITS FROM THE RECIPIENT. THE DIRECTOR SHALL EXERCISE DISCRETION TO WAIVE, IN WHOLE OR IN PART, THE AMOUNT OF ANY REPAYMENTS WHERE THE RECOVERY WOULD BE AGAINST EQUITY AND GOOD CONSCIENCE. THE DIRECTOR MAY ADOPT RULES TO DEVELOP A PROCEDURE FOR RECOVERING ERRONEOUS PAYMENTS OF BENEFITS.

8-13.3-313. Elective coverage - withdrawal from coverage - rules. (1) AN EMPLOYEE OF A LOCAL GOVERNMENT THAT HAS DECLINED PARTICIPATION IN THE PROGRAM PURSUANT TO SECTION 8-13.3-314 OR A SELF-EMPLOYED PERSON, INCLUDING AN INDEPENDENT CONTRACTOR, SOLE PROPRIETOR, PARTNER, OR JOINT VENTURER, MAY ELECT COVERAGE UNDER THE PROGRAM FOR AN INITIAL PERIOD OF NOT LESS THAN THREE YEARS OR A SUBSEQUENT PERIOD OF NOT LESS THAN ONE YEAR IMMEDIATELY FOLLOWING ANOTHER PERIOD OF COVERAGE. THE EMPLOYEE OF A LOCAL GOVERNMENT OR SELF-EMPLOYED PERSON MUST FILE A NOTICE OF ELECTION IN WRITING WITH THE DIRECTOR IN THE FORM AND MANNER REQUIRED BY THE DIVISION. THE ELECTION BECOMES EFFECTIVE ON THE DATE THE NOTICE IS FILED.

(2) AN EMPLOYEE OF A LOCAL GOVERNMENT OR A SELF-EMPLOYED PERSON WHO HAS ELECTED COVERAGE MAY WITHDRAW FROM COVERAGE BY FILING WRITTEN NOTICE WITH THE DIRECTOR WITHIN THIRTY DAYS AFTER THE END OF THE THREE-YEAR PERIOD OF COVERAGE OR AT OTHER TIMES THE DIRECTOR MAY PRESCRIBE BY RULE. THE WITHDRAWAL FROM COVERAGE TAKES EFFECT NO SOONER THAN THIRTY DAYS AFTER THE SELF-EMPLOYED PERSON FILES THE NOTICE.

(3) AN EMPLOYEE OF A LOCAL GOVERNMENT OR A SELF-EMPLOYED PERSON WHO HAS ELECTED COVERAGE SHALL PAY ONLY THE EMPLOYEE PORTION OF THE PREMIUM AMOUNT ESTABLISHED PURSUANT TO SECTION 8-13.3-309 (2)(a).

(4) AN EMPLOYEE OF A LOCAL GOVERNMENT OR A SELF-EMPLOYED PERSON WHO HAS ELECTED COVERAGE IN ACCORDANCE WITH THIS SECTION SHALL REMIT THE EMPLOYEE PORTION OF THE PREMIUM AMOUNT DIRECTLY TO THE DIVISION, IN THE FORM AND MANNER REQUIRED BY THE DIRECTOR BY RULE.

8-13.3-314. Local government employers' ability to decline participation in program - rules. (1) A LOCAL GOVERNMENT MAY DECLINE PARTICIPATION IN THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM IN THE FORM AND MANNER DETERMINED BY THE DIRECTOR BY RULE.

(2) AN EMPLOYEE OF A LOCAL GOVERNMENT THAT HAS DECLINED PARTICIPATION IN THE PROGRAM IN ACCORDANCE WITH THIS SECTION MAY ELECT COVERAGE AS SPECIFIED IN SECTION 8-13.3-313.

(3) THE DIRECTOR SHALL PROMULGATE REASONABLE RULES FOR THE IMPLEMENTATION OF THIS SECTION. AT A MINIMUM, THE RULES MUST INCLUDE:

(a) THE PROCESS BY WHICH A LOCAL GOVERNMENT MAY DECLINE PARTICIPATION IN THE PROGRAM;

(b) THE PROCESS BY WHICH A LOCAL GOVERNMENT THAT HAS

PREVIOUSLY DECLINED PARTICIPATION IN THE PROGRAM MAY SUBSEQUENTLY ELECT COVERAGE IN THE PROGRAM; AND

(c) THE NOTICE THAT A LOCAL GOVERNMENT IS REQUIRED TO PROVIDE ITS EMPLOYEES REGARDING WHETHER THE LOCAL GOVERNMENT IS PARTICIPATING IN THE PROGRAM, THE ABILITY OF THE EMPLOYEES OF A LOCAL GOVERNMENT THAT HAS DECLINED PARTICIPATION TO ELECT COVERAGE PURSUANT TO SECTION 8-13.3-313, AND ANY OTHER NECESSARY REQUIREMENTS.

8-13.3-315. Employer option to provide family and medical leave benefits through a private plan - approval requirements - rules. (1) AN EMPLOYER MAY APPLY TO THE DIVISION FOR APPROVAL TO PROVIDE ITS EMPLOYEES THE FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS TO WHICH THE EMPLOYEES ARE ENTITLED UNDER THIS PART 3 THROUGH A PRIVATE PLAN INSTEAD OF THROUGH THE FUND ESTABLISHED PURSUANT TO SECTION 8-13.3-309.

(2) THE DIVISION SHALL NOT APPROVE AN EMPLOYER'S REQUEST TO OFFER BENEFITS THROUGH A PRIVATE PLAN UNLESS THE PRIVATE PLAN:

(a) CONFERS ALL OF THE SAME RIGHTS, PROTECTIONS, AND BENEFITS PROVIDED TO COVERED INDIVIDUALS UNDER THIS PART 3, INCLUDING:

(I) PROVIDING BENEFITS TO A COVERED INDIVIDUAL FOR THE REASONS SET FORTH IN SECTION 8-13.3-306 (1)(a) FOR THE MAXIMUM NUMBER OF WEEKS REQUIRED IN SUBSECTIONS 8-13.3-307 (1)(a) AND (1)(b), IN A BENEFIT YEAR;

(II) ALLOWING FAMILY AND MEDICAL LEAVE TO BE TAKEN FOR ALL PURPOSES SPECIFIED IN SECTION 8-13.3-306(1)(a);

(III) ALLOWING FAMILY AND MEDICAL LEAVE UNDER SECTION 8-13.3-306 (1)(a) TO BE TAKEN TO CARE FOR ANY FAMILY MEMBER;

(IV) ALLOWING FAMILY AND MEDICAL LEAVE UNDER SECTION 8-13.3-306 (1)(a) TO BE TAKEN BY A COVERED INDIVIDUAL WITH A SERIOUS HEALTH CONDITION OR TO CARE FOR A FAMILY MEMBER WITH A SERIOUS HEALTH CONDITION;

(V) PROVIDING A WAGE REPLACEMENT RATE DURING ALL FAMILY AND MEDICAL LEAVE OF AT LEAST THE AMOUNT PROVIDED IN SECTION 8-13.3-308 (1)(a);

(VI) PROVIDING A MAXIMUM WEEKLY BENEFIT DURING ALL FAMILY AND MEDICAL LEAVE OF AT LEAST THE AMOUNT SPECIFIED IN SECTION 8-13.3-308 (1)(b);

(VII) ALLOWING FAMILY AND MEDICAL LEAVE TO BE TAKEN INTERMITTENTLY AS AUTHORIZED BY SECTION 8-13.3-308 (3);

(VIII) IMPOSING NO ADDITIONAL CONDITIONS OR RESTRICTIONS ON THE USE OF FAMILY AND MEDICAL LEAVE OR BENEFITS BEYOND THOSE EXPLICITLY AUTHORIZED BY THIS PART 3 OR RULES ISSUED PURSUANT TO THIS PART 3;

(IX) ALLOWING ANY INDIVIDUAL COVERED UNDER A PRIVATE PLAN WHO IS ELIGIBLE TO TAKE FAMILY AND MEDICAL LEAVE UNDER THIS PART 3 TO TAKE FAMILY AND MEDICAL LEAVE UNDER THE PRIVATE PLAN; AND

(X) PROVIDING THAT THE COST TO A COVERED INDIVIDUAL UNDER A PRIVATE PLAN IS NOT GREATER THAN THE COST CHARGED TO THE COVERED INDIVIDUAL IF THE COVERED INDIVIDUAL WERE PAYING PREMIUMS INTO THE FUND CREATED IN SECTION 8-13.3-309.

(b) PROVIDES FOR ALL COVERED INDIVIDUALS THROUGHOUT THEIR PERIOD OF EMPLOYMENT; AND

(c) (I) IF THE PRIVATE PLAN IS IN THE FORM OF SELF-INSURANCE, FURNISHES A BOND TO THE STATE, WITH A SURETY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THE STATE, IN THE FORM AND AMOUNT REQUIRED BY THE DIVISION; OR

(II) IF THE PRIVATE PLAN IS IN THE FORM OF A THIRD PARTY THAT PROVIDES FOR INSURANCE, ISSUES THE FORMS OF THE POLICY BY AN INSURER APPROVED BY THE DIVISION.

(3) THE DIVISION MAY WITHDRAW THE APPROVAL GRANTED UNDER THIS SECTION FOR:

(a) FAILURE TO PAY BENEFITS;

(b) FAILURE TO PAY BENEFITS TIMELY AND IN A MANNER CONSISTENT WITH THE PAYMENT OF BENEFITS PURSUANT TO SECTION 8-13.3-307 AND 8-13.3-308;

(c) FAILURE TO MAINTAIN AN ADEQUATE SURETY BOND AS REQUIRED IN SUBSECTION (2)(c)(I) OF THIS SECTION;

(d) MISUSE OF PRIVATE PLAN MONEY;

(e) FAILURE TO SUBMIT REPORTS OR COMPLY WITH AUDITS OR OTHER COMPLIANCE REQUIREMENTS ESTABLISHED BY THE DIRECTOR BY RULE;

(f) FAILURE TO COMPLY WITH THIS PART 3 OR THE RULES PROMULGATED PURSUANT TO THIS PART 3;

(g) VIOLATION OF THE TERMS AND CONDITIONS OF THE PRIVATE PLAN; OR

(h) ANY OTHER REASON AS MAY BE DETERMINED BY THE DIRECTOR BY RULE.

(4) THE DIRECTOR, BY RULE, SHALL ESTABLISH A FINE STRUCTURE FOR EMPLOYERS AND ENTITIES OFFERING PRIVATE PLANS THAT VIOLATE THIS SECTION. THE DIRECTOR SHALL TRANSFER ANY FINES COLLECTED PURSUANT TO THIS SUBSECTION (4) TO THE STATE TREASURER FOR DEPOSIT INTO THE FUND.

(5) (a) AN EMPLOYER OFFERING FAMILY AND MEDICAL LEAVE AND BENEFITS THROUGH A PRIVATE PLAN APPROVED IN ACCORDANCE WITH THIS SECTION SHALL COMPLY WITH SECTION 8-13.3-310 AND 8-13.3-311 (1)(c).

(b) A COVERED INDIVIDUAL UNDER A PRIVATE PLAN APPROVED PURSUANT TO THIS SECTION RETAINS ALL APPLICABLE RIGHTS AND REMEDIES UNDER SECTION 8-13.3-310.

(6) A DENIAL OF FAMILY AND MEDICAL LEAVE OR BENEFITS BY AN EMPLOYER OR AN ENTITY OFFERING A PRIVATE PLAN MAY BE APPEALED AS PROVIDED IN SECTION 8-13.3-306 (5).

(7) A COVERED INDIVIDUAL WHO IS ELIGIBLE TO RECEIVE BENEFITS FROM AN EMPLOYER THROUGH AN APPROVED PRIVATE PLAN PURSUANT TO THIS SECTION IS NOT ELIGIBLE TO RECEIVE BENEFITS FROM THE FUND WHEN TAKING FAMILY AND MEDICAL LEAVE FROM THE EMPLOYER COVERED BY THE PRIVATE PLAN.

(8) THE DIRECTOR SHALL ANNUALLY DETERMINE THE TOTAL AMOUNT EXPENDED BY THE DIVISION FOR COSTS ARISING OUT OF THE ADMINISTRATION OF PRIVATE PLANS. EACH ENTITY OFFERING A PRIVATE PLAN PURSUANT TO THIS SECTION SHALL REIMBURSE THE DIVISION FOR THE COSTS ARISING OUT OF THE PRIVATE PLANS IN THE AMOUNT, FORM, AND MANNER DETERMINED BY THE DIRECTOR BY RULE. THE DIRECTOR SHALL TRANSFER PAYMENTS RECEIVED PURSUANT TO THIS SECTION TO THE STATE TREASURY FOR DEPOSIT IN THE FUND.

8-13.3-316. Department to perform actuarial and feasibility studies - report to the governor, general assembly, and the board - repeal. (1) THE DEPARTMENT SHALL CONTRACT FOR THE SERVICES OF A QUALIFIED PRIVATE ACTUARY TO PERFORM AN ACTUARIAL STUDY OF THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM ESTABLISHED PURSUANT TO SECTION 8-13.3-305.

(2) (a) THE DEPARTMENT SHALL STUDY THE FEASIBILITY OF CONTRACTING WITH A THIRD PARTY TO ADMINISTER THE PROGRAM CREATED IN THIS PART 3. IN DETERMINING WHETHER A THIRD PARTY SHOULD ADMINISTER THE PROGRAM, THE DEPARTMENT SHALL CONSIDER WHETHER DOING SO WOULD BE COST-EFFECTIVE, IN THE SHORT TERM AND IN THE LONG TERM FOR BOTH THE STATE AND COVERED INDIVIDUALS, AND LEAD TO MORE EFFICIENT PROGRAM ADMINISTRATION AND BENEFIT MANAGEMENT WHILE ASSURING QUALITY, WORKER EXPERIENCE, AFFORDABILITY, COVERAGE, AND PROGRAM ACCOUNTABILITY.

(b) IN FULFILLING THE REQUIREMENTS OF THIS SUBSECTION (2), THE DEPARTMENT SHALL MAKE A REQUEST FOR INFORMATION FROM THIRD PARTIES THAT MAY BE WILLING TO ADMINISTER THE PROGRAM.

(3) NO LATER THAN MARCH 1, 2020, THE DEPARTMENT SHALL PROVIDE THE GOVERNOR; THE SENATE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE, OR ITS SUCCESSOR COMMITTEE; THE HOUSE OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE, OR ITS SUCCESSOR COMMITTEE; AND THE ADVISORY BOARD CREATED IN SECTION 8-13.3-317 WITH THE RESULTS OF THE STUDIES.

(4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, AFTER RECEIVING THE RECOMMENDATION OF THE ADVISORY BOARD, SHALL DETERMINE HOW TO ADMINISTER THE PROGRAM USING THE CRITERIA SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION.

(5) THIS SECTION IS REPEALED, EFFECTIVE OCTOBER 1, 2020.

8-13.3-317. Family and medical leave insurance program advisory board - repeal. (1) THERE IS HEREBY CREATED IN THE DIVISION

THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM ADVISORY BOARD, REFERRED TO IN THIS SECTION AS THE "BOARD".

(2) (a) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

(I) THREE MEMBERS WHO ARE WORKERS OR REPRESENT AN ORGANIZATION THAT REPRESENT WORKERS' INTERESTS IN PAID FAMILY AND MEDICAL LEAVE, EACH OF WHOM SHALL BE APPOINTED FROM A LIST OF AT LEAST THREE NAMES SUBMITTED BY A RECOGNIZED STATEWIDE ORGANIZATION THAT PROMOTES WORKERS' RIGHTS;

(II) THREE MEMBERS WHO ARE PRIVATE EMPLOYERS WITH A RANGE OF BUSINESS SIZE AND EXPERIENCE IN PROVIDING EMPLOYEES WITH PAID FAMILY AND MEDICAL LEAVE, EACH OF WHOM SHALL BE APPOINTED FROM A LIST OF AT LEAST THREE NAMES SUBMITTED BY A RECOGNIZED STATEWIDE ORGANIZATION OF EMPLOYERS;

(III) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATE POLICY ORGANIZATION THAT WORKS ON ISSUES OF ECONOMIC OPPORTUNITY;

(IV) ONE MEMBER WHO IS A PRIVATE INSURER WITH EXPERIENCE IN ADMINISTERING TEMPORARY DISABILITY OR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS;

(V) ONE MEMBER WHO REPRESENTS A STATE POLICY ORGANIZATION THAT WORKS ON HEALTH ADVOCACY;

(VI) ONE LABOR ECONOMIST WITH DEMONSTRATED RESEARCH OR EXPERTISE IN STUDYING PAID FAMILY AND MEDICAL LEAVE, LABOR STANDARDS, AND THE DATA NECESSARY TO DO SO;

(VII) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATE DOMESTIC VIOLENCE AND SEXUAL ASSAULT ORGANIZATION;

(VIII) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATE ORGANIZATION THAT HAS EXPERTISE WITH MILITARY FAMILY ADVOCACY;

(IX) ONE MEMBER WHO IS A REPRESENTATIVE OF ORGANIZED LABOR; AND

(X) TWO NONVOTING MEMBERS, ONE OF WHOM MUST REPRESENT THE DEPARTMENT.

(b) THE GOVERNOR SHALL CONSIDER ETHNICITY, GENDER, AND GEOGRAPHIC REPRESENTATION IN APPOINTING THE MEMBERS OF THE BOARD.

(c) THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENTS TO THE BOARD AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS SECTION.

(3) EACH MEMBER OF THE BOARD SERVES AT THE PLEASURE OF THE GOVERNOR.

(4) NOTWITHSTANDING SECTION 2-2-326, EACH MEMBER OF THE BOARD SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FROM MONEY IN THE FUND CREATED IN SECTION 8-13.3-309 OR APPROPRIATIONS FROM THE GENERAL ASSEMBLY FOR ACTUAL AND NECESSARY EXPENSES THE MEMBER INCURS IN THE PERFORMANCE OF THE MEMBER'S DUTIES AS A MEMBER OF THE BOARD.

(5) (a) THE MEMBER REPRESENTING THE DEPARTMENT SHALL CALL THE FIRST MEETING OF THE BOARD.

(b) THE BOARD SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS.

(c) THE BOARD SHALL MEET AT LEAST FOUR TIMES EVERY YEAR. THE CHAIR MAY CALL SUCH ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE BOARD TO COMPLETE ITS DUTIES.

(6) THE BOARD SHALL:

(a) NO LATER THAN JUNE 1, 2020, MAKE RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT BASED ON THE ACTUARIAL AND FEASIBILITY STUDIES PROVIDED TO THE BOARD PURSUANT TO SECTION 8-13.3-316 (3), USING THE CRITERIA SPECIFIED IN SECTION 8-13.3-316 (2)(a);

(b) PROVIDE COMMENT ON DEPARTMENT RULE-MAKING, POLICIES, IMPLEMENTATION OF THIS PART 3, UTILIZATION OF BENEFITS, AND OTHER INITIATIVES;

(c) STUDY ISSUES THE BOARD DETERMINES TO REQUIRE ITS CONSIDERATION; AND

(d) REVIEW THE REPORT FROM THE DIVISION SUBMITTED IN ACCORDANCE WITH SECTION 8-13.3-319.

(7) UPON REQUEST BY THE BOARD, THE DIVISION SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

(8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026.

BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

8-13.3-318. Federal income tax - state income tax. (1) (a) IF THE FEDERAL INTERNAL REVENUE SERVICE DETERMINES THAT FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS UNDER THIS PART 3 ARE SUBJECT TO FEDERAL INCOME TAX, THE DIVISION SHALL INFORM AN INDIVIDUAL FILING A NEW CLAIM FOR BENEFITS, AT THE TIME OF FILING, THAT:

(I) THE FEDERAL INTERNAL REVENUE SERVICE HAS DETERMINED THAT BENEFITS ARE SUBJECT TO FEDERAL INCOME TAX;

(II) REQUIREMENTS EXIST PERTAINING TO ESTIMATED TAX PAYMENTS;

(III) THE INDIVIDUAL MAY ELECT TO HAVE FEDERAL INCOME TAX DEDUCTED AND WITHHELD FROM THE INDIVIDUAL'S PAYMENT OF BENEFITS IN THE AMOUNT SPECIFIED IN THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED; AND

(IV) THE INDIVIDUAL IS PERMITTED TO CHANGE A PREVIOUSLY ELECTED WITHHOLDING STATUS.

(b) AMOUNTS DEDUCTED AND WITHHELD FROM BENEFITS UNDER THIS SECTION MUST REMAIN IN THE FUND UNTIL TRANSFERRED TO THE FEDERAL INTERNAL REVENUE SERVICE AS A PAYMENT OF INCOME TAX.

(c) THE DIRECTOR SHALL FOLLOW ALL PROCEDURES SPECIFIED BY THE FEDERAL INTERNAL REVENUE SERVICE PERTAINING TO DEDUCTING AND WITHHOLDING INCOME TAX.

(2) BENEFITS RECEIVED PURSUANT TO THIS PART 3 ARE NOT SUBJECT TO STATE INCOME TAX PURSUANT TO SECTION 39-22-104 (4)(z).

8-13.3-319. Reports. (1) BY SEPTEMBER 1, 2024, AND BY EACH SEPTEMBER 1 THEREAFTER, THE DIVISION SHALL SUBMIT A REPORT ON PROJECTED AND ACTUAL PROGRAM PARTICIPATION, SPECIFYING INCOME LEVEL, GENDER, RACE, AND ETHNICITY OF PARTICIPANTS AND PURPOSE AND DURATION OF LEAVE; PREMIUM RATES; FUND BALANCES; AND OUTREACH EFFORTS TO:

(a) THE SENATE COMMITTEES ON BUSINESS, LABOR, AND TECHNOLOGY AND HEALTH AND HUMAN SERVICES, OR THEIR SUCCESSOR COMMITTEES;

(b) THE HOUSE OF REPRESENTATIVES COMMITTEES ON HEALTH AND INSURANCE AND BUSINESS AFFAIRS AND LABOR, OR THEIR SUCCESSOR COMMITTEES; AND

(c) THE FAMILY AND MEDICAL LEAVE INSURANCE ADVISORY BOARD CREATED IN SECTION 8-13.3-317.

(2) THE DIVISION SHALL POST THE REPORT ON THE DEPARTMENT'S WEBSITE. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SECTION CONTINUES INDEFINITELY.

8-13.3-320. Rules. (1) THE DIRECTOR MAY ADOPT RULES AS NECESSARY OR AS SPECIFIED IN THIS PART 3 FOR THE IMPLEMENTATION AND ADMINISTRATION OF THIS PART 3.

(2) THE DIRECTOR SHALL ADOPT RULES:

(a) ESTABLISHING THE FORM AND MANNER OF FILING A CLAIM FOR BENEFITS PURSUANT TO SECTION 8-13.3-306 (1)(b); AND

(b) SETTING PREMIUM AMOUNTS PURSUANT TO SECTION 8-13.3-309 (2)(a);

(c) PROVIDING GUIDANCE ON THE FACTORS USED TO DETERMINE WHETHER AN INDIVIDUAL IS A COVERED INDIVIDUAL'S FAMILY MEMBER;

(d) ESTABLISHING A FINE STRUCTURE PURSUANT TO SECTIONS 8-13.3-310 (5)(h) AND 8-13.3-315 (4);

(e) IMPLEMENTING SECTION 8-13.3-314; AND

(f) DETERMINING THE TOTAL AMOUNT EXPENDED FOR COSTS ARISING OUT OF PRIVATE PLANS, APPROPRIATE REIMBURSEMENT RATES, AND THE FORM AND MANNER FOR REIMBURSEMENT PURSUANT TO SECTION 8-13.3-315 (8).

8-13.3-321. Benefits available regardless of citizenship or immigration status. NOTWITHSTANDING SECTION 24-76.5-103, FAMILY AND MEDICAL LEAVE AND FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS ARE AVAILABLE TO ALL ELIGIBLE INDIVIDUALS REGARDLESS OF THEIR CITIZENSHIP OR IMMIGRATION STATUS.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **add** (17)(a)(IV) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (17) (a) The following statutory authorizations for the designated advisory committees will repeal on

September 1, 2026:

(IV) THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM ADVISORY BOARD CREATED IN SECTION 8-13.3-317.

SECTION 3. In Colorado Revised Statutes, 24-1-121, **add** (3)(k) as follows:

24-1-121. Department of labor and employment - creation. (3) The department of labor and employment consists of the following divisions and programs:

(k) THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE, THE HEAD OF WHICH IS THE DIRECTOR OF THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE. THE DIVISION, CREATED IN PART 3 OF ARTICLE 13.3 OF TITLE 8, AND THE DIRECTOR OF THE DIVISION SHALL EXERCISE THEIR POWERS, DUTIES, AND FUNCTIONS UNDER THE DEPARTMENT OF LABOR AND EMPLOYMENT AS IF TRANSFERRED BY A **TYPE 2** TRANSFER.

SECTION 4. In Colorado Revised Statutes, 24-34-402.7, **add** (5) as follows:

24-34-402.7. Unlawful action against employees seeking protection - notice to revisor of statutes - repeal. (5) THIS SECTION WILL BE REPEALED WHEN THE FIRST FAMILY AND MEDICAL LEAVE INSURANCE BENEFIT PAYMENT IS MADE TO AN ELIGIBLE INDIVIDUAL IN ACCORDANCE WITH PART 3 OF ARTICLE 13.3 OF TITLE 8. THE DIRECTOR OF THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE IN THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE ON WHICH THE CONDITION SPECIFIED IN THIS SUBSECTION (5) HAS OCCURRED BY E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. THIS SECTION IS REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE PAYMENT OF BENEFITS OCCURRED OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.

SECTION 5. In Colorado Revised Statutes, 39-22-104, **add** (4)(z) as follows:

39-22-104. Income tax imposed on individuals, estates, and trusts - single rate - legislative declaration - definitions - repeal. (4) There shall be subtracted from federal taxable income:

(z) FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2023, AN AMOUNT EQUAL TO ANY AMOUNT RECEIVED BY A TAXPAYER AS FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS PURSUANT TO PART 3 OF ARTICLE 13.3 OF TITLE 8.

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.".

MESSAGE FROM THE HOUSE

April 10, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1227, 1268, 1259.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1267, 1248, 1266, 1253, amended as printed in House Journal, April 9, 2019.

The House has passed on Third Reading and returns herewith SB19-063.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-065, 090, amended as printed in House Journal, April 9, 2019.

The House has adopted and transmits herewith HJR19-1013, as printed in House Journal, April 9, 2019.

The House has adopted and returns herewith SJR19-008, amended as printed in House Journal, April 9, 2019.

The House has adopted and returns herewith SJR19-007.

MESSAGE FROM THE REVISOR OF STATUTES

April 10, 2019

We herewith transmit:

Without comment, HB19-1259 and 1268.
Without comment, as amended, HB19-1248, 1253, 1266, and 1267.
Without comment, as amended, SB19-065 and 90.

INTRODUCTION OF RESOLUTIONS

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

HJR19-1013 by Representative(s) Wilson; also Senator(s) Donovan--Concerning the designation of Colorado State Highway 24 between Mile Markers 209 and 212 on each end of the town of Buena Vista, Colorado, as the "Corporal Earnest Clifford Sexton Memorial 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:

HB19-1189 by Representative(s) Gray and Valdez A.; also Senator(s) Bridges and Fields--Concerning wage garnishment reform, and, in connection therewith, reducing disposable earnings by health insurance premiums, reducing the amount that is subject to garnishment, and providing more detailed information to the judgment debtor regarding garnishment.
Finance

HB19-1248 by Representative(s) Weissman and Cutter; also Senator(s) Foote--Concerning measures to promote transparency about the activities of persons lobbying state government officials, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1253 by Representative(s) Landgraf and Buckner; also Senator(s) Hisey and Gonzales--Concerning a prohibition on discrimination against a living organ donor in certain insurance policies.
Health & Human Services

HB19-1259 by Representative(s) Roberts and Pelton; also Senator(s) Donovan--Concerning support for species conservation trust fund projects, and, in connection therewith, making transfers to and appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.
Agriculture & Natural Resources

HB19-1266 by Representative(s) Herod; also Senator(s) Fenberg--Concerning the voting rights of persons serving a sentence of parole, and in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1268 by Representative(s) Singer and Van Winkle; also Senator(s) Todd and Hisey--Concerning a requirement that a referral agency make disclosures to a prospective resident of an assisted living residence.
Health & Human Services

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 10, 2019, at 10:25 a.m.:
SB19-088, 097, and 138.

REPORT OF CONFERENCE COMMITTEES

FIRST MINORITY REPORT OF FIRST
CONFERENCE COMMITTEE ON HB19-1131

****
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 HB19-1131, concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party, has met and a minority thereof reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:
(signed)
Susan Beckman

Senate Committee:
(signed)
Jim Smallwood

TRIBUTES

Honoring:

Karen Hannahoe -- By Senator Steve Fenberg.
Vanessa Dimiziani-Cascio -- By Senator Steve Fenberg.
Tracy Eliasson -- By Senator Steve Fenberg.
Tammy Forrest -- By Senator Steve Fenberg.
Michelle Wellington -- By Senator Steve Fenberg.
Megan Fretz -- By Senator Steve Fenberg.
Lisa Navarre -- By Senator Steve Fenberg.
Lisa Dings -- By Senator Steve Fenberg.
Kerry White -- By Senator Steve Fenberg.
Jerry Beaber -- By Senator Steve Fenberg.
Gay Salim -- By Senator Steve Fenberg.
Dustin Richards -- By Senator Steve Fenberg.
Diane Furuya -- By Senator Steve Fenberg.
Diane Brenton -- By Senator Steve Fenberg.
Anne Matheny -- By Senator Steve Fenberg.
Alice Hartman -- By Senator Steve Fenberg.
Edwina Salazar -- By Senator Mike Foote.
Pueblo Community College -- By President Leroy M. Garcia.
Nancy L. Bachicha Real Estate -- By President Leroy M. Garcia.
Pass Key -- By President Leroy M. Garcia.
Clark Spring Water Company -- By President Leroy M. Garcia.
More-Skinny Used Cars -- By President Leroy M. Garcia.
Pride City Awning -- By President Leroy M. Garcia.
Premier Mortgage -- By President Leroy M. Garcia.
Veges Shoe Repair -- By President Leroy M. Garcia.
Pinelle's Bowlero Lanes -- By President Leroy M. Garcia.
Giodone's Italian Bar and Grill -- By President Leroy M. Garcia.
Margaret Long -- By Senator Joann Ginal.
Joanne Vande Walle -- By Senator Joann Ginal.
Sue Ballou -- By Senator Joann Ginal.
Kay Hood -- By Senator Joann Ginal.

Liberty Common High School Class of 2019 -- By Senator Joann Ginal.
Jocelyne Arguelles -- By Senator Julie Gonzales.
Jeff S. Fard -- By Senator Julie Gonzales.
Esperanza Garcia -- By Senator Julie Gonzales.
Alivia Valencia -- By President Leroy M. Garcia.
Lilliana Henderson -- By President Leroy M. Garcia.
Elizabeth Medina -- By President Leroy M. Garcia.
Moriah Janik -- By President Leroy M. Garcia.
Lilly Tobin -- By President Leroy M. Garcia.
De'Sean Hassler -- By President Leroy M. Garcia.
Aubrey Vialpando -- By President Leroy M. Garcia.
Tristan Trujillo -- By President Leroy M. Garcia.
Avery Genova -- By President Leroy M. Garcia.
Grace Eastman -- By President Leroy M. Garcia.
Emilee Bryant -- By President Leroy M. Garcia.
Zach Guerrero -- By President Leroy M. Garcia.
Lillie Mercado -- By President Leroy M. Garcia.
Jack Mandarich -- By President Leroy M. Garcia.
Leni Ferry -- By President Leroy M. Garcia.
Joe Daurio -- By President Leroy M. Garcia.
Campbell Bowen -- By President Leroy M. Garcia.
Mikayla Ramos -- By President Leroy M. Garcia.
Isabel Miranda -- By President Leroy M. Garcia.
Addalyn Kuhn -- By President Leroy M. Garcia.
Hayden George -- By President Leroy M. Garcia.
Cierra Chacon -- By President Leroy M. Garcia.
Zarah Zenner -- By President Leroy M. Garcia.
Brody Sandoval -- By President Leroy M. Garcia.
Kylee Giconi -- By President Leroy M. Garcia.
Elizabeth Carter -- By President Leroy M. Garcia.
Samantha Carmical -- By President Leroy M. Garcia.
James Rothbaum -- By President Leroy M. Garcia.
Allison Plinske -- By President Leroy M. Garcia.
Blake Parker -- By President Leroy M. Garcia.
Vanessa Mendoza -- By President Leroy M. Garcia.
Ella Simpson-- By President Leroy M. Garcia.
Dallas Brown -- By President Leroy M. Garcia.
Aiyana Breceda-- By President Leroy M. Garcia.
Colton Bastian -- By President Leroy M. Garcia.
Henry Harshman -- By President Leroy M. Garcia.
Taylor Snell -- By President Leroy M. Garcia.
Leilah Wells -- By President Leroy M. Garcia.
Isabella Overbey -- By President Leroy M. Garcia.
Brody Olsen -- By President Leroy M. Garcia.
Jacelen Montoya -- By President Leroy M. Garcia.
Gianna Eimer -- By President Leroy M. Garcia.
Edwina Salazar -- By Senator Mike Foote
Jeff S. Fard -- By Senator Julie Gonzales
Esperanza Garcia -- By Senator Julie Gonzales
Jocelyne Arguelles -- By Senator Julie Gonzales
Raymond H. Gonzales -- By Senator Faith Winter
Odell Barry -- By Senator Faith Winter
Adams County Public Works Department -- By Senator Faith Winter
Candice Montoya -- By Senator Faith Winter
Dr. Darwin Strickland -- By Senator Faith Winter
Mayte Olague -- By Senator Faith Winter
Liberty Common High School Class of 2019 -- By Senator Joann Ginal
Kay Hood -- By Senator Joann Ginal
Sue Ballou -- By Senator Joann Ginal
Joanne Vande Walle -- By Senator Joann Ginal
Margaret Long -- By Senator Joann Ginal
Lorena Munoz -- By Senator Nancy Todd

On motion of Senator Tate, the Senate adjourned until 10:00 a.m., Thursday, April 11, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

98th Legislative Day Thursday, April 11, 2019

Prayer — By the chaplain, Jeff Figgs, Weld County Sheriff's Office.

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

Roll Call — Present--35

Quorum — The President announced a quorum present.

On motion of Majority Leader Fenberg, 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 Sheriff Steve Reams, Weld County Sheriff's Office.

Musical Presentation — By Deputy Tim Lambert, Adams County Sheriff's Office, performing "Amazing Grace" on the bagpipes, and later, performing "Taps" on the bugle.

Reading of the Journal — On motion of Senator Winter, reading of the Journal of Wednesday, April 10, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Fenberg, 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

SR19-010 by Senator(s) Zenzinger and Cooke--Concerning declaring the week of May 12-18, 2019, as Police Week, and, in connection therewith, declaring May 15, 2019, as Peace Officers' Memorial Day.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, and Woodward.

Senate in recess. Senate reconvened.

CONSIDERATION OF RESOLUTIONS (cont'd)

HJR19-1013 by Representative(s) Wilson; also Senator(s) Donovan--Concerning the designation of Colorado State Highway 24 between Mile Markers 209 and 212 on each end of the town of Buena Vista, Colorado, as the "Corporal Earnest Clifford Sexton Memorial Highway".

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-235** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 9, strike "REVENUE" and substitute "STATE" and strike "TRANSFER" and substitute "USE".

Page 3, line 11, strike "42." and substitute "42 FOR VOTER REGISTRATION PURPOSES.".

Page 5, line 4, strike "SUBSECTION" and substitute "SUBSECTIONS (2) AND".

Page 5, line 7, strike "CANCELLED." and substitute "CANCELLED AND THE PERSON IS DEEMED TO HAVE NEVER REGISTERED OR PREREGISTERED.".

Page 7, line 22, strike "BUT" and substitute "AND".

Page 10, line 23, strike "SUBSECTION" and substitute "SUBSECTIONS (3) AND".

Page 10, line 26, strike "CANCELLED." and substitute "CANCELLED AND THE PERSON IS DEEMED TO HAVE NEVER REGISTERED.".

Page 13, line 14, after "TECHNOLOGY" insert "AND THE SECRETARY OF STATE".

Page 16, lines 2 through 4, strike "THE SELF-AFFIRMATION ON THE RETURN ENVELOPE SHALL BE CATEGORIZED AS INCORRECT AND".

Page 16, line 7, after "SEAL" insert "AS AN ELECTION RECORD".

Page 16, line 24, after "1-2-205," insert "**amend as it will become effective July 1, 2019,** (2); and".

Page 16, strike line 26 and substitute:

"**1-2-205. Self-affirmation made by elector.** (2) Each elector making application for registration or preregistration shall make the

following self-affirmation: "I, ..., affirm that I am a citizen of the United States; I have been a resident of ~~the state of~~ Colorado for at least twenty-two days immediately ~~prior to~~ BEFORE an election ~~in which~~ I intend to vote IN; and I am at least sixteen years old and understand that I must be eighteen ~~years old~~ to be eligible to vote. I further affirm that ~~my present address as stated herein~~ THE RESIDENCE ADDRESS I PROVIDED is my sole legal place of residence. ~~that I claim no other place as my legal residence, and that I understand that I am committing a felony if I knowingly give false information regarding my place of present residence.~~ I certify under penalty of perjury that ~~I meet the registration or preregistration qualifications of this state; that~~ the information I have provided on this application is true to the best of my knowledge and belief; and that I have not, nor will I, cast more than one ballot in any election.

(5) THIS SECTION".

Page 17, strike lines 25 through 27 and substitute:

"**SECTION 12. Act subject to petition - effective date.** Sections 1, 6, and 7 of this act take effect July 1, 2020, 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Strike page 18.

Strike "MAILING ADDRESS," and substitute "ADDRESS OF RECORD," on: **Page 4**, line 4; **Page 9**, line 15; and **Page 10**, line 1.

Strike "FORWARDABLE" and substitute "NONFORWARDABLE" on: **Page 3**, line 18; **Page 4**, line 4; **Page 9**, line 16; and **Page 10**, line 1.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1232** 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 12, after "~~Commencing thirty days after May 30, 2002,~~" insert "IN EACH CASE FILED PURSUANT TO THIS TITLE 19 THAT CONSTITUTES A CHILD CUSTODY PROCEEDING, AS DEFINED IN THE FEDERAL "INDIAN CHILD WELFARE ACT", 25 U.S.C. SEC. 1901, ET SEQ., AND THEREFORE TO WHICH THE TERMS OF THE FEDERAL "INDIAN CHILD WELFARE ACT", 25 U.S.C. SEC. 1901, ET SEQ., APPLY, THE COURT AND EACH PARTY TO THE PROCEEDING SHALL COMPLY WITH THE FEDERAL IMPLEMENTING REGULATIONS, AND ANY MODIFICATIONS THEREOF, OF THE FEDERAL "INDIAN CHILD WELFARE ACT", 25 U.S.C. SEC. 1901, ET SEQ., LOCATED IN 25 CFR 23, WHICH OUTLINE THE MINIMUM FEDERAL STANDARDS GOVERNING THE IMPLEMENTATION OF THE "INDIAN CHILD WELFARE ACT" TO ENSURE THE STATUTE IS APPLIED IN COLORADO CONSISTENT WITH THE ACT'S EXPRESS LANGUAGE, CONGRESS'S INTENT IN ENACTING THE STATUTE, AND TO PROMOTE THE STABILITY AND SECURITY OF INDIAN CHILDREN, TRIBES, AND FAMILIES.".

Page 2, line 23, strike "THE PETITIONING AND FILING PARTY" and substitute "EACH PARTICIPANT".

Page 2, line 25, strike "PETITIONING OR FILING PARTY" and substitute "PARTICIPANT".

Page 3, line 2, strike "PETITIONING AND FILING PARTY" and substitute "PARTICIPANTS".

Page 3, line 2, strike "EITHER PARTY" and substitute "ANY PARTICIPANT".

Page 3, line 5, strike "THE RESPONDENT" and substitute "ANY PARTY TO THE PROCEEDING".

Page 3, line 8, strike "MANNER," and substitute "MANNER.".

Page 3, strike lines 9 and 10 and substitute "THE COURT SHALL ORDER THE PARTY TO PROVIDE THE INFORMATION NO LATER THAN SEVEN BUSINESS DAYS AFTER THE DATE OF THE HEARING OR PRIOR TO THE NEXT HEARING ON THE MATTER, WHICHEVER OCCURS FIRST. THE INFORMATION SHOULD BE FILED WITH THE COURT AND PROVIDED TO THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES AND EACH PARTY NO LATER THAN SEVEN BUSINESS DAYS AFTER THE DATE OF THE HEARING.".

Page 4, line 7, strike "petitioning or filing party" and substitute "~~petitioning or filing party~~ COURT".

Page 4, line 11, strike "parent or Indian custodian" and substitute "~~parent or Indian custodian~~ PARENT OR PARENTS, THE INDIAN CUSTODIAN OR INDIAN CUSTODIANS".

Page 4, line 20, after "INDIVIDUAL." insert "IN PROVIDING NOTICE, THE COURT AND EACH PARTY SHALL COMPLY WITH 25 CFR 23.111.".

Page 5, line 14, strike "DEPARTMENT OF HUMAN SERVICES," and substitute "COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES,".

Page 6, line 21, strike "AND" and substitute "OR".

Page 6, line 24, strike "AND" and substitute "OR".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1183** 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.

Page 2, line 11, strike "**25-51-102**." and substitute "**25-51-101.**".

Page 3, line 8, strike "**25-51-103.**" and substitute "**25-51-102**.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1147** be referred to the Committee on Finance with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-054, 145, 146, 155, and 159.
Correctly Revised: HB19-1023, 1128, and 1214.
Correctly Rerevised: HB19-1080, 1178, and 1217.
Correctly Enrolled: SB19-144.

On motion of Majority Leader Fenberg, 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:

SB19-159 by Senator(s) Bridges and Donovan, Crowder, Ginal, Williams A.; also Representative(s) McCluskie--Concerning the continuation of the passenger tramway safety board, and, in connection therewith, implementing some of the recommendations contained in the 2018 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	32	NO	3	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Gonzales and Winter.

SB19-155 by Senator(s) Williams A. and Priola; also Representative(s) Kraft-Tharp and Snyder--Concerning the continuation of the state board of accountancy, and, in connection therewith, implementing the recommendations contained in the 2018 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Tate.

SB19-146 by Senator(s) Pettersen; also Representative(s) Kennedy--Concerning the continuation of the regulation by the department of public health and environment of entities that provide home care services, and, in connection therewith, implementing the recommendations contained in the 2018 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	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Donovan, Ginal, Gonzales, and Moreno.

SB19-145 by Senator(s) Todd; also Representative(s) Valdez A.--Concerning the continuation of the regulation of dialysis care by the department of public health and environment.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Fields, Ginal, Gonzales, Moreno, Priola, Rodriguez, Tate, and Winter.

SB19-054 by Senator(s) Crowder; also Representative(s) Valdez D.--Concerning the regulation of surplus military vehicles for the purposes of operation on the highway, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Coram, Gardner, Hill, Hisey, Priola, Scott, Smallwood, Sonnenberg, Tate, and Woodward.

HB19-1214 by Representative(s) Hansen, Esgar, Ransom; also Senator(s) Rankin, Moreno, Zenzinger--Concerning a requirement that the joint budget committee recommend new methods to finance the state's ongoing capital needs.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Tate.

HB19-1128 by Representative(s) Kraft-Tharp and Saine, Michaelson Jenet; also Senator(s) Fields and Smallwood, Todd--Concerning intercepts, and, in connection therewith, intercepting lottery winnings to pay outstanding court obligations.

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

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Crowder, Moreno, and Tate.

HB19-1023 by Representative(s) Saine and Jackson, McLachlan, Roberts; also Senator(s) Marble and Todd, Zenzinger--Concerning issuance of driving authorization documents to foster children who are under eighteen years of age, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Court, Crowder, Donovan, Garcia, Gardner, Ginal, Lee, Moreno, Pettersen, Priola, Rodriguez, Scott, Smallwood, Tate, Williams A., Winter, and Woodward.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

SB19-179 by Senator(s) Lee; also Representative(s) Wilson--Concerning the enhance school safety incident response grant program, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 9, page 707 and placed in members' bill files.)

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

SB19-163 by Senator(s) Marble; also Representative(s) Galindo--Concerning the continuation of the cold case task force, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1(L.002), by Senator Marble.

Amend printed bill, page 2, line 5, strike "2032." and substitute "2026.".

Page 2, line 10, strike "(33)" and substitute "(27)(a)(VIII)".

Page 2, strike lines 16 through 20 and substitute:

"(27) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2026:
(VIII) THE COLD CASE TASK FORCE CREATED IN SECTION 24-33.5-109.".

Amendment No. 2(L.001), by Senator Marble.

Amend printed bill, page 2, strike lines 21 through 23 and substitute:

"**SECTION 3. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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

SB19-160 by Senator(s) Winter, Donovan; also Representative(s) McCluskie--Concerning the continuation of the river outfitter licensing program.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, March 7, pages 408-409 and placed in members' bill files.)

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

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.

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

HB19-1010 by Representative(s) Mullica and Landgraf; also Senator(s) Gardner and Pettersen--Concerning the licensing of freestanding emergency departments, and in connecton therewith, making an appropriation.

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

SB19-229 by Senator(s) Winter and Foote; also Representative(s) Gonzales-Gutierrez and Mullica--Concerning the use of campaign contributions to reimburse a candidate for dependent care expenses incurred by the candidate in undertaking campaign activities.

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

SB19-230 by Senator(s) Moreno; also Representative(s) Herod--Concerning the Colorado refugee services program.

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

SB19-196 by Senator(s) Lee and Danielson; --Concerning the modification of procurement requirements for state contracts for public projects.

Laid over until Friday, April 12, retaining its place on the calendar.

HB19-1118 by Representative(s) Jackson and Galindo, Buentello, Cutter, Duran, Gonzales-Gutierrez, Hooton, Jaquez Lewis, Kennedy, Roberts, Snyder, Buckner, Caraveo, Coleman, Exum, Hansen, Herod, Lontine, Melton, Michaelson Jenet, Singer, Valdez A., Weissman; also Senator(s) Williams A., Court, Danielson, Fenberg, Fields, Lee, Rodriguez, Winter--Concerning the time allowed for a tenant to cure a lease violation that is not a substantial violation.

Laid over until Friday, April 12, retaining its place on the calendar.

HB19-1149 by Representative(s) Gonzales-Gutierrez; also Senator(s) Lee--Concerning directing the age of delinquency task force of the Colorado commission on criminal and juvenile justice to study serving emerging adults in the juvenile justice system.

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

HB19-1220 by Representative(s) Sullivan; also Senator(s) Fields--Concerning allowing a court facility dog to accompany a witness during testimony.

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

Amend reengrossed bill, page 3, lines 11 and 12, strike "REDUCE THE WITNESS'S ANXIETY OR" and substitute "REDUCE THE WITNESS'S ANXIETY AND".

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

HB19-1092 by Representative(s) Valdez A., Caraveo, Duran, Galindo, Mullica, Singer, Sullivan; also Senator(s) Ginal--Concerning a prohibition on future ownership of an animal for persons convicted of animal cruelty.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 9, page 726 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-179 as amended, SB19-163 as amended, SB19-160 as amended, SB19-229, SB19-230, HB19-1025, HB19-1010, HB19-1149, HB19-1220 as amended, HB19-1092 as amended.
Laid over until Friday, April 12: SB19-196, HB19-1118.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-065 by Senator(s) Garcia; also Representative(s) Exum--Concerning the creation of a peer health assistance program for emergency medical service providers, and, in connection therewith, making an appropriation.

Senator Garcia moved that the Senate concur in House amendments to SB19-065, as printed in House journal, March 21, page 749. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

SB19-090 by Senator(s) Scott, Donovan; also Representative(s) Gray--Concerning the operation of peer-to-peer motor vehicle sharing businesses.

Senator Scott moved that the Senate not concur in House amendments to SB19-090, as printed in House journal, March 28, pages 871-874, and April 9, page 1050, and that a conference committee be appointed. The motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senators Donovan, Chair, Todd, and Scott were appointed as Senate conferees on the first conference committee on SB19-090.

Senator Scott moved that the Senate conferees on the first conference committee on **SB19-090** 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 RESOLUTIONS

SJR19-008 by Senator(s) Lundeen, Gardner, Hill, Hisey, Lee; also Representative(s) Carver, Geitner, Liston, Sandridge, Williams D.--Concerning the recognition of the 35th Space Symposium and celebrating the premier international space policy and program forum.

Senator Lundeen moved that the Senate concur in House amendments to SJR19-008, as printed in House Journal, April 10, pages 1092-1093. The motion was **adopted** by the following roll call vote.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.

Senator Winter moved for the adoption of the first report of the first conference committee on HB19-1131, as printed in Senate journal, April 10, page 737.

On a substitute motion, Senator Smallwood moved for the adoption of the first minority report of the first conference committee on HB19-1131, as printed in Senate journal, April 10, page 764.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, Consideration of Conference Committee Reports on HB19-1131 was laid over until Friday, April 12, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

April 11, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1227.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1271, 1272, 1239, amended as printed in House Journal, April 10, 2019.

The House has passed on Third Reading and returns herewith SB19-139.

MESSAGE FROM THE REVISOR OF STATUTES

April 11, 2019

We herewith transmit:

Without comment, HB19-1227.
Without comment, as amended, HB19-1239, 1271, and 1272.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-181.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB19-238 by Senator(s) Danielson and Moreno; also Representative(s) Kennedy and Duran--Concerning home care service agencies, and, in connection therewith, requiring certain agencies to expend a minimum percentage of their reimbursements from the "Colorado Medical Assistance Act" as wages for employees who provide direct care, requiring the department of health care policy and financing to enforce training requirements and maintain public records concerning the home care workforce, and increasing the reimbursement rate for certain services provided under the "Colorado Medical Assistance Act".
Health & Human Services

HB19-1267 by Representative(s) Singer and Froelich, Buckner, Esgar, Galindo, Gonzales-Gutierrez, Hooton, Jackson, Melton, Michaelson Jenet, Mullica, Sirota, Sullivan, Jaquez Lewis; also Senator(s) Danielson and Rodriguez, Gonzales--Concerning criminal offenses for failure to pay wages, and, in connection therewith, implementing recommendations from the Colorado human trafficking council.
Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-052, 183, 209, 210, 211, and 212; SR19-010; HB19-1177.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, April 12, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

99th Legislative Day Friday, April 12, 2019

Prayer — By the chaplain, Rev. Dr. Timothy Tyler, Shorter Community AME Church, Denver.

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

Roll Call — Present--32
Excused--3, Crowder, Scott, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Woodward.

Reading of the Journal — On motion of Senator Winter, reading of the Journal of Thursday, April 11, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture & Natural Resources — The Committee on Agriculture & Natural Resources 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, 2022:

Honorable Lois Anne Tochtrop of Thornton, Colorado, a Democrat from the Seventh Congressional District, reappointed;

Michael J. Schliep of Brighton, Colorado, a Democrat from the Sixth Congressional District, and a member with substantial experience in agriculture or in the activities of 4-H clubs, appointed;

Dianna Marie Coram of Montrose, Colorado, a Republican from the Western Slope and the Third Congressional District, appointed.

Agriculture & Natural Resources — The Committee on Agriculture & Natural Resources 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

for terms expiring March 1, 2023:

Eleanor Irene Wareham-Morris of Breckenridge, Colorado, an individual with substantial experience in the mining industry, appointed;

John William Singletary of Pueblo, Colorado, an individual with substantial experience in the agricultural industry, reappointed.

Finance — After consideration on the merits, the Committee recommends that **SB19-008** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **SB19-191** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Judiciary Committee Report, dated April 3, 2019, page 1, line 1, after "line 2," insert "strike "(2) (a)" and substitute "(2) (a) (I)", and".".

Page 1 of the report, strike line 14 and substitute "TELEPHONICALLY.
(II) THE CHIEF JUDGE OF EACH JUDICIAL DISTRICT SHALL".

Page 2 of the report, line 22, after "LONG" insert "AS", and strike "LATER" and substitute "LONGER".

Page 2 of the report, line 26, strike "THAT".

Page 2 of the report, strike lines 28 and 29 and substitute:

"Page 3, strike line 27.

Page 4, strike lines 1 through 5.".

Finance

After consideration on the merits, the Committee recommends that **SB19-156** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 8, after line 18 insert:

"**SECTION 8.** In Colorado Revised Statutes, 12-23-116, **amend** (10) as follows:

12-23-116. Inspection - application - standard - rules. (10) (a) An inspector performing an inspection for the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education may verify compliance with this ~~article~~ ARTICLE 23; however, for each project, inspections performed by the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education must include a contemporaneous review to ensure that the specific requirements of sections 12-23-105 and 12-23-110.5 have been met. A contemporaneous review may include a full or partial review of the electricians and apprentices working on a job site being inspected.

(b) To ensure that enforcement is consistent, timely, and efficient, each entity, including the state, as described in this subsection (10), shall develop standard procedures to advise its inspectors how to conduct a contemporaneous review. Each entity's standard procedures need not require a contemporaneous review for each and every inspection of a project, but the procedures must preserve an inspector's ability to verify compliance with sections 12-23-105 and 12-23-110.5 at any time. EACH ENTITY'S PROCEDURES MUST ALSO INCLUDE PROVISIONS THAT ALLOW FOR INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS WHILE ACTUAL ELECTRICAL WORK IS BEING CONDUCTED, WITH A FOCUS ON LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS PERMITTED BY THE ENTITY. Each entity, including the state, shall post its current procedures regarding contemporaneous reviews in a prominent location on its public website. EACH ENTITY SHALL PROVIDE A WEBSITE LINK TO OR AN ELECTRONIC COPY OF ITS PROCEDURES TO THE BOARD, AND THE BOARD SHALL POST ALL OF THE PROCEDURES ON A SINGLE LOCATION ON THE DEPARTMENT OF REGULATORY AGENCIES' WEBSITE.

(c) An inspector may file a complaint with the board for any violation of this ~~article~~ ARTICLE 23.

(d) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION. IF THE BOARD DETERMINES, AS A RESULT OF A COMPLAINT, THAT AN ENTITY OTHER THAN THE STATE IS CONDUCTING ELECTRICAL INSPECTIONS THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THAT ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTION 12-23-118 (9), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL ORDER DIRECTING THAT ENTITY TO CEASE AND DESIST CONDUCTING ELECTRICAL INSPECTIONS UNTIL THAT ENTITY COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE ELECTRICAL

INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE AND DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(d), THAT ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING THAT ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.".

Amend printed bill, page 8, strike lines 19 through 27.

Page 9, strike lines 1 through 13.

Page 15, after line 10 insert:

"**SECTION 16.** In Colorado Revised Statutes, 12-115-120, **amend as relocated by House Bill 19-1172** (10) as follows:

12-115-120. Inspection - application - standard - rules. (10) (a) An inspector performing an inspection for the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education may verify compliance with this article 115; however, for each project, inspections performed by the state, an incorporated town or city, a county, a city and county, or a qualified state institution of higher education must include a contemporaneous review to ensure that the specific requirements of sections 12-115-109 and 12-115-115 have been met. A contemporaneous review may include a full or partial review of the electricians and apprentices working on a job site being inspected.

(b) To ensure that enforcement is consistent, timely, and efficient, each entity, including the state, as described in this subsection (10), shall develop standard procedures to advise its inspectors how to conduct a contemporaneous review. Each entity's standard procedures need not require a contemporaneous review for each and every inspection of a project, but the procedures must preserve an inspector's ability to verify compliance with sections 12-115-109 and 12-115-115 at any time. EACH ENTITY'S PROCEDURES MUST ALSO INCLUDE PROVISIONS THAT ALLOW FOR INSPECTORS TO CONDUCT OCCASIONAL, RANDOM, ON-SITE INSPECTIONS WHILE ACTUAL ELECTRICAL WORK IS BEING CONDUCTED, WITH A FOCUS ON LARGE COMMERCIAL AND MULTI-FAMILY RESIDENTIAL PROJECTS PERMITTED BY THE ENTITY. Each entity, including the state, shall post its current procedures regarding contemporaneous reviews in a prominent location on its public website. EACH ENTITY SHALL PROVIDE A WEBSITE LINK TO OR AN ELECTRONIC COPY OF ITS PROCEDURES TO THE BOARD, AND THE BOARD SHALL POST ALL OF THE PROCEDURES ON A SINGLE LOCATION ON THE DEPARTMENT'S WEBSITE.

(c) An inspector may file a complaint with the board for any violation of this article 115.

(d) THE BOARD SHALL ENSURE COMPLIANCE WITH THIS SECTION. IF THE BOARD DETERMINES, AS A RESULT OF A COMPLAINT, THAT AN ENTITY OTHER THAN THE STATE IS CONDUCTING ELECTRICAL INSPECTIONS THAT DO NOT COMPLY WITH THIS SECTION, THE BOARD MAY ISSUE TO THAT ENTITY AN ORDER TO SHOW CAUSE, IN ACCORDANCE SECTIONS 12-20-405 AND 12-115-122 (6), AS TO WHY THE BOARD SHOULD NOT ISSUE A FINAL ORDER DIRECTING THAT ENTITY TO CEASE AND DESIST CONDUCTING ELECTRICAL INSPECTIONS UNTIL THAT ENTITY COMES INTO COMPLIANCE TO THE SATISFACTION OF THE BOARD. IF THE USE OF STATE ELECTRICAL INSPECTORS IS REQUIRED AFTER THE ISSUANCE OF A FINAL CEASE AND DESIST ORDER PURSUANT TO THIS SUBSECTION (10)(d), THAT ENTITY SHALL REIMBURSE THE BOARD FOR ANY EXPENSES INCURRED IN PERFORMING THAT ENTITY'S INSPECTIONS, IN ADDITION TO TRANSMITTING THE REQUIRED PERMIT FEES.".

Page 15, strike lines 11 through 27.

Page 16, strike lines 1 through 5.

Finance After consideration on the merits, the Committee recommends that **SB19-198** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB19-1138** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-238.
Correctly Engrossed: SB19-160, 163, 179, 229, and 230; SR19-010.
Correctly Reengrossed: SB19-054, 145, 146, 155, and 159.
Correctly Revised: HB19-1010, 1025, 1092, 1149, and 1220; HJR19-1013.
Correctly Rerevised: HB19-1023, 1128, and 1214.
Correctly Enrolled: SB19-063, 065, and 139.

On motion of Majority Leader Fenberg, 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.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1004** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1039** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 8, after line 13 insert:

"**SECTION 5. Appropriation.** For the 2019-20 state fiscal year, $58,500 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the licensing services cash fund created in section 42-2-114.5 (1), C.R.S. To implement this act, the division may use this appropriation for DRIVES maintenance and support.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**PERSONS.**" and substitute "**PERSONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1127** 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 "$19,992" and substitute "$12,423".

Page 3, line 19, strike "$66,640" and substitute "$74,537".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-030** 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 January 30, 2019, page 3, after line 12 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $543,461 is appropriated to the judicial department. This appropriation is from the general fund and is based on the assumption that the department will require an additional 4.8 FTE. To implement this act, the department may use this appropriation for trial court programs.

(2) For the 2019-20 state fiscal year, $55,139 is appropriated to the department of law for use by the appellate unit. This appropriation is from the general fund and is based on the assumption that the department will require an additional 0.6 FTE.".

Renumber succeeding sections accordingly.

Page 1 of the printed bill, line 101, strike "**PLEAS.**" and substitute "**PLEAS, AND IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-059** 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 8, after line 5 insert:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $250,000 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.3 FTE. To implement this act, the department may use this appropriation for the automatic enrollment in advanced courses grant program.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**EDUCATION.**" and substitute "**EDUCATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-061** 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, lines 12 and 13, strike "Colorado department of public health and environment" and substitute "division of fire prevention and control in the department of public safety".

Page 3, strike lines 15 through 25.

Renumber succeeding sections accordingly.

Page 3, line 26, strike "13" and substitute "23".

Page 3, line 27, strike "5 of title 25" and substitute "33.5 of title 24".

Page 4, line 1, strike "13" and substitute "23".

Page 4, line 4, strike "**25-5-1301.**" and substitute "**24-33.5-2301.**" and strike "13," and substitute "23,".

Page 4, after line 5 insert:

"(1) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

(2) "DIVISION" MEANS THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY CREATED IN THIS ARTICLE 33.5.".

Page 4, line 6, strike "(1)" and substitute "(3)".

Page 4, strike lines 8 and 9.

Renumber succeeding subsections accordingly.

Page 4, line 23, strike "**25-5-1302.**" and substitute "**24-33.5-2302.**".

Page 5, line 3, strike "EXECUTIVE".

Page 5, strike lines 9 and 10 and substitute:

"**24-33.5-2303. Rules.** AS THE DIRECTOR DEEMS NECESSARY FOR THE PROTECTION OF FIREFIGHTERS AND OTHERS USING ANY SELF-CONTAINED BREATHING APPARATUS, THE DIRECTOR MAY PROMULGATE RULES TO ESTABLISH AND ENFORCE STANDARDS FOR THE INSPECTION, CERTIFICATION, AND USE OF THE APPARATUS. THE RULES MUST".

Page 5, line 21, strike "25-5-1301," and substitute "24-33.5-2301,".

Page 5, lines 26 and 27, strike "EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT" and substitute "DIRECTOR OF THE DIVISION OF FIRE PREVENTION AND CONTROL IN THE DEPARTMENT OF PUBLIC SAFETY".

Page 6, line 1, strike "25-5-1303." and substitute "24-33.5-2303.".

Page 6, after line 1 insert:

"**SECTION 5. Appropriation.** (1) For the 2019-20 state fiscal year, $40,291 is appropriated to the department of public safety for use by the division of fire prevention and control. This appropriation is from the general fund. To implement this act, the division may use this appropriation as follows:

(a) $35,018 for personal services, which amount is based on an assumption that the division will require an additional 0.5 FTE; and

(b) $5,273 for operating expenses.".

Renumber succeeding section accordingly.

Page 1, line 2, strike "**VESSELS.**" and substitute "**VESSELS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-104** 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 **SB19-135** 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 3 insert:

"(3) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE TO THE DEPARTMENT OF PERSONNEL SUCH AMOUNT AS IT DEEMS APPROPRIATE FOR THE PURPOSES SPECIFIED IN THIS PART 10. ANY UNEXPENDED AND UNENCUMBERED MONEY FROM AN APPROPRIATION MADE FOR THE PURPOSES OF THIS PART 10 REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT FOR THE PURPOSES OF THIS PART 10 IN THE NEXT FISCAL YEAR WITHOUT FURTHER APPROPRIATION.".

Printed bill, page 11, after line 15 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $1,300,000 is appropriated to the department of personnel for use by the division of accounts and control. This appropriation is from the general fund. To implement this act, the division may use this appropriation for procurement and contracts operating expenses.".

Renumber succeeding sections accordingly.

Page 1, line 105, strike "**DETERMINATION AND**" and substitute "**DETERMINATION,**".

Page 1, line 107, strike "**BUSINESSES.**" and substitute "**BUSINESSES, AND, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-142** 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 4 insert:

"**SECTION 3. Appropriation.** For the 2019-20 state fiscal year, $2,000 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.".

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 **SB19-143** 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 12, after "SHE" insert "IS SERVING A SENTENCE FOR AN OFFENSE ENUMERATED IN SECTION 24-4.1-302 OR SECTION 16-22-102 (9) OR".

Page 7, strike lines 26 and 27 and substitute "OR CLASS 6 NONVIOLENT FELONY OFFENSE.".

Page 8, strike lines 1 through 5.

Page 13, after line 9 insert:

"**SECTION 8. Appropriation.** (1) For the 2019-20 state fiscal year, $25,200 is appropriated to the department of corrections. 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 2019-20 state fiscal year, $25,200 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 corrections 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 corrections.".

Renumber succeeding sections accordingly.
Amend the Judiciary Committee Report, dated March 20, 2019, page 2, strike line 6 and substitute:

"Page 7, strike lines 7 through 10 and substitute:

"(C) IF ADDITIONAL INFORMATION IS NEEDED, THE PAROLE BOARD MAY TABLE A DECISION AFTER THE FILE REVIEW OR HEARING AND REQUEST ADDITIONAL INFORMATION FROM THE DEPARTMENT. THE PAROLE BOARD MAY GRANT OR DENY PAROLE TO AN APPLICANT, AND, IF THE DECISION IS TO DENY PAROLE, IT MUST BE BASED ON A MAJORITY VOTE OF THE FULL BOARD.".".

Page 3 of the committee report, line 4, strike "(5)(c)(II);" and substitute "(5)(c)(II) introductory portion;".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-150** 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 **SB19-153** 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 **SB19-157** 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 **SB19-161** 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 7 insert:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $2,000 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 accountability and improvement planning.".

Renumber succeeding section accordingly.

Page 1, line 105, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-169** 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 **SB19-171** 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 12 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $25,507 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.4 FTE. To implement this act, the division may use this appropriation for state operations and program costs.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**DIRECTORY.**" and substitute "**DIRECTORY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-172** 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 14 and substitute:

"**SECTION 4.** In Colorado Revised Statutes, **add** 17-18-127 as follows:

17-18-127. Appropriation to comply with section 2-2-703 - S.B. 19-172 - repeal. (1) PURSUANT TO SECTION 2-2-703, THE FOLLOWING STATUTORY APPROPRIATIONS ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 19-172, ENACTED IN 2019:

(a) FOR THE 2019-20 STATE FISCAL YEAR, ONE HUNDRED TEN THOUSAND SIX HUNDRED FIFTY-TWO DOLLARS IS APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND CREATED IN SECTION 24-75-302 TO THE CORRECTIONS EXPANSION RESERVE FUND CREATED IN SECTION 17-1-116.

(b) FOR THE 2020-21 STATE FISCAL YEAR, TWENTY-SIX THOUSAND TWO HUNDRED TWENTY DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND.

(c) FOR THE 2021-22 STATE FISCAL YEAR, ONE THOUSAND NINE HUNDRED TWO DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND.

SECTION 5. In Colorado Revised Statutes, 24-75-302, **add** (2)(gg) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account - repeal. (2) The controller shall transfer a sum as specified in this subsection (2) from the general fund to the capital construction fund as money becomes available in the general fund during the fiscal year beginning on July 1 of the fiscal year in which the transfer is made. Transfers between funds pursuant to this subsection (2) are not appropriations subject to the limitations of section 24-75-201.1. The amounts transferred pursuant to this subsection (2) are as follows:

(gg) FOR THE 2019-20 STATE FISCAL YEAR, ONE HUNDRED TEN THOUSAND SIX HUNDRED FIFTY-TWO DOLLARS PURSUANT TO S.B. 19-172, ENACTED IN 2019.".

Renumber succeeding sections accordingly.

Page 1, line 103, strike "**CONFINEMENT.**" and substitute "**CONFINEMENT AND MAKING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **SB19-192** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB19-197** 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 **SB19-202** 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 8 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $50,000 is appropriated to the department of state for use by the information technology 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.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**DISABILITIES.**" and substitute "**DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **SB19-219** 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 **SB19-220** 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 18 and substitute "(1) and (7) as follows:".

Page 3, strike lines 1 and 2 and substitute:

"(1) "Certified seed" means industrial hemp seed, including Colorado heritage cannabis seed, that has been certified by an".

Page 3, strike lines 6 through 9.

Page 4, line 18, after "INCLUDING" insert "LOCAL GOVERNMENTS,".

Page 6, after line 5 insert:

"**SECTION 7. Appropriation.** (1) For the 2019-20 state fiscal year, $406,470 is appropriated to the department of agriculture. This appropriation is from the industrial hemp registration program cash fund created in section 35-61-106 (1), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $405,470 for use by the plant industry division, which amount is based on an assumption that the division will require an additional 4.6 FTE; and

(b) $1,000 for vehicle lease payments.

(2) For the 2019-20 state fiscal year, $1,000 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of agriculture under subsection (1)(b) of this section. To implement this act, the department of personnel may use this appropriation to make vehicle replacement lease/purchase payments for the department of agriculture.".

Renumber succeeding section accordingly.

Page 1, line 105, strike "**2018".**" and substitute "**2018", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-221** 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 7, line 14, strike "37-60-106 (1)(u)," and substitute "37-60-106.3,".

Page 12, line 5, strike "37-60-106 (1)(u)." and substitute "~~37-60-106 (1)(u)~~ 37-60-106.3.".

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:

SB19-179 by Senator(s) Lee; also Representative(s) Wilson--Concerning the enhance school safety incident response grant 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	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Donovan, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Rodriguez, Smallwood, Sonnenberg, Story, Todd, Williams A., Winter, Woodward, and Zenzinger.

SB19-163 by Senator(s) Marble; also Representative(s) Galindo--Concerning the continuation of the cold case task force, and, in connection therewith, implementing the recommendations contained in the 2018 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	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Court, Fields, Foote, Gardner, Ginal, Gonzales, Hisey, Pettersen, Priola, Rankin, Todd, Woodward, and Zenzinger.

SB19-160 by Senator(s) Winter, Donovan; also Representative(s) McCluskie--Concerning the continuation of the river outfitter licensing program.

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

YES	20	NO	12	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	N	Tate	E
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Story.

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.

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

YES	20	NO	12	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	N	Winter	N
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Fenberg, Fields, Garcia, Gonzales, Lee, Moreno, Pettersen, and Williams A.

HB19-1010 by Representative(s) Mullica and Landgraf; also Senator(s) Gardner and Pettersen--Concerning the licensing of freestanding emergency departments, and in connecton therewith, making an appropriation.

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

YES	24	NO	8	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., and Winter.

RECONSIDERATION OF HB19-1025

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills - Final Passage, on **HB19-1025**.

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:

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.

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

YES	22	NO	10	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Danielson, Donovan, Ginal, Priola, Story, and Winter.

SB19-229 by Senator(s) Winter and Foote; also Representative(s) Gonzales-Gutierrez and Mullica--Concerning the use of campaign contributions to reimburse a candidate for dependent care expenses incurred by the candidate in undertaking campaign activities.

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

YES	26	NO	6	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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, Gardner, Gonzales, Moreno, Pettersen, Smallwood, Todd, and Zenzinger.

SB19-230 by Senator(s) Moreno; also Representative(s) Herod--Concerning the Colorado refugee services program.

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

YES	22	NO	10	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Fields, Foote, Ginal, Gonzales, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

RECONSIDERATION OF HB19-1025

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills - Final Passage, on **HB19-1025**.

With the unanimous consent of the Senate, reconsideration was granted.

Senate in recess. Senate reconvened.

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:

HB19-1025 by Representative(s) Melton and Herod; also Senator(s) Foote and Rodriguez--Concerning the timing of an inquiry into a job applicant's criminal history, and, in connection therewith, making an appropriation.

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

YES	20	NO	12	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

HB19-1149 by Representative(s) Gonzales-Gutierrez; also Senator(s) Lee--Concerning directing the age of delinquency task force of the Colorado commission on criminal and juvenile justice to study serving emerging adults in the juvenile justice system.

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

YES	23	NO	9	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Gonzales, Moreno, Pettersen, Todd, and Zenzinger.

HB19-1220 by Representative(s) Sullivan; also Senator(s) Fields--Concerning allowing a court facility dog to accompany a witness during testimony.

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

YES	30	NO	2	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Court, Ginal, Gonzales, Lee, Moreno, Todd, Williams A., and Winter.

HB19-1092 by Representative(s) Valdez A., Caraveo, Duran, Galindo, Mullica, Singer, Sullivan; also Senator(s) Ginal--Concerning a prohibition on future ownership of an animal for persons convicted of animal cruelty.

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

YES	29	NO	3	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Court, and Moreno.

Committee of the Whole

On motion of Senator Winter, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Winter 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:

SB19-196 by Senator(s) Lee and Danielson; --Concerning the modification of procurement requirements for state contracts for public projects.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 9, pages709-716 and placed in members' bill files.)

As amended, laid over until Monday, April 15, retaining its place on the calendar.

HB19-1118 by Representative(s) Jackson and Galindo, Buentello, Cutter, Duran, Gonzales-Gutierrez, Hooton, Jaquez Lewis, Kennedy, Roberts, Snyder, Buckner, Caraveo, Coleman, Exum, Hansen, Herod, Lontine, Melton, Michaelson Jenet, Singer, Valdez A., Weissman; also Senator(s) Williams A., Court, Danielson, Fenberg, Fields, Lee, Rodriguez, Winter--Concerning the time allowed for a tenant to cure a lease violation that is not a substantial violation.

Laid over until Monday, April 15, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Laid over until Monday, April 15: SB19-196 as amended, HB19-1118.

Senate in recess. Senate reconvened.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB19-1232, SB19-059, SB19-061, SB19-104, SB19-142, SB19-150, SB19-153, SB19-157, SB19-161, SB19-169, SB19-172, SB19-197, SB19-219, and SB19-221, were made Special Orders--Consent Calendar at 10:50 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 10:50 a.m. having arrived, Senator Winter 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 Winter 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:

HB19-1232 by Representative(s) Gonzales-Gutierrez and Catlin; also Senator(s) Coram and Rodriguez-Concerning the alignment of compliance with the federal "Indian Child Welfare Act".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 11, pages 769-770 and placed in members' bill files.)

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

SB19-059 by Senator(s) Moreno; also Representative(s) Buckner--Concerning creation of an automatic enrollment in advanced courses grant program in the department of education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 1, pages 141-142 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 785 and placed in members' bill files.)

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

SB19-061 by Senator(s) Tate and Zenzinger; also Representative(s) Arndt and Hooton--Concerning standards for the certification of certain types of respirators equipped with pressure vessels.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, pages 785-786 and placed in members' bill files.)

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

SB19-104 by Senator(s) Holbert and Foote; also Representative(s) Baisley and Gray--Concerning the elimination of duplicate regulation of the property of a school district, district charter school, or institute charter school.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 21, pages 512-513 and placed in members' bill files.)

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

SB19-142 by Senator(s) Donovan; --Concerning the exclusion of hard cider from the "Colorado Wine Industry Development Act".

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 7, pages 400-401 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 787 and placed in members' bill files.)

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

SB19-150 by Senator(s) Donovan and Sonnenberg, Coram; also Representative(s) Buentello--Concerning the continuation of the regulation of public livestock markets, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, March 21, pages 519-520 and placed in members' bill files.)

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

SB19-153 by Senator(s) Fields; also Representative(s) Kipp--Concerning the continuation of the Colorado podiatry board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 21, pages 514-515 and placed in members' bill files.)

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

SB19-157 by Senator(s) Winter; also Representative(s) Cutter--Concerning the continuation of the fire suppression programs of the division of fire prevention and control in the department of public safety, and, in connection therewith, implementing the recommendation contained in the 2018 sunset report by the department of regulatory agencies.

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

SB19-161 by Senator(s) Bridges and Story, Lundeen, Hill, Todd; also Representative(s) Kipp--Concerning the continuation of the state advisory council for parent involvement in education, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 788 and placed in members' bill files.)

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

SB19-169 by Senator(s) Tate and Bridges; also Representative(s) Arndt--Concerning project management competencies for certain state contracts.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 4, pages 657-658 and placed in members' bill files.)

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

SB19-172 by Senator(s) Danielson and Ginal; also Representative(s) Singer--Concerning crimes related to an at-risk person, and, in connection therewith, creating the crimes of unlawful abandonment and unlawful confinement.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 4, page 654 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, pages 788-789 and placed in members' bill files.)

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

SB19-197 by Senator(s) Zenzinger; also Representative(s) Kennedy--Concerning the continuation of the pilot program to allow an eligible person with a spinal cord injury to receive complementary or alternative medicine.

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

SB19-219 by Senator(s) Pettersen; also Representative(s) Gonzales-Gutierrez--Concerning the continuation of the "Colorado Licensing of Controlled Substances Act", and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 5, page 673 and placed in members' bill files.)

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

SB19-221 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making an appropriation.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, April 5, page 686 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 790 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 Winter, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-059 as amended, SB19-061 as amended, SB19-104 as amended, SB19-142 as amended, SB19-150 as amended, SB19-153 as amended, SB19-157, SB19-161 as amended, SB19-169 as amended, SB19-172 as amended, SB19-197, SB19-219 as amended, SB19-221 as amended, HB19-1232 as amended.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-135, SB19-143, SB19-192, SB19-202, and SB19-220, were made Special Orders at 11:05 a.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 11:05 a.m. having arrived, Senator Winter moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Winter 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:

SB19-135 by Senator(s) Williams A. and Rodriguez, Bridges, Court, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, Zenzinger; also Representative(s) Buckner and Buentello, Coleman, Cutter, Duran, Exum, Galindo, Herod, Jackson, Melton, Michaelson Jenet, Valdez A.--Concerning methods to determine whether disparities involving certain historically underutilized businesses exist within the state procurement process, and, in connection therewith, commissioning a study to make such determination and requiring the department of personnel to track contracts awarded to historically underutilized businesses.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 26, page 331 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 786 and placed in members' bill files.)

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

SB19-143 by Senator(s) Gonzales and Lee; also Representative(s) Herod--Concerning changes related to parole release to alleviate prison population issues.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 21, pages 509-511 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 787 and placed in members' bill files.)

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

SB19-192 by Senator(s) Winter and Priola; also Representative(s) Jackson--Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution to administer a fee-based waste diversion grant program.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 21, page 526 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 3, page 637 and placed in members' bill files.)

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

SB19-202 by Senator(s) Danielson; --Concerning ballot access for voters with disabilities.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 789 and placed in members' bill files.)

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

Amend printed bill, page 2, line 5, strike "PAPER BALLOT" and substitute "BALLOT OR USE AN ELECTRONIC VOTING DEVICE THAT PRODUCES A PAPER RECORD".

Page 2, line 8, after "LOCATION." add "THE PROCEDURES SHALL INCLUDE A METHOD, TO BE DETERMINED BY THE SECRETARY OF STATE, BY WHICH A VOTER WITH A DISABILITY MAY REQUEST SUCH A BALLOT.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-220 by Senator(s) Marble and Fenberg; also Representative(s) Saine and Arndt--Concerning updates to the industrial hemp regulatory program administered by the commissioner of agriculture to align the program with the regulatory requirements set forth in the federal "Agricultural Improvement Act of 2018".

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, April 5, page 686 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, pages 789-790 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Coram.

Amend printed bill, page 2, line 12, strike "federal law;" and substitute "the federal "Agricultural Improvement Act of 2018";".

Amendment No. 4(L.006), by Senator Sonnenberg.

Amend printed bill, page 4, line 11, strike "MAY" and substitute "SHALL".

Page 4, strike lines 19 and 20 and substitute "AND FEDERAL AND LAW

ENFORCEMENT AGENCIES, AND SHALL CONSULT WITH PRIVATE INDUSTRY. IN DEVELOPING A HEMP MANAGEMENT PLAN PURSUANT TO THIS SUBSECTION (6), THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL ESTABLISH RULES AUTHORIZING THE DISPOSAL OF A PLANT OR A PRODUCT DERIVED FROM THE PLANT. THE RULES MAY AUTHORIZE SOME FORM OF REUSE OF THE PLANT OR A PRODUCT DERIVED FROM THE PLANT, IN ACCORDANCE WITH FEDERAL GUIDELINES.".

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 Moreno, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-135 as amended, SB19-143 as amended, SB19-192 as amended, SB19-202 as amended, SB19-220 as amended.

MESSAGE FROM THE HOUSE

April 12, 2019

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB19-207, as printed in House Journal, April 12, 2019, and has repassed the bill as so amended. The bill is returned herewith.

The House has adopted and transmits herewith HJR19-1012, as printed in House Journal, April 12, 2019.

The House has voted to grant the House conferees on the First Conference Committee on SB19-090 to consider matters not at issue between the two houses. The House Conferees are Representatives Gray, chairman, Hooton, and Van Winkle.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-207

****
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 SB19-207, 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, 2019, except as otherwise noted, has met and reports that it has agreed upon the following:

1. That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Page 69, line 3, in the ITEM & SUBTOTAL column strike "156,794,282" and substitute "156,625,340" and in the GENERAL FUND column strike "264,061" and substitute "95,119".

Adjust affected totals accordingly.

Page 213, line 3, in the GENERAL FUND column strike "23,912,939" and substitute "24,081,881" and in the CASH FUNDS column strike "4,166,330[a]" and substitute "3,997,388[a]".

Adjust affected totals accordingly.

Page 118, line 12, strike "Individuals[15,15a,15b]" and substitute "Individuals[15,15a]", in the TOTAL column strike "7,863,888,995" and substitute "7,863,388,995", in the GENERAL FUND column strike "1,373,358,069(M)" and substitute "1,373,108,069(M)", and in the FEDERAL FUNDS column strike "4,521,199,491" and substitute "4,520,949,491".

Adjust affected totals accordingly.

Page 135, strike lines 15 through 17.

Page 151, line 4, in the ITEM & SUBTOTAL column strike "150,931,042" and substitute "147,931,042".

Page 151, line 8, in the ITEM & SUBTOTAL column strike "469,027,393" and subsitute "466,027,393" and in the GENERAL FUND column strike "100,557,533"and substitute "97,557,533".

Adjust affected totals accordingly.

Page 154, line 12, strike "**System**[25,26a]" and substitute "**System**[25]", in the ITEM & SUBTOTAL column strike "754,736,682" and substitute "751,736,682", and in the REAPPROPRIATED FUNDS column strike "175,028,219[b]" and substitute "172,028,219[b]".

Page 155, line 2, strike "$71,964,435" and substitute "$68,964,435".

Adjust affected totals accordingly.

Page 169, strike lines 14 through 16.

Page 190, line 2, in the ITEM & SUBTOTAL column strike "10,712,913" and substitute "10,462,913" and in the CASH FUNDS column strike "8,255,635[m]" and substitute "8,005,635[m]".

Adjust affected totals accordingly.

Page 192, line 5, strike "$1,873,672" and substitute "$1,623,672".

Page 314, line 9, in the ITEM & SUBTOTAL column strike "55,000" and substitute "110,000" and in the GENERAL FUND column strike "55,000" and substitute "110,000".

Adjust affected totals accordingly.

Page 318, line 13, in the ITEM & SUBTOTAL column strike "750,000" substitute "780,000" and in the GENERAL FUND column strike "750,000" and substitute "780,000".

Adjust affected totals accordingly.

Page 516, line 12, strike "**Operations**[96a]" and substitute "**Operations**".

Page 521, strike lines 3 and 4.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Page 71, line 10, in the ITEM & SUBTOTAL column strike "25,000,000" and substitute "28,000,000" and in the CASH FUNDS column strike "25,000,000[g]" and substitute "28,000,000[g]".

Adjust affected totals accordingly.

Page 79, line 7, strike "$5,000,000" and substitute "$8,000,000".

Page 118, line 12, strike "Individuals[15,15a,15b]" and substitute "Individuals[15,15a,15b,15c]", in the TOTAL column strike "7,863,888,995" and substitute "7,872,797,176", in the GENERAL FUND column strike "1,373,358,069(M)" and substitute "1,377,812,160(M)", and in the FEDERAL FUNDS column strike "4,521,199,491" and substitute "4,525,653,581".

Adjust affected totals accordingly.

Page 121, line 14, strike "Services" and substitute "Services[15c]", in the ITEM & SUBTOTAL column strike "85,585,603" and substitute "85,842,087".

Page 123, line 4, in the ITEM & SUBTOTAL column strike "678,021,134" and substitute "678,277,618", in the GENERAL FUND column strike "343,886,122[a]" and substitute "344,014,364[a]", and in the FEDERAL FUNDS column strike "326,683,243" and substitute "326,811,485".

Adjust affected totals accordingly.

Page 123, line 6, strike "$320,346,429" and substitute "$320,474,671".

Page 135, after line 17 insert:

"15c Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals; and Office of Community Living, Division of Intellectual and Developmental Disabilities, Program Costs, Adult Supported Living Services -- These line items include $9,164,665 total funds, including $4,582,333 General Fund, for

the purpose of increasing provider rates for the portion of Consumer Directed Attendant Support Services and In-Home Support Services that pays for personal care and homemaker services.".

Page 118, line 12, strike "Individuals[15,15a,15b]" and substitute "Individuals[15,15b]", in the TOTAL column strike "7,863,888,995" and substitute "7,860,974,247", in the GENERAL FUND column strike "1,373,358,069(M)" and substitute "1,371,900,695(M)", and in the FEDERAL FUNDS column strike "4,521,199,491" and substitute "4,519,742,117".

Adjust affected totals accordingly.

Page 135, strike lines 9 through 13.

Page 203, line 9, in the ITEM & SUBTOTAL column strike "611,012" and substitute "711,012" and in the GENERAL FUND column strike "48,970" and substitute "148,970".

Adjust affected totals accordingly.

Page 241, line 9, strike "$500,000" and substitute "$100,000".

Page 208, line 6, in the ITEM & SUBTOTAL column strike "7,176,160" and substitute "6,907,168" and in the CASH FUNDS column strike "846,166[a]" and substitute "577,174[a]".

Adjust affected totals accordingly.

Page 208, line 12, strike "$711,862" and substitute "$442,870".

Page 210, line 12, in the ITEM & SUBTOTAL column strike "37,507,942" and substitute "32,347,796" and in the CASH FUNDS column strike "5,466,396[a]" and substitute "306,250[a]".

Adjust affected totals accordingly.

Page 212, line 1, strike "$5,160,146 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.,".

Page 430, line 2, in the ITEM & SUBTOTAL column strike "1,453,103" and substitute "1,053,103" and in the GENERAL FUND column strike "1,453,103" and substitute "1,053,103".

Adjust affected totals accordingly.

Page 455, line 13, in the ITEM & SUBTOTAL column strike "1,263,720" and substitute "434,720" and in the GENERAL FUND column strike "1,263,720" and substitute "434,720".

Adjust affected totals accordingly.

Page 457, line 3, in the ITEM & SUBTOTAL column strike "67,962,215" and substitute "68,791,215" and in the GENERAL FUND column strike "67,962,215" and substitute "68,791,215".

Adjust affected totals accordingly.

Page 471, strike lines 3 through 12 and substitute:

Placement Type	Rates	Caseload			Appropriation
		Diversion	Transition	Parole	
Standard residential	$ 48.45	1,250	1,413	121	49,369,072
Cognitive behavioral treatment pilot program	$ 95.02	24	24	0	1,669,311
Intensive Residential Treatment	$ 93.47	39	43	68	5,131,683
Inpatient Therapeutic Community	$ 75.76	58	49	5	3,105,570
Residential Dual Diagnosis Treatment	$ 82.64	64	46	10	3,629,583
Sex Offender	$ 82.64	73	34	13	3,629,583
Standard Non-residential	$ 6.56	621.5	5	5	1,516,172
Outpatient Therapeutic Community	$ 23.52	55	25	6	740,240
Total		**2,185**	**1,639**	**228**	**68,791,215**

".

Page 516, line 12, in the TOTAL column strike "1,942,606,932" and substitute "1,912,606,932" and in the GENERAL FUND column strike "30,000,000".

Adjust affected totals accordingly.

Page 31, line 12, in the ITEM & SUBTOTAL column strike "18,007,458" and substitute "15,561,728" and in the GENERAL FUND column strike "18,007,458" and substitute "15,561,728".

Page 31, line 15, in the ITEM & SUBTOTAL column strike "39,010,073" and substitute "34,869,955" and in the GENERAL FUND column strike "39,010,073" and substitute "34,869,955".

Adjust affected totals accordingly.

Page 42 line 14, in the ITEM & SUBTOTAL column strike "1,037,392" and substitute "1,027,121" and in the REAPPROPRIATED FUNDS column strike "1,037,392[a]" and substitute "1,027,121[a]".

Page 42, line 15, in the ITEM & SUBTOTAL column strike "2,512,071" and substitute "2,508,458" and in the REAPPROPRIATED FUNDS column strike "364,865[a]" and substitute "361,252[a]".

Adjust affected totals accordingly.

Page 43, line 4, strike "Offender Treatment and Services" and substitute "Correctional Treatment Cash Fund Expenditures".

Page 45, strike lines 15 and 16 and substitute "[a] Of this amount, $2,163,125 shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section and $46,631 shall be transferred from the General Fund appropriation to the Offender Treatment and Services line item in the Probation and Related Services section. The transfer from the Offender Treatment and Services line item is for the provision of day reporting services.".

Page 212, line 10, strike "Offender Treatment and Services" and substitute "Correctional Treatment Cash Fund Expenditures".

Page 215, line 1, strike "Offender Treatment and Services" and substitute "Correctional Treatment Cash Fund Expenditures".

Page 453, line 14, in the ITEM & SUBTOTAL column strike "6,427,099" and substitute "6,429,581" and in the REAPPROPRIATED FUNDS column strike "471,013[b]" and substitute "473,495[b]".

Adjust affected totals accordingly.

Page 454, line 7, strike "$93,815" and substitute "$96,297".

Page 454, line 8, strike "Offender Treatment and Services" and substitute "Correctional Treatment Cash Fund Expenditures".

Page 457, line 6, in the ITEM & SUBTOTAL column strike "2,726,526" and substitute "2,707,740" and in the REAPPROPRIATED FUNDS column strike "2,726,526[a]" and substitute "2,707,740[a]".

Page 457, line 13, in the ITEM & SUBTOTAL column strike "2,642,016" and substitute "2,615,598" and in the REAPPROPRIATED FUNDS column strike "2,642,016[a]" and substitute "2,615,598[a]".

Adjust affected totals accordingly.

Page 458, line 5, strike "Offender Treatment and Services" and substitute "Correctional Treatment Cash Fund Expenditures".

Page 108, line 6, strike "$7,105,541" and substitute "$6,979,311".

Page 108, line 9, strike "$123,606" and substitute "$249,836".

Page 108, like 12, strike "$734,139" and substitute "728,564".

Page 108, line 14, strike "$183,635" and substitute "$189,210".

Page 113, line 2, in the FEDERAL FUNDS column strike "937,137" and substitute "997,137".

Adjust affected totals accordingly.

Page 123, line 7, strike "$7,095,576" and substitute "$6,386,407" and strike "$356,192" and substitute "$877,864".

Page 123, line 8, after "Section 25.5-4-402.4 (5)(a), C.R.S.," insert "$187,497 shall be from the Family Support Services Fund created in Section 25.5-10-305.5 (1), C.R.S.,".

Page 128, line 4, in the ITEM & SUBTOTAL column strike "16,858,140" and substitute "16,532,177", in the GENERAL FUND column strike "8,429,068(M)" and substitute "8,266,088(M)", and in the FEDERAL FUNDS column strike "8,429,072" and substitute "8,266,089".

Adjust affected totals accordingly.

Page 130, strike lines 1 and 2.

Page 130, line 3, strike "99-1116)" and substitute "Children and Youth Mental Health Treatment Act".

Page 132, line 8, in the ITEM & SUBTOTAL column strike "16,037,387" and substitute "15,595,306", in the GENERAL FUND column strike "8,018,674(M)" and substitute "7,797,653(M)", and in the FEDERAL FUNDS column strike "8,018,713" and substitute "7,797,653".

Adjust affected totals accordingly.

Page 174, line 12, in the REAPPROPRIATED FUNDS column strike "576,846[a]" and in the FEDERAL FUNDS column strike "55,774(I)[b]" and substitute "632,620(I)[b]".

Adjust affected totals including affected (I) notation totals accordingly.

Page 234, line 2, in the ITEM & SUBTOTAL column strike "69,329,722" and substitute " 68,786,246" and in the GENERAL FUND column strike "69,329,722" and substitute "68,786,246".

Page 234, line 5, in the ITEM & SUBTOTAL column strike "12,520,543" and substitute "13,064,019" and in the GENERAL FUND column strike "12,520,543" and substitute "13,064,019".

Page 267, line 12, strike "Salary Survey" and substitute "Merit Pay".

Page 530, line 7, strike "$350,282,385" and substitute "$345,967,385".

Page 530, line 12, strike "$3,106,945,160" and substitute "$2,975,602,310".

Page 530, line 14, strike "$170,758,217" and substitute "$170,763,351".

Adjust affected totals, including affected (I) notations, accordingly.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Moreno Dominick, Chair	Daneya Esgar, Chair
Rachel Zenzinger	Chris Hansen
Bob Rankin	Kim Ransom

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the rules were suspended for Consideration of Conference Committee Reports on SB19-207.

Senate in recess. Senate reconvened.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-207 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen--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, 2019, except as otherwise noted.

Senator Moreno moved for the adoption of the first report of the first conference committee on SB19-207, as printed in Senate journal, April 12, pages 802-807. The motion was **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	7	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	E
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	E	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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 Rodriguez.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

HB19-1131 by Representative(s) Jaquez Lewis; also Senator(s) Winter--Concerning a requirement to share the wholesale acquisition cost of a drug when sharing information concerning the drug with another party.

Senator Winter moved for the adoption of the first report of the first conference committee on HB19-1131, as printed in Senate journal, April 10, page 737.

On a substitute motion, Senator Smallwood moved for the adoption of the first minority report of the first conference committee on HB19-1131, as printed in Senate journal, April 10, page 764. The substitute motion **failed** on the following roll call vote:

YES	14	NO	18	EXCUSED	3	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	E
Coram	Y	Ginal	Y	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	E	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	E	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Winter's motion for the adoption of the first report of the first conference committee on HB19-1131 was **adopted** by the following roll call vote:

YES	18	NO	14	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	N	Ginal	N	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	E	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	18	NO	14	EXCUSED	3	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	E
Coram	N	Ginal	N	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	E	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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)

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **HB19-1221** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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 terms expiring December 31, 2022:

John William Singletary of Pueblo, Colorado, a Democrat, reappointed;

Cleave Alan Simpson of Alamosa, Colorado, 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
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for a term expiring December 31, 2019:

Hanna Skandera of Denver, Colorado, to serve as a Republican from the First Congressional District, and occasioned by the removal of Theresa Kathleen Pena of Denver, Colorado, appointed;

for terms expiring December 31, 2022:

Landon Mascareñaz of Denver, Colorado, to serve as a Democrat from the First Congressional District, appointed;

Terrance Douglas McWilliams of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, appointed;

Presley F. Askew of Wheat Ridge, Colorado, to serve as an Unaffiliated from the Seventh Congressional District, 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
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2021:

Rochelle G. Krovitz of Greenwood Village, Colorado, a representative of the general public, reappointed;

for terms expiring July 1, 2022:

Paul Edward Garibay, Jr. of Westminster, Colorado, to serve as a representative of the general public, who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, reappointed;

Christopher Reister of Littleton, Colorado, to serve as a representative of the general public who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, appointed;

Abbas Richard Behbehani of Arvada, Colorado, to serve as a representative of the general public and who is employed by a lending institution located in Colorado and is familiar with the Colorado college access network, reappointed.

Education After consideration on the merits, the Committee recommends that **SB19-231** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB19-204** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 12, strike "AND".

Page 3, after line 12 insert:
"(c) PUBLIC SCHOOLS AND SCHOOL DISTRICTS IN COLORADO HAVE ALSO BEGUN EXPERIMENTING WITH ADDITIONAL MEASURES OF COLLEGE AND CAREER READINESS; AND".

Reletter succeeding paragraph accordingly.

Page 3, line 26, strike "REDUCE" and substitute "ELIMINATE".

Page 4, line 7, strike "VALIDITY AND".

Page 4, line 8, strike "CREDIBILITY OF THE".

Page 4, line 9, strike "CREATION" and substitute "DEVELOPMENT".

Page 4, line 10, strike "SYSTEMS." and substitute "SYSTEMS THAT MAY INFORM THE CONTINUOUS IMPROVEMENT OF THE STATE'S PUBLIC SCHOOL ACCOUNTABILITY SYSTEM.".

Page 4, strike lines 14 through 18 and substitute "PRIVATE INSTITUTION OF HIGHER EDUCATION, OR A PRIVATE NONPROFIT ENTITY, THAT WORKS WITH LOCAL EDUCATION PROVIDERS TO IMPLEMENT EDUCATION POLICY INITIATIVES AND THAT HAS DEMONSTRATED EFFECTIVENESS IN PROVIDING SUPPORT TO LOCAL EDUCATION PROVIDERS THAT IS RELEVANT TO THE SUPPORT THE INSTITUTION OR ENTITY PROVIDES IN THE PARTNERSHIP, WHICH MAY INCLUDE SUPPORT".

Page 4, line 19, strike "EXPERIENCE".

Page 5, line 15, after the period insert "A DISTRICT CHARTER SCHOOL MAY CHOOSE, BUT IS NOT REQUIRED, TO PARTICIPATE WITH THE AUTHORIZING SCHOOL DISTRICT IN AN APPLICATION PURSUANT TO THIS SECTION.".

Page 5, line 21, after "REFLECT" insert "CHANGES IN" and strike "DISPOSITIONS" and substitute "MINDSETS.".

Page 5, line 22, strike "TOWARD LEARNING.".

Page 7, after line 6 insert:
"(c) IF A GROUP OF LOCAL EDUCATION PROVIDERS IS SUBMITTING THE APPLICATION, IDENTIFICATION OF EACH OF THE LOCAL EDUCATION PROVIDERS THAT HAS VOLUNTARILY CHOSEN TO PARTICIPATE IN THE APPLICATION;".

Reletter succeeding paragraphs accordingly.

Page 7, line 9, strike "COMMUNITY" and substitute "COMMUNITY, INCLUDING FAMILIES,".

Page 7, line 10, strike "IN DESIGNING AND IMPLEMENTING" and substitute "TO DESIGN AND IMPLEMENT".

Page 8, line 8, strike "PROVIDERS WITHIN THE STATE;" and substitute "PROVIDERS;".

Page 8, line 15, after the comma insert "OR IF THE DEPARTMENT IDENTIFIES AN OPPORTUNITY FOR ADDITIONAL PARTNERSHIPS AMONG THE GRANT APPLICANTS,".

Page 8, line 18, after "(5)" insert "(a)".

Page 8, after line 25 insert:

"(b) THE AMOUNT OF A GRANT AWARDED PURSUANT TO THIS SECTION MUST BE AT LEAST TWENTY-FIVE THOUSAND DOLLARS PER BUDGET YEAR BUT MUST NOT EXCEED FIFTY THOUSAND DOLLARS PER BUDGET YEAR FOR A GRANT AWARDED TO A SINGLE LOCAL EDUCATION PROVIDER AND MUST NOT EXCEED SEVENTY-FIVE THOUSAND DOLLARS PER BUDGET YEAR FOR A GRANT AWARDED TO A GROUP OF LOCAL EDUCATION PROVIDERS. THE DEPARTMENT SHALL DISTRIBUTE THE AMOUNT OF EACH GRANT OVER THREE BUDGET YEARS.

(c) IF THE NUMBER OF APPLICATIONS EXCEEDS THE AMOUNT APPROPRIATED FOR THE GRANT PROGRAM PURSUANT TO SUBSECTION (6) OF THIS SECTION, THE DEPARTMENT IN MAKING RECOMMENDATIONS AND THE STATE BOARD IN SELECTING RECIPIENTS SHALL:

(I) ENSURE THAT AT LEAST ONE RECIPIENT IS A LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS THAT ARE RURAL SCHOOL DISTRICTS, AS DEFINED IN SECTION 22-7-1211, BOARDS OF COOPERATIVE SERVICES THAT CONSIST OF RURAL SCHOOL DISTRICTS, OR CHARTER SCHOOLS THAT ARE LOCATED WITHIN RURAL SCHOOL DISTRICTS;

(II) PRIORITIZE APPLICANTS THAT DEMONSTRATE A PREVIOUS COMMITMENT OF STAFF AND RESOURCES TOWARD DEVELOPMENT OF A LOCAL ACCOUNTABILITY SYSTEM;

(III) RECOMMEND AND SELECT THE GRANT RECIPIENTS SO AS TO DISTRIBUTE FUNDING TO A BROAD SCOPE OF PROJECTS LOCATED THROUGHOUT THE STATE; AND

(IV) WHEN APPROPRIATE, ENCOURAGE APPLICANTS TO WORK TOGETHER TOWARD SHARED GOALS.".

Page 9, line 2, after the period add "ANY UNEXPENDED AND UNENCUMBERED MONEY FROM AN APPROPRIATION MADE FOR THE PURPOSES OF THIS SECTION REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION IN THE FOLLOWING FISCAL YEAR WITHOUT FURTHER APPROPRIATION. IN ADDITION, THE DEPARTMENT MAY ACCEPT GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THIS SECTION DOES NOT REQUIRE THE DEPARTMENT TO SOLICIT MONEY FOR IMPLEMENTATION OF THIS SECTION.".

Page 9, line 9, after the period insert "A DISTRICT CHARTER SCHOOL IS NOT REQUIRED TO PARTICIPATE IN THE AUTHORIZING SCHOOL DISTRICT'S SUPPLEMENTAL ACCOUNTABILITY SYSTEM OR IN RELATED REPORTING UNLESS THE CHARTER SCHOOL CHOOSES TO PARTICIPATE WITH THE AUTHORIZING SCHOOL DISTRICT IN A GRANT APPLICATION PURSUANT TO SECTION 22-11-703.".

Page 11, line 19, strike "SYSTEMS AND" and substitute "SYSTEMS,".

Page 11, line 20, after "ANY," insert "AND OTHER MEMBERS OF THE COMMUNITY WHO ARE INVOLVED IN DESIGNING AND IMPLEMENTING LOCAL ACCOUNTABILITY SYSTEMS".

Page 12, line 12, strike "PROVIDERS" and substitute "PROVIDERS, INCLUDING INPUT SOLICITED FROM COMMUNITY MEMBERS,".

Page 12, strike lines 14 and 15 and substitute "SYSTEM IN MEASURING THE QUALITY OF THE EDUCATION PROVIDED BY THE".

Page 12, line 17, strike "SYSTEM;" and substitute "SYSTEM. TO THE EXTENT POSSIBLE FOR EACH LOCAL ACCOUNTABILITY SYSTEM, IN REPORTING PERFORMANCE ON ADDITIONAL MEASURES AND LOCAL PERFORMANCE INDICATORS, THE DEPARTMENT SHALL DISAGGREGATE THE PERFORMANCE RESULTS BY GRADE LEVEL AND BY STUDENT GROUP, APPLYING THE SAME EXCLUSIONS THAT APPLY TO REPORTING PERFORMANCE RESULTS ON THE STATE PERFORMANCE INDICATORS.".

Page 12, line 21, strike "LEGISLATION" and substitute "CHANGES IN

DEPARTMENT PROCEDURES, STATE BOARD RULES, OR STATUTE".

Page 13, after line 6, insert:

"(5) (a) IN THE THIRD YEAR OF THE GRANT PROGRAM, THE DEPARTMENT SHALL CONTRACT WITH AN EXTERNAL EVALUATOR, WHICH MAY BE A STATE INSTITUTION OF HIGHER EDUCATION, TO PREPARE A SUMMARY EVALUATION REPORT OF THE IMPLEMENTATION OF THE LOCAL ACCOUNTABILITY SYSTEMS THAT RECEIVE GRANTS. THE EVALUATION MUST, AT A MINIMUM, INCLUDE AN EVALUATION OF THE SUCCESS OF EACH LOCAL ACCOUNTABILITY SYSTEM IN EVALUATING STUDENT SUCCESS AND THE PROCESSES FOR ENSURING A CYCLE OF CONTINUOUS IMPROVEMENT WITHIN THE PUBLIC SCHOOLS OF THE PARTICIPATING LOCAL EDUCATION PROVIDERS. AT THE ANNUAL MEETING HELD PURSUANT TO SUBSECTION (1) OF THIS SECTION AT THE END OF THE FIRST YEAR OF THE GRANT PROGRAM, THE DEPARTMENT, PARTICIPATING LOCAL EDUCATION PROVIDERS, AND THE ACCOUNTABILITY SYSTEM PARTNERS SHALL IDENTIFY THE GOALS, TOOLS, AND MEASURES TO BE ADDRESSED BY THE SUMMARY EVALUATION REPORT. THE DATA USED FOR THE SUMMARY EVALUATION REPORT MUST INCLUDE QUALITATIVE AND QUANTITATIVE MEASURES.

(b) FOR PURPOSES OF THE SUMMARY EVALUATION REPORT, THE DEPARTMENT SHALL PROVIDE TO THE EXTERNAL EVALUATOR INFORMATION CONCERNING THE SCORES ATTAINED BY STUDENTS ENROLLED BY THE PARTICIPATING LOCAL EDUCATION PROVIDERS ON THE STATEWIDE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1006.3 AND INFORMATION CONCERNING STUDENT LONGITUDINAL ACADEMIC GROWTH, STUDENT ACADEMIC ACHIEVEMENT, AND STUDENT ACADEMIC GROWTH TO STANDARDS FOR THE STUDENTS ENROLLED BY THE PARTICIPATING LOCAL EDUCATION PROVIDERS. THE DEPARTMENT SHALL PROVIDE THE INFORMATION IN THE AGGREGATE BY GRADE LEVEL AND DISAGGREGATED BY STUDENT GROUP, AS DEFINED IN SECTION 22-11-103, COMPARED TO SCORES ATTAINED IN PREVIOUS SCHOOL YEARS AND COMPARED TO THE STATE AVERAGE SCORES. THE DEPARTMENT SHALL PROVIDE THE INFORMATION TO THE EXTERNAL EVALUATOR ONLY TO THE EXTENT ALLOWABLE UNDER FEDERAL AND STATE LAW. EACH LOCAL EDUCATION PROVIDER THAT PARTICIPATES IN THE GRANT PROGRAM SHALL PROVIDE ANY NECESSARY DATA FOR PURPOSES OF THE SUMMARY EVALUATION REPORT DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION THAT IS NOT READILY AVAILABLE TO THE DEPARTMENT.

(c) BEGINNING WITH THE REPORT THAT IS SUBMITTED ON OR BEFORE JANUARY 15, 2023, AND FOR EACH REPORT SUBMITTED THEREAFTER, THE DEPARTMENT SHALL INCLUDE IN THE REPORT DESCRIBED IN SUBSECTION (2) OF THIS SECTION THE SUMMARY EVALUATION REPORT DESCRIBED IN THIS SUBSECTION (5).

(d) THE DEPARTMENT MAY ACCEPT AND EXPEND GIFTS, GRANTS, OR DONATIONS, TO PAY THE COSTS INCURRED IN PREPARING THE SUMMARY EVALUATION REPORT DESCRIBED IN THIS SUBSECTION (5).".

Renumber succeeding subsection accordingly.

Education After consideration on the merits, the Committee recommends that **SB19-216** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 27, strike "ALL OF THE STUDENTS" and substitute "THE STUDENTS WHO ARE".

Page 4, line 1, before "AS" insert "AND ARE PARTICIPATING IN INNOVATIVE LEARNING OPPORTUNITIES".

Page 6, line 1, strike "ALL".

Page 6, line 10, strike "ALL".

Page 6, line 14, after "STUDENTS" insert "WHO ARE".

Page 6, line 15, after "TWELVE" insert "AND ARE PARTICIPATING IN INNOVATIVE LEARNING OPPORTUNITIES".

Page 6, line 22, strike "GRANT".

Page 6, line 27, strike "GRANT".

Page 8, strike line 13 and substitute "PARTNERSHIPS BETWEEN COMMUNITY, BUSINESS, OR OTHER".

Page 8, line 24, strike "ALL".

Page 11, strike lines 6 through 10 and substitute:

"(a) THE PERCENTAGE OF STUDENTS ENROLLED BY THE LOCAL EDUCATION PROVIDER IN GRADES NINE THROUGH TWELVE WHO ARE REASONABLY EXPECTED TO PARTICIPATE IN INNOVATIVE LEARNING OPPORTUNITIES;".

Page 11, strike lines 23 through 27 and substitute:

"(I) OF THOSE APPLICANTS IN WHICH ANY OF THE STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE IN THE PRECEDING BUDGET YEAR WERE ENROLLED AS PART-TIME STUDENTS, THE STATE BOARD SHALL SELECT UP TO FIVE APPLICANTS, EACH OF WHICH ENROLLS FEWER THAN FIVE THOUSAND STUDENTS IN GRADES NINE THROUGH TWELVE; AND

(II) OF THOSE APPLICANTS IN WHICH ALL OF THE STUDENTS ENROLLED IN GRADES NINE THROUGH TWELVE IN THE PRECEDING BUDGET YEAR WERE ENROLLED AS FULL-TIME STUDENTS, THE STATE BOARD SHALL SELECT EACH APPLICANT THAT ADOPTS AN INNOVATIVE LEARNING PLAN THAT THE STATE BOARD DETERMINES:

(A) IS LIKELY TO RESULT IN MEANINGFUL INNOVATIVE LEARNING OPPORTUNITIES FOR STUDENTS THAT WILL SIGNIFICANTLY SUPPORT THEM IN THE TRANSITION FROM HIGH SCHOOL TO POSTSECONDARY EDUCATION OR THE WORKFORCE; AND

(B) ALIGNS WITH AT LEAST TWO OF THE PRINCIPLES SPECIFIED IN SECTION 22-35.6-104 (2) OR MEETS THE RESEARCH-BASED DESIGN PRINCIPLES DESCRIBED IN SECTION 22-35.6-104 (3).".

Page 12, strike line 1.

Page 12, line 9, strike "22-35.6-107 (1)" and substitute "22-35.6-106 (1)".

Page 13, strike lines 11 through 13.

Renumber succeeding subparagraphs accordingly.

Page 13, line 16, strike "AND THE GRANT PROGRAM".

Page 13, line 20, strike "AND THE GRANT PROGRAM".

Page 13, line 24, strike "22-35.6-107." and substitute "22-35.6-106.".

Page 13, strike lines 25 through 27.

Strike page 14.

Page 15, strike lines 1 and 2.

Renumber succeeding statutory sections accordingly.

Page 15, line 4, strike "OR RECEIVES A".

Page 15, line 5, strike "GRANT PURSUANT TO SECTION 22-36.5-106".

Page 16, line 11, strike "PROGRAM AND THE GRANT PROGRAM." and substitute "PROGRAM.".

Page 16, line 16, strike "AND THE GRANT".

Page 16, line 17, strike "PROGRAM".

Education After consideration on the merits, the Committee recommends that **HB19-1192** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB19-1194** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB19-1196** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB19-199** 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, 22-7-1202, **add** (1.5) as follows:

22-7-1202. Legislative declaration. (1.5) (a) THE GENERAL ASSEMBLY FURTHER FINDS THAT:

(I) READING IS A CRITICAL SKILL THAT EVERY CHILD MUST DEVELOP EARLY IN THE CHILD'S EDUCATIONAL CAREER TO BE SUCCESSFUL;

(II) RESEARCH SHOWS THAT READING INSTRUCTION THAT IS FOCUSED AROUND THE FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION IS HIGHLY EFFECTIVE IN TEACHING YOUNG CHILDREN TO READ;

(III) SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION GRANTS TO THE ELECTED BOARD OF EDUCATION IN EACH SCHOOL DISTRICT THE AUTHORITY TO HAVE CONTROL OF INSTRUCTION IN THE PUBLIC SCHOOLS OF THE SCHOOL DISTRICT, AND SECTION 16 OF ARTICLE IX OF THE STATE CONSTITUTION PROHIBITS THE GENERAL ASSEMBLY AND THE STATE BOARD OF EDUCATION FROM PRESCRIBING THE TEXTBOOKS TO BE USED IN PUBLIC SCHOOLS;

(IV) HOWEVER, SECTION 2 OF ARTICLE IX OF THE STATE CONSTITUTION REQUIRES THE GENERAL ASSEMBLY TO PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF A THOROUGH AND UNIFORM SYSTEM OF FREE PUBLIC SCHOOLS THROUGHOUT THE STATE, AND SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION VESTS THE GENERAL SUPERVISION OF THE PUBLIC SCHOOLS OF THE STATE IN THE STATE BOARD OF EDUCATION;

(V) IN INTERPRETING THESE CONSTITUTIONAL PROVISIONS, THE COLORADO SUPREME COURT HAS FOUND THAT, BECAUSE THEY ARE COMPETING INTERESTS, NONE ARE ABSOLUTE; THESE INTERESTS MUST BE BALANCED TO IDENTIFY THE CONTOURS OF THE RESPONSIBILITY ASSIGNED TO EACH ENTITY; AND

(VI) IT IS THE GENERAL ASSEMBLY THAT INITIALLY STRIKES THIS BALANCE.

(b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT ENSURING THAT EACH CHILD HAS ACCESS THROUGH THE PUBLIC SCHOOLS TO EVIDENCE-BASED READING INSTRUCTION THAT IS FOCUSED ON DEVELOPING THE FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION IS A SIGNIFICANT COMPONENT OF ENSURING THAT THE SYSTEM OF FREE PUBLIC SCHOOLS THROUGHOUT THE STATE IS THOROUGH AND UNIFORM. IN EXERCISING ITS AUTHORITY OF GENERAL SUPERVISION OF THE PUBLIC SCHOOLS OF THE STATE, IT IS APPROPRIATE THAT THE STATE BOARD OF EDUCATION, SUPPORTED BY THE DEPARTMENT OF EDUCATION, HOLD LOCAL EDUCATION PROVIDERS ACCOUNTABLE FOR DEMONSTRATING THAT THE READING INSTRUCTION THEY PROVIDE IS FOCUSED ON THESE FIVE FOUNDATIONAL READING SKILLS. AND, IN MAINTAINING CONTROL OF THE INSTRUCTION IN THE CLASSROOMS OF THE PUBLIC SCHOOLS OF THEIR RESPECTIVE SCHOOL DISTRICTS, IT IS APPROPRIATE THAT EACH SCHOOL DISTRICT BOARD OF EDUCATION SELECT THE CORE READING INSTRUCTIONAL PROGRAMS AND READING INTERVENTIONS TO BE USED IN THOSE PUBLIC SCHOOLS, SO LONG AS THEY ARE FOCUSED ON PHONEMIC AWARENESS, PHONICS, VOCABULARY

DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION TO ENSURE THAT THE STUDENTS EDUCATED IN THE PUBLIC SCHOOLS THROUGHOUT THE STATE CONSISTENTLY RECEIVE EVIDENCE-BASED INSTRUCTION THAT IS PROVEN TO EFFECTIVELY TEACH CHILDREN TO READ.

SECTION 2. In Colorado Revised Statutes, 22-7-1203, **amend** (9); **repeal** (12); and **add** (7.5) as follows:

22-7-1203. Definitions. As used in this part 12, unless the context otherwise requires:

(7.5) "MULTI-TIERED SYSTEMS OF SUPPORTS" MEANS A SYSTEMIC PREVENTIVE APPROACH THAT ADDRESSES THE ACADEMIC AND SOCIAL-EMOTIONAL NEEDS OF ALL STUDENTS AT THE UNIVERSAL, TARGETED, AND INTENSIVE LEVELS. THROUGH THE MULTI-TIERED SYSTEMS OF SUPPORTS, A TEACHER PROVIDES HIGH-QUALITY, SCIENTIFICALLY BASED OR EVIDENCE-BASED INSTRUCTION AND INTERVENTION THAT IS MATCHED TO STUDENT NEEDS; USES A METHOD OF MONITORING PROGRESS FREQUENTLY TO INFORM DECISIONS ABOUT INSTRUCTION AND GOALS; AND APPLIES THE STUDENT'S RESPONSE DATA TO IMPORTANT EDUCATIONAL DECISIONS.

(9) "Per-pupil intervention ~~moneys~~ MONEY" means the ~~moneys~~ MONEY calculated and distributed to local education providers pursuant to ~~section 22-7-1210 (5)~~ SECTION 22-7-1210.5.

(12) ~~"Response to intervention framework" means a systemic preventive approach that addresses the academic and social-emotional needs of all students at the universal, targeted, and intensive levels. Through the response to intervention framework, a teacher provides high-quality, scientifically based or evidence-based instruction and intervention that is matched to student needs; uses a method of monitoring progress frequently to inform decisions about instruction and goals; and applies the student's response data to important educational decisions.~~

SECTION 3. In Colorado Revised Statutes, **amend** 22-7-1204 as follows:

22-7-1204. Early literacy education. Each local education provider that enrolls students in kindergarten or first, second, or third grade shall provide to the students enrolled in said grades the instructional programming and services necessary to ensure to the greatest extent possible that students, as they progress through kindergarten, first, second, and third grade, develop the necessary reading skills to enable them to master the academic standards and expectations applicable to the fourth-grade curriculum and beyond. THE INSTRUCTIONAL PROGRAMMING AND SERVICES FOR TEACHING STUDENTS TO READ MUST BE EVIDENCE BASED AND SCIENTIFICALLY BASED AND MUST FOCUS ON READING COMPETENCY IN THE AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION.

SECTION 4. In Colorado Revised Statutes, 22-7-1206, **amend** (2), (5) introductory portion, and (5)(c) as follows:

22-7-1206. Reading to ensure academic development plan - contents - implementation. (2) (a) If a student's reading skills are below grade-level expectations, as adopted by the state board, but the student does not have a significant reading deficiency, the local education provider shall ensure that the student receives appropriate interventions through the ~~response to intervention framework~~ MULTI-TIERED SYSTEMS OF SUPPORTS or a comparable intervention system implemented by the local education provider. AT A MINIMUM, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT RECEIVES EDUCATIONAL SERVICES IN A DAILY LITERACY BLOCK FOR THE LENGTH OF TIME IDENTIFIED AS EFFECTIVE IN RESEARCH RELATING TO BEST PRACTICES IN TEACHING READING.

(b) If a student has a significant reading deficiency, the student's READ plan ~~shall~~ MUST include the intervention instruction that the local education provider provides through the ~~response to intervention framework~~ MULTI-TIERED SYSTEMS OF SUPPORTS or a comparable intervention system implemented by the local education provider.

(5) Each READ plan ~~shall~~ MUST include, at a minimum:

(c) The type of additional instructional services and interventions the student will receive in reading. AT A MINIMUM, THE LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE STUDENT RECEIVES

EDUCATIONAL SERVICES IN A DAILY LITERACY BLOCK FOR THE LENGTH OF TIME IDENTIFIED AS EFFECTIVE IN RESEARCH RELATING TO BEST PRACTICES IN TEACHING READING.

SECTION 5. In Colorado Revised Statutes, 22-7-1208, **add** (5), (6), and (7) as follows:

22-7-1208. Local education providers - procedures - plans - training. (5) (a) BEGINNING WITH THE PLANS ADOPTED FOR THE 2020-21 SCHOOL YEAR, THE PLAN THAT A LOCAL EDUCATION PROVIDER MUST ADOPT BASED ON ITS ACCREDITATION CATEGORY PURSUANT TO SECTION 22-11-208 OR AS REQUIRED PURSUANT TO SECTION 22-11-210, WHICHEVER IS APPLICABLE, MUST INCLUDE THE FOLLOWING INFORMATION CONCERNING IMPLEMENTATION OF THIS PART 12 AS IT APPLIES TO EACH OF THE SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER:

(I) THE CORE AND SUPPLEMENTAL READING CURRICULUM USED AT EACH GRADE LEVEL, INCLUDING KINDERGARTEN FOR EACH SCHOOL THAT INCLUDES A KINDERGARTEN EDUCATIONAL PROGRAM. THE CORE AND SUPPLEMENTAL READING CURRICULUM MUST BE DESIGNED AROUND TEACHING THE FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION.

(II) THE TARGETED, EVIDENCE-BASED OR SCIENTIFICALLY BASED CORE AND SUPPLEMENTAL READING INSTRUCTIONAL PROGRAMS AND INTERVENTION READING INSTRUCTION, SERVICES, AND OTHER SUPPORTS, INCLUDING THOSE AVAILABLE THROUGH THE MULTI-TIERED SYSTEMS OF SUPPORTS OR A COMPARABLE INTERVENTION SYSTEM IMPLEMENTED BY THE LOCAL EDUCATION PROVIDER, THAT EACH SCHOOL PROVIDES TO STUDENTS WHO ARE IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY OR AS READING BELOW GRADE LEVEL;

(III) THE ASSESSMENTS THAT EACH SCHOOL USES AT EACH GRADE LEVEL TO MEET THE REQUIREMENTS SPECIFIED IN SECTION 22-7-1205 (1); AND

(IV) IF THE LOCAL EDUCATION PROVIDER RECEIVES AND USES PER-PUPIL INTERVENTION MONEY OR MONEY RECEIVED THROUGH THE EARLY LITERACY GRANT PROGRAM FOR PROFESSIONAL DEVELOPMENT, THE LOCAL EDUCATION PROVIDER'S PLAN FOR PROVIDING THE PROFESSIONAL DEVELOPMENT, WHICH DEVELOPMENT MUST BE TARGETED, EVIDENCE BASED OR SCIENTIFICALLY BASED, AND ALIGNED WITH THE INSTRUCTION, SERVICES, AND OTHER SUPPORTS PROVIDED TO STUDENTS WHO ARE IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY OR AS READING BELOW GRADE LEVEL.

(b) IF A LOCAL EDUCATION PROVIDER IS AUTHORIZED PURSUANT TO SECTION 22-11-303 (4) OR 22-11-403 (5) TO ADOPT AND SUBMIT A PLAN EVERY TWO YEARS, THE LOCAL EDUCATION PROVIDER SHALL SUBMIT TO THE DEPARTMENT THE INFORMATION DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION ANNUALLY.

(6) (a) BY THE BEGINNING OF THE 2021-22 SCHOOL YEAR AND CONTINUING FOR EACH SCHOOL YEAR THEREAFTER, EACH LOCAL EDUCATION PROVIDER THAT RECEIVES PER-PUPIL INTERVENTION MONEY OR A GRANT THROUGH THE EARLY LITERACY GRANT PROGRAM IN ANY BUDGET YEAR STARTING WITH THE 2019-20 BUDGET YEAR SHALL ENSURE THAT EACH TEACHER EMPLOYED TO TEACH KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SUCCESSFULLY COMPLETES OR HAS SUCCESSFULLY COMPLETED EVIDENCE-BASED TRAINING IN TEACHING READING. TO COMPLY WITH THIS SUBSECTION (6)(a), A LOCAL EDUCATION PROVIDER MUST SUBMIT EVIDENCE, AS DESCRIBED IN SUBSECTION (6)(b) OF THIS SECTION, THAT EACH TEACHER EMPLOYED TO TEACH KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE HAS SUCCESSFULLY COMPLETED EVIDENCE-BASED TRAINING IN TEACHING READING THAT IS:

(I) INCLUDED AS A COURSE IN AN APPROVED PROGRAM OF PREPARATION, AS DEFINED IN SECTION 22-60.5-103 (8), OR AN ALTERNATIVE TEACHER PROGRAM, AS DEFINED IN SECTION 22-60.5-103 (5);

(II) INCLUDED AS A COURSE IN A POST-GRADUATE DEGREE PROGRAM IN TEACHING READING OR LITERACY;

(III) PROVIDED BY THE DEPARTMENT OR INCLUDED ON THE ADVISORY LIST OF PROFESSIONAL DEVELOPMENT PROGRAMS PROVIDED BY THE DEPARTMENT PURSUANT TO SECTION 22-7-1209 (2)(c); OR

(IV) PROVIDED BY A LOCAL EDUCATION PROVIDER OR IS

APPROPRIATE FOR LICENSE RENEWAL PURSUANT TO SECTION 22-60.5-110 (3).

(b) A TEACHER IS DEEMED TO HAVE SUCCESSFULLY COMPLETED EVIDENCE-BASED TRAINING IN TEACHING READING IF THE LOCAL EDUCATION PROVIDER SUBMITS TO THE DEPARTMENT EVIDENCE THAT THE TEACHER PASSED AN END-OF-COURSE ASSESSMENT OF LEARNING AT THE COMPLETION OF THE EVIDENCE-BASED TRAINING.

(c) AT THE REQUEST OF A LOCAL EDUCATION PROVIDER, THE DEPARTMENT SHALL PROVIDE, AT NO COST TO THE LOCAL EDUCATION PROVIDER, EVIDENCE-BASED TRAINING IN TEACHING READING TO ONE OR MORE OF THE TEACHERS EMPLOYED BY THE LOCAL EDUCATION PROVIDER TO TEACH KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE.

(d) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (6)(a) OF THIS SECTION, A LOCAL EDUCATION PROVIDER THAT IS NOT IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SUBSECTION (6) AS OF THE BEGINNING OF THE 2021-22 SCHOOL YEAR OR FOR A SUBSEQUENT SCHOOL YEAR MAY REQUEST A ONE-YEAR EXTENSION FROM THE DEPARTMENT BASED ON A DEMONSTRATION OF GOOD CAUSE FOR INABILITY TO COMPLY.

(e) A LOCAL EDUCATION PROVIDER IS STRONGLY ENCOURAGED TO MAKE EVIDENCE-BASED TRAINING IN TEACHING READING AVAILABLE TO PARENTS AND MEMBERS OF THE COMMUNITY IN ORDER TO EFFECTIVELY PARTNER WITH THEM IN TEACHING EARLY-GRADE READING.

(7) EACH LOCAL EDUCATION PROVIDER IS STRONGLY ENCOURAGED TO PARTNER WITH ADJACENT PUBLIC LIBRARIES TO ENHANCE THE INSTRUCTIONAL PROGRAMMING AND SERVICES IN LITERACY PROVIDED BY THE LOCAL EDUCATION PROVIDER AND TO PROVIDE ACCESS FOR STUDENTS AND THEIR PARENTS TO READING MATERIALS FOR OUT-OF-SCHOOL LITERACY DEVELOPMENT.

SECTION 6. In Colorado Revised Statutes, 22-7-1209, **amend** (2)(a)(I), (2)(b), (2)(c), (3) introductory portion, and (6); and **add** (1)(d.5), (7), and (8) as follows:

22-7-1209. State board - rules - department - duties. (1) The state board shall promulgate rules in accordance with the "State Administrative Procedure Act", article 4 of title 24, as necessary to implement the provisions of this part 12, which rules must include, but need not be limited to:

(d.5) THE TIME FRAMES AND PROCEDURES FOR SUBMITTING INFORMATION CONCERNING THE USE OF PER-PUPIL INTERVENTION MONEY;

(2) (a) (I) Using the procedure developed pursuant to subsection (3) of this section, the department shall review and recommend to the state board reading assessments, including interim, summative, and diagnostic assessments, for kindergarten and first, second, and third grades that, at a minimum, meet the criteria specified in ~~subsection (1)(a)(II)~~ SUBSECTION (2)(a)(II) of this section. Following action by the state board to approve reading assessments pursuant to subsection (1)(b) of this section, the department shall create a list of the approved reading assessments for kindergarten and first, second, and third grades for use by local education providers. The department shall update the list of approved reading assessments on or before July 1, 2019, and every four years thereafter as necessary. The department shall work with the approved assessment publishers to better align, to the extent practicable, the minimum reading competency levels for third grade, which are based on the scores attained on the approved assessments, with the preschool through elementary and secondary education standards for third-grade reading adopted pursuant to section 22-7-1005.

(b) Using the procedure developed pursuant to subsection (3) of this section, the department shall create an advisory list of evidence-based or scientifically based instructional programming in reading AND SUPPORTING TECHNOLOGIES, INCLUDING SOFTWARE, FOR ASSESSING AND MONITORING STUDENT PROGRESS that local education providers are encouraged to use, which programming ~~is~~ AND TECHNOLOGY, INCLUDING SOFTWARE, ARE aligned with the recommended reading assessments, including the assessment required in subsection (2)(a)(II)(D) of this section. The advisory list may include only programming AND TECHNOLOGY, INCLUDING SOFTWARE, that, at a minimum:

(I) ~~Has~~ HAVE been proven to accelerate student progress in attaining reading competency;

(II) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, provides explicit and systematic skill development in the areas of phonemic

awareness, phonics, vocabulary development, reading fluency including oral skills, and reading comprehension;

(II.5) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, is evidence based or scientifically based and is aligned with the preschool through elementary and secondary education standards for reading adopted by the state board pursuant to section 22-7-1005;

(III) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, includes evidence-based or scientifically based and reliable assessments;

(IV) ~~Provides~~ PROVIDE initial and ongoing analysis of the student's progress in attaining reading competency; and

(V) WITH REGARD TO INSTRUCTIONAL PROGRAMMING, includes texts on core academic content to assist the student in maintaining or meeting grade-appropriate proficiency levels in academic subjects in addition to reading.

(c) Using the procedure developed pursuant to subsection (3) of this section, the department shall create an advisory list of RIGOROUS professional development programs that are related to addressing significant reading deficiencies and to applying intervention instruction and strategies, in addition to programs related to teaching general literacy, that local education providers are encouraged to use. THE DEPARTMENT SHALL INCLUDE ON THE ADVISORY LIST PROFESSIONAL DEVELOPMENT PROGRAMS THAT ARE AVAILABLE ONLINE. THE DEPARTMENT SHALL ENSURE THAT EACH PROFESSIONAL DEVELOPMENT PROGRAM INCLUDED ON THE ADVISORY LIST IS:

(I) FOCUSED ON OR ALIGNS WITH THE SCIENCE OF READING, INCLUDING TEACHING IN THE AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION; AND

(II) INCLUDES RIGOROUS EVALUATIONS OF LEARNING THROUGHOUT AND AT THE END OF THE COURSE THAT A PERSON TAKING THE COURSE MUST PASS TO SUCCESSFULLY COMPLETE THE COURSE.

(3) The department shall develop and implement a procedure for identifying the reading assessments it recommends to the state board for the approved list of reading assessments described in subsection (2)(a) of this section and for creating the advisory lists of instructional programming and professional development programs described in ~~subsections (2)(b), (2)(c), and (2)(d)~~ SUBSECTIONS (2)(b) AND (2)(c) of this section. At a minimum, the procedure must include:

(6) The department, upon request, may provide technical assistance to a local education provider in implementing the provisions of this part 12; EXCEPT THAT, IF A LOCAL EDUCATION PROVIDER IS ACCREDITED WITH TURNAROUND PLAN PURSUANT TO SECTION 22-11-208 OR REQUIRED TO ADOPT A TURNAROUND PLAN PURSUANT TO SECTION 22-11-210, THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO THE LOCAL EDUCATION PROVIDER IN IMPLEMENTING THE PROVISIONS OF THIS PART 12.

(7) BEGINNING IN THE 2019-20 BUDGET YEAR, THE DEPARTMENT SHALL CONTRACT WITH AN ENTITY TO DEVELOP AND IMPLEMENT A PUBLIC INFORMATION CAMPAIGN TO EMPHASIZE THE IMPORTANCE OF LEARNING TO READ BY THIRD GRADE AND TO HIGHLIGHT THE LOCAL EDUCATION PROVIDERS THAT ARE ACHIEVING HIGH PERCENTAGES OF THIRD-GRADE STUDENTS WHO DEMONSTRATE READING COMPETENCY. THE PUBLIC INFORMATION CAMPAIGN MUST BE DISSEMINATED STATEWIDE AND MUST EMPHASIZE THE IMPORTANT ROLES THAT EDUCATORS AND PARENTS HAVE IN TEACHING CHILDREN TO READ AND IN PROVIDING A SCHOOL AND HOME ENVIRONMENT THAT PROMOTES READING. THE DEPARTMENT IS ENCOURAGED TO WORK WITH THE PUBLIC AND PRIVATE LIBRARY AGENCIES THROUGHOUT THE STATE IN DEVELOPING AND IMPLEMENTING THE PUBLIC INFORMATION CAMPAIGN.

(8) (a) BY OCTOBER 1, 2019, THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS TO CONTRACT WITH AN ENTITY TO ACT AS AN INDEPENDENT EVALUATOR TO PROVIDE INDEPENDENT EVALUATIONS OF THE USE OF PER-PUPIL INTERVENTION MONEY AND MONEY RECEIVED THROUGH THE EARLY LITERACY GRANT PROGRAM BY LOCAL EDUCATION PROVIDERS AND TO CONDUCT A MULTI-YEAR EVALUATION TO DETERMINE WHETHER THE STUDENT OUTCOMES ACHIEVED BY LOCAL EDUCATION PROVIDERS IN IMPLEMENTING THIS PART 12 MEET THE GOALS OF THIS PART 12 AS DESCRIBED IN SECTION 22-7-1202 (2) AND (3)(a).

(b) THE COMMISSIONER OF EDUCATION SHALL DIRECT THE PROCESS

FOR REVIEWING THE PROPOSALS RECEIVED AND FOR SELECTING THE ENTITY IN ACCORDANCE WITH THE PROCUREMENT LAWS APPLICABLE TO THE DEPARTMENT. IN SELECTING THE ENTITY, THE COMMISSIONER SHALL ENSURE THAT:

(I) THE SELECTED ENTITY DEMONSTRATES THE ABILITY AND CAPACITY TO SUCCESSFULLY COMPLETE THE EVALUATION AS DESCRIBED IN SUBSECTION (8)(c) OF THIS SECTION WITHIN THE SPECIFIED TIME FRAME;

(II) THE SELECTED ENTITY HAS EXPERTISE IN REVIEWING AND UNDERSTANDING THE COMPONENTS OF HIGH-QUALITY, EFFECTIVE READING CURRICULA, EDUCATION PROGRAMS, INSTRUCTION, STRATEGIES, AND INTERVENTIONS;

(III) THE SELECTED ENTITY HAS EXPERTISE IN REVIEWING THE IMPLEMENTATION OF ENGLISH LANGUAGE DEVELOPMENT PROGRAMS, ESPECIALLY WITH REGARD TO TEACHING READING; AND

(IV) THE SELECTED ENTITY HAS EXPERTISE IN UNDERSTANDING MEASUREMENTS OF STUDENT LEARNING AND ACADEMIC GROWTH.

(c) THE MULTI-YEAR EVALUATION OF THE IMPLEMENTATION OF THIS PART 12 MUST INCLUDE:

(I) REVIEW OF THE APPROVED READING ASSESSMENTS AND THE ITEMS INCLUDED ON THE ADVISORY LISTS OF INSTRUCTIONAL PROGRAMMING IN READING AND SUPPORTING TECHNOLOGIES AND OF PROFESSIONAL DEVELOPMENT PROGRAMS TO ENSURE THAT THEY MEET THE REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS SECTION AND A REVIEW OF THE PROCESSES BY WHICH THE DEPARTMENT IDENTIFIES ASSESSMENTS, INSTRUCTIONAL PROGRAMMING IN READING, AND PROFESSIONAL DEVELOPMENT PROGRAMS FOR INCLUSION ON THE LISTS;

(II) EVALUATION OF THE EFFECTIVENESS OF THE PROCESSES, PROCEDURES, METHODS, AND STRATEGIES THAT LOCAL EDUCATION PROVIDERS USE TO IMPLEMENT THE REQUIREMENTS OF THIS PART 12, INCLUDING AN INVENTORY TO ESTABLISH A BASELINE INDICATION OF THE TEACHING METHODS, STRATEGIES, AND MATERIALS USED BY LOCAL EDUCATION PROVIDERS TO TEACH READING IN KINDERGARTEN AND GRADES ONE THROUGH THREE;

(III) MEASUREMENT OF THE RESULTS ATTAINED THAT INDICATE THE DEGREE TO WHICH THE GOALS OF THIS PART 12 HAVE BEEN MET, INCLUDING, AT A MINIMUM:

(A) THE NUMBER OF STUDENTS ANNUALLY IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES, INCLUDING THOSE INITIALLY IDENTIFIED AND THOSE WHO WERE IDENTIFIED IN A PREVIOUS SCHOOL YEAR;

(B) WHETHER STUDENTS IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES DEMONSTRATE SIGNIFICANT ANNUAL GROWTH IN READING OVER MULTIPLE YEARS AND AN INDICATION OF THE AMOUNT OF GROWTH ATTAINED ANNUALLY;

(C) WHETHER STUDENTS IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES DEMONSTRATE GRADE-LEVEL READING COMPETENCY BY COMPLETION OF THIRD GRADE OR BY COMPLETION OF A LATER GRADE;

(D) THE NUMBER OF STUDENTS ANNUALLY IDENTIFIED AS READING BELOW GRADE LEVEL; AND

(E) WHETHER THE STUDENTS IDENTIFIED AS READING BELOW GRADE LEVEL DEMONSTRATE SIGNIFICANT GROWTH IN READING TO THE EXTENT THAT THEY ARE READING AT GRADE LEVEL BY COMPLETION OF THIRD GRADE OR BY COMPLETION OF A LATER GRADE, AND AN INDICATION OF THE AMOUNT OF GROWTH ATTAINED ANNUALLY;

(IV) ESTABLISHMENT OF A BASELINE INDICATION OF THE LEVEL AND QUALITY OF PRE-SERVICE AND IN-SERVICE TRAINING IN TEACHING READING RECEIVED BY EACH EDUCATOR WHO IS EMPLOYED IN A PUBLIC SCHOOL TO TEACH KINDERGARTEN OR ONE OF GRADES ONE THROUGH THREE; AND

(V) EVALUATION OF THE DEGREE TO WHICH LOCAL EDUCATION PROVIDERS EFFECTIVELY WORK WITH PARENTS AND MEMBERS OF THE COMMUNITY TO CREATE PARTNERSHIPS FOR PROVIDING AND ENCOURAGING READING INSTRUCTION FOR STUDENTS ENROLLED IN KINDERGARTEN AND GRADES ONE THROUGH THREE.

(d) IN COMPLETING THE MULTI-YEAR EVALUATION, THE INDEPENDENT EVALUATOR SHALL TAKE INTO ACCOUNT STUDENT MOBILITY WITHIN, AND THE STUDENT DEMOGRAPHICS OF, EACH LOCAL EDUCATION PROVIDER, INCLUDING AT THE SCHOOL-BUILDING LEVEL. THE

INDEPENDENT EVALUATOR SHALL WORK DIRECTLY WITH THE DEPARTMENT, LOCAL EDUCATION PROVIDERS, AND PARENTS AND COMMUNITY MEMBERS IN COMPLETING THE EVALUATION.

(e) THE INDEPENDENT EVALUATOR CONTRACTED PURSUANT TO THIS SUBSECTION (8) SHALL COMPLETE THE EVALUATION OF THE IMPLEMENTATION OF THIS PART 12 AS DESCRIBED IN SUBSECTION (8)(c) OF THIS SECTION BY JULY 1, 2021. THE DEPARTMENT SHALL INCLUDE A REPORT OF THE EVALUATION IN THE HEARING BEFORE THE JOINT EDUCATION COMMITTEE HELD PURSUANT TO SECTION 2-7-203 IN NOVEMBER OR DECEMBER 2021. THE INDEPENDENT EVALUATOR SHALL CONTINUE EVALUATIONS OF THE GROWTH IN READING ACHIEVED BY LOCAL EDUCATION PROVIDERS' USE OF PER-PUPIL INTERVENTION MONEY AND MONEY RECEIVED THROUGH THE EARLY LITERACY GRANT PROGRAM.

SECTION 7. In Colorado Revised Statutes, 22-7-1210, **amend** (4)(b)(IV); **repeal** (5) and (6); and **add** (4)(c) and (4)(d) as follows:

22-7-1210. Early literacy fund - created - repeal. (4) The money in the fund is subject to annual appropriation by the general assembly to the department. The department shall annually expend the money in the fund as follows:

(b) Beginning in the 2013-14 budget year and for budget years thereafter:

(IV) The department shall allocate the remaining money annually credited to the fund, as provided in the annual general appropriations bill, to the local education providers as per-pupil intervention money calculated pursuant to subsection (5) of this section, AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF SUBSECTION (4)(c) OF THIS SECTION.

(c) (I) IN ADDITION TO THE ALLOCATIONS DESCRIBED IN SUBSECTION (4)(b) OF THIS SECTION, FOR THE 2019-20 BUDGET YEAR, THE DEPARTMENT SHALL EXPEND:

(A) UP TO FIVE HUNDRED THOUSAND DOLLARS TO IMPLEMENT THE PUBLIC INFORMATION CAMPAIGN TO PROMOTE READING DESCRIBED IN SECTION 22-7-1209 (7); AND

(B) NO MORE THAN TWO MILLION DOLLARS TO CONTRACT WITH A QUALIFIED ENTITY AS AN INDEPENDENT EVALUATOR TO EVALUATE THE IMPLEMENTATION OF THIS PART 12 AS DESCRIBED IN SECTION 22-7-1209 (8).

(II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (4)(b)(II) AND (4)(b)(IV) OF THIS SECTION, FOR THE 2019-20 BUDGET YEAR, OF THE AMOUNT THAT REMAINS AFTER THE ALLOCATIONS DESCRIBED IN SUBSECTIONS (4)(b)(I), (4)(b)(III), AND (4)(c)(I) OF THIS SECTION, AS PROVIDED IN THE ANNUAL GENERAL APPROPRIATIONS BILL, THE DEPARTMENT SHALL USE TEN PERCENT FOR GRANTS AWARDED THROUGH THE EARLY LITERACY GRANT PROGRAM CREATED IN SECTION 22-7-1211, WHICH IS IN ADDITION TO THE AMOUNT DESCRIBED IN SUBSECTION (4)(b)(II) OF THIS SECTION, AND ALLOCATE NINETY PERCENT TO LOCAL EDUCATION PROVIDERS AS PER-PUPIL INTERVENTION MONEY AS PROVIDED IN SECTION 22-7-1210.5.

(III) SUBSECTION (4)(b) OF THIS SECTION AND THIS SUBSECTION (4)(c) ARE REPEALED, EFFECTIVE JULY 1, 2020.

(d) BEGINNING IN THE 2020-21 BUDGET YEAR AND FOR BUDGET YEARS THEREAFTER, THE DEPARTMENT MAY USE UP TO ONE PERCENT OF THE MONEY ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE COSTS OF ADMINISTERING THIS PART 12, AND THE DEPARTMENT SHALL USE:

(I) UP TO FIVE HUNDRED THOUSAND DOLLARS, AS PROVIDED IN THE ANNUAL GENERAL APPROPRIATIONS BILL, TO IMPLEMENT THE PUBLIC INFORMATION CAMPAIGN TO PROMOTE READING DESCRIBED IN SECTION 22-7-1209 (7);

(II) UP TO TWO MILLION DOLLARS, AS PROVIDED IN THE ANNUAL GENERAL APPROPRIATIONS BILL, TO CONTRACT WITH A QUALIFIED ENTITY AS AN INDEPENDENT EVALUATOR TO EVALUATE THE IMPLEMENTATION OF THIS PART 12 AS DESCRIBED IN SECTION 22-7-1209 (8);

(III) AT LEAST FOUR MILLION DOLLARS, AS PROVIDED IN THE ANNUAL GENERAL APPROPRIATIONS BILL, FOR GRANTS AWARDED THROUGH THE EARLY LITERACY GRANT PROGRAM CREATED IN SECTION 22-7-1211; AND

(IV) OF THE REMAINING AMOUNT CREDITED TO THE FUND, THE AMOUNT SPECIFIED IN THE ANNUAL GENERAL APPROPRIATIONS BILL FOR THE EARLY LITERACY GRANT PROGRAM, WHICH IS IN ADDITION TO THE

AMOUNT SPECIFIED IN SUBSECTION (4)(d)(III) OF THIS SECTION, AND THE AMOUNT SPECIFIED IN THE ANNUAL GENERAL APPROPRIATIONS BILL FOR ALLOCATION TO LOCAL EDUCATION PROVIDERS AS PER-PUPIL INTERVENTION MONEY AS PROVIDED IN SECTION 22-7-1210.5.

(5) ~~(a) (I) The department shall allocate the per-pupil intervention moneys to the local education providers as required in subparagraph (IV) of paragraph (b) of subsection (4) of this section by first dividing the amount of moneys available by the total number of students enrolled in kindergarten and first, second, and third grades in public schools in the state who were identified as having significant reading deficiencies and received instructional services pursuant to READ plans in the budget year preceding the year in which the moneys are allocated. The department shall then allocate to each local education provider an amount equal to said per-pupil amount multiplied by the number of students enrolled in kindergarten and first, second, and third grades in public schools operated by the local education provider who were identified as having significant reading deficiencies and received instructional services pursuant to READ plans in the budget year preceding the year in which the moneys are allocated.~~

~~(II) Repealed.~~

~~(b) A local education provider may use the per-pupil intervention money only as follows:~~

~~(I) To provide full-day kindergarten services to students enrolled in one or more of the public schools operated by the local education provider;~~

~~(II) To operate a summer school literacy program as described in section 22-7-1212;~~

~~(III) To purchase tutoring services in reading for students who are receiving instructional services pursuant to READ plans;~~

~~(III.5) (Deleted by amendment, L. 2018.)~~

~~(IV) To provide other targeted, scientifically based or evidence-based intervention services to students who are receiving instructional services pursuant to READ plans, which services are approved by the department;~~

~~(V) For a local education provider that is a small rural school district as defined in section 22-7-1211 (4)(a), to purchase from a board of cooperative services the services of a literacy specialist to provide educator professional development in literacy and other support in implementing the requirements of this part 12; or~~

~~(VI) To provide professional development programming to support educators in teaching literacy; except that a local education provider may not use more than fifteen percent of the per-pupil intervention money received in a budget year for this purpose. Professional development programming authorized in this subsection (5)(b)(VI) may include literacy coaches who provide job-embedded, ongoing professional development to support kindergarten-through-third-grade teacher competence in the evidence-based or scientifically based teaching of phonemic awareness; phonics; vocabulary development; reading fluency, including oral skills; and reading comprehension.~~

~~(c) Each budget year, prior to receiving per-pupil intervention money, each local education provider shall submit to the department, for informational purposes, an explanation of the manner in which it will use the money in the coming budget year and the number of students for which the local education provider may receive per-pupil intervention money. If the local education provider intends to provide a service described in subsection (5)(b)(IV) of this section, the department shall review the service and provide the per-pupil intervention money for the service only if the service meets the requirements specified in subsection (5)(b)(IV) of this section. Upon the request of the department, a local education provider shall provide specific expenditure information to the department that specifies the manner in which the local education provider spent the per-pupil intervention money it received in a budget year.~~

~~(d) In using the per-pupil intervention moneys allocated pursuant to this subsection (5), each local education provider shall ensure that some type of intervention, as described in paragraph (b) of this subsection (5), is available to each student who is identified as having a significant reading deficiency and who is enrolled in kindergarten or first, second, or~~

~~third grade in a school operated by the local education provider.~~

(6) ~~Each local education provider shall ensure that the per-pupil intervention money it receives in each budget year is used to improve the reading competency of students enrolled in kindergarten and grades one through three and does not replace other money that would otherwise be used for this purpose.~~

SECTION 8. In Colorado Revised Statutes, **add** 22-7-1210.5 as follows:

22-7-1210.5. Per-pupil intervention money - uses - distribution - monitoring. (1) TO DISTRIBUTE THE MONEY APPROPRIATED PURSUANT TO SECTION 22-7-1210 (4) FOR PER-PUPIL INTERVENTION MONEY, THE DEPARTMENT SHALL ANNUALLY CALCULATE THE PER-PUPIL AMOUNT BY DIVIDING THE AMOUNT OF MONEY AVAILABLE BY THE TOTAL NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS IN THE STATE WHO WERE IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND RECEIVED INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS IN THE BUDGET YEAR PRECEDING THE YEAR IN WHICH THE MONEY IS DISTRIBUTED. SUBJECT TO THE REQUIREMENTS OF THIS SECTION, A LOCAL EDUCATION PROVIDER MAY RECEIVE PER-PUPIL INTERVENTION MONEY IN AN AMOUNT EQUAL TO THE CALCULATED PER-PUPIL AMOUNT MULTIPLIED BY THE NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER WHO WERE IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND RECEIVED INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS IN THE BUDGET YEAR PRECEDING THE YEAR IN WHICH THE MONEY IS DISTRIBUTED.

(2) BEFORE THE BEGINNING OF EACH BUDGET YEAR, TO RECEIVE A DISTRIBUTION OF PER-PUPIL INTERVENTION MONEY, A LOCAL EDUCATION PROVIDER MUST SUBMIT TO THE DEPARTMENT BY THE DATE SPECIFIED BY STATE BOARD RULE:

(a) THE NUMBER OF STUDENTS ENROLLED IN KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IN PUBLIC SCHOOLS OPERATED BY THE LOCAL EDUCATION PROVIDER WHO WERE IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND RECEIVED INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS IN THE BUDGET YEAR PRECEDING THE YEAR IN WHICH THE MONEY IS DISTRIBUTED; AND

(b) A BUDGET, INCLUDING A NARRATIVE EXPLANATION, FOR THE USE OF THE PER-PUPIL INTERVENTION MONEY IN ACCORDANCE WITH THE USES DESCRIBED IN SUBSECTION (4) OF THIS SECTION.

(3) (a) AT THE BEGINNING OF EACH BUDGET YEAR, THE DEPARTMENT SHALL DISTRIBUTE TO A LOCAL EDUCATION PROVIDER THAT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (3)(b) OF THIS SECTION THE AMOUNT OF PER-PUPIL INTERVENTION MONEY CALCULATED FOR THE LOCAL EDUCATION PROVIDER PURSUANT TO SUBSECTION (1) OF THIS SECTION FOR THE APPLICABLE BUDGET YEAR.

(b) TO RECEIVE PER-PUPIL INTERVENTION MONEY IN A BUDGET YEAR, A LOCAL EDUCATION PROVIDER MUST MEET THE FOLLOWING REQUIREMENTS:

(I) THE LOCAL EDUCATION PROVIDER MUST SUBMIT THE INFORMATION DESCRIBED IN SUBSECTION (2) OF THIS SECTION AND IN SECTION 22-7-1213 (2);

(II) FOR THE 2021-22 BUDGET YEAR AND BUDGET YEARS THEREAFTER, THE LOCAL EDUCATION PROVIDER MUST SUBMIT EVIDENCE THAT IT IS IN COMPLIANCE WITH THE TEACHER TRAINING REQUIREMENTS SPECIFIED IN SECTION 22-7-1208 (6);

(III) THE DEPARTMENT MUST APPROVE THE LOCAL EDUCATION PROVIDER'S PROPOSED USE OF THE PER-PUPIL INTERVENTION MONEY AS BEING IN COMPLIANCE WITH THE REQUIREMENTS IN SUBSECTION (4) OF THIS SECTION;

(IV) FOR THE PRECEDING BUDGET YEAR, THE LOCAL EDUCATION PROVIDER MUST HAVE USED THE MONEY FOR ONE OR MORE OF THE PURPOSES SPECIFIED IN SUBSECTION (4) OF THIS SECTION; EXCEPT THAT THE PROVISIONS OF THIS SUBSECTION (3)(a)(III) DO NOT APPLY IF THE LOCAL EDUCATION PROVIDER DID NOT RECEIVE A DISTRIBUTION OF PER-PUPIL INTERVENTION MONEY IN THE PRECEDING BUDGET YEAR; AND

(V) IF THE LOCAL EDUCATION PROVIDER IS EXPECTING TO USE THE PER-PUPIL INTERVENTION MONEY FOR TARGETED INTERVENTION SERVICES AS DESCRIBED IN SUBSECTION (4)(d) OF THIS SECTION, THE DEPARTMENT

REVIEWED AND APPROVED THE SERVICES. THE DEPARTMENT SHALL NOT APPROVE SERVICES THAT HAVE NOT BEEN IMPLEMENTED AND PROVEN TO BE SUCCESSFUL WITH A STUDENT POPULATION AND UNDER CIRCUMSTANCES THAT ARE COMPARABLE TO THOSE OF THE LOCAL EDUCATION PROVIDER OR THAT ARE NOT SUPPORTED BY VALID RESEARCH THAT SUGGESTS THE SERVICES WILL BE EFFECTIVE WITH THE STUDENT POPULATION SERVED BY, AND UNDER THE CIRCUMSTANCES OF, THE LOCAL EDUCATION PROVIDER.

(c) THROUGHOUT THE BUDGET YEAR, THE DEPARTMENT SHALL MONITOR AND, IF DEEMED NECESSARY BY THE DEPARTMENT, AUDIT EACH LOCAL EDUCATION PROVIDER'S USE OF THE PER-PUPIL INTERVENTION MONEY IT RECEIVES. THE DEPARTMENT MAY CONDUCT SITE VISITS TO THE EXTENT DEEMED NECESSARY TO ADEQUATELY MONITOR A LOCAL EDUCATION PROVIDER'S USE OF PER-PUPIL INTERVENTION MONEY. EACH LOCAL EDUCATION PROVIDER SHALL PROVIDE, UPON REQUEST BY THE DEPARTMENT, INFORMATION NECESSARY FOR THE DEPARTMENT TO COMPLY WITH THIS SUBSECTION (3)(c).

(4) A LOCAL EDUCATION PROVIDER MAY USE THE PER-PUPIL INTERVENTION MONEY ONLY AS FOLLOWS:

(a) TO OPERATE A SUMMER SCHOOL LITERACY PROGRAM AS DESCRIBED IN SECTION 22-7-1212;

(b) TO PURCHASE CORE READING INSTRUCTIONAL PROGRAMS THAT ARE INCLUDED ON THE ADVISORY LIST OF INSTRUCTIONAL PROGRAMMING IN READING AND SUPPORTING TECHNOLOGIES DEVELOPED BY THE DEPARTMENT PURSUANT TO SECTION 22-7-1209 (2)(b);

(c) TO PURCHASE TUTORING SERVICES THAT FOCUS ON INCREASING STUDENTS' FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION FOR STUDENTS WHO ARE RECEIVING INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS;

(d) TO PROVIDE OTHER TARGETED, EVIDENCE-BASED OR SCIENTIFICALLY BASED INTERVENTION SERVICES TO STUDENTS WHO ARE RECEIVING INSTRUCTIONAL SERVICES, WHICH MAY INCLUDE SERVICES PROVIDED BY A READING INTERVENTIONIST, PURSUANT TO READ PLANS, WHICH SERVICES ARE APPROVED BY THE DEPARTMENT;

(e) TO PROVIDE TECHNOLOGY, INCLUDING SOFTWARE, WHICH IS INCLUDED ON THE ADVISORY LIST OF INSTRUCTIONAL PROGRAMMING IN READING AND SUPPORTING TECHNOLOGIES PURSUANT TO SECTION 22-7-1209 (2)(b), TO ASSIST IN ASSESSING AND MONITORING STUDENT PROGRESS TOWARD READING COMPETENCY, WHICH MAY INCLUDE PROVIDING PROFESSIONAL DEVELOPMENT IN THE EFFECTIVE USE OF THE TECHNOLOGY OR SOFTWARE;

(f) TO PURCHASE FROM A BOARD OF COOPERATIVE SERVICES THE SERVICES OF A READING SPECIALIST OR READING INTERVENTIONIST WHO IS TRAINED IN THE SCIENCE OF READING AND IN TEACHING THE FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION TO PROVIDE EDUCATOR PROFESSIONAL DEVELOPMENT IN TEACHING READING AND OTHER SUPPORT IN IMPLEMENTING THE REQUIREMENTS OF THIS PART 12; OR

(g) TO PROVIDE PROFESSIONAL DEVELOPMENT PROGRAMMING TO SUPPORT EDUCATORS IN TEACHING READING. PROFESSIONAL DEVELOPMENT PROGRAMMING AUTHORIZED IN THIS SUBSECTION (4)(g) MAY INCLUDE HIRING A READING COACH WHO IS TRAINED IN TEACHING THE FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION TO PROVIDE JOB-EMBEDDED, ONGOING PROFESSIONAL DEVELOPMENT TO SUPPORT KINDERGARTEN-THROUGH-THIRD-GRADE TEACHER COMPETENCE IN TEACHING PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION. A LOCAL EDUCATION PROVIDER THAT HAS NOT FULLY COMPLIED WITH SECTION 22-7-1208 (6) IS STRONGLY ENCOURAGED TO USE PER-PUPIL INTERVENTION MONEY TO ENSURE THAT ALL TEACHERS EMPLOYED BY THE LOCAL EDUCATION PROVIDER TO TEACH KINDERGARTEN OR ANY OF GRADES ONE THROUGH THREE SUCCESSFULLY COMPLETE EVIDENCE-BASED TRAINING IN TEACHING READING BEFORE USING THE MONEY FOR OTHER AUTHORIZED PURPOSES.

(5) IN USING THE PER-PUPIL INTERVENTION MONEY DISTRIBUTED

PURSUANT TO THIS SECTION, EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT SOME TYPE OF INTERVENTION, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, IS AVAILABLE TO EACH STUDENT WHO IS IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY AND WHO IS ENROLLED IN KINDERGARTEN OR FIRST, SECOND, OR THIRD GRADE IN A SCHOOL OPERATED BY THE LOCAL EDUCATION PROVIDER.

(6) (a) EACH LOCAL EDUCATION PROVIDER SHALL ENSURE THAT THE PER-PUPIL INTERVENTION MONEY IT RECEIVES IN EACH BUDGET YEAR IS USED TO IMPROVE THE READING COMPETENCY OF STUDENTS ENROLLED IN KINDERGARTEN AND GRADES ONE THROUGH THREE WHO ARE IDENTIFIED AS HAVING A SIGNIFICANT READING DEFICIENCY OR RECEIVE INSTRUCTIONAL SERVICES PURSUANT TO READ PLANS AND DOES NOT REPLACE OTHER MONEY THAT WOULD OTHERWISE BE USED FOR THIS PURPOSE.

(b) A LOCAL EDUCATION PROVIDER MAY RETAIN UP TO FIFTEEN PERCENT OF THE AMOUNT OF PER-PUPIL INTERVENTION MONEY IT RECEIVES IN A BUDGET YEAR FOR USE IN ACCORDANCE WITH THIS SECTION IN THE NEXT BUDGET YEAR. IF A LOCAL EDUCATION PROVIDER RETAINS MORE THAN THE AMOUNT AUTHORIZED IN THIS SUBSECTION (6)(b), THE DEPARTMENT SHALL REDUCE THE AMOUNT OF PER-PUPIL INTERVENTION MONEY THAT THE LOCAL EDUCATION PROVIDER IS ELIGIBLE TO RECEIVE IN THE NEXT BUDGET YEAR BY THE EXCESS RETENTION AMOUNT.

SECTION 9. In Colorado Revised Statutes, 22-7-1211, **amend** (1), (2)(a), (2)(b), (3) introductory portion, (3)(a), and (3)(b); and **add** (2)(b.3), (2)(b.5), and (3.5) as follows:

22-7-1211. Early literacy grant program - created - definitions. (1) (a) There is created in the department the early literacy grant program to provide money to local education providers to implement literacy support and intervention instruction programs, including but not limited to related professional development programs, to assist students in kindergarten and first, second, and third grades to achieve reading competency. THE STATE BOARD MAY AWARD A GRANT TO AN APPLYING LOCAL EDUCATION PROVIDER THAT IS A SCHOOL DISTRICT ON A DISTRICT-WIDE BASIS OR TO INDIVIDUAL SCHOOLS OF THE SCHOOL DISTRICT. A LOCAL EDUCATION PROVIDER MAY APPLY INDIVIDUALLY OR AS PART OF A GROUP OF LOCAL EDUCATION PROVIDERS. The state board by rule shall establish the application timelines and the information to be included in each grant application. THE STATE BOARD SHALL NOT, AS A CONDITION OF APPLYING FOR OR RECEIVING A GRANT, RESTRICT AN APPLICANT'S ABILITY TO USE ANY OF THE ASSESSMENTS INCLUDED ON THE APPROVED LIST OF ASSESSMENTS ADOPTED PURSUANT TO SECTION 22-7-1209 (1)(b).

(b) In adopting rules, the state board shall ensure that a local education provider that is a rural school district or a small rural school district, or a district charter school or an institute charter school that is located within the boundaries of a rural school district or small rural school district, may submit a simplified grant application. ~~A local education provider may apply individually or as part of a group of local education providers.~~ A rural school district that is a member of a board of cooperative services may seek assistance in writing the grant application from the board of cooperative services. A board of cooperative services may apply for a grant to provide instructional support in literacy for small rural school districts that are members of the board of cooperative services.

(2) The department shall review each grant application received and recommend to the state board whether to award the grant and the duration and amount of each grant. In making recommendations, the department shall consider the following factors:

(a) The percentage of kindergarten and first-, second-, and third-grade students enrolled by the applying local education provider or group of local education providers who have significant reading deficiencies AND THE PERCENTAGE OF KINDERGARTEN AND FIRST-, SECOND-, AND THIRD-GRADE STUDENTS WHO DO NOT HAVE SIGNIFICANT READING DEFICIENCIES BUT WHO ARE NOT MEETING THE GRADE-LEVEL EXPECTATIONS IN READING ADOPTED BY THE STATE BOARD;

(b) The instructional program that the applying local education provider or group of local education providers plans to implement using the grant ~~moneys~~ MONEY and whether it is an evidence-based program that is proven to be successful in other public schools in ~~the country~~

COLORADO OR IN OTHER STATES;

(b.3) WHETHER THE LOCAL EDUCATION PROVIDER OR GROUP OF LOCAL EDUCATION PROVIDERS EMPLOYS READING COACHES OR PLANS TO USE ALL OR A PORTION OF THE GRANT MONEY TO EMPLOY READING COACHES;

(b.5) THE DEGREE TO WHICH THE INSTRUCTIONAL PROGRAM INCORPORATES THE EFFECTIVE USE OF TECHNOLOGY, INCLUDING SOFTWARE, TO ASSIST IN ASSESSING AND MONITORING STUDENT PROGRESS TOWARD READING COMPETENCY;

(3) Based on the recommendations of the department, the state board shall award grants to applying local education providers or groups of local education providers, which grants are paid from money in the early literacy fund created in section 22-7-1210. Of the money allocated for the early literacy grant program pursuant to ~~section 22-7-1210 (4)(b)(II)~~ SECTION 22-7-1210 (4), the state board shall annually:

(a) Award up to ten percent to applicants that have previously received a grant to fund school-wide literacy initiatives THAT HAVE RESULTED IN SIGNIFICANT STUDENT ACADEMIC GROWTH TOWARD READING COMPETENCY, AS DETERMINED BY AN INDEPENDENT EVALUATOR AS PROVIDED IN SECTION 22-7-1209 (8), and that are requesting an additional year of funding to assist the local education provider in sustainability planning for the initiatives, including the continuing use of literacy coaches;

(b) Award up to fifteen percent to fund professional development initiatives for local education providers that are already implementing evidence-based or scientifically based universal instruction and interventions THAT ARE RESULTING IN SIGNIFICANT STUDENT ACADEMIC GROWTH TOWARD READING COMPETENCY, AS DETERMINED BY AN INDEPENDENT EVALUATOR AS PROVIDED IN SECTION 22-7-1209 (8); and

(3.5) (a) UPON COMPLETION OF THE TERM OF A GRANT, IF AN INDEPENDENT EVALUATOR, AS PROVIDED IN SECTION 22-7-1209 (8), DETERMINES THAT THE INSTRUCTIONAL PROGRAM FUNDED BY THE GRANT MONEY HAS RESULTED IN SIGNIFICANT STUDENT ACADEMIC GROWTH TOWARD READING COMPETENCY, AND IF THE LOCAL EDUCATION PROVIDER REQUESTS AN EXTENSION OF THE GRANT, THE STATE BOARD SHALL EXTEND THE GRANT FOR A PERIOD RECOMMENDED BY THE DEPARTMENT. THE STATE BOARD SHALL INCREASE THE AMOUNT OF THE GRANT IF NECESSARY TO ENABLE THE LOCAL EDUCATION PROVIDER TO EXPAND OR ENHANCE IMPLEMENTATION OF THE INSTRUCTIONAL PROGRAM.

(b) UPON COMPLETION OF THE TERM OF A GRANT, IF AN INDEPENDENT EVALUATOR, AS PROVIDED IN SECTION 22-7-1209 (8), DETERMINES THAT THE INSTRUCTIONAL PROGRAM FUNDED BY THE GRANT MONEY HAS NOT RESULTED IN SIGNIFICANT ACADEMIC STUDENT GROWTH TOWARD READING COMPETENCY, THE STATE BOARD SHALL NOT EXTEND OR RENEW THE GRANT.

SECTION 10. In Colorado Revised Statutes, 22-7-1213, **amend** (2); and **add** (1.5) as follows:

22-7-1213. Reporting requirements. (1.5) EACH LOCAL EDUCATION PROVIDER SHALL SUBMIT TO THE DEPARTMENT AND TO THE INDEPENDENT EVALUATOR CONTRACTED PURSUANT TO SECTION 22-7-1209 (8) ANY INFORMATION REQUIRED BY THE DEPARTMENT OR THE INDEPENDENT EVALUATOR TO COMPLETE THE EVALUATION DESCRIBED IN SECTION 22-7-1209 (8).

(2) Each local education provider that receives an early literacy grant pursuant to section 22-7-1211 or per-pupil intervention ~~moneys~~ MONEY shall, at the conclusion of each budget year in which it receives the grant or per-pupil intervention ~~moneys~~ MONEY, submit to the department information describing:

(a) ~~The instructional programs, full-day kindergarten program, summer school literacy program, tutoring services, or other intervention services~~ IN DETAIL, THE SPECIFIC EXPENDITURES for which the local education provider used the grant or per-pupil intervention ~~moneys~~ MONEY;

(a.5) IF THE LOCAL EDUCATION PROVIDER PURCHASED INSTRUCTIONAL PROGRAMMING IN READING USING GRANT OR PER-PUPIL INTERVENTION MONEY, THE SCORES ATTAINED BY STUDENTS ENROLLED IN KINDERGARTEN THROUGH THIRD GRADE ON THE INTERIM READING ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-1205;

(b) The number and grade levels of students who participated in

each of the types of programs or services provided; and

(c) The progress made by participating students in achieving reading competency.

SECTION 11. 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.".

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, 2023:

Lynne Telford of Colorado Springs, Colorado, to serve as a public member, 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
STATE BOARD OF HEALTH

for a term expiring March 1, 2021:

Daniel Michael Pastula, MD, MHS of Denver, Colorado, to serve as an at-large member and as an Unaffiliated, and occasioned by the change in designation of Nadeen Muaatasem Ibrahim of Aurora, Colorado, appointed.

for a term expiring March 1, 2023:

Evelinn A. Borrayo of Fort Collins, Colorado, a resident of the Second Congressional District, a Democrat, reappointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-217** 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 21, strike "ARTS." and substitute "ARTS,".

Page 3, strike line 22.

Page 3, line 23, strike "CENTER" and strike "PROVIDERS" and substitute "PROVIDER".

Page 4, line 6, strike "AT OR BEFORE THE TIME" and substitute "BEFORE".

Page 4, line 8, after "PARTY" insert "ORALLY AND IN WRITING".

Page 4, line 11, strike "LIEN;" and substitute "LIEN, INCLUDING AN EXPLANATION OF THE LIENHOLDER'S POTENTIAL RIGHTS OF RECOVERY AGAINST THE INJURED PARTY;".

Page 4, after line 19 insert:

"(b) BEFORE AN INJURED PARTY SIGNS AN AGREEMENT CREATING A HEALTHCARE PROVIDER LIEN, A HEALTHCARE PROVIDER OR ITS ASSIGNEE SHALL ADVISE THE INJURED PARTY ORALLY AND IN WRITING:

(I) THAT THE HEALTHCARE PROVIDER OR ITS ASSIGNEE IS NOT A HEALTH INSURER OR PAYER OF BENEFITS AS THAT TERM IS DEFINED IN SECTION 10-1-135 (2)(c)(I);

(II) THAT EXCEPT IN THE EVENT OF FRAUD BY THE INJURED PARTY, THE LIENHOLDER MAY ONLY ASSIGN TO A COLLECTION AGENCY OR DEBT COLLECTOR AN AMOUNT EQUAL TO THE TOTAL AMOUNT ACTUALLY PAID

BY THE LIENHOLDER TO HEALTHCARE PROVIDERS;

(III) OF ANY INVOLVEMENT BETWEEN THE LIENHOLDER AND THE INJURED PARTY'S LEGAL COUNSEL; AND

(IV) OF ANY INVOLVEMENT BETWEEN THE LIENHOLDER AND ANY HEALTHCARE PROVIDER WHO IS PROVIDING TREATMENT OR WHO MAY PROVIDE TREATMENT TO THE INJURED PERSON UNDER THE TERMS OF THE HEALTHCARE PROVIDER LIEN.".

Reletter succeeding paragraph accordingly.

Page 5, line 2, strike "(1)(b)(I)" and substitute "(1)(c)(I)".

Page 5, after line 2 insert:

"(2) UPON REQUEST BY THE INJURED PARTY OR THE INJURED PARTY'S ATTORNEY, A LIENHOLDER SHALL PROVIDE TO THE INJURED PARTY OR HIS OR HER ATTORNEY AN ITEMIZED STATEMENT OF ALL THE BILLED CHARGES FOR TREATMENT THAT THE LIENHOLDER IS CLAIMING ARE SUBJECT TO THE HEALTHCARE PROVIDER LIEN. THE STATEMENT MUST INCLUDE A SUMMARY OF ALL TREATMENTS PROVIDED INCLUDING THE AMOUNTS BILLED FOR EACH TREATMENT AND THE TOTAL AMOUNT OF THE HEALTHCARE PROVIDER LIEN DUE AND OWING.".

Renumber succeeding subsections accordingly.

Page 5, line 5, strike "BILLED" and substitute "BY THE HEALTHCARE PROVIDER TO THE PATIENT AT THE TIME OF SERVICE".

Page 5, lines 5 and 6, strike "STANDARD FEE SCHEDULE." and substitute "USUAL AND CUSTOMARY FEE FOR THE SERVICES PROVIDED.".

Page 5, line 8, strike "SURCHARGES," and strike "CHARGES, OR INTEREST" and substitute "CHARGES AS DEFINED IN SECTION 5-1-301 (20)".

Page 5, lines 10 and 11, strike "BILLED CHARGES AFTER THE MEDICAL SERVICE HAS BEEN PROVIDED" and substitute "USUAL AND CUSTOMARY BILLED CHARGE".

Page 5, line 15, strike "THIS SUBSECTION (3)" and substitute "SUBSECTION (4)(a)".

Page 5, after line 18 insert:

"(c) EXCEPT IN THE EVENT OF FRAUD BY THE INJURED PARTY, THE LIENHOLDER MAY ONLY ASSIGN TO A COLLECTION AGENCY OR DEBT COLLECTOR AN AMOUNT EQUAL TO THE TOTAL AMOUNT ACTUALLY PAID BY THE LIENHOLDER TO HEALTHCARE PROVIDERS.".

Page 5, strike lines 19 through 25.

Renumber succeeding subsection accordingly.

Page 6, line 9, strike "THE" and substitute "EXCEPT IN AN ACTION UNDER THE "UNIFORM CONSUMER CREDIT CODE", ARTICLE 1 OF TITLE 5, THE".

Page 6, line 23, strike "(2)" and substitute "(3)".

Page 6, strike line 24 and substitute "AND (4)(a); EXCEPT THAT SECTION 38-27.5-103 (1)(a), (1)(b), (1)(c)(II), AND (2) DO".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-227** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 10 after line 8 insert:

"**SECTION 8.** In Colorado Revised Statutes, 18-18-426, **amend** (1) introductory portion and (2); and **repeal** (1)(a) as follows:

18-18-426. Drug paraphernalia - definitions. As used in sections 18-18-425 to 18-18-430, unless the context otherwise requires:

(1) "Drug paraphernalia" means all equipment, products, and materials of any kind ~~which~~ THAT are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, ~~testing, analyzing,~~ packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the laws of this state. "Drug paraphernalia" includes, but is not limited to:

(a) ~~Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness, or purity of controlled substances under circumstances in violation of the laws of this state;~~

(2) "Drug paraphernalia" does not include:

(a) Any marijuana accessories as defined in section 16 (2)(g) of article XVIII of the state constitution; OR

(b) TESTING EQUIPMENT USED, INTENDED FOR USE, OR DESIGNED FOR USE IN IDENTIFYING OR IN ANALYZING THE STRENGTH, EFFECTIVENESS, OR PURITY OF CONTROLLED SUBSTANCES.".

Renumber succeeding sections accordingly.

Page 14, line 8, after "PERSON" insert "THAT IS NOT A PRIVATE ENTITY AND".

Page 15, strike lines 1 through 22 and substitute:

"**SECTION 12.** In Colorado Revised Statutes, **add** 27-80-215 as follows:

27-80-215. Policy verifying identity. THE DEPARTMENT SHALL ESTABLISH A POLICY ON HOW A SUBSTANCE USE DISORDER TREATMENT PROGRAM MUST VERIFY THE IDENTITY OF INDIVIDUALS INITIATING INTO DETOXIFICATION, WITHDRAWAL, OR MAINTENANCE TREATMENT FOR A SUBSTANCE USE DISORDER. THE DEPARTMENT POLICY MUST INCLUDE VERIFICATION REQUIREMENTS FOR INDIVIDUALS WITHOUT IDENTIFICATION AND INDIVIDUALS EXPERIENCING HOMELESSNESS.".

Renumber succeeding sections accordingly.

Page 1, strike lines 111 through 113 and substitute "**OPIATE ANTAGONIST AVAILABLE;**".

Page 2, strike lines 101 through 105 and substitute "**AND REQUIRING THE DEPARTMENT OF HUMAN SERVICES TO CREATE A POLICY CONCERNING THE IDENTIFICATION OF CERTAIN INDIVIDUALS WITH A SUBSTANCE USE DISORDER.**".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1211** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-228** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 9, line 8, after "COLORADO," insert "OR A CORONER ELECTED PURSUANT TO SECTION 30-10-601,".

Page 9, strike line 11 and substitute "EXAMINER OR CORONER;".

Page 9, line 12, after "EXAMINER" insert "OR THE CORONER".

Page 9, line 20, strike "FIVE" and substitute "THREE".

Page 14, line 9, strike "THREE" and substitute "TWO".

Page 16, line 23, strike "THREE" and substitute "TWO".

Page 20, strike lines 15 through 27.

Strike page 21.

Page 22, strike lines 1 through 8 and substitute:

"(2) **Perinatal substance use data linkage project.** (a) THE CENTER FOR RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES ESTABLISHED IN SECTION 27-80-118, REFERRED TO IN THIS SECTION AS THE "CENTER", IN PARTNERSHIP WITH THE UNIVERSITY OF DENVER AND THE STATE SUBSTANCE ABUSE TREND AND RESPONSE TASK FORCE ESTABLISHED IN SECTION 18-18.5-103, SHALL CONDUCT A STATEWIDE PERINATAL SUBSTANCE USE DATA LINKAGE PROJECT THAT USES ONGOING COLLECTION, ANALYSIS, INTERPRETATION, AND DISSEMINATION OF DATA FOR THE PLANNING, IMPLEMENTATION, AND EVALUATION OF PUBLIC HEALTH ACTIONS TO IMPROVE OUTCOMES FOR FAMILIES IMPACTED BY SUBSTANCE USE DURING PREGNANCY. THE DATA LINKAGE PROJECT SHALL CONSIDER STATE ADMINISTERED DATA SOURCES THAT INCLUDE:

(I) HEALTH CARE UTILIZATION BY PREGNANT AND POSTPARTUM WOMEN WITH SUBSTANCE USE DISORDERS AND THEIR INFANTS;

(II) HUMAN SERVICES AND PUBLIC HEALTH PROGRAM UTILIZATION BY PREGNANT AND POSTPARTUM WOMEN WITH SUBSTANCE USE DISORDERS AND THEIR INFANTS;

(III) HEALTH CARE, HUMAN SERVICES, AND PUBLIC HEALTH PROGRAM OUTCOMES AMONG PREGNANT AND POSTPARTUM WOMEN WITH SUBSTANCE USE DISORDERS AND THEIR INFANTS; AND

(IV) COSTS ASSOCIATED WITH HEALTH CARE, HUMAN SERVICES, AND PUBLIC HEALTH PROGRAM PROVISIONS FOR PREGNANT AND POSTPARTUM WOMEN WITH SUBSTANCE USE DISORDERS AND THEIR INFANTS.

(b) THE DATA LINKAGE PROJECT SHALL USE VITAL RECORDS TO ESTABLISH MATERNAL AND INFANT DYADS BEGINNING AT THE BIRTH HOSPITALIZATION AND RETROSPECTIVELY LINK THE PRENATAL PERIOD AND PROSPECTIVELY LINK THE FIRST YEAR POSTPARTUM.

(c) THE LINKED INFORMATION NETWORK OF COLORADO IN THE COLORADO GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY WILL OBTAIN DATA THROUGH THE LINKED INFORMATION NETWORK OF COLORADO GOVERNANCE PROCESS AND PERFORM SECURE LINKAGE AND ANONYMIZATION ON BEHALF OF COLORADO.

(d) THE CENTER SHALL REPORT TO THE HEALTH AND INSURANCE AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR THEIR SUCCESSOR COMMITTEES:

(I) THE PRELIMINARY RESULTS OF THE DATA LINKAGE PROJECT ON OR BEFORE JANUARY 1, 2021, AND;

(II) THE FINAL RESULTS OF THE DATA LINKAGE PROJECT ON OR BEFORE JULY 1, 2022.

(e) FOR THE FISCAL YEARS 2019-20, 2020-21 AND 2021-22, THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE HUNDRED THOUSAND DOLLARS TO THE STATE DEPARTMENT FOR ALLOCATION TO THE CENTER FOR THE PURPOSES OF THIS SUBSECTION (2).".

Page 33, line 21, after "COLORADO," insert "OR A CORONER ELECTED PURSUANT TO SECTION 30-10-601,".

Page 33, strike line 24 and substitute "EXAMINER OR CORONER;".

Page 33, line 25, after "EXAMINER" insert "OR THE CORONER".

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, April 12, 2019, at 10:40 a.m.:
SB19-052, 181, 183, 209, 210, 211, and 212.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB19-1170

****
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 HB19-1170, concerning increasing tenant protections relating to the residential warranty of habitability, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Page 6, line 9, strike "TWENTY-FOUR HOURS," and substitute "NINETY-SIX HOURS AFTER RECEIVING REASONABLY COMPLETE WRITTEN OR ELECTRONIC NOTICE OF THE CONDITION,".

Page 15, strike lines 8 through 24 and substitute "OR MORE RENT PAYMENTS OR MAKE REPAIRS TO A RESIDENTIAL PREMISES IF THE RESIDENTIAL PREMISES WAS CONSTRUCTED, ACQUIRED, DEVELOPED, REHABILITATED, OR MAINTAINED WITH:

(A) FUNDING PROVIDED PURSUANT TO SECTION 8 OR 9 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS AMENDED, 42 U.S.C. SECS. 1437f AND 1437g;

(B) FUNDING FROM THE HOME INVESTMENT PARTNERSHIPS PROGRAM OF THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; OR

(C) FEDERAL LOW-INCOME HOUSING TAX CREDITS, COLORADO AFFORDABLE HOUSING TAX CREDITS, OR FUNDING PROVIDED UNDER ANY FEDERAL, STATE, OR LOCAL PROGRAM THAT RESTRICTS MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE INCOME AND THAT IS CURRENTLY SUBJECT TO A USE RESTRICTION THAT IS MONITORED TO ENSURE COMPLIANCE BY THE FEDERAL GOVERNMENT, THE STATE GOVERNMENT, A COUNTY GOVERNMENT, OR A MUNICIPAL GOVERNMENT, OR BY ANY POLITICAL SUBDIVISION OR DESIGNATED AGENCY THEREOF.".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Page 12, strike lines 15 through 17 and substitute "DESCRIBED IN SECTION 38-12-503 (2)(b) OR (2.2) AND THE LANDLORD FAILS TO:

(A) COMMENCE REMEDIAL ACTION BY EMPLOYING REASONABLE EFFORTS WITHIN THE APPLICABLE PERIOD DESCRIBED IN SECTION 38-12-503 (2)(b); OR

(B) COMPLETE THE ACTIONS DESCRIBED IN SECTION 38-12-503 (2.2).".

Page 20, strike lines 5 through 7 and substitute:

"**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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Dominique Jackson, Chair	Angela Williams, Chair
Mike Weissman	Jeff Bridges
Colin Larson	Rob Woodward

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR19-1013.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB19-1227 by Representative(s) Benavidez; also Senator(s) Lee--Concerning a requirement that the department of personnel create a prevailing wage working group to determine the appropriate manner in which to implement a prevailing wage requirement for state contracts.
Business, Labor, & Technology

HB19-1239 by Representative(s) Tipper and Caraveo; also Senator(s) Priola and Winter--Concerning the promotion of an accurate count in the decennial census by creating a census outreach program, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1271 by Representative(s) Arndt; also Senator(s) Coram--Concerning a clarification of the authority of the Colorado water conservation board to augment stream flows with acquired water rights that have been previously decreed for augmentation use.
Agriculture & Natural Resources

HB19-1272 by Representative(s) Bird; also Senator(s) Winter and Priola--Concerning housing authority participation in the Colorado new energy improvement district program.
Transportation & Energy

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Zenzinger was added as a Senate joint prime sponsor with Senator Danielson on SB19-202.

On motion of Senator Zenzinger, the Senate adjourned until 10:00 a.m., Monday, April 15, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

102nd Legislative Day Monday, April 15, 2019

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.

On motion of Majority Leader Fenberg, 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 Elijah Arellano, Stuart Middle School, Commerce City.

Reading of the Journal — On motion of Senator Rankin, reading of the Journal of Friday, April 12, 2019, 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 **SB19-222** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, lines 11 and 12, strike "establishing the desired outcomes for a" and substitute "strengthening outcomes for the behavioral health".

Page 3, line 19, strike "ensure a" and substitute "strengthen and expand the".

Page 4, line 14, strike "EXPANDED" and substitute "ADEQUATE".

Page 7, line 21, strike "EXTENSIVE" and substitute "ASSERTIVE".

Page 7, strike line 26 and substitute "COLLABORATING WITH STAKEHOLDERS, WHICH INCLUDE BUT ARE NOT LIMITED TO, COUNTIES; LAW ENFORCEMENT; COMMUNITY MENTAL HEALTH CENTERS; SUBSTANCE USE PROVIDERS; AND OTHER BEHAVIORAL HEALTH PROVIDERS, HOSPITALS, PHYSICAL HEALTH PROVIDERS,".

Page 7, line 27, strike "PROGRAMS" and substitute "SERVICES AND SUPPORTS".

Page 8, line 7, after "AND" insert "WHERE THOSE PROGRAMS REQUIRE ADDITIONAL RESOURCES TO MEET THE IDENTIFIED NEEDS OR".

Page 8, line 25, strike "CREATING A" and substitute "INCREASING THE NUMBER OR AVAILABILITY OF".
Page 8, line 26, strike "PROGRAM;" and substitute "PROGRAMS AND EXPANDING STATEWIDE CAPACITY;"

Page 9, line 2, after "LOCAL" insert "VARIABLES,".

Page 9, line 17, strike "FOR A" and substitute "TO STRENGTHEN AND EXPAND THE".

Page 9, line 23, strike "AND ADVOCATES." and substitute "BEHAVIORAL HEALTH PROVIDERS, BEHAVIORAL HEALTH ADMINISTRATIVE ORGANIZATIONS, AND ADVOCATES. MEMBERS OF THE ADVISORY BODY SHALL DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SHALL RECUSE THEMSELVES FROM VOTING WHEN THE MEMBER HAS A FINANCIAL INTEREST RELATED TO THE PROVISION OF DELIVERING CLINICAL SERVICES IN THE BEHAVIORAL HEALTH SAFETY NET SYSTEM.".

Page 10, line 4, strike "DEVELOP A" and substitute "STRENGTHEN AND EXPAND THE".

Page 10, line 9, after "DEPARTMENT" insert "AND ADVISORY BODY".

Page 10, line 20, strike "AN ADEQUATE" and substitute "A".

Page 10, line 26, after "PROVIDE" insert "LOCALLY RESPONSIVE".

Page 10, line 27, strike "BARRIERS TO".

Page 11, line 1, strike "PROVIDERS AROUND LICENSING," and substitute "PROVIDER LICENSING AND REGULATIONS,".

Page 11, line 3, strike "CRITERIA, WITH FEEDBACK FROM" and substitute "CRITERIA AND PROCESSES, IN COLLABORATION WITH".

Page 11, line 5, strike "RESPONSIBILITY OF THE" and substitute "TREATMENT CAPACITY OR CLINICAL EXPERTISE OF THAT PROVIDER.".

Page 11, strike line 6.

Page 11, line 10, strike "SAFETY NET SYSTEM" and substitute "COMPREHENSIVE PROPOSAL AND THE FUNDING MODEL".

Page 12, line 18, strike "ROBUST".

Page 13, line 6, after "PROVIDERS" insert "THAT COLLECTIVELY OFFER A FULL CONTINUUM OF SERVICES".

Page 13, line 18, strike "IN".

Page 13, line 19, strike "IMPLEMENTING AND ENSURING A" and substitute "ON THE BEHAVIORAL HEALTH".

Judiciary

After consideration on the merits, the Committee recommends that **SB19-223** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 15, strike "FACILITY." and substitute "FACILITY THAT DOES NOT MEET THE DEFINITION OF INPATIENT.".

Page 5, line 21, strike "FOR WHOM" and substitute "AS A RESULT OF THE DETERMINATION MADE PURSUANT TO SUBSECTION (19)(b) OF THIS SECTION,".

Page 7, line 15, after "(6)" insert "and (7)".

Page 7, line 26, strike "20," and substitute "1,".

Page 8, line 2, strike "IF" and substitute "ON AND AFTER JULY 1, 2020, IF".

Page 8, after line 6 insert:

"(II) AT THE TIME ANY EVALUATION IS ORDERED, THE COURT

SHALL ORDER THAT THE COLLATERAL MATERIALS BE TRANSMITTED TO THE DEPARTMENT WITHIN TWENTY-FOUR HOURS AFTER THE ORDER BY THE APPROPRIATE PARTY WITH A CERTIFICATE OF SERVICE OF THE MATERIALS PROVIDED TO THE COURT AND OTHER NECESSARY PARTIES BY THE PARTY ORDERED TO TRANSMIT THE COLLATERAL MATERIALS.".

Renumber succeeding subparagraph accordingly.

Page 10, line 15, strike "WHEN" and substitute "ON AND AFTER JULY 1, 2020, WHEN".
Page 10, strike lines 18 through 20 and substitute "COURT ORDER AND COLLATERAL MATERIALS. THE COURT SHALL REVIEW".

Page 10, line 21, strike "THIRTY" and substitute "TWENTY-ONE".

Page 12, line 1, strike "The" and substitute "ON AND AFTER JULY 1, 2020, the".

Page 13, line 6, strike "PRIOR" and substitute "A LIST OF RECENT".

Page 13, line 8, strike "AND".

Page 13, after line 8 insert:

"(g) THE COMPETENCY EVALUATOR'S OPINION AS TO WHETHER THE DEFENDANT MEETS THE CRITERIA FOR A TIER I OR TIER II DESIGNATION, AS DEFINED IN SECTION 16-8.5-101(19) AND (20); AND".

Reletter succeeding paragraph accordingly.

Page 13, line 17, after "ATTORNEY" insert "OR DISTRICT ATTORNEY REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111 (6)".

Page 14, after line 1 insert:

"(7) A COMPETENCY EVALUATOR IS NOT LIABLE FOR DAMAGES IN ANY CIVIL ACTION FOR FAILURE TO WARN OR PROTECT A SPECIFIC PERSON OR PERSONS, INCLUDING THOSE IDENTIFIABLE BY THEIR ASSOCIATION WITH A SPECIFIC LOCATION OR ENTITY, AGAINST THE VIOLENT BEHAVIOR OF A DEFENDANT BEING EVALUATED BY THE COMPETENCY EVALUATOR, AND ANY COMPETENCY EVALUATOR MUST NOT BE HELD CIVILLY LIABLE FOR FAILURE TO PREDICT SUCH VIOLENT BEHAVIOR, EXCEPT WHERE THE DEFENDANT HAS COMMUNICATED TO THE COMPETENCY EVALUATOR A SERIOUS THREAT OF IMMINENT PHYSICAL VIOLENCE AGAINST A SPECIFIC PERSON OR PERSONS, INCLUDING THOSE IDENTIFIABLE BY THEIR ASSOCIATION WITH A SPECIFIC LOCATION OR ENTITY.".

Page 14, line 14, after "ATTORNEY" insert "OR DISTRICT ATTORNEY REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111 (6)".

Page 16, line 10, strike "REPORTS" and substitute "DETERMINES".

Page 16, strike lines 12 through 18 and substitute "OUTPATIENT BASIS, THE DEPARTMENT SHALL NOTIFY THE COURT WITHIN FOURTEEN DAYS AFTER ITS DETERMINATION, AT WHICH POINT THE COURT SHALL REVIEW THE CASE AND DETERMINE WHAT INTERIM MENTAL HEALTH SERVICES CAN BE PROVIDED WITHIN THE COMMUNITY BY THE DEPARTMENT OR OTHER COMMUNITY PROVIDER. THE DEPARTMENT SHALL REPORT TO THE COURT LIAISON EVERY TEN DAYS THEREAFTER CONCERNING THE AVAILABILITY OF RESTORATION SERVICES ON AN OUTPATIENT BASIS.".

Page 17, line 3, strike "THE" and substitute "FOR TIER 2 DEFENDANTS, THE".

Page 17, strike lines 4 through 6 and substitute "THE COURT AND THE COURT LIAISON EVERY TEN DAYS AFTER THE INITIAL TWENTY-EIGHT DAY

PERIOD REGARDING THE AVAILABILITY OF A BED AND WHEN ADMISSION WILL BE OFFERED.".

Page 21, line 22, strike "AT" and substitute "ON AND AFTER JULY 1, 2020, AT".

Page 22, line 25, after "ADDITIONALLY," insert "ON AND AFTER JULY 1, 2020,".

Page 24, line 8, after "ATTORNEY" insert "OR DISTRICT ATTORNEY REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111 (6)".

Page 24, line 24, after "ATTORNEY" insert "OR DISTRICT ATTORNEY REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111 (6)".

Page 25, line 7, strike "THE" and substitute "ON AND AFTER JULY 1, 2020, THE".

Page 27, line 21, after "SUBSECTION" insert "(1), (6),".

Page 28, line 2, after "ATTORNEY" insert "OR DISTRICT ATTORNEY REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111 (6)".

Page 28, line 4, after "ATTORNEY" insert "OR DISTRICT ATTORNEY".

Page 28, line 18, strike "THE" and substitute "ON AND AFTER JULY 1, 2020, THE".

Page 29, line 7, strike "AND".

Page 29, line 8, strike "COMPETENCY." and insert "COMPETENCY;".

Page 29, after line 8 insert:

"(e) INPATIENT BED SPACE;
(f) COMMUNITY RESTORATION CAPACITY; AND
(g) FINANCIAL ESTIMATES OF COSTS OF EACH INPATIENT AND OUTPATIENT PROGRAM TO IDENTIFY INEFFICIENCIES.".

Page 30, line 8, strike "CENTERS." and substitute "PROVIDERS.".

Page 31, strike line 1 and substitute "(4) introductory portion as follows:".

Page 31, strike lines 7 through 19.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-059, 061, 104, 135, 142, 143, 150, 153, 157, 161, 169, 172, 192, 197, 202, 219, 220, and 221.
Correctly Reengrossed: SB19-160, 163, 179, 229, and 230.
Correctly Revised: HB19-1232.
Correctly Rerevised: HB19-1010, 1025, 1092, 1149, and 1220.
Correctly Enrolled: SB19-207.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

HJR19-1012 by Representative(s) Valdez D.; also Senator(s) Garcia--Concerning the designation of Colorado State Highway 115 between Mile Markers 7 and 10.34 through the city of Florence as the "SFC Ray Adam Archuletta Memorial Highway".

Laid over one day under Senate Rule 30(e).

Upon request of Senator Tate, Majority Leader Fenberg asked that **SB19-169** be removed from the Third Reading of Bills--Final Passage--Consent Calendar of Monday, April 15, 2019, and placed at the end of the Third Reading of Bills--Final Passage Calendar of Monday, April 15, 2019.

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:

HB19-1232 by Representative(s) Gonzales-Gutierrez and Catlin; also Senator(s) Coram and Rodriguez-Concerning the alignment of compliance with the federal "Indian Child Welfare 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fields, Ginal, Gonzales, Priola, Tate, Todd, and Williams A.

SB19-059 by Senator(s) Moreno; also Representative(s) Buckner--Concerning creation of an automatic enrollment in advanced courses grant program in the department of 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Court, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Lundeen, Pettersen, Priola, Rankin, Rodriguez, Story, Tate, Todd, Winter, Woodward, and Zenzinger.

SB19-061 by Senator(s) Tate and Zenzinger; also Representative(s) Arndt and Hooton--Concerning standards for the certification of certain types of respirators equipped with pressure vessels, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Danielson, Ginal, Moreno, Priola, Smallwood, Todd, and Winter.

SB19-104 by Senator(s) Holbert and Foote; also Representative(s) Baisley and Gray--Concerning the elimination of duplicate regulation of the property of a school district, district charter school, or institute charter school.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Hisey, Priola, Rankin, Scott, Smallwood, Sonnenberg, Tate, and Woodward.

SB19-142 by Senator(s) Donovan; also Representative(s) McCluskie--Concerning the exclusion of hard cider from the "Colorado Wine Industry Development Act", 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Fields, Marble, Moreno, Priola, Story, Tate, Winter, and Woodward.

SB19-150 by Senator(s) Donovan and Sonnenberg, Coram; also Representative(s) Buentello--Concerning the continuation of the regulation of public livestock markets, and, in connection therewith, implementing the recommendations contained in the 2018 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gonzales, Priola, Rankin, Scott, Tate, Todd, Williams A., and Woodward.

SB19-153 by Senator(s) Fields; also Representative(s) Kipp--Concerning the continuation of the Colorado podiatry board, and, in connection therewith, implementing the recommendations contained in the 2018 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	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB19-157 by Senator(s) Winter; also Representative(s) Cutter--Concerning the continuation of the fire suppression programs of the division of fire prevention and control in the department of public safety, and, in connection therewith, implementing the recommendation contained in the 2018 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Gonzales, Pettersen, Priola, Story, Tate, and Todd.

SB19-161 by Senator(s) Bridges and Story, Lundeen, Hill, Todd; also Representative(s) Kipp--Concerning the continuation of the state advisory council for parent involvement in education, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Gonzales, Moreno, Priola, Rankin, Tate, Winter, and Zenzinger.

SB19-172 by Senator(s) Danielson and Ginal; also Representative(s) Singer--Concerning crimes related to an at-risk person, and, in connection therewith, creating the crimes of unlawful abandonment and unlawful confinement 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Foote, Garcia, Lee, Pettersen, Priola, Rankin, Story, Todd, Williams A., Winter, and Zenzinger.

SB19-197 by Senator(s) Zenzinger; also Representative(s) Kennedy--Concerning the continuation of the pilot program to allow an eligible person with a spinal cord injury to receive complementary or alternative medicine.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Danielson, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Tate, Todd, Winter, and Woodward.

SB19-219 by Senator(s) Pettersen; also Representative(s) Gonzales-Gutierrez--Concerning the continuation of the "Colorado Licensing of Controlled Substances Act", and, in connection therewith, implementing the recommendations contained in the 2018 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Garcia, Tate, Todd, Williams A., and Winter.

SB19-221 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the funding of Colorado water conservation board projects, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Fields, Garcia, Ginal, Gonzales, Moreno, Pettersen, Priola, Scott, Sonnenberg, Story, Tate, Todd, Williams A., Winter, 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:

SB19-135 by Senator(s) Williams A. and Rodriguez, Bridges, Court, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, Zenzinger; also Representative(s) Buckner and Buentello, Coleman, Cutter, Duran, Exum, Galindo, Herod, Jackson, Melton, Michaelson Jenet, Valdez A.--Concerning methods to determine whether disparities involving certain historically underutilized businesses exist within the state procurement process, and, in connection therewith, commissioning a study to make such determination, requiring the department of personnel to track contracts awarded to historically underutilized businesses, and, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB19-143 by Senator(s) Gonzales and Lee; also Representative(s) Herod--Concerning changes related to parole release to alleviate prison population issues.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Foote, Moreno, Tate, Todd, and Winter.

SB19-192 by Senator(s) Winter and Priola; also Representative(s) Jackson--Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution to administer a fee-based waste diversion grant program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	N	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Foote, Moreno, and Williams A.

SB19-202 by Senator(s) Danielson and Zenzinger; also Representative(s) Froelich--Concerning ballot access for voters with disabilities, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Lundeen, Moreno, Pettersen, Smallwood, Story, Tate, Todd, Williams A., and Winter.

SB19-220 by Senator(s) Marble and Fenberg; also Representative(s) Saine and Arndt--Concerning updates to the industrial hemp regulatory program administered by the commissioner of agriculture to align the program with the regulatory requirements set forth in the federal "Agricultural Improvement Act of 2018", 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Donovan, Fields, Garcia, Ginal, Gonzales, Hisey, Holbert, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, and Woodward.

SB19-169 by Senator(s) Tate and Bridges; also Representative(s) Arndt--Concerning project management competencies for certain state contracts.

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.004), by Senator Tate.

Amend engrossed bill, page 2, line 3, after "(1)(a.5)(V)" insert "and (1)(a.5)(VI)".

Page 3, strike line 16 and substitute:

"(V) A SURVEY OF OTHER STATES THAT HAVE COMPLETED MAJOR INFORMATION TECHNOLOGY PROJECTS WITH SIMILAR GOALS, INCLUDING BUDGET DETAILS, BUSINESS CASES, SOLUTION OPTIONS REVIEWED, PROJECT TIMELINES, AND RESULTS; AND".

Renumber succeeding subparagraph accordingly.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner, Holbert, Rankin, and Woodward.

Committee of the Whole

On motion of Senator Foote, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Foote 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:

HB19-1118 by Representative(s) Jackson and Galindo, Buentello, Cutter, Duran, Gonzales-Gutierrez, Hooton, Jaquez Lewis, Kennedy, Roberts, Snyder, Buckner, Caraveo, Coleman, Exum, Hansen, Herod, Lontine, Melton, Michaelson Jenet, Singer, Valdez A., Weissman; also Senator(s) Williams A., Court, Danielson, Fenberg, Fields, Lee, Rodriguez, Winter--Concerning the time allowed for a tenant to cure a lease violation that is not a substantial violation.

Amendment No. 1(L.035), by Senator Williams.

Amend reengrossed bill, page 2, line 14, strike "SECTION." and substitute "SECTION, AND FOR AN EXEMPT RESIDENTIAL AGREEMENT, FIVE DAYS' NOTICE IS REQUIRED PURSUANT TO THIS SECTION.".

Page 3, line 6, strike "SECTION." and substitute "SECTION, AND FOR AN EXEMPT RESIDENTIAL AGREEMENT, FIVE DAYS' NOTICE IS REQUIRED PURSUANT TO THIS SECTION.".

Page 3, line 14, strike the first "AGREEMENT" and substitute "AGREEMENT, AN EXEMPT RESIDENTIAL AGREEMENT,".

Page 3, line 19, strike "QUIT." and substitute "QUIT, AND THE TERMINATION OF A TENANCY PURSUANT TO AN EXEMPT RESIDENTIAL AGREEMENT IS EFFECTIVE FIVE DAYS AFTER SERVICE OF WRITTEN NOTICE TO QUIT.".

Page 3, line 20, strike ""EMPLOYER-PROVIDED" and substitute "UNLESS THE CONTEXT OTHERWISE REQUIRES:
(a) "EMPLOYER-PROVIDED".

Page 3, after line 23 insert:
"(b) "EXEMPT RESIDENTIAL AGREEMENT" MEANS A RESIDENTIAL AGREEMENT LEASING A SINGLE FAMILY HOME BY A LANDLORD WHO OWNS FIVE OR FEWER SINGLE FAMILY RENTAL HOMES AND WHO PROVIDES NOTICE IN THE AGREEMENT THAT A TEN-DAY NOTICE PERIOD REQUIRED PURSUANT TO THIS SECTION DOES NOT APPLY TO THE TENANCY ENTERED INTO PURSUANT TO THE AGREEMENT.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-196 by Senator(s) Lee and Danielson; --Concerning the modification of procurement requirements for state contracts for public projects.

(Amended in general orders as printed in Senate journal, April 12, page 795.)

Amendment No. 2(L.005), by Senators Lee and Danielson.

Amend the State, Veterans, & Military Affairs Committee Report, dated April 8, 2019, page 2, line 19, strike "DOES" and substitute "DO".

Page 2, line 38, strike "WORKS".

Page 2, line 39, strike "BID." and substitute "BID; EXCEPT THAT FOR AN INTEGRATED DELIVERY CONTRACT FOR A PUBLIC PROJECT PURSUANT TO ARTICLE 93 OF THIS TITLE 24, A CONTRACTOR MAY REQUEST A WAIVER OF THE REQUIREMENTS OF THIS SECTION PRIOR TO PLACING A MECHANICAL, ELECTRICAL, OR PLUMBING SUBCONTRACTOR UNDER CONTRACT.".

Page 5, line 13, strike "FIFTY" and substitute "FIVE HUNDRED".

Page 5, line 34, strike "FIFTY" and substitute "FIVE HUNDRED".

Page 6, line 6, strike "FIFTY" and substitute "FIVE HUNDRED".

Page 6, after line 18 insert:
"(4) CONTRACTING AGENCIES OF GOVERNMENT SHALL NOT ARTIFICIALLY DIVIDE PUBLIC PROJECTS TO AVOID COMPLIANCE WITH THE REQUIREMENTS OF THIS PART 2.".

Page 7, strike lines 9 through 14 and substitute:
"(e) IF THE CONTRACTOR OR ANY".

Page 9, line 6, strike "FIFTY" and substitute "FIVE HUNDRED".

Page 9, line 10, strike "FIFTY" and substitute "FIVE HUNDRED".

Page 9, line 23, after "A" insert "CLASS 3"

Page 9, line 36, strike "FIFTY" and substitute "FIVE HUNDRED".

Page 11, line 16, strike "VIOLATION IN" and substitute "VIOLATION;".

Page 11, strike line 17.

Page 11, line 18, strike "VIOLATION IN" and substitute "VIOLATION; AND".

Page 11, strike line 19.

Page 11, strike lines 21 and 22 and substitute "SUBSEQUENT VIOLATIONS.".

Page 12, line 20, strike "PLAINTIFF".

Page 13, line 27, strike "2021."." and substitute "2021; except that for institutions of higher education, this act applies to public projects approved by their governing boards on or after July 1, 2021.".".

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 Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-196 as amended, HB19-1118 as amended.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB19-1170 by Representative(s) Jackson and Weissman; also Senator(s) Williams A. and Bridges--Concerning increasing tenant protections relating to the residential warranty of habitability.

Senator Williams moved for the adoption of the first report of the first conference committee on HB19-1170, as printed in Senate journal, April 12, pages 830-831. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE GOVERNOR

Thursday, April 11, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-129 - Regulation Of Online Schools
Approved April 10, 2019 at 2:29 P.M.

SB 19-203 - Fiscal Year 2019-20 Legislative Appropriation Bill
Approved April 10, 2019 at 2:40 P.M.

Sincerely,
(signed)
Jared Polis
Governor

Friday, April 12, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-147 - Sunset Seed Potato Grower Regulation
Approved April 12, 2019 at 11:22 A.M.

SB 19-151 - Sunset Emergency Planning Subcommittee
Approved April 12, 2019 at 11:34 A.M.

SB 19-006 - Electronic Sales And Use Tax Simplification System
Approved April 12, 2019 at 11:40 A.M.

SB 19-076 - CDOT Colorado Department Of Transportation Consulting Engineer Contracts
Approved April 12, 2019 at 11:25 A.M.

SB 19-152 - Sunset Public Safety Communications Subcommittee
Approved April 12, 2019 at 11:36 A.M.

SB 19-148 - Sunset Process Seed Potato Advisory Committee
Approved April 12, 2019 at 11:24 A.M.

Sincerely,
(signed)
Jared Polis
Governor

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-107** be amended as follows, and as so amended, be referred to the Committee on Local Government with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** part 6 to article 15 of title 40 as follows:

PART 6
ELECTRIC UTILITY EASEMENTS

40-15-601. Definitions. AS USED IN THIS PART 6, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ATTACHED FACILITY" MEANS A BROADBAND FACILITY, AS DEFINED IN SECTION 38-5.5-102 (2), OR A BROADBAND NETWORK OR ANY PORTION OF A BROADBAND NETWORK, IN EACH CASE LOCATED SUBSTANTIALLY:

(a) ABOVEGROUND AND ATTACHED TO AN ELECTRIC UTILITY'S ELECTRIC SERVICE INFRASTRUCTURE; OR

(b) UNDERGROUND IN AN ELECTRIC EASEMENT AND EXISTING BEFORE THE DELIVERY OF NOTICE PURSUANT TO SECTION 40-15-602 (2).

(2) "BROADBAND AFFILIATE" MEANS A COMMERCIAL BROADBAND SUPPLIER THAT IS A SEPARATE LEGAL ENTITY FROM ANY ELECTRIC UTILITY BUT IS CONTROLLED BY, CONTROLS, OR IS UNDER COMMON CONTROL WITH AN ELECTRIC UTILITY.

(3) "COMMERCIAL BROADBAND SERVICE" MEANS "BROADBAND SERVICE", AS THAT TERM IS DEFINED IN SECTION 38-5.5-102 (1), OR BROADBAND INTERNET SERVICE.

(4) (a) "COMMERCIAL BROADBAND SUPPLIER" MEANS:

(I) A PROVIDER OF BROADBAND INTERNET SERVICE OR AN EXISTING BROADBAND PROVIDER, AS THAT TERM IS DEFINED IN SECTION 38-5.5-102 (3), OR A PERSON THAT INTENDS TO PROVIDE BROADBAND INTERNET SERVICE OR BROADBAND SERVICE; OR

(II) A PERSON THAT DIRECTLY OR INDIRECTLY SELLS, LEASES, OR OTHERWISE TRANSFERS ATTACHED FACILITIES OR A RIGHT TO INSTALL, OPERATE, MAINTAIN, OR USE ATTACHED FACILITIES FOR ANOTHER PERSON'S PROVISION OF COMMERCIAL BROADBAND SERVICE OR A PERSON THAT INTENDS TO SELL, LEASE, OR OTHERWISE TRANSFER ATTACHED FACILITIES OR A RIGHT TO INSTALL, OPERATE, MAINTAIN, OR USE ATTACHED FACILITIES.

(b) "COMMERCIAL BROADBAND SUPPLIER" DOES NOT MEAN AN ELECTRIC UTILITY.

(5) "ELECTRIC EASEMENT" MEANS A RECORDED OR UNRECORDED EASEMENT, RIGHT-OF-WAY UNDER SECTION 38-4-103 OR OTHERWISE, OR SIMILAR RIGHT IN OR TO REAL PROPERTY, NO MATTER HOW ACQUIRED, HELD BY AN ELECTRIC UTILITY FOR THE SITING OF ELECTRIC SERVICE INFRASTRUCTURE OR FOR THE PURPOSE OF DELIVERING ELECTRIC SERVICE, REGARDLESS OF WHETHER:

(a) THE EASEMENT OR OTHER RIGHT IS EXCLUSIVELY FOR THE PROVISION OF ELECTRIC SERVICE OR FOR USE IN CONNECTION WITH COMMERCIAL BROADBAND SERVICE, TELECOMMUNICATION SERVICE, OR ANOTHER PURPOSE; OR

(b) THE ELECTRIC UTILITY OR A COMMERCIAL BROADBAND SUPPLIER USES THE EASEMENT OR OTHER RIGHT TO PROVIDE COMMERCIAL BROADBAND SERVICE.

(6) "ELECTRIC UTILITY" MEANS A COOPERATIVE ELECTRIC ASSOCIATION, AS DEFINED IN SECTION 40-9.5-102.

(7) "INTEREST HOLDER" MEANS A PROPERTY OWNER OR OTHER PERSON WITH AN INTEREST IN THE REAL PROPERTY UPON WHICH AN ELECTRIC EASEMENT IS LOCATED.

(8) "MEMORANDUM" MEANS A WRITTEN INSTRUMENT THAT INCLUDES, AT A MINIMUM, THE NAME AND ADDRESS OF THE ELECTRIC UTILITY, THE DATE ON WHICH THE NOTICE WAS MAILED, AND THE INFORMATION REQUIRED TO BE INCLUDED IN A NOTICE UNDER SECTION 40-15-602 (2)(b)(III) AND (2)(b)(IV).

(9) "NOTICE" MEANS A WRITTEN LETTER SUBSTANTIALLY COMPLYING WITH THE REQUIREMENTS SET FORTH IN SECTION 40-15-602 (2)(b), WHICH NOTICE SHALL BE DEEMED DELIVERED ON THE DATE POSTMARKED OR OTHERWISE TIME STAMPED.

(10) "PERSON" HAS THE MEANING SET FORTH IN SECTION 40-1-102 (10).

(11) "PROPERTY OWNER" MEANS A PERSON WITH A RECORDED FEE SIMPLE INTEREST IN REAL PROPERTY UPON WHICH AN ELECTRIC EASEMENT IS LOCATED.

40-15-602. Electric easements - commercial broadband service - broadband affiliates - notice required. (1) WITH REGARD TO REAL PROPERTY SUBJECT TO AN ELECTRIC EASEMENT, IF AN ELECTRIC UTILITY, OR ANY COMMERCIAL BROADBAND SUPPLIER DESIGNATED BY THE ELECTRIC UTILITY TO ACT ON ITS BEHALF, COMPLIES WITH THE NOTICE AND FILING REQUIREMENTS SET FORTH IN SUBSECTION (2) OF THIS SECTION, THE ELECTRIC UTILITY HOLDING THE ELECTRIC EASEMENT MAY, WITHOUT THE CONSENT OF AN INTEREST HOLDER IN THE REAL PROPERTY SUBJECT TO THE ELECTRIC EASEMENT, TAKE THE FOLLOWING ACTIONS TO THE EXTENT NOT ALREADY PERMITTED BY THE ELECTRIC EASEMENT:

(a) INSTALL, MAINTAIN, OR OWN, OR PERMIT ANY COMMERCIAL BROADBAND SUPPLIER, INCLUDING A BROADBAND AFFILIATE, TO INSTALL, MAINTAIN, OR OWN AN ATTACHED FACILITY FOR EXTERNAL USE AND OPERATION BY A COMMERCIAL BROADBAND SUPPLIER, INCLUDING A BROADBAND AFFILIATE, IN PROVIDING COMMERCIAL BROADBAND SERVICE; AND

(b) LEASE OR OTHERWISE PROVIDE TO A COMMERCIAL BROADBAND SUPPLIER, INCLUDING A BROADBAND AFFILIATE, ANY EXCESS CAPACITY OF ATTACHED FACILITIES FOR PURPOSES OF PROVIDING COMMERCIAL BROADBAND SERVICE.

(2) (a) AT LEAST THIRTY DAYS BEFORE FIRST EXERCISING ITS RIGHTS UNDER ONE OR BOTH OF SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION WITH RESPECT TO AN ELECTRIC EASEMENT OR PORTION OF AN ELECTRIC EASEMENT, AN ELECTRIC UTILITY OR ITS DESIGNATED COMMERCIAL BROADBAND SUPPLIER MUST SEND NOTICE TO EACH PROPERTY OWNER THAT HOLDS AN INTEREST IN THE REAL PROPERTY SUBJECT TO THE ELECTRIC EASEMENT AND MUST FILE A MEMORANDUM IN THE OFFICE OF THE COUNTY CLERK AND RECORDER IN EACH COUNTY IN WHICH THE ELECTRIC UTILITY IS EXERCISING ITS RIGHTS UNDER SUBSECTION (1) OF THIS SECTION. IF, WITHIN ONE YEAR AFTER DELIVERY OF NOTICE PURSUANT TO THIS SUBSECTION (2), AN ELECTRIC UTILITY HAS NOT COMMENCED ENGAGING IN ANY OF THE ACTIONS SET FORTH IN SUBSECTION (1) OF THIS SECTION, INCLUDING THE COMMENCEMENT OF CONSTRUCTING A NEW INSTALLATION, THE ELECTRIC UTILITY OR DESIGNATED COMMERCIAL BROADBAND SUPPLIER MUST REDELIVER NOTICE PURSUANT TO THIS SUBSECTION (2) BEFORE EXERCISING ITS RIGHTS UNDER SUBSECTION (1) OF THIS SECTION. IF AN ELECTRIC UTILITY OR ITS DESIGNATED COMMERCIAL BROADBAND SUPPLIER FAILS TO DELIVER SUFFICIENT NOTICE IN ACCORDANCE WITH THIS SUBSECTION (2), IT MAY ONLY COMMENCE EXERCISING ITS RIGHTS UNDER SUBSECTION (1) OF THIS SECTION UPON SUBSEQUENT DELIVERY OF SUFFICIENT NOTICE, AT WHICH TIME THE ONE-YEAR PERIOD WILL COMMENCE.

(b) A LETTER PROVIDING NOTICE PURSUANT TO THIS SUBSECTION (2) MUST:

(I) BE SENT BY FIRST-CLASS MAIL FROM OR ON BEHALF OF THE ELECTRIC UTILITY TO THE INTEREST HOLDER AT THE LAST KNOWN ADDRESS BASED ON THE ELECTRIC UTILITY'S RECORDS OR THE ADDRESS LISTED FOR THE PROPERTY IN THE RECORDS OF THE OFFICE OF THE COUNTY CLERK AND RECORDER;

(II) INCLUDE THE NAME, ADDRESS, TELEPHONE NUMBER, AND NAMED POINT OF CONTACT FOR THE ELECTRIC UTILITY AND, IF DELIVERED BY A COMMERCIAL BROADBAND SUPPLIER DESIGNATED BY THE ELECTRIC UTILITY, THE NAME, ADDRESS, TELEPHONE NUMBER, AND NAMED POINT

OF CONTACT FOR THE DESIGNATED COMMERCIAL BROADBAND SUPPLIER;

(III) INCLUDE THE PROPERTY ADDRESS AND APPROXIMATE LOCATION OF THE ELECTRIC EASEMENT, WHICH NEED NOT INCLUDE A LEGAL DESCRIPTION, LAND TITLE SURVEY, PLAT, OR OTHER DESIGNATION OF THE EXACT BOUNDARIES OF THE ELECTRIC EASEMENT;

(IV) INCLUDE:

(A) A CITATION TO THIS PART 6; AND

(B) A COPY OF THE LANGUAGE OF SUBSECTION (1) OF THIS SECTION WITH AN INDICATION OF WHETHER THE ELECTRIC UTILITY IS EXERCISING RIGHTS UNDER ONE OR MORE OF SUBSECTION (1)(a) OR (1)(b) OF THIS SECTION;

(V) GIVE AN ESTIMATED TIME FOR THE START OF INSTALLATION OR CONSTRUCTION WITH REGARD TO ANY NEW INSTALLATION OR CONSTRUCTION THAT WILL OCCUR IN CONNECTION WITH THE EXERCISE OF RIGHTS UNDER SUBSECTION (1) OF THIS SECTION;

(VI) INCLUDE A STATEMENT REGARDING THE RIGHT AND OBLIGATION OF THE ELECTRIC UTILITY, OR ITS DESIGNATED COMMERCIAL BROADBAND SUPPLIER, TO RECORD A MEMORANDUM; AND

(VII) INCLUDE A STATEMENT REGARDING THE STATUTE OF LIMITATIONS FOR THE INTEREST HOLDER TO FILE A CLAIM WITH RESPECT TO THE ELECTRIC UTILITY'S EXERCISE OF RIGHTS.

(3) UPON EXERCISE OF THE RIGHTS SET FORTH IN SUBSECTION (1) OF THIS SECTION, THE RIGHTS RUN WITH THE LAND AND ARE ASSIGNABLE BY THE ELECTRIC UTILITY.

(4) AN ELECTRIC UTILITY SHALL NOT DIRECTLY PROVIDE RETAIL COMMERCIAL BROADBAND SERVICE BUT MAY CAUSE OR ALLOW A BROADBAND AFFILIATE TO OFFER RETAIL COMMERCIAL BROADBAND SERVICE. AS LONG AS AN ELECTRIC UTILITY MAINTAINS ITS EXCLUSIVE RIGHT TO PROVIDE ELECTRIC SERVICE TO CUSTOMERS WITHIN ITS EXCLUSIVE SERVICE TERRITORY, BOTH THE ELECTRIC UTILITY THAT HAS A BROADBAND AFFILIATE AND THE BROADBAND AFFILIATE SHALL:

(a) MAINTAIN OR CAUSE TO BE MAINTAINED AN ACCOUNTING SYSTEM FOR THE BROADBAND AFFILIATE SEPARATE FROM THE ELECTRIC UTILITY'S ACCOUNTING SYSTEM, USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES OR ANOTHER REASONABLE AND CUSTOMARY ALLOCATION METHOD;

(b) CAUSE A FINANCIAL AUDIT TO BE PERFORMED BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT, WITHIN TWO YEARS AFTER COMMENCEMENT OF COMMERCIAL OPERATION OF RETAIL COMMERCIAL BROADBAND SERVICE AND AT LEAST ONCE EVERY TWO YEARS THEREAFTER, WITH RESPECT TO THE BROADBAND AFFILIATE'S PROVISION OF COMMERCIAL BROADBAND SERVICE, INCLUDING AN AUDIT OF THE ALLOCATION OF COSTS FOR PROPERTY AND SERVICES THAT ARE USED IN BOTH THE PROVISION OF COMMERCIAL BROADBAND SERVICE AND THE ELECTRIC UTILITY'S PROVISION OF ELECTRIC SERVICE; AND

(c) (I) NOT CAUSE OR ALLOW THE ELECTRIC UTILITY TO USE ITS EXCLUSIVE RIGHT TO PROVIDE ELECTRIC SERVICES WITHIN ITS EXCLUSIVE TERRITORY TO DIRECTLY OR INDIRECTLY CROSS-SUBSIDIZE THE BROADBAND AFFILIATE OR ITS PROVISION OF COMMERCIAL BROADBAND SERVICE, WHETHER BY DISCRIMINATORY OR BELOW FAIR MARKET VALUE PRICING; PAYMENT OF CAPITAL OR OPERATING COSTS PROPERLY CHARGED TO THE BROADBAND AFFILIATE UNDER APPLICABLE ACCOUNTING RULES; USE OF ANY REVENUE FROM OR SUBSIDY FOR THE PROVISION OF ELECTRIC SERVICE TO SUPPORT COMMERCIAL BROADBAND SERVICE, EXCEPT IN CONNECTION WITH THE ELECTRIC UTILITY'S PROVISION OF ELECTRICITY; OR OTHERWISE.

(II) NOTHING IN THIS SUBSECTION (4)(c) PROHIBITS AN ELECTRIC UTILITY FROM:

(A) ENTERING INTO A TRANSACTION WITH A BROADBAND AFFILIATE ON TERMS AND CONDITIONS SUBSTANTIALLY SIMILAR TO THOSE THAT WOULD BE AGREED TO BETWEEN TWO SIMILARLY SITUATED PARTIES IN AN ARM'S LENGTH COMMERCIAL TRANSACTION; OR

(B) PROVIDING REDUCED-COST COMMERCIAL BROADBAND SERVICE TO LOW-INCOME RETAIL CUSTOMERS.

(5) THE TERMS AND CONDITIONS OF A WRITTEN ELECTRIC EASEMENT APPLY TO AN ELECTRIC UTILITY'S USES OF THE ELECTRIC EASEMENT SET FORTH IN SUBSECTION (1) OF THIS SECTION, EXCEPT TO THE

EXTENT THAT THOSE TERMS AND CONDITIONS PROHIBIT OR HAVE THE EFFECT OF PROHIBITING OR MATERIALLY IMPAIRING THE ELECTRIC UTILITY'S EXERCISE OF RIGHTS UNDER SUBSECTION (1) OF THIS SECTION. A PROHIBITION ON ABOVEGROUND ELECTRIC SERVICE INFRASTRUCTURE CONTAINED WITHIN A WRITTEN ELECTRIC EASEMENT CONSTITUTES A PROHIBITION ON ABOVEGROUND ATTACHED FACILITIES.

(6) NOTHING IN THIS PART 6 REQUIRES AN ELECTRIC UTILITY TO COMPLY WITH SUBSECTION (2) OF THIS SECTION IN ORDER TO TAKE ANY ACTION OR EXERCISE ANY RIGHT UNDER AN ELECTRIC EASEMENT THAT IS ALREADY PERMITTED BY THE TERMS OF THE ELECTRIC EASEMENT.

40-15-603. Statute of limitations - damages - limitations on damages. (1) (a) NO CLAIM OR CAUSE OF ACTION AGAINST AN ELECTRIC UTILITY OR A COMMERCIAL BROADBAND SUPPLIER CONCERNING THE ELECTRIC UTILITY'S OR COMMERCIAL BROADBAND SUPPLIER'S EXERCISE OF RIGHTS UNDER THIS PART 6 OR ANY ACTIONS THAT THE ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER TAKES BEFORE THE EFFECTIVE DATE OF THIS SECTION THAT, IF TAKEN AFTER THE EFFECTIVE DATE OF THIS SECTION, WOULD BE AUTHORIZED UNDER SECTION 40-15-602 (1) MAY BE BROUGHT BY OR ON BEHALF OF AN INTEREST HOLDER MORE THAN TWO YEARS AFTER THE LATEST OF:

(I) THE EFFECTIVE DATE OF THIS SECTION;

(II) THE DATE OF DELIVERY OF NOTICE PURSUANT TO SECTION 40-15-602 (2); OR

(III) THE DATE OF RECORDING OF A MEMORANDUM PURSUANT TO SECTION 40-15-602 (2).

(b) SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY TO A CLAIM OR CAUSE OF ACTION BASED SOLELY ON DAMAGE TO PROPERTY OR BREACH OF THE TERMS AND CONDITIONS OF A WRITTEN ELECTRIC EASEMENT AS THE TERMS AND CONDITIONS APPLY IN ACCORDANCE WITH SECTION 40-15-602 (5).

(c) NOTHING IN THIS SECTION 40-15-603 EXTENDS THE STATUTORY LIMITATION PERIOD APPLICABLE TO A CLAIM OR REVIVES AN EXPIRED CLAIM.

(2) A CLAIM OR CAUSE OF ACTION SHALL NOT BE BROUGHT BY OR ON BEHALF OF AN INTEREST HOLDER AGAINST A COMMERCIAL BROADBAND SUPPLIER FOR ACTIONS THAT THE COMMERCIAL BROADBAND SUPPLIER HAS TAKEN UNDER SECTION 40-15-602 (2) AN ELECTRIC UTILITY.

(3) IF AN INTEREST HOLDER BRINGS A TRESPASS CLAIM, INVERSE CONDEMNATION CLAIM, OR ANY OTHER CLAIM OR CAUSE OF ACTION FOR AN ELECTRIC UTILITY'S OR COMMERCIAL BROADBAND SUPPLIER'S EXERCISE OF RIGHTS OR PERFORMANCE OF ACTIONS DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE FOLLOWING APPLIES TO THE CLAIM OR CAUSE OF ACTION:

(a) THE MEASURE OF DAMAGES FOR ALL SUCH CLAIMS, TAKEN TOGETHER, IS THE FAIR MARKET VALUE OF THE REDUCTION IN VALUE OF THE INTEREST HOLDER'S INTEREST IN THE REAL PROPERTY, AS CONTEMPLATED BY SECTION 38-1-121 (1). IN DETERMINING OR PROVIDING THE FAIR MARKET VALUE UNDER THIS SUBSECTION (3)(a):

(I) THE FOLLOWING SHALL NOT BE USED AND ARE NOT ADMISSIBLE AS EVIDENCE IN ANY PROCEEDING:

(A) PROFITS, FEES, OR REVENUE DERIVED FROM THE ATTACHED FACILITIES; OR

(B) THE RENTAL VALUE OF THE REAL PROPERTY INTEREST OR THE ELECTRIC EASEMENT, INCLUDING THE RENTAL VALUE OF ANY ATTACHED FACILITIES OR AN ASSEMBLED BROADBAND CORRIDOR; AND

(II) CONSIDERATION MUST BE GIVEN TO ANY INCREASE IN VALUE TO THE REAL PROPERTY INTEREST RESULTING FROM THE AVAILABILITY OF COMMERCIAL BROADBAND SERVICE TO THE REAL PROPERTY UNDERLYING THE REAL PROPERTY INTEREST THAT ARISES FROM THE INSTALLATION OF ATTACHED FACILITIES.

(b) THE INTEREST HOLDER MUST MAKE REASONABLE ACCOMMODATIONS FOR THE ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER TO PERFORM AN APPRAISAL OR INSPECTION OF THE REAL PROPERTY WITHIN NINETY DAYS FOLLOWING ANY WRITTEN REQUEST FOR AN APPRAISAL OR INSPECTION. IF AN INTEREST HOLDER FAILS TO MAKE SUCH ACCOMMODATIONS, THE ELECTRIC UTILITY OR COMMERCIAL

BROADBAND SUPPLIER HAS NO FURTHER LIABILITY TO THE INTEREST HOLDER.

(c) ANY DAMAGES FOR THE EXERCISE OF RIGHTS OR ACTIONS SET FORTH IN SUBSECTION (1) OF THIS SECTION:

(I) EXCEPT AS PROVIDED IN SUBSECTION (3)(c)(III) OF THIS SECTION, ARE LIMITED TO THOSE DAMAGES THAT EXISTED AT THE TIME THAT THE ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER FIRST EXERCISED THE RIGHTS OR PERFORMED THE ACTIONS;

(II) SHALL NOT BE DEEMED TO CONTINUE, ACCRUE, OR ACCUMULATE; AND

(III) MAY INCLUDE ADDITIONAL DAMAGES FOR ANY PHYSICAL DAMAGE TO PROPERTY OR BREACH OF THE TERMS AND CONDITIONS OF A WRITTEN ELECTRIC EASEMENT AS THE TERMS AND CONDITIONS APPLY AFTER GIVING EFFECT TO SECTION 40-15-602 (5).

(d) (I) EXCEPT FOR AN ELECTRIC UTILITY'S OR COMMERCIAL BROADBAND SUPPLIER'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT, OR IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF A WRITTEN ELECTRIC EASEMENT AS THE TERMS AND CONDITIONS APPLY IN ACCORDANCE WITH SECTION 40-15-602 (5), AN INTEREST HOLDER IS NOT ENTITLED TO REIMBURSEMENT FROM AN ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER FOR THE COST OF ANY APPRAISAL, ATTORNEY FEES, OR AWARD FOR SPECIAL, CONSEQUENTIAL, INDIRECT, OR PUNITIVE DAMAGES.

(II) FOR PURPOSES OF THIS SUBSECTION (3)(d), ANY ACTION OR FAILURE TO ACT BY AN ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER IN FURTHERANCE OF THE ELECTRIC UTILITY'S OR COMMERCIAL BROADBAND SUPPLIER'S EXERCISE OF RIGHTS SET FORTH IN SECTION 40-15-602 (1) SHALL NOT BE DEEMED GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

(4) BY ACCEPTING A DAMAGE AWARD UNDER THIS SECTION OTHER THAN A DAMAGE AWARD UNDER SUBSECTION (3)(c)(III) OF THIS SECTION, AN INTEREST HOLDER SHALL BE DEEMED TO HAVE GRANTED AN EASEMENT, EQUAL IN DURATION TO THE TERM OF THE ELECTRIC EASEMENT AND SUBJECT TO SECTION 40-15-602 (5),TO THE EXTENT OF THE INTEREST HOLDER'S RIGHTS IN THE REAL PROPERTY, FOR ALL OF THE USES OF THE REAL PROPERTY AND ACTIONS SET FORTH IN SECTION 40-15-602 (1).

40-15-604. Electric utility obligations. (1) AN ELECTRIC UTILITY THAT EXERCISES ANY RIGHTS UNDER SECTION 40-15-602 (1)(a) OR (1)(b) FOR THE PROVISION OF COMMERCIAL BROADBAND SERVICE OR THAT HAS A BROADBAND AFFILIATE SHALL NOT DISCRIMINATE AMONG COMMERCIAL BROADBAND SUPPLIERS, INCLUDING BROADBAND AFFILIATES, IN OFFERING OR GRANTING RIGHTS TO INSTALL OR ATTACH ANY ATTACHED FACILITIES OR IN LEASING OR USING CAPACITY OF ANY ATTACHED FACILITIES.

(2) AN ELECTRIC UTILITY THAT HAS A BROADBAND AFFILIATE AND, IF APPLICABLE, THE BROADBAND AFFILIATE SHALL:

(a) CHARGE RECURRING FEES NOT EXCEEDING ANY FEES IN ACCORDANCE WITH RATES THAT APPLY TO ATTACHMENTS TO POLES UNDER SECTION 224 (e) OF THE FEDERAL "COMMUNICATIONS ACT OF 1934", AS AMENDED, AND THE FCC'S REGULATIONS AND POLICIES IMPLEMENTING THE FEDERAL ACT CONCERNING POLE ATTACHMENT RATES THAT APPLY TO INVESTOR-OWNED UTILITIES, AS SET FORTH IN 47 CFR 1.1406, TO ALL COMMERCIAL BROADBAND SUPPLIERS FOR ATTACHMENTS ON A POLE OR ELECTRIC SERVICE INFRASTRUCTURE THAT IS OWNED OR CONTROLLED BY THE ELECTRIC UTILITY OR BROADBAND AFFILIATE; EXCEPT THAT, IF AN ELECTRIC UTILITY DEMONSTRATES WITH COMPETENT EVIDENCE THAT IT CANNOT RECOVER ALL OF ITS INCREMENTAL CAPITAL AND OPERATING COSTS OF PROVIDING THE POLE ATTACHMENT THROUGH THE RATES AND ANY APPLICABLE ONE-TIME CHARGES, THE ELECTRIC UTILITY MAY CHARGE A HIGHER RATE TO COMMERCIAL BROADBAND SUPPLIERS ON A NONDISCRIMINATORY BASIS TO THE EXTENT REQUIRED TO RECOVER THE INCREMENTAL COSTS;

(b) PROVIDE ALL COMMERCIAL BROADBAND SUPPLIERS ACCESS TO ALL POLES OR ELECTRIC SERVICE INFRASTRUCTURE OWNED BY THE ELECTRIC UTILITY OR BROADBAND AFFILIATE FOR THE PURPOSE OF ATTACHING EQUIPMENT FOR THE PROVISION OF COMMERCIAL BROADBAND

SERVICE. ACCESS PROVIDED IN ACCORDANCE WITH THIS SUBSECTION (2)(b) MUST BE PROVIDED:

(I) ON A JUST, REASONABLE, AND NONDISCRIMINATORY BASIS AND IN A MANNER CONSISTENT WITH THE REGULATORY OBLIGATIONS SET FORTH IN FCC REGULATIONS REGARDING INVESTOR-OWNED UTILITY POLE OWNERS; AND

(II) UNDER TERMS AND CONDITIONS THAT ARE NO LESS FAVORABLE THAN THE TERMS AND CONDITIONS OFFERED TO BROADBAND AFFILIATES, INCLUDING TERMS AND CONDITIONS REGARDING APPLICATION REQUIREMENTS, TECHNICAL REQUIREMENTS, ELECTRIC LINEWORKER HEALTH AND SAFETY REQUIREMENTS, ADMINISTRATIVE FEES, TIMELINES, AND MAKE-READY REQUIREMENTS; AND

(c) CHARGE FEES TO COMMERCIAL BROADBAND SUPPLIERS FOR LEASE OR USE OF ATTACHED FACILITIES OWNED OR CONTROLLED BY THE ELECTRIC UTILITY UNDER JUST, REASONABLE, AND NONDISCRIMINATORY TERMS AND CONDITIONS, INCLUDING FEES THAT ARE EQUAL TO OR LESS THAN THE FEES THAT THE ELECTRIC UTILITY CHARGES TO ITS BROADBAND AFFILIATES.

(3) SUBJECT TO THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION, NOTHING IN THIS SECTION REQUIRES AN ELECTRIC UTILITY TO OFFER OR GRANT A RIGHT TO ACCESS OR USE AN ELECTRIC EASEMENT OR TO USE ATTACHED FACILITIES OR ELECTRIC SERVICE INFRASTRUCTURE OWNED OR CONTROLLED BY THE ELECTRIC UTILITY IN A MANNER THAT WOULD MATERIALLY INTERFERE WITH THE ELECTRIC UTILITY'S CONSTRUCTION, MAINTENANCE, OR USE OF ANY ELECTRIC UTILITY INFRASTRUCTURE FOR THE PROVISION OF ELECTRIC SERVICE.

(4) (a) AN ELECTRIC UTILITY WITH A BROADBAND AFFILIATE SHALL NOT UNREASONABLY WITHHOLD AUTHORIZATION OR DELAY ITS DECISION WHETHER TO PROVIDE AUTHORIZATION TO A COMMERCIAL BROADBAND SUPPLIER TO INSTALL, MAINTAIN, OWN, OPERATE, OR USE ATTACHED FACILITIES ON ELECTRIC SERVICE INFRASTRUCTURE OWNED OR CONTROLLED BY THE ELECTRIC UTILITY. AN ELECTRIC UTILITY MAY ONLY WITHHOLD AUTHORIZATION PURSUANT TO THIS SUBSECTION (4) IF THE REASON FOR WITHHOLDING AUTHORIZATION IS THAT:

(I) THERE IS INSUFFICIENT CAPACITY FOR THE ATTACHED FACILITIES; OR

(II) CONCERNS OF SAFETY OR RELIABILITY OR GENERALLY APPLICABLE ENGINEERING PURPOSES WEIGH AGAINST GRANTING THE AUTHORIZATION.

(b) AN ELECTRIC UTILITY THAT WITHHOLDS AUTHORIZATION PURSUANT TO THIS SUBSECTION (4) SHALL PROMPTLY NOTIFY THE COMMERCIAL BROADBAND SUPPLIER IN WRITING OF THE REASONS FOR WITHHOLDING AUTHORIZATION.

(5) UPON REQUEST OF A COMMERCIAL BROADBAND SUPPLIER, AN ELECTRIC UTILITY AND ANY BROADBAND AFFILIATE SUBJECT TO THIS SECTION SHALL CAUSE AN OFFICER OF THE ELECTRIC UTILITY AND AN OFFICER OF THE BROADBAND AFFILIATE TO CERTIFY THAT THE ELECTRIC UTILITY AND THE BROADBAND AFFILIATE, RESPECTIVELY, ARE IN COMPLIANCE WITH THIS SECTION AND SECTION 40-15-602 (4)(b). IF A DISPUTE ARISES IN A COURT OF COMPETENT JURISDICTION BETWEEN AN ELECTRIC UTILITY OR ITS BROADBAND AFFILIATE AND AN UNAFFILIATED COMMERCIAL BROADBAND SUPPLIER:

(a) REGARDING MATTERS ADDRESSED IN THIS PART 6, THE PARTIES TO THE DISPUTE HAVE STANDING TO FILE A CLAIM OR CAUSE OF ACTION IN ANY COURT OF COMPETENT JURISDICTION IN THE STATE; AND

(b) THE FOLLOWING ARE DISCOVERABLE AND ADMISSIBLE AS EVIDENCE IN COURT REGARDING THE ELECTRIC UTILITY'S AND ITS BROADBAND AFFILIATE'S COMPLIANCE WITH THIS SECTION:

(I) ANY CERTIFICATION REQUESTED AND PRODUCED PURSUANT TO THIS SUBSECTION (5);

(II) THE TERMS AND CONDITIONS APPLIED TO THE ELECTRIC UTILITY'S OR BROADBAND AFFILIATE'S OFFER TO OR GRANT OF A RIGHT TO THE UNAFFILIATED COMMERCIAL BROADBAND SUPPLIER TO INSTALL, MAINTAIN, OWN, OPERATE, OR USE ATTACHED FACILITIES; AND

(III) ANY AUDIT REQUIRED TO BE PERFORMED PURSUANT TO SECTION 40-15-602 (4)(b).

(6) NOTWITHSTANDING ANY PROVISION OF THIS PART 6 TO THE

CONTRARY, AN ELECTRIC UTILITY THAT IS SUBJECT TO REGULATION UNDER 47 U.S.C. SEC. 224, AS AMENDED, AND THE FCC REGULATIONS PROMULGATED PURSUANT TO THAT FEDERAL LAW, IS NOT SUBJECT TO THIS SECTION.

(7) NOTHING IN THIS PART 6:

(a) SUBJECTS AN ELECTRIC UTILITY TO REGULATION BY THE FCC;

(b) CONSTITUTES AN EXERCISE OF, OR AN OBLIGATION OR INTENTION TO EXERCISE, THE RIGHT OF THE STATE UNDER 47 U.S.C. SEC. 224 (c) TO REGULATE THE RATES, TERMS, AND CONDITIONS FOR POLE ATTACHMENTS, AS DEFINED IN 47 U.S.C. SEC. 224 (a)(4); OR

(c) CONSTITUTES A CERTIFICATION, OR AN OBLIGATION OR INTENTION TO CERTIFY, TO THE FCC UNDER 47 U.S.C. SEC. 224.

SECTION 2. In Colorado Revised Statutes, **amend** 38-4-103 as follows:

38-4-103. Electric power companies. (1) Any foreign or domestic corporation organized or chartered for the purpose, among other things, of conducting and maintaining electric power ~~transmission~~ lines for providing power or light by means of electricity for hire ~~shall have~~ HAS a right-of-way for the construction, operation, and maintenance of ~~such~~ electric power ~~transmission~~ lines through any patented or unpatented mine or mining claim or other land without the consent of the owner ~~thereof~~ OF THE PATENTED OR UNPATENTED MINE OR MINING CLAIM OR OTHER LAND, if ~~such~~ THE right-of-way is necessary for the purposes proposed.

(2) AN ELECTRIC UTILITY, AS DEFINED IN SECTION 40-15-601 (6), EXERCISING ITS RIGHTS UNDER SUBSECTION (1) OF THIS SECTION MAY, IN ACCORDANCE WITH PART 6 OF ARTICLE 15 OF TITLE 40:

(a) INSTALL OR ALLOW THE INSTALLATION OF ANY ATTACHED FACILITY, AS THAT TERM IS DEFINED IN SECTION 40-15-601 (1); AND

(b) EXERCISE ANY RIGHTS AVAILABLE TO THE ELECTRIC UTILITY UNDER PART 6 OF ARTICLE 15 OF TITLE 40 IN CONNECTION WITH THE INSTALLATION.

SECTION 3. In Colorado Revised Statutes, **amend** 38-5-103 as follows:

38-5-103. Power of companies to contract. (1) ~~Such~~ AN electric light power, gas, or pipeline company or ~~such~~ A city or town ~~shall have power to~~ MAY contract with any person or corporation, the owner of any ~~lands~~ LAND or any franchise, easement, or interest ~~therein~~ ON THE LAND over or under which the line of electric light wire power or pipeline is proposed to be laid or created for the right-of-way for the construction, maintenance, and operation of its electric light wires, pipes, poles, regulator stations, substations, or other property and for the erection, maintenance, occupation, and operation of offices at suitable distances for the public accommodation.

(2) AN ELECTRIC UTILITY, AS DEFINED IN SECTION 40-15-601 (6), EXERCISING ITS RIGHTS UNDER SUBSECTION (1) OF THIS SECTION MAY, IN ACCORDANCE WITH PART 6 OF ARTICLE 15 OF TITLE 40, INSTALL OR ALLOW THE INSTALLATION OF ANY ATTACHED FACILITY FOR COMMERCIAL BROADBAND SERVICE, AS THOSE TERMS ARE DEFINED IN SECTION 40-15-601 (1) AND (3), RESPECTIVELY.

SECTION 4. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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

April 15, 2019

Mr. President:

The House has postponed indefinitely SB19-027. The bill is returned herewith.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR19-011 by Senator(s) Garcia and Holbert--Concerning changes to the rules of the senate to implement workplace policies of the general assembly.

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:

SB19-239 by Senator(s) Winter and Bridges; also Representative(s) Gray and Hansen--Concerning means of addressing the impacts of technological and business model changes related to commercial vehicles, and, in connection therewith, requiring the department of transportation to convene and consult with a stakeholder group to examine impacts of new transportation technologies and business models, identify means of addressing impacts, and report findings and make recommendations to the general assembly.
Transportation & Energy

SB19-240 by Senator(s) Marble and Fenberg; also Representative(s) McLachlan and Saine, Arndt--Concerning the regulation of commercial products containing industrial hemp.
Agriculture & Natural Resources

SB19-241 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle--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

SB19-242 by Senator(s) Garcia; --Concerning the creation of an emergency medical service provider license, and, in connection therewith, specifying that a certified emergency medical service provider may obtain a license from the department of public health and environment if the certified emergency medical service provider demonstrates to the department that the certified emergency medical service provider completed a four-year bachelor's degree program.
Health & Human Services

SB19-243 by Senator(s) Moreno and Foote; also Representative(s) Cutter and Singer--Concerning a prohibition against a retail food establishment's distribution of an expanded polystyrene product for use as a container for ready-to-eat food intended for off-premises consumption.
State, Veterans, & Military Affairs

SB19-244 by Senator(s) Winter and Gardner, Moreno; also Representative(s) Lontine--Concerning statutory changes to implement changes to the workplace policies of the general assembly.
State, Veterans, & Military Affairs

SB19-245 by Senator(s) Gonzales; --Concerning granting the department of human services rule-making authority to amend the length of time permitted to satisfy administrative appeal requirements for the food stamp program in order to comply with federal law.
Health & Human Services

On motion of Senator Lee, the Senate adjourned until 9:00 a.m., Tuesday, April 16, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

103rd Legislative Day Tuesday, April 16, 2019

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--35

Quorum — The President announced a quorum present.

Pledge — By Senator Bridges.

Reading of the Journal — On motion of Senator Rankin, reading of the Journal of Monday, April 15, 2019, 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 appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

for terms expiring January 1, 2020:

James Moody of Denver, Colorado, to serve as a representative of contractors, appointed;

Jeffery M. Rumer of Blackhawk, Colorado, to serve as a representative of excavators, appointed;

Jeannette Aileen Jones of Longmont, Colorado, to serve as a representative of energy producers, appointed;

Michael Andrew Mills of Aurora, Colorado, to serve as a representative of water utilities, appointed;

for terms expiring January 1, 2021:

Lori Warner of Littleton, Colorado to serve as a representative of pipeline companies, appointed;

Mark Frederick Jurgemeyer of Denver, Colorado to serve as a representative of rural electric cooperatives, appointed;

Eric Graham Kirkpatrick of Castle Rock, Colorado, to serve as a representative of investor owned utilities, appointed;

James Patrick Fitzgerald of Greenwood Village, Colorado, to serve as a representative of special districts, appointed;

Katharine Marie Duitsman, PE of Centennial, Colorado, to serve as a representative of engineers, appointed;

for terms expiring January 1, 2022:

Raymond Keith Swerdfeger of Pueblo West, Colorado to serve as a representative of excavators, appointed;

Julie A. Mileham, AIC, ARM-P, CPCU, MBA of Aurora, Colorado, to serve as a representative of transportation, appointed;

Mark Frasier of Fort Morgan, Colorado, to serve as a representative actively engaged in farming or ranching, appointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1210** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, line 18, strike "and (6)" and substitute "(6), (7), (8), and (9)".

Page 5, lines 6 and 7, strike "PERFORMING WORK WHILE PHYSICALLY WITHIN" and substitute "PERFORMING, OR EXPECTED TO PERFORM, FOUR OR MORE HOURS OF WORK FOR AN EMPLOYER IN ANY GIVEN WEEK WITHIN THE GEOGRAPHIC BOUNDARIES OF".

Page 5, line 12, strike "LAW." and substitute "LAW; EXCEPT THAT A LOCAL GOVERNMENT THAT ENACTS A MINIMUM WAGE IN ACCORDANCE WITH THIS SUBSECTION (3) SHALL PROVIDE A TIP OFFSET FOR EMPLOYEES OF ANY BUSINESS OR ENTERPRISE THAT PREPARES AND OFFERS FOR SALE FOOD OR BEVERAGES FOR CONSUMPTION EITHER ON OR OFF THE PREMISES LESS THAN OR EQUAL TO THE TIP OFFSET PROVIDED IN SECTION 15 OF ARTICLE XVIII OF THE STATE CONSTITUTION. THE TIP OFFSET APPLIES ONLY TO EMPLOYEES WHO REGULARLY RECEIVE TIPS AND ONLY WHEN A TIP OFFSET IS PERMITTED BY STATE LAW. A LOCAL GOVERNMENT SHALL NOT INCLUDE IN ITS MINIMUM WAGE LAWS TIME SPENT IN THE LOCAL GOVERNMENT'S JURISDICTION BY AN EMPLOYEE SOLELY FOR THE PURPOSE OF TRAVELING THROUGH THE LOCAL GOVERNMENT'S JURISDICTION FROM A POINT OF ORIGIN OUTSIDE OF THE LOCAL GOVERNMENT'S BOUNDARIES TO A DESTINATION OUTSIDE OF THE LOCAL GOVERNMENT'S BOUNDARIES, WITH NO EMPLOYMENT-RELATED OR COMMERCIAL STOPS IN THE LOCAL GOVERNMENT'S JURISDICTION, EXCEPT FOR REFUELING OR THE EMPLOYEE'S PERSONAL MEALS OR ERRANDS.".

Page 6, after line 26 insert:

"(d) BEFORE ENACTING A MINIMUM WAGE LAW, A LOCAL GOVERNMENT SHALL CONSULT WITH SURROUNDING LOCAL GOVERNMENTS AND ENGAGE STAKEHOLDERS, INCLUDING CHAMBERS OF COMMERCE, SMALL AND LARGE BUSINESSES, BUSINESSES THAT EMPLOY TIPPED WORKERS, WORKERS, LABOR UNIONS, AND COMMUNITY GROUPS.".

Page 7, after line 23 insert:

"(7) IF A LOCAL GOVERNMENT ENACTS A LOCAL MINIMUM WAGE LAW REQUIRING A MINIMUM WAGE THAT EXCEEDS THE STATEWIDE MINIMUM WAGE, THE LOCAL GOVERNMENT MAY ONLY INCREASE THE LOCAL MINIMUM WAGE EACH YEAR BY UP TO ONE DOLLAR AND SEVENTY-FIVE CENTS OR FIFTEEN PERCENT, WHICHEVER IS HIGHER, UNTIL THE LOCAL MINIMUM WAGE REACHES THE AMOUNT ENACTED BY THE LOCAL GOVERNMENT.

(8) (a) BY JULY 1, 2021, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL ISSUE A WRITTEN REPORT REGARDING LOCAL MINIMUM WAGE LAWS IN THE STATE. THE REPORT MUST INCLUDE THE LOCATION, NATURE, AND SCOPE OF ENACTED LOCAL MINIMUM WAGE LAWS. TO THE EXTENT FEASIBLE, THE EXECUTIVE DIRECTOR SHALL ALSO INCLUDE IN THE REPORT ECONOMIC DATA, INCLUDING JOBS, EARNINGS, AND SALES TAX REVENUE, IN THE JURISDICTION OF ANY LOCAL GOVERNMENT THAT HAS ENACTED A LOCAL MINIMUM WAGE LAW PURSUANT TO THIS SECTION, AS WELL AS DATA FOR NEIGHBORING JURISDICTIONS, RELEVANT REGIONS, AND THE STATE. THE

REPORT MAY INCLUDE RECOMMENDATIONS FOR POSSIBLE IMPROVEMENTS TO THIS SECTION.

(b) THE EXECUTIVE DIRECTOR SHALL UPDATE THE REPORT BY JULY 1 EACH YEAR THEREAFTER IF AN ADDITIONAL LOCAL GOVERNMENT ENACTS A MINIMUM WAGE LAW AFTER JULY 1 OF THE YEAR PRIOR.

(c) (I) THE EXECUTIVE DIRECTOR SHALL SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION (8) TO THE SENATE LOCAL GOVERNMENT COMMITTEE AND THE HOUSE OF REPRESENTATIVES TRANSPORTATION AND LOCAL GOVERNMENT COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

(II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SUBSECTION (8) CONTINUES INDEFINITELY.

(9) (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL NOTIFY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING IF A LOCAL GOVERNMENT ENACTS A MINIMUM WAGE THAT EXCEEDS THE STATEWIDE MINIMUM WAGE.

(b) IF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING RECEIVES NOTICE PURSUANT TO SUBSECTION (9)(a) OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL, AS SOON AS PRACTICABLE, SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE WITH RECOMMENDATIONS ABOUT WHETHER PROVIDER RATES NEED TO BE INCREASED TO ACCOMMODATE THE LOCAL GOVERNMENT'S MINIMUM WAGE INCREASE AND IF ESTABLISHING A FUND TO PASS THROUGH THOSE INCREASES TO FACILITIES IN THE JURISDICTION OF THE LOCAL GOVERNMENT THAT HAS RAISED THE MINIMUM WAGE IS NECESSARY.

(c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT REQUIRED IN THIS SUBSECTION (9) CONTINUES INDEFINITELY.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-225** 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 21, strike "BY" and substitute "ALTHOUGH SENATE BILL 19-225, ENACTED IN 2019, DOES NOT CREATE, AND IS NOT INTENDED BY THE GENERAL ASSEMBLY TO CREATE, A STATEWIDE RENT CONTROL POLICY, BY".

Page 3, lines 22 and 23, strike "19-___, ENACTED IN 2019," and substitute "19-225,".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-232** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-239, 240, 241, 242, 243, 244, and 245; SR19-011.
Correctly Engrossed: SB19-196.
Correctly Reengrossed: SB19-059, 061, 104, 135, 142, 143, 150, 153, 157, 161, 169, 172, 192, 197, 202, 219, 220, and 221.
Correctly Revised: HB19-1118.
Correctly Rerevised: HB19-1232.

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:

HB19-1118 by Representative(s) Jackson and Galindo, Buentello, Cutter, Duran, Gonzales-Gutierrez, Hooton, Jaquez Lewis, Kennedy, Roberts, Snyder, Buckner, Caraveo, Coleman, Exum, Hansen, Herod, Lontine, Melton, Michaelson Jenet, Singer, Valdez A., Weissman; also Senator(s) Williams A., Court, Danielson, Fenberg, Fields, Lee, Rodriguez, Winter--Concerning the time allowed for a tenant to cure a lease violation that is not a substantial violation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales and Priola.

SB19-196 by Senator(s) Lee and Danielson; also Representative(s) Garnett and Duran--Concerning the modification of procurement requirements for state contracts for public projects.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Fields, Foote, Ginal, Moreno, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Danielson 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:

HB19-1221 by Representative(s) Coleman and Valdez A.; also Senator(s) Bridges and Pettersen--Concerning the regulation of electric scooters.

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1221.

Committee of the Whole

On motion of Senator Danielson, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson 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, had been considered and action taken thereon as follows:

HB19-1004 by Representative(s) Roberts and Catlin; also Senator(s) Donovan--Concerning a proposal for implementing a competitive state option for more affordable health care coverage in Colorado, and, in connection therewith, requesting authorization to use existing federal money for the proposed state option and taking other actions toward the implementation of the state option, and making an appropriation.

Amendment No. 1(L.005), by Senator Smallwood.

Amend reengrossed bill, page 6, line 9, strike "AND".

Page 6, line 12, strike "19-004." and substitute "19-004; AND
(n) CREATE A STATEWIDE DEFINITION OF AFFORDABILITY FOR CONSUMERS.".

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.)

HB19-1039 by Representative(s) Esgar, Jaquez Lewis, Titone, Valdez A., Galindo, Herod; also Senator(s) Moreno, Ginal--Concerning identity documents for transgender persons.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, pages 471-472 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 784 and placed in members' bill files.)

Amendment No. 3(L.015), by Senator Moreno.

Amend reengrossed bill, page 5, after line 10 insert:
"(11) THE STATE REGISTRAR SHALL PROMPTLY NOTIFY THE DEPARTMENT OF REVENUE WHEN AN INDIVIDUAL IS ISSUED A NEW BIRTH CERTIFICATE PURSUANT TO THIS SECTION.".

Page 8, after line 13 insert:
"**SECTION 5. Effective date.** This act takes effect January 1, 2020.".

Renumber succeeding section accordingly.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1127 by Representative(s) Garnett and Lontine, Singer, Jaquez Lewis; also Senator(s) Fenberg and Fields--Concerning the appointment of the lieutenant governor to serve concurrently as the director of the office of saving people money on health care, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 784 and placed in members' bill files.)

At the request of Senator Smallwood, the bill was read at length.

As amended, laid over until later in the day, retaining its place on the calendar.

Majority Leader Fenberg 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.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Judiciary After consideration on the merits, the Committee recommends that **HB19-1219** 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 **HB19-1174** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 2, line 14, strike "AND" and substitute "OR".

Page 3, line 1, strike "AS" and substitute "STARTING IN 2021, AS".

Page 4, line 15, strike "THE" and substitute "ONE HUNDRED TEN PERCENT OF THE".

Page 4, line 18, strike "ONE HUNDRED PERCENT" and substitute "THE SIXTIETH PERCENTILE".

Page 4, line 20, strike "AS DETERMINED".

Page 5, after line 3 insert:

"(V) THIS SUBSECTION (3)(d) DOES NOT APPLY WHEN A COVERED PERSON VOLUNTARILY USES AN OUT-OF-NETWORK PROVIDER.".

Renumber succeeding subparagraph accordingly.

Page 5, lines 19 and 20, strike "AT OR".

Page 5, strike line 23, and substitute "COST-SHARING LIMIT.".

Page 6, strike line 24 and substitute "THE OUT-OF-NETWORK PROVIDER IN ACCORDANCE WITH SUBSECTION (3)(d)(II) OF THIS SECTION AND REIMBURSE THE OUT-OF-NETWORK FACILITY".

Page 7, line 3, strike "ONE HUNDRED PERCENT OF THE" and substitute "THE".

Page 7, lines 5 and 6, strike "AS DETERMINED".

Page 7, line 14, strike "THAT" and substitute "THE SAME".

Page 7, line 19, strike "ONE HUNDRED PERCENT OF THE" and substitute "THE".

Page 7, lines 21 and 22, strike "AS DETERMINED".

Page 7, line 23, strike "CREATED" and substitute "DESCRIBED".

Page 7, line 27, after "COPAYMENT" insert "AMOUNT".

Page 8, line 17, strike "PROVIDERS" and substitute "SERVICE AGENCIES".

Page 8, lines 18 and 19, strike "COPAYMENT, COINSURANCE, OR DEDUCTIBLE" and substitute "COINSURANCE, DEDUCTIBLE, OR COPAYMENT".

Page 11, line 6, strike "24-34-113 (2)" and substitute "24-34-113".

Page 11, strike line 15 and substitute "HEALTH CARE FACILITY PURSUANT TO SUBSECTION (3)(d) OR (5.5)(b) OF THIS".

Page 11, line 27, after "PROVIDER" insert "OR A HEALTH CARE FACILITY".

Page 12, strike lines 7 and 8 and substitute "THE COMMISSIONER AND THE CARRIER. A PROVIDER OR HEALTH CARE FACILITY MUST SUBMIT A REQUEST FOR THE ARBITRATION OF A CLAIM WITHIN NINETY DAYS AFTER THE RECEIPT OF PAYMENT FOR THAT CLAIM.".

Page 12, strike lines 10 and 11 and substitute "SECTION, IF REQUESTED BY THE CARRIER AND THE PROVIDER OR HEALTH CARE FACILITY, THE COMMISSIONER MAY ARRANGE AN INFORMAL SETTLEMENT TELECONFERENCE TO BE HELD WITHIN THIRTY".

Page 12, line 18, after "THAT" insert "ESTABLISHES A STANDARD ARBITRATION FORM AND".

Page 12, strike line 27.

Page 13, strike lines 1 through 13 and substitute:

"(c) WITHIN THIRTY DAYS AFTER THE COMMISSIONER APPOINTS AN ARBITRATOR AND NOTIFIES THE PARTIES OF THE ARBITRATION, BOTH PARTIES SHALL SUBMIT TO THE ARBITRATOR, IN WRITING, EACH PARTY'S

FINAL OFFER AND EACH PARTY'S ARGUMENT. THE ARBITRATOR SHALL PICK ONE OF THE TWO AMOUNTS SUBMITTED BY THE PARTIES AS THE ARBITRATOR'S FINAL AND BINDING DECISION. THE DECISION MUST BE IN WRITING AND MADE WITHIN FORTY-FIVE DAYS AFTER THE ARBITRATOR'S APPOINTMENT. IN MAKING THE DECISION, THE ARBITRATOR SHALL CONSIDER THE CIRCUMSTANCES AND COMPLEXITY OF THE PARTICULAR CASE, INCLUDING THE FOLLOWING AREAS:

(I) THE PROVIDER'S LEVEL OF TRAINING, EDUCATION, EXPERIENCE, AND SPECIALIZATION OR SUBSPECIALIZATION; AND

(II) THE PREVIOUSLY CONTRACTED RATE, IF THE PROVIDER HAD A CONTRACT WITH THE CARRIER THAT WAS TERMINATED OR EXPIRED WITHIN ONE YEAR PRIOR TO THE DISPUTE.".

Page 13, strike lines 17 and 18 and substitute:

"(e) THE PARTY WHOSE FINAL OFFER AMOUNT WAS NOT SELECTED BY THE ARBITRATOR SHALL PAY THE ARBITRATOR'S EXPENSES AND FEES.".

Page 13, line 20, strike "2020," and substitute "2021,".

Page 15, line 12, strike "REGULATED UNDER TITLE 12".

Page 16, line 4, after "A" insert "HEALTH CARE".

Page 16, line 5, after "OUT-OF-NETWORK" insert "HEALTH CARE".

Page 16, line 6, after "IN-NETWORK" insert "HEALTH CARE".

Page 16, line 15, strike "SUBSECTION (2) OF".

Page 17, line 6, after "COPAYMENT" insert "AMOUNT".

Page 17, line 9, before "NONEMERGENCY" insert "COVERED".

Page 17, line 27, after "FOR" insert "COVERED".

Page 18, line 5, strike "DELIVERY OF SERVICES" and substitute "RECEIPT OF INSURANCE INFORMATION".

Page 18, line 8, strike "FIVE" and substitute "TEN".

Page 18, line 12, strike "ONE HUNDRED PERCENT" and substitute "THE SIXTIETH PERCENTILE".

Page 18, line 14, strike "AS DETERMINED".

Page 18, line 17, after "FOR" insert "COVERED".

Page 18, line 25, after "COPAYMENT" insert "AMOUNT".

Page 19, line 13, strike "UNDER" and substitute "PURSUANT TO".

Page 19, line 21, strike "24-34-113 (2)" and substitute "24-34-113".

Page 20, line 1, after "THE" insert "FEDERAL".

Page 20, line 11, after "FACILITIES," insert "INCLUDING".

Page 20, line 20, strike "24-34-113 (2)" and substitute "24-34-113".

Page 20, line 22 strike "(12)" and substitute "(12)(b)".

Page 20, line 23, strike "SUBSECTION (1) OF".

Page 21, after line 5 insert:

"(c) "EMERGENCY SERVICES" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-704 (5.5)(e)(II).".

Reletter succeeding paragraphs accordingly.

Page 21, line 21, strike "THE" and substitute "A".

Page 21, line 24, after "COPAYMENT" insert "AMOUNT".

Page 22, line 2, strike "10-16-704 (5.5)," and substitute "10-16-704 (3)(b) OR (5.5),".

Page 22, line 12, strike "PROVIDER" and substitute "FACILITY".

Page 22, line 18, strike "DELIVERY OF SERVICES" and substitute "RECEIPT OF INSURANCE INFORMATION".

Page 22, line 25, strike "ONE HUNDRED PERCENT OF THE" and substitute "THE".

Page 22, line 27, strike "AS".

Page 23, line 1, strike "DETERMINED".

Page 23, line 10, strike "THAT" and substitute "THE SAME".

Page 23, line 15, strike "ONE HUNDRED PERCENT OF THE" and substitute "THE".

Page 23, line 18, strike "AS DETERMINED".

Page 23, line 19, strike "CREATED" and substitute "DESCRIBED".

Page 23, strike line 22 and substitute "SPECIFIED IN THIS SUBSECTION (3), THE CARRIER SHALL".

Page 24, line 2, after "COPAYMENT" insert "AMOUNT".

Page 24, after line 6 insert:

"(5) THIS SECTION DOES NOT APPLY WHEN A COVERED PERSON VOLUNTARILY USES AN OUT-OF-NETWORK PROVIDER.".

Page 24, after line 11 insert:

"**SECTION 8.** In Colorado Revised Statutes, **add to article 30 as relocated by House Bill 19-1172** 12-30-111 and 12-30-112 as follows:

12-30-111. Health care providers - required disclosures - rules - definitions. (1) FOR THE PURPOSES OF THIS SECTION AND SECTION 12-30-112:

(a) "CARRIER" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-102 (8).

(b) "COVERED PERSON" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-102 (15).

(c) "EMERGENCY SERVICES" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-704 (5.5)(e)(II).

(d) "GEOGRAPHIC AREA" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-704 (3)(d)(V)(A).

(e) "HEALTH BENEFIT PLAN" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-102 (32).

(f) "MEDICARE REIMBURSEMENT RATE" HAS THE SAME MEANING AS DEFINED IN SECTION 10-16-704 (3)(d)(V)(B).

(g) "OUT-OF-NETWORK PROVIDER" MEANS A HEALTH CARE PROVIDER THAT IS NOT A "PARTICIPATING PROVIDER" AS DEFINED IN SECTION 10-16-102 (46).

(2) ON AND AFTER JANUARY 1, 2020, HEALTH CARE PROVIDERS SHALL DEVELOP AND PROVIDE DISCLOSURES TO CONSUMERS ABOUT THE POTENTIAL EFFECTS OF RECEIVING EMERGENCY OR NONEMERGENCY SERVICES FROM AN OUT-OF-NETWORK PROVIDER. THE DISCLOSURES MUST COMPLY WITH THE RULES ADOPTED PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(3) THE DIRECTOR, IN CONSULTATION WITH THE COMMISSIONER

OF INSURANCE AND THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103, SHALL ADOPT RULES THAT SPECIFY THE REQUIREMENTS FOR HEALTH CARE PROVIDERS TO DEVELOP AND PROVIDE CONSUMER DISCLOSURES IN ACCORDANCE WITH THIS SECTION. THE DIRECTOR SHALL ENSURE THAT THE RULES ARE CONSISTENT WITH SECTIONS 10-16-704 (12) AND 25-3-120 AND RULES ADOPTED BY THE COMMISSIONER PURSUANT TO SECTION 10-16-704 (12)(b) AND BY THE STATE BOARD OF HEALTH PURSUANT TO SECTION 25-3-120 (2). THE RULES MUST SPECIFY, AT A MINIMUM, THE FOLLOWING:

(a) THE TIMING FOR PROVIDING THE DISCLOSURES FOR EMERGENCY AND NONEMERGENCY SERVICES WITH CONSIDERATION GIVEN TO POTENTIAL LIMITATIONS RELATING TO THE FEDERAL "EMERGENCY MEDICAL TREATMENT AND LABOR ACT", 42 U.S.C. SEC. 1395dd;

(b) REQUIREMENTS REGARDING HOW THE DISCLOSURES MUST BE MADE, INCLUDING REQUIREMENTS TO INCLUDE THE DISCLOSURES ON BILLING STATEMENTS, BILLING NOTICES, OR OTHER FORMS OR COMMUNICATIONS WITH CONSUMERS;

(c) THE CONTENTS OF THE DISCLOSURES, INCLUDING THE CONSUMER'S RIGHTS AND PAYMENT OBLIGATIONS PURSUANT TO THE CONSUMER'S HEALTH BENEFIT PLAN;

(d) DISCLOSURE REQUIREMENTS SPECIFIC TO HEALTH CARE PROVIDERS, INCLUDING WHETHER A HEALTH CARE PROVIDER IS OUT OF NETWORK, THE TYPES OF SERVICES AN OUT-OF-NETWORK HEALTH CARE PROVIDER MAY PROVIDE, AND THE RIGHT TO REQUEST AN IN-NETWORK HEALTH CARE PROVIDER TO PROVIDE SERVICES; AND

(e) REQUIREMENTS CONCERNING THE LANGUAGE TO BE USED IN THE DISCLOSURES, INCLUDING USE OF PLAIN LANGUAGE, TO ENSURE THAT CARRIERS, HEALTH CARE FACILITIES, AND HEALTH CARE PROVIDERS USE LANGUAGE THAT IS CONSISTENT WITH THE DISCLOSURES REQUIRED BY THIS SECTION AND SECTIONS 10-16-704 (12) AND 25-3-120 AND THE RULES ADOPTED PURSUANT TO THIS SUBSECTION (3) AND SECTIONS 10-16-704 (12)(b) AND 25-3-120 (2).

(4) RECEIPT OF THE DISCLOSURES REQUIRED BY THIS SECTION DOES NOT WAIVE A CONSUMER'S PROTECTIONS UNDER SECTION 10-16-704 (3) OR (5.5) OR THE CONSUMER'S RIGHT TO BENEFITS UNDER THE CONSUMER'S HEALTH BENEFIT PLAN AT THE IN-NETWORK BENEFIT LEVEL FOR ALL COVERED SERVICES AND TREATMENT RECEIVED.

(5) THIS SECTION DOES NOT APPLY TO SERVICE AGENCIES, AS DEFINED IN SECTION 25-3.5-103 (11.5), THAT ARE PUBLICLY FUNDED FIRE AGENCIES.

12-30-112. Out-of-network health care providers - out-of-network services - billing - payment. (1) IF AN OUT-OF-NETWORK HEALTH CARE PROVIDER PROVIDES EMERGENCY SERVICES OR COVERED NONEMERGENCY SERVICES TO A COVERED PERSON AT AN IN-NETWORK FACILITY, THE OUT-OF-NETWORK PROVIDER SHALL:

(a) SUBMIT A CLAIM FOR THE ENTIRE COST OF THE SERVICES TO THE COVERED PERSON'S CARRIER; AND

(b) NOT BILL OR COLLECT PAYMENT FROM A COVERED PERSON FOR ANY OUTSTANDING BALANCE FOR COVERED SERVICES NOT PAID BY THE CARRIER, EXCEPT FOR THE APPLICABLE IN-NETWORK COINSURANCE, DEDUCTIBLE, OR COPAYMENT AMOUNT REQUIRED TO BE PAID BY THE COVERED PERSON.

(2) (a) IF AN OUT-OF-NETWORK HEALTH CARE PROVIDER PROVIDES COVERED NONEMERGENCY SERVICES AT AN IN-NETWORK FACILITY OR EMERGENCY SERVICES AT AN OUT-OF-NETWORK OR IN-NETWORK FACILITY AND THE HEALTH CARE PROVIDER RECEIVES PAYMENT FROM THE COVERED PERSON FOR SERVICES FOR WHICH THE COVERED PERSON IS NOT RESPONSIBLE PURSUANT TO SECTION 10-16-704 (3)(b) OR (5.5), THE HEALTH CARE PROVIDER SHALL REIMBURSE THE COVERED PERSON WITHIN SIXTY CALENDAR DAYS AFTER THE DATE THAT THE OVERPAYMENT WAS REPORTED TO THE PROVIDER.

(b) AN OUT-OF-NETWORK HEALTH CARE PROVIDER THAT FAILS TO REIMBURSE A COVERED PERSON AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION FOR AN OVERPAYMENT SHALL PAY INTEREST ON THE OVERPAYMENT AT THE RATE OF TEN PERCENT PER ANNUM BEGINNING ON THE DATE THE PROVIDER RECEIVED THE NOTICE OF THE OVERPAYMENT. THE COVERED PERSON IS NOT REQUIRED TO REQUEST THE ACCRUED INTEREST FROM THE OUT-OF-NETWORK HEALTH CARE PROVIDER IN ORDER TO RECEIVE INTEREST WITH THE REIMBURSEMENT AMOUNT.

(3) AN OUT-OF-NETWORK HEALTH CARE PROVIDER SHALL PROVIDE A COVERED PERSON A WRITTEN ESTIMATE OF THE AMOUNT FOR WHICH THE COVERED PERSON MAY BE RESPONSIBLE FOR COVERED NONEMERGENCY SERVICES WITHIN THREE BUSINESS DAYS AFTER A REQUEST FROM THE COVERED PERSON.

(4) (a) AN OUT-OF-NETWORK HEALTH CARE PROVIDER MUST SEND A CLAIM FOR A COVERED SERVICE TO THE CARRIER WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE RECEIPT OF INSURANCE INFORMATION IN ORDER TO RECEIVE REIMBURSEMENT AS SPECIFIED IN THIS SUBSECTION (4)(a). THE REIMBURSEMENT RATE IS THE GREATER OF:

(I) ONE HUNDRED FIVE PERCENT OF THE CARRIER'S MEDIAN IN-NETWORK RATE OF REIMBURSEMENT FOR THAT SERVICE PROVIDED IN THE SAME GEOGRAPHIC AREA; OR

(II) THE MEDIAN IN-NETWORK RATE OF REIMBURSEMENT FOR THE SAME SERVICE IN THE SAME GEOGRAPHIC AREA FOR THE PRIOR YEAR BASED ON CLAIMS DATA FROM THE ALL-PAYER HEALTH CLAIMS DATABASE CREATED IN SECTION 25.5-1-204.

(b) IF THE OUT-OF-NETWORK HEALTH CARE PROVIDER SUBMITS A CLAIM FOR COVERED SERVICES AFTER THE ONE-HUNDRED-EIGHTY-DAY PERIOD SPECIFIED IN SUBSECTION (4)(a) OF THIS SECTION, THE CARRIER SHALL REIMBURSE THE HEALTH CARE PROVIDER ONE HUNDRED TWENTY-FIVE PERCENT OF THE MEDICARE REIMBURSEMENT RATE FOR THE SAME SERVICES IN THE SAME GEOGRAPHIC AREA.

(c) THE HEALTH CARE PROVIDER SHALL NOT BILL A COVERED PERSON ANY OUTSTANDING BALANCE FOR A COVERED SERVICE NOT PAID FOR BY THE CARRIER, EXCEPT FOR ANY COINSURANCE, DEDUCTIBLE, OR COPAYMENT AMOUNT REQUIRED TO BE PAID BY THE COVERED PERSON.

(5) A HEALTH CARE PROVIDER MAY INITIATE ARBITRATION PURSUANT TO SECTION 10-16-704 (15) IF THE HEALTH CARE PROVIDER BELIEVES THE PAYMENT MADE PURSUANT TO SUBSECTION (4) OF THIS SECTION IS NOT SUFFICIENT.".

Renumber succeeding sections accordingly.

Strike page 25 and substitute:

"**SECTION 10. Act subject to petition - effective date - applicability.** (1) Except as otherwise provided in subsection (2) of this section, this act takes effect January 1, 2020; 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) (a) Section 5 of this act takes effect only if House Bill 19-1172 does not become law.

(b) Section 8 of this act takes effect only if House Bill 19-1172 becomes law.

(3) This act applies to health care services provided on or after the applicable effective date of this act.".

Appro-priations

After consideration on the merits, the Committee recommends that **HB19-1031** 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.

Strike the Health & Human Services Committee Report, dated March 14, 2019.

Strike the Appropriations Committee Report, dated March 29, 2019.

Amend reengrossed bill, page 2, line 9, strike "THAT" and substitute "THAT, ON OR AFTER DECEMBER 1, 2020,".

Appro-
priations

After consideration on the merits, the Committee recommends that **HB19-1095** 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 **HB19-1205** 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 **SB19-015** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend printed bill, page 3, line 7, strike "THE MEMBERS OF" and substitute "NO MORE THAN TEN MEMBERS FROM".

Page 3, strike lines 19 through 21 and substitute:

"(c) NOTWITHSTANDING SECTION 2-2-307 (3)(a)(I), MEMBERS OF THE COMMITTEE ARE NOT ENTITLED TO RECEIVE THE USUAL PER DIEM FOR MEMBERS OF THE GENERAL ASSEMBLY WHO ATTEND INTERIM COMMITTEE MEETINGS. MEMBERS OF THE COMMITTEE ARE ENTITLED ONLY TO THE ACTUAL AND NECESSARY TRAVEL AND SUBSISTENCE EXPENSES PURSUANT TO SECTION 2-2-307 (3)(b).".

Page 4, after line 4 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $13,847 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:
(a) $9,607 for use by the legislative council, which amount is based on an assumption that the council will require an additional 0.1 FTE; and
(b) $4,240 for use by the general assembly.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**STATE.**" and substitute "**STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-036** 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, before line 27 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $203,612 is appropriated to the judicial department. This appropriation is from the general fund. To implement this act, the department may use this appropriation for information technology infrastructure.".

Renumber succeeding section accordingly.

Amend the Judiciary Committee Report, dated February 11, 2019, page 5, after line 1 insert:

"Page 5 of the printed bill, line 27, strike "Section 2" and substitute "Sections 5 and 8".

Page 6, line 1, strike "takes" and substitute "take".".

Page 1 of the printed bill, line 103, strike "**SCHEDULED.**" and substitute "**SCHEDULED, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-096** 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 3 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $1,680,600 is appropriated to the department of public health and environment. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $331,720 for use by the air pollution control division for program costs, which amount is based on an assumption that the division will require an additional 3.8 FTE; and

(b) $1,348,880 for the purchase of information technology services.

(2) For the 2019-20 state fiscal year, $1,348,880 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 public health and environment under subsection (1)(b) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of public health and environment.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**GOALS.**" and substitute "**GOALS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-108** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend the Judiciary Committee Report, dated February 27, 2019, page 3, after line 21 insert:

"Page 8, strike lines 12 through 14 and substitute:

"(III) DEVELOP A PLAN FOR THE DEPARTMENT OF HUMAN SERVICES AND THE JUDICIAL DEPARTMENT TO REPORT ON THE OUTCOME MEASURES. THE REPORT OR REPORTS MUST BE MADE AVAILABLE ANNUALLY TO".

Page 8, line 21, after "REPORT" insert "OR REPORTS".".

Page 3 of the report, after line 22 insert:

"Page 8, line 27, strike "TO FULLY IMPLEMENT" and substitute "PRIOR TO FULLY IMPLEMENTING".

Page 9, line 1, after "RECOMMENDATIONS." add "SUBMITTING REPORTS PURSUANT TO THIS SECTION IS CONTINGENT UPON THE RECEIPT OF REASONABLE AND NECESSARY ADDITIONAL APPROPRIATIONS REQUESTED BY THE COMMITTEE IN ORDER TO FULFILL REPORTING REQUIREMENTS OUTLINED IN THE COMMITTEE'S PLANS.".".

Page 5 of the report, after line 15 insert:

"Page 13, line 24, strike "INSTRUMENT;" and substitute "INSTRUMENT AS CONDUCTED PURSUANT TO SECTION 19-2-507;".

Page 14, line 1, after "INVOLVEMENT." insert "THE DIVISION OF YOUTH SERVICES SHALL RECOMMEND ANY NECESSARY CHANGES TO APPROPRIATIONS THAT NEED TO BE MADE PRIOR TO FULLY IMPLEMENTING THIS SECTION'S RECOMMENDATIONS.".".

Page 5 of the report, after line 26 insert:

"Page 15, after line 19 insert:

"(IX) BEFORE JANUARY 1, 2021, TO DEVELOP A SYSTEM OF GRADUATED RESPONSES AND REWARDS TO GUIDE PAROLE OFFICERS IN

DETERMINING HOW BEST TO MOTIVATE POSITIVE JUVENILE BEHAVIOR CHANGE AND THE APPROPRIATE RESPONSE TO A VIOLATION OF TERMS AND CONDITIONS OF JUVENILE PAROLE. GRADUATED RESPONSES MEANS AN ACCOUNTABILITY-BASED SERIES OF SANCTIONS AND SERVICES DESIGNED TO RESPOND TO A JUVENILE'S VIOLATION OF PAROLE QUICKLY, CONSISTENTLY, AND PROPORTIONALLY AND INCENTIVES TO MOTIVATE POSITIVE BEHAVIOR CHANGE AND SUCCESSFUL COMPLETION OF PAROLE AND HIS OR HER REENTRY AND TREATMENT GOALS.".".

Page 10 of the report, line 17 , strike "24-20-601"." and substitute "24-20-601.

SECTION 32. Appropriation. (1) For the 2019-20 state fiscal year, $68,598 is appropriated to the judicial department. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.8 FTE. To implement this act, the department may use this appropriation for probation programs.

(2) For the 2019-20 state fiscal year, $500,000 is appropriated to the department of human services for use by the division of youth services. This appropriation is from the general fund. To implement this act, the division may use this appropriation for personal services related to administration.

(3) For the 2019-20 state fiscal year, $6,315 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the general assembly.".

Renumber succeeding sections accordingly.

Page 10 of report, after line 25 insert:

"Page 1 of the printed bill, line 102, strike "**SYSTEM.**" and substitute "**SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-136** 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 7, after line 10, insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $529,562 is appropriated to the department of human services for use by the division of youth services. This appropriation is from the general fund. To implement this act, the division may use this appropriation as follows:

(a) $359,712 for personal services related to institutional programs, which amount is based on an assumption that the division will require an additional 0.5 FTE; and

(b) $169,850 for operating expenses related to institutional programs.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**SERVICES.**" and substitute "**SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-149** 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 **SB19-156** be referred to the Committee of the Whole with favorable recommendation.

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-165** 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 12 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $293,774 is appropriated to the department of corrections. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $213,368 for use by the parole board for personal services, which amount is based on an assumption that the parole board will require an additional 1.8 FTE;

(b) $14,230 for use by the parole board for operating expenses;

(c) $60,240 for use by the parole board for start up costs; and

(d) $5,936 for the purchase of information technology services.

(2) For the 2019-20 state fiscal year, $5,936 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 corrections under subsection (1)(d) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of corrections.".

Renumber succeeding section accordingly.

Pag 1, line 101, strike "**PAROLE.**" and substititute "**PAROLE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-173** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 16, after line 20 insert:

"**SECTION 3. Appropriation.** For the 2019-20 state fiscal year, $800,000 is appropriated to the department of treasury. This appropriation is from the general fund. To implement this act, the department may use this appropriation for operating expenses related to administration.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**WORKERS.**" and substitute "**WORKERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-175** 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 24 insert:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $1,575 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the licensing services cash fund created in section 42-2-114.5 (1), C.R.S. To implement this act, the division may use this appropriation for DRIVES maintenance and support.".

Renumber succeeding sections accordingly.

Page 1, line 103, strike "**USER.**" and substitute "**USER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-176** 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 Education Committee Report, dated April 3, 2019, page 11, after line 9 insert:

"**SECTION 6.** In Colorado Revised Statutes, **add** 23-60-202.7 as follows:

23-60-202.7. Powers of board with respect to concurrent enrollment. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "CONCURRENT ENROLLMENT" HAS THE SAME MEANING AS PROVIDED IN SECTION 22-35-103.

(2) THE BOARD SHALL ENSURE THAT THE COMMUNITY COLLEGE SYSTEM PROVIDES LEADERSHIP, SYSTEM-LEVEL SERVICE, AND MANAGEMENT AND COORDINATION OF EFFORTS WITHIN THE SYSTEM TO STREAMLINE POLICIES, ELIMINATE ADMINISTRATIVE BARRIERS, AND IMPLEMENT EFFORTS TO MAXIMIZE PARTICIPATION IN CONCURRENT ENROLLMENT ACROSS THE COMMUNITY COLLEGE SYSTEM. COORDINATION OF EFFORTS INCLUDES FACILITATING THE SHARING OF BEST PRACTICES AMONG INSTITUTIONS, DRIVING INNOVATION, AND BUILDING CAPACITY FOR OFFERING CONCURRENT ENROLLMENT TO MORE STUDENTS ACROSS THE STATE WITH A FOCUS ON STUDENT ACADEMIC SUCCESS.

(3) THE COMMUNITY COLLEGE SYSTEM MAY RECEIVE FUNDING FOR THE SERVICES DESCRIBED IN THIS SECTION THROUGH A LIMITED PURPOSE FEE-FOR-SERVICE CONTRACT AS PROVIDED IN SECTION 23-18-308.

SECTION 7. In Colorado Revised Statutes, 23-18-308, **amend** (1)(b) and (1)(c); and **add** (1)(d) as follows:

23-18-308. Fee-for-service contracts - limited purpose. (1) Subject to available appropriations, the department shall enter into fee-for-service contracts for the following purposes:

(b) The inclusive higher education pilot program pursuant to section 23-75-104; ~~and~~

(c) Cybersecurity and distributed ledger technologies, such as blockchains, as set forth in sections 24-33.5-1904 and 24-33.5-1905; AND

(d) PROVIDING SERVICES TO MAXIMIZE CONCURRENT ENROLLMENT ACROSS THE COMMUNITY COLLEGE SYSTEM AS PROVIDED IN SECTION 23-60-202.7.

SECTION 8. Appropriation. For the 2019-20 state fiscal year, $44,916 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.5 FTE. To implement this act, the department may use this appropriation for college and career readiness.

SECTION 9. Appropriation. (1) For the 2019-20 state fiscal year, $105,000 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the college opportunity fund program to be used for limited purpose fee-for-service contracts with state institutions.

(2) For the 2019-20 state fiscal year, $105,000 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the limited purpose fee-for-service contracts with state institutions under subsection (1) of this section. To implement this act, the department may use this appropriation for the state board for community colleges and occupational education state system community colleges. This amount is based on an assumption that the board will require an additional 1.0 FTE.".

Renumber succeeding section accordingly.

Page 11 of the report, after line 19 insert: "Page 1, line 103, strike "**SCHOOL.**" and substitute "**SCHOOL, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-180** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend Amend the Judiciary Committee Report, dated March 20, 2019, page 1, line 4, strike "(VI)" and substitute "(VII)".

Page 1, line 6, strike "(VII)" and substitute "(VIII)".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-188** 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 9, 2019, page 31, after line 31 insert:

"**SECTION 6. Appropriation.** (1) For the 2019-20 state fiscal year, $55,552 is appropriated to the department of labor and employment. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:
(a) $50,000 for an actuarial study; and
(b) $5,552 for the family and medical leave insurance advisory board.".

Renumber succeeding section accordingly.

Page 1 of the printed bill, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-190** 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 Education Committee Report, dated April 4, 2019, page 18, after line 14 insert:

"**SECTION 6. Appropriation.** For the 2019-20 state fiscal year, $1,217,787 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:
(a) $92,787 for administration related to the Colorado commission on higher education and higher education special purpose programs, which amount is based on an assumption that the department will require an additional 1.0 FTE; and
(b) $1,125,000 for teacher mentor grants.".

Renumber succeeding section accordingly.

Page 1 of the printed bill, line 104, strike "**ACT".**" and substitute "**ACT" AND MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-191** be referred to the Committee of the Whole with favorable recommendation.

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-198** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 9, before line 26 insert:

"**SECTION 6. Appropriation.** For the 2019-20 state fiscal year, $3,262,500 is appropriated to the department of public health and environment for use by the hazardous materials and waste management division. This appropriation consists of $3,375,000 from the end users

fund created in section 30-20-1405 (1), C.R.S., and a reduction of $112,500 from the waste tire administration, enforcement, market development, and cleanup fund created in section 30-20-1404 (1), C.R.S. To implement this act, the division may use this appropriation for waste tire program administration.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**TIRES.**" and substitute "**TIRES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-205** 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 2. Appropriation.** (1) For the 2019-20 state fiscal year, $14,771 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of $10,946 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S., and $3,825 from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $10,946 from the license plate cash fund, for license plate ordering; and

(b) $3,825 from the Colorado DRIVES vehicle services account in the highway users tax fund for DRIVES maintenance and support.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**FORCES.**" and susbstitute "**FORCES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-215** 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 4, before line 26 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $68,000 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 parents encouraging parents conferences.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**DISABILITIES.**" and substitute "**DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-216** 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 printed bill, page 17, after line 4 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $129,563 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.3 FTE. To implement this act, the department may use this appropriation for the high school innovative learning pilot program.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**STUDENTS.**" and substitute "**STUDENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-218** 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 25 insert:

"**SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal year, $114,007 is appropriated to the department of public health and environment for use by the center for health and environmental information. This appropriation is from the medical marijuana program cash fund created in section 25-1.5-106 (16)(a), C.R.S. To implement this act, the center may use this appropriation as follows:

(a) $14,007 for personal services related to the medical marijuana registry, which amount is based on an assumption that the department will require an additional 0.2 FTE; and

(b) $100,000 for operating expenses related to the medical marijuana registry.

(2) For the 2019-20 state fiscal year, $560,143 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 as follows:

(a) $24,687 for use by the division of professions and occupations for personal services, which amount is based on an assumption that the division will require an additional 0.4 FTE; and

(b) $535,456 for the purchase of legal services.

(2) For the 2019-20 state fiscal year, $535,456 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (2)(b) of this section and is based on an assumption that the department of law will require an additional 2.9 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 section accordingly.

Page 1, line 104, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-224** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 259, after line 9 insert:

"**SECTION 77. Appropriation.** (1) For the 2019-20 state fiscal year, $396,604 is appropriated to the department of revenue. This appropriation is from the marijuana cash fund created in section 44-11-501 (1)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $292,974 for marijuana enforcement, which amount is based on an assumption that the department will require an additional 1.8 FTE; and

(b) $103,630 for the purchase of legal services.

(2) For the 2019-20 state fiscal year, $103,630 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 0.6 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 1 of the printed bill, line 104, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-231** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 21 insert:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $305,145 is appropriated to the department of higher education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.8 FTE. To implement this act, the department may use this appropriation for the Colorado second chance scholarship program.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**SERVICES.**" and substitute "**SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

April 4, 2019

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 LOTTERY COMMISSION

for a term expiring July 1, 2019:

William John Clayton of Littleton, Colorado, to serve as a representative of law enforcement and as an Unaffiliated, and occasioned by the death of Kevin Scott Knierim of Englewood, Colorado, appointed.

for terms expiring July 1, 2022:

Stanley Henry Podolski III, CPA of Fort Collins, Colorado, a Republican, and certified public accountant who has practiced accountancy in Colorado for at least five years, appointed;

Jim Bensberg of Colorado Springs, Colorado, to serve as a public member and as a Republican, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 4/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

March 19, 2019

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, 2021:

Kristen Shirley Blessman of Denver, Colorado, to serve as a member from the First Congressional District, and as a representative who has been engaged in business in a management-level capacity for at least five years, and as an Unaffiliated, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/20/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

April 4, 2019

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
MEDICAL SERVICES BOARD

for a term expiring July 1, 2021

Patricia L. Givens, DHA, EdM, BN, RN of Denver, Colorado, an Unaffiliated from the First Congressional District, with knowledge of medical assistance programs, reappointed;

for a term expiring July 1, 2022:

Amanda Ann Moorer of Westminster, Colorado, a Republican from the Seventh Congressional District with knowledge of medical assistance programs, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 4/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

March 27, 2019

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
JUVENILE PAROLE BOARD

for terms expiring November 15, 2021:

Kim Branham of Thornton, Colorado, to serve as a representative of the Colorado Department of Public Safety, appointed;

Kaye Lynn Hotsenpiller of Montrose, Colorado, to serve as a public at-large member from the Western Slope, appointed;

Bradford Louis Geiger of Highlands Ranch, Colorado, to serve as a public member, appointed;

James A. Newby, MA, LPC, CWDP of Aurora, Colorado, to serve as a representative from the Colorado Department of Labor and Employment, appointed;

for terms expiring November 15, 2022:

Gretchen Jaime Russo, RN, BSN, JD of Denver, Colorado, to serve as a representative from the Colorado Department of Human Services, reappointed;

Rachael Victoria Lovendahl of Westminster, Colorado, to serve as a representative of the Colorado Department of Education, reappointed;

Margaret Brewington Wright, PhD, MFA of Pueblo, Colorado, to serve as a public member/not employed by state government, reappointed;

Michael Anthony Rodriguez of Aurora, Colorado to serve as a public member/not employed by state government, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/28/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

April 4, 2019

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 RACING COMMISSION

for a term expiring July 1, 2020:

Justine Scott Estes of Gypsum, Colorado, a Republican from the Third Congressional District, who was previously appointed as a registered elector of the state to now serve as a representative of the racing industry, appointed;

for a term expiring July 1, 2022:

Sandra Jeanne Bowen of Idledale, Colorado, a Democrat, from the Second Congressional District to serve as a registered elector of the state, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 4/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Finance

MESSAGE FROM THE HOUSE

April 16, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1228, 1307, 1290.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1285, 1291, 1301, 1013, 1088, 1110, 1120, 1122, 1132, 1133, 1134, 1171, 1184, 1187, 1257, 1258, 1247, 1250, 1262, 1289, 1265, 1255, 1188, 1202, 1216, 1233,1261, amended as printed in House Journal, April 12, 2019

The House has voted to concur in the Senate amendments to HB19-1207, 1030, 1208, 1023, 1092, 1220, 1232, and has repassed the bills as so amended.

The House has adopted the First Majority Report of the First Conference Committee on HB19-1131, as printed in House Journal, April 11, 2019, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB19-1170, as printed in House Journal, April 12, 2019, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on SB19-214, as printed in House Journal, April 15, 2019, 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 SB19-208, as printed in House Journal, April 15, 2019, and has repassed the bill as so amended. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 16, 2019

We herewith transmit:

Without comment, HB19-1228, 1290, and 1307.
Without comment, as amended, HB19-1013, 1088, 1110, 1120, 1122, 1132, 1133, 1134, 1171, 1184, 1187, 1188, 1202, 1216, 1233, 1247, 1250, 1255, 1257, 1258, 1261, 1262, 1265, 1285, 1289, 1291, and 1301.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-144.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-208

****
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 SB19-208, concerning a transfer of money from the state employee reserve fund to the general fund, has met and reports that it has agreed upon the following:

1. 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 7, strike "THIRTEEN" and substitute "TWENTY-THREE".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendment be recommended:

Amend rerevised bill, page 2, lines 7 and 8, strike "ACCOUNT DEDICATED TO THE DEPARTMENT OF CORRECTIONS WITHIN THE".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Dominick Moreno, Chair	Daneya Esgar, Chair
Rachel Zenzinger	Chris Hansen
Bob Rankin	Kim Ransom

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-214

****
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 SB19-214, concerning capital-related transfers of money, has met and reports that it has agreed upon the following:

That the Senate accede to the House amendment made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Dominick Moreno, Chair	Daneya Esgar, Chair
Rachel Zenzinger	Chris Hansen
Bob Rankin	Kim Ransom

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

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
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2020:

James Ronald DeVries, MSHA of Denver, Colorado, to serve as an Unaffiliated from Congressional District 1 and occasioned by the resignation of Julie Hoener Mowry of Denver, Colorado, appointed.

for terms expiring July 1, 2022:

Paulette St. James of Denver, Colorado, to serve as a Democrat from Congressional District 1, reappointed;

Chad Frederick Federwitz of Carbondale, Colorado, to serve as an Unaffiliated and as an at-large member from Congressional District 3, appointed;

Jody Barker of Colorado Springs, Colorado, to serve as a Republican from Congressional District 5, reappointed;

Ryan James Burmood of Aurora, Colorado, to serve as a Democrat from Congressional District 6, appointed.

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 HISTORICAL SOCIETY BOARD OF DIRECTORS

for terms expiring July 1, 2021:

Donna Lynne of Denver, Colorado, appointed:

Stephen Forrest Sturm of Denver, Colorado, appointed.

Local Government

After consideration on the merits, the Committee recommends that **SB19-107** 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:

SB19-246 by Senator(s) Todd and Lundeen; also Representative(s) McLachlan and Wilson--Concerning the financing of public schools.
Education

HB19-1013 by Representative(s) Exum, Coleman; also Senator(s) Pettersen, Fields--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

HB19-1088 by Representative(s) Buck and Valdez D.; also Senator(s) Donovan--Concerning modifications to the existing income tax credit for health care preceptors working in health care professional shortage areas, and, in connection therewith, clarifying the definition of "preceptorship" and extending the existing sunset date for the tax credit.
Finance

HB19-1110 by Representative(s) Cutter; also Senator(s) Pettersen--Concerning implementing media literacy in elementary and secondary education, and, in connection therewith, making an appropriation.
Education

HB19-1120 by Representative(s) Michaelson Jenet and Roberts; also Senator(s) Fenberg and Coram--Concerning multiple approaches to prevent youth suicide, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1122 by Representative(s) Buckner and Landgraf; also Senator(s) Fields and Gardner--Concerning the creation of a maternal mortality review committee in the department of public health and environment, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1132 by Representative(s) Buentello and Pelton; also Senator(s) Coram--Concerning Colorado food products in schools, and, in connection therewith, making an appropriation.
Education

HB19-1133 by Representative(s) Caraveo and Pelton; also Senator(s) Fields--Concerning the creation of a Colorado child abuse response and evaluation network, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1134 by Representative(s) Buckner and Wilson; also Senator(s) Todd--Concerning researching effective methods for assisting early-grade students with dyslexia, and, in connection therewith, making an appropriation.
Education

HB19-1171 by Representative(s) Michaelson Jenet; also Senator(s) Fields and Priola--Concerning expanding the grades eligible for the child nutrition school lunch protection program, and, in connection therewith, making an appropriation.
Education

HB19-1187 by Representative(s) Coleman; also Senator(s) Bridges--Concerning increasing completion rates of applications for student financial aid for higher education, and, in connection therewith, making an appropriation.
Education

HB19-1202 by Representative(s) McLachlan and Galindo, Arndt, Kipp, Pelton; also Senator(s) Ginal and Priola--Concerning the food systems advisory council, and, in connection therewith, making an appropriation.
Agriculture & Natural Resources

HB19-1216 by Representative(s) Roberts, McCluskie; also Senator(s) Donovan and Priola--Concerning measures to reduce a patient's costs of prescription insulin drugs, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1228 by Representative(s) Bird and Titone, McLachlan, Soper; also Senator(s) Zenzinger and Tate, Bridges, Gardner, Priola, Rodriguez--Concerning an increase in the aggregate amount of the tax credits that the Colorado housing and finance authority may allocate in a calendar year under the Colorado affordable housing tax credit.
Finance

HB19-1233 by Representative(s) Froelich and Caraveo; also Senator(s) Ginal and Moreno--Concerning payment system reforms to reduce health care costs by increasing utilization of primary care, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1247 by Representative(s) Valdez D. and Catlin; also Senator(s) Donovan and Coram--Concerning a study by the commissioner of agriculture on the potential applications for blockchain technology in agricultural operations.
Agriculture & Natural Resources

HB19-1250 by Representative(s) Herod; also Senator(s) Danielson--Concerning sex offenses committed by a peace officer, and, in connection therewith, making an appropriation.
Judiciary

HB19-1255 by Representative(s) Hansen and Catlin; also Senator(s) Coram and Zenzinger--Concerning the creation of a Mesa Verde National Park license plate.
Finance

HB19-1257 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning authority for the state to keep and spend all of the revenue in excess of the constitutional limitation on state fiscal year spending beginning with the 2019-20 fiscal year in order to provide funding for public schools, higher education, and roads, bridges, and transit.
Finance

HB19-1258 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning the allocation of money that the state keeps and spends as a result of a voter-approved revenue change at the 2019 statewide election.
Finance

HB19-1262 by Representative(s) Wilson and McLachlan, Arndt, Benavidez, Bird, Buckner, Buentello, Caraveo, Catlin, Coleman, Cutter, Duran, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Landgraf, Liston, McCluskie, McKean, Melton, Michaelson Jenet, Pelton, Roberts, Singer, Sirota, Snyder, Sullivan, Titone, Valdez D., Weissman, Will, Valdez A., Van Winkle; also Senator(s) Bridges and Fields, Todd, Story, Priola, Coram, Court, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Lee, Pettersen, Williams A., Winter--Concerning state funding for full-day kindergarten educational programs, and, in connection therewith, making and reducing an appropriation.
Education

HB19-1265 by Representative(s) Esgar and Soper; also Senator(s) Rankin and Winter--Concerning the penalty for a person who passes a snowplow that is performing its service function in echelon formation with at least one other snowplow, and, in connection therewith, making an appropriation.
Transportation & Energy

HB19-1285 by Representative(s) Lontine; also Senator(s) Fields--Concerning the requirement for the department of health care policy and financing to contract with the managed care organization operated by Denver health and hospital authority until the managed care organization ceases to operate a medicaid managed care program.
State, Veterans, & Military Affairs

HB19-1289 by Representative(s) Weissman; also Senator(s) Foote--Concerning the creation of additional protections in the Colorado consumer code, and, in connection therewith, enabling enforcement of the "Colorado Consumer Protection Act" for reckless acts.
Judiciary

HB19-1290 by Representative(s) Arndt; also Senator(s) Priola--Concerning the substitution of foreign work experience for the required contact hours by an applicant for examination pursuant to the "Barber and Cosmetologist Act".
Business, Labor, & Technology

HB19-1291 by Representative(s) Arndt; also Senator(s) Williams A. and Tate--Concerning the supervision of insurers, and, in connection therewith, establishing certain disclosure requirements for insurers.
Business, Labor, & Technology

HB19-1301 by Representative(s) Michaelson Jenet and Buckner, Buentello, Caraveo, Cutter, Duran, Galindo, Gonzales-Gutierrez, Hooton, Kipp, Sirota; also Senator(s) Williams A., Todd, Story--Concerning health insurance coverage for breast imaging.
Health & Human Services

HB19-1307 by Representative(s) Kraft-Tharp and Larson; also Senator(s) Lee and Gardner--Concerning the clarification that the disclosure of a report of the mistreatment or self-neglect of an at-risk adult shall only be made to the at-risk adult who is the subject of the report.
Judiciary

Committee of the Whole

On motion of Senator Danielson, the Senate re-resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Danielson was called to act as Chair.

Committee of the Whole reconvened.

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:

HB19-1127 by Representative(s) Garnett and Lontine, Singer, Jaquez Lewis; also Senator(s) Fenberg and Fields--Concerning the appointment of the lieutenant governor to serve concurrently as the director of the office of saving people money on health care, and, in connection therewith, making an appropriation.

(Amended in general orders as printed in Senate journal, April 16, page 864.)

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.)

SB19-030 by Senator(s) Gonzales; also Representative(s) Tipper--Concerning a remedy for improperly entered guilty pleas.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 31, pages 133-134 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, pages 784-785 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-171 by Senator(s) Danielson and Bridges; also Representative(s) Sullivan and Galindo--Concerning the creation of the Colorado state apprenticeship resource directory.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 12, page 788 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1194 by Representative(s) Lontine and Larson; also Senator(s) Priola and Fields--Concerning the discipline of preschool through second grade students enrolled in publicly funded education programs.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1196 by Representative(s) Gonzales-Gutierrez; also Senator(s) Moreno--Concerning student financial assistance for students who are classified as in-state students for tuition purposes.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-217 by Senator(s) Foote and Tate; also Representative(s) Snyder--Concerning healthcare provider liens related to charges for medical care provided to a person injured as a result of the negligence or wrongful acts of another person.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 12, pages 826-827 and placed in members' bill files.)

Amendment No. 2(L.034), by Senator Foote.

Amend the Health & Human Services Committee Report, dated April 11, 2019, page 2, line 4, strike "INVOLVEMENT" and substitute "BUSINESS INTEREST".

Page 2, line 6, strike "INVOLVEMENT" and substitute "BUSINESS INTEREST".

Amendment No. 3(L.035), by Senator Foote.

Amend the Health & Human Services Committee Report, dated April 11, 2019, page 1, line 11, strike "(b)" and substitute "(b) (I)".

Page 1, line 14, strike "(I)" and substitute "(A)".

Page 1, line 17, strike "(II)" and substitute "(B)".

Page 2, after line 3 insert:

"(C) THAT, UNLIKE A HEALTH INSURER OR PAYER OF BENEFITS AS DEFINED IN SECTION 10-1-135 (2)(c)(I), WHICH ARE NOT ENTITLED TO BE REIMBURSED UNTIL AFTER THE INJURED PARTY IS FULLY COMPENSATED, UNDER THE LEIN THE HEALTHCARE PROVIDER OR ITS ASSIGNEE HAS THE RIGHT TO BE REIMBURSED FOR THE FULL AMOUNT OF THE LIEN EVEN IN THE EVENT THAT THE AVAILABLE JUDGMENT, SETTLEMENT, OR INSURANCE COVERAGE IS INSUFFICIENT TO FULLY COMPENSATE THE INJURED PARTY FOR HIS OR HER INJURIES, DAMAGES, AND LOSSES;

(D) THAT THE HEALTHCARE PROVIDER OR ITS ASSIGNEE IS NOT REQUIRED TO REDUCE THE AMOUNT OF ITS LIEN TO SHARE IN THE COSTS OR ATTORNEY FEES EXPENDED BY THE INJURED PARTY IN PURSUIT OF HIS OR HER CLAIM FOR DAMAGES;".

Page 2, line 4, strike "(III)" and substitute "(E)".

Page 2, line 6, strike "(IV)" and substitute "(F)".

Page 2, strike line 9 and substitute "HEALTHCARE PROVIDER LIEN.

(II) A LIENHOLDER SHALL PROVIDE IN WRITING TO THE INJURED PARTY AN ITEMIZED STATEMENT OF ALL THE BILLED CHARGES FOR TREATMENT THAT THE LIENHOLDER IS CLAIMING ARE SUBJECT TO THE HEALTHCARE PROVIDER LIEN AS THE BILLED CHARGES ARE ACCRUED, TO THE EXTENT PRACTICABLE, AND WHEN THE HEALTHCARE PROVIDER LIEN IS FINAL. THE FINAL ITEMIZED STATEMENT MUST INCLUDE A SUMMARY OF ALL TREATMENTS PROVIDED, THE TOTAL AMOUNTS BILLED FOR EACH TREATMENT, AND THE TOTAL AMOUNT OF THE HEALTHCARE PROVIDER LIEN DUE AND OWING.".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1211 by Representative(s) Michaelson Jenet and Caraveo; also Senator(s) Williams A.--Concerning prior authorization requests submitted by providers for a determination of coverage of health care services under a health benefit plan.

Amendment No. 1(L.019), by Senator Smallwood.

Amend reengrossed bill, page 3, line 17, strike "NONPROFIT".

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

HB19-1004 by Representative(s) Roberts and Catlin; also Senator(s) Donovan--Concerning a proposal for implementing a competitive state option for more affordable health care coverage in Colorado, and, in connection therewith, requesting authorization to use existing federal money for the proposed state option and taking other actions toward the implementation of the state option, and making an appropriation.

Senator Smallwood moved to amend the Report of the Committee of the Whole to show that the following Smallwood floor amendment, (L.006) to HB 19-1004, did pass.

Amend reengrossed bill, page 6, after line 18 insert:

"(5.5) THE PROPOSAL MUST INCLUDE A PROVISION THAT REQUIRES PARTICIPANTS ENROLLING IN THE STATE OPTION TO ACKNOWLEDGE THAT THE STATE OPTION DOES NOT PROVIDE STATE FUNDING FOR ELECTIVE ABORTIONS.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Smallwood moved to amend the Report of the Committee of the Whole to show that the following Smallwood floor amendment, (L.007) to HB 19-1004, did pass.

Amend reengrossed bill, page 6, after line 18 insert:

"(5.5) THE PROPOSAL MUST INCLUDE A PROVISION THAT REQUIRES THE PLAN ADMINISTRATOR TO NOTIFY PARTICIPANTS ENROLLING IN THE STATE OPTION THAT THE STATE OPTION DOES NOT PROVIDE STATE FUNDING FOR ELECTIVE ABORTIONS.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

HB19-1127 by Representative(s) Garnett and Lontine, Singer, Jaquez Lewis; also Senator(s) Fenberg and Fields--Concerning the appointment of the lieutenant governor to serve concurrently as the director of the office of saving people money on health care, and, in connection therewith, making an appropriation.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that HB 19-1127, as amended, 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-030 as amended, SB19-171 as amended, SB19-217 as amended, HB19-1004 as amended, HB19-1039 as amended, HB19-1127 as amended, HB19-1194, HB19-1196, HB19-1211 as amended.

CONSIDERATION OF RESOLUTIONS

HJR19-1012 by Representative(s) Valdez D.; also Senator(s) Garcia--Concerning the designation of Colorado State Highway 115 between Mile Markers 7 and 10.34 through the city of Florence as the "SFC Ray Adam Archuletta Memorial Highway".

Laid over until Friday, April 19, retaining its place on the calendar.

SR19-011 by Senator(s) Garcia and Holbert--Concerning changes to the rules of the senate to implement workplace policies of the general assembly.

Laid over until Wednesday, April 17, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2022:

Honorable Lois Anne Tochtrop of Thornton, Colorado, a Democrat from the Seventh Congressional District, reappointed;

Michael J. Schliep of Brighton, Colorado, a Democrat from the Sixth Congressional District, and a member with substantial experience in agriculture or in the activities of 4-H clubs, appointed;

Dianna Marie Coram of Montrose, Colorado, a Republican from the Western Slope and the Third Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
MINED LAND RECLAMATION BOARD

for terms expiring March 1, 2023:

Eleanor Irene Wareham-Morris of Breckenridge, Colorado, an individual with substantial experience in the mining industry, appointed;

John William Singletary of Pueblo, Colorado, an individual with substantial experience in the agricultural industry, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2022:

John William Singletary of Pueblo, Colorado, a Democrat, reappointed;

Cleave Alan Simpson of Alamosa, Colorado, a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for a term expiring December 31, 2019:

Hanna Skandera of Denver, Colorado, to serve as a Republican from the First Congressional District, and occasioned by the removal of Theresa Kathleen Pena of Denver, Colorado, appointed;

for terms expiring December 31, 2022:

Landon Mascareñaz of Denver, Colorado, to serve as a Democrat from the First Congressional District, appointed;

Terrance Douglas McWilliams of Colorado Springs, Colorado, to serve as a Republican from the Fifth Congressional District, appointed;

Presley F. Askew of Wheat Ridge, Colorado, to serve as an Unaffiliated from the Seventh Congressional District, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2021:

Rochelle G. Krovitz of Greenwood Village, Colorado, a representative of the general public, reappointed;

for terms expiring July 1, 2022:

Paul Edward Garibay, Jr. of Westminster, Colorado, to serve as a representative of the general public, who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, reappointed;

Christopher Reister of Littleton, Colorado, to serve as a representative of the general public who is an owner or operator of a business within Colorado that employs students who are enrolled in schools that are subject to administration by the private occupational school division, appointed;

Abbas Richard Behbehani of Arvada, Colorado, to serve as a representative of the general public and who is employed by a lending institution located in Colorado and is familiar with the Colorado college access network, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2023:

Lynne Telford of Colorado Springs, Colorado, to serve as a public member, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2021:

Daniel Michael Pastula, MD, MHS of Denver, Colorado, to serve as an at-large member and as an Unaffiliated, and occasioned by the change in designation of Nadeen Muaatasem Ibrahim of Aurora, Colorado, appointed.

for a term expiring March 1, 2023:

Evelinn A. Borrayo of Fort Collins, Colorado, a resident of the Second Congressional District, a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 16, 2019, at 4:30 p.m.:
SB19-144.

MESSAGE FROM THE GOVERNOR

Tuesday, April 16, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-088 - Revised Uniform Unclaimed Property Act
Approved Tuesday, April 16, 2019 at 12:40 P.M.

SB 19-183 - Alternate Procedure To Reorganize School Districts
Approved Tuesday, April 16, 2019 at 12:48 P.M.

SB 19-097 - Area Technical College Grant
Approved Tuesday, April 16, 2019 at 1:10 P.M.

SB 19-138 - Bond Requirements For Public Projects Using Private Financing
Approved Tuesday, April 16, 2019 at 1:12 P.M.

SB 19-210 - Juvenile Detention Beds
Approved Tuesday, April 16, 2019 at 1:15 P.M.

SB 19-211 - Mental Health Criminal Diversion Program
Approved Tuesday, April 16, 2019 at 1:15 P.M.

SB 19-181 - Protect Public Welfare Oil And Gas Operations
Approved Tuesday, April 16, 2019 at 4:08 P.M.

Sincerely,
(signed)
Jared Polis
Governor

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance After consideration on the merits, the Committee recommends that **HB19-1026** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-193** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-177** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-227** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-186** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 5, line 16, strike "commission," and substitute "commission IN CONSULTATION WITH THE ADVISORY COMMITTEE CREATED IN SECTION 35-10-125,".

Finance After consideration on the merits, the Committee recommends that **HB19-1189** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 15, line 13, strike "January" and substitute "October".

Finance After consideration on the merits, the Committee recommends that **HB19-1179** 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 18, after "(1)(l)(I)," insert "(1)(m)(I) introductory portion,".

Page 2, line 19, after "**add**" insert "(1)(m)(I)(C) and".

Page 5, after line 10 insert:

"(C) THESE RATING REQUIREMENTS FIRST APPLY TO THE SECURITY BEING PURCHASED AND SECOND, IF THE SECURITY ITSELF IS UNRATED, TO THE ISSUER, PROVIDED THE SECURITY CONTAINS NO PROVISIONS SUBORDINATING IT FROM BEING A SENIOR DEBT OBLIGATION OF THE ISSUER.".

Finance After consideration on the merits, the Committee recommends that **HB19-1147** be referred to the Committee on Appropriations with favorable recommendation.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-036, SB19-149, SB19-176, and SB19-190, were made Special Orders--Consent Calendar at 8:25 p.m.

Upon request of Majority Leader Fenberg, **SB19-176** and **SB19-190**, were removed from the Special Orders-Second Reading of Bills-Consent Calendar of Tuesday, April 16, 2019.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 8:25 p.m. having arrived, Senator Danielson 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 Danielson 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:

SB19-036 by Senator(s) Lee and Cooke; also Representative(s) Benavidez and Carver--Concerning requiring the state court administrator to administer a program to remind criminal defendants to appear in court as scheduled.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 12, pages 217-220 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 870 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-149 by Senator(s) Garcia and Marble, Court, Fields, Foote; also Representative(s) Froelich--Concerning the continuation of the Colorado human trafficking council.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 21, pages 511-512 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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-036 as amended, SB19-149 as amended.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-176 and SB19-190, were made Special Orders at 8:36 p.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 8:36 p.m. having arrived, Senator Danielson moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Danielson 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:

SB19-176 by Senator(s) Lundeen and Bridges; also Representative(s) McCluskie and Geitner--Concerning measures to expand opportunities for students to earn postsecondary course credit while enrolled in high school.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 4, pages 659-665 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 874 and placed in members' bill files.)

Amendment No. 3(L.005), by Senators Lundeen and Bridges.

Amend the Education Committee Report, dated April 3, 2019, page 1, strike line 20 and substitute "COMPLETION OF A GATEWAY COURSE, AS DEFINED IN SECTION 23-1-113 (11)(b.5), APPLIES TOWARD EARNING".

Page 2, line 23, strike "THOSE" and substitute "QUALIFIED".

Page 2, line 27, after the period add "THE LOCAL EDUCATION PROVIDER MAY DETERMINE THE MANNER IN WHICH CONCURRENT ENROLLMENT OPPORTUNITIES ARE PROVIDED.".

Page 2, line 41, after the period add "A LOCAL EDUCATION PROVIDER MAY EXPAND ITS ABILITY TO PROVIDE ACCESS TO CONCURRENT ENROLLMENT OPPORTUNITIES AS PROVIDED IN SECTION 23-1-109 (6).".

Page 4, line 6, strike "student and the" and substitute "QUALIFIED student and the QUALIFIED".

Page 4, line 11, before "STUDENT" insert "QUALIFIED".

Page 4, line 20, before "student" insert "QUALIFIED".

Page 4, line 21, before "student," insert "QUALIFIED".

Page 5, line 9, before "STUDENT'S" insert "QUALIFIED".

Page 5, line 10, before "STUDENT'S" insert "QUALIFIED".

Page 5, line 23, before "STUDENTS" insert "QUALIFIED".

Page 5, after line 33, insert:

"**SECTION 4.** In Colorado Revised Statutes, 22-35-110, **amend** (1) as follows:

22-35-110. Exclusions. (1) The provisions of this ~~article~~ ARTICLE 35 shall not apply to any course that is offered as part of a program of off-campus instruction established pursuant to ~~section 23-1-109, C.R.S.~~ SECTION 23-1-109 (1) TO (5).

SECTION 5. In Colorado Revised Statutes, 22-35-111, **add** (2) as follows:

22-35-111. Rules. (2) BY JULY 1, 2020, THE STATE BOARD SHALL ADOPT RULES TO SPECIFY THE NUMBER OF POSTSECONDARY CREDITS IN WHICH A QUALIFIED STUDENT MUST BE CONCURRENTLY ENROLLED TO QUALIFY FOR FULL-TIME MEMBERSHIP FOR PURPOSES OF THE "PUBLIC SCHOOL FINANCE ACT OF 1994", ARTICLE 54 OF THIS TITLE 22.".

Renumber succeeding sections accordingly.

Page 8, line 10, before "STUDENTS," insert "QUALIFIED".

Page 8, line 23, before "STUDENTS" insert "QUALIFIED".

Page 8, line 39, strike "ENROLLMENT;" and substitute "ENROLLMENT, INCLUDING NEED THAT MAY ARISE AS A RESULT OF A HIGHER-THAN-ANTICIPATED PARTICIPATION RATE;".

Page 9, line 5, before "STUDENTS" insert "QUALIFIED".

Page 9, line 23, strike "OR" and substitute "OF".

Page 10, line 12, before "STUDENTS" insert "QUALIFIED".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-190 by Senator(s) Todd and Rankin; also Representative(s) McLachlan and Wilson--Concerning measures to increase the number of individuals who are well-prepared to teach in public schools, and, in connection therewith, creating the "Growing Great Teachers Act".

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 5, pages 675-686 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 875 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Todd.

Amend the Education Committee Report, dated April 4, 2019, page 1, line 20, strike "PREPARATION," and substitute "PREPARATION PROGRAM,".

Page 6, line 31, strike "REGULATOR" and substitute "REGULATORY".

Amendment No. 4(L.003), by Senator Lundeen.

Amend the Education Committee Report, dated April 4, 2019, page 4, line 3, after "CURRICULA," insert "TEACHING TEACHER CANDIDATES THE SCIENCE OF TEACHING READING AND STRATEGIES TO ENSURE ALL STUDENTS LEARN TO READ,".

Page 4, line 11, strike "PRACTICES." and substitute "PRACTICES, INCLUDING BEST PRACTICES TO ENSURE THAT TEACHER CANDIDATES ARE WELL-TRAINED TO TEACH STUDENTS TO READ.".

Page 17, line 32, strike "(2)(d)" and substitute "(2)(d); and **add** (2)(c.5)".

Page 17, after line 41 add:

"(c.5) COURSE WORK THAT TEACHES TEACHER CANDIDATES THE SCIENCE OF READING, INCLUDING THE FOUNDATIONAL READING SKILLS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY INCLUDING ORAL SKILLS, AND READING COMPREHENSION, AND THE SKILLS AND STRATEGIES TO APPLY TO ENSURE THAT EVERY STUDENT LEARNS TO READ;".

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-176 as amended, SB19-190 as amended.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB19-247 by Senator(s) Story, Danielson, Gonzales, Rodriguez, Todd; also Representative(s) Arndt and Bird, Cutter, Froelich, Kipp--Concerning changes in the existing requirements that pertain to licensed personnel performance evaluation systems in the public schools, and, in connection therewith, creating a working group to make recommendations concerning the implementation of licensed personnel performance evaluation systems.
Education

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, April 17, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

104th Legislative Day Wednesday, April 17, 2019

Prayer

By the chaplain, Pastor Vern Rempel, Beloved Community Mennonite Church, Englewood.

Call to Order

By the President at 9:00 a.m.

Roll Call

Present--34
Excused--1, Danielson.
Present later--1, Danielson.

Quorum

The President announced a quorum present.

Pledge

By Senator Bridges.

Reading of the Journal

On motion of Senator Rankin, reading of the Journal of Tuesday, April 16, 2019, 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 **HB19-1274** 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 1, after "BY" insert "EITHER".

Page 3, line 2, strike "WITH RESPECT TO" and substitute "OR BY ONE OR MORE COUNTY ADMINISTRATIVE OFFICIALS TO WHOM THE MATTER HAS BEEN DELEGATED IN CONNECTION WITH".

Local Government

After consideration on the merits, the Committee recommends that **HB19-1246** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 22 through 23 and substitute "**trucks.** ISSUES RAISED BY THE REGULATION OF FOOD TRUCKS FOR FIRE SAFETY AND HEALTH CODE COMPLIANCE MAY BE STUDIED BY STATE AND REGIONAL ORGANIZATIONS REPRESENTING LOCAL GOVERNMENTS IN ORDER TO DETERMINE AREAS OF DUPLICATE OR CONFLICTING REGULATION. ANY FINDINGS OR RECOMMENDATIONS FOR LEGISLATIVE SOLUTIONS, IF ANY, MADE BY THE ORGANIZATIONS REPRESENTING LOCAL GOVERNMENTS MAY BE PRESENTED TO THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE NOVEMBER 1, 2019.".

Page 3, strike lines 1 through 8.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB19-1184 by Representative(s) Herod and Caraveo; also Senator(s) Williams A.--Concerning a requirement that staff of the legislative council prepare demographic notes on certain legislative bills, and, in connection therewith, making an appropriation.
Legislative Council

HB19-1188 by Representative(s) Sirota and Snyder; also Senator(s) Foote--Concerning the inclusion of the net impact on greenhouse gas pollution in the fiscal notes prepared for legislative measures, and, in connection therewith, making an appropriation.
Legislative Council

SENATE SERVICES REPORT

Correctly Printed: SB19-246 and 247.
Correctly Engrossed: SB19-030, 036, 149, 171, 176, 190, and 217.
Correctly Reengrossed: SB19-196.
Correctly Revised: HB19-1004, 1039, 1127, 1194, 1196, 1211, and 1221.
Correctly Rerevised: HB19-1118.

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:

HB19-1221 by Representative(s) Coleman and Valdez A.; also Senator(s) Bridges and Pettersen--Concerning the regulation of electric scooters.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

SB19-036 by Senator(s) Lee and Cooke; also Representative(s) Benavidez and Carver--Concerning requiring the state court administrator to administer a program to remind criminal defendants to appear in court as scheduled, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Foote, Garcia, Gardner, Ginal, Gonzales, Moreno, Pettersen, Rankin, Scott, Story, Tate, Todd, Williams A., Winter, and Woodward.

SB19-149 by Senator(s) Garcia and Marble, Court, Fields, Foote; also Representative(s) Froelich--Concerning the continuation of the Colorado human trafficking council.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Crowder, Gardner, Ginal, Gonzales, Lee, Lundeen, Pettersen, Priola, Scott, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, 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:

HB19-1004 by Representative(s) Roberts and Catlin; also Senator(s) Donovan--Concerning a proposal for implementing a competitive state option for more affordable health care coverage in Colorado, and, in connection therewith, requesting authorization to use existing federal money for the proposed state option and taking other actions toward the implementation of the state option, and making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1039 by Representative(s) Esgar, Jaquez Lewis, Titone, Valdez A., Galindo, Herod; also Senator(s) Moreno, Ginal--Concerning identity documents for transgender persons, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Garcia, Gonzales, Lee, Pettersen, Story, Todd, Winter, and Zenzinger.

HB19-1127 by Representative(s) Garnett and Lontine, Singer, Jaquez Lewis; also Senator(s) Fenberg and Fields--Concerning the appointment of the lieutenant governor to serve concurrently as the director of the office of saving people money on health care, and, in connection therewith, making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales.

SB19-030 by Senator(s) Gonzales; also Representative(s) Tipper--Concerning a remedy for improperly entered guilty pleas, and in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Gonzales was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.009), by Senator Gonzales.

Amend the engrossed bill, page 2, line 9, strike "JUDGMENT;" and substitute "JUDGMENT OR THE DISMISSAL OF CHARGES PURSUANT TO SECTION 18-18-404 (3) PRIOR TO ITS REPEAL IN 2010;".

Page 2, line 10, strike "SECTION 18-1.3-102," and substitute "SECTIONS 18-1.3-102 AND 18-18-404 (3),".

Page 2, line 18, strike "JUDGMENT;" and substitute "JUDGMENT OR DISMISSAL PURSUANT TO SECTION 18-18-404 (3);".

Page 2, line 24, strike "AT" and substitute "NOTWITHSTANDING THE TIME LIMITATION CONTAINED IN SECTION 16-5-402, AT".

Page 3, line 1, after "JUDGMENT," insert "OR UPON THE DISMISSAL OF CHARGES PURSUANT TO SECTION 18-18-404 (3) PRIOR TO ITS REPEAL,".

Page 3, line 7, after "JUDGMENT" insert "OR UPON THE DISMISSAL OF CHARGES PURSUANT TO SECTION 18-18-404 (3) PRIOR TO ITS REPEAL".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Court, Fenberg, Fields, Hill, Lee, Moreno, Williams A., and Winter.

SB19-171 by Senator(s) Danielson and Bridges; also Representative(s) Sullivan and Galindo--Concerning the creation of the Colorado state apprenticeship resource directory, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	E	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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, Ginal, Gonzales, Moreno, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1194 by Representative(s) Lontine and Larson; also Senator(s) Priola and Fields--Concerning the discipline of preschool through second grade students enrolled in publicly funded education programs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	E	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fenberg, Gonzales, Moreno, Pettersen, Story, Williams A., and Winter.

HB19-1196 by Representative(s) Gonzales-Gutierrez; also Senator(s) Moreno--Concerning student financial assistance for students who are classified as in-state students for tuition purposes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	E	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Ginal, Gonzales, Lee, Story, Todd, and Winter.

SB19-217 by Senator(s) Foote and Tate; also Representative(s) Snyder--Concerning healthcare provider liens related to charges for medical care provided to a person injured as a result of the negligence or wrongful acts of another person.

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.039), by Senator Pettersen.

Amend engrossed bill, page 5, after line 15 insert:

"(E) THAT THE LIENHOLDER'S COMPENSATION FROM THE INJURED PARTY IS BASED ON THE DIFFERENCE BETWEEN THE TOTAL OF THE MEDICAL BILLS AND THE NEGOTIATED AMOUNT;".

Reletter succeeding sub-subparagraphs accordingly.

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Crowder, Fields, and Smallwood.

HB19-1211 by Representative(s) Michaelson Jenet and Caraveo; also Senator(s) Williams A.--Concerning prior authorization requests submitted by providers for a determination of coverage of health care services under a health benefit plan.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Fenberg, Garcia, Moreno, Smallwood, Tate, and Winter.

SB19-176 by Senator(s) Lundeen and Bridges; also Representative(s) McCluskie and Geitner--Concerning measures to expand opportunities for students to earn postsecondary course credit while enrolled in high school, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Danielson, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Marble, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, and Woodward.

SB19-190 by Senator(s) Todd and Rankin; also Representative(s) McLachlan and Wilson--Concerning measures to increase the number of individuals who are well-prepared to teach in public schools, and, in connection therewith, creating the "Growing Great Teachers Act" and 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Garcia, Gardner, Ginal, Gonzales, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Scott, Sonnenberg, Story, Tate, Williams A., Winter, Woodward, and Zenzinger.

CONSIDERATION OF RESOLUTIONS

SR19-011 by Senator(s) Garcia and Holbert--Concerning changes to the rules of the senate to implement workplace policies of the general assembly.

On motion of Senator Holbert, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Fields, Foote, Gardner, Ginal, Gonzales, Hisey, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Woodward, and Zenzinger.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-208 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar, Hansen, Ransom--Concerning a transfer of money from the state employee reserve fund to the general fund.

Senator Moreno moved for the adoption of the first report of the first conference committee on SB19-208, as printed in Senate journal, April 16, page 882. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	8	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Gonzales and Todd.

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning capital-related transfers of money.

Senator Rankin moved that the Senate recede from its position on SB19-214. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senator Rankin moved that the Senate concur in House amendments to SB19-214, as printed in House journal, April 2, page 907. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	E	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Lee.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-207.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 17, 2019, at 8:24 a.m.:
SB19-207.

MESSAGE FROM THE HOUSE

April 17, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1260, 1305.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1280, 1051, 1193, 1269, 1045, amended as printed in House Journal, April 16, 2019.

The House has passed on Third Reading and returns herewith SB19-064, 201, 200.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-189, 004, amended as printed in House Journal, April 16, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 17, 2019

We herewith transmit:

Without comment, HB19-1260 and 1305.
Without comment, as amended, HB19-1045, 1051, 1193, 1269, and 1280.
Without comment, as amended, SB19-004 and 189.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Trans-portation & Energy

The Committee on Transportation & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2021:

Charles Emion Myers of Elbert, Colorado, to serve as a member from the eastern slope and who represents local governments that operate airports, reappointed;

Kenneth Edward Maenpa of Mountain Village, Colorado, to serve as a member from the western slope and who represents local governments that operate airports, appointed.

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **SB19-236** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, lines 8 and 9, strike "AND THE DIVISION OF PUBLIC UTILITIES ARE" and substitute "IS".

Page 4, lines 7 and 8, strike "AND THE DIVISION OF PUBLIC UTILITIES".

Page 4, strike lines 9 through 27.

Strike pages 5 and 6.

Page 7, strike lines 1 through 6.

Renumber succeeding sections accordingly.

Page 7, strike lines 24 through 27 and substitute:

"(1) THE COMMISSION SHALL PROMULGATE RULES ESTABLISHING THE FILING OF A DISTRIBUTION SYSTEM PLAN. THE COMMISSION'S RULES MUST:

(a) DEFINE THE FOLLOWING TERMS:

(I) DISTRIBUTED ENERGY RESOURCES THAT INCLUDE:

(A) DISTRIBUTED RENEWABLE ELECTRIC GENERATION;

(B) ENERGY STORAGE SYSTEMS;

(C) MICROGRIDS;

(D) ENERGY EFFICIENCY MEASURES; AND

(E) DEMAND RESPONSE MEASURES; AND

(II) NON-WIRES ALTERNATIVES;

(b) DEVELOP A METHODOLOGY FOR EVALUATING THE NET BENEFITS TO CUSTOMERS USING DISTRIBUTED ENERGY RESOURCES AS NON-WIRES ALTERNATIVES;

(c) DIRECT EACH QUALIFYING RETAIL UTILITY TO FILE A DISTRIBUTION SYSTEM PLAN THAT AT A MINIMUM INCLUDES:

(I) INFORMATION REGARDING:

(A) SYSTEM AND SUBSTATION HISTORICAL DATA;

(B) PEAK DEMAND;

(C) ADOPTION OF DISTRIBUTED ENERGY RESOURCES; AND

(D) DISTRIBUTION SYSTEM INVESTMENTS;

(II) A DESCRIPTION OF THE QUALIFYING RETAIL UTILITY'S ANTICIPATED NEW DISTRIBUTION SYSTEM EXPANSION INVESTMENTS FOR THE YEARS COVERED BY THE PLAN, INCLUDING A GENERAL DISCUSSION OF THE QUALIFYING RETAIL UTILITY'S PROCESS TO EVALUATE THE PLAN'S FEASIBILITY AND THE ECONOMIC IMPACTS OF POTENTIALLY USING NON-WIRES ALTERNATIVES FOR THE PROJECTS. THE QUALIFYING RETAIL UTILITY SHALL PROVIDE ESTIMATES OF THE YEAR IN WHICH PEAK DEMAND GROWTH OR DISTRIBUTED ENERGY RESOURCE GROWTH MAY REQUIRE THESE NEW NON-WIRES ALTERNATIVE PROJECTS;

(III) TO PROVIDE NEW ELECTRIC SERVICE TO ANY PLANNED NEW NEIGHBORHOODS OR HOUSING DEVELOPMENTS EXPECTED TO INCLUDE MORE THAN TEN THOUSAND NEW RESIDENCES, A DESCRIPTION OF THE QUALIFYING RETAIL UTILITY'S CONSIDERATION OF NON-WIRES ALTERNATIVES, POTENTIALLY INCLUDING ENERGY EFFICIENCY MEASURES UNDER UTILITY PROGRAMS;

(IV) AN UPDATED LOAD FORECAST THAT INCLUDES ANY NEW LOAD RESULTING FROM PROJECTED OR FORECASTED GROWTH FROM BENEFICIAL ELECTRIFICATION PROGRAMS;

(V) A FORECAST OF THE GROWTH OF DISTRIBUTED ENERGY RESOURCES FOR THE YEARS COVERED BY THE PLAN;

(VI) A HIGH-LEVEL SUMMARY OF ITS PLANNING PROCESS FOR ADDRESSING CYBER AND PHYSICAL SECURITY RISKS. AS PART OF THE SUMMARY, THE QUALIFYING RETAIL UTILITY NEED NOT REPORT ANY CONFIDENTIAL, PROPRIETARY, OR OTHER INFORMATION IN THE PLAN THAT COULD IN ANY WAY COMPROMISE OR DECREASE THE QUALIFYING RETAIL UTILITY'S ABILITY TO PREVENT, MITIGATE, OR RECOVER FROM POTENTIAL SYSTEM DISRUPTIONS CAUSED BY WEATHER EVENTS, PHYSICAL EVENTS, OR CYBER ATTACKS.

(VII) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS RELEVANT.

(2) THE COMMISSION SHALL APPROVE A QUALIFYING RETAIL UTILITY'S DISTRIBUTION SYSTEM PLAN IF THE COMMISSION FINDS THE PLAN TO BE IN THE PUBLIC INTEREST.

(3)(a) IF A QUALIFYING RETAIL UTILITY IS REQUIRED TO SPEND ON DISTRIBUTION INFRASTRUCTURE TO ACCOMPLISH ITS DISTRIBUTION SYSTEM PLAN, THE COST MUST BE PROPOSED AND CONSIDERED BY THE COMMISSION AS PART OF THE QUALIFYING RETAIL UTILITY'S NEXT GENERAL RATE CASE.

(b) THE COMMISSION MAY PRESUME THAT ANY SPENDING OUTSIDE

THE ORDINARY COURSE OF BUSINESS THAT THE QUALIFYING RETAIL UTILITY IDENTIFIES FOR DISTRIBUTION INFRASTRUCTURE IS PRUDENT IF THE COMMISSION DETERMINES THAT THE QUALIFYING RETAIL UTILITY'S RATEPAYERS WOULD REALIZE NET BENEFITS FROM THE DISTRIBUTION INFRASTRUCTURE AND THAT THE ASSOCIATED COSTS ARE JUST AND REASONABLE.

(c) TO EVALUATE THE SUCCESS OF ANY INVESTMENT AUTHORIZED PURSUANT TO A QUALIFYING RETAIL UTILITY'S DISTRIBUTION SYSTEM PLAN, THE COMMISSION MAY ADOPT CRITERIA, BENCHMARKS, OR ACCOUNTABILITY MECHANISMS WITH WHICH THE QUALIFYING RETAIL UTILITY MUST COMPLY.

(4) AS USED IN THIS SECTION, "QUALIFYING RETAIL UTILITY" HAS THE MEANING DESCRIBED IN SECTION 40-2-124 (1); EXCEPT THAT THE TERM DOES NOT MEAN A MUNICIPALLY OWNED UTILITY OR A COOPERATIVE ELECTRIC ASSOCIATION.".

Strike page 8.

Page 9, strike lines 1 through 23.

Page 13, after line 8 insert:

"**SECTION 7.** In Colorado Revised Statutes, **add** 40-3-116 and 40-3-117 as follows:

40-3-116. Performance-based rate-making - investigation - report - repeal. (1) THE COMMISSION SHALL CONDUCT AN INVESTIGATION OF FINANCIAL PERFORMANCE-BASED INCENTIVES AND PERFORMANCE-BASED METRIC TRACKING TO IDENTIFY MECHANISMS THAT MAY SERVE TO ALIGN REGULATED UTILITY OPERATIONS, EXPENDITURES, AND INVESTMENTS WITH PUBLIC BENEFIT GOALS INCLUDING SAFETY, RELIABILITY, COST EFFICIENCY, EMISSIONS REDUCTIONS, AND EXPANSION OF DISTRIBUTED ENERGY RESOURCES. THE INVESTIGATION, WHICH SHALL BE CONDUCTED IN AN INVESTIGATORY PROCEEDING, MUST CONSIST OF A REVIEW OF EXISTING AND POTENTIAL METRICS, INCLUDING FUTURE TEST YEARS, AND CONSIDERATION OF NEW PERFORMANCE-BASED INCENTIVES.

(2) (a) WITHIN EIGHTEEN MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE COMMISSION SHALL REPORT ITS FINDINGS TO THE SENATE TRANSPORTATION AND ENERGY COMMITTEE AND THE HOUSE OF REPRESENTATIVES ENERGY AND ENVIRONMENT COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE THE FOLLOWING:

(I) A GENERAL DETERMINATION AS TO WHETHER A TRANSITION TO PERFORMANCE-BASED METRICS REGULATION OF A REGULATED UTILITY WOULD BE NET BENEFICIAL TO THE STATE, IN TERMS OF MEETING STATED OBJECTIVES OF THE COMMISSION AND OTHER RELATED STATUTORY REQUIREMENTS;

(II) ACTIONS THAT THE COMMISSION MAY PURSUE TO GUIDE THE CHANGE TO A PERFORMANCE-BASED METRICS REGULATION;

(III) DIRECTIVES TO BE GIVEN TO UTILITIES;

(IV) A LIST OF TYPES OF FUTURE LITIGATED PROCEEDINGS WITHIN WHICH THE REPORT COULD BE IMPLEMENTED; AND

(V) A PROPOSED TIMELINE FOR TRANSITION TO PERFORMANCE-BASED METRICS REGULATION.

(b) THE REPORT MAY INCLUDE ANY RECOMMENDATIONS OF LEGISLATION NEEDED TO FULLY REALIZE THE BENEFITS OF PERFORMANCE-BASED METRICS REGULATION, INCLUDING IDENTIFYING ANY EXISTING STATUTE THAT WOULD SERVE AS AN IMPEDIMENT TO REALIZING THE FULL BENEFITS OF A TRANSITION TO PERFORMANCE-BASED METRICS REGULATION AND SUGGESTED RECOMMENDED CHANGES TO THE EXISTING STATUTE.

(3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

40-3-117. Utility wholesale and retail rates survey - nonadjudicatory proceeding - report - repeal. (1) THE COMMISSION SHALL OPEN A NONADJUDICATORY PROCEEDING TO CONDUCT A SURVEY OF PUBLIC UTILITY WHOLESALE AND RETAIL RATES AND SPECIFICALLY CONSIDER RECOMMENDATIONS THAT WOULD RESULT IN RATE RELIEF IN CERTIFICATED UTILITY TERRITORIES WITH RETAIL RATES MATERIALLY GREATER THAN THE STATE AVERAGE. THE COMMISSION SHALL DETERMINE THE MINIMUM PERCENTAGE BY WHICH A RETAIL RATE THAT EXCEEDS THE STATE AVERAGE RATE QUALIFIES AS A MATERIALLY

GREATER RATE.

(2) THE COMMISSION SHALL HOLD A PUBLIC HEARING WITHIN ANY CERTIFICATED UTILITY TERRITORY DETERMINED TO HAVE A MATERIALLY GREATER RETAIL RATE THAN THE STATE AVERAGE RATE.

(3) ON OR BEFORE FEBRUARY 1, 2021, THE COMMISSION SHALL FILE A REPORT WITH THE HOUSE ENERGY AND ENVIRONMENT COMMITTEE AND THE SENATE TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, DESCRIBING THE SCOPE OF ANALYSIS CONDUCTED, POTENTIAL SOLUTIONS CONSIDERED, AND ANY RECOMMENDATIONS THAT COULD PROVIDE RATE RELIEF TO RATEPAYERS.

(4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.".

Renumber succeeding sections accordingly.

Page 13, strike lines 11 through 27 and substitute:

"**40-3.2-106. Costs of pollution in utility planning - definitions - rules.** (1) THE COMMISSION SHALL REQUIRE AN ELECTRIC PUBLIC UTILITY SUBJECT TO COMMISSION JURISDICTION TO CONSIDER THE COST OF CARBON DIOXIDE EMISSIONS, AS SET FORTH PURSUANT TO SUBSECTION (4) OF THIS SECTION, WHEN DETERMINING THE COST, BENEFIT, OR NET PRESENT VALUE OF ANY PLAN OR PROPOSAL SUBMITTED IN ONE OF THE FOLLOWING PROCEEDINGS:

(a) ELECTRIC RESOURCE PLANS OR ANY UTILITY PLAN OR APPLICATION THAT CONSIDERS OR PROPOSES THE ACQUISITION OF NEW ELECTRIC GENERATING RESOURCES OR THE RETIREMENT OF EXISTING UTILITY GENERATION;

(b) APPLICATIONS RELATED TO SECTION 40-2-124;

(c) APPLICATIONS RELATED TO SECTION 40-3.2-104; OR

(d) A PLAN OR APPLICATION FOR TRANSPORTATION ELECTRIFICATION OR OTHER FORMS OF BENEFICIAL ELECTRIFICATION.

(2) IN A PROCEEDING LISTED IN SUBSECTION (1)(a) OF THIS SECTION, A UTILITY SHALL:

(a) AT A MINIMUM, MODEL AN OPTIMIZATION OF A BASE CASE PORTFOLIO OF RESOURCES USING THE COST OF CARBON DIOXIDE EMISSIONS, AS SET FORTH PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE COST OF CARBON DIOXIDE EMISSIONS MUST APPLY TO THE EVALUATION OF ALL EXISTING ELECTRIC GENERATION RESOURCES AND TO ANY NEW RESOURCES EVALUATED OR PROPOSED AS PART OF THE RESOURCE MODELING. THE COMMISSION MAY REQUIRE A UTILITY TO FILE OR PROPOSE ADDITIONAL BASE CASES. FOR THE PURPOSE OF DEVELOPING ADDITIONAL OPTIMIZED PORTFOLIOS OR FOR SCENARIO ANALYSIS, THE COMMISSION MAY AMEND ITS RULES TO ALLOW A UTILITY TO USE OTHER COSTS FOR CARBON DIOXIDE EMISSIONS IN ADDITION TO THE COST OF CARBON DIOXIDE EMISSIONS SET FORTH PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(b) (I) PRESENT A CALCULATION OF THE NET PRESENT VALUE OF REVENUE REQUIREMENT FOR THE RESOURCES IN EACH OPTIMIZED PORTFOLIO. TO SHOW THE NET PRESENT VALUE OF REVENUE REQUIREMENT THAT WOULD BE INCURRED BY THE UTILITY FOR IMPLEMENTING THE PORTFOLIO, IN ADDITION TO PRESENTING THE FULL NET PRESENT VALUE OF REVENUE REQUIREMENT THROUGH A CALCULATION USING THE COST OF CARBON DIOXIDE EMISSIONS SET FORTH PURSUANT TO SUBSECTION (4) OF THIS SECTION, THE UTILITY SHALL ALSO PRESENT THE FULL NET PRESENT VALUE OF REVENUE REQUIREMENT THROUGH A CALCULATION WITHOUT USING THE COST OF CARBON DIOXIDE EMISSIONS SET FORTH PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(II) IN ADDITION TO THE NET PRESENT VALUE OF REVENUE REQUIREMENT CALCULATIONS REQUIRED IN SUBSECTION (2)(b)(I) OF THIS SECTION, FOR EACH OPTIMIZED MODEL RUN THE UTILITY MUST PROVIDE A PRESENT VALUE CALCULATION SHOWING THE NET PRESENT VALUE OF THE TOTAL COST OF CARBON DIOXIDE EMISSIONS OF EACH PORTFOLIO, CALCULATED BY MULTIPLYING THE TOTAL EMISSIONS OF THAT PORTFOLIO BY THE COST OF CARBON DIOXIDE SET FORTH PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(3) IN APPROVING A RESOURCE PLAN, THE COMMISSION SHALL CONSIDER:

(a) THE NET PRESENT VALUE OF THE COST OF CARBON DIOXIDE EMISSIONS;

(b) THE NET PRESENT VALUE OF REVENUE REQUIREMENTS THAT

WOULD BE INCURRED BY THE UTILITY FOR IMPLEMENTING THE PORTFOLIO; AND

(c) OTHER RELEVANT FACTORS, AS DETERMINED BY THE COMMISSION.

(4) THE COMMISSION SHALL BASE THE COST OF CARBON DIOXIDE EMISSIONS ON THE MOST RECENT ASSESSMENT OF THE SOCIAL COST OF CARBON DIOXIDE DEVELOPED BY THE FEDERAL GOVERNMENT. STARTING IN 2020, THE COMMISSION SHALL USE A SOCIAL COST OF CARBON DIOXIDE OF NOT LESS THAN FORTY-SIX DOLLARS PER SHORT TON. THE COMMISSION SHALL MODIFY THE COST OF CARBON DIOXIDE EMISSIONS BASED ON ESCALATION RATES OF THE 2020 BASE COST BY AN AMOUNT THAT IS EQUAL TO OR GREATER THAN THE CENTRAL VALUE ESCALATION RATES ESTABLISHED IN THE TECHNICAL SUPPORT DOCUMENT. WHEN CALCULATING THE COST OF CARBON DIOXIDE EMISSIONS FOR ANY PROCEEDING LISTED IN SUBSECTION (1) OF THIS SECTION, THE COMMISSION SHALL USE THE SAME DISCOUNT RATE AS THAT USED TO DEVELOP THE FEDERAL SOCIAL COST OF CARBON DIOXIDE, AS SET FORTH IN THE TECHNICAL SUPPORT DOCUMENT.

(5) THE COMMISSION SHALL APPLY A COST OF CARBON DIOXIDE EMISSIONS TO THE NONENERGY BENEFITS FOR PROGRAMS THAT ARE DEFINED TO BE BENEFICIAL ELECTRIFICATION.

(6) AS USED IN THIS SECTION:

(a) "BENEFICIAL ELECTRIFICATION" MEANS A UTILITY'S CHANGE IN THE ENERGY SOURCE POWERING AN END USE FROM A NONELECTRIC SOURCE TO AN ELECTRIC SOURCE, INCLUDING TRANSPORTATION, WATER HEATING, SPACE HEATING, OR INDUSTRIAL PROCESSES, IF THE CHANGE:

(I) REDUCES SYSTEM COSTS FOR THE UTILITY'S CUSTOMERS;

(II) REDUCES NET CARBON DIOXIDE EMISSIONS; OR

(III) PROVIDES FOR A MORE EFFICIENT UTILIZATION OF GRID RESOURCES.

(b) "TECHNICAL SUPPORT DOCUMENT" MEANS THE 2016 TECHNICAL SUPPORT DOCUMENT OF THE FEDERAL INTERAGENCY WORKING GROUP ON SOCIAL COST OF GREENHOUSE GASES, ENTITLED "TECHNICAL UPDATE OF THE SOCIAL COST OF CARBON FOR REGULATORY IMPACT ANALYSIS - UNDER EXECUTIVE ORDER 12866".".

Strike page 14.

Page 15, strike lines 1 through 4.

Page 16, after line 26 insert:

"**SECTION 11.** In Colorado Revised Statutes, 40-6-109, **amend** (1) as follows:

40-6-109. Hearings - orders - record - review - representation of entities in nonadjudicatory proceedings. (1) At the time fixed for ~~any~~ A hearing before the commission, ~~any~~ A commissioner, or an administrative law judge, or, at the time to which the ~~same~~ HEARING may have been continued, the applicant, petitioner, complainant; the person, firm, or corporation complained of; and ~~such persons, firms, or corporations~~ ANY PERSON, FIRM, OR CORPORATION as the commission may allow to intervene ~~and such persons, firms, or corporations as will be~~ THAT IS interested in or affected by ~~any~~ A COMMISSION order ~~that may be made by the commission~~ in ~~such~~ THE proceeding and ~~who shall have~~ THAT HAS become ~~parties~~ A PARTY to the proceeding ~~shall be~~ IS entitled to be heard, examine and cross-examine witnesses, and introduce evidence. AN INDIVIDUAL CUSTOMER OF A REGULATED UTILITY IS AUTHORIZED TO INTERVENE IN A MATTER BEFORE THE COMMISSION THAT AFFECTS THE CUSTOMER. A full and complete record of all proceedings ~~had~~ before the commission, ~~any~~ A commissioner, or an administrative law judge in any formal hearing and all testimony shall be taken down by ~~any~~ A reporter appointed by the commission or RECORDED ELECTRONICALLY as deemed appropriate by the commission, a commissioner, or an administrative law judge, as applicable. ~~recorded electronically.~~ All parties in interest ~~shall be~~ ARE entitled to be heard in person or TO BE REPRESENTED by attorney.".

Renumber succeeding sections accordingly.

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **HB19-1003** 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, 12-23-104, **amend** (2)(f.5) as follows:

12-23-104. Board powers and duties - rules. (2) In addition to all other powers and duties conferred or imposed upon the board by this article, the board is authorized to:

(f.5) Regulate a licensed master electrician, journeyman electrician, or residential wireman who, acting within his or her scope of competence, supervises a solar photovoltaic installation pursuant to section 40-2-128. ~~C.R.S.~~; ON AND AFTER JANUARY 1, 2020, ALL PHOTOVOLTAIC ELECTRICAL WORK FOR INSTALLATIONS OF AT LEAST THREE HUNDRED KILOWATTS, INCLUDING THE INTERCONNECTION OF THE MODULES, GROUNDING OF THE MODULES, ANY BALANCE OF SYSTEM WIRING, AND THE CUSTOMER-SIDE POINT OF CONNECTION TO THE UTILITY GRID, MUST BE PERFORMED BY A LICENSED MASTER ELECTRICIAN, LICENSED JOURNEYMAN ELECTRICIAN, LICENSED RESIDENTIAL WIREMAN, OR PROPERLY SUPERVISED ELECTRICAL APPRENTICES AND MUST COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THIS ARTICLE 23, INCLUDING SECTIONS 12-23-105 AND 12-23-110.5, AND ALL APPLICABLE RULES OF THE BOARD.".

Renumber succeeding sections accordingly.

Page 2, line 3, after "**add**" insert "(2)(b)(I)(D) and".

Page 2, line 9, strike "of ~~two~~ FIVE megawatts or less" and substitute "~~of two megawatts or less~~ WITHIN THE RANGE SPECIFIED UNDER SUBSECTION (2)(b)(I)(D) OF THIS SECTION".

Page 2, after line 18 insert:

"(D) A COMMUNITY SOLAR GARDEN MUST HAVE A NAMEPLATE RATING OF FIVE MEGAWATTS OR LESS; EXCEPT THAT THE COMMISSION MAY, IN RULES ADOPTED PURSUANT TO SUBSECTION (3)(b) OF THIS SECTION, APPROVE THE FORMATION OF A COMMUNITY SOLAR GARDEN WITH A NAMEPLATE RATING OF UP TO TEN MEGAWATTS ON OR AFTER JULY 1, 2023.".

Page 3, strike lines 6 through 15.

Reletter succeeding paragraphs accordingly.

Page 3, strike line 17 and substitute "ASSOCIATED ELECTRICAL EQUIPMENT".

Page 3, line 18, strike "SECTION".

Page 3, strike lines 24 through 27.

Strike page 4 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, 40-2-128, **amend** (1) introductory portion, (1)(a)(I)(D), and (1)(d) introductory portion; and **repeal** (1)(c) as follows:

40-2-128. Solar photovoltaic installations - supervision by certified practitioners - qualifications of electrical contractors. (1) For all photovoltaic installations ~~funded wholly or partially through ratepayer-funded incentives as part of the renewable energy standard adjustment~~ allowed under section 40-2-124 WITH A DIRECT CURRENT DESIGN CAPACITY OF LESS THAN THREE HUNDRED KILOWATTS:

(a) (I) (D) By submitting an initial application for funding or an initial contract proposal, the applicant assumes responsibility for employing or contracting with one or more certified energy practitioners or licensed master electricians, licensed journeyman electricians, or

licensed residential wiremen to supervise the installation and as necessary to maintain the three-to-one ratio required by ~~paragraphs (b) and (c) of this subsection (1)~~ SUBSECTION (1)(b) OF THIS SECTION, including during any off-site, preinstallation assembly. Payment of any incentives for the work shall not be approved until the applicant supplies the name and certification number of each certified energy practitioner or the license number of each master electrician, journeyman electrician, or residential wireman who actually provided on-site supervision or was present to maintain the three-to-one ratio required by ~~paragraphs (c) and (d) of this subsection (1)~~ SUBSECTION (1)(d) OF THIS SECTION.

(c) ~~On a system with a direct current design capacity of more than five hundred kilowatts:~~

~~(I) During any photovoltaic electrical work, the ratio of the number of persons who are assisting with the work and who are neither licensed electricians nor registered electrical apprentices to the number of persons who are certified as provided in paragraph (a) of this subsection (1) shall never exceed three to one, and a person who is both licensed and certified shall not count double for purposes of measuring this ratio; and~~

~~(II) There shall be at least one on-site supervisor who is certified as provided in paragraph (a) of this subsection (1) during the following stages; except that, if at any time during any of the following stages, there are more than twelve persons on the work site who are neither licensed electricians nor registered electrical apprentices and who are not certified as provided in paragraph (a) of this subsection (1), there shall be at least two persons who are certified as provided in paragraph (a) of this subsection (1) present on the work site and providing direct supervision of:~~

~~(A) The installation of photovoltaic modules;~~

~~(B) The installation of photovoltaic module mounting equipment; and~~

~~(C) Any photovoltaic electrical work.~~

(d) On a system with a direct current design capacity of ~~five hundred kilowatts or~~ less THAN THREE HUNDRED KILOWATTS:

SECTION 4. In Colorado Revised Statutes, 12-115-107, **amend as relocated by House Bill 19-1172** (2)(f) as follows:

12-115-107. Board powers and duties - rules - definition. (2) In addition to all other powers and duties conferred or imposed upon the board by this article 115, the board is authorized to:

(f) Regulate a licensed master electrician, journeyman electrician, or residential wireman who, acting within his or her scope of competence, supervises a solar photovoltaic installation pursuant to section 40-2-128. ON AND AFTER JANUARY 1, 2020, ALL PHOTOVOLTAIC ELECTRICAL WORK FOR INSTALLATIONS OF AT LEAST THREE HUNDRED KILOWATTS, INCLUDING THE INTERCONNECTION OF THE MODULES, GROUNDING OF THE MODULES, ANY BALANCE OF SYSTEM WIRING, AND THE CUSTOMER-SIDE POINT OF CONNECTION TO THE UTILITY GRID, MUST BE PERFORMED BY A LICENSED MASTER ELECTRICIAN, LICENSED JOURNEYMAN ELECTRICIAN, LICENSED RESIDENTIAL WIREMAN, OR PROPERLY SUPERVISED ELECTRICAL APPRENTICES AND MUST COMPLY WITH ALL APPLICABLE REQUIREMENTS OF THIS ARTICLE 115, INCLUDING SECTIONS 12-115-109 AND 12-115-115, AND ALL APPLICABLE RULES OF THE BOARD.

SECTION 5. Act subject to petition - effective date. (1) Except as otherwise provided in subsection (2) of this section, 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 4 of this act takes effect only if House Bill 19-1172 becomes law, in which case section 4 takes effect October 1, 2019.".

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education

After consideration on the merits, the Committee recommends that **HB19-1222** 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 7, strike "individual, as defined in 20 U.S.C. sec. 6537," and substitute "~~individual~~ STUDENT, as defined in ~~20 U.S.C. sec. 6537~~ 20 U.S.C. SEC. 9832,".

Education

After consideration on the merits, the Committee recommends that **HB19-1262** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-241** 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 **HB19-1244** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 2, line 3, strike "(2.5)" and substitute "(2.5), (10)(e),".

Page 5, after line 1 insert:

"(10) (e) ANY MONEY RECEIVED BY THE DEPARTMENT OF REVENUE AS A GRANT FROM THE GRANT PROGRAM IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF REVENUE FOR THE PURPOSES DESCRIBED IN THIS SECTION.".

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
COLORADO BANKING BOARD

for a term expiring July 1, 2019:

Sarah J. Auchterlonie of Denver, Colorado, to serve as a representative of the public and occasioned by the resignation of Diane Salling Barrett of Denver, Colorado, appointed.

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, 2019:

Samuel McCullough Forsyth of Louisville, Colorado, appointed;

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 appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2020:

Shelley Phelps Dodge, JD of Fort Lupton, Colorado, to serve as an attorney who represents injured workers, and occasioned by the resignation of Elsa Martinez Tenreiro, JD of Elizabeth, Colorado, appointed;

for a term expiring September 1, 2021:

Jason Lee Wardrip of Aurora, Colorado, to serve as a representative of labor organizations, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1256** 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 **HB19-1254** 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 **HB19-1286** 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 **HB19-1268** 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 **HB19-1253** 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 2, line 11, before "OR" insert "HEALTH INSURANCE,".

Page 2, line 16, before "OR" insert "HEALTH INSURANCE,".

Page 2, line 21, after "INSURANCE," insert "HEALTH INSURANCE,".

Page 2, line 25, before "OR" insert "HEALTH INSURANCE,".

Page 2, line 25, strike "BASED" and substitute "EXCEPT BASED ON SOUND ACTUARIAL PRINCIPLES OR ACTUAL OR REASONABLE ANTICIPATED EXPERIENCE.".

Page 3, strike lines 1 and 2.

Page 3, after line 25 insert:

"(b) "HEALTH INSURANCE" MEANS A HEALTH BENEFIT PLAN AS DEFINED IN SECTION 10-16-102 (32).".

Reletter succeeding paragraphs accordingly.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SCR19-002** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1248** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1266** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

April 17, 2019

Mr. President:

The House has postponed indefinitely SB19-012. The bill is returned herewith.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR19-009 by Senator(s) Fenberg and Holbert; also Representative(s) Garnett and Neville--Concerning the convening date for the 2020 second regular session of the seventy-second General Assembly, and, in connection therewith, restoring the deadline schedule set out in 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:

SB19-248 by Senator(s) Tate and Bridges, Todd; also Representative(s) Singer and Baisley, Titone--Concerning a requirement that the director of research of the legislative council convene a working group to conduct an analysis of the state tax system used by the department of revenue.
Legislative Council

SB19-249 by Senator(s) Gonzales and Scott; --Concerning the licensing of a business selling used motor vehicles that the business used for its purposes.
Business, Labor, & Technology

SB19-250 by Senator(s) Garcia and Scott; --Concerning ratepayer protections regarding electric utilities' ability to establish a graduated scale of charges.
State, Veterans, & Military Affairs

SB19-251 by Senator(s) Rankin and Todd, Bridges, Moreno, Tate, Zenzinger; also Representative(s) Hansen and Titone, Baisley, Esgar, Ransom, Singer--Concerning the implementation of certain recommendations from the independent evaluation of the state's information technology resources, and, in connection therewith, making an appropriation.
Appropriations

SB19-252 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar and Hansen, Ransom--Concerning the timing of joint committee of reference hearings under the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act".
Appropriations

SB19-253 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning specifying that the department of education is not a state agency for purposes of the office of information technology.
Appropriations

SB19-254 by Senator(s) Zenzinger, Moreno, Rankin; also Representative(s) Ransom, Esgar, Hansen--Concerning the nursing home penalty cash fund, and, in connection therewith, making an appropriation.
Appropriations

SB19-255 by Senator(s) Court and Tate; also Representative(s) Herod--Concerning the establishment of the ratio of valuation for assessment for residential real property.
Finance

SB19-256 by Senator(s) Bridges; --Concerning an appropriation made to implement House Bill 18-1299 concerning electronic documents related to the ownership of a vehicle.
Appropriations

HB19-1045 by Representative(s) Snyder and Soper; also Senator(s) Ginal--Concerning funding for carrying out duties related to the office of public guardianship, and, in connection therewith, making an appropriation.
Judiciary

HB19-1051 by Representative(s) Carver and McLachlan; also Senator(s) Gardner and Ginal--Concerning human trafficking prevention training by the department of public safety, and in connection therewith, making an appropriation.
Judiciary

HB19-1193 by Representative(s) Herod and Pelton; also Senator(s) Garcia--Concerning behavioral health supports for high-risk families, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1260 by Representative(s) Kipp and Valdez A., Cutter, Duran, Froelich, Hooton, Jaquez Lewis, Sirota, Weissman; also Senator(s) Winter and Priola--Concerning an update to the minimum energy code for the construction of buildings.
Transportation & Energy

HB19-1269 by Representative(s) Cutter and Sullivan, Kipp, Michaelson Jenet, Mullica; also Senator(s) Ginal and Gardner--Concerning measures to improve behavioral health care coverage practices, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1280 by Representative(s) Herod and Becker; also Senator(s) Fenberg--Concerning the creation of the college kickstarter account program to incentivize the creation of a college savings account for every child born in Colorado.
Finance

HB19-1305 by Representative(s) McLachlan and Catlin; also Senator(s) Gonzales and Coram--Concerning the authority of tribal entities to administer fingerprint-based criminal history record checks related to emergency child welfare placements.
State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-063 and 091; SJR19-011.

MESSAGE FROM THE GOVERNOR

Wednesday, April 17, 2019

Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-212 - Appropriation General Fund Implement State Water Plan
Approved Wednesday, April 17, 2019 at 1:38 o'clock P.M.

SB 19-052 - Emergency Medical Service Provider Scope Of Practice
Approved Wednesday, April 17, 2019 at 1:42 o'clock P.M.

SB 19-209 - PACE Program Funding Methodology
Approved Wednesday, April 17, 2019 at 1:48 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

Appointment

Letters of designation and appointment from Governor Jared Polis were read and assigned to committees as follows:

March 4, 2019

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
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

Taishya Rashaan Adams of Boulder, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources and occasioned by the resignation of James George Spehar of Grand Junction, Colorado, appointed;

for terms expiring July 1, 2022:

Eden Vardy of Aspen, Colorado, to serve as a representative of agriculture, appointed;

Charles Fredrick Garcia of Denver, Colorado, to serve as a representative of sports persons, appointed;

Luke B. Schafer of Craig, Colorado, to serve as a member at large, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 3/5/2019
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture & Natural Resources

February 14, 2019

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, 2022:

April Long of Carbondale, Colorado, to represent west of the continental divide, appointed;

Paul Douglas Frohardt of Denver, Colorado, appointed;

Kevin James Greer of Englewood, Colorado, reappointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 2/15/2019
Andrew Carpenter, Senate Reader

Committee on Agriculture & Natural Resources

April 9, 2019

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 REVENUE

effective April 18, 2019 for a term expiring at the pleasure of the Governor:

Lu M. Cordova of Boulder, Colorado, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 4/10/2019
Andrew Carpenter, Senate Reader

Committee on Finance

TRIBUTES

Honoring:

Girl Scout Troop 30386 -- By President Leroy M. Garcia.
Trinitee Barnes -- By President Leroy M. Garcia.
The Longmont Community Foundation -- By Senator Mike Foote.
Marilyn Hughes -- By Senator Mike Foote.
Mickey Harlow -- By Senator Rachel Zenzinger.
Jennifer Kupcho -- By Senator Faith Winter.
Conflict Resolution Professionals, Volunteers, and Advocates -- By Senator Pete Lee.
Bryce Armijo -- By Senator Jeff Bridges.
Lily Wilshire -- By Senator Jeff Bridges.
Michael Huang -- By Senator Jeff Bridges.
Peyton Browning -- By Senator Jeff Bridges.
Willy Morris -- By Senator Jeff Bridges.
Michael Templeton -- By Senator Lois Court.
Amy Friedman -- By Senator Jessie Danielson.
Carter Hansen -- By Senator Jessie Danielson.
Peggy O'neill Jones -- By Senator Jessie Danielson.
Rhiannon Scanlon -- By Senator Jessie Danielson.
Andrew Wallace -- By Senator Jessie Danielson.
Matthew Walter -- By Senator Jessie Danielson.
Shelly Oren -- By Senator Steve Fenberg.
Gionni Thompson -- By Senator Rhonda Fields.
Katie Kelly -- By Senator Rhonda Fields.
Lexi Elio -- By Senator Rhonda Fields.
Lisa Ward -- By Senator Rhonda Field.
Jake Marsing -- By Senator Mike Foote.
Kay Marsh -- By Senator Mike Foote.
Terryr Whittaker -- By Senator Mike Foote.
Wayne Wohler -- By Senator Mike Foote.
Brody Rosipajla -- By President Leroy M. Garcia.
Curt Baker -- By President Leroy M. Garcia.
Don Naccarato -- By President Leroy M. Garcia.
Johnea Jacobs-Hathaway -- By President Leroy M. Garcia.
Maggie Driscoll -- By President Leroy M. Garcia.
Noah Reynolds -- By President Leroy M. Garcia.
Sterling Loza -- By President Leroy M. Garcia.
Debbie Kulas -- By Senator Joann Ginal.
Lauren Schroeder -- By Senator Joann Ginal.
Katie Larson -- By Senator Julie Gonzales.
Abbey Vogel -- By Senator Julie Gonzales.
Jessica Martinez-Vazquez -- By Senator Julie Gonzales.
David Young -- By Senator Pete Lee.
Emma Kerr -- By Senator Pete Lee.
Guy Huffman -- By Senator Pete Lee.
Hannah Collazo -- By Senator Pete Lee.
Rachel Willinnganz -- By Senator Pete Lee.
Alaura Ward -- By Senator Dominick Moreno.
Raquel Lane-Arellano -- By Senator Dominick Moreno.
Anne Lorentzen -- By Senator Brittany Peterson.
Brandon Thierry -- By Senator Brittany Peterson.
Danielle Minniear -- By Senator Brittany Peterson.
Katherina Zapata -- By Senator Brittany Peterson.
Lucinda Scheller -- By Senator Brittany Peterson.
Madeleine Seltzer -- By Senator Brittany Peterson.
Mattias Didriksen -- By Senator Brittany Peterson.

Katia Birge -- By Senator Robert Rodriguez.
Lance Wheeland -- By Senator Robert Rodriguez.
Dita Hutchinson -- By Senator Tammy Story.
Lucy Preston -- By Senator Tammy Story.
Mary Peckham -- By Senator Tammy Story.
Matt Montag -- By Senator Tammy Story.
Sam Craig -- By Senator Tammy Story.
Seth Kelly -- By Senator Tammy Story.
Anna Martinez -- By Senator Nancy Todd.
Anthony Laurita -- By Senator Nancy Todd.
Hannah Templin -- By Senator Nancy Todd.
Scott Merrifield -- By Senator Nancy Todd.
Desyiah Lyons -- By Senator Angela Williams.
Meredith Cooke -- By Senator Angela Williams.
Isabel Sperber -- By Senator Angela Williams.
Sabrina Pacha -- By Senator Angela Williams.
Aaron Silverstein -- By Senator Rachel Zenzinger.
Amanda Oliver -- By President Leroy M. Garcia.
Anne Selle -- By President Leroy M. Garcia.
Brittany Martinez -- By President Leroy M. Garcia.
Cris Salerno -- By President Leroy M. Garcia.
Dennis Carey -- By President Leroy M. Garcia.
Donna Austin -- By President Leroy M. Garcia.
Eric Young -- By President Leroy M. Garcia.
Glenn Knutson -- By President Leroy M. Garcia.
Greg Haun Sales Group -- By President Leroy M. Garcia.
Hathaway Group -- By President Leroy M. Garcia.
Joel Moffitt -- By President Leroy M. Garcia.
Joetta White -- By President Leroy M. Garcia.
Kendal Curtis -- By President Leroy M. Garcia.
Kent Shelman -- By President Leroy M. Garcia.
Mark Chorak -- By President Leroy M. Garcia.
Rick DeCesaro -- By President Leroy M. Garcia.
Walt Pickard -- By President Leroy M. Garcia.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, April 18, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

105th Legislative Day Thursday, April 18, 2019

Prayer — By the chaplain, Rev. Dr. Shannon Jacob Warner, True Light Baptist Church, Denver.

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.

On motion of Majority Leader Fenberg, 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.

Presentation of Colors — By the Valkyrie Cadet Squadron, Civil Air Patrol. Members participating include Cadet First Lieutenant Kael Tepper, Cadet Staff Sergeant Tobias Faro, Cadet Staff Sergeant Cooper Eisman, and Cadet Chief Master Sergeant Liam Hunter. Also attending, Colonel Tom Kettell, and Colonel Gary Tobey.

Pledge — By Cadet Second Lieutenant Tristan Poseley, Mustang Cadet Squadron, Civil Air Patrol.

Reading of the Journal — On motion of Senator Rankin, reading of the Journal of Wednesday, April 17, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-248, 249, 250, 251, 252, 253, 254, 255, 256; SJR19-009.
Correctly Engrossed: SR19-011.
Correctly Reengrossed: SB19-030, 036, 149, 171, 176, 190, and 217.
Correctly Rerevised: HB19-1004, 1039, 1127, 1194, 1196, 1211, and 1221.
Correctly Enrolled: SB19-064, 200, 201, 208, and 214; SR-011.

On motion of Majority Leader Fenberg, 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

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1167** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 10, strike lines 4 through 9 and substitute "INCLUDE ANY OTHER INFORMATION. THE".

RECONSIDERATION OF SB19-214

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning capital-related transfers of money.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Re-Passage, on **SB19-214**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Concur in House Amendments, on **SB19-214**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Recede from Senate Position, on **SB19-214**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-214 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning capital-related transfers of money.

Senator Rankin moved for the adoption of the first report of the first conference committee on **SB19-214**, as printed in Senate journal, April 16, pages 882-883. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Story.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Zenzinger 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:

HB19-1219 by Representative(s) Gonzales-Gutierrez; also Senator(s) Crowder--Concerning modernization of the permanency hearing statutes.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1031 by Representative(s) Gray; also Senator(s) Gonzales--Concerning allowing each parental guardian to serve as a minor medical marijuana patient's primary caregiver, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 15, page 476 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 29, page 613 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 869 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1095 by Representative(s) Cutter and Landgraf; also Senator(s) Fields--Concerning physician assistants, and, in connection therewith, establishing requirements for the supervision of physician assistants, establishing liability for physician assistants, increasing the number of physician assistant members on the Colorado medical board, and making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 4, pages 654-655 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1205 by Representative(s) Arndt; also Senator(s) Court--Concerning allowing reimbursement for expenses for members of the restorative justice coordinating council.

Upon request of Senator Hill, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Thursday, April 18, 2019, and placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, April 18, 2019.

SB19-136 by Senator(s) Lee; also Representative(s) Gonzales-Gutierrez--Concerning an expansion of the pilot program in the division of youth services.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 14, page 460 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 872 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-165 by Senator(s) Rodriguez; --Concerning the membership of the state board of parole.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 873 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user.

Upon request of Senator Hill, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Thursday, April 18, 2019, and placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, April 18, 2019.

SB19-205 by Senator(s) Danielson and Zenzinger; also Representative(s) Michaelson Jenet and Duran--Concerning the creation of a license plate to honor women veterans of the United States armed forces.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 876 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-215 by Senator(s) Rodriguez; also Representative(s) Lontine--Concerning the creation of the parents encouraging parents conference for parents of children with disabilities.

Upon request of Senator Hill, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Thursday, April 18, 2019, and placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, April 18, 2019.

SB19-216 by Senator(s) Bridges; also Representative(s) Bird--Concerning incentives for local education providers to provide innovative learning opportunities for high school students.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 12, pages 812-813 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 876 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1179 by Representative(s) Gray; also Senator(s) Lee--Concerning the financial risk profiles of legal investments of public funds.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 16, page 894 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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-136 as amended, SB19-165 as amended, SB19-205 as amended, SB19-216 as amended, HB19-1219, HB19-1031 as amended, HB19-1095 as amended, HB19-1179 as amended.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Thursday, April 18: HB19-1205, SB19-175, SB19-215.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

HB19-1210 by Representative(s) Melton and Galindo, Arndt, Benavidez, Buckner, Buentello, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Herod, Jackson, Kennedy, McLachlan, Michaelson Jenet, Mullica, Singer, Sirota, Sullivan, Weissman; also Senator(s) Danielson and Moreno, Court, Fields, Foote, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, Todd, Zenzinger--Concerning the repeal of the prohibitions on a local government establishing minimum wage laws within its jurisdiction.

Laid over until Monday, April 22, retaining its place on the calendar.

HB19-1205 by Representative(s) Arndt; also Senator(s) Court--Concerning allowing reimbursement for expenses for members of the restorative justice coordinating council.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 4, page 667 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 873 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-215 by Senator(s) Rodriguez; also Representative(s) Lontine--Concerning the creation of the parents encouraging parents conference for parents of children with disabilities.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 5, page 675 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 876 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-156 by Senator(s) Rodriguez; also Representative(s) Sullivan--Concerning the continuation of the state electrical board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 21, pages 515-516 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 12, pages 782-783 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

Majority Leader Fenberg 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.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Legislative Council — After consideration on the merits, the Committee recommends that **HB19-1188** be referred to the Committee on Appropriations with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **HB19-1024** be referred to the Committee on Appropriations with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **SB19-015** be referred to the Committee of the Whole with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **SB19-108** be referred to the Committee of the Whole with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **HB19-1184** be referred to the Committee on Appropriations with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **SB19-248** be referred to the Committee on Appropriations with favorable recommendation.

CONSIDERATION OF RESOLUTIONS

SJR19-009 by Senator(s) Fenberg and Holbert; also Representative(s) Garnett and Neville--Concerning the convening date for the 2020 second regular session of the seventy-second General Assembly, and, in connection therewith, restoring the deadline schedule set out in the Joint Rules of the Senate and House of Representatives.

On motion of Senator Holbert, the resolution was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-004 by Senator(s) Donovan; also Representative(s) Roberts and McCluskie--Concerning measures to address the high costs of health insurance in the state, and, in connection therewith, modifying the health care coverage cooperatives laws to include consumer protections and allow consumers to collectively negotiate rates directly with providers.

Senator Donovan moved that the Senate concur in House amendments to SB19-004, as printed in House journal, April 12, pages 1132-1134. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-189 by Senator(s) Todd and Lundeen, Hill, Bridges, Story; also Representative(s) Cutter and Wilson--Concerning the continuation of the concurrent enrollment advisory board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Lundeen moved that the Senate concur in House amendments to SB19-189, as printed in House journal, April 12, pages 1131-1132, and April 16, pages 1208-1209. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

for terms expiring January 1, 2020:

James Moody of Denver, Colorado, to serve as a representative of contractors, appointed;

Jeffery M. Rumer of Blackhawk, Colorado, to serve as a representative of excavators, appointed;

Jeannette Aileen Jones of Longmont, Colorado, to serve as a representative of energy producers, appointed;

Michael Andrew Mills of Aurora, Colorado, to serve as a representative of water utilities, appointed;

for terms expiring January 1, 2021:

Lori Warner of Littleton, Colorado to serve as a representative of pipeline companies, appointed;

Mark Frederick Jurgemeyer of Denver, Colorado to serve as a representative of rural electric cooperatives, appointed;

Eric Graham Kirkpatrick of Castle Rock, Colorado, to serve as a representative of investor owned utilities, appointed;

James Patrick Fitzgerald of Greenwood Village, Colorado, to serve as a representative of special districts, appointed;

Katharine Marie Duitsman, PE of Centennial, Colorado, to serve as a representative of engineers, appointed;

for terms expiring January 1, 2022:

Raymond Keith Swerdfeger of Pueblo West, Colorado to serve as a representative of excavators, appointed;

Julie A. Mileham, AIC, ARM-P, CPCU, MBA of Aurora, Colorado, to serve as a representative of transportation, appointed;

Mark Frasier of Fort Morgan, Colorado, to serve as a representative actively engaged in farming or ranching, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2020:

James Ronald DeVries, MSHA of Denver, Colorado, to serve as an Unaffiliated from Congressional District 1 and occasioned by the resignation of Julie Hoener Mowry of Denver, Colorado, appointed.

for terms expiring July 1, 2022:

Paulette St. James of Denver, Colorado, to serve as a Democrat from Congressional District 1, reappointed;

Chad Frederick Federwitz of Carbondale, Colorado, to serve as an Unaffiliated and as an at-large member from Congressional District 3, appointed;

Jody Barker of Colorado Springs, Colorado, to serve as a Republican from Congressional District 5, reappointed;

Ryan James Burmood of Aurora, Colorado, to serve as a Democrat from Congressional District 6, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for terms expiring July 1, 2021:

Donna Lynne of Denver, Colorado, appointed:

Stephen Forrest Sturm of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MESSAGE FROM THE HOUSE

April 18, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1284, 1299.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1279, 1230, 1076, 1234, 1288, 1298, 1295, 1263, amended as printed in House Journal, April 17, 2019.

The House has passed on Third Reading and returns herewith SB19-194.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-077, amended as printed in House Journal, April 17, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 18, 2019

We herewith transmit:

Without comment, HB19-1284 and 1299.
Without comment, as amended, HB19-1076, 1230, 1234, 1263, 1279, 1288, 1295, and 1298.
Without comment, as amended, SB19-077.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 18, 2019, at 8:33 a.m.:
SB19-063 and 091.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

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 19-246, Concerning The Financing Of Public Schools:

The Monday, April 22 deadline (the 109th 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 Friday, May 3, 2019 (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 Garcia
President of the Senate

(signed)
Representative Becker
Speaker of the House of Representatives

(signed)
Senator Fenberg
Senate Majority Leader

(signed)
Representative Garnett
House Majority Leader

(signed)
Senator Holbert
Senate Minority Leader

(signed)
Representative Neville
House Minority Leader

EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL
SENATE COMMITTEE ON DELAYED BILLS
HOUSE COMMITTEE ON DELAYED BILLS

ROOM 029 STATE CAPITOL
DENVER, COLORADO 80203-1784
E-mail: lcs.ga@state.co.us
303-866-3521 FAX: 303-866-3855

April 18, 2019

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills do hereby extend the Legislative Council deadline to review, prioritize, and approve written requests for interim study committees from the 108th day (April 21, 2019) to the 112th day (April 25th, 2019) of the seventy-second legislative session of the Colorado General Assembly.

(signed)
President Leroy Garcia, Chair

(signed)
Speaker KC Becker, Vice-Chair

(signed)
Senator Stephen Fenberg

(signed)
Representative Alec Garnett

(signed)
Senator Chris Holbert

(signed)
Representative Patrick Neville

COMMITTEE OF REFERENCE REPORTS (cont'd)

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 STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for terms expiring July 7, 2019:

Rebecca F. Holmes of Denver, Colorado, to serve as a person from the community who has interest or experience in education, reappointed;

Genia Kei Herndon of Denver, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, reappointed;

for terms expiring July 7, 2020:

Elizabeth M. Palmquist of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, appointed;

Stephanie Flynn James, PhD, MBA of Broomfield, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, 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
COLORADO SCHOOL OF MINES BOARD OF TRUSTEES

for a term expiring December 31, 2022:

Denise Burgess of Denver, Colorado, a Democrat who is not a graduate of the Colorado School of Mines, 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 GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2022:

Armando Valdez of La Jara, Colorado, to serve as a member who has substantial experience in the production of agriculture, and to serve as a Democrat, appointed;

Russell Anthony DeSalvo III of Pueblo, Colorado, to serve as 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
COLLEGEINVEST BOARD OF DIRECTORS

for terms expiring July 31, 2022:

David Andrew Simon of Cherry Hills Village, Colorado, appointed;

Kirk Mielenz of Littleton, Colorado, appointed.

Education

After consideration on the merits, the Committee recommends that **HB19-1171** be referred to the Committee on Appropriations with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB19-1132** be referred to the Committee on Appropriations with favorable recommendation.

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:

CHIEF MEDICAL OFFICER OF THE
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

effective immediately for a term expiring at the Pleasure of the Governor:

Tista S. Ghosh, M.D., M.P.H., of Denver, 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
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY BOARD OF DIRECTORS

From the 7th Congressional District: Ray Baker, for a term effective April 1, 2018 and continuing until March 31, 2022 (or until his successor is appointed by the Board of Regents). This will be Mr. Baker's second term on the Hospital Authority Board of Directors.

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 on June 30, 2021:

Theresa Marie Chase, MA, ND, RN, Grand Jct. appointed;

Kenneth Anderson Scott, MPH, PhD of Denver, Colorado, appointed;

Victoria Ortega, JD of Denver, Colorado, appointed;

Thomas McCause of Fruita, 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
COLORADO HEALTHCARE AFFORDABILITY
AND SUSTAINABILITY ENTERPRISE (CHASE)

for a term expiring May 15, 2019:

Brent Bowman of Denver, Colorado, to serve as representative of a statewide organization of health insurance carriers, and occasioned by the resignation of Thomas A. Rennell of Englewood, 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
COLORADO CHILDREN'S TRUST FUND BOARD

effective November 27, 2018 for terms expiring November 7, 2021:

Stephanie Villafuerte, JD of Evergreen, Colorado, to serve as a member with knowledge of child abuse prevention, appointed;

Bridget Burnett, PsyD of Centennial, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

Agriculture & Natural Resources

The Committee on Agriculture & Natural Resources 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 AGRICULTURAL COMMISSION

for terms expiring March 1, 2023:

Kathryn Bedell of Grand Junction, Colorado, a Democrat, from the Fourth Agricultural District, to serve as a member from the State at-large, appointed;

Segundo Diaz of Alamosa, Colorado, a Republican, from the Third Agricultural District, reappointed;

George Whitten, of Saguache, Colorado, a Democrat, from the Third Agricultural District, to serve as a member from the State at-large, appointed;

Colleen Peppler of Platteville, Colorado, a Democrat, from the Second Agricultural District, to serve as a member from the State at-large, appointed;

Brant Harrison, of Palisade, Colorado, a Republican, from the Fourth Agricultural District, reappointed.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **HB19-1202** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture & Natural Resources

After consideration on the merits, the Committee recommends that **SB19-240** 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 "(4)(b)(IV)" insert "and (7)".

Page 2, after line 20 insert:

"(7) (a) IF SENATE BILL 19-220 IS ENACTED IN 2019, THE DEPARTMENT, IN CONJUNCTION WITH THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE OR THE COMMISSIONER'S DESIGNEE, SHALL PARTICIPATE IN THE STAKEHOLDER PROCESS THAT SENATE BILL 19-220 REQUIRES TO BE CONVENED TO DEVELOP THE STATE'S HEMP MANAGEMENT PLAN IN ACCORDANCE WITH THE FEDERAL "AGRICULTURAL IMPROVEMENT ACT OF 2018".

(b) (I) ADDITIONALLY, THE DEPARTMENT MAY CONVENE A STAKEHOLDER WORK GROUP TO STUDY THE REGULATION OF INDUSTRIAL HEMP PRODUCTS. IN ADDITION TO REPRESENTATIVES FROM THE DEPARTMENT, THE DEPARTMENT SHALL INVITE REPRESENTATIVES OF THE FOLLOWING GROUPS TO PARTICIPATE IN THE STAKEHOLDER WORK GROUP:

(A) INDUSTRIAL HEMP PROCESSORS;

(B) MARIJUANA PROCESSORS;

(C) SUPPLEMENTS RETAILERS;

(D) LEGAL EXPERTS ON THE SALE OF PRODUCTS CONTAINING CANNABIDIOL AND THC;

(E) ORGANIZATIONS WITH SPECIFIC EXPERTISE IN THE FEDERAL SUPPLEMENTS REGULATORY FRAMEWORK;

(F) A CONSUMER ADVOCATE;

(G) LICENSED MARIJUANA RETAILERS; AND

(H) ANY OTHER GROUP THE DEPARTMENT DETERMINES WOULD FACILITATE AN UNDERSTANDING OF THE LEGAL, PRACTICAL, OR BUSINESS CONSIDERATIONS OF REGULATING INDUSTRIAL HEMP PRODUCTS IN COLORADO AND IN COORDINATION WITH FEDERAL AUTHORITY.

(II) THE STAKEHOLDER WORK GROUP SHALL HAVE ITS FIRST MEETING AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (7). ON OR BEFORE DECEMBER 1, 2019, THE STAKEHOLDER WORK GROUP SHALL PREPARE A WRITTEN SUMMARY OF ITS CONCLUSIONS, INCLUDING ANY RECOMMENDATIONS FOR LEGISLATION, AND FURNISH COPIES OF THE WRITTEN SUMMARY TO THE LEGISLATIVE COMMITTEES WITH JURISDICTION OVER AGRICULTURAL MATTERS.

(III) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.".

Page 3, strike lines 19 through 27 and substitute:

"**SECTION 4. Applicability.** This act applies to conduct occurring on or after the effective date of this act.

SECTION 5. 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.".

Page 4, strike lines 1 through 3.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1267** 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 **SB19-245** 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 — After consideration on the merits, the Committee recommends that **HB19-1218** be postponed indefinitely.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1271** be postponed indefinitely.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1259** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1247** be referred to the Committee of the Whole with favorable recommendation.

Agriculture & Natural Resources — After consideration on the merits, the Committee recommends that **HB19-1037** be amended as follows, and as so amended, be referred to the Committee on Transportation & Energy with favorable recommendation.

Amend reengrossed bill, page 14, line 13, strike "AND".

Page 14, strike line 19 and substitute "FACILITY; AND

(f) PAYMENTS TO A LOCAL GOVERNMENT TO PROVIDE A SOURCE OF REPAYMENT FOR BONDS, NOTES, LEASE-PURCHASE AGREEMENTS, OR OTHER MULTIPLE-FISCAL YEAR OBLIGATIONS OF A LOCAL GOVERNMENT THAT WERE ISSUED BEFORE THE COMMISSION ISSUED THE FINANCING ORDER.".

Page 44, line 5, after "PERCENT." insert "IF A LOCAL GOVERNMENT HAS AN OBLIGATION TO REPAY BONDS, NOTES, LEASE-PURCHASE AGREEMENTS, OR OTHER MULTIPLE-FISCAL YEAR OBLIGATIONS THAT ARE PAYABLE FROM A REVENUE SOURCE, INCLUDING BUT NOT LIMITED TO PROPERTY TAX OR SALES TAX, THAT IS LIKELY TO BE DIRECTLY OR INDIRECTLY IMPACTED BY THE RETIREMENT OF AN ELECTRIC GENERATING FACILITY PURSUANT TO THE TERMS OF A FINANCING ORDER, TRANSITION ASSISTANCE PROVIDED TO THE LOCAL GOVERNMENT SHALL FIRST BE USED, TO THE EXTENT NECESSARY, TO REPAY THE BONDS, NOTES, AGREEMENTS, OR OTHER OBLIGATIONS.".

Finance — After consideration on the merits, the Committee recommends that **SB19-236** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1090** be referred to the Committee on Appropriations with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB19-246** be referred to the Committee on Appropriations with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB19-007** 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 13, after "(2)" insert "(a)".

Page 3, after line 16, insert:

"(b) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION, IF THERE IS A CONFLICT BETWEEN THIS SECTION AND ANY FEDERAL LAW OR REGULATION AND BASED ON THAT CONFLICT AN INSTITUTION OF HIGHER EDUCATION IS AT RISK OF LOSING FEDERAL MONEY FOR ITSELF OR ITS STUDENTS, THE INSTITUTION SHALL FOLLOW FEDERAL LAW AND SHALL

NOT BE LIABLE FOR ANY VIOLATION OF THIS SECTION BASED ON THAT ACTION.".

Page 3, strike lines 20 and 21 and substitute "WITH FEDERAL AND STATE LAW AND POLICY;".

Page 4, line 13, strike "STANDARD;" and substitute "STANDARD WHEN A STUDENT IS THE RESPONDENT, NOTWITHSTANDING ANY OTHER EVIDENTIARY STANDARD IN ANY OTHER POLICY OF THE INSTITUTION;".

Page 8, line 9, strike "JANUARY" and substitute "OCTOBER".

Page 8, line 13, strike "AND".

Page 8, after line 13 insert:

"(II) A STATEMENT AS TO HOW THE INSTITUTION IS PROVIDING INFORMATION TO STUDENTS ON HOW TO RECEIVE SUPPORT REGARDING SEXUAL MISCONDUCT AS REQUIRED BY SUBSECTION (4) OF THIS SECTION AND HOW IT IS PROMOTING THE INFORMATION REQUIRED BY SUBSECTION (5) OF THIS SECTION; AND".

Renumber succeeding subparagraph accordingly.

Page 8, line 17, strike "JANUARY" and substitute "OCTOBER".

Page 8, line 22, strike "AND".

Page 8, after line 22 insert:

"(II) A STATEMENT AS TO ANY CHANGES IN THE MANNER IN WHICH THE INSTITUTION PROVIDES OR PROMOTES THE INFORMATION REQUIRED BY SUBSECTION (4) OR (5) OF THIS SECTION; AND".

Renumber succeeding subparagraph accordingly.

Page 8, after line 25 insert:

"(8) BEGINNING IN 2020, AND EVERY YEAR THEREAFTER, THE DEPARTMENT SHALL INCLUDE AS PART OF ITS "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203 INFORMATION CONCERNING THE REPORTS SUBMITTED BY INSTITUTIONS PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION.".

Renumber succeeding subsection accordingly.

Page 10, line 9, strike "(8)(b)(VII) AND (8)(b)(VIII)" and substitute "(9)(b)(VII) AND (9)(b)(VIII)".

Page 10, line 13, strike "(8)(a)" and substitute "(9)(a)".

Page 10, line 21, strike "(8)(d)(I)" and substitute "(9)(d)(I)".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-238** 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, strike "SERVICE".

Page 3, strike lines 9 and 10 and substitute:

"(1) "COMPENSATION" HAS THE MEANING SET FORTH IN SECTION 25.5-6-406 (2)(b)(I).

(2) "HEALTH MAINTENANCE ACTIVITIES" HAS THE MEANING SET FORTH IN SECTION 25.5-6-1202 (4).".

Renumber succeeding subsections accordingly.

Page 3, strike lines 12 through 15 and substitute "SECTION 25-27.5-102 (3); EXCEPT THAT THE TERM DOES NOT INCLUDE AN AGENCY THAT IS

PRIMARILY ENGAGED IN THE PROVISION OF HOSPICE CARE, AS DEFINED IN SECTION 25.5-4-103 (8).".

Page 4, strike lines 1 through 4.

Renumbers succeeding subsections accordingly.

Page 4, after line 6 insert:

"(5) "IN-HOME SUPPORT SERVICE AGENCY" HAS THE MEANING SET FORTH IN SECTION 25.5-6-1202 (5).

(6) "IN-HOME SUPPORT SERVICES" HAS THE MEANING SET FORTH IN SECTION 25.5-6-1202 (6); EXCEPT THAT THE TERM DOES NOT INCLUDE HEALTH MAINTENANCE ACTIVITIES.".

Renumber succeeding subsections accordingly.

Page 4, strike lines 9 through 14.

Page 4, line 16, strike "**services - repeal.**" and substitute "**services.**".

Page 4, line 22, strike "HOMEMAKER BASIC;" and substitute "HOMEMAKER;".

Page 4, line 25, strike "SERVICE".

Page 5, line 2, strike "RESPITE CARE" and substitute "IN-HOME SUPPORT".

Page 5, line 3, strike "SERVICE".

Page 5, strike lines 7 and 8 and substitute "IN-HOME SUPPORT SERVICES PROVIDED BY THE EMPLOYEE AS COMPENSATION IN ADDITION TO THE RATE OF COMPENSATION THAT THE EMPLOYEE WAS RECEIVING AS OF JUNE 30, 2019. FOR AN EMPLOYEE WHO WAS HIRED AFTER JUNE 30, 2019, THE HOME CARE AGENCY SHALL USE THE LOWEST COMPENSATION PAID TO AN EMPLOYEE OF SIMILAR FUNCTIONS AND DUTIES AS OF JUNE 30, 2019, AS THE BASE COMPENSATION TO WHICH THE INCREASE IS APPLIED.

(3) WITHIN SIXTY DAYS AFTER THE REQUEST DESCRIBED IN SUBSECTION (1) OF THIS SECTION IS APPROVED, EACH HOME CARE".

Page 5, line 11, strike "RESPITE CARE" and substitute "IN-HOME SUPPORT".

Page 5, strike line 14.

Page 5, line 15, strike "**Wage**" and substitute "**Minimum wage - wage**".

Page 5, strike line 16 and substitute "**care agencies - applicability - reports - recovery.** (1) THIS".

Page 5, line 17, strike "SERVICE".

Page 5, line 20, strike "RESPITE CARE" and substitute "IN-HOME SUPPORT".

Page 5, strike lines 21 through 27 and substitute:

"(2) ON AND AFTER JULY 1, 2020, THE HOURLY MINIMUM WAGE FOR PERSONS WHO PROVIDE PERSONAL CARE SERVICES, HOMEMAKER SERVICES, OR IN-HOME SUPPORT SERVICES FOR WHICH A HOME CARE AGENCY MAY RECEIVE REIMBURSEMENT PURSUANT TO THE "COLORADO MEDICAL ASSISTANCE ACT" IS TWELVE DOLLARS AND FORTY-ONE CENTS PER HOUR.

(3) FOR ANY INCREASE TO THE REIMBURSEMENT RATES FOR PERSONAL CARE SERVICES, HOMEMAKER SERVICES, OR IN-HOME SUPPORT SERVICES THAT TAKES EFFECT DURING THE 2020-21 FISCAL YEAR, HOME CARE AGENCIES SHALL USE EIGHTY-FIVE PERCENT OF THE FUNDING RESULTING FROM THE INCREASE TO INCREASE COMPENSATION FOR NONADMINISTRATIVE EMPLOYEES ABOVE THE RATE OF COMPENSATION THAT NONADMINISTRATIVE EMPLOYEES ARE RECEIVING AS OF JUNE 30, 2019. HOME CARE AGENCIES MAY USE ANY REMAINING FUNDING RESULTING FROM THE REIMBURSEMENT RATE INCREASE FOR GENERAL AND ADMINISTRATIVE EXPENSES, SUCH AS CHIEF EXECUTIVE OFFICER

SALARIES, HUMAN RESOURCES, INFORMATION TECHNOLOGY, OVERSIGHT, BUSINESS MANAGEMENT, GENERAL RECORD KEEPING, BUDGETING AND FINANCE, AND OTHER ACTIVITIES NOT IDENTIFIABLE TO A SINGLE PROGRAM.

(4) (a) EACH HOME CARE AGENCY SHALL TRACK AND REPORT HOW IT USED ANY FUNDING RESULTING FROM THE INCREASE IN THE REIMBURSEMENT RATE PURSUANT TO SECTION 25.5-6-1602 USING A REPORTING TOOL DEVELOPED BY THE STATE DEPARTMENT. ON OR BEFORE DECEMBER 31, 2020, EACH HOME CARE AGENCY SHALL SUBMIT THE REPORT TO THE STATE DEPARTMENT DEMONSTRATING HOW THE FUNDING WAS USED TO INCREASE COMPENSATION FOR THE 2019-20 FISCAL YEAR. ON OR BEFORE DECEMBER 31, 2021, EACH HOME CARE AGENCY SHALL REPORT TO THE STATE DEPARTMENT HOW THE FUNDING WAS USED TO INCREASE OR, IN THE EVENT THAT THERE IS NO REIMBURSEMENT RATE INCREASE, MAINTAIN EACH EMPLOYEE'S COMPENSATION FOR THE 2020-21 FISCAL YEAR. THE STATE DEPARTMENT HAS ONGOING DISCRETION TO REQUEST INFORMATION FROM A HOME CARE AGENCY DEMONSTRATING HOW IT MAINTAINED INCREASES IN COMPENSATION FOR NONADMINISTRATIVE EMPLOYEES BEYOND THE REPORTING PERIOD.

(b) EACH HOME CARE AGENCY SHALL MAINTAIN ALL BOOKS, DOCUMENTS, PAPERS, ACCOUNTING RECORDS, AND OTHER EVIDENCE REQUIRED TO SUPPORT THE REPORTING OF PAYROLL INFORMATION FOR INCREASED COMPENSATION TO NONADMINISTRATIVE EMPLOYEES PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION FOR AT LEAST THREE YEARS FROM THE REPORTING DEADLINES DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION FOR EACH RESPECTIVE FISCAL YEAR. EACH HOME CARE AGENCY SHALL MAKE THE INFORMATION AND MATERIALS AVAILABLE FOR INSPECTION BY THE STATE DEPARTMENT OR ITS DESIGNEES AT ALL REASONABLE TIMES.

(5) (a) THE STATE DEPARTMENT MAY RECOUP PART OR ALL OF THE FUNDING RESULTING FROM THE INCREASE IN THE REIMBURSEMENT RATE DESCRIBED IN SECTION 25.5-6-1602 IF THE STATE DEPARTMENT DETERMINES THAT A HOME CARE AGENCY:

(I) DID NOT USE ONE HUNDRED PERCENT OF ANY FUNDING RESULTING FROM THE RATE INCREASE TO INCREASE COMPENSATION FOR NONADMINISTRATIVE EMPLOYEES, AS REQUIRED BY SECTION 25.5-6-1602 (2);

(II) DID NOT USE EIGHTY-FIVE PERCENT OF THE FUNDING RESULTING FROM THE RATE INCREASE TO INCREASE COMPENSATION FOR NONADMINISTRATIVE EMPLOYEES, AS REQUIRED BY SUBSECTION (3) OF THIS SECTION; OR

(III) FAILED TO TRACK AND REPORT HOW IT USED ANY FUNDS RESULTING FROM THE INCREASE IN THE REIMBURSEMENT RATE AS REQUIRED BY SUBSECTION (4) OF THIS SECTION.

(b) IF THE STATE DEPARTMENT MAKES A DETERMINATION DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE STATE DEPARTMENT SHALL NOTIFY THE HOME CARE AGENCY IN WRITING OF THE STATE DEPARTMENT'S INTENTION TO RECOUP FUNDS PURSUANT TO SUBSECTION (5)(a) OF THIS SECTION. A HOME CARE AGENCY HAS FORTY-FIVE DAYS AFTER RECEIVING SUCH NOTICE TO:

(I) CHALLENGE THE DETERMINATION OF THE STATE DEPARTMENT;

(II) PROVIDE ADDITIONAL INFORMATION TO THE STATE DEPARTMENT DEMONSTRATING COMPLIANCE; OR

(III) SUBMIT A PLAN OF CORRECTION TO THE STATE DEPARTMENT.

(c) THE STATE DEPARTMENT SHALL NOTIFY A HOME CARE AGENCY IN WRITING OF ITS FINAL DETERMINATION AFTER AFFORDING THE HOME CARE AGENCY THE OPPORTUNITY TO TAKE ONE OF THE ACTIONS SPECIFIED IN SUBSECTION (5)(b) OF THIS SECTION.

(d) THE STATE DEPARTMENT SHALL RECOUP FROM A HOME CARE AGENCY ONE HUNDRED PERCENT OF THE FUNDING RESULTING FROM THE INCREASE IN THE REIMBURSEMENT RATE PURSUANT TO SECTION 25.5-6-1602 THAT THE HOME CARE AGENCY RECEIVED BUT DID NOT USE FOR COMPENSATION FOR NONADMINISTRATIVE EMPLOYEES IF:

(I) THE HOME CARE AGENCY FAILS TO RESPOND TO A NOTICE OF DETERMINATION OF THE STATE DEPARTMENT WITHIN THE TIME PROVIDED IN SUBSECTION (5)(b) OF THIS SECTION;

(II) THE HOME CARE AGENCY IS UNABLE TO PROVIDE DOCUMENTATION OF COMPLIANCE; OR

(III) THE STATE DEPARTMENT DOES NOT ACCEPT THE PLAN OF CORRECTION SUBMITTED BY THE HOME CARE AGENCY PURSUANT TO SUBSECTION (5)(b)(III) OF THIS SECTION.".

Strike pages 6 and 7.

Page 8, strike lines 1 through 6.

Page 8, line 7, strike "**service**".

Page 8, line 9, strike "JULY 1, 2020," and substitute "JANUARY 1, 2020,".

Page 8, line 10, strike "ENVIRONMENT" and substitute "ENVIRONMENT, IN CONSULTATION WITH STAKEHOLDERS,".

Page 8, line 11, after "FOR" insert "REVIEWING AND".

Page 8, strike line 13 and substitute "SERVICES, AND IN-HOME SUPPORT SERVICES FOR WHICH A HOME CARE AGENCY MAY".

Page 8, strike lines 17 through 27 and substitute "STAKEHOLDERS MUST INCLUDE, BUT ARE NOT LIMITED TO:

(a) ONE OR MORE CONSUMER ADVOCACY ORGANIZATIONS;
(b) ONE OR MORE PERSONAL CARE WORKERS;
(c) ONE OR MORE WORKER ORGANIZATIONS;
(d) ONE OR MORE HOME CARE AGENCIES;
(e) ONE OR MORE DISABILITY ADVOCACY ORGANIZATIONS;
(f) ONE OR MORE SENIOR ADVOCACY ORGANIZATIONS; AND
(g) ONE OR MORE CHILDREN'S ADVOCACY ORGANIZATIONS.

(2) THE STAKEHOLDERS WITH WHOM THE DEPARTMENTS CONSULT PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL DISCUSS AND ADVISE THE DEPARTMENTS CONCERNING THE MANNER IN WHICH NONADMINISTRATIVE EMPLOYEES WILL BE NOTIFIED OF THE COMPENSATION INCREASES AND MINIMUM WAGE DESCRIBED IN SECTIONS 25.5-6-1602 AND 25.5-6-1603.".

Strike page 9.

Page 10, strike line 1.

Page 10, strike line 7 and substitute:

"(b) THE PEDIATRIC CARE BENEFIT.".

Page 1, line 101, strike "**SERVICE**".

Page 1, line 105, strike "**CARE,**" and substitute "**CARE AND**".

Page 1, strike lines 107 through 109 and substitute "**ENFORCE TRAINING REQUIREMENTS AND REQUEST AN INCREASE TO THE REIMBURSEMENT RATE FOR CERTAIN SERVICES**".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB19-242** 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:

HB19-1076 by Representative(s) Michaelson Jenet and Larson, Caraveo, Cutter, Jackson, Mullica; also Senator(s) Priola and Donovan, Ginal--Concerning updates to the "Colorado Clean Indoor Air Act", and, in connection therewith, removing certain exceptions and adding provisions relevant to the use of electronic smoking devices.
Health & Human Services

HB19-1230 by Representative(s) Singer and Melton, Coleman, Gray, Landgraf, Michaelson Jenet; also Senator(s) Marble and Gonzales, Pettersen, Rodriguez, Fenberg--Concerning marijuana hospitality establishments, and, in connection therewith, making an appropriation.
Finance

HB19-1234 by Representative(s) Valdez A. and Singer, Gray, Melton; also Senator(s) Gonzales and Marble, Fenberg, Winter--Concerning allowing delivery of regulated marijuana by regulated marijuana sellers, and, in connection therewith, making an appropriation.
Finance

HB19-1263 by Representative(s) Herod and Sandridge; also Senator(s) Marble and Lee--Concerning changing the penalty for certain violations pursuant to the "Uniform Controlled Substances Act of 2013", and in connection therewith, making and reducing an appropriation.
Judiciary

HB19-1279 by Representative(s) Exum and Landgraf; also Senator(s) Lee and Hisey--Concerning the use of perfluoroalkyl and polyfluoroalkyl substances, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1284 by Representative(s) Titone and Beckman, Baisley, Benavidez, Bird, Bockenfeld, Buck, Buckner, Caraveo, Coleman, Cutter, Duran, Froelich, Galindo, Gonzales-Gutierrez, Gray, Hansen, Hooton, Humphrey, Jaquez Lewis, Kipp, Landgraf, Larson, Lontine, McCluskie, McKean, McLachlan, Rich, Roberts, Singer, Snyder, Soper, Weissman, Will; also Senator(s) Holbert and Moreno--Concerning the board of directors of the urban drainage and flood control district.
State, Veterans, & Military Affairs

HB19-1288 by Representative(s) Singer and Duran, Gonzales-Gutierrez, Exum; also Senator(s) Fields and Crowder--Concerning increasing protections to ensure foster youth siblings maintain sibling relationships by providing foster youth siblings with certain rights, and, in connection therewith, establishing the foster youth sibling bill of rights.
Health & Human Services

HB19-1295 by Representative(s) Rich and Becker; also Senator(s) Scott and Story--Concerning a requirement that the county treasurer in specified counties serve as the public trustee for the county.
State, Veterans, & Military Affairs

HB19-1298 by Representative(s) Melton; also Senator(s) Priola--Concerning the use of electric motor vehicle charging stations for parking a motor vehicle.
Business, Labor, & Technology

HB19-1299 by Representative(s) McCluskie and Rich; also Senator(s) Donovan--Concerning flexibility in the contribution rates to a local government retirement plan or system.
State, Veterans, & Military Affairs

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger was called to act as Chair.

Committee of the Whole reconvened.

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:

SB19-096 by Senator(s) Donovan; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, March 22, page 532 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 871 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.)

SB19-173 by Senator(s) Donovan and Pettersen, Bridges; also Representative(s) Kraft-Tharp--Concerning the creation of the Colorado secure savings plan board to study appropriate approaches to increase the amount of retirement savings by Colorado's private sector workers.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 873 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.)

SB19-180 by Senator(s) Winter; also Representative(s) McCluskie--Concerning the creation of an eviction legal defense fund, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 21, page 528 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 875 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Winter.

Amend the Judiciary Committee Report, dated March 20, 2019, page 1, line 7, strike "OR".

Page 1, line 8, after "PREVENTED" insert "ENTRY OF A".

Page 1, line 9, strike "POSSESSION OR" and substitute "POSSESSION, A STIPULATED AGREEMENT WAS MADE THAT".

Page 1, line 10, strike "POSSESSION," and substitute "POSSESSION AT A LATER DATE,".

Page 1, line 12, strike "MOVE." and substitute "MOVE AND HOW MUCH TIME WAS PROVIDED.".

Amend the printed bill, page 4, line 22, strike "THIRTY-THREE" and substitute "TWENTY".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program.

Laid over until Monday, April 22, retaining its place on the calendar.

SB19-224 by Senator(s) Gonzales and Fenberg; --Concerning the continuation of the regulated marijuana programs, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 10, pages 738-743 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 877 and placed in members' bill files.)

Amendment No. 3(L.029), by Senator Gonzales.

Amend printed bill, page 17, after line 5 insert:
"**SECTION 5.** In Colorado Revised Statutes, **add** 44-11-107 as follows:
44-11-107. Marijuana employee designation. AN EMPLOYEE OF A LICENSEE IS NOT AN AGRICULTURAL WORKER UNLESS THE EMPLOYEE IS A FARM LABORER AS DESCRIBED IN SECTION 8-3-104 (11).
SECTION 6. In Colorado Revised Statutes, **add** 44-12-106 as follows:
44-12-106. Marijuana employee designation. AN EMPLOYEE OF A LICENSEE IS NOT AN AGRICULTURAL WORKER UNLESS THE EMPLOYEE IS A FARM LABORER AS DESCRIBED IN SECTION 8-3-104 (11).".

Renumber succeeding sections accordingly.

Page 119, after line 8 insert:
"**44-10-105. [Formerly 44-11-107 and 44-12-106] Marijuana employee designation.** An employee of a licensee is not an agricultural worker unless the employee is a farm laborer as described in section 8-3-104 (11).".

Page 259, line 11, strike "45 through 76" and substitute "47 through 78".

Page 259, lines 21 and 22, strike "45 through 76" and substitute "47 through 78".

Amendment No. 4(L.030), by Senator Gonzales.

Amend printed bill, page 119, after line 8 insert:
"**44-10-105. Marijuana employee labor rights.** IF THE NATIONAL LABOR RELATIONS BOARD OR A COURT RULES THAT MARIJUANA OR MARIJUANA-RELATED BUSINESSES ARE NOT COVERED BY THE FEDERAL "NATIONAL LABOR RELATIONS ACT", 29 U.S.C. SEC. 151 ET SEQ., THEN A MARIJUANA BUSINESS OR MARIJUANA-RELATED BUSINESS AND ITS EMPLOYEES DOING BUSINESS IN COLORADO ARE COVERED BY THE "LABOR PEACE ACT", PART 1 OF ARTICLE 3 OF TITLE 8, TO THE SAME EXTENT THAT A BUSINESS WOULD BE COVERED BY THE FEDERAL "NATIONAL LABOR RELATIONS ACT", 29 U.S.C. SEC. 151 ET SEQ., ABSENT SUCH A RULING.".

Amendment No. 5(L.032), by Senator Gonzales.

Amend the Finance Committee Report, dated April 9, 2019, page 1, strike lines 5 through 20.

Page 2, strike lines 1 through 3.

Page 9, line 23, strike ""6" and substitute ""5".

Page 9, line 24, strike ""6" and substitute ""5".

Amendment No. 6(L.033), by Senator Gonzales.

Amend the Finance Committee Report, dated April 9, 2019, page 3, line 26, strike "OBSOLETE" and substitute "REDUNDANT".

Page 3, line 27, strike "PRODUCTS," and substitute "CONCENTRATE,".

Page 3, line 28, strike "CONTAMINANT" and substitute "RESIDUAL SOLVENT".

Page 3, line 29, strike "PRODUCTS" and substitute "CONCENTRATE" and strike "PRODUCT" and substitute "CONCENTRATE".

Page 3, line 30, strike "CONTAMINANT" and substitute "RESIDUAL SOLVENT".

Amendment No. 7(L.039), by Senator Gonzales.

Amend printed bill, page 137, strike lines 15 through 27 and substitute:

"(4) **[Similar to 44-12-202 (3)(b)(I)] Equivalency.** RULES PROMULGATED PURSUANT TO SECTION 44-10-202 (1)(c) MUST ALSO INCLUDE ESTABLISHING THE".

Page 183, after line 3 insert:

"(10) (a) A MEDICAL MARIJUANA STORE SHALL NOT, INDIVIDUALLY OR IN ANY COMBINATION, SELL MORE THAN TWO OUNCES OF MEDICAL MARIJUANA FLOWER, FORTY GRAMS OF MEDICAL MARIJUANA CONCENTRATE, OR MEDICAL MARIJUANA PRODUCTS CONTAINING A COMBINED TOTAL OF TWENTY THOUSAND MILLIGRAMS TO A PATIENT IN A SINGLE BUSINESS DAY; EXCEPT A MEDICAL MARIJUANA STORE MAY SELL MORE THAN TWO OUNCES OF MEDICAL MARIJUANA FLOWER TO A PATIENT WHO HAS A PHYSICIAN RECOMMENDATION FOR MORE THAN TWO OUNCES OF FLOWER AND THAT PATIENT IS REGISTERED WITH THE MEDICAL MARIJUANA STORE. A PHYSICIAN RECOMMENDATION FOR MORE THAN TWO OUNCES DOES NOT APPLY TO THE SALE OF MEDICAL MARIJUANA CONCENTRATE OR MEDICAL MARIJUANA PRODUCTS.

(b) A PHYSICIAN MAKING MEDICAL MARIJUANA RECOMMENDATIONS FOR A DEBILITATING MEDICAL CONDITION OR DISABLING MEDICAL CONDITION PURSUANT TO ARTICLE 1.5 OF TITLE 25 MAY EXEMPT A PATIENT FROM THE MEDICAL MARIJUANA CONCENTRATE OR MEDICAL MARIJUANA PRODUCTS SALES LIMITATION ESTABLISHED IN SUBSECTION (10)(a) OF THIS SECTION. A PHYSICIAN PROVIDING AN EXEMPTION SHALL DOCUMENT AND MAINTAIN THE EXEMPTION IN THE PHYSICIAN'S RECORD-KEEPING SYSTEM FOR THE PATIENT AND SHALL PROVIDE WRITTEN DOCUMENTATION TO THE PATIENT TO ALLOW A MEDICAL MARIJUANA STORE TO VERIFY THE EXEMPTION. THE WRITTEN DOCUMENTATION OF THE EXEMPTION PROVIDED TO A PATIENT MUST, AT A MINIMUM, INCLUDE THE PATIENT'S NAME AND REGISTRY NUMBER, THE PHYSICIAN'S NAME, VALID LICENSE NUMBER, PHYSICAL BUSINESS ADDRESS, ANY ELECTRONIC MAILING ADDRESS, AND PHONE NUMBER. THE STATE HEALTH AGENCY MAY REQUIRE A PHYSICIAN PROVIDING AN EXEMPTION TO THE SALES LIMITATION TO DOCUMENT THE EXEMPTION IN THE MEDICAL MARIJUANA REGISTRY.

(c) THE STATE LICENSING AUTHORITY MAY PROMULGATE RULES TO ESTABLISH CERTAIN EXEMPTIONS TO THE MEDICAL MARIJUANA CONCENTRATE OR MEDICAL MARIJUANA PRODUCTS SALES LIMITATION AND MAY ESTABLISH RECORD-KEEPING REQUIREMENTS FOR MEDICAL MARIJUANA STORES ENGAGING IN SALES TRANSACTIONS PURSUANT TO ANY EXEMPTION TO THE SALES LIMITATION. WHEN ESTABLISHING ANY EXEMPTIONS, THE STATE LICENSING AUTHORITY SHALL CONSULT WITH MEMBERS OF THE MEDICAL MARIJUANA PATIENT COMMUNITY AND PHYSICIANS MAKING MEDICAL MARIJUANA RECOMMENDATIONS PURSUANT TO SECTION 14 OF ARTICLE XVIII OF THE STATE CONSTITUTION AND ARTICLE 1.5 OF TITLE 25.

(d) A MEDICAL MARIJUANA STORE SHALL NOT ENGAGE IN SALES TRANSACTIONS TO THE SAME PATIENT DURING THE SAME BUSINESS DAY WHEN THE MEDICAL MARIJUANA STORE OR ITS EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE SALES TRANSACTION WOULD RESULT IN THE PATIENT POSSESSING MORE THAN THE SALES LIMITATION ESTABLISHED BY THIS SUBSECTION (10).".

Amendment No. 8(L.040), by Senator Gonzales.

Amend printed bill, page 141, line 22, strike "OR".

Page 141, line 25, strike "CARD." and substitute "CARD, AS A PART OF AN ACTIVE INVESTIGATION, AS A PART OF A PROCEEDING AUTHORIZED BY THIS ARTICLE 10 OR ARTICLE 1.5 OF TITLE 25, OR FOR ANY STATE OR LOCAL LAW ENFORCEMENT PURPOSE INVOLVING EVIDENCE OF SALES TRANSACTIONS IN VIOLATION OF THIS ARTICLE 10 OR EVIDENCE OF CRIMINAL ACTIVITY. THE INFORMATION OR RECORDS RELATED TO A PATIENT CONSTITUTE MEDICAL DATA AS DESCRIBED BY SECTION 24-72-204 (3)(a)(I), AND THE INFORMATION OR RECORDS MAY ONLY BE DISCLOSED TO THOSE PERSONS DIRECTLY INVOLVED WITH AN ACTIVE INVESTIGATION OR PROCEEDING.".

Amendment No. 9(L.041), by Senator Gonzales.

Amend printed bill, page 121, line 5, after "STORE;" insert "EXCEPT THAT THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA PRODUCT IS NO LONGER SUBJECT TO THE TRACKING SYSTEM ONCE THE MEDICAL MARIJUANA OR MEDICAL MARIJUANA 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)(a)(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 PRODUCTS; 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)(a)(II);

(C) DESTROY, IN COMPLIANCE WITH RULES PROMULGATED BY THE STATE LICENSING AUTHORITY, ALL MEDICAL MARIJUANA AND MEDICAL MARIJUANA-INFUSED PRODUCTS REMAINING AFTER THE RESEARCH HAS BEEN COMPLETED; AND

(D) NOT APPLY PESTICIDES FOR RESEARCH PURPOSES ON THE LICENSED PREMISES OF A MEDICAL MARIJUANA BUSINESS.".

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.)

On motion of Majority Leader Fenberg, 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 (SB19-191, SB19-198, SB19-218, SB19-231, SB19-107, HB19-1189, SB19-225) of Thursday, April 18, was laid over until Friday, April 19, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB19-096 by Senator(s) Donovan; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals.

Senator Crowder moved to amend the Report of the Committee of the Whole to show that the following Crowder floor amendment, (L.004) to SB 19-096, did fit under the title and did pass.

Strike the Transportation and Energy Committee Report, dated March 21, 2019.

Strike the Appropriation Committee Report, dated April 16, 2019.

Amend printed bill, strike everything below the enacting clause and substitute:

"**Section 1. Interim study regarding collection of greenhouse gas data.** (1) During the 2019 interim, the general assembly shall convene an interim committee to study the merits of collecting greenhouse gas data, including as contemplated by the official preamended version of Senate Bill 19-096. The interim committee consists of two members appointed by the president of the senate, one of whom the president shall designate as the chair of the committee; one member appointed by the minority leader of the senate; two members appointed by the speaker of the house of representatives; and one member appointed by the minority leader of the house of representatives.

(2) The committee may meet no more than five times during the interim and may report no more than two bills to the legislative council.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-173 by Senator(s) Donovan and Pettersen, Bridges; also Representative(s) Kraft-Tharp and Hansen--Concerning the creation of the Colorado secure savings plan board to study appropriate approaches to increase the amount of retirement savings by Colorado's private sector workers.

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Woodward floor amendment, (L.005) to SB 19-173, did pass.

Amend printed bill, page 6, after the period add ""EMPLOYEE" DOES NOT INCLUDE INDIVIDUALS WHO MAKE THE MINIMUM WAGE.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-224 by Senator(s) Gonzales and Fenberg; --Concerning the continuation of the regulated marijuana programs, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.031) to SB 19-224, did pass.

Amend printed bill, Page 154, strike line 14 insert:

"~~(n)~~ (l) A publicly traded company THAT AUTHORIZES THE SALE OF MEDICAL MARIJUANA CONCENTRATE OR RETAIL MARIJUANA CONCENTRATE.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Lundeen moved to amend the Report of the Committee of the Whole to show that the following Lundeen floor amendment, (L.048) to SB 19-224, did pass.

Amend printed bill, page 137, strike lines 15 through 27 and substitute:

"(4) **Equivalency.** RULES PROMULGATED PURSUANT TO SUBSECTION 44-10-202 (1)(c) MUST ALSO INCLUDE:

(a) ESTABLISHING THE EQUIVALENT OF ONE OUNCE OF MEDICAL MARIJUANA FLOWER IN VARIOUS MEDICAL MARIJUANA PRODUCTS, INCLUDING MEDICAL MARIJUANA CONCENTRATE, ON OR BEFORE JANUARY 1, 2020. WHEN ESTABLISHING EQUIVALENCY STANDARDS, THE STATE LICENSING AUTHORITY SHALL TAKE INTO CONSIDERATION THE MEDICAL NEEDS OF MEDICAL MARIJUANA PATIENTS. PRIOR TO PROMULGATING THE RULES REQUIRED BY THIS SUBSECTION (4)(a), THE STATE LICENSING AUTHORITY MAY CONTRACT FOR A SCIENTIFIC STUDY TO DETERMINE THE EQUIVALENCY OF MEDICAL MARIJUANA FLOWER IN MEDICAL MARIJUANA PRODUCTS, INCLUDING MEDICAL MARIJUANA CONCENTRATE.

(b) **[Similar to 44-12-202 (3)(b)(I)]** ESTABLISHING THE".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.049) to SB 19-224, did pass.

> Amend the Finance Committee Report, April 9, 2019, page 2, strike lines 19 through 22 and substitute "FACILITIES.".

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
Bridges	N	Foote	Y	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-096 by Senator(s) Donovan; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals.

Senator Crowder moved to amend the Report of the Committee of the Whole to show that SB 19-096, as amended, was laid over to May 4, 2019.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-175 as amended, SB19-215 as amended, SB19-156 as amended, SB19-096 as amended, SB19-173 as amended, SB19-180 as amended, SB19-224 as amended, HB19-1205.
Laid over until Friday, April 19: SB19-191, SB19-198, SB19-218, SB19-231, SB19-107, HB19-1189, SB19-225.
Laid over until Monday, April 22: HB19-1210, SB19-188.

Journal correction:

Page 509, strike lines 52-54.

Page 528, line 1, insert "

Judiciary

After consideration on the merits, the Committee recommends that **SB19-180** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, line 8, strike "JANUARY 1 AND".

Page 7, line 6, strike "AND".

Page 7, line 10, strike "STATUS." and substitute "STATUS;
(VI) THE NUMBER OF REFERRALS TO A RENTAL ASSISTANCE OR MEDIATION PROGRAM PROVIDED TO CLIENTS; AND
(VII) THE OUTCOME OF EACH CLIENT'S CASE, INCLUDING WHETHER A CASE WAS DISMISSED, JUDGMENT FOR POSSESSION WAS ENTERED, OR A STIPULATED AGREEMENT WAS MADE THAT PREVENTED A JUDGMENT FOR POSSESSION OR PROVIDED THE CLIENT WITH AN OPPORTUNITY TO VACATE A JUDGMENT FOR POSSESSION, AND WHETHER THE CLIENT HAD TO MOVE FROM THE RESIDENCE AND, IF SO, WHETHER THE CLIENT RECEIVED ADDITIONAL TIME TO MOVE.".

Page 8, line 3, strike "INDIGENT TENANTS;" and substitute "TENANTS, ORGANIZED BY WHETHER THE TENANT WAS REPRESENTED BY AN ATTORNEY;".

Page 8, line 4, strike "ISSUED;" and substitute "ISSUED, ORGANIZED BY WHETHER THE TENANT WAS REPRESENTED BY AN ATTORNEY;".

Page 8, line 5, strike "INDIGENT".

Page 8, strike lines 7 and 8.

Renumber succeeding subparagraphs accordingly.

Page 8, line 10, strike "PETITIONS;" and substitute "PETITIONS, ORGANIZED BY WHETHER THE TENANT WAS REPRESENTED BY AN ATTORNEY;".

Page 8, line 11, strike "THE" and substitute "BASED ON INFORMATION REPORTED TO THE ADMINISTRATOR BY QUALIFYING ORGANIZATIONS, THE".

Page 8, line 16, strike "THE" and substitute, "BASED ON INFORMATION REPORTED TO THE ADMINISTRATOR BY QUALIFYING ORGANIZATIONS, THE".

Page 8, strike lines 19 and 20, and substitute:

"(VII) BASED ON INFORMATION REPORTED TO THE ADMINISTRATOR BY QUALIFYING ORGANIZATIONS, THE NUMBER OF INDIGENT CLIENTS WHO WERE PROVIDED LEGAL ADVICE.".

"

Page 737, line 46, strike "Page 5", and insert "Page 4".

On motion of Majority Leader Fenberg, the Senate adjourned until 12:30 a.m., Friday, April 19, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

106th Legislative Day Friday, April 19, 2019

Prayer By Senator Smallwood.

Call to Order By the President at 1:25 a.m.

Roll Call Present--35

Quorum The President announced a quorum present.

Pledge By Senator Bridges

Reading of the Journal On motion of Senator Rankin, reading of the Journal of Thursday, April 18, 2019, 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 **SCR19-003** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-096, 136, 156, 165, 173, 175, 205, 215, 216, and 224; SJR19-009.
Correctly Revised: HB19-1031, 1095, 1179, 1205, and 1219.
Correctly Enrolled: SB19-004, 189, 194; SJR19-008; SR19-010.

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:

HB19-1219 by Representative(s) Gonzales-Gutierrez; also Senator(s) Crowder--Concerning modernization of the permanency hearing statutes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB19-1031 by Representative(s) Gray; also Senator(s) Gonzales--Concerning allowing each parental guardian to serve as a minor medical marijuana patient's primary caregiver, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno, Tate, and Winter.

HB19-1095 by Representative(s) Cutter and Landgraf; also Senator(s) Fields--Concerning physician assistants, and, in connection therewith, establishing requirements for the supervision of physician assistants, establishing liability for physician assistants, increasing the number of physician assistant members on the Colorado medical board, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Ginal, Tate, Winter, and Woodward.

SB19-136 by Senator(s) Lee; also Representative(s) Gonzales-Gutierrez--Concerning an expansion of the pilot program in the division of youth services, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Garcia, Gonzales, Moreno, Rodriguez, and Tate.

SB19-165 by Senator(s) Rodriguez; also Representative(s) Hansen and Ransom--Concerning the membership of the state board of parole, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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, Gonzales, Lee, Moreno, Pettersen, and Tate.

SB19-205 by Senator(s) Danielson and Zenzinger; also Representative(s) Michaelson Jenet and Duran--Concerning the creation of a license plate to honor women veterans of the United States armed forces, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Fields, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Marble, Moreno, Rankin, Rodriguez, Story, Tate, Todd, Williams A., Winter, and Woodward.

SB19-216 by Senator(s) Bridges; also Representative(s) Bird--Concerning incentives for local education providers to provide innovative learning opportunities for high 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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Danielson, Gonzales, Lundeen, Marble, Moreno, Pettersen, Priola, Sonnenberg, Story, Tate, Todd, Winter, and Woodward.

HB19-1179 by Representative(s) Gray; also Senator(s) Lee--Concerning the financial risk profiles of legal investments of public funds.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills--Consent Calendar.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Zenzinger 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:

SB19-241 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle--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.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1244 by Representative(s) Coleman and Carver, Singer; also Senator(s) Fields and Gardner, Cooke, Tate--Concerning the peace officers mental health support grant program, and, in connection therewith, allowing certain agencies to apply for grants from the program and expanding the permissible uses of money awarded as grants under the program.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 17, page 915 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1256 by Representative(s) Gray and Snyder; also Senator(s) Todd--Concerning electronic filing of certain taxes.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1254 by Representative(s) McLachlan and Van Winkle; also Senator(s) Fields and Priola--Concerning the notice requirements of employers with regard to the sharing of gratuities.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1286 by Representative(s) Kraft-Tharp and Liston; also Senator(s) Todd--Concerning limiting the number of people who may sell vehicles to dealers under a wholesaler's license issued by the motor vehicle dealer board.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1268 by Representative(s) Singer and Van Winkle; also Senator(s) Todd and Hisey--Concerning a requirement that a referral agency make disclosures to a prospective resident of an assisted living residence.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1253 by Representative(s) Landgraf and Buckner; also Senator(s) Hisey and Gonzales--Concerning a prohibition on discrimination against a living organ donor in certain insurance policies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 17, pages 916-917 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 Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-241, HB19-1244 as amended, HB19-1256, HB19-1254, HB19-1286, HB19-1268, HB19-1253 as amended.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills.

Committee of the Whole

On motion of Senator Zenzinger, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Zenzinger 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:

SB19-191 by Senator(s) Bridges and Marble; --Concerning defendants' rights related to pretrial bond.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 5, pages 671-672 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 12, page 782 and placed in members' bill files.)

Amendment No. 3(L.014), by Senator Bridges.

Amend the Judiciary Committee Report, dated April 3, 2019, page 2, line 27, after "FITTED.", insert "IF THE COURT ORDERS ELECTRONIC MONITORING FOR THE PROTECTION OF A SPECIFIC INDIVIDUAL, AND THE DEFENDANT IS ORDERED TO HAVE NO CONTACT WITH THAT SPECIFIC INDIVIDUAL, AND THE JUDGE ORDERS THAT THE DEFENDANT NOT BE RELEASED WITHOUT ELECTRONIC MONITORING BASED ON FINDING THAT THE ELECTRONIC MONITORING IS NECESSARY FOR PUBLIC SAFETY, THEN THE TIME LIMITS REGARDING RELEASE OF THE DEFENDANT IN THIS SUBSECTION DO NOT APPLY. HOWEVER, IF A DEFENDANT IS HELD MORE THAN TWENTY-FOUR HOURS AFTER POSTING BOND AWAITING ELECTRONIC MONITORING FITTING, THE SHERIFF SHALL BRING THE DEFENDANT TO THE COURT THE NEXT DAY THE COURT IS IN SESSION AND EXPLAIN THE REASON FOR THE DELAY.".".

Amendment No. 4(L.015), by Senator Bridges.

Amend printed bill, page 6, line 8, strike "warrant" and substitute "warrant, and the county is a class A or class B county as described in section 13-6-201 (2),".

Page 6, line 10, after "are" insert "arrested in a class C or class D county, as described in section 13-6-201 (2), or are".

Amend the Judiciary Committee Report, dated April 3, 2019, page 1, line 18, after the period insert "IN DEVELOPING THE PLAN, THE CHIEF JUDGE SHALL CONSIDER THE ASSOCIATED COSTS FOR RURAL COUNTIES AND DISTRICT ATTORNEYS' OFFICES AND CONSIDER THE COSTS AND SAVINGS FOR INDIVIDUAL COUNTIES, INCLUDING JAIL BED COSTS.".

Amendment No. 5(L.016), by Senator Bridges.

Amend printed bill, page 3, line 12, strike "THE CUSTODIAN OF A JAIL SHALL ENSURE".

Page 3, strike lines 13 through 21 and substitute:

"(c) THE CUSTODIAN OF A JAIL SHALL ENSURE THE DEFENDANT, A SURETY ON BEHALF OF THE DEFENDANT, OR ANOTHER THIRD PARTY ON BEHALF OF THE DEFENDANT IS NOT CHARGED MORE THAN A TEN-DOLLAR BOND PROCESSING FEE.

(d) THE CUSTODIAN OF A JAIL SHALL ALSO ENSURE THE DEFENDANT, A SURETY ON BEHALF OF THE DEFENDANT, OR ANOTHER THIRD PARTY ON BEHALF OF THE DEFENDANT IS NOT CHARGED ANY ADDITIONAL TRANSACTION FEES INCLUDING KIOSK FEES; EXCEPT THAT THE STANDARD CREDIT CARD PROCESSING FEE THAT THE CREDIT CARD COMPANY CHARGES MAY BE CHARGED WHEN A CREDIT CARD IS USED, OR, WHEN A THIRD-PARTY VENDOR PROVIDES DEFENDANTS THE OPTION TO PAY MONETARY BOND WITH A CREDIT CARD, THE DEFENDANT CAN BE REQUIRED TO PAY UP TO A THREE-AND-ONE-HALF PERCENT CREDIT CARD PAYMENT PROCESSING FEE.".

Reletter succeeding paragraphs accordingly.

Page 5, line 24, strike "2020," and substitute "2020; section 16-4-102 (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), and (2)(g), Colorado Revised Statutes, in section 1 of this act takes effect January 1, 2020;".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-198 by Senator(s) Todd and Coram; also Representative(s) Buentello and Gray--Concerning the continued management of waste tires.

Laid over until Monday, April 22, retaining its place on the calendar.

SB19-218 by Senator(s) Gonzales; also Representative(s) Jaquez Lewis--Concerning the continuation of the medical marijuana program, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 10, pages 743-744 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 877 and placed in members' bill files.)

Amendment No. 3(L.008), by Senator Gonzales.

Amend the Finance Committee Report, dated April 9, 2019, page 3, line 16, strike "INQUIRE TO".

Page 3, line 17, after "INVOLVES" insert "ADVERSE".

Page 3, line 18, strike "FROM" and substitute "FROM, BUT NOT LIMITED TO,".

Amendment No. 4(L.009), by Senator Gonzales.

Amend printed bill, page 6, after line 25, insert:

"**SECTION 3.** In Colorado Revised Statutes, 25-1.5-106, **amend as amended by House Bill 19-1028** (2)(a.7) 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.7) "Disabling medical condition" means:

(I) Post-traumatic stress disorder as diagnosed by a licensed mental health provider or physician; ~~and~~ OR

(II) An autism spectrum disorder as diagnosed by a primary care physician, physician with experience in autism spectrum disorder, or licensed mental health provider acting within his or her scope of practice.".

Renumber succeeding section accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-231 by Senator(s) Moreno; --Concerning the creation of the Colorado second chance scholarship in the pursuit of higher education for youth previously committed to the division of youth services.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 878 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-107 by Senator(s) Donovan; --Concerning the installation of broadband internet service infrastructure.

Laid over until Monday, April 22, retaining its place on the calendar.

HB19-1189 by Representative(s) Gray and Valdez A.; also Senator(s) Bridges and Fields--Concerning wage garnishment reform, and, in connection therewith, reducing disposable earnings by health insurance premiums, reducing the amount that is subject to garnishment, and providing more detailed information to the judgment debtor regarding garnishment.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 16, page 894 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, HB19-1274, HB19-1246, HB19-1003, HB19-1222) of Friday, April 19, was laid over until Monday, April 22, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Zenzinger, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-191 as amended, SB19-218 as amended, SB19-231 as amended, HB19-1189 as amended.
Laid over until Monday, April 22: SB19-198, SB19-107, SB19-225, HB19-1274, HB19-1246, HB19-1003, HB19-1222.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, April 19, was laid over until Monday, April 22, retaining its place on the calendar.

Third Reading of Bills--Final Passage: HB19-1205, SB19-175, SB19-215, SB19-156, SB19-096, SB19-173, SB19-180, SB19-224.
Consideration of Resolutions: HJR19-1012.
Consideration of House Amendments to Senate Bills: SB19-077.
Consideration of Governor's Appointments--Consent Calendar:
- Members of the Colorado Aeronautical Board
- Member of the Colorado Banking Board
- Members of the Board of Assessment Appeals
- Members of the Uninsured Employer Board

MESSAGE FROM THE GOVERNOR

Thursday, April 18, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-207 - FY 2019-20 Long Bill
Approved Thursday, April 18, 2019 at 3:52 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-236** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 26, after line 18 insert:

"**SECTION 25. Appropriation.** (1) For the 2019-20 state fiscal year, $467,034 is appropriated to the department of regulatory agencies. This appropriation consists of $369,433 from the public utilities commission fixed utility fund created in section 40-2-114 (1)(b)(II), C.R.S. and $97,601 from the public utilities commission motor carrier fund created in section 40-2-110.5 (6), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $332,502, which consists of $243,381 from the public utilities commission fixed utility fund and $89,121 from the public utilities commission motor carrier fund, for use by the public utilities commission for personal services, which amount is based on an assumption that the commission will require an additional 4.0 FTE;

(b) $22,612, which consists of $14,132 from the public utilities commission fixed utility fund and $8,480 from the public utilities commission motor carrier fund, for use by the public utilities commission for operating expenses; and

(c) $111,920 from the public utilities commission fixed utility fund for the purchase of legal services.

(2) For the 2019-20 state fiscal year, $111,920 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1)(c) of this section and is based on an assumption that the department of law will require an additional 0.6 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, line 104, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-246** 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 14 through 16 and substitute "STABILIZATION FACTOR, IS NOT LESS THAN SEVEN BILLION THREE HUNDRED EIGHTY-NINE MILLION EIGHT HUNDRED EIGHTEEN THOUSAND FIVE HUNDRED TWENTY-SIX DOLLARS ($7,389,818,526);".

Page 5, line 16, strike "TWENTY-FIVE" and substitute "TWENTY".

Page 5, line 24, strike "TWENTY-FIVE" and substitute "TWENTY".

Page 6, line 11, strike "TWENTY-FIVE" and substitute "TWENTY".

Page 7, strike lines 26 and 27.

Strike pages 8 and 9.

Renumber succeeding section accordingly.

Page 10, before line 1 insert:

"**SECTION 6. Appropriation - adjustments to 2019 long bill.**

To implement this act, the general fund appropriation made in the annual general appropriation act for the 2019-20 state fiscal year to the department of education for the state share of districts' total program funding is decreased by $7,633,721.

SECTION 7. Appropriation to the department of education for the fiscal year beginning July 1, 2019. In section 2 of Senate Bill 19-207, **amend** Part III (2)(A) Footnote 5, as follows:

Section 2. **Appropriation.**

5 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- Pursuant to Section 22-35-108 (2)(a), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Accelerating Students Through Concurrent Enrollment (ASCENT) Program for FY 2019-20. It is the General Assembly's intent that the Department of Education be authorized to utilize up to ~~$3,836,500~~ $3,888,000 of this appropriation to fund qualified students designated as ASCENT Program participants. This amount is calculated based on an estimated 500 FTE participants funded at a rate of ~~$7,673~~ $7,776 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.

SECTION 8. Appropriation. For the 2019-20 state fiscal year, $20,000,000 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 additional funding for rural schools authorized in section 22-54-141, C.R.S.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**SCHOOLS.**" and substitute "**SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-008** 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 Judiciary Committee Report dated April 3, 2019, page 3, strike line 34 and substitute:

"Page 10 of the printed bill, strike lines 8 through 22 and substitute:

"**SECTION 8. Appropriation.** (1) For the 2019-20 state fiscal year, $1,963,832 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) $58,412 for personal services related to community behavioral health administration, which amount is based on an assumption that the office will require an additional 0.7 FTE;

(b) $5,368 for operating expenses related to community behavioral health administration;

(c) $735,000 for treatment and detoxification programs; and

(d) $1,165,052 for criminal justice diversion programs, which amount is based on an assumption that the office will require an additional 0.8 FTE.

(2) For the 2019-20 state fiscal year, $492,750 is appropriated to the department of corrections. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $370,492 for personal services related to the medical services subprogram, which amount is based on an assumption that the department will require an additional 1.6 FTE;

(b) $900 for operating expenses related to the medical services subprogram;

(c) $9,406 for start-up costs related to the medical services subprogram;

(d) $111,142 for purchase of pharmaceuticals related to the

medical services subprogram; and

(e) $810 for operating expenses related to the communications subprogram.

(3) For the 2019-20 state fiscal year, $1,800,000 is appropriated to the harm reduction grant program cash fund created in section 25-20.5-902 (1), C.R.S. This appropriation is from the general fund. The department of public health and environment is responsible for the accounting related to this appropriation.

(4) For the 2019-20 state fiscal year, $1,800,000 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from reappropriated funds in the harm reduction grant program cash fund under subsection (3) of this section and is based on an assumption that the division will require an additional 1.8 FTE. The division may use this appropriation to implement the harm reduction grant program authorized in section 25-20.5-901, C.R.S.

(5) For the 2019-20 state fiscal year, $40,300 is appropriated to the department of public safety for use by the division of criminal justice. This appropriation is from the general fund. The division may use this appropriation for DCJ administrative services.".".

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1026** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1138** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1147** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1160** 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 **HB19-1183** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **SB19-204** 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 13, after line 9 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $493,097 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that the department will require an additional 0.4 FTE. To implement this act, the department may use this appropriation for the local accountability system grant program.".

Renumber succeeding section accordingly.

Page 1, line 105, strike "**PROGRAM.**" and substitute "**PROGRAM AND MAKING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1192** be referred to the Committee of the Whole with favorable recommendation.

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-020** 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 13 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $350,000 is appropriated to the department of public safety for use by the division of fire prevention and control. This appropriation is from the general fund. To implement this act, the division may use this appropriation for wildland fire management services.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**FIRES.**" and substitute "**FIRES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-040** 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 12 insert:

"**SECTION 3. Appropriation.** For the 2019-20 state fiscal year, $174,183 is appropriated to the department of public safety for use by the division of fire prevention and control. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.8 FTE. To implement this act, the division may use this appropriation for wildland fire management services.".

Renumber succeeding section accordingly.

Page 1, line 2, strike "**COMMISSION.**" and substitute "**COMMISSION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-066** 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 Finance Committee Report, dated January 29, 2019, page 1, strike lines 3 through 13 and substitute:

"Page 3 of the bill, strike lines 16 through 24 and substitute:

"(b) (I) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER TWO MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE MARIJUANA TAX CASH FUND, CREATED IN SECTION 39-28.8-501, TO THE TRUST FUND.

(II) THE GENERAL ASSEMBLY IS ENCOURAGED TO PRIORITIZE THE TRANSFER OR APPROPRIATION OF MONEY TO THE TRUST FUND IN FUTURE FISCAL YEARS.".".

Page 2 of the committee report, after line 28 insert:

"Page 7, lines 25 and 26, strike "FUND AS SPECIFIED IN SUBSECTION (4.5) OF THIS SECTION." and substitute "FUND.".".

Page 2 of the committee report, strike lines 30 and 31 and substitute:

""(4.5) (a) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER".

Page 3 of the committee report, line 2, strike "AMOUNTS" and substitute "AMOUNT".

Page 3 of the committee report, line 3, strike "(2)(b)."." and substitute "(2)(b)(I).".".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-073** 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, dated February 6, 2019, page 4, after line 5 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $993,147 is appropriated to the department of public health and environment. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $32,100 for use by the center for health and environmental information for personal services related to health statistics and vital records, which amount is based on an assumption that the center will require an additional 0.5 FTE;

(b) $211,047 for use by the center for health and environmental information for operating expenses related to health statistics and vital records; and

(c) $750,000 for the purchase of information technology services.

(2) For the 2019-20 state fiscal year, $750,000 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 public health and environment under subsection (1)(c) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of public health and environment.".

Renumber succeeding section accordingly.

Amend printed bill, page 1, strike line 102 and substitute "**DIRECTIVES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-075** 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 5 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $96,810 is appropriated to the department of personnel for use by state archives. This appropriation is from the general fund. To implement this act, state archives may use this appropriation for personal services.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**BUILDING.**" and substitute "**BUILDING, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-158** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, strike lines 8 through 14 and substitute:

"**SECTION 6. Appropriation.** (1) For the 2019-20 state fiscal year, $123,007 is appropriated to the department of agriculture. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $121,007 for the animal industry division, which amount is based on an assumption that the department will require an additional 1.6 FTE; and

(b) $2,000 for vehicle lease payments.

(2) For the 2019-20 state fiscal year, $2,000 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of agriculture under subsection (1)(b) of this section. To implement this act, the department of personnel may use this appropriation to provide vehicles for the department of agriculture.".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-177** 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 **SB19-186** 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 6 insert:

"**SECTION 7. Appropriation.** (1) For the 2019-20 state fiscal year, $239,592 is appropriated to the department of agriculture. This appropriation is from the plant health, pest control, and environmental protection cash fund created in section 35-1-106.3 (1), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $238,592 for the conservation services division, which amount is based on an assumption that the division will require an additional 0.6 FTE; and

(b) $1,000 for vehicle lease payments.

(2) For the 2019-20 state fiscal year, $21,875 is appropriated to the department of public health and environment. This appropriation is from reappropriated funds received from the department of agriculture under subsection (1)(a) of this section and is based on an assumption that the department of public health and environment will require an additional 0.2 FTE. To implement this act, the department of public health and environment may use this appropriation for clean water program costs.

(3) For the 2019-20 state fiscal year, $1,000 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of agriculture under subsection (1)(b) of this section. To implement this act, the department of personnel may use this appropriation to provide vehicles to the department of agriculture.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**WATER.**" and substitute "**WATER, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-193** 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 **SB19-195** 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.

Strike the Health & Human Services Committee Report, dated April 3, 2019.

Strike the Health & Human Services Committee Report, dated March 21, 2019.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Legislative declaration.** The general assembly finds and declares that, in 2017, suicide was the leading cause of death for children and youth 10 to 24 years of age in the state of Colorado. Childhood and adolescence are critical periods of risk for the onset of a behavioral health disorder. Nationally, half of all lifetime cases of mental illness begin by 14 years of age, and three-quarters begin by 24 years of age. Children and youth may be exposed to trauma, maltreatment, and other adverse childhood experiences that may be risk factors for behavioral health diagnoses in adolescence and adulthood, and there is a need to strengthen the protective factors for child and youth health and safety because children and youth have unique physical and behavioral

health needs. Additionally, many children and youth are left undiagnosed and untreated because they have not been exposed to adverse childhood experiences or do not show outward signs that would identify the child or youth as at risk.

SECTION 2. In Colorado Revised Statutes, **add** part 8 to article 5 of title 25.5 as follows:

PART 8
CHILDREN AND YOUTH BEHAVIORAL
HEALTH SYSTEM IMPROVEMENTS

25.5-5-801. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) IN ORDER TO PROVIDE QUALITY BEHAVIORAL HEALTH SERVICES TO FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH CHALLENGES, BEHAVIORAL HEALTH SERVICES SHOULD BE COORDINATED AMONG STATE DEPARTMENTS AND POLITICAL SUBDIVISIONS OF THE STATE AND SHOULD BE CULTURALLY COMPETENT, COST-EFFECTIVE, AND PROVIDED IN THE LEAST RESTRICTIVE SETTINGS;

(b) THE BEHAVIORAL HEALTH SYSTEM AND CHILD- AND YOUTH-SERVING AGENCIES ARE OFTEN CONSTRAINED BY RESOURCE CAPACITY AND SYSTEMIC BARRIERS THAT CAN CREATE DIFFICULTIES IN PROVIDING APPROPRIATE AND COST-EFFECTIVE INTERVENTIONS AND SERVICES FOR CHILDREN AND YOUTH;

(c) CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH CHALLENGES MAY REQUIRE A MULTI-SYSTEM LEVEL OF CARE THAT CAN LEAD TO DUPLICATION AND FRAGMENTATION OF SERVICES. TO AVOID THESE PROBLEMS, KEEP FAMILIES TOGETHER, AND SUPPORT CAREGIVERS DURING A CHILD'S OR YOUTH'S BEHAVIORAL HEALTH CHALLENGE, DEPARTMENTS AND POLITICAL SUBDIVISIONS OF THE STATE MUST COLLABORATE WITH ONE ANOTHER; AND

(d) THE COLORADO STATE INNOVATION MODEL, AN INITIATIVE HOUSED IN THE OFFICE OF THE GOVERNOR, HAS WORKED TO INTEGRATE BEHAVIORAL HEALTH AND PHYSICAL HEALTH, HAS MADE SIGNIFICANT PROGRESS ADVANCING THE USE OF ALTERNATIVE PAYMENT MODELS, AND HAS CREATED INFRASTRUCTURE FOR SCREENING AND INNOVATIVE PAYMENT REFORMS. HOWEVER, FUTURE WORK IS NEEDED TO FURTHER EXPAND AND IMPROVE INTEGRATED SERVICES FOR CHILDREN AND FAMILIES, WITH A FOCUS ON EARLY AND UPSTREAM INTERVENTIONS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT, BUILDING UPON WORK COMPLETED BY COLORADO'S TRAUMA-INFORMED SYSTEM OF CARE, COLORADO MUST IMPLEMENT A MODEL OF COMPREHENSIVE SYSTEM OF CARE FOR FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH CHALLENGES.

25.5-5-802. Definitions. AS USED IN THIS PART 8, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AT RISK OF OUT-OF-HOME PLACEMENT" MEANS A CHILD OR YOUTH WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5 AND THE CHILD OR YOUTH:

(a) HAS BEEN DIAGNOSED AS HAVING A MENTAL HEALTH DISORDER, AS DEFINED IN SECTION 27-65-102 (11.5), OR A BEHAVIORAL HEALTH DISORDER; AND

(b) MAY REQUIRE A LEVEL OF CARE THAT IS PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY, INPATIENT PSYCHIATRIC HOSPITAL, OR OTHER INTENSIVE CARE SETTING OUTSIDE OF THE CHILD'S OR YOUTH'S HOME. "AT RISK OF OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH WHO:

(I) IS ENTERING THE DIVISION OF YOUTH SERVICES; OR

(II) IS AT RISK OF CHILD WELFARE INVOLVEMENT.

(2) "BEHAVIORAL HEALTH DISORDER" MEANS A SUBSTANCE USE DISORDER, MENTAL HEALTH DISORDER, OR ONE OR MORE SUBSTANTIAL DISORDERS OF THE COGNITIVE, VOLITIONAL, OR EMOTIONAL PROCESSES THAT GROSSLY IMPAIR JUDGMENT OR CAPACITY TO RECOGNIZE REALITY OR TO CONTROL BEHAVIOR, INCLUDING SERIOUS EMOTIONAL DISTURBANCES. "BEHAVIORAL HEALTH DISORDER" ALSO INCLUDES THOSE MENTAL HEALTH DISORDERS LISTED IN THE MOST RECENT VERSIONS OF THE DIAGNOSTIC STATISTICAL MANUAL OF MENTAL HEALTH DISORDERS, THE DIAGNOSTIC CLASSIFICATION OF MENTAL HEALTH AND DEVELOPMENTAL DISORDERS OF INFANCY AND EARLY CHILDHOOD, AND THE INTERNATIONAL STATISTICAL CLASSIFICATION OF DISEASES AND RELATED HEALTH PROBLEMS.

(3) "BEHAVIORAL HEALTH SERVICES" OR "BEHAVIORAL HEALTH SYSTEM" MEANS THE CHILD AND YOUTH SERVICE SYSTEM THAT ENCOMPASSES PREVENTION AND PROMOTION OF EMOTIONAL HEALTH, PREVENTION AND TREATMENT SERVICES FOR MENTAL HEALTH AND SUBSTANCE USE CONDITIONS, AND RECOVERY SUPPORT.

(4) "CHILD AND YOUTH" MEANS A PERSON WHO IS TWENTY-SIX YEARS OF AGE OR YOUNGER.

(5) "MANAGED CARE ENTITY" MEANS AN ENTITY THAT ENTERS INTO A CONTRACT TO PROVIDE SERVICES IN THE STATEWIDE MANAGED CARE SYSTEM PURSUANT TO ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5.

(6) "MENTAL HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED AS A MENTAL HEALTH PROFESSIONAL PURSUANT TO ARTICLE 43 OF TITLE 12 OR A PROFESSIONAL PERSON AS DEFINED IN SECTION 27-65-102 (17).

(7) "OUT-OF-HOME PLACEMENT" MEANS A CHILD OR YOUTH WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5 AND THE CHILD OR YOUTH:

(a) HAS BEEN DIAGNOSED AS HAVING A MENTAL HEALTH DISORDER, AS DEFINED IN SECTION 27-65-102 (11.5), OR A BEHAVIORAL HEALTH DISORDER; AND

(b) MAY REQUIRE A LEVEL OF CARE THAT IS PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY, INPATIENT PSYCHIATRIC HOSPITAL, OR OTHER INTENSIVE CARE SETTING OUTSIDE OF THE CHILD'S OR YOUTH'S HOME. "OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH WHO:

(I) HAS ENTERED THE DIVISION OF YOUTH SERVICES; OR

(II) IS AT RISK OF CHILD WELFARE INVOLVEMENT.

(8) "WRAPAROUND" MEANS A HIGH-FIDELITY, INDIVIDUALIZED, FAMILY-CENTERED, STRENGTHS-BASED, AND INTENSIVE CARE PLANNING AND MANAGEMENT PROCESS USED IN THE DELIVERY OF BEHAVIORAL HEALTH SERVICES FOR A CHILD OR YOUTH WITH A BEHAVIORAL HEALTH DISORDER, COMMONLY UTILIZED AS PART OF THE SYSTEM OF CARE FRAMEWORK.

25.5-5-803. High-fidelity wraparound services for children and youth - federal approval - reporting. (1) NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT SHALL SEEK FEDERAL AUTHORIZATION FROM THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES TO PROVIDE WRAPAROUND SERVICES FOR ELIGIBLE CHILDREN AND YOUTH WHO ARE AT RISK OF OUT-OF-HOME PLACEMENT OR IN AN OUT-OF-HOME PLACEMENT. PRIOR TO SEEKING FEDERAL AUTHORIZATION, THE STATE DEPARTMENT SHALL SEEK INPUT FROM RELEVANT STAKEHOLDERS INCLUDING COUNTIES, MANAGED CARE ENTITIES PARTICIPATING IN THE STATEWIDE MANAGED CARE SYSTEM, FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH DISORDERS, COMMUNITIES THAT HAVE PREVIOUSLY IMPLEMENTED WRAPAROUND SERVICES, MENTAL HEALTH PROFESSIONALS, AND OTHER RELEVANT DEPARTMENTS. THE STATE DEPARTMENT SHALL CONSIDER TIERED CARE COORDINATION AS AN APPROACH WHEN DEVELOPING THE WRAPAROUND MODEL.

(2) UPON FEDERAL AUTHORIZATION, THE STATE DEPARTMENT SHALL REQUIRE MANAGED CARE ENTITIES TO IMPLEMENT WRAPAROUND SERVICES, WHICH MAY BE CONTRACTED OUT TO A THIRD PARTY. THE STATE DEPARTMENT SHALL CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES AND OFFICE OF BEHAVIORAL HEALTH TO ENSURE CARE COORDINATORS AND THOSE RESPONSIBLE FOR IMPLEMENTING WRAPAROUND SERVICES HAVE ADEQUATE TRAINING AND RESOURCES TO SUPPORT CHILDREN AND YOUTH WHO MAY HAVE CO-OCCURRING DIAGNOSES, INCLUDING BEHAVIORAL HEALTH DISORDERS AND PHYSICAL OR INTELLECTUAL OR DEVELOPMENTAL DISABILITIES. ATTENTION MUST ALSO BE GIVEN TO THE GEOGRAPHIC DIVERSITY OF THE STATE IN DESIGNING THIS PROGRAM IN RURAL COMMUNITIES.

(3) UPON IMPLEMENTATION OF THE WRAPAROUND SERVICES, THE STATE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES SHALL MONITOR AND REPORT THE ANNUAL COST SAVINGS ASSOCIATED WITH ELIGIBLE CHILDREN AND YOUTH RECEIVING WRAPAROUND SERVICES TO THE PUBLIC THROUGH THE ANNUAL HEARING, PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL REQUIRE MANAGED CARE ENTITIES TO REPORT DATA ON THE UTILIZATION AND EFFECTIVENESS OF WRAPAROUND SERVICES.

(4) THE STATE DEPARTMENT SHALL WORK COLLABORATIVELY WITH THE DEPARTMENT OF HUMAN SERVICES, COUNTIES, AND OTHER DEPARTMENTS, AS APPROPRIATE, TO DEVELOP AND IMPLEMENT WRAPAROUND SERVICES FOR CHILDREN AND YOUTH AT RISK OF OUT-OF-HOME PLACEMENT OR IN AN OUT-OF-HOME PLACEMENT. THE DEPARTMENT OF HUMAN SERVICES SHALL OVERSEE THAT THE WRAPAROUND SERVICES ARE DELIVERED WITH FIDELITY TO THE MODEL. AS PART OF ROUTINE COLLABORATION, THE STATE DEPARTMENT SHALL DEVELOP A MODEL OF SUSTAINABLE FUNDING FOR WRAPAROUND SERVICES IN CONSULTATION WITH THE DEPARTMENT OF HUMAN SERVICES. WRAPAROUND SERVICES PROVIDED TO ELIGIBLE CHILDREN AND YOUTH PURSUANT TO THIS SECTION MUST BE COVERED UNDER THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4, 5, AND 6 OF THIS TITLE 25.5. THE STATE DEPARTMENT MAY USE TARGETING CRITERIA TO RAMP UP WRAPAROUND SERVICES AS SERVICE CAPACITY INCREASES, OR TEMPORARILY, AS NECESSARY, TO MEET CERTAIN FEDERAL FINANCIAL PARTICIPATION REQUIREMENTS.

25.5-5-804. Integrated funding pilot. NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF HUMAN SERVICES, COUNTIES, AND OTHER RELEVANT DEPARTMENTS, SHALL DESIGN AND RECOMMEND A CHILD AND YOUTH BEHAVIORAL HEALTH DELIVERY SYSTEM PILOT PROGRAM THAT ADDRESSES THE CHALLENGES OF FRAGMENTATION AND DUPLICATION OF BEHAVIORAL HEALTH SERVICES. THE PILOT PROGRAM SHALL INTEGRATE FUNDING FOR BEHAVIORAL HEALTH INTERVENTION AND TREATMENT SERVICES ACROSS THE STATE TO SERVE CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH DISORDERS. TO IMPLEMENT THE PROVISIONS OF THIS SECTION, THE STATE DEPARTMENT SHALL COLLABORATE WITH THE DEPARTMENT OF HUMAN SERVICES AND OTHER RELEVANT STAKEHOLDERS, INCLUDING COUNTIES, MANAGED CARE ENTITIES, AND FAMILIES.

SECTION 3. In Colorado Revised Statutes, **add** article 51 to title 25 as follows:

ARTICLE 51

Standardized Screening and Assessment Tool Training

25-51-101. Training on standardized screening tools and standardized assessment tool. FOLLOWING THE SELECTION OF THE STANDARDIZED SCREENING TOOLS, AS DESCRIBED IN SECTION 27-62-103, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL ENSURE ADEQUATE STATEWIDE TRAINING ON THE STANDARDIZED SCREENING TOOLS FOR PRIMARY CARE PROVIDERS AND OTHER INTERESTED HEALTH CARE PROFESSIONALS WHO CARE FOR CHILDREN, ENSURING THAT TRAINING IS OFFERED AT NO COST TO THE PROFESSIONAL. TRAINING SERVICES MAY BE CONTRACTED OUT TO A THIRD PARTY.

SECTION 4. In Colorado Revised Statutes, **add** article 62 to title 27 as follows:

ARTICLE 62

High-fidelity Wraparound Services for Children and Youth

27-62-101. Definitions. AS USED IN THIS ARTICLE 62, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AT RISK OF OUT-OF-HOME PLACEMENT" MEANS A CHILD OR YOUTH WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO ARTICLES 4, 5, AND 6 OF TITLE 25.5 AND THE CHILD OR YOUTH:

(a) HAS BEEN DIAGNOSED AS HAVING A MENTAL HEALTH DISORDER, AS DEFINED IN SECTION 27-65-102 (11.5), OR A BEHAVIORAL HEALTH DISORDER; AND

(b) MAY REQUIRE A LEVEL OF CARE THAT IS PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY, INPATIENT PSYCHIATRIC HOSPITAL, OR OTHER INTENSIVE CARE SETTING OUTSIDE OF THE CHILD'S OR YOUTH'S HOME. "AT RISK OF OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH WHO:

(I) IS ENTERING THE DIVISION OF YOUTH SERVICES; OR

(II) IS AT RISK OF CHILD WELFARE INVOLVEMENT.

(2) "BEHAVIORAL HEALTH DISORDER" MEANS A SUBSTANCE USE DISORDER, MENTAL HEALTH DISORDER, OR ONE OR MORE SUBSTANTIAL DISORDERS OF THE COGNITIVE, VOLITIONAL, OR EMOTIONAL PROCESSES THAT GROSSLY IMPAIR JUDGMENT OR CAPACITY TO RECOGNIZE REALITY OR TO CONTROL BEHAVIOR, INCLUDING SERIOUS EMOTIONAL DISTURBANCES. "BEHAVIORAL HEALTH DISORDER" ALSO INCLUDES THOSE MENTAL HEALTH DISORDERS LISTED IN THE MOST RECENT VERSIONS OF

THE DIAGNOSTIC STATISTICAL MANUAL OF MENTAL HEALTH DISORDERS, THE DIAGNOSTIC CLASSIFICATION OF MENTAL HEALTH AND DEVELOPMENTAL DISORDERS OF INFANCY AND EARLY CHILDHOOD, AND THE INTERNATIONAL STATISTICAL CLASSIFICATION OF DISEASES AND RELATED HEALTH PROBLEMS.

(3) "CHILD AND YOUTH" MEANS A PERSON WHO IS TWENTY-SIX YEARS OF AGE OR YOUNGER.

(4) "MANAGED CARE ENTITY" MEANS AN ENTITY THAT ENTERS INTO A CONTRACT TO PROVIDE SERVICES IN THE STATEWIDE MANAGED CARE SYSTEM PURSUANT TO ARTICLES 4, 5, AND 6 OF TITLE 25.5.

(5) "MENTAL HEALTH PROFESSIONAL" MEANS AN INDIVIDUAL LICENSED AS A MENTAL HEALTH PROFESSIONAL PURSUANT TO ARTICLE 43 OF TITLE 12 OR A PROFESSIONAL PERSON AS DEFINED IN SECTION 27-65-102 (17).

(6) "OUT-OF-HOME PLACEMENT" MEANS A CHILD OR YOUTH WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO ARTICLES 4, 5, AND 6 OF TITLE 25.5 AND THE CHILD OR YOUTH:

(a) HAS BEEN DIAGNOSED AS HAVING A MENTAL HEALTH DISORDER, AS DEFINED IN SECTION 27-65-102 (11.5), OR A BEHAVIORAL HEALTH DISORDER; AND

(b) MAY REQUIRE A LEVEL OF CARE THAT IS PROVIDED IN A RESIDENTIAL CHILD CARE FACILITY, INPATIENT PSYCHIATRIC HOSPITAL, OR OTHER INTENSIVE CARE SETTING OUTSIDE OF THE CHILD'S OR YOUTH'S HOME. "OUT-OF-HOME PLACEMENT" INCLUDES A CHILD OR YOUTH WHO:

(I) HAS ENTERED THE DIVISION OF YOUTH SERVICES; OR

(II) IS AT RISK OF CHILD WELFARE INVOLVEMENT.

(7) "STANDARDIZED ASSESSMENT TOOL" MEANS A MULTI-PURPOSE INSTRUMENT THAT FACILITATES THE LINK BETWEEN ASSESSMENT AND LEVEL OF CARE AND INDIVIDUALIZED SERVICE PLANNING; FACILITATES QUALITY IMPROVEMENT ACTIVITIES; AND ALLOWS FOR MONITORING OF OUTCOMES OF SERVICES.

(8) "STATE DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN SERVICES CREATED PURSUANT TO SECTION 26-1-105.

(9) "WRAPAROUND" MEANS A HIGH-FIDELITY, INDIVIDUALIZED, FAMILY-CENTERED, STRENGTHS-BASED, AND INTENSIVE CARE PLANNING AND MANAGEMENT PROCESS USED IN THE DELIVERY OF BEHAVIORAL HEALTH SERVICES FOR A CHILD OR YOUTH WITH A BEHAVIORAL HEALTH DISORDER, COMMONLY UTILIZED AS PART OF THE SYSTEM OF CARE FRAMEWORK.

27-62-102. High-fidelity wraparound services for children and youth - interagency coordination - reporting. (1) PURSUANT TO SECTION 25.5-5-803 (4), THE DEPARTMENT OF HUMAN SERVICES SHALL WORK COLLABORATIVELY WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, COUNTIES, AND OTHER RELEVANT DEPARTMENTS, AS APPROPRIATE, TO DEVELOP AND OVERSEE WRAPAROUND SERVICES FOR CHILDREN AND YOUTH AT RISK OF OUT-OF-HOME PLACEMENT OR IN AN OUT-OF-HOME PLACEMENT. AS PART OF ROUTINE COLLABORATION, THE DEPARTMENT OF HUMAN SERVICES SHALL ASSIST THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING IN DEVELOPING A MODEL OF SUSTAINABLE FUNDING FOR WRAPAROUND SERVICES. THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING SHALL MONITOR AND REPORT THE ANNUAL COST SAVINGS ASSOCIATED WITH ELIGIBLE CHILDREN AND YOUTH RECEIVING WRAPAROUND SERVICES TO THE PUBLIC THROUGH THE ANNUAL HEARING, PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(2) TWO FULL-TIME STAFF PERSONS SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO SUPPORT AND FACILITATE INTERAGENCY COORDINATION PURSUANT TO THIS ARTICLE 62, PART 8 OF ARTICLE 5 OF TITLE 25.5, AND ANY OTHER RELATED INTERAGENCY BEHAVIORAL HEALTH EFFORTS AS DETERMINED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES.

27-62-103. Standardized screening tools - standardized assessment tool - interagency coordination - single referral and entry point. (1) **Standardized assessment tool.** NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT SHALL SELECT A SINGLE STANDARDIZED ASSESSMENT TOOL TO FACILITATE IDENTIFICATION OF BEHAVIORAL HEALTH ISSUES AND OTHER RELATED NEEDS IN CHILDREN AND YOUTH

AND TO DEVELOP A PLAN TO IMPLEMENT THE TOOL FOR PROGRAMMATIC UTILIZATION. THE STATE DEPARTMENT SHALL CONSULT WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, MANAGED CARE ENTITIES, COUNTIES, STAKEHOLDERS, AND OTHER RELEVANT DEPARTMENTS, AS APPROPRIATE, PRIOR TO SELECTING THE TOOL.

(2) **Standardized screening tools.** NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT SHALL SELECT DEVELOPMENTALLY APPROPRIATE AND CULTURALLY COMPETENT STATEWIDE BEHAVIORAL HEALTH STANDARDIZED SCREENING TOOLS FOR PRIMARY CARE PROVIDERS SERVING CHILDREN, YOUTH, AND CAREGIVERS IN THE PERINATAL PERIOD, INCLUDING POSTPARTUM WOMEN. THE STATE DEPARTMENT AND THE DEPARTMENT OF HUMAN SERVICES MAY MAKE THE TOOLS AVAILABLE ELECTRONICALLY FOR HEALTH CARE PROFESSIONALS AND THE PUBLIC. PRIOR TO THE ADOPTION OF THE STANDARDIZED ASSESSMENT TOOL DESCRIBED IN SUBSECTION (1) OF THIS SECTION, AND THE STANDARDIZED SCREENING TOOLS DESCRIBED IN THIS SUBSECTION (2), THE STATE DEPARTMENT SHALL LEAD A PUBLIC CONSULTATION PROCESS INVOLVING RELEVANT STAKEHOLDERS, INCLUDING HEALTH CARE PROFESSIONALS AND MANAGED CARE ENTITIES, WITH INPUT FROM THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND THE DIVISION OF INSURANCE.

(3) **Statewide referral and entry point.** NO LATER THAN JULY 1, 2020, THE STATE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND OTHER RELEVANT DEPARTMENTS AND COUNTIES, AS NECESSARY, SHALL DEVELOP A PLAN FOR ESTABLISHING A SINGLE STATEWIDE REFERRAL AND ENTRY POINT FOR CHILDREN AND YOUTH WHO HAVE A POSITIVE BEHAVIORAL HEALTH SCREENING OR WHOSE NEEDS ARE IDENTIFIED THROUGH A STANDARDIZED ASSESSMENT. IN DEVELOPING THE SINGLE STATEWIDE REFERRAL AND ENTRY POINT PLAN, THE STATE DEPARTMENT SHALL SEEK INPUT FROM RELEVANT STAKEHOLDERS, INCLUDING COUNTIES, MANAGED CARE ENTITIES PARTICIPATING IN THE STATEWIDE MANAGED CARE SYSTEM, FAMILIES OF CHILDREN AND YOUTH WITH BEHAVIORAL HEALTH DISORDERS, COMMUNITIES THAT HAVE PREVIOUSLY IMPLEMENTED WRAPAROUND SERVICES, MENTAL HEALTH PROFESSIONALS, AND OTHER RELEVANT DEPARTMENTS.

SECTION 5. Appropriation. (1) For the 2019-20 state fiscal year, $619,484 is appropriated to the department of health care policy and financing. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $172,652 for use by the executive director's office for personal services, which amount is based on an assumption that the department will require an additional 3.9 FTE;

(b) $21,171 for use by the executive director's office for operating expenses; and

(c) $120,871 for use by the executive director's office for general professional services and special projects;

(d) $154,790 for use by the executive director's office for medicaid management information system maintenance and projects; and

(e) $150,000 for community behavioral health administration related to department of human services medicaid-funded programs.

(2) For the 2019-20 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $771,903 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) $116,357 for use by the executive director's office for personal services;

(b) $6,239 for use by the executive director's office for operating expenses; and

(c) $34,938 for use by the executive director's office for general professional services and special projects;

(d) $464,369 for use by the executive director's office for medicaid management information system maintenance and projects; and

(e) $150,000 for community behavioral health administration related to department of human services medicaid-funded programs.

(3) For the 2019-20 state fiscal year, $300,000 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from reappropriated funds received from the department of health care policy and financing under subsections (1)(e) and (2)(e) of this section. To implement this act, the office may use this appropriation for personal services related to community behavioral health administration for training and resources for implementing wraparound services.

(4) For the 2019-20 state fiscal year, $142,449 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) $131,428 for personal services related to community behavioral health administration, which amount is based on an assumption that the office will require an additional 1.5 FTE; and

(b) $11,021 for operating expenses related to community behavioral health administration.

SECTION 6. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Page 1 of the printed bill, line 102, strike "**YOUTH.**" and substitute "**YOUTH, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-199** 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 11, 2019, page 11, line 25, strike "AND".

Page 11, strike line 26 and substitute:

"(B) UP TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO CONTRACT WITH, AND PAY THE DIRECT ADMINISTRATIVE COSTS INCURRED IN CONTRACTING WITH AND OVERSEEING, A".

Page 11, strike line 29 and substitute "(8); AND

(C) UP TO TWO MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO PROVIDE EVIDENCE-BASED TRAINING IN TEACHING READING FOR TEACHERS EMPLOYED BY LOCAL EDUCATION PROVIDERS TO TEACH KINDERGARTEN AND GRADES ONE THROUGH THREE. IF THE ACTUAL DEMAND FOR TRAINING EXCEEDS THE ANTICIPATED DEMAND AND THE AMOUNT ALLOCATED PURSUANT TO THIS SUBSECTION (4)(c)(I)(C) IS INSUFFICIENT TO PAY THE COSTS INCURRED IN PROVIDING THIS TRAINING, THE DEPARTMENT MAY SUBMIT TO THE GENERAL ASSEMBLY DURING THE 2019-20 BUDGET YEAR A REQUEST FOR A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT REQUIRED TO FULLY FUND THE COSTS.".

Page 11, line 35, strike "USE TEN PERCENT" and substitute "ALLOCATE TWO MILLION FIVE HUNDRED THOUSAND DOLLARS".

Page 11, line 38, strike "NINETY PERCENT" and substitute "THE REMAINING AMOUNT".

Page 12, strike lines 1 through 24 and substitute:

"(d) (I) BEGINNING IN THE 2020-21 BUDGET YEAR AND FOR BUDGET YEARS THEREAFTER, THE DEPARTMENT SHALL ANNUALLY EXPEND THE MONEY CREDITED TO THE EARLY LITERACY FUND FOR THE FOLLOWING PURPOSES:

(A) TO IMPLEMENT THE PUBLIC INFORMATION CAMPAIGN TO

PROMOTE READING DESCRIBED IN SECTION 22-7-1209 (7);

(B) TO CONTRACT WITH AND PAY THE DIRECT COSTS INCURRED IN OVERSEEING AN INDEPENDENT EVALUATOR AS PROVIDED IN SECTION 22-7-1209 (8);

(C) TO IMPLEMENT THE EARLY LITERACY GRANT PROGRAM CREATED IN SECTION 22-7-1211;

(D) TO ALLOCATE PER-PUPIL INTERVENTION MONEY TO LOCAL EDUCATION PROVIDERS AS PROVIDED IN SECTION 22-7-1210.5; AND

(E) TO PAY THE COSTS INCURRED IN PROVIDING TO LOCAL EDUCATION PROVIDERS TECHNICAL ASSISTANCE IN IMPLEMENTING THIS PART 12 AND TRAINING IN TEACHING READING FOR TEACHERS EMPLOYED TO TEACH KINDERGARTEN AND GRADES ONE THROUGH THREE; MONITORING THE USE OF MONEY RECEIVED AS PER-PUPIL INTERVENTION MONEY OR GRANTS THROUGH THE EARLY LITERACY GRANT PROGRAM; AND FULFILLING THE ADMINISTRATIVE REQUIREMENTS SPECIFIED IN THIS PART 12.

(II) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE IN THE GENERAL APPROPRIATIONS BILL THE AMOUNT THAT THE DEPARTMENT MAY EXPEND FOR THE PURPOSES SPECIFIED IN SUBSECTION (4)(d)(I) OF THIS SECTION.".

Page 20, after line 32 insert:

"**SECTION 11. Appropriation - adjustments to 2019 long bill.** (1) To implement this act, appropriations made in the annual general appropriation act for the 2019-20 state fiscal year to the department of education for the early literacy competitive grant program are adjusted as follows:

(a) The cash funds appropriation from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., is decreased by $5,378,678, and the related FTE is decreased by 8.0 FTE; and

(b) The cash funds appropriation from the early literacy fund created in section 22-7-1210 (1), C.R.S., is decreased by $865,254.

(2) For the 2019-20 state fiscal year, $7,500,000 is appropriated to the department of education. This appropriation consists of $5,378,678 from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., and $2,121,322 from the early literacy fund created in section 22-7-1210 (1), C.R.S. To implement this act, the department may use this appropriation for the early literacy competitive grant program.

(3) For the 2019-20 state fiscal year, $2,702,557 is appropriated to the department of education. This appropriation is from the early literacy fund created in section 22-7-1210 (1), C.R.S. To implement this act, the department may use this appropriation for evidence-based training provided to teachers pursuant to section 22-7-1208 (6)(b), C.R.S.

(4) For the 2019-20 state fiscal year, $1,664,570 is appropriated to the department of education. This appropriation is from the early literacy fund created in section 22-7-1210 (1), C.R.S., and is based on an assumption that the department will require an additional 11.7 FTE. To implement this act, the department may use this appropriation for early literacy program administration, technical assistance, and monitoring.

(5) For the 2019-20 state fiscal year, $750,000 is appropriated to the department of education. This appropriation is from the early literacy fund created in section 22-7-1210 (1), C.R.S. To implement this act, the department may use this appropriation for an independent evaluation pursuant to section 22-7-1209 (8), C.R.S.

(6) For the 2019-20 state fiscal year, $500,000 is appropriated to the department of education. This appropriation is from the early literacy fund created in section 22-7-1210 (1), C.R.S., and is based on an assumption that the department will require an additional 0.5 FTE. To implement this act, the department may use this appropriation for a public information campaign pursuant to section 22-7-1209 (7), C.R.S.

(7) For the 2019-20 state fiscal year, $26,261,551 is appropriated to the department of education. This appropriation is from the early literacy fund created in section 22-7-1210 (1), C.R.S. To implement this act, the department may use this appropriation for early literacy program per pupil intervention funding.".

Renumber succeeding section accordingly.

Page 20 of the committee report, after line 35 insert: "Page 1 of the bill, line 104, strike "**PLANS.**" and substitute "**PLANS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-227** 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 18, after line 7 insert:

"**SECTION 16. Appropriation.** For the 2019-20 state fiscal year, $659,472 is appropriated to the department of public health and environment. This appropriation consists of $434,472 from the general fund and $225,000 from the opiate antagonist bulk purchase fund created in section 25-1.5-114 (1)(a), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $621,070 which consists of $396,070 from general fund and $225,000 from the opiate antagonist bulk purchase fund, for use by the prevention services division for administration, which amount is based on an assumption that the department will require an additional 1.8 FTE; and

(b) $38,402 from general fund for the household take-back medication program, which amount is based on an assumption that the department will require an additional 0.4 FTE.".

Renumber succeeding sections accordingly.

Page 2 of the Health & Human Services Committee Report, dated April 11, 2019, line 17, strike ""**AND**".

Page 2 of the Committee Report, strike line 20 and substitute "**DISORDER, AND MAKING AN APPROPRIATION.**".".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-232** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-235** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 10, 2019, page 2, after line 22 insert:

"Page 17, after line 24 insert:

"**SECTION 12. Appropriation.** (1) For the 2019-20 state fiscal year, $67,840 is appropriated to the department of state for use by the information technology 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.

(2) For the 2019-20 state fiscal year, $90,827 is appropriated to the department of human services for use by the office of information technology services. This appropriation consists of $61,301 from the general fund, $9,973 from the old age pension fund created in section 1 of article XXIV of the state constitution, and $19,553 from the federal temporary assistance for needy families block grant. To implement this act, the office may use this appropriation for operating and contract expenses.

(3) For the 2019-20 state fiscal year, the general assembly anticipates that the department of human services will receive $45,413 in federal funds for the office of information technology services 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.

(4) For the 2019-20 state fiscal year, $136,240 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 subsections (2) and (3) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of human services.

(4) For the 2019-20 state fiscal year, $18,000 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the general fund. To implement this act, the division may use this appropriation for DRIVES maintenance and support.".

Renumber succeeding section accordingly.".

Page 1 of the bill, line 102, strike "**VOTERS.**" and substitute "**VOTERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-223** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 11, line 13, strike "COORDINATE WITH THE COURT LIAISONS TO".

Page 11, line 15, strike "SERVICES." and substitute "SERVICES IN COORDINATION WITH THE COMMUNITY RESTORATION SERVICES PROVIDER.".

Page 11, line 16, strike "NOTICE." and substitute "NOTICE, AT WHICH THE DEPARTMENT SHALL PROVIDE TO THE COURT THE PLAN FOR COMMUNITY-BASED RESTORATION SERVICES, AND THE COURT MAY ENTER ANY APPROPRIATE ORDERS REGARDING THE CUSTODY OF THE DEFENDANT AND HIS OR HER BOND STATUS. THE DEPARTMENT SHALL ADVISE THE DEFENDANT OF THE DATE AND TIME OF THE COURT HEARING.".

Page 13, strike lines 22 through 27 and substitute "CONSIDERATION OF POSSIBLE CIVIL COMMITMENT.".

Page 14, strike line 1.

Page 15, lines 18 and 19, strike "SERVICES AND THE COURT LIAISON" and substitute "SERVICES, IF AVAILABLE,".

Page 17, strike lines 13 and 14 and substitute "MANAGEMENT SERVICES COORDINATED WITH THE DEPARTMENT; THE COURT LIAISON; AND PRETRIAL SERVICES, IF AVAILABLE; OR".

Page 18, line 26, strike "THE COURT LIAISON AND".

Page 19, line 6, strike "SHERIFF AND THE COURT LIAISON" and substitute "SHERIFF, THE DEPARTMENT, AND ANY BEHAVIORAL HEALTH PROVIDERS IN THE JAIL".

Page 19, strike lines 13 through 15 and substitute "NECESSARY TRANSPORTATION AND PROVIDE THE NECESSARY CASE AND MEDICATION".

Page 35, line 16, strike "(2)" and substitute "(2); and **add** (5)".

Page 35, after line 25 insert:

"(5) IN ADDITION TO SUBSECTION (4) OF THIS SECTION AND SUBJECT TO AVAILABLE APPROPRIATIONS, THE OFFICE SHALL REQUIRE ANY COUNTY JAIL TO ASSIST IN THE PROVISION OF INTERIM MENTAL HEALTH SERVICES FOR INDIVIDUALS WHO HAVE BEEN COURT-ORDERED FOR INPATIENT COMPETENCY RESTORATION AND WHO ARE WAITING ADMISSION FOR AN INPATIENT BED. THIS SECTION DOES NOT TOLL OR OTHERWISE MODIFY THE TIME FRAMES FOR THE DEPARTMENT TO OFFER INPATIENT ADMISSION PURSUANT TO THE PROVISIONS OF SECTION 16-8.5-111.

SECTION 21. Appropriation. (1) For the 2018-19 state fiscal year, $10,983,000 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) $10,483,000 for fines, liquidated damages, costs, or attorney fees for non-compliance with the consent decree from the center for legal advocacy v. Barnes case; and

(b) $500,000 for compensation for the special master pursuant to the consent decree from the center for legal advocacy v. Barnes case.

Any money appropriated in this section not expended prior to July 1, 2019, is further appropriated to the office for the 2019-20 state fiscal year for the same purpose.

SECTION 22. Appropriation. (1) For the 2019-20 state fiscal year, $8,141,194 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:

Executive director's office	
Health, life, and dental	$167,076
Short-term disability	$2,441
S.B. 04-257 amortization equalization disbursement	$64,225
S.B. 04-257 supplemental amortization equalization disbursement	$64,225
Legal services	$139,901
Office of information technology services	
Payments to OIT	$454,539
Office of operations	
Leased space	$72,500
Office of behavioral health, integrated behavioral health services	
Jail-based behavioral health services	$2,250,400
Office of behavioral health, mental health institutes, forensic services	
Court services	$1,559,148 (18.0 FTE)
Forensic community-based services	$1,104,843 (1.0 FTE)
Outpatient competency restoration program	$2,261,896

(2) For the 2019-20 state fiscal year, $139,901 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of human services under subsection (1) of this section and is based on an assumption that the department of law will require an additional 0.8 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of human services.

(3) For the 2019-20 state fiscal year, $50,000 is appropriated to the department of law. This appropriation is from the general fund. To implement this act, the department of law may use this appropriation to allocate funds to the statewide organization representing district attorneys for the public purpose of providing prosecution training pursuant to section 20-1-111 (4)(c), C.R.S.

(4) For the 2019-20 state fiscal year, $454,539 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 and is based on an assumption that the office of information technology will require an additional 0.9 FTE. To implement this act, the office may use this appropriation to provide information technology services for the department of human services.

(5) For the 2019-20 state fiscal year, $750,570 is appropriated to the judicial department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

Courts administration, centrally-administered programs	
Courthouse furnishings and infrastructure maintenance	$130,636
Judicial education and training	$50,000
Trial courts	
Trial court programs	$499,934 (5.4 FTE)
Office of the state public defender	
Operating expenses	$50,000
Office of the alternate defense counsel	

Training and conferences $20,000".

Renumber succeeding sections accordingly.

Page 1, line 101, strike "**PROCEED.**" and substitute "**PROCEED, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-222** 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 2 insert:

"**SECTION 7. Appropriation.** (1) For the 2019-20 state fiscal year, $75,000 is appropriated to the department of health care policy and financing. This appropriation consists of $51,000 from the general fund and $24,000 from the healthcare affordability and sustainability fee cash fund created in section 25.5-4-402.4 (5)(a), C.R.S. To implement this act, the department may use this appropriation for general professional services and special projects.

(2) For the 2019-20 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $75,000 in federal funds for general professional services and special projects 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, which is included for informational purposes only.

(3) For the 2019-20 state fiscal year, the general assembly anticipates that the department of human services will receive $220,707 in federal funds to implement this act, which amount is included for informational purposes only. This amount of federal funds will be used by the office of behavioral health as follows:

(a) $215,054 for personal services, which amount is based on an assumption that the office will require an additional 1.0 FTE; and

(b) $5,653 for operating expenses.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**INSTITUTIONALIZATION.**" and substitute "**INSTITUTIONALIZATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1133** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1233** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, after "10-16-148." add "TARGETS ESTABLISHED UNDER THIS SECTION DO NOT APPLY IN THE CASE OF A NONGOVERNMENTAL HEALTH MAINTENANCE ORGANIZATION WITH RESPECT TO MANAGED CARE PLANS THAT PROVIDE A MAJORITY OF COVERED PROFESSIONAL SERVICES THROUGH A SINGLE CONTRACTED MEDICAL GROUP." on: **Page 8,** line 22; and **Page 9,** line 25.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1269** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1288** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1216** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 3 through 10 and substitute "**- confidentiality of rebate information - definition - rules.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHER REQUIRES, "PRESCRIPTION INSULIN DRUG" MEANS A PRESCRIPTION DRUG,".

Page 3, strike lines 15 through 23 and substitute:

"(2) A CARRIER THAT PROVIDES COVERAGE FOR PRESCRIPTION INSULIN DRUGS PURSUANT TO THE TERMS OF A HEALTH COVERAGE PLAN THE CARRIER OFFERS SHALL CAP THE TOTAL AMOUNT THAT A COVERED PERSON IS REQUIRED TO PAY FOR A COVERED PRESCRIPTION INSULIN DRUG AT AN AMOUNT NOT TO EXCEED ONE HUNDRED DOLLARS PER THIRTY-DAY SUPPLY OF INSULIN, REGARDLESS OF THE AMOUNT OR TYPE OF INSULIN NEEDED TO FILL THE COVERED PERSON'S PRESCRIPTION.".

Page 4, after line 3 insert:

"(5) THE COMMISSIONER MAY PROMULGATE RULES AS NECESSARY TO IMPLEMENT AND ADMINISTER THIS SECTION AND TO ALIGN WITH FEDERAL REQUIREMENTS.".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-228** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Strike the Health and Human Services Committee Report, dated April 11, 2019.

Amend printed bill, page 9, line 8, after "COLORADO," insert "OR A CORONER ELECTED PURSUANT TO SECTION 30-10-601,".

Page 9, strike line 11 and substitute "EXAMINER OR CORONER;".

Page 9, line 12, after "EXAMINER" insert "OR THE CORONER".

Page 9, after line 15 insert:

"**SECTION 9.** In Colorado Revised Statutes, 23-18-308, **amend** (1)(b) and (1)(c); and **add** (1)(d) as follows:

23-18-308. Fee-for-service contracts - limited purpose. (1) Subject to available appropriations, the department shall enter into fee-for-service contracts for the following purposes:

(b) The inclusive higher education pilot program pursuant to section 23-75-104; ~~and~~

(c) Cybersecurity and distributed ledger technologies, such as blockchains, as set forth in sections 24-33.5-1904 and 24-33.5-1905; AND

(d) A PROGRAM TO INCREASE PUBLIC AWARENESS CONCERNING OPIOID USE THAT IS DEVELOPED AND IMPLEMENTED BY THE CENTER FOR RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES PURSUANT TO SECTION 27-80-118.".

Renumber succeeding sections accordingly.

Page 9, line 20, strike "FIVE" and substitute "TWO".

Page 12, strike line 3 and substitute "as follows:".

Page 14, line 9, strike "THREE" and substitute "TWO".

Page 15, strike lines 3 through 27.

Strike page 16.

Page 17, strike lines 1 through 10.

Page 18, strike line 16 and substitute "(25)(a)(XX) and (25)(a)(XXI) as follows:".

Page 18, strike lines 24 and 25.

Page 18, line 26, strike "(XXII)" and substitute "(XXI)".

Page 19, strike lines 4 through 27.

Strike pages 20 through 24.

Page 25, strike lines 1 though 5.

Renumber succeeding sections accordingly.

Page 33, line 21, after "COLORADO," insert "OR A CORONER ELECTED PURSUANT TO SECTION 30-10-601,".

Page 33, strike line 24 and substitute "EXAMINER OR CORONER;".

Page 33, line 25, after "EXAMINER" insert "OR THE CORONER".

Page 34, after line 1 insert:

"**SECTION 24. Appropriation.** (1) For the 2019-20 state fiscal year, $157,754 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund and is based on an assumption that the office will require an additional 1.5 FTE. To implement this act, the office may use this appropriation for the administration and evaluation expenses related to the Charlie Hughes and Nathan Gauna opioid prevention grant program.

(2) For the 2019-20 state fiscal year, $2,000,000 is appropriated to the youth opioid and substance use prevention fund created in section 27-80-103.5 (4), C.R.S. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. The department of human services is responsible for the accounting related to this appropriation.

(3) For the 2019-20 state fiscal year, $997,754 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund and is based on an assumption that the office will require an additional 1.5 FTE. To implement this act, the office may use this appropriation for the maternal and child health pilot program.

(4) For the 2019-20 state fiscal year, $750,000 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 center for research into substance use disorder prevention, treatment, and recovery support strategies and the college of nursing.

(5) For the 2019-20 state fiscal year, $50,000 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the college opportunity fund program to be used for limited purpose fee-for-service contracts with state institutions.

(6) For the 2019-20 state fiscal year, $50,000 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the limited purpose fee-for-service contracts with state institutions under subsection (6) of this section. To implement this act, the department may use this appropriation for the regents of the university of Colorado for allocation to the center for research into substance use disorder prevention, treatment, and recovery support strategies.

(7) For the 2019-20 state fiscal year, $2,000,000 is appropriated to the department of public health and environment. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) $71,852 for use by the prevention services division for

administration, which amount is based on an assumption that the division will require an additional 0.9 FTE;

(b) $1,564,148 for distributions to local public health agencies; and

(c) $364,000 for personal services related to health statistics and vital records.".

Renumber succeeding sections accordingly.

Page 2, line 108, strike the second "**AND**".

Page 2, line 11, strike "**PROGRAM.**" and substitute "**PROGRAM; AND MAKING AN APPROPRIATION.**".

MESSAGE FROM THE HOUSE

April 19, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1321, 1237.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1311, 1292, 1242, 1306, 1002, 1055, 1085, 1240, 1277, 1283, 1316, 1203, 1315, amended as printed in House Journal, April 18, 2019.

The House has passed on Third Reading and returns herewith SB19-003, 086, 162, 170, 174, 185.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-178, amended as printed in House Journal, April 18, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 19, 2019

We herewith transmit:

Without comment, HB19-1321.
Without comment, as amended, HB19-1002, 1055, 1085, 1203, 1237, 1240, 1242, 1277, 1283, 1292, 1306, 1311, 1315, and 1316.
Without comment, as amended, SB19-178.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB19-257 by Senator(s) Pettersen; also Representative(s) Buentello and Cutter--Concerning amendments to the state income tax deduction for contributions to a qualified 529 account to ensure that the state income tax deduction is not aligned with the changes in the federal "Tax Cuts and Jobs Act" of 2017 that allow tax-free distributions for elementary and secondary school expenses.
Finance

SB19-258 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar, Hansen, Ransom--Concerning child welfare services funded through federal child welfare laws, and, in connection therewith, making and reducing an appropriation.
Appropriations

SB19-259 by Senator(s) Garcia and Hisey; --Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.
Judiciary

HB19-1002 by Representative(s) McLachlan and Wilson; also Senator(s) Zenzinger and Priola--Concerning professional development in leadership for public school principals, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1055 by Representative(s) Bird; also Senator(s) Zenzinger--Concerning the provision of state financial assistance for public school capital construction, and, in connection therewith, increasing the amount of retail marijuana excise tax revenue that is credited to the public school capital construction assistance fund, increasing the maximum total amount of annual lease payments payable by the state for financial assistance provided under the terms of lease-purchase agreements, more precisely tying the total amount of financial assistance provided to charter schools to the number of students enrolled in charter schools, and making an appropriation.
Finance

HB19-1085 by Representative(s) Exum; also Senator(s) Zenzinger--Concerning the property-related expense assistance grants for low-income seniors and individuals with disabilities, and, in connection therewith, making an appropriation.
Finance

HB19-1203 by Representative(s) Mullica; also Senator(s) Todd--Concerning the creation of a grant program to increase the number of school nurses, and, in connection therewith, making an appropriation.
Health & Human Services

HB19-1237 by Representative(s) Cutter and Will; also Senator(s) Woodward--Concerning licensing behavioral health entities.
Finance

HB19-1240 by Representative(s) Kraft-Tharp and Van Winkle; also Senator(s) Court and Tate--Concerning sales and use tax administration, and, in connection therewith, establishing economic nexus for retailers without physical presence in the state, codifying the destination sourcing rule with a specified exception, requiring marketplace facilitators to collect and remit sales tax for sales made by marketplace sellers on the marketplace facilitator's marketplace, and repealing obsolete statutory references to remote sellers.
Finance

HB19-1242 by Representative(s) Jackson and Jaquez Lewis; also Senator(s) Winter and Tate--Concerning the regulation of pharmacy technicians by the state board of pharmacy, and, in connection therewith, making an appropriation.
Finance

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.
State, Veterans, & Military Affairs

HB19-1277 by Representative(s) Esgar and Cutter; also Senator(s) Todd and Winter--Concerning the creation of the computer science grant program.
State, Veterans, & Military Affairs

HB19-1283 by Representative(s) Roberts; also Senator(s) Rodriguez--Concerning requiring insurers to disclose certain information concerning insurance policies, and, in connection therewith, making an appropriation.
Judiciary

HB19-1292 by Representative(s) Singer and Galindo; also Senator(s) Ginal--Concerning the reauthorization of the Colorado resiliency office, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1306 by Representative(s) Esgar and Galindo; also Senator(s) Rodriguez--Concerning the monitoring of Colorado call center job losses.
State, Veterans, & Military Affairs

HB19-1311 by Representative(s) Singer; also Senator(s) Bridges--Concerning the creation of the institute of cannabis research at Colorado state university - Pueblo.
Judiciary

HB19-1315 by Representative(s) Gonzales-Gutierrez and Michaelson Jenet, Benavidez, Herod, Soper; also Senator(s) Gonzales--Concerning the admissibility of statements by a juvenile.
Judiciary

HB19-1316 by Representative(s) Hansen and Landgraf, Arndt, Beckman, Buckner, Buentello, Caraveo, Carver, Duran, Geitner, Hooton, Larson, Liston, McKean, Mullica, Pelton, Sandridge, Singer, Soper, Van Winkle, Will, Wilson; also Senator(s) Winter and Cooke--Concerning modernizing marriage laws related to minors, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1321 by Representative(s) Coleman and Williams D.; also Senator(s) Priola--Concerning the use of an electronic device to verify the driver's license of a person who rents a motor vehicle.
State, Veterans, & Military Affairs

CHANGE IN SPONSORSHIP

Upon announcement of President *Pro Tem* Court, Senator Bridges was added as a Senate Joint Prime Sponsor with Senator Moreno and Representatives Exum and Tipper on SB19-231.

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, April 22, 2019.

Approved:

Lois Court
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

109th Legislative Day Monday, April 22, 2019

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--31
Excused--4, Gonzales, Scott, Story, Williams.
Present later--3, Scott, Story, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Foote.

Reading of the Journal — On motion of Senator Ginal, reading of the Journal of Friday, April 19, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-257, 258, and 259.
Correctly Engrossed: SB19-191, 218, 231, and 241.
Correctly Reengrossed: SB19-136, 165, 205, and 216.
Correctly Revised: HB19-1189, 1244, 1253, 1254, 1256, 1268, and 1286.
Correctly Rerevised: HB19-1031, 1095, 1179, and 1219.
Correctly Enrolled: SB19-003, 086, 162, 170, 174, and 185.

On motion of Majority Leader Fenberg, 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 Senator Gardner, Majority Leader Fenberg asked that **HB19-1244** be removed from the Third Reading of Bills--Final Passage--Consent Calendar of Monday, April 22, 2019, and that it be placed at the end of the Third Reading of Bills Final Passage Calendar of Monday, April 22, 2019.

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:

SB19-241 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman, Herod, Snyder, Soper, Van Winkle--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	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

HB19-1256 by Representative(s) Gray and Snyder; also Senator(s) Todd--Concerning electronic filing of certain taxes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, and Moreno.

HB19-1254 by Representative(s) McLachlan and Van Winkle; also Senator(s) Fields and Priola--Concerning the notice requirements of employers with regard to the sharing of gratuities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	9	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Moreno, Pettersen, Rodriguez, and Winter.

HB19-1286 by Representative(s) Kraft-Tharp and Liston; also Senator(s) Todd--Concerning limiting the number of people who may sell vehicles to dealers under a wholesaler's license issued by the motor vehicle dealer board.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1268 by Representative(s) Singer and Van Winkle; also Senator(s) Todd and Hisey--Concerning a requirement that a referral agency make disclosures to a prospective resident of an assisted living residence.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Moreno, and Tate.

HB19-1253 by Representative(s) Landgraf and Buckner; also Senator(s) Hisey and Gonzales--Concerning a prohibition on discrimination against a living organ donor in certain insurance policies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Fields, Garcia, Gardner, Ginal, Lee, Moreno, Smallwood, Sonnenberg, Tate, Todd, and Woodward.

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:

HB19-1205 by Representative(s) Arndt; also Senator(s) Court--Concerning allowing reimbursement for expenses for members of the restorative justice coordinating council.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	6	EXCUSED	2	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	E	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lee, Moreno, Pettersen, Rodriguez, and Tate.

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user, 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	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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, Gardner, Ginal, Priola, and Tate.

SB19-215 by Senator(s) Rodriguez; also Representative(s) Lontine--Concerning the creation of the parents encouraging parents conference for parents of children with disabilities, 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	10	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Danielson, Fields, Ginal, Moreno, Story, Tate, Todd, Winter, and Zenzinger.

SB19-156 by Senator(s) Rodriguez; also Representative(s) Sullivan--Concerning the continuation of the state electrical board, and, in connection therewith, implementing the recommendations contained in the 2018 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	24	NO	10	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate and Winter.

SB19-096 by Senator(s) Donovan; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fenberg, Foote, Ginal, Lee, Pettersen, Story, Williams A., and Winter.

SB19-173 by Senator(s) Donovan and Pettersen, Bridges; also Representative(s) Kraft-Tharp and Hansen--Concerning the creation of the Colorado secure savings plan board to study appropriate approaches to increase the amount of retirement savings by Colorado's private sector workers, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Danielson, Fenberg, Fields, Garcia, Moreno, Rodriguez, Story, Todd, Williams A., and Winter.

SB19-180 by Senator(s) Winter; also Representative(s) McCluskie--Concerning the creation of an eviction legal defense fund, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Winter was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.005), by Senator Winter.

Amend engrossed bill, page 7, line 16, after "OF" strike the first "A".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Court, Fenberg, Moreno, and Rodriguez.

SB19-224 by Senator(s) Gonzales and Fenberg; also Representative(s) Herod--Concerning the continuation of the regulated marijuana programs, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Fenberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.050), by Senator Fenberg.

Amend engrossed bill, page 14, line 4, strike "CAREGIVER" and substitute "caregivers".

Page 26, strike lines 24 through 27 and substitute:

"**44-10-105. Marijuana employee designation.** AN EMPLOYEE OF A LICENSEE IS NOT AN AGRICULTURAL WORKER UNLESS THE EMPLOYEE IS A FARM LABORER AS DESCRIBED IN SECTION 8-3-104 (11).".

Page 39, strike line 26 and substitute "PURSUANT TO THIS SUBSECTION (2)(d).".

Page 95, strike lines 18 through 25 and substitute "SINGLE BUSINESS DAY.

(b) (I) A MEDICAL MARIJUANA STORE MAY SELL MEDICAL MARIJUANA FLOWER IN AN AMOUNT THAT EXCEEDS THE SALES LIMITATION ESTABLISHED PURSUANT TO SUBSECTION (10)(a) OF THIS SECTION ONLY TO A PATIENT WHO HAS A PHYSICIAN RECOMMENDATION FOR MORE THAN TWO OUNCES OF FLOWER AND IS REGISTERED WITH THE MEDICAL MARIJUANA STORE.

(II) A MEDICAL MARIJUANA STORE MAY SELL MEDICAL MARIJUANA CONCENTRATE OR MEDICAL MARIJUANA PRODUCTS IN AN AMOUNT THAT EXCEEDS THE SALES LIMITATION PURSUANT TO SUBSECTION (10)(a) OF THIS SECTION ONLY TO A PATIENT WHO HAS A PHYSICIAN EXEMPTION FROM THE SALES LIMITATION AND IS REGISTERED WITH THE MEDICAL MARIJUANA STORE. A PHYSICIAN MAKING MEDICAL MARIJUANA".

Page 97, line 4, strike "(10)." and substitute "SUBSECTION (10)(a) OF THIS SECTION.".

Page 128, strike lines 14 through 18 and substitute:

"(c) ACCELERATOR MANUFACTURER LICENSEE IF THE RETAIL MARIJUANA PRODUCTS MANUFACTURER HAS ITS PREMISES ENDORSED PURSUANT TO RULE BEFORE EACH ACCELERATOR MANUFACTURER LICENSEE OPERATES AND EACH ACCELERATOR LICENSEE IS LICENSED TO OPERATE ON THAT PREMISES.".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	8	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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.

SB19-191 by Senator(s) Bridges and Marble; also Representative(s) Herod--Concerning defendants' rights related to pretrial bond.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	N	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB19-218 by Senator(s) Gonzales; also Representative(s) Jaquez Lewis--Concerning the continuation of the medical marijuana program, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

Laid over until Tuesday, April 23, retaining its place on the calendar.

SB19-231 by Senator(s) Moreno and Bridges; also Representative(s) Exum and Tipper--Concerning the creation of the Colorado second chance scholarship in the pursuit of higher education for youth previously committed to the division of youth services, 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	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Foote, Pettersen, Story, and Winter.

HB19-1189 by Representative(s) Gray and Valdez A.; also Senator(s) Bridges and Fields--Concerning wage garnishment reform, and, in connection therewith, reducing disposable earnings by health insurance premiums, reducing the amount that is subject to garnishment, and providing more detailed information to the judgment debtor regarding garnishment.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno and Winter.

HB19-1244 by Representative(s) Coleman and Carver, Singer; also Senator(s) Fields and Gardner, Cooke, Tate--Concerning the peace officers mental health support grant program, and, in connection therewith, allowing certain agencies to apply for grants from the program and expanding the permissible uses of money awarded as grants under the program.

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.005), by Senator Gardner.

Amend revised bill, page 2, line 3, strike "(2.5), (10)(e)," and substitute "(2.5)".

Page 5, strike lines 2 through 5.

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Bridges, Court, Crowder, Danielson, Donovan, Garcia, Hisey, Lundeen, Moreno, Pettersen, Priola, Sonnenberg, Story, Todd, Williams A., Winter, Woodward, and Zenzinger.

RECONSIDERATION OF SB19-180

SB19-180 by Senator(s) Winter; also Representative(s) McCluskie--Concerning the creation of an eviction legal defense fund, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB19-180.

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:

SB19-180 by Senator(s) Winter; also Representative(s) McCluskie--Concerning the creation of an eviction legal defense fund, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

On motion of Majority Leader Fenberg, 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 Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for terms expiring December 19, 2021:

Charles Emion Myers of Elbert, Colorado, to serve as a member from the eastern slope and who represents local governments that operate airports, reappointed;

Kenneth Edward Maenpa of Mountain Village, Colorado, to serve as a member from the western slope and who represents local governments that operate airports, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2019:

Sarah J. Auchterlonie of Denver, Colorado, to serve as a representative of the public and occasioned by the resignation of Diane Salling Barrett of Denver, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2019:

Samuel McCullough Forsyth of Louisville, Colorado, appointed;

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2020:

Shelley Phelps Dodge, JD of Fort Lupton, Colorado, to serve as an attorney who represents injured workers, and occasioned by the resignation of Elsa Martinez Tenreiro, JD of Elizabeth, Colorado, appointed;

for a term expiring September 1, 2021:

Jason Lee Wardrip of Aurora, Colorado, to serve as a representative of labor organizations, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for terms expiring July 7, 2019:

Rebecca F. Holmes of Denver, Colorado, to serve as a person from the community who has interest or experience in education, reappointed;

Genia Kei Herndon of Denver, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, reappointed;

for terms expiring July 7, 2020:

Elizabeth M. Palmquist of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, appointed;

Stephanie Flynn James, PhD, MBA of Broomfield, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO SCHOOL OF MINES BOARD OF TRUSTEES

for a term expiring December 31, 2022:

Denise Burgess of Denver, Colorado, a Democrat who is not a graduate of the Colorado School of Mines, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM

for terms expiring December 31, 2022:

Armando Valdez of La Jara, Colorado, to serve as a member who has substantial experience in the production of agriculture, and to serve as a Democrat, appointed;

Russell Anthony DeSalvo III of Pueblo, Colorado, to serve as a Republican, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLLEGEINVEST BOARD OF DIRECTORS

for terms expiring July 31, 2022:

David Andrew Simon of Cherry Hills Village, Colorado, appointed;

Kirk Mielenz of Littleton, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

CHIEF MEDICAL OFFICER OF THE
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

effective immediately for a term expiring at the Pleasure of the Governor:

Tista S. Ghosh, M.D., M.P.H., of Denver, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY BOARD OF DIRECTORS

From the 7th Congressional District: Ray Baker, for a term effective April 1, 2018 and continuing until March 31, 2022 (or until his successor is appointed by the Board of Regents). This will be Mr. Baker's second term on the Hospital Authority Board of Directors.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

for terms expiring on June 30, 2021:

Theresa Marie Chase, MA, ND, RN, Grand Jct. appointed;

Kenneth Anderson Scott, MPH, PhD of Denver, Colorado, appointed;

Victoria Ortega, JD of Denver, Colorado, appointed;

Thomas McCause of Fruita, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO HEALTHCARE AFFORDABILITY
AND SUSTAINABILITY ENTERPRISE (CHASE)

for a term expiring May 15, 2019:

Brent Bowman of Denver, Colorado, to serve as representative of a statewide organization of health insurance carriers, and occasioned by the resignation of Thomas A. Rennell of Englewood, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

effective November 27, 2018 for terms expiring November 7, 2021:

Stephanie Villafuerte, JD of Evergreen, Colorado, to serve as a member with knowledge of child abuse prevention, appointed;

Bridget Burnett, PsyD of Centennial, Colorado, to serve as a member with knowledge of child abuse prevention, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for terms expiring March 1, 2023:

Kathryn Bedell of Grand Junction, Colorado, a Democrat, from the Fourth Agricultural District, to serve as a member from the State at-large, appointed;

Segundo Diaz of Alamosa, Colorado, a Republican, from the Third Agricultural District, reappointed;

George Whitten, of Saguache, Colorado, a Democrat, from the Third Agricultural District, to serve as a member from the State at-large, appointed;

Colleen Peppler of Platteville, Colorado, a Democrat, from the Second Agricultural District, to serve as a member from the State at-large, appointed;

Brant Harrison, of Palisade, Colorado, a Republican, from the Fourth Agricultural District, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	E	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MESSAGE FROM THE HOUSE

April 22, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1300.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1006, 1223, 1294, 1226, 1302, 1318, 1245, 1319,amended as printed in House Journal, April 18, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1309, amended as printed in House Journal, April 19, 2019, and amended on Third Reading as printed in House Journal, April 22, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 22, 2019

We herewith transmit:

Without comment, as amended, HB19-1006, 1223, 1226, 1294, 1300, 1302, 1309, 1318, and 1319.
With comment, as amended, HB19-1245.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1106, 1206, 1224, 1225.

Senate in recess. Senate reconvened.

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 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, 2021:

Joseph Anthony Montoya of Castle Rock, Colorado, to serve as a building official from a political subdivision of the state performing electrical inspections, appointed;

Barbara Jean Myrick of Colorado Springs, Colorado, to serve as a general contractor actively engaged in the building industry, appointed;

James Selecky of Denver, Colorado, to serve as an electrical contractor who has a masters license, appointed.

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
UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

for terms expiring January 1, 2020:

Christopher Kampmann of Firestone, Colorado, to serve as a representative of municipalities, appointed;

Randall Paul Wheelock of Empire, Colorado, to serve as a representative of Colorado counties, appointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1227** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1290** 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 **HB19-1291** 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 **SB19-250** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1120** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 17, strike "SUICIDOLOGY." and substitute "SUICIDAL IDEATION.".

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
JUVENILE PAROLE BOARD

for a term expiring November 15, 2021:

Bradford Louis Geiger of Highlands Ranch, Colorado, to serve as a public member, appointed;

for terms expiring November 15, 2022:

Gretchen Jaime Russo, RN, BSN, JD of Denver, Colorado, to serve as a representative from the Colorado Department of Human Services, reappointed;

Margaret Brewington Wright, PhD, MFA of Pueblo, Colorado, to serve as a public member/not employed by state government, reappointed.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1051** 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 27, after the period insert "THE DIVISION SHALL NOT PROVIDE TRAINING UNTIL SUFFICIENT MONEY IS AVAILABLE FROM GIFTS, GRANTS, AND DONATIONS TO COVER THE COSTS ASSOCIATED WITH IMPLEMENTING AND PROVIDING THE TRAINING.".

Page 6, strike lines 12 through 18.

Renumber succeeding section accordingly.

Page 1, strike lines 102 and 103 and substitute "**DEPARTMENT OF PUBLIC SAFETY.**".

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1045** be referred to the Committee on Finance with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1250** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1307** 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 **HB19-1263** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 9, line 17, strike "JAIL," and substitute "JAIL OR, FOR A THIRD OR SUBSEQUENT OFFENSE, A TOTAL OF UP TO THREE HUNDRED SIXTY-FOUR DAYS IN COUNTY JAIL,".

Page 9, strike lines 20 and 21 and substitute "PROBATION; OR THE COURT MAY SENTENCE AN OFFENDER TO UP TO ONE HUNDRED EIGHTY DAYS IN THE COUNTY JAIL, EXCEPT THAT FOR A THIRD OR SUBSEQUENT OFFENSE, THE COURT MAY SENTENCE AN OFFENDER TO UP TO THREE HUNDRED SIXTY-FOUR DAYS IN THE COUNTY JAIL. IN ADDITION TO THE".

Page 10, line 2, strike "JAIL," and substitute "JAIL OR, FOR A THIRD OR SUBSEQUENT OFFENSE, A TOTAL OF UP TO ONE HUNDRED EIGHTY DAYS IN COUNTY JAIL,".

Page 10, strike lines 5 and 6 and substitute "PROBATION; OR THE COURT MAY SENTENCE AN OFFENDER TO UP TO ONE HUNDRED TWENTY DAYS IN THE COUNTY JAIL, EXCEPT THAT FOR A THIRD OR SUBSEQUENT OFFENSE, THE COURT MAY SENTENCE AN OFFENDER TO UP TO ONE HUNDRED EIGHTY DAYS IN THE COUNTY JAIL. IN ADDITION TO THE".

Page 11, line 26, strike "**eligibility.**" and substitute "**eligibility - report.**".

Page 12, line 6, strike "THE STATE COURT ADMINISTRATOR".

Page 12, strike lines 7 and 8, and substitute:

"(2) THE STATE COURT ADMINISTRATOR SHALL ADMINISTER THE GRANT PROGRAM AND DEVELOP POLICIES AND PROCEDURES FOR THE OPERATION OF THE GRANT PROGRAM. IN DEVELOPING THE POLICIES AND PROCEDURES, THE STATE COURT ADMINISTRATOR SHALL WORK WITH A CITY AND COUNTY THAT IS AWARDED A GRANT PURSUANT TO THE GRANT PROGRAM TO HELP ENSURE THE CONTINUITY OF SERVICES, INCLUDING COURT-BASED TREATMENT SERVICES, AND COURT INVOLVEMENT FOR OFFENDERS MOVING BETWEEN DISTRICT COURT AND COUNTY COURT. THE STATE COURT ADMINISTRATOR SHALL REQUIRE A CITY AND COUNTY THAT IS AWARDED A GRANT TO REPORT INFORMATION CONCERNING IMPLEMENTATION OF THE GRANT PROGRAM, INCLUDING THE NUMBER OF PARTICIPANTS SERVED ANNUALLY PURSUANT TO A GRANT AWARD.".

Renumber succeeding subsection accordingly.

Page 12, after line 14, insert:

"(4) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), ON OR BEFORE DECEMBER 31, 2020, AND ON OR BEFORE DECEMBER 31 EACH YEAR THEREAFTER, THE JUDICIAL DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY INFORMATION CONCERNING THE GRANT PROGRAM, INCLUDING THE NUMBER OF PARTICIPANTS SERVED AND THE GRANT EXPENDITURES FOR THE PRIOR FISCAL YEAR.".

Page 14, line 19, strike "January" and substitute "March".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1261** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, line 7, strike "EQUIVALENT." and substitute "EQUIVALENT CALCULATED USING A METHODOLOGY AND DATA ON RADIATIVE FORCING AND ATMOSPHERIC PERSISTENCE DEEMED APPROPRIATE BY THE COMMISSION.".

Page 7, line 7, strike "CHANGE" and substitute "CHANGE, INCLUDING DISPROPORTIONATELY IMPACTED COMMUNITIES,".

Page 8, line 10, after "COMMISSION;" insert "HARMONIZING EMISSION REPORTING REQUIREMENTS WITH EXISTING FEDERAL REQUIREMENTS, WHERE THE COMMISSION DEEMS APPROPRIATE;".

Page 11, line 15, after the period insert "NOTHING IN THIS SUBSECTION (1)(e) ALTERS ANY REQUIREMENT TO PREPARE A COST- BENEFIT ANALYSIS UNDER SECTION 24-4-103 (2.5) OR ANY REQUIREMENT TO ISSUE A REGULATORY ANALYSIS UNDER SECTION 24-4-103 (4.5).".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-243** 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:

HB19-1006 by Representative(s) McLachlan and Carver; also Senator(s) Fields--Concerning measures to mitigate the effects of wildfires within wildland-urban interface areas, and, in connection therewith, clarifying the legislative intent that state funding of the existing forest restoration and wildfire risk mitigation grant program be increased and making an appropriation.
Appropriations

HB19-1223 by Representative(s) Michaelson Jenet and Larson, Landgraf; also Senator(s) Winter--Concerning application assistance for persons seeking federal disability benefits, and, in connection therewith, making an appropriation.
Finance

HB19-1245 by Representative(s) Weissman; also Senator(s) Gonzales and Foote--Concerning an increase in affordable housing funding from increased state sales tax revenue that results from a modification to the state sales tax vendor fee, and, in connection therewith, enacting the "Affordable Housing Act of 2019" and making an appropriation.
Finance

HB19-1294 by Representative(s) Benavidez and Jaquez Lewis; also Senator(s) Story--Concerning a requirement that the chief administrative officer of the Colorado community college system create a working group to determine the best manner in which to facilitate the transfer of earned construction industry registered apprenticeship program credit to college credit, and, in connection therewith, making an appropriation.
Appropriations

HB19-1300 by Representative(s) Gray and Landgraf; also Senator(s) Cooke and Pettersen--Concerning vehicle identification number inspections performed by a peace officer certified to perform the inspection.
Finance

HB19-1302 by Representative(s) Michaelson Jenet and Buckner, Caraveo, Coleman, Duran, Esgar, Galindo, Gray, Hooton, Jaquez Lewis, Kipp, Landgraf, McCluskie, McLachlan, Roberts, Singer, Titone, Valdez A.; also Senator(s) Winter, Coram, Gonzales, Hisey, Rodriguez, Todd, Williams A.--Concerning the continuation of the breast and cervical cancer prevention and treatment program, and, in connection therewith, making an appropriation.
Finance

HB19-1309 by Representative(s) Hooton and McCluskie; also Senator(s) Fenberg--Concerning the regulation of mobile home parks, and, in connection therewith, granting counties the power to enact ordinances for mobile home parks, extending the time to move or sell a mobile home after eviction proceedings, creating the "Mobile Home Park Act Dispute Resolution and Enforcement Program", and making an appropriation.
Finance

HB19-1318 by Representative(s) Weissman, Kennedy; also Senator(s) Bridges and Foote--Concerning increased transparency of money in elections consistent with the first amendment to the United States constitution, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1319 by Representative(s) Bird and McKean; also Senator(s) Winter and Hisey--Concerning incentives to assist land developers in providing affordable housing statewide, and, in connection therewith, identifying nondeveloped land owned by the state that could be developed for affordable housing purposes and making modifications to the administration of an existing property tax exemption that applies to certain affordable housing developments.
Finance

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB19-244** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend printed bill, page 2, line 14, after "ITS" insert "MEMBERS AND".

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1087, 1172, 1213, 1238.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 22, 2019, was laid over until Tuesday, April 23, 2019, retaining its place on the calendar.

General Orders--Second Reading of Bills--Consent Calendar: HB19-1267, SB19-245.
General Orders--Second Reading of Bills: HB19-1210, SB19-188, SB19-198, SB19-107, SB19-225, HB19-1274, HB19-1246, HB19-1003, HB19-1222, SB19-015, SB19-108, SB19-240, HB19-1247, SB19-007, SB19-242.
Consideration of Resolutions: HJR19-1012.
Consideration of House Amendments to Senate Bills: SB19-077, SB19-178.

Journal correction:

Page 955, line 70, strike "Garcia, ".

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, April 23, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

110th Legislative Day Tuesday, April 23, 2019

Prayer — By the chaplain, Rev. Dr. John Roberts, First Baptist Church of Sterling.

Call to Order — By the President *Pro Tem* at 9:00 a.m.

Roll Call — Present--30
Excused--5, Fenberg, Garcia, Ginal, Lundeen, Todd.
Present later--5, Fenberg, Garcia, Ginal, Lundeen, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Foote.

Reading of the Journal — On motion of Senator Ginal, reading of the Journal of Monday, April 22, 2019, 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 **HB19-1024** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1032** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1090** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1132** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-256** 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 **SB19-254** 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 **SB19-253** 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 **SB19-252** 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, after line 5, insert:
"**SECTION 6. Appropriation to the legislative department for the fiscal year beginning July 1, 2019.** In Senate Bill 19-203, section

1, **amend** (1) introductory portion, (1)(a) introductory portion, and (1)(a)(I) as follows:

Section **Appropriation.** (1) For the 2019-20 state fiscal year, $~~51,308,908~~ $51,271,486 is appropriated to the legislative department. This appropriation consists of $~~50,102,990~~ $50,065,568 from the general fund, $90,000 from cash funds, and $1,115,918 from reappropriated funds. The legislative department may use this appropriation as follows:

(a) $~~17,763,749~~ $17,726,327 for use by the general assembly, which amount:

(I) Consists of $~~17,673,749~~ $17,636,327 from the general fund and $90,000 from cash funds generated from the sale of bill boxes, legislative directories, and publications and other services provided by the print shop; and".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**ACT**"." and substitute "**ACT", AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-251** 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 3 and 4 and substitute "(3)(l), (3)(m), (4)(c)(VIII), and (4)(c)(IX); and **add** (3)(n) and (4)(c)(X) as follows:

24-37.5-105. Office - responsibilities - rules. (3) The office shall:

(l) Assist the joint technology committee as necessary to facilitate the committee's oversight of the office; ~~and~~

(m) Establish, maintain, and keep a separate inventory of information technology equipment valued in excess of one hundred thousand dollars owned by or held in trust for every state agency; AND

(n) DEVELOP A POLICY FOR THE OFFICE'S USE OF EXTERNAL VENDORS, INCLUDING THE STATEWIDE INTERNET PORTAL AUTHORITY CREATED IN SECTION 24-37.7-102, IN DELIVERING ELECTRONIC INFORMATION, PRODUCTS, AND SERVICES, AS DEFINED IN SECTION 24-37.7-102.

(4) (c) As part of".

Page 3, line 10, strike "PLAN." and substitute "PLAN DEVELOPED IN COLLABORATION WITH THE STATE AGENCY.".

Page 3, line 21, strike "MAY" and substitute "SHALL".

Page 4, line 12, strike "MAY" and substitute "SHALL".

Page 4, line 21, strike "COST AND FEASIBILITY" and substitute "COST, FEASIBILITY, AND APPROPRIATENESS".

Page 5, line 10, strike "OFFICE." and substitute "OFFICE, IF IT IS DETERMINED, BASED ON THE WORKING GROUP'S FINDINGS, TO BE IN THE STATE'S BEST INTEREST TO IMPLEMENT SUCH TRANSFER.".

Page 5, line 11, strike "MAY" and substitute "SHALL".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-248** 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 15 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $44,552 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $36,997 for use by the legislative council, which amount is

based on an assumption that the legislative council will require an additional 0.4 FTE; and

(b) $7,555 for use by the office of legislative legal services, which amount is bases on an assumption that the office will require an additional 0.1 FTE.

(2) For the 2019-20 state fiscal year, $30,000 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 personal services related to taxation administration.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**REVENUE.**" and substitute "**REVENUE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB19-238** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Health and Human Services Committee Report dated April 18, 2019, page 6, after line 2 insert:

"Page 10 of the bill, before line 8 insert:

"**SECTION 2. Appropriation.** (1) For the 2019-20 state fiscal year, $5,682,377 is appropriated to the department of health care policy and financing. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $31,788 for general professional services and special projects;

(b) $31,250 for Medicaid management information system maintenance and projects, which amount is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year;

(c) $5,115,076 for medical and long-term care services for Medicaid eligible individuals, which amount is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year;

(d) $445,035 for adult supported living services, which amount is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year; and

(e) $59,228 for children's extensive support services, which amount is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year.

(2) For the 2019-20 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $5,744,875 in federal funds 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 to be used as follows:

(a) $31,787 for general professional services and special projects, which amount is included for informational purposes only;

(b) $93,750 for Medicaid management information system maintenance and projects;

(c) $5,115,076 for medical and long-term care services for Medicaid eligible individuals;

(d) $445,035 for adult supported living services; and

(e) $59,227 for children's extensive support services.".

Renumber succeeding section accordingly.".

Page 6 of the committee report, strike line 4.

Page 6 of the committee report, after line 7 insert:

"Page 1 of the bill, line 111, strike "**ACT".**" and substitute "**ACT", AND MAKING AN APPROPRIATION.**".".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-067** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1266** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1262** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 18, strike lines 13 through 19 and substitute:

"**SECTION 12. Appropriation.** For the 2019-20 state fiscal year, $182,911,699 is appropriated to the department of education. This appropriation consists of $173,972,108 from the general fund and $8,939,591 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 district's total program funding.".

Page 18, after line 25 insert:

"**SECTION 14. Appropriation.** For the 2019-20 state fiscal year, $25,094 is appropriated to the department of human services for use by the office of early childhood. This appropriation is from the general fund, is subject to "(M)" notation as defined in the annual appropriations act for the same fical year, and is based on an assumption that the office will require an additional 0.3 FTE. To implement this act, the office may use this appropriation for child care licensing and administration.".

Renumber succeeding section accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1259** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1248** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1202** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 16, after line 22 insert:

"**SECTION 3.** In Colorado Revised Statutes, 23-3.3-103, **add** (4) as follows:

23-3.3-103. Annual appropriations - repeal. (4) (a) THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS ARTICLE 3.3 DO NOT APPLY TO APPROPRIATIONS MADE FOR THE PURPOSE OF THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL PURSUANT TO PART 11 OF ARTICLE 31 OF THIS TITLE 23.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2020.".

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1188** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1184** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1171** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1285** 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 **HB19-1122** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Reengrossed: SB19-096, 156, 173, 175, 180, 191, 215, 224, 231, and 241.
Correctly Rerevised: HB19-1189, 1205, 1244, 1253, 1254, 1256, 1268, and 1286.

On motion of Majority Leader Fenberg, 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

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB19-218 by Senator(s) Gonzales; also Representative(s) Jaquez Lewis--Concerning the continuation of the medical marijuana program, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by 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	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

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:

Upon request of Majority Leader Fenberg, **SB19-066** and **SB19-227** were removed from the General Orders--Second Reading of Bills--Consent Calendar of Tuesday, April 23, 2019, and were placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 23, 2019.

Upon request of Majority Leader Fenberg, **SB19-204** was removed from the General Orders--Second Reading of Bills--Consent Calendar of Tuesday, April 23, 2019, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 23, 2019.

HB19-1267 by Representative(s) Singer and Froelich, Buckner, Esgar, Galindo, Gonzales-Gutierrez, Hooton, Jackson, Melton, Michaelson Jenet, Mullica, Sirota, Sullivan, Jaquez Lewis; also Senator(s) Danielson and Rodriguez, Gonzales--Concerning criminal offenses for failure to pay wages, and, in connection therewith, implementing recommendations from the Colorado human trafficking council.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-245 by Senator(s) Gonzales; --Concerning granting the department of human services rule-making authority to amend the length of time permitted to satisfy administrative appeal requirements for the food stamp program in order to comply with federal law.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB19-008 by Senator(s) Priola and Pettersen; also Representative(s) Kennedy and Singer--Concerning treatment of individuals with substance use disorders who come into contact with the criminal justice system, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 4, pages 668-669 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 962-963 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1160 by Representative(s) Landgraf and Singer, Pelton, Bockenfeld, Larson, Wilson, McKean, Catlin, Gonzales-Gutierrez, Mullica; also Senator(s) Lee and Gardner--Concerning a mental health facility pilot program, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 4, page 655 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-020 by Senator(s) Coram and Fields, Cooke, Marble; also Representative(s) McLachlan, Hooton--Concerning development of a system to patrol the airspace above wildland fires.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 964 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-073 by Senator(s) Ginal, Court; also Representative(s) Landgraf and Roberts--Concerning a statewide system of advance medical directives.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 7, pages 173-175 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 965 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-177 by Senator(s) Ginal and Hisey; also Representative(s) Singer--Concerning matters related to background checks for persons who have contact with children.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 4, page 655 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-193 by Senator(s) Ginal and Lee, Gardner; also Representative(s) Tipper--Concerning the continuation of the "Colorado Medical Practice Act", and, in connection therewith, continuing the Colorado medical board, eliminating the sixty-day limit on the pro bono license, repealing the requirement that a letter of admonition be sent to licensees by certified mail, and updating language and making technical amendments.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 2, page 928 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-195 by Senator(s) Fields and Gardner; also Representative(s) Kraft-Tharp and Landgraf--Concerning enhancements to behavioral health services and policy coordination for children and youth.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 21, pages 526-527 and placed in members' bill files.)

Amendment No. 2, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 4, pages 649-654 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 966-972 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 Fields, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-245, SB19-008 as amended, SB19-020 as amended, SB19-073 as amended, SB19-177 as amended, SB19-193 as amended, SB19-195 as amended, HB19-1267, HB19-1160 as amended.

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, and Senator Fields 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:

HB19-1222 by Representative(s) Kipp and McCluskie; also Senator(s) Story--Concerning a grant program to reduce the amount of the international baccalaureate exam fee paid by students.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 17, page 915 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.)

SB19-015 by Senator(s) Ginal; also Representative(s) Beckman--Concerning the creation of the statewide health care review committee to study health care issues that affect Colorado residents throughout the state.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 870 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-108 by Senator(s) Lee and Gardner; also Representative(s) Michaelson Jenet and Soper--Concerning changes to improve outcomes for youth in the juvenile justice system.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 28, pages 355-361 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, pages 871-872 and placed in members' bill files.)

Amendment No. 3(L.007), by Senator Lee.

Amend the Judiciary Committee Report, dated February 27, 2019, page 3, strike line 27 and substitute "Page 9, strike line 3 and substitute "(44) and (94.1); and **add** (106.5)".

Page 4 of the committee report, line 7, strike "18-1-901 (3)(o.5)." and substitute "~~18-1-901 (3)(o.5)~~".

Page 4 of the committee report, line 10, strike "~~attorney.~~"." and substitute "~~attorney~~ 19-1-103 (94.1).".".

Page 4 of the committee report, after line 11 insert:

"(94.1) "Restorative justice" means those practices that emphasize repairing the harm to the victim and the community caused by criminal acts. Restorative justice practices may include victim-offender conferences attended voluntarily by the victim, a victim advocate, the offender, community members, and supporters of the victim or the offender that provide an opportunity for the offender to accept responsibility for the harm caused to those affected by the crime and to participate in setting consequences to repair the harm. Consequences recommended by the participants may include, but need not be limited to, apologies, community service, restoration, and counseling. The selected consequences are incorporated into an agreement that sets time limits for completion of the consequences and is signed by all participants. ANY STATEMENTS MADE DURING THE RESTORATIVE JUSTICE PROCESS ARE CONFIDENTIAL AND SHALL NOT BE USED AGAINST THE JUVENILE, OR AS A BASIS FOR CHARGING OR PROSECUTING THE JUVENILE, UNLESS THE JUVENILE COMMITS A CHARGEABLE OFFENSE DURING THE PROCESS.".

Page 4 of the committee report, line 12, strike ""(106.5)" and substitute "(106.5)".

Page 8 of the committee report, line 14, strike "CONDUCT" and substitute "THE".

Page 9 of the committee report, line 5, after "ONLY" insert "FOR PURPOSES OF SENTENCING;".

Page 9 of the committee report, line 7, strike "JUVENILE, AND" and substitute "JUVENILE; AND TO DETERMINE".

Amendment No. 4(L.008), by Senator Lee.

Amend the Judiciary Committee Report, dated February 27, 2019, page 1, strike lines 1 and 2 and substitute: "Amend printed bill, page 3, line 10, strike "TWENTY-FIVE" and substitute "TWENTY-SIX".".

Page 1 of the committee report, after line 3 insert:
"Page 4, line 1, strike "AND".

Page 4, after line 1 insert:

"(VIII) TWO STATE PROSECUTORS WITH EXPERIENCE IN JUVENILE PROSECUTION AND DIVERSION ISSUES APPOINTED BY THE EXECUTIVE DIRECTOR OF THE COLORADO DISTRICT ATTORNEYS' COUNCIL;".

Renumber succeeding subparagraph accordingly."."

Page 1 of the committee report, line 4, strike "TWELVE" and substitute "TEN".

Page 1 of the committee report, strike lines 5 and 6, and substitute:
"Page 4, strike line 4.

Reletter succeeding sub-subparagraphs accordingly.".

Page 1 of the committee report, line 15, strike ""(G)" and substitute ""(F)".

Page 2 of the committee report, line 2, strike ""(H)" and substitute ""(G)".

Page 6 of the committee report, strike lines 18 and 19 and substitute:
"Page 19, line 22, after "AGENCIES" insert "FOR REASONABLE AND NECESSARY EXPENSES AND SERVICES TO SERVE EACH JUDICIAL DISTRICT".".

Page 6 of the committee report, line 25, strike "JUVENILE."." and substitute "JUVENILE, THE DISTRICT ATTORNEY DECLINES TO FILE CHARGES, DISMISSES THE CASE, OR CHARGES THE JUVENILE WITH A CLASS 1 OR CLASS 2 FELONY.".".

Page 7 of the committee report, after line 24 insert:
"Page 22, line 23, strike "SCREENING;" and substitute "SCREENING OR, IF NO SCREENING WAS COMPLETED, THE REASON WHY THE SCREENING WAS NOT COMPLETED;".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1003 by Representative(s) Hansen and Valdez A.; also Senator(s) Foote and Story--Concerning community solar gardens.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, April 17, page 899 and placed in members' bill files.)

Amendment No. 2(L.029), by Senator Foote.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 2, strike line 1 and substitute:

"Page 2 of the reengrossed bill, strike line 3 and substitute "(2)(b)(I)(A), (2)(b)(II), and (5)(b)(I); and **add** (2)(b)(I)(D) and (3.5) as follows:".".

Page 2 of the committee report, line 19, strike ""**SECTION 3.**" and substitute:

"(5) **Purchases of the output from community solar gardens.** (b) (I) (A) The output from a community solar garden shall be sold only to the qualifying retail utility serving the geographic area where the community solar garden is located.

(B) Once a community solar garden is part of a qualifying retail utility's plan for acquisition of renewable resources, as approved by the commission, THE COMMISSION SHALL BY JANUARY 30, 2020, INITIATE A PROCEEDING, OR CONSIDER IN AN ACTIVE PROCEEDING, TO DETERMINE WHETHER the qualifying retail utility shall purchase all of the electricity and renewable energy credits generated by the community solar garden OR WHETHER A SUBSCRIBER MAY, UPON BECOMING A SUBSCRIBER, CHOOSE TO RETAIN OR SELL TO THE QUALIFYING RETAIL UTILITY THE SUBSCRIBER'S RENEWABLE ENERGY CREDITS.

(C) The amount of electricity and renewable energy credits generated by each community solar garden shall be determined by a production meter installed by the qualifying retail utility or third-party system owner and paid for by the owner of the community solar garden.

SECTION 3.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-240 by Senator(s) Marble and Fenberg; also Representative(s) McLachlan and Saine, Arndt--Concerning the regulation of commercial products containing industrial hemp.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment. (Printed in Senate Journal, April 18, page 936 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Marble.

Amend printed bill, page 2, line 24, before "ADOPT" insert "CHARGE A FEE FOR A LOCAL LICENSE AND".

Page 3, line 1, strike "REGULATE" and substitute "ESTABLISH REQUIREMENTS ON BUSINESSES ENGAGED IN".

Page 3, strike lines 4 through 6 and substitute "SECTION 25-5-426 (2)(g.5). A COUNTY SHALL NOT IMPOSE ADDITIONAL FOOD PRODUCTION REGULATIONS ON INDUSTRIAL HEMP PROCESSORS OR PRODUCTS IF THE REGULATIONS CONFLICT WITH STATE LAW.".

Page 3, line 12, strike "LICENSE AND REGULATE" and substitute "CHARGE A FEE FOR A LOCAL LICENSE AND ESTABLISH LICENSING REQUIREMENTS ON".

Page 3, strike lines 15 through 18 and substitute "PRODUCTS, AS DEFINED IN SECTION 25-5-426 (2)(g.5). A MUNICIPALITY SHALL NOT IMPOSE ADDITIONAL FOOD PRODUCTION REGULATIONS ON INDUSTRIAL HEMP PROCESSORS OR PRODUCTS IF THE REGULATIONS CONFLICT WITH STATE LAW.".

Amendment No. 3(L.004), by Senator Marble.

Amend the Agriculture and Natural Resources Committee Report, dated April 18, 2019, page 1, strike lines 6 and 7 and substitute "PARTICIPATE IN ANY STAKEHOLDER PROCESS CONVENED PURSUANT TO SENATE BILL 19-220 TO DEVELOP THE STATE'S HEMP MANAGEMENT".

Page 1, strike line 22 and substitute:

"(F) CONSUMER ADVOCATES;
(G) HEMP GROWERS;
(H) HEMP SEED PRODUCERS;
(I) ANYONE ELSE INVOLVED IN THE HEMP INDUSTRY;".

Reletter succeeding sub-subparagraphs accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1247 by Representative(s) Valdez D. and Catlin; also Senator(s) Donovan and Coram--Concerning a study by the commissioner of agriculture on the potential applications for blockchain technology in agricultural operations.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1026 by Representative(s) Catlin and McCluskie; also Senator(s) Coram and Donovan--Concerning fines assessed for violations of laws administered by the division of parks and wildlife.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-199 by Senator(s) Todd and Rankin; also Representative(s) McCluskie and Wilson--Concerning measures to support effective implementation of the "Colorado Reading to Ensure Academic Development Act" for all students who receive services pursuant to READ plans.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 12, pages 814-826 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 972-974 and placed in members' bill files.)

Amendment No. 3(L.021), by Senator Todd.

Amend the Education Committee Report, dated April 11, 2019, page 15, line 27, strike "(3)(a)(III)" and substitute "(3)(b)(IV)".

Amendment No. 4(L.016), by Senator Lundeen.

Amend the Education Committee Report, dated April 11, 2019, page 20, line 7, after "**add**" insert "(1)(a.3), (1)(a.5), (1)(a.7), and".

Page 20, strike line 8 and substitute:

"**22-7-1213. Reporting requirements.** (1) Each local education provider shall annually report to the department information necessary to determine:

(a.3) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN READING ANNUALLY ACHIEVED BY STUDENTS WHO ARE ENROLLED IN KINDERGARTEN AND FIRST THROUGH THIRD GRADES AND WHO ARE IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES;

(a.5) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN READING ANNUALLY ACHIEVED BY STUDENTS WHO ARE ENROLLED IN KINDERGARTEN AND FIRST THROUGH THIRD GRADES AND WHO ARE IDENTIFIED AS READING BELOW GRADE LEVEL;

(a.7) WHETHER THE AMOUNT OF ACADEMIC GROWTH TO STANDARD ANNUALLY ACHIEVED BY EACH STUDENT DESCRIBED IN SUBSECTIONS (1)(a.3) AND (1)(a.5) OF THIS SECTION DEMONSTRATES SUFFICIENT, AS DETERMINED BY THE DEPARTMENT, GROWTH TO STANDARD IN READING OVER MULTIPLE YEARS;

(1.5) EACH LOCAL".

Amendment No. 5(L.015), by Senator Lundeen.

Amend the Education Committee Report, dated April 11, 2019, page 10, strike lines 7 through 10 and substitute:

"(B) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN READING ANNUALLY ATTAINED BY STUDENTS WHO ARE IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND WHETHER STUDENTS IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES DEMONSTRATE SUFFICIENT, AS DETERMINED BY THE DEPARTMENT, GROWTH TO STANDARD IN READING OVER MULTIPLE YEARS;".

Page 10, strike lines 17 through 21 and substitute:

"(E) THE AMOUNT OF ACADEMIC GROWTH TO STANDARD IN READING ANNUALLY ATTAINED BY STUDENTS WHO ARE READING BELOW GRADE LEVEL AND WHETHER STUDENTS IDENTIFIED AS READING BELOW GRADE LEVEL DEMONSTRATE SUFFICIENT, AS DETERMINED BY THE DEPARTMENT, GROWTH TO STANDARD IN READING OVER MULTIPLE YEARS;".

Page 10, line 26, strike "AND".

Page 10, line 31, strike "THREE." and substitute "THREE; AND

(VI) RECOMMENDATIONS FOR LEGISLATIVE OR REGULATORY CHANGES REGARDING THIS PART 12 OR CHANGES IN IMPLEMENTATION OF THE REQUIREMENTS OF THIS PART 12 TO DECREASE THE NUMBER OF

STUDENTS IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND INCREASE TO THE GREATEST POSSIBLE EXTENT THE NUMBER AND OVERALL PERCENTAGE OF STUDENTS READING AT GRADE LEVEL AT THE COMPLETION OF KINDERGARTEN AND GRADES ONE THROUGH THREE.".

Amendment No. 6(L.017), by Senator Lundeen.

Amend the Education Committee Report, dated April 11, 2019, page 6, after line 18 insert:

"(f) THE STATE BOARD MAY ADOPT RULES AS NECESSARY TO SPECIFY THE TIME FRAMES AND PROCEDURES FOR COMPLYING WITH THE REQUIREMENTS SPECIFIED IN SUBSECTION (6)(a) OF THIS SECTION AND FOR APPLYING FOR AN EXTENSION PURSUANT TO SUBSECTION (6)(d) OF THIS SECTION AND THE FORM IN WHICH A LOCAL EDUCATION PROVIDER MUST SUBMIT EVIDENCE OF THE COMPLETION OF AN END-OF-COURSE ASSESSMENT OF LEARNING AS REQUIRED IN SUBSECTION (6)(b) OF THIS SECTION.".

Amendment No. 7(L.018), by Senator Lundeen.

Amend the Education Committee Report, dated April 11, 2019, page 4, after line 14, insert:

"**SECTION 5.** In Colorado Revised Statutes, 22-7-1206, **amend** (4) as follows:

22-7-1206. Reading to ensure academic development plan - contents - implementation. (4) If a student enrolled in kindergarten is identified as having a significant reading deficiency, the local education provider shall create the student's READ plan as a component of the student's individualized readiness plan created pursuant to section 22-7-1014. THE LOCAL EDUCATION PROVIDER MAY INCLUDE COMPONENTS OF THE STUDENT'S INDIVIDUALIZED READINESS PLAN THAT APPLY TO TEACHING LITERACY AS PART OF THE STUDENT'S READ PLAN AFTER THE STUDENT COMPLETES KINDERGARTEN, SO LONG AS THE LOCAL EDUCATION PROVIDER ADMINISTERS AN APPROVED READING ASSESSMENT TO THE STUDENT IN GRADES ONE THROUGH THREE AS REQUIRED IN SECTION 22-7-1205 (1) AND THE STUDENT'S READ PLAN MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (5) OF THIS SECTION.".

Renumber succeeding sections accordingly.

Amendment No. 8(L.019), by Senator Rankin.

Amend the Education Committee Report, dated April 11, 2019, page 10, after line 21 insert:

"(IV) IDENTIFICATION OF THE EFFECTIVE PROCESSES, PROCEDURES, METHODS, AND STRATEGIES USED BY LOCAL EDUCATION PROVIDERS THAT THE INDEPENDENT EVALUATOR IDENTIFIES AS ACHIEVING SIGNIFICANT ACADEMIC GROWTH TO STANDARD IN READING FOR STUDENTS IDENTIFIED AS HAVING SIGNIFICANT READING DEFICIENCIES AND AS READING BELOW GRADE LEVEL;".

Renumber succeeding subparagraphs accordingly.

Amendment No. 9(L.020), by Senator Rankin.

Amend the Education Committee Report, dated April 11, 2019, page 20, line 13, after the period, add "THE LOCAL EDUCATION PROVIDER, IN PROVIDING INFORMATION, AND THE DEPARTMENT AND THE INDEPENDENT EVALUATOR IN RECEIVING AND USING THE INFORMATION, SHALL COMPLY WITH STATE AND FEDERAL LAWS TO PROTECT THE PRIVACY OF STUDENT INFORMATION. THE LOCAL EDUCATION PROVIDER, THE DEPARTMENT, AND THE INDEPENDENT EVALUATOR SHALL COLLABORATE TO MINIMIZE THE IMPACT ON INSTRUCTIONAL TIME THAT MAY RESULT FROM COLLECTING AND PROVIDING THE INFORMATION.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-246 by Senator(s) Todd and Lundeen; also Representative(s) McLachlan and Wilson--Concerning the financing of public schools.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 961-962 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Lundeen.

Amend printed bill, page 7, after line 24 insert:

"(5) EACH SCHOOL DISTRICT RECEIVING MONEY PURSUANT TO THIS SECTION SHALL REPORT, IN DETAIL, TO THE DEPARTMENT OF EDUCATION, BY A DATE DETERMINED BY THE DEPARTMENT:

(a) THE SPECIFIC EXPENDITURES FOR WHICH THE LOCAL EDUCATION PROVIDER USED THE MONEY RECEIVED PURSUANT TO THIS SECTION; AND

(b) HOW SUCH NONRECURRING EXPENDITURES ARE RELATED TO IMPROVING STUDENT LEARNING AND THE EDUCATIONAL ENVIRONMENT.".

Renumber succeeding subsection accordingly.

Amendment No. 3(L.001), by Senator Zenzinger.

Amend printed bill, page 10, before line 1 insert:

"**SECTION 5.** In Colorado Revised Statutes, 22-20-114, **amend** (1)(c)(III) as follows:

22-20-114. Funding of programs - legislative declaration. (1) Subject to the provisions of subsection (3) of this section, for the 2005-06 budget year and each budget year thereafter, the total amount appropriated to the department for the payment of costs incurred by administrative units for the provision of special education programs shall be distributed to each administrative unit that provides educational services for children with disabilities as follows:

(c) (III) (A) For the 2013-14 budget year and each budget year thereafter THROUGH THE 2018-19 BUDGET YEAR, in addition to any amount that is available pursuant to ~~subparagraph (I) of this paragraph (c)~~ SUBSECTION (1)(c)(I) OF THIS SECTION, the general assembly shall appropriate twenty million dollars from the state education fund to the department for the purposes of this ~~paragraph (c)~~ SUBSECTION (1)(c).

(B) FOR THE 2019-20 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, IN ADDITION TO ANY AMOUNT THAT IS AVAILABLE PURSUANT TO SUBSECTION (1)(c)(I) OF THIS SECTION, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWENTY-TWO MILLION DOLLARS, WHICH AMOUNT MAY BE APPROPRIATED FROM THE STATE EDUCATION FUND OR THE GENERAL FUND OR AS AMOUNTS FROM BOTH FUNDS, TO THE DEPARTMENT FOR THE PURPOSES OF THIS SUBSECTION (1)(c).

~~(B)~~ (C) The general assembly ~~hereby~~ finds and declares that, for the purposes of section 17 of article IX of the state constitution, providing additional ~~moneys~~ MONEY to children with one or more disabilities, as described in ~~subparagraph (II) of this paragraph (c)~~ SUBSECTION (1)(c)(II) OF THIS SECTION, for a percentage of such children receiving special education services from an administrative unit is a program for accountable education reform and may therefore receive funding from the state education fund created in section 17 (4) of article IX of the state constitution.

SECTION 6. Appropriation. For the 2019-20 state fiscal year, $22,000,000 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 special education programs for children with disabilities.".

Renumber succeeding section accordingly.

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.)

SB19-066 by Senator(s) Todd; also Representative(s) Buentello--Concerning high-cost special education grants awarded from a trust fund established for that purpose.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 1, pages 144-145 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 964 and placed in members' bill files.)

Amendment No. 3(L.010), by Senator Todd.

Amend printed bill, page 4, line 10, strike "WITH A".

Page 4, strike line 11.

Page 4, line 12, strike "PRINCIPAL".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; --Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, April 17, pages 908-912 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 961 and placed in members' bill files.)

Amendment No. 3(L.012), by Senator Foote.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 7, strike lines 19 through 37.

Strike page 8.

Amendment No. 4(L.011), by Senator Foote.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 5, line 17, after "RESOURCES" insert "AND HEATING RESOURCES".

Page 5, line 29, after "RESOURCES" insert "AND HEATING RESOURCES".

Amendment No. 5(L.013), by Senator Fenberg.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 1, line 14, strike "SYSTEMS;" and substitute "SYSTEMS CONNECTED TO THE DISTRIBUTION GRID;".

Page 2, strike lines 1 through 5 and substitute:

"(b) DEVELOP A METHODOLOGY FOR EVALUATING THE COSTS AND NET BENEFITS OF USING DISTRIBUTED ENERGY RESOURCES AS NON-WIRES ALTERNATIVES;

(c) DETERMINE A THRESHOLD FOR THE SIZE OF A NEW DISTRIBUTION PROJECT, WHETHER IN DOLLARS, METERS, OR ANOTHER FACTOR, AS DETERMINED BY THE COMMISSION, FOR WHEN A QUALIFYING RETAIL UTILITY MUST CONSIDER IMPLEMENTATION OR USE OF NON-WIRES ALTERNATIVES, POTENTIALLY INCLUDING ENERGY EFFICIENCY MEASURES UNDER UTILITY PROGRAMS FOR NEW ELECTRIC SERVICE TO ANY PLANNED

NEW NEIGHBORHOODS OR HOUSING DEVELOPMENTS;

(d) DIRECT EACH QUALIFYING RETAIL UTILITY TO FILE A DISTRIBUTION SYSTEM PLAN;

(e) DETERMINE WHAT SHALL BE INCLUDED IN A DISTRIBUTION SYSTEM PLAN, WHICH AT A MINIMUM MUST INCLUDE THE FOLLOWING:".

Page 2, strike lines 11 through 19.

Renumber succeeding subparagraphs accordingly.

Page 2, strike line 39 and substitute:

"(VI) A PROPOSED COST-RECOVERY METHOD OR MECHANISM FOR ANY NON-WIRES INVESTMENTS FOUND TO BE OUTSIDE THE ORDINARY COURSE OF BUSINESS;

(VII) A DESCRIPTION OF THE QUALIFYING RETAIL UTILITY'S ANTICIPATED NEW DISTRIBUTION SYSTEM EXPANSION INVESTMENTS FOR THE YEARS COVERED BY THE PLAN;

(VIII) A PROCESS TO EVALUATE THE PLAN'S FEASIBILITY AND THE ECONOMIC IMPACTS OF USING NON-WIRES ALTERNATIVES FOR CERTAIN PROJECTS;

(IX) AN ESTIMATE OF THE YEAR IN WHICH PEAK DEMAND GROWTH OR DISTRIBUTED ENERGY RESOURCE GROWTH WOULD MERIT ANALYSIS OF NEW NON-WIRES ALTERNATIVE PROJECTS; AND

(X) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS".

Page 3, strikes line 1 through 15 and substitute "UTILITY'S INVESTMENT IN NON-WIRES ALTERNATIVES IF THE COMMISSION FINDS THE INVESTMENT TO BE IN THE PUBLIC INTEREST.

(3) (a) THE COMMISSION SHALL DETERMINE WHETHER A QUALIFYING RETAIL UTILITY'S RATEPAYERS WOULD REALIZE BENEFITS FROM A NON-WIRES ALTERNATIVE INVESTMENT AND WHETHER THE ASSOCIATED COSTS ARE JUST AND REASONABLE.

(b) TO EVALUATE THE SUCCESS OF ANY NON-WIRES ALTERNATIVE INVESTMENT AUTHORIZED".

Amendment No. 6(L.010), by Senator Garcia.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 4, line 27, strike "**wholesale and**".

Page 4, strike line 28 and substitute "**nonadjudicatory proceeding - definition - report - repeal.** (1) (a) THE COMMISSION".

Page 4, line 30, strike "WHOLESALE AND".

Page 4, after line 35 insert:

"(b) AS USED IN THIS SECTION, "PUBLIC UTILITY" DOES NOT INCLUDE A COOPERATIVE ELECTRIC ASSOCIATION, AS DEFINED IN SECTION 40-9.5-102.".

Amendment No. 7(L.018), by Senator Cooke.

Amend printed bill, page 11, line 22, after "WEBSITE," insert "INCLUDING A REFERENCE TO THE DOCKET NUMBERS OF RELEVANT RULES OR ADJUDICATORY MATTERS,".

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.)

SB19-242 by Senator(s) Garcia; --Concerning the creation of an emergency medical service provider license, and, in connection therewith, specifying that a certified emergency medical service provider may obtain a license from the department of public health and environment if the certified emergency medical service provider demonstrates to the department that the certified emergency medical service provider completed a four-year bachelor's degree program.

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.)

HB19-1138 by Representative(s) Williams D. and Melton, Humphrey; also Senator(s) Williams A. and Priola--Concerning the credit an owner of a vehicle may receive for fees paid to register a motor vehicle when the vehicle is sold before the registration expires, and, in connection therewith, making an appropriation.

Amendment No. 1(L.004), by Senator Priola.

Amend reengrossed bill, page 2, line 8, strike "taxes" and substitute "taxes, SURCHARGES,".

Page 2, line 13, strike "taxes" and substitute "taxes, SURCHARGES,".

Page 2, line 17, strike "taxes" and substitute "taxes, SURCHARGES,".

Page 2, line 22, strike "CONVERSION," and substitute "CONVERSION TO CLASS F PERSONAL PROPERTY,".

Page 2, line 25, strike "CONVERSION," and substitute "CONVERSION TO CLASS F PERSONAL PROPERTY,".

Page 3, line 4, strike "tax" and substitute "tax, SURCHARGE,".

Page 3, after line 8 insert:

"**SECTION 2.** In Colorado Revised Statutes, 42-3-115, **repeal** (1) as follows:

42-3-115. Registration upon transfer. (1) ~~Whenever the owner of a motor vehicle registered under this article transfers or assigns the owner's title or interest, the registration of such vehicle shall expire, and such owner shall remove the number plates. The owner, upon applying for registration in such owner's name during the same registration period of another motor vehicle, may receive credit upon the fees due for such new registration for such portion of the fees paid for the cancelled registration as the department may determine to be proper and proportionate to the unexpired part of the original term of registration. A transfer fee of one dollar shall be paid in all cases.~~".

Renumber succeeding sections accordingly.

Page 3, line 24, strike "taxes" and substitute "taxes, surcharges,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1147 by Representative(s) Snyder, Esgar, Caraveo, Exum, Michaelson Jenet, Mullica; also Senator(s) Lee and Crowder--Concerning revisions to the traumatic brain injury program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1183 by Representative(s) Roberts; also Senator(s) Bridges--Concerning the placement of automated external defibrillators in public places, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 11, page 770 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Smallwood.

Amend reengrossed bill, page 4, line 4, after "DECIDE" insert "WHO WILL BE TRAINED, THE FREQUENCY OF TRAINING, AND".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-222 by Senator(s) Lee and Story, Bridges, Gonzales, Hisey, Rankin, Winter; also Representative(s) Esgar and Landgraf, Herod, Larson, Liston, Pelton, Rich, Roberts, Sandridge, Soper, Will, Wilson--Concerning the improvement of access to behavioral health services for individuals at risk of institutionalization.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 15, pages 833-834 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 977 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Story.

Amend printed bill, page 3, line 13, strike "and".

Page 3, line 17, strike "outcomes." and substitute "outcomes; and".

Page 3, after line 17 insert:
"(e) Children and youth with behavioral health needs, including those who are involved in, or at risk of becoming involved in, the juvenile justice system or the child welfare system, should have access to the full continuum of behavioral health services and supports and not be allowed to fall through the cracks of multiple systems.".

Page 4, line 3, after "**criminal**" insert "**or juvenile**".

Page 4, line 7, after "CRIMINAL" insert "OR JUVENILE".

Page 7, line 2, after "WELL-BEING" insert "DEVELOPMENT".

Page 7, line 19, strike "INDIVIDUALS" and substitute "INDIVIDUALS, INCLUDING YOUTH,"

Page 8, line 14, strike "PROGRAMS" and substitute "PROGRAMS, INCLUDING PROGRAMS THAT SERVE YOUTH,".

Page 8, line 19, after "CRIMINAL" insert "OR JUVENILE".

Page 11, line 13, strike "INDIVIDUAL" and substitute "INDIVIDUAL, INCLUDING YOUTH,".

Amendment No. 4(L.005), by Senator Story.

Amend printed bill, page 6, strike lines 6 through 21 and substitute:

"**SECTION 4.** In Colorado Revised States, **add** 27-93-106 as follows:
27-93-106. Access to inpatient civil beds at institute. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT ADMISSION CRITERIA

THAT ENSURES INDIVIDUALS, PRIOR TO BEING ADMITTED, HAVE BEEN EVALUATED FOR THE LEAST RESTRICTIVE LEVEL OF CARE AND THAT GEOGRAPHIC LOCATION, CURRENT HEALTH CARE PROVIDER, AND PAYER TYPE ARE NOT THE PRIMARY DETERMINING FACTOR IN WHETHER AN INDIVIDUAL HAS ACCESS TO A CIVIL INPATIENT BED.

SECTION 5. In Colorado Revised Statutes, **add** 27-94-106 as follows:

27-94-106. Access to inpatient civil beds at center. THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT ADMISSION CRITERIA THAT ENSURES INDIVIDUALS, PRIOR TO BEING ADMITTED, HAVE BEEN EVALUATED FOR THE LEAST RESTRICTIVE LEVEL OF CARE AND THAT GEOGRAPHIC LOCATION, CURRENT HEALTH CARE PROVIDER, AND PAYER TYPE ARE NOT THE PRIMARY DETERMINING FACTOR IN WHETHER AN INDIVIDUAL HAS ACCESS TO A CIVIL INPATIENT BED.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-040 by Senator(s) Hisey; also Representative(s) Carver and Roberts--Concerning the establishment of the Colorado fire commission.

Amendment No. 1, Agriculture & Natural Resources Committee Amendment.
(Printed in Senate Journal, January 31, page(s) 135 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 964 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Hisey.

Amend the Agriculture and Natural Resources Committee Report, dated January 31, 2019, page 1, line 13, strike ""TWO"." and substitute ""TWO MEMBERS".".

Page 1 of the committee report, line 14, strike ""TWO"." and substitute ""TWO MEMBERS".".

Page 2 of the committee report, after line 13 insert:

"Page 6 of the bill, line 12, after "PROPERTY," insert "INCLUDING UTILITY AND COMMUNICATION INFRASTRUCTURE,".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-158 by Senator(s) Ginal; also Representative(s) Froelich--Concerning the continuation of the "Pet Animal Care and Facilities Act", and, in connection therewith, implementing some of the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, March 6, pages 392-393 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 965 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-204 by Senator(s) Story, Todd, Danielson, Gonzales, Rodriguez; also Representative(s) Arndt and Bird, Cutter, Froelich, Kipp--Concerning implementation of supplemental accountability systems by local education providers for measuring public school performance, and, in connection therewith, creating the local accountability system grant program.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 12, pages 810-812 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 963 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Story.

Amend the Education Committee Report, dated April 11, 2019, page 5, line 19, strike "(2)(a)" and substitute "(5)(a)".

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.)

HB19-1288 by Representative(s) Singer and Duran, Gonzales-Gutierrez, Exum; also Senator(s) Fields and Crowder--Concerning increasing protections to ensure foster youth siblings maintain sibling relationships by providing foster youth siblings with certain rights, and, in connection therewith, establishing the foster youth sibling bill of rights.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-198 by Senator(s) Todd and Coram; also Representative(s) Buentello and Gray--Concerning the continued management of waste tires.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 26, pages 560-561 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, pages 875-876 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Coram.

Amend printed bill, page 7, line 18, before "END" insert "CRUMBED RUBBER END USES AND".

Page 7, strike line 21 and substitute "USES SUCH AS MOLDED PRODUCTS AND RUBBER".

Page 7, line 24, before "END" insert "TIRE BALE END USES AND".

Page 9, strike lines 12 through 19 and substitute "(3) as follows:
30-20-1415. Waste tire monofills - requirements. (3) AFTER SOLICITING PUBLIC COMMENT, the department may issue".

Amendment No. 4(L.005), by Senator Coram.

Amend the State, Veterans, and Military Affairs Committee Report, dated March 25, 2019, page 1, strike lines 6 and 7 and substitute "TIRE FEE IN AN AMOUNT OF FIFTY-FIVE CENTS PER TIRE.".

Page 1, line 21, strike "FIFTY-FIVE" and substitute "FIFTY".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-186 by Senator(s) Donovan and Coram; also Representative(s) Arndt and Catlin--Concerning the expansion of agricultural chemical management plans to protect surface water.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 16, page 894 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 966 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-107 by Senator(s) Donovan; --Concerning the installation of broadband internet service infrastructure.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 15, pages 849-855 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Donovan.

Amend the Business, Labor, and Technology Committee Report, dated April 15, 2019, page 2, line 13, strike "MEAN" and substitute "INCLUDE".

Page 2, line 17, after "PROPERTY," insert "INCLUDING PRESCRIPTIVE RIGHTS,".

Page 3, after line 5 insert:

"(12) "REQUEST FOR NOTICE" MEANS A WRITTEN INSTRUMENT RECORDED BY AN INTEREST HOLDER IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN SECTION 40-15-602 (2)(c).".

Page 3, line 12, before "WITHOUT" insert "SUBJECT TO SUBSECTION (4) OF THIS SECTION AND".

Page 3, strike line 32 and substitute "SUBJECT TO THE ELECTRIC EASEMENT AND ANY OTHER INTEREST HOLDER THAT HAS RECORDED A REQUEST FOR NOTICE AND MUST RECORD A MEMORANDUM IN".

Page 3, strike lines 35 through 41 and substitute "SUBSECTION (1) OF THIS SECTION.".

Page 4, strike lines 1 through 13 and substitute "AN ELECTRIC UTILITY OR ITS DESIGNATED COMMERCIAL BROADBAND SUPPLIER MUST COMPLY WITH ANY NOTICE REQUIREMENTS CONTAINED IN A WRITTEN ELECTRIC EASEMENT BEFORE ENTERING THE REAL PROPERTY SUBJECT TO THE ELECTRIC EASEMENT OR COMMENCING ANY CONSTRUCTION OR INSTALLATION IN CONNECTION WITH THE EXERCISE OF RIGHTS UNDER SUBSECTION (1) OF THIS SECTION. AN ELECTRIC UTILITY OR ITS DESIGNATED COMMERCIAL BROADBAND SUPPLIER MAY ONLY COMMENCE EXERCISING ITS RIGHTS UNDER SUBSECTION (1) OF THIS SECTION UPON DELIVERY OF SUFFICIENT NOTICE.

(b) A LETTER PROVIDING NOTICE PURSUANT TO THIS SUBSECTION (2) MUST:

(I) BE SENT BY CERTIFIED MAIL FROM OR ON BEHALF OF THE ELECTRIC UTILITY TO THE PROPERTY OWNER AND ANY INTEREST HOLDER THAT HAS RECORDED A REQUEST FOR NOTICE AT EACH OF THE FOLLOWING, AS APPLICABLE:

(A) THE LAST KNOWN ADDRESS FOR THE PROPERTY OWNER BASED ON THE ELECTRIC UTILITY'S RECORDS;

(B) THE ADDRESS LISTED FOR THE PROPERTY OWNER IN THE RECORDS OF THE OFFICE OF THE COUNTY ASSESSOR; AND

(C) THE ADDRESS SET FORTH IN A REQUEST FOR NOTICE;".

Page 4, line 19, strike "ADDRESS AND" and substitute "ADDRESS; THE RECORDED NUMBER, IF ANY, OF THE ELECTRIC EASEMENT OR RECORDED

MEMORANDUM OF THE ELECTRIC EASEMENT; A GENERAL DESCRIPTION OF ANY EXISTING ELECTRIC SERVICE INFRASTRUCTURE CURRENTLY LOCATED IN THE ELECTRIC EASEMENT; AND THE".

Page 4, line 27, strike "MORE" and substitute "BOTH".

Page 4, after line 38 insert:

"(c) AN INTEREST HOLDER THAT DESIRES TO OBTAIN NOTICE UNDER THIS PART 6 AT A SPECIFIC ADDRESS MAY FILE IN THE OFFICE OF THE COUNTY CLERK AND RECORDER FOR THE COUNTY IN WHICH THE REAL PROPERTY IS SITUATED A REQUEST FOR NOTICE THAT IDENTIFIES THE INTEREST HOLDER'S NAME AND ADDRESS, THE INSTRUMENT GRANTING THE INTEREST HOLDER'S INTEREST IN THE PROPERTY, AND THE RECORDING NUMBER OF THE INSTRUMENT OR A RECORDED MEMORANDUM OF THE INSTRUMENT.".

Page 5, strike lines 1 through 40.

Renumber succeeding subsections accordingly.

Page 6, strike lines 2 through 4 and substitute "EASEMENT SET FORTH IN SUBSECTION (1) OF THIS SECTION, EXCEPT THOSE TERMS AND CONDITIONS THAT WOULD PROHIBIT THE ELECTRIC".

Page 6, strike lines 8 through 12 and substitute "PROHIBITION ON ABOVEGROUND ATTACHED FACILITIES. IN CONNECTION WITH THE EXERCISE OF RIGHTS UNDER SUBSECTION (1) OF THIS SECTION, AN ELECTRIC UTILITY OR ITS DESIGNATED COMMERCIAL BROADBAND SUPPLIER MUST COMPLY WITH ANY NOTICE REQUIREMENTS CONTAINED IN A WRITTEN ELECTRIC EASEMENT HELD BY THE ELECTRIC UTILITY RELATED TO ENTERING THE REAL PROPERTY SUBJECT TO THE ELECTRIC EASEMENT OR COMMENCING ANY CONSTRUCTION OR INSTALLATION ON THE REAL PROPERTY.

(5) NOTHING IN THIS PART 6 REQUIRES AN ELECTRIC UTILITY TO COMPLY WITH SUBSECTION (2) OF THIS SECTION IN ORDER TO TAKE ANY ACTION OR EXERCISE ANY RIGHTS UNDER AN ELECTRIC EASEMENT THAT IS ALREADY PERMITTED WITHIN THE SCOPE OF THE ELECTRIC EASEMENT. UNLESS EXPRESSLY PROHIBITED BY THE TERMS OF AN ELECTRIC EASEMENT, AN ELECTRIC EASEMENT WILL BE DEEMED TO ALLOW AN ELECTRIC UTILITY TO INSTALL, MAINTAIN, OR OWN, OR PERMIT A THIRD PARTY TO INSTALL, MAINTAIN, OR OWN FOR BENEFICIAL USE BY THE ELECTRIC UTILITY, AN ATTACHED FACILITY IN THE ELECTRIC EASEMENT FOR USE IN CONNECTION WITH THE ELECTRIC UTILITY'S PROVISION OF ELECTRICITY.".

Page 6, strike lines 29 and 30 and substitute "CLAIM OR CAUSE OF ACTION BASED ON:

(I) PHYSICAL DAMAGE TO PROPERTY;

(II) INJURY TO NATURAL PERSONS; OR

(III) BREACH OF THE TERMS AND CONDITIONS OF A WRITTEN ELECTRIC".

Page 6, line 32, strike "(5)." and substitute "(4).".

Page 6, line 36, after "ACTION" insert "TO WHICH SUBSECTION (1)(a) OF THIS SECTION APPLIES".

Page 6, line 39, after "(2)" insert "ON BEHALF OF", and after the period add "NOTHING IN THIS SUBSECTION (2) PROHIBITS AN ELECTRIC UTILITY AND A COMMERCIAL BROADBAND SUPPLIER FROM CONTRACTING TO ALLOCATE LIABILITY FOR ACTIONS TAKEN UNDER SECTION 40-15-602 (2).".

Page 6, line 41, after "ACTION" insert "TO WHICH SUBSECTION (1)(a) OF THIS SECTION APPLIES".

Page 7, strike lines 2 and 3 and substitute "OF RIGHTS OR PERFORMANCE OF ACTIONS DESCRIBED IN SECTION 40-15-602 (1)(a) OR (1)(b), THE FOLLOWING APPLIES TO THE CLAIM OR CAUSE OF".

Page 7, line 5, strike "SUCH CLAIMS," and substitute "CLAIMS OR CAUSES OF ACTION TO WHICH SUBSECTION (1)(a) OF THIS SECTION APPLIES,".

Page 7, strike lines 29 through 41 and substitute "HOLDER. THE ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER SHALL PROMPTLY PROVIDE TO THE INTEREST HOLDER A COPY OF ANY APPRAISAL PERFORMED PURSUANT TO THIS SUBSECTION (3)(b).

(c) ANY DAMAGES FOR ANY CLAIMS OR CAUSES OF ACTION TO WHICH SUBSECTION (1)(a) OF THIS SECTION APPLIES:

(I) ARE LIMITED TO THOSE DAMAGES THAT EXISTED AT THE TIME THAT THE ELECTRIC UTILITY OR COMMERCIAL BROADBAND SUPPLIER FIRST EXERCISED THE RIGHTS OR PERFORMED THE ACTIONS; AND

(II) SHALL NOT BE DEEMED TO CONTINUE, ACCRUE, OR ACCUMULATE.".

Page 8, strike lines 1 and 2 and substitute:

"(d) WITH REGARD TO A CLAIM OR CAUSE OF ACTION TO WHICH SUBSECTION (1)(a) OF THIS SECTION APPLIES:

(I) EXCEPT FOR AN ELECTRIC UTILITY'S OR COMMERCIAL BROADBAND SUPPLIER'S FAILURE TO COMPLY WITH SECTION 40-15-602 (2), NEGLIGENCE, OR WILLFUL MISCONDUCT, OR".

Page 8, line 5, strike "(5)," and substitute "(4),".

Page 8, line 14, strike "GROSS".

Page 8, strike lines 16 through 18 and substitute:

"(4) BY ACCEPTING A DAMAGE AWARD FOR ANY CLAIM OR CAUSE OF ACTION TO WHICH SUBSECTION (1)(a) OF THIS SECTION APPLIES, AN INTEREST HOLDER SHALL BE DEEMED TO HAVE GRANTED AN INCREASE IN THE SCOPE OF THE ELECTRIC".

Page 8, line 20, strike "(5)," and substitute "(4),".

Page 8, strike lines 25 through 41 and substitute "FOR THE PROVISION OF COMMERCIAL BROADBAND SERVICE SHALL:

(a) NOT DISCRIMINATE AMONG COMMERCIAL BROADBAND SUPPLIERS, INCLUDING BROADBAND AFFILIATES, IN OFFERING OR GRANTING RIGHTS TO INSTALL OR ATTACH ANY ATTACHED FACILITIES; OR

(b) CHARGE FEES THAT ARE NONDISCRIMINATORY AMONG COMMERCIAL BROADBAND SUPPLIERS FOR A SUBSTANTIALLY SIMILAR LEASE OR USE OF THE CAPACITY OF ATTACHED FACILITIES OWNED OR CONTROLLED BY THE ELECTRIC UTILITY, BUT ONLY TO THE EXTENT AN ELECTRIC UTILITY CHOOSES, IN ITS SOLE DISCRETION, TO OFFER THE LEASE OR USE TO A PARTICULAR COMMERCIAL BROADBAND SUPPLIER.

(2) AN ELECTRIC UTILITY THAT HAS A BROADBAND AFFILIATE AND, IF APPLICABLE, THE BROADBAND AFFILIATE SHALL:

(a) CHARGE JUST AND REASONABLE ATTACHMENT FEES, INCLUDING RECURRING FEES, THAT ARE RELATED TO THE COSTS ASSOCIATED WITH SUCH ATTACHMENTS, SUCH AS A JUST AND REASONABLE SHARE OF THE CARRYING COSTS OF THE PER POLE INVESTMENT, INCLUDING ONGOING MAINTENANCE OF THE POLE BASED ON THE PORTION OF THE USABLE SPACE ON THE POLE OCCUPIED BY THE ATTACHMENT;".

Page 9, strike lines 1 through 6.

Page 9, line 8, strike "OR ELECTRIC SERVICE INFRASTRUCTURE" and substitute "AND SIMILAR SUPPORT STRUCTURES".

Page 9, strike lines 13 through 16 and substitute:

"(I) ON A JUST, REASONABLE, AND NONDISCRIMINATORY BASIS; AND".

Page 9, strike lines 23 through 28 and substitute:

"(c) CHARGE FEES THAT ARE NONDISCRIMINATORY AMONG COMMERCIAL BROADBAND SUPPLIERS FOR A SUBSTANTIALLY SIMILAR LEASE OR USE OF THE CAPACITY OF ATTACHED FACILITIES OWNED OR CONTROLLED BY THE ELECTRIC UTILITY OR BROADBAND AFFILIATE AND THAT ARE EQUAL TO OR LESS THAN THE FEES THAT THE ELECTRIC UTILITY CHARGES TO ITS BROADBAND AFFILIATES, BUT ONLY TO THE EXTENT AN ELECTRIC UTILITY OR BROADBAND AFFILIATE CHOOSES, IN ITS SOLE DISCRETION, TO OFFER THE LEASE OR USE TO A PARTICULAR COMMERCIAL BROADBAND SUPPLIER.".

Page 9, line 40, after "USE" insert "THE COMMERCIAL BROADBAND SUPPLIER'S".

Page 10, after line 12 insert:

"(5) AN ELECTRIC UTILITY SHALL NOT DIRECTLY PROVIDE RETAIL COMMERCIAL BROADBAND SERVICE BUT MAY CAUSE OR ALLOW A BROADBAND AFFILIATE TO OFFER RETAIL COMMERCIAL BROADBAND SERVICE. AS LONG AS AN ELECTRIC UTILITY MAINTAINS ITS EXCLUSIVE RIGHT TO PROVIDE ELECTRIC SERVICE TO CUSTOMERS WITHIN ITS EXCLUSIVE SERVICE TERRITORY, BOTH THE ELECTRIC UTILITY THAT HAS A BROADBAND AFFILIATE AND THE BROADBAND AFFILIATE SHALL:

(a) MAINTAIN OR CAUSE TO BE MAINTAINED AN ACCOUNTING SYSTEM FOR THE BROADBAND AFFILIATE SEPARATE FROM THE ELECTRIC UTILITY'S ACCOUNTING SYSTEM, USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES OR ANOTHER REASONABLE AND CUSTOMARY ALLOCATION METHOD;

(b) CAUSE A FINANCIAL AUDIT TO BE PERFORMED BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT, WITHIN TWO YEARS AFTER COMMENCEMENT OF COMMERCIAL OPERATION OF RETAIL COMMERCIAL BROADBAND SERVICE AND AT LEAST ONCE EVERY TWO YEARS THEREAFTER, WITH RESPECT TO THE BROADBAND AFFILIATE'S PROVISION OF COMMERCIAL BROADBAND SERVICE, INCLUDING AN AUDIT OF THE ALLOCATION OF COSTS FOR PROPERTY AND SERVICES THAT ARE USED IN BOTH THE PROVISION OF COMMERCIAL BROADBAND SERVICE AND THE ELECTRIC UTILITY'S PROVISION OF ELECTRIC SERVICE; AND

(c) (I) NOT CAUSE OR ALLOW THE ELECTRIC UTILITY TO USE ITS EXCLUSIVE RIGHT TO PROVIDE ELECTRIC SERVICES WITHIN ITS EXCLUSIVE TERRITORY TO CROSS-SUBSIDIZE THE BROADBAND AFFILIATE OR ITS PROVISION OF COMMERCIAL BROADBAND SERVICE, WHETHER BY DISCRIMINATORY OR BELOW FAIR MARKET VALUE PRICING; PAYMENT OF CAPITAL OR OPERATING COSTS PROPERLY CHARGED TO THE BROADBAND AFFILIATE UNDER APPLICABLE ACCOUNTING RULES; OR USE OF ANY REVENUE FROM OR SUBSIDY FOR THE PROVISION OF ELECTRIC SERVICE TO PROVIDE COMMERCIAL BROADBAND SERVICE BELOW MARKET VALUE, EXCEPT IN CONNECTION WITH THE ELECTRIC UTILITY'S PROVISION OF ELECTRICITY.

(II) NOTHING IN THIS SUBSECTION (5)(c) PROHIBITS AN ELECTRIC UTILITY FROM:

(A) ENTERING INTO A TRANSACTION WITH A BROADBAND AFFILIATE ON TERMS AND CONDITIONS SUBSTANTIALLY SIMILAR TO THOSE THAT WOULD BE AGREED TO BETWEEN TWO SIMILARLY SITUATED PARTIES IN AN ARM'S LENGTH COMMERCIAL TRANSACTION;

(B) PROVIDING REDUCED-COST COMMERCIAL BROADBAND SERVICE TO LOW-INCOME RETAIL CUSTOMERS; OR

(C) CONDUCTING AND FUNDING DUE DILIGENCE, OPERATIONAL ANALYSIS, ENTITY SET-UP, AND ASSOCIATED NONCAPITAL EXPENDITURES RELATING TO AND PRIOR TO THE ESTABLISHMENT OF A BROADBAND AFFILIATE.".

Renumber succeeding subsections accordingly.

Page 10, line 18, strike "THIS SECTION AND SECTION 40-15-602 (4)(b)." and substitute "THIS SECTION.".

Page 10, line 29, strike "(5);" and substitute "(6);".

Page 10, strike line 35 and substitute "SUBSECTION (5) OF THIS SECTION.".

Page 11, strike lines 30 through 32 and substitute:

"**38-5-103. Power of companies to contract.** (1) ~~Such~~ AN electric, ~~light power,~~ gas, or pipeline company or ~~such~~ A city, ~~or~~ town, ~~shall have power to~~ COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER LOCAL GOVERNMENT MAY contract with any person or corporation, the owner of any".

Page 11, strike line 34 and substitute "over or under which ~~the~~ A line of electric light wire, power, or pipeline is".

Page 11, line 36, strike "its" and substitute "~~its~~".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-227 by Senator(s) Pettersen and Gonzales; also Representative(s) Kennedy and Herod--Concerning the reduction of harm caused by substance use disorders, and, in connection therewith, authorizing schools to obtain a supply of opiate antagonists; specifying that a licensed or certified hospital may be used as a clean syringe exchange site; creating the opiate antagonist purchase fund; expanding the household medication take-back program in the department of public health and environment; requiring a person that makes an automated external defibrillator available to the public to also make an opiate antagonist available; requiring the department of human services to use mobile response units to provide medication-assisted treatment and opiate antagonist training; and prohibiting the office of behavior health in the department of human services from penalizing a facility that initiates into medication-assisted treatment an individual who does not have documentation verifying identification.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 12, pages 827-828 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, page 974 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Rankin.

Amend printed bill, page 12, line 11, strike "REQUIRED TO MAKE" and substitute "MAKING".

Page 14, line 7, strike "**Requirement to make**" and substitute "**Making**".

Page 14, line 10, strike "SHALL" and substitute "MAY".

Page 14, line 15, strike "REQUIRED TO MAKE" and substitute "MAKING".

Page 1, line 109, strike "**REQUIRING**" and substitute "**AUTHORIZING**".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1274 by Representative(s) Snyder; also Senator(s) Hisey--Concerning the ability of the boards of county commissioners to delegate to county administrative officials certain land use determinations affecting subdivision platting.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 17, page 899 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-235 by Senator(s) Fenberg and Danielson; also Representative(s) Esgar and Mullica--Concerning the transfer of electronic records by voter registration agencies in order to register voters.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 11, pages 768-769 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 974-975 and placed in members' bill files.)

Amendment No. 3(L.008), by Senator Danielson.

Amend the State, Veterans, & Military Affairs Committee Report, dated April 10, 2019, page 1, strike lines 1 through 4 and substitute:

"Amend printed bill, page 2, strike lines 5 through 7 and substitute "**department of revenue.** (1) (a) IN ADDITION TO THE REQUIREMENTS OF SECTION 1-2-213 FOR REGISTERED ELECTORS, THE DEPARTMENT OF REVENUE SHALL PROVIDE TO THE SECRETARY OF STATE, ON A SCHEDULE ESTABLISHED BY THE SECRETARY OF STATE, ELECTRONIC RECORDS CONTAINING THE FULL NAME, DATE OF BIRTH, RESIDENCE ADDRESS, DELIVERABLE MAILING ADDRESS IF DIFFERENT FROM THE RESIDENCE ADDRESS, COUNTY OF RESIDENCE, CITIZENSHIP INFORMATION FOR, AND AN ELECTRONIC COPY OF THE SIGNATURE OF EACH UNREGISTERED ELECTOR AND EACH PERSON ELIGIBLE TO PREREGISTER IN ACCORDANCE WITH SECTION 1-2-101 (2) WHO PROVIDES A DOCUMENT THAT DEMONSTRATES UNITED STATES CITIZENSHIP AND WHO APPLIES FOR THE ISSUANCE, RENEWAL, OR CORRECTION OF ANY TYPE OF DRIVER'S LICENSE OR IDENTIFICATION CARD PURSUANT TO PART 3 OF ARTICLE 2 OF TITLE 42; EXCEPT THAT THE DEPARTMENT OF STATE SHALL NOT USE THE RECORD OF AN INDIVIDUAL WHO APPLIES FOR OR RENEWS AN IDENTIFICATION DOCUMENT UNDER PART 5 OF ARTICLE 2 OF TITLE 42 OR THE RECORD OF A PERSON WHO IS A PROGRAM PARTICIPANT IN THE "ADDRESS CONFIDENTIALITY PROGRAM ACT", PART 21 OF ARTICLE 30 OF TITLE 24, FOR VOTER REGISTRATION PURPOSES.

(b) THE DEPARTMENT OF REVENUE SHALL CONTINUE TO OFFER ANY PERSON NOT REGISTERED TO VOTE PURSUANT TO SUBSECTION (2) OF THIS SECTION AN OPPORTUNITY TO REGISTER TO VOTE PURSUANT TO SECTION 1-2-213, UNLESS THEY HAVE PROVIDED DOCUMENTATION DEMONSTRATING A LACK OF UNITED STATES CITIZENSHIP.".

Page 3 of the bill, strike lines 1 through 11.

Page 3 of the bill, strike line 12 and substitute:

"(2) UPON RECEIVING AN ELECTRONIC RECORD FOR AN INDIVIDUAL WHO PROVIDED DOCUMENTATION THAT CONFIRMED HIS OR HER CITIZENSHIP AND CONTAINS THE MINIMUM INFORMATION TO REGISTER THE INDIVIDUAL TO VOTE, THE SECRETARY OF".

Page 3 of the bill, line 16, strike "IF".

Page 3 of the bill, strike lines 17 through 27.

Page 4 of the bill, strike line 1.

Page 4 of the bill, after line 16 insert:

"(4) IF THE RECORD IS NOT COMPLETE, THE COUNTY CLERK AND RECORDER SHALL SEND TO THE PERSON'S ADDRESS OF RECORD, BY NONFORWARDABLE MAIL, NOTICE THAT THE PERSON HAS NOT BEEN REGISTERED OR PREREGISTERED TO VOTE AND STATING THE ADDITIONAL INFORMATION REQUIRED TO REGISTER OR PREREGISTER. IF THE PERSON PROVIDES THE ADDITIONAL INFORMATION, THE PERSON IS REGISTERED OR PREREGISTERED TO VOTE EFFECTIVE AS OF THE DATE OF THE PERSON'S APPLICATION WITH THE DEPARTMENT OF REVENUE. IF THE PERSON DOES NOT PROVIDE THE ADDITIONAL INFORMATION NECESSARY TO MAKE HIS OR HER APPLICATION COMPLETE AND ACCURATE WITHIN TWENTY-FOUR MONTHS AFTER THE NOTIFICATION IS MAILED PURSUANT TO THIS SUBSECTION (4), THE PERSON'S REGISTRATION IS CANCELLED.".

Renumber succeeding subsections accordingly.

Page 5 of the bill, line 11, strike "(6)(a)(I)" and substitute "(7)(a)(I)".".

Page 1 of the report, after line 9 insert:

"Page 8 of the bill, line 24, strike "25.5-4-103 (13)." and substitute "25.5-4-103 (13); EXCEPT THAT THE DEPARTMENT OF STATE SHALL NOT USE THE RECORD OF A PERSON WHO IS A PROGRAM PARTICIPANT IN THE "ADDRESS CONFIDENTIALITY PROGRAM ACT", PART 21 OF ARTICLE 30 OF TITLE 24, FOR VOTER REGISTRATION PURPOSES.".".

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.)

On motion of Majority Leader Fenberg, 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 (HB19-1192, SB19-075, SB19-232, SB19-228, HB19-1210, SB19-188, SB19-225, HB19-1246, SB19-007 as amended, SB19-223) of Tuesday, April 23, was laid over until Wednesday, April 24, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1222 by Representative(s) Kipp and McCluskie; also Senator(s) Story--Concerning a grant program to reduce the amount of the international baccalaureate exam fee paid by students.

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1222 did pass.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **repeal** part 1 of article 95.5 of title 22.

SECTION 2. Appropriation - adjustments to 2019 long bill. To implement this act, the general fund appropriation made in the annual general appropriation act for the 2019-20 state fiscal year to the department of education for the advanced placement exam fee grant program is decreased by $560,583 and 0.4 FTE.

SECTION 3. Appropriation. For the 2019-20 state fiscal year, $560,583 is appropriated to the department of education. This appropriation is from the general fund. The department may use this appropriation for the state share of districts' total program funding.

SECTION 4. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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	17	EXCUSED	1	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	Y	Lundeen	Y	Sonnenberg	Y		

SB19-246 by Senator(s) Todd and Lundeen; also Representative(s) McLachlan and Wilson--Concerning the financing of public schools.

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 19-246 did pass.

Amend the Appropriations Committee Report, dated April 19, 2019, page 1, strike lines 5 through 7.

Page 2, line 18, strike "$20,000,000" and substitute "$25,000,000".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; --Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.019) to SB 19-236, did pass.

Amend printed bill, page 4, after line 27 insert:

"**SECTION 4.** In Colorado Revised Statutes, **amend** 40-1-101 as follows:

40-1-101. Public utilities law - legislative declaration. (1) Articles 1 to 7 of this ~~title shall be~~ TITLE 40 ARE known and may be cited as the "Public Utilities Law" and ~~shall~~ apply to the public utilities and public services described in ~~said~~ articles 1 to 7 and to the commission referred to in article 2 of this ~~title~~ TITLE 40.

(2) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE MISSION OF THE PUBLIC UTILITIES COMMISSION IS TO ENSURE THAT POWER IS GENERATED AND DISTRIBUTED AT THE LEAST COST TO CONSUMERS AND RATEPAYERS.".

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	18	EXCUSED	1	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.017) to SB 19-236, did pass.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 3, line 2, after the period add "AS USED IN THIS SECTION, "PUBLIC INTEREST" MEANS GENERATING AND DISTRIBUTING QUALITY POWER AT THE LEAST COST TO CONSUMERS AND RATEPAYERS.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Foote floor amendment, (L.012) to SB 19-236, did not pass.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 7, strike lines 19 through 37.

Strike page 8.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-242 by Senator(s) Garcia; --Concerning the creation of an emergency medical service provider license, and, in connection therewith, specifying that a certified emergency medical service provider may obtain a license from the department of public health and environment if the certified emergency medical service provider demonstrates to the department that the certified emergency medical service provider completed a four-year bachelor's degree program.

Senator Smallwood moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 19-242 did pass.

Amend printed bill, page 4, line 1, strike "UNIVERSITY." and substitute "UNIVERSITY IN A FIELD RELATED TO THE HEALTH SCIENCES OR AN EQUIVALENT FIELD, AS DETERMINED BY THE BOARD BY RULE.".

Page 4, line 8, strike "UNIVERSITY." and substitute "UNIVERSITY IN A FIELD RELATED TO THE HEALTH SCIENCES OR AN EQUIVALENT FIELD, AS DETERMINED BY THE BOARD BY RULE.".

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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; --Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Woodward floor amendment, (L.009) to SB 19-236, did pass.

Amend printed bill, page 3, line 3, before "(3)(b)" insert "(2) and".

Page 3, strike line 5 and substitute "**termination - repeal of part.** (2) ~~No more than two members of the public utilities commission shall be affiliated with the same political party~~ THE GOVERNOR SHALL APPOINT AT LEAST ONE COMMISSIONER WHO IS AFFILIATED WITH ONE OF THE TWO MAJOR POLITICAL PARTIES AND AT LEAST ONE COMMISSIONER WHO IS AFFILIATED WITH THE OTHER OF THE TWO MAJOR POLITICAL PARTIES, and any appointment to fill a vacancy ~~shall be~~ IS for the unexpired term. Each commissioner ~~shall~~ MUST be a qualified elector of this state. The

governor shall designate one member of the commission as chair of the commission. The commissioners shall devote their entire time to the duties of their office to the exclusion of any other employment and shall receive ~~such~~ compensation as is designated by law. A majority of the commission ~~shall constitute~~ CONSTITUTES a quorum for the transaction of its business.

(3) (b) (I) This part 1 is repealed, effective".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-235 by Senator(s) Fenberg and Danielson; also Representative(s) Esgar and Mullica--Concerning the transfer of electronic records by voter registration agencies in order to register voters.

Senator Lundeen moved to amend the Report of the Committee of the Whole to show that the following Lundeen floor amendment, (L.009) to SB 19-235, did pass.

Amend printed bill, page 12, after line 19, insert:

"(10) WHEN A PERSON APPLIES FOR A LICENSE FOR CONCEALED CARRY, THE COUNTY SHERIFF SHALL TRANSFER THE RECORD OF THAT PERSON TO THE SECRETARY OF STATE. THE SECRETARY OF STATE AND EACH COUNTY CLERK AND RECORDER SHALL PROCESS RECORDS RECEIVED FROM COUNTY SHERIFFS IN ACCORDANCE WITH 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	16	NO	18	EXCUSED	1	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; --Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Scott moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (L.015) to SB 19-236, did pass.

Amend the Transportation and Energy Committee Report, dated April 16, 2019, page 5, line 11, strike "AS SET FORTH" and substitute "ESTABLISHED BY THE COMMISSION BY RULE".

Page 5, line 27, strike "AS SET FORTH" and substitute ""ESTABLISHED BY THE COMMISSION BY RULE".

Page 6, strike lines 27 through 40 and substitute:

"(4) ON OR BEFORE SEPTEMBER 1, 2020, THE COMMISSION SHALL DETERMINE THE COST OF CARBON DIOXIDE EMISSIONS BY RULE, AFTER ENGAGING IN EXTENSIVE STAKEHOLDER OUTREACH INCLUDING REPRESENTATIVES OF REGULATED UTILITIES, ELECTRIC RATEPAYERS, AND OTHER INTERESTED GROUPS. THEREAFTER, THE COMMISSION MAY AMEND THE COST OF CARBON DIOXIDE EMISSIONS BY RULE AFTER ENGAGING IN A SIMILAR STAKEHOLDER OUTREACH.".

Page 7, strike lines 3 and 4 and substitute:

"(6) AS USED IN THIS SECTION, "BENEFICIAL ELECTRIFICATION" MEANS A UTILITY'S CHANGE IN".

Page 7, line 8, strike "(I)" and substitute "(a)".

Page 7, line 9, strike "(II)" and substitute "(b)".

Page 7, line 10, strike "(III)" and substitute "(c)".

Page 7, strike lines 12 through 16.

Strike "SET FORTH" and substitute "ESTABLISHED BY THE COMMISSION BY RULE"on: **Page 5,** line 36; and **Page 6,** lines 5, 8, and 16.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-015 as amended, SB19-108 as amended, SB19-240 as amended, SB19-199 as amended, SB19-246 as amended, SB19-066 as amended, SB19-236 as amended, SB19-242 as amended, SB19-222 as amended, SB19-040 as amended, SB19-158 as amended, SB19-204 as amended, SB19-198 as amended, SB19-186 as amended, SB19-107 as amended, SB19-227 as amended, SB19-235 as amended, HB19-1222 as amended, HB19-1003 as amended, HB19-1247, HB19-1026, HB19-1138 as amended, HB19-1147, HB19-1183 as amended, HB19-1288, HB19-1274 as amended.
Laid over until Wednesday, April 24: HB19-1192, SB19-075, SB19-232, SB19-228, HB19-1210, SB19-188, SB19-225, HB19-1246, SB19-007 as amended, SB19-223.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (HJR19-1012) of Tuesday, April 23, was laid over until Wednesday, April 24, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

Laid over until Wednesday, April 24, retaining its place on the calendar.

SB19-178 by Senator(s) Foote; also Representative(s) Singer--Concerning the subsidization of adoption for eligible children in Colorado, and, in connection therewith, making an appropriation.

Senator Foote moved that the Senate concur in House amendments to SB19-178, as printed in House journal, April 8, page 1041, and April 18, page 1301. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	E	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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

April 23, 2019

Mr. President:

The House has adopted and transmits herewith HJR19-1014, as printed in House Journal, April 19, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1176, 1314, amended as printed in House Journal, April 22, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1278, amended as printed in House Journal, April 19, 2019 and April 22, 2019, and amended on Third Reading as printed in House Journal, April 23, 2019.

The House has passed on Third Reading and returns herewith SB19-154, 164, 166, 167, 229.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-054, 137, amended as printed in House Journal, April 22, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 23, 2019

We herewith transmit:

Without comment, as amended, HB19-1176, 1278, and 1314.
Without comment, as amended, SB19-054 and 137.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SR19-012 by Senator(s) Moreno and Tate--Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 24, 2019.

Laid over one day under Senate Rule 30(c).

HJR19-1014 by Representative(s) Michaelson Jenet and McKean; also Senator(s) Ginal and Gardner--Concerning the declaration of April 28, 2019, through May 5, 2019, as "Holocaust Awareness Week".

Laid over until Thursday, April 25, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB19-1176 by Representative(s) Sirota and Jaquez Lewis, Benavidez, Singer; also Senator(s) Foote--Concerning the enactment of the "Health Care Cost Savings Act of 2019" that creates a task force to analyze health care financing systems in order to give the general assembly findings regarding the systems' costs of providing adequate health care to residents of the state, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1278 by Representative(s) Lontine; also Senator(s) Fenberg--Concerning modifications to miscellaneous provisions of the "Uniform Election Code of 1992", and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Tuesday, April 23, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-144 - Motorcyclists And Malfunctioning Traffic Signals
Approved Tuesday, April 23, 2019 at 2:55 o'clock P.M.

SB 19-091 - Support Peace Officers Involved In Use Of Force
Approved Tuesday, April 23, 2019 at 3:10 o'clock P.M.

SB 19-063 - Infant And Family Child Care Action Plan
Approved Tuesday, April 23, 2019 at 3:19 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

Appointment

A letter of designation and appointment from Governor Jared Polis was read and assigned to committee as follows:

April 18, 2019

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
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2023:

Leticia Martinez of Denver, Colorado, an Unaffiliated and resident of the First Congressional District, appointed;

John Montepare of Breckenridge, Colorado, an Unaffiliated a resident of the Second Congressional District and West of the Continental Divide, appointed;

David Cockrell of Pueblo, Colorado, an Unaffiliated and resident of the Third Congressional District, appointed;

Pamela Denahy of La Junta, Colorado, a Republican and resident of the Fourth Congressional District, appointed;

Mina Liebert of Colorado Springs, Colorado, an Unaffiliated and resident of the Fifth Congressional District, appointed;

Morris Jay Siegel of Boulder, Colorado, a Democrat and resident of the Second Congressional District, appointed;

Jahi Simbai of Wheatridge, Colorado, an Unaffiliated and resident of the Seventh Congressional District, appointed.

Sincerely,
(signed)
Jared Polis
Governor
Rec'd: 4/22/2019
Andrew Carpenter, Senate Reader

Committee on State, Veterans, & Military Affairs

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, April 24, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

111th Legislative Day Wednesday, April 24, 2019

Prayer — By the chaplain, Rabbi Fred Greene, Congregation Har HaShem, Boulder.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Excused--2, Cooke, Holbert.
Present later--2, Cooke, Holbert.

Quorum — The President announced a quorum present.

Pledge — By Senator Foote.

Reading of the Journal — On motion of Senator Ginal, reading of the Journal of Tuesday, April 23, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

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:

MEMBER OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2020:

Jamie Linell Harkins of Boulder, Colorado, and occasioned by the resignation of Hon. Cari Hermacinski of Steaboat Springs, Colorado, appointed.

Appro-priations — After consideration on the merits, the Committee recommends that **SB19-258** 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, before line 2 insert:

"**SECTION 1.** In Colorado Revised Statutes, 26-2-102.5, **add** (3) as follows:

26-2-102.5. Foster care - Title IV-E of the social security act - Title IV-E administrative costs cash fund - rules. (3) (a) THE STATE DEPARTMENT SHALL PURSUE CLAIMING TITLE IV-E ADMINISTRATIVE COSTS FOR INDEPENDENT LEGAL REPRESENTATION BY AN ATTORNEY FOR A CHILD WHO IS A CANDIDATE FOR TITLE IV-E FOSTER CARE OR WHO IS IN FOSTER CARE AND THE CHILD'S PARENT TO PREPARE FOR AND PARTICIPATE IN ALL STAGES OF FOSTER CARE LEGAL PROCEEDINGS. FEDERAL REIMBURSEMENT FOR THESE ADMINISTRATIVE COSTS MUST BE CREDITED TO THE TITLE IV-E ADMINISTRATIVE COST CASH FUND, CREATED IN SUBSECTION (3)(b) OF THIS SECTION.

(b) (I) THE TITLE IV-E ADMINISTRATIVE COST CASH FUND, REFERRED TO IN THIS SUBSECTION (3) AS THE "FUND", IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF FEDERAL TITLE IV-E REIMBURSEMENTS FOR ADMINISTRATIVE COSTS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION.

(II) THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE

FUND TO THE FUND.

(III) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE STATE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR PURPOSES ESTABLISHED BY RULE OF THE STATE BOARD. THE STATE BOARD SHALL WORK COLLABORATIVELY WITH THE STATE DEPARTMENT CONCERNING THE APPROVED PURPOSES AND ALLOCATION OF MONEY FROM THE FUND. APPROVED PURPOSES MAY INCLUDE BUT ARE NOT LIMITED TO ADVOCACY FOR HOMELESS AND AT-RISK YOUTH, EDUCATION ADVOCACY, AND ACTIVITIES AND ADVOCACY IN SPECIALTY COURTS THAT SERVE CHILDREN AND FAMILIES INVOLVED IN THE CHILD WELFARE SYSTEM.

(IV) THE STATE DEPARTMENT SHALL SUBMIT AS PART OF THE ANNUAL BUDGET PROCESS A REQUEST FOR SPENDING AUTHORITY FOR MONEY CREDITED TO THE FUND. THE REQUEST MUST INCLUDE A DESCRIPTION OF THE PURPOSE FOR THE SPENDING AUTHORITY, THE METHOD THROUGH WHICH THE ALLOCATION WAS DETERMINED, AND THE AGENCIES TO WHICH THE ALLOCATIONS ARE TO BE MADE.

(V) FEDERAL REIMBURSEMENTS RELATED TO ADMINISTRATIVE COSTS OF INDEPENDENT LEGAL REPRESENTATION INCURRED BY THE OFFICE OF THE CHILD'S REPRESENTATIVE AND THE OFFICE OF RESPONDENT PARENTS' COUNSEL MUST BE DISBURSED FROM THE CASH FUND TO THE AGENCIES AS INCURRED AND PURSUANT TO THE STATE DEPARTMENT'S MEMORANDUM OF UNDERSTANDING WITH THE AGENCIES.".

Renumber succeeding sections accordingly.

Page 2, strike line 3 and substitute "(9); and **add** (8.5) as follows:".

Page 2, strike line 6 and substitute "**cash fund created - rules - repeal.** (8.5) ON OR BEFORE JANUARY 2, 2020, ON BEHALF OF COUNTIES PARTICIPATING IN THE TITLE IV-E WAIVER DEMONSTRATION PROJECT, THE DEPARTMENT SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE A DETAILED PLAN FOR THE SUSTAINABILITY OF INTERVENTIONS DEFINED IN THE PERFORMANCE AGREEMENTS DEVELOPED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION. THE PLAN MUST INCLUDE INFORMATION CONCERNING EACH COUNTY THAT HAS AN ESTABLISHED PERFORMANCE AGREEMENT, THE FUNDING EACH COUNTY HAS RECEIVED DURING THE PERIOD OF THE PERFORMANCE AGREEMENT, THE TYPE OF INTERVENTIONS DEFINED IN EACH COUNTY PERFORMANCE AGREEMENT, THE NUMBER OF CHILDREN AND FAMILIES SERVED IN EACH COUNTY BY INTERVENTION TYPE, THE AMOUNT OF WAIVER FUNDING ALLOCATED TO EACH INTERVENTION BY EACH COUNTY, AND THE METHOD THROUGH WHICH THE COUNTY AND STATE DEPARTMENT WILL ADDRESS THE DECREASE IN FUNDING THAT WILL RESULT UPON THE REPEAL OF THIS SECTION.

(9) THIS SECTION IS REPEALED, EFFECTIVE".

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1122** 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 **HB19-1006** 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 **HB19-1120** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1216** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1233** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1239** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1250** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1261** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1269** 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 24, line 13, strike "$181,751" and substitute "$167,000".

Page 24, line 14, strike "$123,590" and substitute "$113,560".

Page 24, line 15, strike "$58,161" and substitute "$53,440".

Page 24, line 26, strike "$88,500" and substitute "$73,749" and strike "$60,180" and substitute "$50,150".

Page 24, line 27, strike "$28,320" and substitute "$23,599".

Page 25, line 5, strike "$181,750" and substitute "$167,001".

Page 25, line 13, strike "$88,500" and substitute "$73,751".

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1294** 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 **HB19-1133** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2019:

William John Clayton of Littleton, Colorado, to serve as a representative of law enforcement and as an Unaffiliated, and occasioned by the death of Kevin Scott Knierim of Englewood, Colorado, appointed.

for a term expiring July 1, 2022:

Jim Bensberg of Colorado Springs, Colorado, to serve as a public member and as a Republican, reappointed.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2022:

Sandra Jeanne Bowen of Idledale, Colorado, a Democrat, from the Second Congressional District to serve as a registered elector of the state, appointed.

Finance After consideration on the merits, the Committee recommends that **HB19-1088** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB19-1228** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB19-1174** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Judiciary Committee Report, dated April 15, 2019, page 1, strike lines 5 through 7 and substitute:

"Page 4 of the reengrossed bill, line 18, strike "ONE HUNDRED PERCENT OF THE MEDIAN" and substitute "THE SIXTIETH PERCENTILE OF THE".

Page 4 of the bill, line 20, strike "AS DETERMINED BASED ON" and substitute "BASED ON COMMERCIAL".".

Page 4 of the report, strike lines 6 through 8 and substitute:

"Page 18 of the bill, line 12, strike "ONE HUNDRED PERCENT OF THE MEDIAN" and substitute "THE SIXTIETH PERCENTILE OF THE".

Page 18 of the bill, line 14, strike "AS DETERMINED BASED ON" and substitute "BASED ON COMMERCIAL".".

Page 4 of the report, after line 10 insert:

"Page 19 of the reengrossed bill, after line 2 insert:

"(6) THIS SECTION DOES NOT APPLY WHEN A COVERED PERSON VOLUNTARILY USES AN OUT-OF-NETWORK PROVIDER.".".

Finance After consideration on the merits, the Committee recommends that **HB19-1013** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB19-255** 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 **SB19-233** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB19-1258** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB19-1257** be referred to the Committee of the Whole with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB19-1255** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **HB19-1260** be referred to the Committee of the Whole with favorable recommendation.

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **HB19-1265** 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 & Energy

After consideration on the merits, the Committee recommends that **HB19-1272** be referred to the Committee of the Whole with favorable recommendation.

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **HB19-1231** 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 "OR INSTALLED".

Page 12, line 22, strike "SALE, INSTALLATION," and substitute "SALE".

Page 19, line 20, strike "RENTAL, OR INSTALLATION" and substitute "OR RENTAL".

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **SB19-239** 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 11, strike "ROADS;" and substitute "ROADS, PRESENTS OPPORTUNITIES FOR INCREASED EFFICIENCY, AND REQUIRES THOROUGH REVIEW;".

Page 4, line 2, after "OF" insert "NEW TRANSPORTATION TECHNOLOGIES INCLUDING".

Page 4, line 25, strike the second "AND".

Page 4, after line 25 insert:

"(II) EXAMINING THE IMPACTS OF TRADITIONAL AND NONTRADITIONAL DELIVERY METHODS AND INCREASED HOME DELIVERY OF GOODS; AND".

Renumber succeeding subparagraph.

Page 5, line 2, strike "FEES THAT CAN" and substitute "WHETHER FEES SHOULD".

Page 5, strike lines 3 and 4 and substitute "USED FOR COMMERCIAL PURPOSES; AND".

Page 6, strike lines 10 and 11.

Renumber succeeding subparagraphs accordingly.

Page 6, line 13, strike "AND".

Page 6, line 14, after "REVENUE;" insert "AND
(IV) THE CHIEF OF THE COLORADO STATE PATROL OR THE CHIEF'S DESIGNEE.".

Page 6, strike line 25.

Reletter succeeding paragraphs accordingly.

Page 7, line 11, strike "TRUCKING INDUSTRY;" and substitute "FREIGHT ADVISORY COUNCIL;".

Page 7, line 15, strike "CONSTRUCTION" and substitute "ENGINEERING".

Page 7, line 21, strike "AND".

Page 7, strike line 22 and substitute:
(XII) A REPRESENTATIVE OF AUTONOMOUS VEHICLE MANUFACTURERS; AND
(XIII) A REPRESENTATIVE OF AUTONOMOUS VEHICLE TECHNOLOGY COMPANIES.".

Page 8, strike lines 15 and 16.

Renumber succeeding subparagraphs accordingly.

Page 8, line 17, strike "SUCH".

Page 9, line 2, strike "INCREASED".

Page 9, strike lines 4 and 5 and substitute:
"(IV) EXAMINATION OF REPEALING THE REQUIREMENT OF SECTION".

Page 9, strike lines 9 through 11 and substitute "40-10.1-602 (4) IS MEDICALLY FIT TO DRIVE; AND".

Page 9, line 27, strike "COMMERCIAL".

Page 10, strike lines 1 and 2 and substitute "MOTOR VEHICLES USED FOR COMMERCIAL".

SENATE SERVICES REPORT

Correctly Printed: SR19-012.
Correctly Engrossed: SB19-008, 015, 020, 040, 066, 073, 107, 108, 158, 177, 186, 193, 195, 198, 199, 204, 222, 227, 235, 236, 240, 242, 245, and 246.
Correctly Reengrossed: SB19-218.
Correctly Revised: HB19-1003, 1026, 1138, 1147, 1160, 1183, 1222, 1247, 1267, 1274, and 1288.

On motion of Majority Leader Fenberg, 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

SR19-012 by Senator(s) Moreno and Tate--Concerning the "Colorado Day of Remembrance of the Armenian Genocide" on April 24, 2019.

On motion of Senator Moreno, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Todd, Williams A., Winter, Woodward, and Zenzinger.

Senate in recess. Senate reconvened.

HJR19-1012 by Representative(s) Valdez D.; also Senator(s) Garcia--Concerning the designation of Colorado State Highway 115 between Mile Markers 7 and 10.34 through the city of Florence as the "SFC Ray Adam Archuletta Memorial Highway".

On motion of President Garcia, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, 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:

HB19-1267 by Representative(s) Singer and Froelich, Buckner, Esgar, Galindo, Gonzales-Gutierrez, Hooton, Jackson, Melton, Michaelson Jenet, Mullica, Sirota, Sullivan, Jaquez Lewis; also Senator(s) Danielson and Rodriguez, Gonzales--Concerning criminal offenses for failure to pay wages, and, in connection therewith, implementing recommendations from the Colorado human trafficking council.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Ginal, Lee, Moreno, Pettersen, Priola, Story, Tate, Williams A., and Winter.

SB19-245 by Senator(s) Gonzales; also Representative(s) Tipper--Concerning granting the department of human services rule-making authority to amend the length of time permitted to satisfy administrative appeal requirements for the food stamp program in order to comply with federal 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB19-008 by Senator(s) Priola and Pettersen; also Representative(s) Kennedy and Singer--Concerning treatment of individuals with substance use disorders who come into contact with the criminal justice 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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fenberg, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Rodriguez, Story, Tate, Todd, Williams A., and Winter.

HB19-1160 by Representative(s) Landgraf and Singer, Pelton, Bockenfeld, Larson, Wilson, McKean, Catlin, Gonzales-Gutierrez, Mullica; also Senator(s) Lee and Gardner--Concerning a mental health facility pilot 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Donovan, Fields, Foote, Garcia, Ginal, Gonzales, Hisey, Lundeen, Moreno, Pettersen, Priola, Sonnenberg, Story, Tate, Todd, Williams A., and Woodward.

SB19-020 by Senator(s) Coram and Fields, Cooke, Marble; also Representative(s) McLachlan, Hooton--Concerning development of a system to patrol the airspace above wildland fires, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Danielson, Donovan, Fenberg, Garcia, Gardner, Ginal, Gonzales, Hisey, Lundeen, Moreno, Priola, Rankin, Scott, Story, Tate, Todd, Williams A., Winter, and Woodward.

SB19-073 by Senator(s) Ginal, Court; also Representative(s) Landgraf and Roberts--Concerning a statewide system of advance medical directives, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fields, Garcia, Lee, Moreno, Pettersen, Priola, Story, Tate, and Todd.

SB19-177 by Senator(s) Ginal and Hisey; also Representative(s) Singer--Concerning matters related to background checks for persons who have contact with children.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Danielson, Fields, Lee, Priola, Story, Tate, Todd, Williams A., Winter, and Woodward.

SB19-193 by Senator(s) Ginal and Lee, Gardner; also Representative(s) Tipper--Concerning the continuation of the "Colorado Medical Practice Act", and, in connection therewith, continuing the Colorado medical board, eliminating the sixty-day limit on the pro bono license, repealing the requirement that a letter of admonition be sent to licensees by certified mail, and updating language and making technical amendments.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno, Pettersen, Priola, Tate, and Woodward.

SB19-195 by Senator(s) Fields and Gardner; also Representative(s) Kraft-Tharp and Landgraf--Concerning enhancements to behavioral health services and policy coordination for children and youth, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Garcia, Lee, Moreno, Pettersen, Priola, 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:

HB19-1222 by Representative(s) Kipp and McCluskie; also Senator(s) Story--Concerning a grant program to reduce the amount of the international baccalaureate exam fee paid by students.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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, Gonzales, Moreno, Pettersen, Rodriguez, Todd, and Winter.

SB19-015 by Senator(s) Ginal; also Representative(s) Beckman--Concerning the creation of the statewide health care review committee to study health care issues that affect Colorado residents throughout the state, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB19-108 by Senator(s) Lee and Gardner; also Representative(s) Michaelson Jenet and Soper--Concerning changes to improve outcomes for youth in the juvenile justice 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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Garcia, Gonzales, Hisey, Holbert, Lundeen, Moreno, Priola, Sonnenberg, Tate, Todd, and Winter.

HB19-1003 by Representative(s) Hansen and Valdez A.; also Senator(s) Foote and Story--Concerning community solar gardens.

A majority of those elected to the Senate having voted in the affirmative, Senator Foote was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.026), by Senator Foote.

Amend revised bill, page 4, strike lines 10 through 13 and substitute:

"(b) FOLLOWING THE DEVELOPMENT OR ACQUISITION BY A QUALIFYING RETAIL UTILITY OF A COMMUNITY SOLAR GARDEN IN WHICH THE QUALIFYING RETAIL UTILITY RETAINS OWNERSHIP, THE QUALIFYING RETAIL UTILITY SHALL EITHER USE ITS OWN EMPLOYEES TO OPERATE AND MAINTAIN THE COMMUNITY SOLAR GARDEN OR CONTRACT FOR OPERATION AND MAINTENANCE OF THE COMMUNITY SOLAR GARDEN BY A CONTRACTOR WHOSE EMPLOYEES HAVE ACCESS TO AN APPRENTICESHIP PROGRAM REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR'S OFFICE OF APPRENTICESHIP AND TRAINING OR WITH A STATE APPRENTICESHIP COUNCIL RECOGNIZED BY THAT OFFICE; EXCEPT THAT THIS APPRENTICESHIP REQUIREMENT DOES NOT APPLY TO:

(I) THE DESIGN, PLANNING, OR ENGINEERING OF THE INFRASTRUCTURE;

(II) MANAGEMENT FUNCTIONS TO OPERATE THE INFRASTRUCTURE; OR

(III) ANY WORK INCLUDED IN A WARRANTY.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Lee, Moreno, Pettersen, Rodriguez, Todd, and Winter.

SB19-240 by Senator(s) Marble and Fenberg; also Representative(s) McLachlan and Saine, Arndt--Concerning the regulation of commercial products containing industrial hemp.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales and Woodward.

HB19-1247 by Representative(s) Valdez D. and Catlin; also Senator(s) Donovan and Coram--Concerning a study by the commissioner of agriculture on the potential applications for blockchain technology in agricultural operations.

A majority of those elected to the Senate having voted in the affirmative, Senator Sonnenberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.007), by Senator Sonnenberg.

Amend revised bill, page 2, line 24, after "(2)" insert "(a)".

Page 3, after line 3 insert:

"(b) THE ADVISORY GROUP MAY USE PRIVATE DATA FURNISHED

ON A VOLUNTARY BASIS AS PART OF ITS STUDY, BUT THE PROVISION OF DATA SHALL NOT BE REQUIRED OF ANY PERSON. ANY PRIVATE DATA USED BY THE ADVISORY GROUP REMAINS THE PROPERTY OF THE PERSON WHO PROVIDED IT, AND THE COMMISSIONER OF AGRICULTURE SHALL ENSURE THAT THE DATA REMAINS SECURE IN DATABASES MAINTAINED BY THE DEPARTMENT OF AGRICULTURE AND IS NOT SHARED OR DISSEMINATED WITHOUT THE EXPRESS, WRITTEN PERMISSION OF THE OWNER OF THE DATA.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Sonnenberg.

SB19-199 by Senator(s) Todd and Rankin; also Representative(s) McCluskie and Wilson--Concerning measures to support effective implementation of the "Colorado Reading to Ensure Academic Development Act" for all students who receive services pursuant to READ 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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Williams A., Winter, Woodward, and Zenzinger.

SB19-246 by Senator(s) Todd and Lundeen; also Representative(s) McLachlan and Wilson--Concerning the financing of public schools, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Fields, Foote, Gardner, Ginal, Gonzales, Hill, Hisey, Lee, Marble, Moreno, Pettersen, Rodriguez, Sonnenberg, Story, Tate, Williams A., Winter, Woodward, and Zenzinger.

SB19-066 by Senator(s) Todd; also Representative(s) Buentello--Concerning high-cost special education grants awarded from a trust fund established for that purpose.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Moreno, Pettersen, Rankin, Scott, Sonnenberg, Story, Tate, Williams A., Winter, and Zenzinger.

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; also Representative(s) Hansen and Becker--Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by 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	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Ginal, Gonzales, Moreno, Pettersen, and Rodriguez.

SB19-242 by Senator(s) Garcia; also Representative(s) Kennedy--Concerning the creation of an emergency medical service provider license, and, in connection therewith, specifying that a certified emergency medical service provider may obtain a license from the department of public health and environment if the certified emergency medical service provider demonstrates to the department that the certified emergency medical service provider completed a four-year bachelor's degree 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Donovan, Fields, Gardner, Ginal, Gonzales, Hisey, Marble, Moreno, Priola, Rankin, Smallwood, Sonnenberg, Tate, Todd, and Winter.

HB19-1138 by Representative(s) Williams D. and Melton, Humphrey; also Senator(s) Williams A. and Priola--Concerning the credit an owner of a vehicle may receive for fees paid to register a motor vehicle when the vehicle is sold before the registration expires, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Marble, Moreno, Sonnenberg, Tate, Todd, Winter, and Woodward.

HB19-1147 by Representative(s) Snyder, Esgar, Caraveo, Exum, Michaelson Jenet, Mullica; also Senator(s) Lee and Crowder--Concerning revisions to the traumatic brain injury 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Ginal, Gonzales, Priola, Tate, and Winter.

HB19-1183 by Representative(s) Roberts; also Senator(s) Bridges--Concerning the placement of automated external defibrillators in public places, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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, Ginal, Gonzales, Lee, Story, Todd, and Winter.

SB19-222 by Senator(s) Lee and Story, Bridges, Gonzales, Hisey, Rankin, Winter; also Representative(s) Esgar and Landgraf, Herod, Larson, Liston, Pelton, Rich, Roberts, Sandridge, Soper, Will, Wilson--Concerning the improvement of access to behavioral health services for individuals at risk of institutionalization, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Danielson, Fenberg, Fields, Garcia, Ginal, Moreno, Pettersen, Tate, Todd, and Woodward.

SB19-158 by Senator(s) Ginal; also Representative(s) Froelich--Concerning the continuation of the "Pet Animal Care and Facilities Act", and, in connection therewith, implementing some of the recommendations contained in the 2018 sunset report by 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	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Winter.

SB19-204 by Senator(s) Story, Todd, Danielson, Gonzales, Rodriguez; also Representative(s) Arndt and Bird, Cutter, Froelich, Kipp--Concerning implementation of supplemental accountability systems by local education providers for measuring public school performance, and, in connection therewith, creating the local accountability system grant program 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fields, Ginal, Moreno, Pettersen, Sonnenberg, and Tate.

SB19-186 by Senator(s) Donovan and Coram; also Representative(s) Arndt and Catlin--Concerning the expansion of agricultural chemical management plans to protect surface 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	25	NO	10	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Pettersen.

SB19-107 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the installation of broadband internet service 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Fields, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, and Todd.

RECONSIDERATION OF SB19-107

SB19-107 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the installation of broadband internet service infrastructure.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB19-107.

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:

SB19-107 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the installation of broadband internet service infrastructure.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Foote, Garcia, Gardner, Hisey, Holbert, Marble, Rankin, Sonnenberg, and Williams A.

SB19-227 by Senator(s) Pettersen and Gonzales; also Representative(s) Kennedy and Herod--Concerning the reduction of harm caused by substance use disorders, and, in connection therewith, authorizing schools to obtain a supply of opiate antagonists; specifying that a licensed or certified hospital may be used as a clean syringe exchange site; creating the opiate antagonist purchase fund; expanding the household medication take-back program in the department of public health and environment; authorizing a person that makes an automated external defibrillator available to the public to also make an opiate antagonist available; requiring the department of human services to create a policy concerning the identification of certain individuals with a substance use disorder, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Garcia, Ginal, Lee, Moreno, Priola, Rodriguez, Story, and Todd.

SB19-235 by Senator(s) Fenberg and Danielson; also Representative(s) Esgar and Mullica--Concerning the transfer of electronic records by voter registration agencies in order to register voters, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Donovan, Fields, Garcia, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Todd, and Winter.

RECONSIDERATION OF SB19-235

SB19-235 by Senator(s) Fenberg and Danielson; also Representative(s) Esgar and Mullica--Concerning the transfer of electronic records by voter registration agencies in order to register voters, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB19-235.

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:

SB19-235 by Senator(s) Fenberg and Danielson; also Representative(s) Esgar and Mullica--Concerning the transfer of electronic records by voter registration agencies in order to register voters, and, in connection therewith, making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court.

SB19-040 by Senator(s) Hisey and Fields; also Representative(s) Carver and Roberts--Concerning the establishment of the Colorado fire commission, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Hisey was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Hisey.

Amend engrossed bill, page 4, line 13, strike "MEMBER".

Page 4, line 16, strike "MEMBER".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Bridges, Coram, Crowder, Danielson, Donovan, Garcia, Gardner, Ginal, Gonzales, Lundeen, Marble, Pettersen, Rankin, Story, Tate, Todd, Williams A., Winter, and Woodward.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills Calendar (HB19-1026, HB19-1288, SB19-198, HB19-1274) of Wednesday, April 24, was laid over until later in the day, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

HB19-1290 by Representative(s) Arndt; also Senator(s) Priola--Concerning the substitution of foreign work experience for the required contact hours by an applicant for examination pursuant to the "Barber and Cosmetologist Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1291 by Representative(s) Arndt; also Senator(s) Williams A. and Tate--Concerning the supervision of insurers, and, in connection therewith, establishing certain disclosure requirements for insurers.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1051 by Representative(s) Carver and McLachlan; also Senator(s) Gardner and Ginal--Concerning human trafficking prevention training by the department of public safety, and in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 22, page 999 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1307 by Representative(s) Kraft-Tharp and Larson; also Senator(s) Lee and Gardner--Concerning the clarification that the disclosure of a report of the mistreatment or self-neglect of an at-risk adult shall only be made to the at-risk adult who is the subject of the report.

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1290, HB19-1291, HB19-1051 as amended, HB19-1307.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

SB19-075 by Senator(s) Donovan; also Representative(s) Buentello--Concerning the display of the Colorado constitution in the state capitol building.

Laid over until Monday, July 1.

SB19-232 by Senator(s) Foote; also Representative(s) Weissman--Concerning the codification of the rules of the secretary of state addressing the procedures for the enforcement of state laws governing campaign finance.

Amendment No. 1(L.005), by Senator Foote.

Amend printed bill, page 2, line 6, strike "**audits**" and substitute "**document review**".

Page 7, line 23, strike "DEMAND" and substitute "REQUEST".

Page 7, line 24, after "ARE" insert "BELIEVED TO BE".

Page 7, strike lines 26 and 27 and substitute "AND MATERIALITY IN WRITING.".

Page 8, strike lines 1 through 4 and substitute "NOTWITHSTANDING ANY OTHER".

Page 8, after line 15 insert:

"(III) IF THE DIVISION RECEIVES A PERSON'S MEMBERSHIP LIST OR DONOR LIST DURING THE COURSE OF THE DIVISION'S INITIAL REVIEW UNDER SUBSECTION (3) OF THIS SECTION, INVESTIGATION UNDER THIS SUBSECTION (5), OR THE CURE PROCESS, INCLUDING THE DETERMINATION OF SUBSTANTIAL COMPLIANCE, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, THE DIVISION SHALL NOT DISCLOSE SUCH LIST OR THE IDENTITY OF ANY MEMBER OR DONOR TO ANY PERSON. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY SUCH MEMBERSHIP OR DONOR LIST IS NOT A PUBLIC RECORD SUBJECT TO INSPECTION, COPYING, OR ANY OTHER FORM OF REPRODUCTION UNDER PART 2 OF ARTICLE 72 OF TITLE 24.".

Page 8, line 16, strike "(III)" and substitute "(IV)".

Page 8, line 26, strike "(5)(a)(III)" and substitute "(5)(a)(IV)".

Page 9, line 5, strike "(IV)" and substitute "(V)".

Page 10, line 10, strike "**Audit by division.**" and substitute "**Document review.**".

Page 10, line 11, strike "AUDIT" and substitute "REVIEW".

Page 10, strike lines 13 and 14 and substitute "XXVIII, THIS ARTICLE 45, OR THE RULES.".

Page 10, line 15, strike "AUDIT OR".

Page 10, line 27, strike "AUDIT OR".

Page 11, line 3, strike ""AUDIT"" and substitute ""REVIEW"".

Page 11, line 4, strike "AND REVIEW".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-223 by Senator(s) Lee and Gardner; also Representative(s) Weissman and Landgraf--
Concerning actions related to competency to proceed.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 15, pages 834-836 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 975-977 and placed in members' bill files.)

Amendment No. 3(J.005), by Senator Lee.

Amend the Appropriations Committee Report dated April 19, 2019, page 2, after line 30 insert:

1 **"SECTION 22. Appropriation to the department of human services for the fiscal year beginning July 1, 2018.** In Session Laws of Colorado 2018, section 2 of chapter

2 424, (HB 18-1322), **amend** Part VII (8)(D), footnote 50a, and the affected totals, as the affected totals are amended by section 1 of SB19-114 and section 11 SB19-207, as follows:

3 Section 2. **Appropriation.**

4 **PART VII**

5 **DEPARTMENT OF HUMAN SERVICES**

6 **(8) OFFICE OF BEHAVIORAL HEALTH**

7 **(D) Integrated Behavioral Health Services**

8 Behavioral Health Crisis			
9 Response System Services	27,893,709	23,506,902	4,386,807[a]
10 Behavioral Health Crisis			
11 Response System Telephone			
12 Hotline	3,068,291	3,068,291	
13 Behavioral Health Crisis			
14 Response System Public			
15 Information Campaign	600,000	600,000	
16 Community Transition			
17 Services	~~4,350,523~~	~~4,350,523~~	
18	2,200,523	2,200,523	
19 Criminal Justice Diversion			
20 Programs	5,561,828		5,561,828[a]

				(1.3 FTE)		
Jail-based Behavioral Health Services	5,297,610				5,297,610[b]	
Community-based Circle Program	1,993,511			1,993,511[a]		
Rural Co-occurring Disorder Services[50,50a]	~~4,045,884~~		~~3,000,000~~	1,045,884[a]		
	2,670,884		1,625,000			
Medication Consistency and Health Information Exchange[51]	491,700			491,700[a]		
	~~53,303,056~~					
	49,778,056					
TOTALS PART VII (HUMAN SERVICES)		~~$2,162,187,694~~	~~$949,550,231~~	$417,396,954[a]	$190,954,685[b]	$604,285,824[c]

[a] These amounts shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

[b] This amount shall be transferred from the Judicial Department, Probation and Related Services, from the Offender Treatment and Services line item appropriation.

	$2,158,662,694	$946,025,231				

[a] Of this amount, $138,512,243 contains an (L) notation and $286,510,386 contains an (I) notation and are included for informational purposes only.

[b] Of this amount, $1,340,200 contains an (I) notation and is included for informational purposes only.

[c] Of this amount, $279,781,173 contains an (I) notation and is included for informational purposes only.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

50a Department of Human Services, Office of Behavioral Health, Integrated Behavioral Health Services, Rural Co-occurring Disorder Services -- It is the General Assembly's intent that of this appropriation ~~$3,000,000~~ $1,625,000 General Fund be used to expand residential treatment services in one or more rural areas of Colorado for individuals with co-occurring mental health and substance use disorders. It is also the General Assembly's intent that this appropriation be used to cover initial expenses necessary to establish, license, and begin operating one or more programs that provide these services, such as building renovations, furnishing, and equipment.

SECTION 23. Appropriation to the department of human services for the fiscal year beginning July 1, 2018. In Session Laws of Colorado 2018, **amend** section 4 of chapter 403, (SB 18-250), as follows:

Section 4. **Appropriation.** For the 2018-19 state fiscal year, ~~$2,564,603~~ $1,564,603 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund and is based on an assumption that the office will require an additional 1.8 FTE. To implement this act, the office may use this appropriation as follows:

Community behavioral health administration
Personal services $122,117 (1.8 FTE)
Operating expenses $15,819
Integrated behavioral health services
Jail-based behavioral health services ~~$2,426,667~~ $1,426,667".

Renumber succeeding section accordingly.

Page 4 of the Committee Report, line 13, after "**MAKING**" insert "**AND REDUCING**".

Amendment No. 4(L.005), by Senator Lee.

Amend the Judiciary Committee Report, dated April 12, 2019, page 1, strike line 6 and substitute:
"Page 7, line 15, strike "(6)" and substitute "(6), (7), and (8)".".

Page 2 of the committee report, strike line 17 and substitute:

"(7) EACH COURT SHALL ALLOW FOR ANY COMPETENCY EVALUATION CONDUCTED PURSUANT TO THE PROVISIONS OF SECTION 16-8.5-105 OR 16-8.5-106 TO BE SUBMITTED TO THE COURT THROUGH ELECTRONIC MEANS.

(8) A COMPETENCY EVALUATOR IS NOT LIABLE FOR DAMAGES IN".".

Page 4 of the committee report, after line 10 insert:
"Page 29, line 16, strike "CLINICAL".

Page 29, line 22, strike "PSYCHIATRISTS" and substitute "PSYCHIATRISTS, ONE OF WHOM MUST BE A FORENSIC PSYCHIATRIST,".

Page 29, strike lines 24 through 26 and substitute:

"(b) TWO STATE-LICENSED FORENSIC CLINICIANS, ONE OF WHOM MUST BE A FORENSIC PSYCHIATRIST CURRENTLY ABLE TO PRACTICE MEDICINE IN THE STATE AND ONE OF WHOM MUST BE A FORENSIC PSYCHOLOGIST LICENSED IN THE STATE, BOTH OF WHOM MUST BE EMPLOYED BY THE DEPARTMENT;".".

Page 4 of the committee report, after line 11 insert:
"Page 30, line 25, strike "EVALUATORS." and substitute "EVALUATORS; EXCEPT THAT COMPETENCY EVALUATORS WHO ARE FORENSIC PSYCHIATRISTS CERTIFIED OR CERTIFICATION-ELIGIBLE BY THE AMERICAN BOARD OF PSYCHIATRY AND NEUROLOGY AND FORENSIC PSYCHOLOGISTS WHO ARE CERTIFIED OR CERTIFICATION-ELIGIBLE BY THE AMERICAN BOARD OF FORENSIC PSYCHOLOGY MAY BE EXEMPT FROM ANY TRAINING REQUIREMENTS AS OUTLINED IN THIS SECTION THROUGH AN EXEMPTION PROCESS TO BE DEVELOPED BY THE DEPARTMENT.".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-228 by Senator(s) Winter and Moreno; also Representative(s) Buentello and Singer--Concerning measures to prevent substance abuse, and, in connection therewith, requiring certain prescribers to complete substance use disorder training; prohibiting physicians and physician assistants from accepting benefits for prescribing specific medications; requiring opioid prescriptions to bear warning labels; allowing medical examiners access to the prescription drug monitoring program; providing funding to address opioid and substance use disorders through public health interventions in local communities; requiring state departments to report receipt and eligibility for federal funds for HIV and hepatitis testing; requiring the office of behavioral health in the department of human services to administer grant programs; requiring the center for research into substance use disorder prevention, treatment, and recovery support strategies to develop and implement a program to increase public awareness concerning the safe use, storage, and disposal of antagonist drugs, to conduct a needs assessment among mothers and pregnant women, and to implement a grant program; and requiring the office of behavioral health in the department of human services to administer a child and maternal health pilot program.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 12, pages 828-829 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 19, pages 978-980 and placed in members' bill files.)

Amendment No. 3(L.017), by Senator Winter.

Amend printed bill, page 4, after line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, **amend** 10-16-143.5 as follows:

10-16-143.5. Pharmacy reimbursement - substance use disorders - injections - patient counseling. (1) If a pharmacy has entered into a collaborative pharmacy practice agreement with one or more physicians pursuant to section 12-42.5-602 to administer injectable antagonist medication for medication-assisted treatment for substance use disorders, the pharmacy administering the drug shall receive an enhanced dispensing fee.

(2) IF A PHARMACY DISPENSES AN OPIOID THAT IS A SCHEDULE II OR SCHEDULE III DRUG PURSUANT TO SECTION 18-18-204 OR 18-18-205 TO A PATIENT WHO HAS NOT PREVIOUSLY RECEIVED AN OPIOID PRESCRIPTION AND THE PHARMACY PROVIDES COUNSELING CONCERNING THE RISK OF OPIOIDS TO THE PATIENT, THE DISPENSING PHARMACY SHALL RECEIVE AN ENHANCED DISPENSING FEE.".

Renumber succeeding sections accordingly.

Page 34, line 3, strike "16 through 23" and substitute "17 through 24".

Page 34, lines 4 and 5, strike "16 through 23" and substitute "17 through 24".

Amendment No. 4(L.020), by Senator Moreno.

Amend printed bill, page 8, strike lines 19 through 26 and substitute:

"**SECTION 7.** In Colorado Revised Statutes, 12-42.5-121, **add** (3) as follows:

12-42.5-121. Labeling - rules. (3) THE BOARD SHALL PROMULGATE RULES CONCERNING THE LABELING REQUIREMENTS FOR A PRESCRIPTION DRUG THAT IS DISPENSED TO A PATIENT FOR OUTPATIENT USE AND CONTAINS AN OPIOID, EXCEPT FOR AN OPIOID PRESCRIBED FOR TREATMENT OF A SUBSTANCE USE DISORDER OR THAT IS A PARTIAL OPIOID ANTAGONIST, WHICH RULES MUST INCLUDE A WARNING TO INDICATE RISKS SUCH AS OVERDOSE AND ADDICTION.".

Page 33, strike lines 5 through 12 and substitute:

"**SECTION 22.** In Colorado Revised Statutes, 12-280-124, **add as relocated by House Bill 19-1172** (3) as follows:

12-280-124. Labeling - rules. (3) THE BOARD SHALL PROMULGATE RULES CONCERNING THE LABELING REQUIREMENTS FOR A PRESCRIPTION DRUG THAT IS DISPENSED TO A PATIENT FOR OUTPATIENT USE AND CONTAINS AN OPIOID, EXCEPT FOR AN OPIOID PRESCRIBED FOR TREATMENT OF A SUBSTANCE USE DISORDER OR THAT IS A PARTIAL OPIOID ANTAGONIST, WHICH RULES MUST INCLUDE A WARNING TO INDICATE RISKS SUCH AS OVERDOSE AND ADDICTION.".

Amendment No. 5(L.024), by Senator Winter.

Amend printed bill, page 4, strike lines 2 through 13.

Strike pages 5 through 7.

Page 8, strike lines 1 through 8.

Renumber succeeding sections accordingly.

Page 18, line 16, strike "and (25)(a)(XXII)" and substitute "(25)(a)(XXII), and (25)(a)(XXIII)".

Page 18, after line 20 insert:

"(XX) THE COMPETENCY REQUIREMENTS CREATED BY RULE OF THE APPLICABLE LICENSING BOARDS PURSUANT TO SECTION 12-30-111;".

Renumber succeeding subparagraphs accordingly.

Page 29, strike lines 3 through 27.

Strike pages 30 and 31.

Page 32, strike lines 1 through 21 and substitute:

"**SECTION 11.** In Colorado Revised Statutes, **add to article 30 as relocated by House Bill 19-1172** 12-30-111 as follows:

12-30-111. Demonstrated competency - opiate prescribers - rules - definition - repeal. (1) (a) THE APPLICABLE LICENSING BOARD FOR EACH LICENSED HEALTH CARE PROVIDER SHALL PROMULGATE RULES THAT REQUIRE EACH LICENSED HEALTH CARE PROVIDER, AS A CONDITION OF RENEWING, REACTIVATING, OR REINSTATING A LICENSE ON OR AFTER OCTOBER 1, 2019, TO COMPLETE UP TO FOUR CREDIT HOURS OF TRAINING PER LICENSING CYCLE IN ORDER TO DEMONSTRATE COMPETENCY REGARDING: BEST PRACTICES FOR OPIOID PRESCRIBING, ACCORDING TO THE MOST RECENT VERSION OF THE DIVISION'S GUIDELINES FOR THE SAFE PRESCRIBING AND DISPENSING OF OPIOIDS; RECOGNITION OF SUBSTANCE USE DISORDERS; REFERRAL OF PATIENTS WITH SUBSTANCE USE DISORDERS FOR TREATMENT; AND THE USE OF THE ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM CREATED IN PART 4 OF ARTICLE 280 OF THIS TITLE 12.

(b) THE RULES PROMULGATED BY EACH BOARD SHALL EXEMPT A LICENSED HEALTH CARE PROVIDER WHO:

(I) MAINTAINS A NATIONAL BOARD CERTIFICATION THAT REQUIRES EQUIVALENT SUBSTANCE USE PREVENTION TRAINING; OR

(II) ATTESTS TO THE APPROPRIATE BOARD THAT THE HEALTH CARE PROVIDER DOES NOT PRESCRIBE OPIOIDS.

(2) FOR THE PURPOSES OF THIS SECTION, "LICENSED HEALTH CARE PROVIDER" INCLUDES A PHYSICIAN, PHYSICIAN ASSISTANT, PODIATRIST, DENTIST, ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY, OPTOMETRIST, AND VETERINARIAN LICENSED PURSUANT TO THIS TITLE 12.

(3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024. BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.".

Renumber succeeding sections accordingly.

Strike "sections 16 through 23" and substitute "section 11" on: **Page 34**, lines 3 and 4 and 5.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (HB19-1210, SB19-188, SB19-225, HB19-1246, SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192) of Wednesday, April 24, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-232 as amended, SB19-223 as amended, SB19-228 as amended.
Laid over until later in the day Wednesday, April 24: HB19-1210, SB19-188, SB19-225, HB19-1246, SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192.
Laid over until Monday, July 1: SB19-075.

On motion of Majority Leader Fenberg, 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 Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2021:

Joseph Anthony Montoya of Castle Rock, Colorado, to serve as a building official from a political subdivision of the state performing electrical inspections, appointed;

Barbara Jean Myrick of Colorado Springs, Colorado, to serve as a general contractor actively engaged in the building industry, appointed;

James Selecky of Denver, Colorado, to serve as an electrical contractor who has a masters license, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION

for terms expiring January 1, 2020:

Christopher Kampmann of Firestone, Colorado, to serve as a representative of municipalities, appointed;

Randall Paul Wheelock of Empire, Colorado, to serve as a representative of Colorado counties, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2021:

Bradford Louis Geiger of Highlands Ranch, Colorado, to serve as a public member, appointed;

for terms expiring November 15, 2022:

Gretchen Jaime Russo, RN, BSN, JD of Denver, Colorado, to serve as a representative from the Colorado Department of Human Services, reappointed;

Margaret Brewington Wright, PhD, MFA of Pueblo, Colorado, to serve as a public member/not employed by state government, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MESSAGE FROM THE HOUSE

April 24, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1124, amended as printed in House Journal, April 22, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1282, 1159, 1264, amended as printed in House Journal, April 23, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1327, amended as printed in House Journal, April 23, 2019, and amended on Third Reading as printed in House Journal, April 24, 2019.

The House has passed on Third Reading and returns herewith SB19-133, 230, 094.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-002, 099, 155, amended as printed in House Journal, April 23, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-059, amended as printed in House Journal, April 23, 2019 and amended on Third Reading as printed in House Journal, April 24, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 24, 2019

We herewith transmit:

Without comment, as amended, HB19-1124, 1159, 1264, 1282, and 1327.
Without comment, as amended, SB19-002, 059, 099, and 155.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-065, 078, 139, and 141.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1255** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1228** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1174** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the reengrossed bill, page 24, line 19, strike "$16,340" and substitute "$63,924".

Page 24, line 24, strike "$16,150" and substitute "$58,366".

Page 24, line 25, strike "0.2" and substitute "0.9".

Page 24, line 26, strike "$190" and substitute "$5,558".

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1088** 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 **HB19-1013** be referred to the Committee of the Whole with favorable recommendation.

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, 2022:

John D. Craco of Arvada, Colorado, a person engaged in the construction of residential or commercial buildings as a plumbing contractor, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB19-249** 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 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, 44-20-104, **amend** (3)(a), (3)(f)(I), (3)(h) introductory portion, and (3)(l)(I) introductory portion as follows:

44-20-104. Board - oath - meetings - powers and duties - rules. (3) The board is authorized and empowered:

(a) To promulgate, amend, and repeal rules reasonably necessary to implement this part 1, including the administration, enforcement, issuance, and denial of licenses to motor vehicle dealers, motor vehicle salespersons, used motor vehicle dealers, wholesale motor vehicle auction dealers, BUSINESS DISPOSERS, and wholesalers, and the laws of the state of Colorado;

(f) (I) To investigate through the director, on its own motion or upon the written and signed complaint of any person, any suspected or alleged violation by a motor vehicle dealer, motor vehicle salesperson, used motor vehicle dealer, wholesale motor vehicle auction dealer, BUSINESS DISPOSER, or wholesaler of any of the terms and provisions of this part 1 or of any rule promulgated by the board under the authority conferred upon it in this section. The board shall order an investigation of all written and signed complaints, may issue subpoenas, and may delegate the authority to issue subpoenas to the director, and the director shall make an investigation of all complaints transmitted by the board pursuant to section 44-20-105 (3). The board may seek to resolve disputes before beginning an investigation or hearing through its own action or by direction to the director.

(h) To prescribe the forms to be used for applications for motor vehicle dealers', motor vehicle salespersons', used motor vehicle dealers', wholesale motor vehicle auction dealers', BUSINESS DISPOSALS, and wholesalers' licenses to be issued and to require of the applicants, as a condition precedent to the issuance of the licenses, such information concerning their fitness to be licensed under this part 1 as it may consider necessary. Every application for a motor vehicle dealer's license or used motor vehicle dealer's license ~~shall~~ MUST contain, in addition to such information as the board may require, a statement of the following facts:

(l) (I) To prescribe a form or forms to be used as a part of a contract for the sale of a motor vehicle by any motor vehicle dealer, BUSINESS DISPOSER, or motor vehicle salesperson, other than a retail installment sales contract subject to the provisions of the "Uniform Consumer Credit Code", articles 1 to 9 of title 5, which shall include the following information in addition to any other disclosures or information required by state or federal law:".

Renumber succeeding sections accordingly.

page 2, line 12, strike "AND".

Page 2, line 13, strike "PAID." and substitute "PAID; AND".

Page 2, after line 13, insert:

"(V) ARE NOT DESIGNED OR USED PRIMARILY TO CARRY PASSENGERS.

SECTION 3. In Colorado Revised Statutes, 44-20-111, **amend** (1) introductory portion, (1)(h), (3), and (4)(c); and **add** (1)(i) as follows:

44-20-111. Fees - disposition - expenses - expiration of licenses. (1) ~~There shall be collected with~~ Each application MUST BE ACCOMPANIED BY the fee established ~~pursuant to~~ IN subsection (5) of this section for each of the following licenses:

(h) Wholesale motor vehicle auction dealer's license; OR

(i) BUSINESS DISPOSAL LICENSE.

(3) If an application for a buyer agent's, motor vehicle dealer's, used motor vehicle dealer's, wholesaler's, BUSINESS DISPOSER'S, or motor vehicle salesperson's license is withdrawn by the applicant prior to issuance of the license, the director shall refund one-half of the license fee.

(4) (c) Upon the expiration of the license, unless suspended or revoked, the same may be renewed upon the payment of the fees specified in this section ~~which shall~~ THAT accompany applications, and the renewal ~~shall~~ MAY be made from year to year as a matter of right; except that, if a motor vehicle dealer, used motor vehicle dealer, BUSINESS DISPOSER, or wholesaler voluntarily surrenders its license or abandons its place of business for a period of more than thirty days, the licensee is required to file a new application to renew its license.

SECTION 4. In Colorado Revised Statutes, 44-20-112, **amend** (1) and (2)(a) as follows:

44-20-112. Bond of licensee. (1) Before any motor vehicle dealer's, wholesaler's, wholesale motor vehicle auction dealer's, BUSINESS DISPOSAL, or used motor vehicle dealer's license ~~shall be~~ IS issued by the board through the executive director to ~~any~~ AN applicant, ~~therefor,~~ the applicant ~~shall~~ MUST procure and file with the board evidence of a savings account, deposit, or certificate of deposit meeting the requirements of section 11-35-101 or a good and sufficient bond with corporate surety thereon duly licensed to do business within the state, approved as to form by the attorney general of the state, and conditioned that the applicant ~~shall~~ MUST not practice fraud, make any fraudulent representation, or violate any of the provisions of this part 1 that are designated by the board by rule in the conduct of the business for which the applicant is licensed. A motor vehicle dealer, BUSINESS DISPOSER, or used motor vehicle dealer ~~shall not be required to~~ NEED NOT furnish an additional bond, savings account, deposit, or certificate of deposit under this section if the dealer furnishes a bond, savings account, deposit, or certificate of deposit under section 44-20-412.

(2) (a) The purpose of the bond procured by the applicant pursuant to subsection (1) of this section and section 44-20-114 (1) is to provide for the reimbursement for any loss or damage suffered by any retail consumer caused by violation of this part 1 by a motor vehicle dealer, used motor vehicle dealer, wholesale motor vehicle auction dealer, BUSINESS DISPOSER, or wholesaler. For a wholesale transaction, the bond is available to each party to the transaction; except that, if a retail consumer is involved, the consumer shall have priority to recover from the bond. The amount of the bond shall be fifty thousand dollars for a

motor vehicle dealer applicant, used motor vehicle dealer applicant, wholesale motor vehicle auction dealer applicant, BUSINESS DISPOSAL APPLICANT, or wholesaler applicant except the amount of the bond shall be five thousand dollars for those dealers who sell only small utility trailers that weigh less than two thousand pounds. The aggregate liability of the surety for all transactions shall not exceed the amount of the bond, regardless of the number of claims or claimants.".

Renumber succeeding sections accordingly.

Page 5, after line 15, insert:

"**SECTION 7.** In Colorado Revised Statutes, 44-20-124, **amend** (2) introductory portion as follows:

44-20-124. 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, BUSINESS DISPOSER, or motor vehicle salesperson unless the person has been duly licensed under this part 1, except for:

SECTION 8. In Colorado Revised Statutes, 44-20-128, **amend** (2)(b) as follows:

44-20-128. Penalty. (2) (b) Any person who willfully violates section 44-20-124 (2) by acting as a motor vehicle dealer, wholesaler, used motor vehicle dealer, buyer agent, wholesale motor vehicle auction dealer, BUSINESS DISPOSER, or motor 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 section accordingly.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB19-1298** be referred to the Committee of the Whole with favorable recommendation.

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
JUVENILE PAROLE BOARD

for terms expiring November 15, 2021:

Kim Branham of Thornton, Colorado, to serve as a representative of the Colorado Department of Public Safety, appointed;

James A. Newby, MA, LPC, CWDP of Aurora, Colorado, to serve as a representative from the Colorado Department of Labor and Employment, appointed;

for terms expiring November 15, 2022:

Rachael Victoria Lovendahl of Westminster, Colorado, to serve as a representative of the Colorado Department of Education, reappointed;

Michael Anthony Rodriguez of Aurora, Colorado to serve as a public member/not employed by state government, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1289** 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 4 and substitute "(1)(kkk), (4), and (5) as follows:".

Page 2, line 5, strike "**practices.**" and substitute "**practices - definition.**".

Page 3, line 16, strike "KNOWINGLY" and substitute "EITHER KNOWINGLY".

Page 3, line 19, strike "STANDING TO BRING AN" and substitute "AN".

Page 3, after line 21 insert:

"(5) FOR PURPOSES OF THIS SECTION, "RECKLESSLY" MEANS A RECKLESS DISREGARD FOR THE TRUTH OR FALSITY OF A STATEMENT OR ADVERTISEMENT.".

Strike "Knowingly" and substitute "EITHER knowingly" on: **Page 2,** lines 8, 10, 13, 15, and 20; and **Page 3,** lines 2, 4, and 8.

Judiciary

After consideration on the merits, the Committee recommends that **SB19-259** 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, line16, strike "ALL".

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1311** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1315** 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 page 3 and substitute:

"**SECTION 2. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 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 the admissibility of statements obtained on or after the applicable effective date of this act.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1316** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1306** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1193** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1284** 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 **HB19-1305** 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 **HB19-1321** 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 **HB19-1295** 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 **HB19-1299** 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 **HB19-1292** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1277** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1002** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, after line 21 insert:

"(2) "ENTITY" MEANS A NONPROFIT ENTITY OR A PUBLIC OR PRIVATE INSTITUTION OF HIGHER EDUCATION THAT OFFERS A PRINCIPAL PREPARATION PROGRAM.".

Renumber succeeding subsections accordingly.

Page 6, line 2, strike "A".

Page 6, line 3, strike "NONPROFIT" and substitute "AN".

Page 6, line 6, strike "A".

Page 6, line 7, strike "NONPROFIT" and substitute "AN".

Page 7, line 18, strike "EMPLOYING ENTITY" and substitute "EMPLOYER".

Page 8, line 16, strike "EMPLOYING ENTITY" and substitute "EMPLOYER".

Page 8, line 22, strike "EMPLOYING ENTITY" and substitute "EMPLOYER".

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 terms expiring March 13, 2023:

Richard Lee Lewis Jr. of Aurora, Colorado, to serve as a majority business owner with employees numbering more than 50, and as a Democrat, appointed;

Sergio Raudel Cordova of Littleton, Colorado, to serve as a representative of an employee association that represents workers in Colorado, and as a Democrat, appointed.

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 confirmed:

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2023:

Leticia Martinez of Denver, Colorado, an Unaffiliated and resident of the First Congressional District, appointed;

John Montepare of Breckenridge, Colorado, an Unaffiliated a resident of the Second Congressional District and West of the Continental Divide, appointed;

David Cockrell of Pueblo, Colorado, an Unaffiliated and resident of the Third Congressional District, appointed;

Pamela Denahy of La Junta, Colorado, a Republican and resident of the Fourth Congressional District, appointed;

Mina Liebert of Colorado Springs, Colorado, an Unaffiliated and resident of the Fifth Congressional District, appointed;

Morris Jay Siegel of Boulder, Colorado, a Democrat and resident of the Second Congressional District, appointed;

Jahi Simbai of Wheatridge, Colorado, an Unaffiliated and resident of the Seventh Congressional District, appointed.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB19-260 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Larson--Concerning entry into the fire and police pension association for social security employers.
Finance

HB19-1159 by Representative(s) Jaquez Lewis and Gray; also Senator(s) Danielson--Concerning modifications to the income tax credits for innovative motor vehicles.
Finance

HB19-1264 by Representative(s) Roberts and Wilson, Buentello; also Senator(s) Winter and Donovan--Concerning programmatic efficiency of the conservation easement tax credit program, and, in connection therewith, increasing the transparency of the program and making an appropriation.
Finance

HB19-1282 by Representative(s) Singer and Michaelson Jenet; also Senator(s) Smallwood and Donovan--Concerning administration of the court-appointed special advocate program.
Judiciary

HB19-1327 by Representative(s) Garnett and Neville, Roberts, Van Winkle; also Senator(s) Donovan and Cooke, Priola--Concerning sports betting, and, in connection therewith, submitting to the registered electors of the state of Colorado a ballot measure authorizing the collection of a tax on the net proceeds of sports betting through licensed casinos, directing the revenues generated through collection of the sports betting tax to specified public purposes, including the state water plan through creation of the water plan implementation cash fund, and making an appropriation.
Finance

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to take up a Special Orders--Consent Calendar.

Senate in recess. Senate reconvened.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB19-256, SB19-254, SB19-253, SB19-252, SB19-251, SB19-248, HB19-1285, SB19-258, HB19-1122, HB19-1006, HB19-1269, HB19-1294, HB19-1133, and HB19-1088, were made Special Orders--Consent Calendar at 10:14 p.m.

Committee of the Whole

The hour of 10:14 p.m. having arrived, Senator Moreno 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 Moreno 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:

SB19-256 by Senator(s) Bridges; --Concerning an appropriation made to implement House Bill 18-1299 concerning electronic documents related to the ownership of a vehicle.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB19-254 by Senator(s) Zenzinger, Moreno, Rankin; also Representative(s) Ransom, Esgar, Hansen--Concerning the nursing home penalty cash fund, and, in connection therewith, making an appropriation.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB19-253 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning specifying that the department of education is not a state agency for purposes of the office of information technology.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB19-252 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar and Hansen, Ransom--Concerning the timing of joint committee of reference hearings under the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act".

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, pages 1003-1004 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-251 by Senator(s) Rankin and Todd, Bridges, Moreno, Tate, Zenzinger; also Representative(s) Hansen and Titone, Baisley, Esgar, Ransom, Singer--Concerning the implementation of certain recommendations from the independent evaluation of the state's information technology resources, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, page 1004 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-248 by Senator(s) Tate and Bridges, Todd; also Representative(s) Singer and Baisley, Titone--Concerning a requirement that the director of research of the legislative council convene a working group to conduct an analysis of the state tax system used by the department of revenue.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, pages 1004-1005 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1285 by Representative(s) Lontine; also Senator(s) Fields--Concerning the requirement for the department of health care policy and financing to contract with the managed care organization operated by Denver health and hospital authority until the managed care organization ceases to operate a medicaid managed care program.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-258 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar, Hansen, Ransom--Concerning child welfare services funded through federal child welfare laws, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, pages 1039-1040 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1122 by Representative(s) Buckner and Landgraf; also Senator(s) Fields and Gardner--Concerning the creation of a maternal mortality review committee in the department of public health and environment, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1006 by Representative(s) McLachlan and Carver; also Senator(s) Fields--Concerning measures to mitigate the effects of wildfires within wildland-urban interface areas, and, in connection therewith, clarifying the legislative intent that state funding of the existing forest restoration and wildfire risk mitigation grant program be increased and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1269 by Representative(s) Cutter and Sullivan, Kipp, Michaelson Jenet, Mullica; also Senator(s) Ginal and Gardner--Concerning measures to improve behavioral health care coverage practices, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page 1041 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1294 by Representative(s) Benavidez and Jaquez Lewis; also Senator(s) Story--Concerning a requirement that the chief administrative officer of the Colorado community college system create a working group to determine the best manner in which to facilitate the transfer of earned construction industry registered apprenticeship program credit to college credit, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1133 by Representative(s) Caraveo and Pelton; also Senator(s) Fields--Concerning the creation of a Colorado child abuse response and evaluation network, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1088 by Representative(s) Buck and Valdez D.; also Senator(s) Donovan--Concerning modifications to the existing income tax credit for health care preceptors working in health care professional shortage areas, and, in connection therewith, clarifying the definition of "preceptorship" and extending the existing sunset date for the tax credit.

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 Moreno, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-256, SB19-254, SB19-253, SB19-252 as amended, SB19-251 as amended, SB19-248 as amended, SB19-258 as amended, HB19-1285, HB19-1122, HB19-1006, HB19-1269 as amended, HB19-1294, HB19-1133, HB19-1088.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills.

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, and Senator Danielson 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:

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 14, pages 469-470 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 10, pages 744-762 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 16, page 875 and placed in members' bill files.)

Amendment No. 4(L.130), by Senators Williams and Winter.

Strike the Appropriations Committee Report, dated April 16, 2019.

Strike the Finance Committee Report, dated April 9, 2019.

Strike the Business, Labor, and Technology Committee Report, dated March 13, 2019.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** part 3 to article 13.3 of title 8 as follows:

PART 3
FAMILY AND MEDICAL LEAVE IMPLEMENTATION

8-13.3-301. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) COLORADO IS A FAMILY-FRIENDLY STATE, AND PROVIDING THE WORKERS OF COLORADO WITH FAMILY AND MEDICAL LEAVE INSURANCE WILL ENCOURAGE AN ENTREPRENEURIAL ATMOSPHERE AND ECONOMIC GROWTH AND PROMOTE A HEALTHY BUSINESS CLIMATE;

(b) THE UNITED STATES IS THE ONLY INDUSTRIALIZED NATION IN THE WORLD THAT DOES NOT MANDATE ACCESS TO PAID LEAVE BENEFITS. SIMULTANEOUSLY, NEARLY HALF OF AMERICANS LIVE PAYCHECK-TO-PAYCHECK AND ARE UNABLE TO ACCESS TWO THOUSAND DOLLARS IN THE EVENT OF AN EMERGENCY.

(c) THIS PART 3 PREPARES FOR THE IMPLEMENTATION OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM IN THE STATE BY COMPLETING A THOROUGH ANALYSIS OF PAID FAMILY AND MEDICAL LEAVE PROGRAMS BY EXPERTS IN THE FIELD, THE ESTABLISHMENT OF A FAMILY AND MEDICAL LEAVE IMPLEMENTATION TASK FORCE, AND ACTUARIAL AND THIRD-PARTY STUDIES.

(d) AS SPECIFIED IN THIS PART 3, THE TIMELINE FOR THE ANALYSIS AND IMPLEMENTATION OF A STATEWIDE PAID FAMILY AND MEDICAL LEAVE PROGRAM IS AS FOLLOWS:

(I) BY JULY 1, 2019, APPOINTING AUTHORITIES ARE REQUIRED TO MAKE THEIR APPOINTMENTS TO THE TASK FORCE;

(II) BY OCTOBER 1, 2019, THE DEPARTMENT IS REQUIRED TO PROVIDE THE TASK FORCE WITH THE RESULTS OF A THIRD-PARTY STUDY AND PAID FAMILY AND MEDICAL LEAVE PLAN RECOMMENDATIONS FROM THE EXPERTS IN THE FIELD; AND THE TASK FORCE IS REQUIRED TO ACCEPT AND CONSIDER PUBLIC COMMENTS REGARDING THE ADMINISTRATION AND ESTABLISHMENT OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM;

(III) BY NOVEMBER 1, 2019, THE TASK FORCE SHALL MAKE ITS INITIAL RECOMMENDATION ON A FAMILY AND MEDICAL LEAVE PROGRAM FOR EMPLOYEES IN THE STATE AND PROVIDE THE RECOMMENDATION TO AN ACTUARY CONTRACTED BY THE DEPARTMENT;

(IV) BY DECEMBER 1, 2019, AN INDEPENDENT ACTUARIAL ANALYSIS MUST BE COMPLETED AND SUBMITTED TO THE TASK FORCE;

(V) BY JANUARY 8, 2020, THE TASK FORCE SHALL REPORT ITS FINAL RECOMMENDATION ON A PAID FAMILY AND MEDICAL LEAVE PROGRAM FOR ALL EMPLOYEES IN THE STATE;

(VI) BY JULY 1, 2020, THE FAMILY AND MEDICAL LEAVE PROGRAM WILL BE ESTABLISHED;

(VII) BY JANUARY 1, 2022, THE PUBLIC EDUCATION AND OUTREACH CAMPAIGN WILL BEGIN;

(VIII) BY JANUARY 1, 2023, THE FAMILY AND MEDICAL LEAVE PROGRAM FUNDING WILL BEGIN; AND

(IX) BY JANUARY 1, 2024, THE FAMILY AND MEDICAL LEAVE PROGRAM WILL START PAYING BENEFITS.

(e) THE INTENT OF THIS PART 3 IS TO ASSIST IN THE PREPARATION OF LEGISLATION IN THE 2020 LEGISLATIVE SESSION ESTABLISHING A PAID FAMILY AND MEDICAL LEAVE PROGRAM IN THE STATE.

8-13.3-302. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT.

(3) "TASK FORCE" MEANS THE FAMILY AND MEDICAL LEAVE IMPLEMENTATION TASK FORCE CREATED IN SECTION 8-13.3-304 (1).

8-13.3-303. Department to perform analyses. (1) (a) THE DEPARTMENT SHALL ANALYZE THE FEASIBILITY OF CONTRACTING WITH A THIRD PARTY TO ADMINISTER PARTS OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM FOR ALL EMPLOYEES IN THE STATE AS AN ALTERNATIVE TO STATE ADMINISTRATION OF ALL ASPECTS OF SUCH A PROGRAM. IN DETERMINING WHETHER A THIRD PARTY SHOULD ADMINISTER PARTS OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM, THE DEPARTMENT SHALL CONSIDER WHETHER DOING SO WOULD BE COST-EFFECTIVE, IN THE SHORT TERM AND IN THE LONG TERM FOR BOTH THE STATE AND COVERED INDIVIDUALS, AND LEAD TO MORE EFFICIENT PROGRAM ADMINISTRATION AND BENEFIT MANAGEMENT WHILE ASSURING QUALITY, WORKER EXPERIENCE, AFFORDABILITY, COVERAGE, AND PROGRAM ACCOUNTABILITY, AS COMPARED TO IF THE STATE ADMINISTERS ALL ASPECTS OF THE PROGRAM.

(b) IN FULFILLING THE REQUIREMENTS OF THIS SUBSECTION (1), THE DEPARTMENT SHALL MAKE A REQUEST FOR INFORMATION FROM THIRD PARTIES THAT MAY BE WILLING TO ADMINISTER SINGLE OR MULTIPLE PARTS OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM. THE REQUESTS FOR INFORMATION PURSUANT TO THIS SUBSECTION (1)(b) MUST SOLICIT INFORMATION FROM THIRD PARTIES THAT INCLUDES, BUT IS NOT LIMITED TO, THE THIRD PARTY'S:

(I) PRIOR EXPERIENCE WITH PAID FAMILY AND MEDICAL LEAVE INSURANCE OR PROVIDING MONETARY BENEFITS IN COLORADO RELATED TO EMPLOYEES TAKING LEAVE FROM WORK DUE TO SERIOUS HEALTH CONDITIONS, PARENTAL BONDING, OR OTHER FAMILY AND MEDICAL LEAVE PURPOSES;

(II) COMMITMENT TO AFFIRMATIVE ACTION, DIVERSITY, EQUITY, AND INCLUSION POLICIES;

(III) LANGUAGE ACCESS EXPERIENCE AND CULTURAL COMPETENCY; AND

(IV) CURRENT OR EXPECTED EMPLOYEE PAY RATES AND BENEFITS.

(c) ANY STUDY PURSUANT TO THIS SECTION MUST CONSIDER:

(I) THE ESTIMATED DIFFERENCE IN ADMINISTRATIVE COSTS CHARGED BY THIRD PARTIES AS COMPARED TO A STATE-RUN PAID FAMILY AND MEDICAL LEAVE PROGRAM;

(II) THE ESTIMATED DIFFERENCE IN CLAIMS PROCESSING SPEEDS;

(III) THE STATE'S COSTS TO OVERSEE ANY THIRD PARTY ADMINISTRATION, INCLUDING COSTS TO CONDUCT ANNUAL AUDITS AND REVIEW REGULAR REPORTS FROM THE THIRD PARTY;

(IV) THE ABILITY OF A THIRD PARTY TO SATISFY NECESSARY WORKER PRIVACY AND CONFIDENTIALITY REQUIREMENTS;

(V) THE ABILITY OF A THIRD PARTY TO ACCESS EXISTING STATE DATA OR TO EFFECTIVELY INTERFACE WITH THE DEPARTMENT'S SYSTEMS AND INFORMATION;

(VI) THE POTENTIAL COSTS AND CHALLENGES ASSOCIATED WITH TERMINATING A THIRD-PARTY CONTRACT DUE TO QUALITY OR COMPLIANCE CONCERNS FOLLOWING IMPLEMENTATION OF THE PROGRAM, AS WELL AS THE FEASIBILITY OF TIMELY SUBSTITUTING ADMINISTRATION BY THE STATE OR A DIFFERENT THIRD PARTY WITHOUT A DISRUPTION IN BENEFITS AND ADMINISTRATION; AND

(VII) A TIMELINE THAT PRESUMES A PAID FAMILY AND MEDICAL LEAVE PROGRAM THAT IS ESTABLISHED BY JULY 1, 2020; BEGINS PUBLIC EDUCATION AND OUTREACH ON JANUARY 1, 2022; ESTABLISHES THE FUNDING STREAM ON JANUARY 1, 2023; AND STARTS PAYING BENEFITS ON JANUARY 1, 2024.

(d) THE DEPARTMENT'S STUDY MUST SPECIFICALLY ADDRESS THE EFFECT OF USING A THIRD-PARTY ADMINISTRATOR ON THE FOLLOWING ASPECTS OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM:

(I) CLAIMS APPEALS AND ADMINISTRATIVE ENFORCEMENT;

(II) PREMIUM RATES SETTING AND COLLECTION OF PREMIUMS;

(III) APPROVAL AND OVERSIGHT OF PRIVATE PLANS, IF APPLICABLE; AND

(IV) MANAGEMENT OF ELECTIVE COVERAGE OF EMPLOYEES WHO MAY NOT BE INCLUDED IN THE PROGRAM.

(2) (a) (I) THE DEPARTMENT SHALL CONTRACT WITH AT LEAST THREE EXPERTS IN THE FIELD OF PAID FAMILY AND MEDICAL LEAVE SELECTED BY THE TASK FORCE. THE EXPERTS MUST BE LOCAL AND NATIONAL EXPERTS:

(A) WITH DEMONSTRATED EXPERIENCE STUDYING THE HEALTH, ECONOMIC, AND SOCIAL BENEFITS OF ACCESS TO PAID LEAVE; THE COST AND ECONOMIC IMPACT OF PAID LEAVE; AND THE DRAFTING AND IMPLEMENTATION OF PAID FAMILY AND MEDICAL LEAVE PROGRAMS AT THE STATE LEVEL; AND

(B) WHO HAVE SOME FAMILIARITY WITH CROSS-STATE COMPARISONS.

(II) THE DEPARTMENT SHALL GATHER RECOMMENDATIONS FROM THE EXPERTS UNDER CONTRACT WITH THE DEPARTMENT PURSUANT TO THIS SUBSECTION (2)(a) ON THE ESTABLISHMENT OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM FOR EMPLOYEES IN THE STATE. THE RECOMMENDATIONS MUST SPECIFY THE PARAMETERS THAT ENSURE THAT A PROGRAM:

(A) IS AFFORDABLE FOR THE LOWEST WAGE WORKERS;

(B) IS EQUITABLE ACROSS WORKERS OF ALL INCOMES AND CLASSIFICATIONS;

(C) IS ACCESSIBLE PARTICULARLY TO WORKERS LEAST LIKELY TO HAVE ACCESS TO PAID LEAVE TODAY;

(D) IS ADEQUATE; AND

(E) INCLUDES A MINIMUM DURATION OF LEAVE THAT MEETS EVIDENCE-BASED STANDARDS AND WAGE REPLACEMENT THAT IS SUFFICIENT TO ALLOW THE LOWEST WAGE WORKERS TO PARTICIPATE.

(b) THE RECOMMENDATIONS MUST REVIEW, EVALUATE, AND ASSESS AT LEAST THE FOLLOWING ELEMENTS, WITHOUT LIMITATION:

(I) THE PURPOSES OF THE LEAVE, INCLUDING SERIOUS ILLNESS, CARING FOR A LOVED ONE WITH A SERIOUS ILLNESS, BONDING WITH A NEW CHILD, AND NEEDS ARISING FROM MILITARY DEPLOYMENT AND THE EFFECTS OF DOMESTIC VIOLENCE, STALKING, AND SEXUAL ASSAULT;

(II) SELF-EMPLOYED WORKERS' ACCESS TO PAID FAMILY AND MEDICAL LEAVE AND A MECHANISM TO ALLOW SELF-EMPLOYED WORKERS TO PARTICIPATE;

(III) ELIGIBILITY TO TAKE LEAVE;

(IV) THE DEFINITION OF FAMILY OR FAMILY MEMBER FOR WHOM AN INDIVIDUAL MAY TAKE LEAVE FOR PURPOSES OF PROVIDING CARE;

(V) JOB PROTECTION AND OTHER EMPLOYMENT PROTECTIONS, INCLUDING THEIR EFFECT ON AN INDIVIDUAL'S ABILITY TO TAKE LEAVE;

(VI) THE DURATION OF LEAVE;

(VII) THE AMOUNT OF THE WAGE REPLACEMENT;

(VIII) THE MAXIMUM WEEKLY WAGE REPLACEMENT AMOUNT;

(IX) THE PROGRAM FUNDING STRUCTURE;

(X) PROGRAM IMPLEMENTATION;

(XI) THE ROLE OF THIRD-PARTY VENDORS ON PROGRAM SUSTAINABILITY;

(XII) THE SOLVENCY OF A PAID FAMILY AND MEDICAL LEAVE FUND UNDER VARIOUS MODELS;

(XIII) THE PORTABILITY OF PAID FAMILY AND MEDICAL LEAVE BENEFITS;

(XIV) THE SUSTAINABILITY OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM;

(XV) HOW A PAID FAMILY AND MEDICAL LEAVE PROGRAM WOULD INTERACT WITH OTHER BENEFITS; AND

(XVI) A TIMELINE THAT PRESUMES A PAID FAMILY AND MEDICAL LEAVE PROGRAM THAT IS ESTABLISHED BY JULY 1, 2020; BEGINS EDUCATION AND OUTREACH ON JANUARY 1, 2022; ESTABLISHES THE FUNDING STREAM ON JANUARY 1, 2023; AND STARTS PAYING BENEFITS ON JANUARY 1, 2024.

(3) NO LATER THAN OCTOBER 1, 2019:

(a) THE DEPARTMENT SHALL PROVIDE THE TASK FORCE CREATED IN SECTION 8-13.3-304 WITH:

(I) THE RESULTS OF THE THIRD-PARTY STUDY CONDUCTED PURSUANT TO SUBSECTION (1) OF THIS SECTION; AND

(II) PAID FAMILY AND MEDICAL LEAVE PLAN RECOMMENDATIONS FROM EXPERTS CONSULTED IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION; AND

(b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL PROVIDE THE TASK FORCE WITH A REPORT DETAILING THE HEALTH BENEFITS RELATED TO PAID FAMILY AND MEDICAL LEAVE.

(4) THE DEPARTMENT SHALL CONTRACT FOR THE SERVICES OF A QUALIFIED PRIVATE ACTUARY TO PERFORM AN ACTUARIAL STUDY OF THE INITIAL RECOMMENDATION FOR A FAMILY AND MEDICAL LEAVE PROGRAM CREATED BY THE TASK FORCE PURSUANT TO SECTION 8-13.3-304 (8)(b). THE ACTUARIAL STUDY SHALL BE PROVIDED TO THE TASK FORCE NO LATER THAN DECEMBER 1, 2019.

8-13.3-304. Family and medical leave implementation task force. (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE FAMILY AND MEDICAL LEAVE IMPLEMENTATION TASK FORCE.

(2) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

(a) THREE MEMBERS WHO ARE WORKERS OR REPRESENT AN ORGANIZATION THAT REPRESENTS WORKERS' INTERESTS IN PAID FAMILY AND MEDICAL LEAVE, EACH OF WHOM SHALL BE APPOINTED FROM A LIST OF AT LEAST THREE NAMES SUBMITTED BY A RECOGNIZED STATEWIDE ORGANIZATION THAT PROMOTES WORKERS' RIGHTS;

(b) THREE MEMBERS WHO ARE PRIVATE EMPLOYERS WITH A RANGE OF BUSINESS SIZE AND EXPERIENCE IN PROVIDING EMPLOYEES WITH PAID FAMILY AND MEDICAL LEAVE, EACH OF WHOM SHALL BE APPOINTED FROM A LIST OF AT LEAST THREE NAMES SUBMITTED BY A RECOGNIZED STATEWIDE ORGANIZATION OF EMPLOYERS;

(c) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATE POLICY ORGANIZATION THAT WORKS ON ISSUES OF ECONOMIC OPPORTUNITY;

(d) ONE MEMBER WHO IS A PRIVATE INSURER WITH EXPERIENCE IN ADMINISTERING TEMPORARY DISABILITY OR FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS;

(e) ONE MEMBER WHO REPRESENTS A STATE POLICY ORGANIZATION THAT WORKS ON HEALTH ADVOCACY;

(f) ONE LABOR ECONOMIST WITH DEMONSTRATED RESEARCH OR EXPERTISE IN STUDYING PAID FAMILY AND MEDICAL LEAVE AND LABOR STANDARDS, AND THE DATA NECESSARY TO DO SO;

(g) ONE MEMBER WHO IS A REPRESENTATIVE OF A STATEWIDE DOMESTIC VIOLENCE ORGANIZATION;

(h) ONE MEMBER WHO IS A PROFESSIONAL FROM A RECOGNIZED INSTITUTION OF HIGHER EDUCATION AND WHO HAS EXPERTISE IN STUDYING PAID FAMILY AND MEDICAL LEAVE;

(i) ONE MEMBER WHO IS A REPRESENTATIVE OF ORGANIZED LABOR; AND

(j) TWO NONVOTING MEMBERS, ONE OF WHOM MUST REPRESENT THE DEPARTMENT.

(3) THE MEMBERS OF THE TASK FORCE ARE APPOINTED AS FOLLOWS:

(a) THE GOVERNOR SHALL APPOINT ONE MEMBER;

(b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT FOUR MEMBERS;

(c) THE PRESIDENT OF THE SENATE SHALL APPOINT FOUR MEMBERS;

(d) THE HOUSE MINORITY LEADER SHALL APPOINT TWO MEMBERS;

(e) THE SENATE MINORITY LEADER SHALL APPOINT TWO MEMBERS;

(f) THE EXECUTIVE DIRECTOR SHALL APPOINT ONE NONVOTING MEMBER; AND

(g) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL SHALL APPOINT ONE NONVOTING MEMBER.

(4) (a) THE APPOINTING AUTHORITIES SHALL MAKE THE APPOINTMENTS TO THE TASK FORCE NO LATER THAN JULY 1, 2019.

(b) IN MAKING THE APPOINTMENTS, THE APPOINTING AUTHORITIES SHALL ENSURE THAT THE APPOINTMENTS REFLECT COMMUNITIES OF COLOR, RURAL COMMUNITIES, AND HISTORICALLY UNDERUTILIZED BUSINESSES, AS DEFINED IN SECTION 24-49.5-105 (4).

(c) THE DEPARTMENT SHALL ASSIST AND COORDINATE THE APPOINTING AUTHORITIES TO ENSURE THAT MEMBERS APPOINTED TO THE TASK FORCE PURSUANT TO SUBSECTION (3) OF THIS SECTION MEET THE MEMBERSHIP REQUIREMENTS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.

(5) EACH MEMBER OF THE TASK FORCE SERVES AT THE PLEASURE OF THE APPOINTING AUTHORITY.

(6) EACH MEMBER OF THE TASK FORCE SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES THE MEMBER INCURS IN THE PERFORMANCE OF THE MEMBER'S DUTIES AS A MEMBER OF THE TASK FORCE.

(7) (a) THE MEMBER APPOINTED BY THE EXECUTIVE DIRECTOR SHALL CALL THE FIRST MEETING OF THE TASK FORCE.

(b) THE TASK FORCE SHALL ELECT A CHAIR FROM AMONG ITS VOTING MEMBERS.

(8) (a) NO LATER THAN OCTOBER 1, 2019, THE TASK FORCE SHALL ACCEPT AND CONSIDER PUBLIC COMMENTS REGARDING THE ADMINISTRATION AND ESTABLISHMENT OF A PAID FAMILY AND MEDICAL LEAVE PROGRAM IN THE STATE.

(b) NO LATER THAN NOVEMBER 1, 2019, THE TASK FORCE SHALL MAKE AN INITIAL RECOMMENDATION ON A FAMILY AND MEDICAL LEAVE PROGRAM FOR EMPLOYEES IN THE STATE AND PROVIDE THE RECOMMENDATION TO THE ACTUARY CONTRACTED BY THE DEPARTMENT PURSUANT TO SECTION 8-13.3-303 (4). IN MAKING THE RECOMMENDATION, THE TASK FORCE SHALL CONSIDER THE INFORMATION IT RECEIVES PURSUANT TO SECTION 8-13.3-303 (3).

(c) NO LATER THAN JANUARY 8, 2020, AFTER CONSIDERATION OF THE ACTUARIAL ANALYSIS PERFORMED ON THE TASK FORCE'S INITIAL RECOMMENDATION, THE TASK FORCE SHALL REPORT ITS FINAL RECOMMENDATION ON A PAID FAMILY AND MEDICAL LEAVE PROGRAM FOR ALL EMPLOYEES IN THE STATE, ALONG WITH THE THIRD-PARTY ADMINISTRATION STUDY MADE PURSUANT TO SECTION 8-13.3-303 (1), AND THE ACTUARIAL STUDY MADE PURSUANT TO SECTION 8-13.3-303 (4) TO:

(I) THE SENATE COMMITTEES ON FINANCE AND BUSINESS, LABOR, AND TECHNOLOGY, OR THEIR SUCCESSOR COMMITTEES;

(II) THE HOUSE OF REPRESENTATIVES COMMITTEES ON FINANCE AND BUSINESS AFFAIRS AND LABOR, OR THEIR SUCCESSOR COMMITTEES; AND

(III) THE GOVERNOR.

(d) RECOMMENDATIONS MADE BY THE TASK FORCE PURSUANT TO THIS SUBSECTION (8) MUST BE BASED ON A TIMELINE THAT PRESUMES A PAID FAMILY AND MEDICAL LEAVE PROGRAM THAT IS ESTABLISHED BY JULY 1, 2020; BEGINS EDUCATION AND OUTREACH ON JANUARY 1, 2022; ESTABLISHES THE FUNDING STREAM ON JANUARY 1, 2023; AND STARTS PAYING BENEFITS ON JANUARY 1, 2024.

(9) UPON REQUEST BY THE TASK FORCE, THE DEPARTMENT SHALL PROVIDE OFFICE SPACE, EQUIPMENT, AND STAFF SERVICES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

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.".

Page 1 of the bill, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, CREATING AN IMPLEMENTATION PLAN FOR A FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM.**".

Amendment No. 5(L.131), by Senators Winter and Fenberg.

Amend the Winter and Williams floor amendment (SB188_L.130), page 1, line 28, strike "3, THE" and substitute "3:

(I) THE".

Page 1, line 31, strike "(I)" and substitute "(A)".

Page 1, line 33, strike "(II)" and substitute "(B)".

Page 2, line 2, strike "(III)" and substitute "(C)".

Page 2, line 6, strike "(IV)" and substitute "(D)".

Page 2, line 8, strike"(V)" and substitute "(E)".

Page 2, after line 10 insert:

"(II) THE TIMELINE MAY ALSO BE ASSUMED AS FOLLOWS:".

Page 2, line 11, strike "(VI)" and substitute "(A)".

Page 2, line 13, strike "(VII)" and substitute "(B)".

Page 2, line 15, strike "(VIII)" and substitute "(C)".

Page 2, line 17 strike "(IX)" and substitute "(D)".

Page 8, line 6, strike "MUST BE BASED ON" and substitute "SHOULD ATTEMPT TO MEET".

Amendment No. 6(L.133), by Senator Sonnenberg.

Amend the Winter and Williams floor amendment (SB188_L.130), page 8, after line 13 insert:

"**8-13.3-305. Paid family and medical leave program implementation authorization.** THE DEPARTMENT SHALL NOT IMPLEMENT THE RECOMMENDED PLAN FOR A PAID FAMILY AND MEDICAL LEAVE PROGRAM UNLESS THE GENERAL ASSEMBLY, ACTING BY BILL, DIRECTS THE DEPARTMENT TO IMPLEMENT THE PROGRAM. IF THE DEPARTMENT IS DIRECTED TO IMPLEMENT THE PLAN, IT SHALL BEGIN IMPLEMENTATION BY A DATE SPECIFIED BY THE GENERAL ASSEMBLY ACTING BY BILL.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, HB19-1246, SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210) of Wednesday, April 24, was laid over until Thursday, April 25, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Moreno, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	E	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-188 as amended.
Laid over until Thursday, April 25: SB19-225, HB19-1246, SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 24, was laid over until Thursday, April 25, retaining its place on the calendar.

Third Reading of Bills-Final Passage: HB19-1026, HB19-1288, SB19-198, HB19-1274.
Consideration of House Amendments to Senate Bills: SB19-077, SB19-054, SB19-137.

TRIBUTES

Honoring:

Amber Hott -- By Senator Rachel Zenzinger.
Rico Munn -- By Senator Nancy Todd.
Todd Ohlheiser -- By Senator Jerry Sonnenberg.
Heather Bradley -- By Senator Joann Ginal.
ABATE of Colorado -- By Senator Paul Lundeen.
CO Craft Spirit, Wine, Cider and Beer Manufactures – By Senator Jeff Bridges (et al) and Representative Leslie Herod (et al).

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On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, April 25, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

112th Legislative Day Thursday, April 25, 2019

Prayer By the chaplain, Pastor Jason Parker, High Country Baptist 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.

On motion of Minority 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 the Makenzie and Joshua Shafer, Christian Home Educators of Colorado.

Reading of the Journal On motion of Senator Ginal, reading of the Journal of Wednesday, April 24, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB19-260.
Correctly Engrossed: SB19-188, 223, 228, 232, 248, 251, 252, 253, 254, 256, and 258; SR19-012.
Correctly Reengrossed: SB19-008, 015, 020, 040, 066, 073, 107, 108, 158, 177, 186, 193, 195, 199, 204, 222, 227, 235, 236, 240, 242, 245, and 246.
Correctly Revised: HB19-1051, 1290, 1291, and 1307; HJR19-1012.
Correctly Rerevised: HB19-1003, 1006, 1088, 1122, 1133, 1138, 1147, 1160, 1183, 1222, 1247, 1267, 1269, 1285, and 1294.
Correctly Enrolled: SB19-094, 133, 154, 164, 166, 167, 178, 229, and 230.

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:

HB19-1290 by Representative(s) Arndt; also Senator(s) Priola--Concerning the substitution of foreign work experience for the required contact hours by an applicant for examination pursuant to 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales, Hill, Moreno, Rankin, Smallwood, Sonnenberg, and Tate.

HB19-1291 by Representative(s) Arndt; also Senator(s) Williams A. and Tate--Concerning the supervision of insurers, and, in connection therewith, establishing certain disclosure requirements for insurers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1051 by Representative(s) Carver and McLachlan; also Senator(s) Gardner and Ginal--Concerning human trafficking prevention training by the department of public safety.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Fields, Garcia, Hisey, Lundeen, Marble, Priola, Rodriguez, Scott, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

HB19-1307 by Representative(s) Kraft-Tharp and Larson; also Senator(s) Lee and Gardner--Concerning the clarification that the disclosure of a report of the mistreatment or self-neglect of an at-risk adult shall only be made to the at-risk adult who is the subject of the 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Marble, Moreno, Priola, Smallwood, Tate, and Todd.

SB19-256 by Senator(s) Bridges; --Concerning an appropriation made to implement House Bill 18-1299 concerning electronic documents related to the ownership of a vehicle.

Laid over until Friday, April 26, retaining its place on the calendar.

SB19-254 by Senator(s) Zenzinger, Moreno, Rankin; also Representative(s) Ransom, Esgar, Hansen--Concerning the nursing home penalty cash fund, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB19-253 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar and Ransom, Hansen--Concerning specifying that the department of education is not a state agency for purposes of the office of information technology.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Lundeen, Marble, Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Woodward.

SB19-252 by Senator(s) Moreno, Zenzinger, Rankin; also Representative(s) Esgar and Hansen, Ransom--Concerning the timing of joint committee of reference hearings under the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act", 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Court, Crowder, Garcia, Gardner, Ginal, Gonzales, Priola, Rodriguez, Tate, and Todd.

SB19-251 by Senator(s) Rankin and Todd, Bridges, Moreno, Tate, Zenzinger; also Representative(s) Hansen and Titone, Baisley, Esgar, Ransom, Singer--Concerning the implementation of certain recommendations from the 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Ginal, Lee, Rodriguez, and Story.

SB19-248 by Senator(s) Tate and Bridges, Todd; also Representative(s) Singer and Baisley, Titone--Concerning a requirement that the director of research of the legislative council convene a working group to conduct an analysis of the state tax system used by the department of revenue, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Moreno, Pettersen, and Priola.

HB19-1285 by Representative(s) Lontine; also Senator(s) Fields--Concerning the requirement for the department of health care policy and financing to contract with the managed care organization operated by Denver health and hospital authority until the managed care organization ceases to operate a medicaid managed care 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, and Ginal.

SB19-258 by Senator(s) Rankin, Moreno, Zenzinger; also Representative(s) Esgar, Hansen, Ransom--Concerning child welfare services funded through federal child welfare laws, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Priola, and Tate.

HB19-1122 by Representative(s) Buckner and Landgraf; also Senator(s) Fields and Gardner--Concerning the creation of a maternal mortality review committee in the department of public health and environment, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Garcia, Ginal, Gonzales, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, and Zenzinger.

HB19-1006 by Representative(s) McLachlan and Carver; also Senator(s) Fields--Concerning measures to mitigate the effects of wildfires within wildland-urban interface areas, and, in connection therewith, clarifying the legislative intent that state funding of the existing forest restoration and wildfire risk mitigation grant program be increased 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Coram, Court, Donovan, Fenberg, Garcia, Gardner, Ginal, Hisey, Holbert, Lee, Lundeen, Moreno, Priola, Rankin, Story, Tate, Todd, Williams A., Winter, and Woodward.

HB19-1269 by Representative(s) Cutter and Sullivan, Kipp, Michaelson Jenet, Mullica; also Senator(s) Ginal and Gardner--Concerning measures to improve behavioral health care coverage practices, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fields, Garcia, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, and Zenzinger.

HB19-1294 by Representative(s) Benavidez and Jaquez Lewis; also Senator(s) Story--Concerning a requirement that the chief administrative officer of the Colorado community college system create a working group to determine the best manner in which to facilitate the transfer of earned construction industry registered apprenticeship program credit to college 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	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Crowder, Fields, Garcia, Gardner, Ginal, Gonzales, Hisey, Moreno, Pettersen, Priola, Rankin, Scott, Sonnenberg, Tate, Todd, Williams A., Woodward, and Zenzinger.

HB19-1133 by Representative(s) Caraveo and Pelton; also Senator(s) Fields--Concerning the creation of a Colorado child abuse response and evaluation network, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Ginal, Hisey, Moreno, Pettersen, Priola, Rankin, Smallwood, Story, Tate, Todd, Williams A., and Winter.

HB19-1088 by Representative(s) Buck and Valdez D.; also Senator(s) Donovan--Concerning modifications to the existing income tax credit for health care preceptors working in health care professional shortage areas, and, in connection therewith, clarifying the definition of "preceptorship" and extending the existing sunset date for the tax credit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Ginal, Hisey, Pettersen, Priola, Rankin, Scott, Sonnenberg, Tate, Todd, and Woodward.

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:

SB19-223 by Senator(s) Lee and Gardner; also Representative(s) Weissman and Landgraf--Concerning actions related to competency to proceed, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Garcia, Ginal, Gonzales, Moreno, Pettersen, Priola, Rodriguez, Story, Tate, Todd, and Zenzinger.

SB19-228 by Senator(s) Winter and Moreno; also Representative(s) Buentello and Singer--Concerning measures to prevent substance abuse, and, in connection therewith, requiring certain prescribers to complete substance use disorder training; prohibiting physicians and physician assistants from accepting benefits for prescribing specific medications; requiring opioid prescriptions to bear warning labels; allowing medical examiners access to the prescription drug monitoring program; providing funding to address opioid and substance use disorders through public health interventions in local communities; requiring state departments to report receipt and eligibility for federal funds for HIV and hepatitis testing; requiring the office of behavioral health in the department of human services to administer grant programs; requiring the center for research into substance use disorder prevention, treatment, and recovery support strategies to develop and implement a program to increase public awareness concerning the safe use, storage, and disposal of antagonist drugs, to conduct a needs assessment among mothers and pregnant women, and to implement a grant program; requiring the office of behavioral health in the department of human services to administer a child and maternal health pilot program; and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Moreno was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.026), by Senator Moreno.

Amend engrossed bill, page 13, strike line 20 and substitute:

"(25)(a)(XX) and (25(a)(XXI) as".

Page 13, line 24, strike "**declaration - repeal.**" and substitute "**declaration.**".

Page 13, strike lines 26 and 27.

Renumber succeeding subparagraphs accordingly.

Page 19, strike lines 9 through 11.

Strike "section 11" and substitute "sections 12 to 14" on **Page 22**, lines 17 and 18.

The amendment was **passed** on the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Bridges, Court, Crowder, Fenberg, Garcia, Ginal, Gonzales, Pettersen, Priola, Story, Tate, and Todd.

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program, and, in connection therewith, creating an implementation plan for a family and medical leave insurance program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Foote, Rodriguez, and Story.

RECONSIDERATION OF SB19-188

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program, and, in connection therewith, creating an implementation plan for a family and medical leave insurance program.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB19-188.

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:

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program, and, in connection therewith, creating an implementation plan for a family and medical leave insurance program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1026 by Representative(s) Catlin and McCluskie; also Senator(s) Coram and Donovan--Concerning fines assessed for violations of laws administered by the division of parks and wildlife.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1288 by Representative(s) Singer and Duran, Gonzales-Gutierrez, Exum; also Senator(s) Fields and Crowder--Concerning increasing protections to ensure foster youth siblings maintain sibling relationships by providing foster youth siblings with certain rights, and, in connection therewith, establishing the foster youth sibling bill of 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Court, Donovan, Fenberg, Garcia, Gardner, Ginal, Hill, Hisey, Holbert, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

SB19-198 by Senator(s) Todd and Coram; also Representative(s) Buentello and Gray--Concerning the continued management of waste tires, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Garcia, Priola, and Tate.

HB19-1274 by Representative(s) Snyder; also Senator(s) Hisey--Concerning the ability of the boards of county commissioners to delegate to county administrative officials certain land use determinations affecting subdivision platting.

Laid over until Friday, April 26, retaining its place on the calendar.

SB19-232 by Senator(s) Foote; also Representative(s) Weissman--Concerning the codification of the rules of the secretary of state addressing the procedures for the enforcement of state laws governing campaign finance.

Laid over until Friday, April 26, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

SB19-238 by Senator(s) Danielson and Moreno; also Representative(s) Kennedy and Duran--Concerning home care service agencies, and, in connection therewith, requiring certain agencies to expend a minimum percentage of their reimbursements from the "Colorado Medical Assistance Act" as wages for employees who provide direct care, requiring the department of health care policy and financing to enforce training requirements and maintain public records concerning the home care workforce, and increasing the reimbursement rate for certain services provided under the "Colorado Medical Assistance Act".

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 18, pages 938-941 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, page 1005 and placed in members' bill files.)

Amendment No. 3(L.025), by Senator Moreno.

Amend the Health and Human Services Committee Report, dated April 18, 2019, page 1, strike lines 8 through 11 and substitute:

"Page 3, strike lines 13 through 15.".

Page 2 of the report, strike lines 9 through 11 and substitute:

"Page 5, strike lines 3 through 8 and substitute "CONSUMERS. THIS COMPENSATION SHALL BE PROVIDED IN ADDITION TO THE RATE".".

Page 3 of the report, line 14, strike "2019." and substitute "2020.".

Page 3 of the report, line 22, after "25.5-6-1602" insert "OR 25.5-6-1603".

Page 4 of the report, line 6, after "25.5-6-1602" insert "OR 25.5-6-1603".

Page 4 of the report, line 34, strike "ONE HUNDRED PERCENT OF THE" and substitute "ANY".

Page 4 of the report, line 36, after "25.5-6-1602" insert "OR 25.5-6-1603".

Page 6 of the report, line 2, after "PEDIATRIC" insert "PERSONAL".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1171 by Representative(s) Michaelson Jenet; also Senator(s) Fields and Priola--Concerning expanding the grades eligible for the child nutrition school lunch protection program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1262 by Representative(s) Wilson and McLachlan, Arndt, Benavidez, Bird, Buckner, Buentello, Caraveo, Catlin, Coleman, Cutter, Duran, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Landgraf, Liston, McCluskie, McKean, Melton, Michaelson Jenet, Pelton, Roberts, Singer, Sirota, Snyder, Sullivan, Titone, Valdez D., Weissman, Will, Valdez A., Van Winkle; also Senator(s) Bridges and Fields, Todd, Story, Priola, Coram, Court, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Lee, Pettersen, Williams A., Winter--Concerning state funding for full-day kindergarten educational programs, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, page 1006 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Bridges.

Amend reengrossed bill, page 6, strike lines 17 through 19 and substitute "THAT, IF THE DISTRICT DOES NOT ENROLL A SUFFICIENT NUMBER OF CHILDREN TO USE ALL OF THE RETAINED PRESCHOOL PROGRAM POSITIONS IN A BUDGET YEAR, THE DEPARTMENT SHALL REDISTRIBUTE THE UNUSED POSITIONS.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1266 by Representative(s) Herod; also Senator(s) Fenberg--Concerning the voting rights of persons serving a sentence of parole, and in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, HB19-1246, SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1024, HB19-1032, HB19-1090, HB19-1132, SB19-067, HB19-1259, HB19-1248, HB19-1202, HB19-1188, HB19-1184) of Thursday, April 25, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-238 as amended, HB19-1171, HB19-1262 as amended, HB19-1266.
Laid over until later in the day Thursday, April 24: SB19-225, HB19-1246, SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1024, HB19-1032, HB19-1090, HB19-1132, SB19-067, HB19-1259, HB19-1248, HB19-1202, HB19-1188, HB19-1184.

COMMITTEE OF REFERENCE REPORTS

Legislative Council

After consideration on the merits, the Committee recommends that **SB19-244** be referred to the Committee on Appropriations with favorable recommendation.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2019:

Amanda Mountain of Denver, Colorado and as an Unaffiliated and occasioned by the resignation of Cheryl Denise Cohen-Vader of Denver, Colorado, appointed;

for terms expiring June 30, 2022:

Samuel James Todd of Broomfield, Colorado, a Republican, reappointed;

Amanda Mountain of Denver, Colorado and 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
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for terms expiring December 31, 2022:

Daniel Anthony Lee Ramos of Denver, Colorado, a Democrat, appointed;

Kasia Iwaniczko MacLeod of Denver, Colorado, a Democrat, appointed;

Amy Lentz of Grand Junction, Colorado, an Unaffiliated member, appointed.

Education

After consideration on the merits, the Committee recommends that **HB19-1110** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 14, strike "AND".

Page 5, line 2, strike "ANALYSIS REQUIRED FOR THE REPORT AND" and substitute "COORDINATION OF THE COMMITTEE REQUIRED".

Page 5, strike lines 3 through 10 and substitute:

"(b) THE CONSULTANT SHALL CONSULT WITH COMMITTEE MEMBERS TO ELICIT RECOMMENDATIONS FOR THE REPORT, AS DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION. THE CONSULTANT IS NOT REQUIRED TO CONDUCT CONSULTATIONS IN PERSON AND MAY CONDUCT CONSULTATIONS THROUGH TELEPHONE, E-MAIL, OR VIDEO CONFERENCE.

(c) THE CONSULTANT SHALL DISTRIBUTE HIS OR HER RESEARCH AND DRAFT REPORTS TO COMMITTEE MEMBERS FOR FEEDBACK AT LEAST MONTHLY, AND THE LATEST DRAFT REPORT AT LEAST THREE DAYS PRIOR TO THE COMMITTEE MEETING DESCRIBED IN SUBSECTION (3)(d) OF THIS SECTION.

(d) ON OR BEFORE NOVEMBER 1, 2019, THE COMMITTEE SHALL CONVENE TO DISCUSS THE DRAFT REPORT AND FINALIZE RECOMMENDATIONS FOR THE FINAL REPORT TO BE SUBMITTED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(e) THE CONSULTANT SHALL INCORPORATE FEEDBACK AND RECOMMENDATIONS FROM THE COMMITTEE'S MEETING DESCRIBED IN SUBSECTION (3)(d) OF THIS SECTION. THE CONSULTANT SHALL DISTRIBUTE HIS OR HER DRAFT REPORT TO COMMITTEE MEMBERS FOR FINAL FEEDBACK TO BE RECEIVED BY THE CONSULTANT NO LATER THAN DECEMBER 1, 2019.".

Renumber succeeding subsections accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1176** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1318** be referred to the Committee on Appropriations 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 LOTTERY COMMISSION

for a term expiring July 1, 2022:

Stanley Henry Podolski III, CPA of Fort Collins, Colorado, a Republican, and certified public accountant who has practiced accountancy in Colorado 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 LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2021:

Kristen Shirley Blessman of Denver, Colorado, to serve as a member from the First Congressional District, and as a representative who has been engaged in business in a management-level capacity for at least five years, and as an Unaffiliated, 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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REVENUE

effective April 18, 2019 for a term expiring at the pleasure of the Governor:

Lu M. Cordova of Boulder, Colorado, appointed.

Trans-portation & Energy

The Committee on Transportation & 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, 2022:

Michelle Hadwiger of Denver, 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 HEALTH

for a term expiring March 1, 2021:

Hon. Ronald E. Engels of Central City, Colorado, a resident of the Second Congressional District and a Democrat, to serve an at-large member and county commissioner, and occasioned by the resignation of Hon. Lew Gaiter, III of Livermore, Colorado, appointed.

for terms expiring March 1, 2023:

Raymond O. Estacio of Denver, Colorado, a resident of the First Congressional District, a Democrat, reappointed;

Thomas Butts of Thornton, Colorado, a resident of the Seventh Congressional District, an Unaffiliated member, 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
STATE BOARD OF HEALTH

for a term expiring March 1, 2023:

Kendall Paul Alexander of Greeley, Colorado, a resident of the Fourth Congressional District, and as an Unaffiliated, to serve as a member at-large, 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
MEDICAL SERVICES BOARD

for a term expiring July 1, 2021

Patricia L. Givens, DHA, EdM, BN, RN of Denver, Colorado, an Unaffiliated from the First Congressional District, with knowledge of medical assistance programs, reappointed;

for a term expiring July 1, 2022:

Amanda Ann Moorer of Westminster, Colorado, a Republican from the Seventh Congressional District with knowledge of medical assistance programs, reappointed.

Finance

After consideration on the merits, the Committee recommends that **SB19-257** 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 3 and substitute "(4)(i)(II), (4)(i)(III) introductory portion, and (4)(i)(IV); and **add** (4)(i)(V) as follows:".

Page 2, after line 17 insert:

"(III) No exclusion shall be allowed pursuant to this ~~paragraph (i)~~ SUBSECTION (4)(i) to the extent that such payments or contributions are excluded from the taxpayer's federal taxable income for the taxable year. ~~Any exclusion taken under this paragraph (i) shall be subject to recapture in the taxable year or years in which~~ THERE SHALL BE ADDED TO THE FEDERAL TAXABLE INCOME OF THE ACCOUNT OWNER AN AMOUNT EQUAL TO THE AMOUNT OF any distribution, refund, or any other withdrawal ~~is~~ made pursuant to an advance payment contract, from a savings trust account, or otherwise in connection with a qualified state tuition program IN THE TAXABLE YEAR OR YEARS IN WHICH THE DISTRIBUTION, REFUND, OR OTHER WITHDRAWAL IS MADE for any reason other than:".

Page 3, after line 8 insert:

"(V) TO AID IN THE ADMINISTRATION OF THIS SUBSECTION (4)(i), COLLEGEINVEST SHALL PROVIDE THE DEPARTMENT OF REVENUE WITH AVAILABLE INFORMATION RELATED TO DISTRIBUTIONS THAT ARE NOT USED TO PAY QUALIFIED HIGHER EDUCATION EXPENSES AS DEFINED IN THIS SECTION.".

Finance

After consideration on the merits, the Committee recommends that **HB19-1167** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Strike the Judiciary Committee Report, dated April 17, 2019.

Education After consideration on the merits, the Committee recommends that **SB19-247** be postponed indefinitely.

Education After consideration on the merits, the Committee recommends that **HB19-1187** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB19-1134** be referred to the Committee on Appropriations with favorable recommendation.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-064, 106, 189, 200, 201, and 213.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 25, 2019, at 8:40 a.m.:
SB19-065, 078, 139, and 141.

To the Governor for signature on Thursday, April 25, 2019, at 4:30 p.m.:
SB19-064, 106, 189, 200, 201, and 213.

On motion of Senator Cooke, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 25, was laid over until Friday, April 26, retaining its place on the calendar.

Consideration of Resolutions: HJR19-1014.
Consideration of House Amendments to Senate Bills: SB19-077, SB19-054, SB19-137, SB19-002, SB19-099, SB19-155, SB19-059.

On motion of Senator Cooke, the Senate adjourned until 9:00 a.m., Friday, April 26, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

113th Legislative Day Friday, April 26, 2019

Prayer — By the chaplain, Pastor Dale Pierce, United Church of Crook.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Absent--1, Hill.
Excused--2, Bridges, Pettersen.
Present later--3, Bridges, Hill, Pettersen.

Quorum — The President announced a quorum present.

Pledge — By Senator Foote.

Reading of the Journal — On motion of Senator Ginal, reading of the Journal of Thursday, April 25, 2019, 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 **HB19-1055** 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 **HB19-1134** 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 **HB19-1176** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1187** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB19-249** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 15 insert:

"**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, $14,000 is appropriated to the department of revenue for use by the motor vehicle dealer licensing board. This appropriation is from the auto dealers license fund created in section 44-20-133 (1), C.R.S. To implement this act, the board may use this appropriation for operating expenses.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PURPOSES.**" and substitute "**PURPOSES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-244** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, after line 15 insert:

"**SECTION 5. Appropriation.** For the 2019-20 state fiscal year, $221,925 is appropriated to the legislative department for use by the committee on legal services. This appropriation is from the general fund and is based on an assumption that the committee on legal services will require an additional 1.8 FTE. To implement this act, the committee on legal services may use this appropriation for the office of legislative workplace relations.".

Renumber succeeding paragraph accordingly.

Page 1, line 102, strike "**ASSEMBLY.**" and substitute "**ASSEMBLY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1316** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1292** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1277** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1193** 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 **HB19-1002** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1278** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 40, after line 5 insert:

"**SECTION 33.** In Colorado Revised Statutes, 1-5.5-101, **amend** (2)(d) as follows:

1-5.5-101. Pilot program - internet voting system - absent uniformed services elector - secretary of state - fund - rules. (2) The secretary of state shall implement the internet-based voting system so that each designated or coordinated election official of a county or other political subdivision participating in the pilot program shall:

(d) Verify that all votes cast via the internet by electors were cast by ~~7 p.m.~~ 8 P.M. mountain standard time on the day of the election; and".

Renumber succeeding sections accordingly.

Page 43, lines 1 and 2, strike "(3); and **add** (1)(d)" and substitute "(3)".

Page 43, strike lines 4 through 10.

Strike page 53.

Page 54, strike lines 1 through 23 and substitute:

"**SECTION 44.** In Colorado Revised Statutes, **amend** 1-8.3-111 as follows:

1-8.3-111. Timely casting of ballot. To be valid, a ballot shall be

received by the appropriate local election official not later than the close of the polls, or the voter shall submit the ballot for mailing, electronic transmission, or other authorized means of delivery not later than ~~7:00 p.m.~~ 8 P.M. mountain time on the date of the election.".

Renumber succeeding sections accordingly.

Page 56, strike lines 20 through 27 and substitute:

"(c) (II.5) ~~If the petition is determined to be insufficient, it may be withdrawn and may, within fifteen days after the date on which the petition was verified as insufficient, be amended and refiled as an original petition. A petition for recall may be amended no more than one time to collect additional signatures or cure circulator affidavits after a designated election official issues a determination of insufficiency under this subsection (8)~~ DURING THE REVIEW OF ANY RECALL PETITION, THE DESIGNATED ELECTION OFFICIAL SHALL NOTIFY THE COMMITTEE OF ANY ERRORS AND INSUFFICIENCIES REGARDING CIRCULATOR AFFIDAVITS. UPON THE RECEIPT OF SUCH A NOTIFICATION, THE COMMITTEE HAS FIVE CALENDAR DAYS FROM THE DATE OF RECEIPT OF THE NOTICE TO CURE THE ERRORS AND INSUFFICIENCIES DESCRIBED IN THE NOTICE. TO CURE A CIRCULATOR AFFIDAVIT, THE COMMITTEE MUST PROVIDE THE DESIGNATED ELECTION OFFICIAL WITH A NEW CIRCULATOR AFFIDAVIT THAT CORRECTS THE ERRORS OF THE PREVIOUSLY SUBMITTED AFFIDAVIT.".

Page 58, strike lines 9 through 16.

Renumber succeeding sections accordingly.

Strike "8 P.M." and substitute "7 P.M." on: **Page 35**, line 22; **Page 36**, line 5; **Page 41**, line 23; and **Page 42**, line 7.

Strike "~~7 p.m.~~ 8 P.M." and substitute "7 p.m." on: **Page 41**, lines 10 and 11, 16 and 17, 18, and 19 and 20; and **Page 48**, lines 21 and 22, 24, and 25.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1314** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 18, strike "MUNICIPAL" and substitute "LOCAL GOVERNMENT".

Page 4, strike line 14.

Page 4, line 17, after "GENERATIONS," insert "AS WELL AS THE DISPROPORTIONATELY IMPACTED COMMUNITIES WHO HAVE BORNE THE COSTS OF COAL POWER POLLUTION FOR DECADES,".

Page 4, line 18, strike "TRANSITION." and substitute "TRANSITION; AND

(III) IT IS IMPERATIVE FOR COAL TRANSITION COMMUNITIES TO PLAN AND PREPARE FOR ECONOMIC CHANGE, AND THE DEPARTMENT OF LOCAL AFFAIRS HAS AN ESSENTIAL ROLE IN THIS PROCESS. FURTHERMORE, THE DEPARTMENT OF LOCAL AFFAIRS IS ENCOURAGED TO USE THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION 34-63-102 TO ASSIST WITH PLANNING AND MITIGATION EFFORTS IN COAL TRANSITION COMMUNITIES.".

Page 5, after line 5 insert:

"(4) DISPROPORTIONATELY IMPACTED COMMUNITY" MEANS ANY COMMUNITY OF COLOR, LOW-TO-MIDDLE INCOME COMMUNITY, OR INDIGENOUS COMMUNITY THAT IS OR HAS BEEN DIRECTLY IMPACTED BY COAL POLLUTION.".

Renumber succeeding subsections accordingly.

Page 8, strike line 11 and substitute:

"(C) ONE REPRESENTATIVE OF THE PUBLIC INTEREST;
(D) TWO REPRESENTATIVES OF DISPROPORTIONATELY IMPACTED COMMUNITIES; AND".

Reletter succeeding sub-subparagraph accordingly.

Page 10, line 11, strike "UNIONS;" and substitute "UNIONS AND LOCAL GOVERNMENTS;".

Page 13, line 7, after "OFFICE" insert "AND TO THE AFFECTED COMMUNITY".

Trans-portation & Energy — After consideration on the merits, the Committee recommends that **SB19-051** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB19-1280** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1234** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1237** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1240** 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 **HB19-1230** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 22, after line 23 insert:

"**SECTION 12.** In Colorado Revised Statutes, 44-10-103, **amend as relocated by Senate Bill 19-224** (46); and **add as relocated by Senate Bill 19-224** (24.5) and (48.5) as follows:

44-10-103. Definitions. As used in this article 10, unless the context otherwise requires:

(24.5) "MARIJUANA HOSPITALITY BUSINESS" MEANS A FACILITY, WHICH MAY BE MOBILE, LICENSED TO PERMIT THE CONSUMPTION OF MARIJUANA PURSUANT TO THIS ARTICLE 10; RULES PROMULGATED PURSUANT TO THIS ARTICLE 10; AND THE PROVISIONS OF AN ENACTED, INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE OPERATES.

(46) "Retail marijuana business" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturer, A MARIJUANA HOSPITALITY BUSINESS, A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS, a retail marijuana testing facility, a retail marijuana business operator, or a retail marijuana transporter licensed pursuant to this article 10.

(48.5) "RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS" MEANS A FACILITY, WHICH CANNOT BE MOBILE, LICENSED TO PERMIT THE CONSUMPTION OF ONLY THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IT HAS SOLD PURSUANT TO THE PROVISIONS OF AN ENACTED, INITIATED, OR REFERRED ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE OPERATES.

SECTION 13. In Colorado Revised Statutes, 44-10-202, **amend as relocated by Senate Bill 19-224** (1)(a) introductory portion and (1)(b) as follows:

44-10-202. Powers and duties of state licensing authority -

rules - legislative declaration. (1) **Powers and duties.** The state licensing authority shall:

(a) Develop and maintain a seed-to-sale tracking system that tracks regulated marijuana from either the seed or immature plant stage until the regulated marijuana or regulated marijuana product is sold to a patient at a medical marijuana store or to a customer at a retail marijuana store OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS to ensure that no regulated marijuana grown or processed by a medical marijuana business or retail marijuana business is sold or otherwise transferred except by a medical or retail marijuana store OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS; except that the medical marijuana or medical marijuana product is no longer subject to the tracking system once the medical marijuana or medical marijuana product has been:

(b) Grant or refuse state licenses for the cultivation, manufacture, distribution, sale, HOSPITALITY, and testing of regulated marijuana and regulated marijuana products as provided by law; suspend, fine, restrict, or revoke such licenses, whether active, expired, or surrendered, upon a violation of this article 10 or any rule promulgated pursuant to this article 10; and impose any penalty authorized by this article 10 or any rule promulgated pursuant to this article 10. The state licensing authority may take any action with respect to a registration pursuant to this article 10 as it may with respect to a license pursuant to this article 10, in accordance with the procedures established pursuant to this article 10.

SECTION 14. In Colorado Revised Statutes, 44-10-203, **amend as relocated by Senate Bill 19-224** (2)(aa); and **add as relocated by Senate Bill 19-224** (2)(cc) and (2)(dd) as follows:

44-10-203. State licensing authority - rules. (2) **Mandatory rule-making.** Rules promulgated pursuant to section 44-10-202 (1)(c) must include but need not be limited to the following subjects:

(aa) The implementation of an accelerator program including but not limited to rules to establish severed liability for licensees operating on the same physical premises, severed custodianship of regulated products, protections of the intellectual property of the accelerator licensee, incentives for licensees endorsed as accelerators, and additional requirements if a person applying for an accelerator endorsement has less than two years experience operating a licensed facility under this title 10; ~~and~~

(cc) THE IMPLEMENTATION OF MARIJUANA HOSPITALITY AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSES, INCLUDING BUT NOT LIMITED TO:

(I) GENERAL INSURANCE LIABILITY REQUIREMENTS;

(II) A SALES LIMIT PER TRANSACTION FOR RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS THAT MAY BE SOLD TO A PATRON OF A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS; EXCEPT THAT THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY MUST NOT BE AN AMOUNT LESS THAN ONE GRAM OF RETAIL MARIJUANA FLOWER, ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA CONCENTRATE, OR A RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE THAN TEN MILLIGRAMS OF ACTIVE THC;

(III) RESTRICTIONS ON THE TYPE OF ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT AUTHORIZED TO BE SOLD INCLUDING THAT THE MARIJUANA OR PRODUCT BE MEANT FOR CONSUMPTION IN THE LICENSED PREMISES OF THE BUSINESS;

(IV) PROHIBITIONS ON ACTIVITY THAT WOULD REQUIRE ADDITIONAL LICENSURE ON THE LICENSED PREMISES, INCLUDING BUT NOT LIMITED TO SALES, MANUFACTURING, OR CULTIVATION ACTIVITY;

(V) REQUIREMENTS FOR MARIJUANA HOSPITALITY BUSINESSES AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES OPERATING PURSUANT TO SECTION 44-10-609 OR 44-10-610 IN A RETAIL FOOD BUSINESS;

(VI) REQUIREMENTS FOR MARIJUANA HOSPITALITY BUSINESSES AND RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSEES TO DESTROY ANY UNCONSUMED MARIJUANA OR MARIJUANA PRODUCTS LEFT BEHIND BY A PATRON; AND

(VII) RULES TO ENSURE COMPLIANCE WITH SECTION 42-4-1305.5; AND

(dd) FOR MARIJUANA HOSPITALITY BUSINESSES THAT ARE MOBILE, REGULATIONS INCLUDING BUT NOT LIMITED TO:

(I) REGISTRATION OF VEHICLES AND PROPER DESIGNATION OF VEHICLES USED AS MOBILE LICENSED PREMISES;

(II) SURVEILLANCE CAMERAS INSIDE THE VEHICLES;

(III) GLOBAL POSITIONING SYSTEM TRACKING AND ROUTE LOGGING IN AN ESTABLISHED ROUTE MANIFEST SYSTEM;

(IV) COMPLIANCE WITH SECTION 42-4-1305.5;

(V) ENSURING ACTIVITY IS NOT VISIBLE OUTSIDE OF THE VEHICLE; AND

(VI) PROPER VENTILATION WITHIN THE VEHICLE.

SECTION 15. In Colorado Revised Statutes, 44-10-305, **amend as relocated by Senate Bill 19-224** (2)(b) as follows:

44-10-305. State licensing authority - application and issuance procedures - repeal. (2) (b) (I) The state licensing authority may issue a state license to an applicant pursuant to this section for a retail marijuana business upon completion of the applicable criminal history background check associated with the application, and the state license is conditioned upon local jurisdiction approval. A license applicant is prohibited from operating a licensed retail marijuana business without state and local jurisdiction approval. If the applicant does not receive local jurisdiction approval within one year from the date of state licensing authority approval, the state license expires and may not be renewed. If an application is denied by the local licensing authority, the state licensing authority shall revoke the state-issued license.

(II) (A) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (2)(B)(I) OF THIS SECTION, A BUSINESS OPERATING A LOCATION BEFORE DECEMBER 31, 2019, AT WHICH THE CONSUMPTION OF MARIJUANA IS PERMITTED PURSUANT TO A LOCAL ORDINANCE OR RESOLUTION, MAY CONTINUE TO OPERATE UNTIL A STATE LICENSE IS APPROVED OR DENIED IF THE BUSINESS APPLIES FOR A LICENSE UNDER THIS SECTION ON OR BEFORE DECEMBER 31, 2019. BEGINNING ON JANUARY 1, 2020, ANY SUCH BUSINESS THAT HAS NOT APPLIED FOR A STATE LICENSE SHALL CEASE OPERATION.

(B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 16. In Colorado Revised Statutes, 44-10-401, **amend as relocated by Senate Bill 19-224** (1) and (2)(b)(VII); and **add as relocated by Senate Bill 19-224** (2)(b)(IX), (2)(b)(X), and (7) as follows:

44-10-401. Classes of licenses. (1) For the purpose of regulating the cultivation, manufacture, distribution, HOSPITALITY, and sale of regulated marijuana and regulated marijuana products, the state licensing authority in its discretion, upon application in the prescribed form made to it, may issue and grant to the applicant a license from any of the following classes, subject to the provisions and restrictions provided by this article 10.

(2) (b) The following are retail marijuana licenses:

(VII) Retail marijuana accelerator cultivator license; ~~and~~

(IX) MARIJUANA HOSPITALITY BUSINESS LICENSE; AND

(X) RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSE.

(7) A PERSON MAY NOT OPERATE A LICENSE ISSUED PURSUANT TO THIS ARTICLE 12 AT THE SAME LOCATION AS A LICENSE OR PERMIT ISSUED PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44.

SECTION 17. In Colorado Revised Statutes, 44-10-601, **add as relocated by Senate Bill 19-224** (2)(c) as follows:

44-10-601. Retail marijuana store license - rules - definition. (2) (c) A RETAIL MARIJUANA STORE MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSEE.

SECTION 18. In Colorado Revised Statutes, 44-10-601, **amend as relocated by Senate Bill 19-224** (1) as follows:

44-10-602. Retail marijuana cultivation facility license - rules - definitions. (1) A retail marijuana cultivation facility license may be issued only to a person who cultivates retail marijuana for sale and distribution to licensed retail marijuana stores, retail marijuana products manufacturer licensees, RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS, or other retail marijuana cultivation facilities.

SECTION 19. In Colorado Revised Statutes, 44-10-603, **add as relocated by Senate Bill 19-224** (1)(e) as follows:

44-10-603. Retail marijuana products manufacturer license - rules - definition. (1) (e) A RETAIL MARIJUANA PRODUCTS MANUFACTURER MAY SELL RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS TO A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS.

SECTION 20. In Colorado Revised Statutes, **add to article 10 as relocated by Senate Bill 19-224** 44-10-609 and 44-10-610 as follows:

44-10-609. Marijuana hospitality business license - rules - definition. (1) (a) THE STATE LICENSING AUTHORITY MAY ISSUE A MARIJUANA HOSPITALITY BUSINESS LICENSE AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES IN WHICH MARIJUANA MAY BE CONSUMED PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE OPERATES.

(b) SUBJECT TO PROVISIONS OF THIS ARTICLE 10 AND THE ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE OPERATES, A RETAIL FOOD BUSINESS AS DEFINED IN SECTION 25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT ISSUED PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR A LICENSE TO OPERATE A MARIJUANA HOSPITALITY BUSINESS IN AN ISOLATED PORTION OF THE PREMISES OF THE RETAIL FOOD BUSINESS. A RETAIL FOOD BUSINESS OPERATING A MARIJUANA HOSPITALITY BUSINESS PURSUANT TO THIS SUBSECTION (1)(b) IS SUBJECT TO THE TERMS AND CONDITIONS OF ARTICLE 4 OF TITLE 25 AND THE RULES PROMULGATED PURSUANT TO THAT ARTICLE, INCLUDING BUT NOT LIMITED TO LICENSURE REQUIREMENTS AND INSPECTION AND ENFORCEMENT AUTHORITY OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THIS SUBSECTION (1)(b) DOES NOT AUTHORIZE THE MARIJUANA HOSPITALITY BUSINESS TO ENGAGE IN THE MANUFACTURE OF MEDICAL MARIJUANA-INFUSED PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO ADD MARIJUANA TO FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD BUSINESS.

(c) IF A MUNICIPALITY, COUNTY, CITY, OR CITY AND COUNTY HAS IN EFFECT AS OF THE EFFECTIVE DATE OF THIS SECTION AN ORDINANCE OR RESOLUTION RELATED TO CONSUMPTION OF MARIJUANA, NOTHING IN THIS SECTION RESTRICTS THE ENFORCEMENT OF THAT ORDINANCE OR RESOLUTION, AND THE LOCAL JURISDICTION MAY, BY ORDINANCE OR RESOLUTION, REQUIRE A BUSINESS OPERATING AS A PLACE FOR ON-SITE MARIJUANA CONSUMPTION TO BE LICENSED PURSUANT TO THIS SECTION.

(d) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF ALL MARIJUANA HOSPITALITY BUSINESSES IN THE STATE AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

(2) A MARIJUANA HOSPITALITY BUSINESS SHALL NOT:

(a) ENGAGE IN OR PERMIT THE SALE OR EXCHANGE FOR REMUNERATION OF RETAIL OR MEDICAL MARIJUANA, RETAIL MARIJUANA PRODUCTS, OR MEDICAL MARIJUANA-INFUSED PRODUCTS IN THE LICENSED PREMISES;

(b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME ANY MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

(c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

(d) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED PREMISES;

(e) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN THE LICENSED PREMISES OF THE BUSINESS;

(f) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

(g) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE BUSINESS, INCLUDING BUT NOT LIMITED TO SALES, MANUFACTURING, OR CULTIVATION;

(h) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY CONDUCT AS DESCRIBED IN SECTION 18-9-106;

(i) PERMIT THE USE OR CONSUMPTION OF MARIJUANA BY A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION;

(j) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS

OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR

(k) ADMIT INTO THE LICENSED PREMISES OF THE BUSINESS ANY PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.

(3) A MARIJUANA HOSPITALITY BUSINESS SHALL:

(a) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND RESPECTABLE MANNER;

(b) REQUIRE ALL EMPLOYEES OF THE BUSINESS TO SUCCESSFULLY COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING PROGRAM AUTHORIZED PURSUANT TO SECTION 44-10-1201;

(c) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY MARIJUANA IS NOT VISIBLE FROM OUTSIDE OF THE LICENSED PREMISES OF THE BUSINESS;

(d) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE, ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS SUBSECTION (3)(d) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

(e) MAINTAIN A RECORD OF ALL EDUCATIONAL MATERIALS REQUIRED BY SUBSECTION (3)(d) OF THIS SECTION IN THE LICENSED PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES AND LAW ENFORCEMENT; AND

(f) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT, FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER PUBLIC SAFETY PERSONNEL TO ENTER A MARIJUANA HOSPITALITY BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE BUSINESS CEASE ALL CONSUMPTION AND OTHER ACTIVITIES UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES AND HAVE LEFT THE LICENSED PREMISES.

(4) A MARIJUANA HOSPITALITY BUSINESS AND ITS EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE BUSINESS FOR ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION.

44-12-610. Retail marijuana hospitality and sales business license - rules - definition. (1) (a) THE STATE LICENSING AUTHORITY MAY ISSUE A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSE AUTHORIZING THE LICENSEE TO OPERATE A LICENSED PREMISES IN WHICH MARIJUANA MAY BE SOLD AND CONSUMED PURSUANT TO THIS ARTICLE 10, RULES PROMULGATED PURSUANT TO THIS ARTICLE 10, AND THE PROVISIONS OF THE ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE OPERATES.

(b) SUBJECT TO PROVISIONS OF THIS ARTICLE 10 AND THE ORDINANCE OR RESOLUTION OF THE LOCAL JURISDICTION IN WHICH THE LICENSEE OPERATES, A RETAIL FOOD BUSINESS AS DEFINED IN SECTION 25-4-1602 (14) THAT DOES NOT HOLD A LICENSE OR PERMIT ISSUED PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44 MAY APPLY FOR A LICENSE TO OPERATE A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS IN AN ISOLATED PORTION OF THE PREMISES OF THE RETAIL FOOD BUSINESS. A RETAIL FOOD BUSINESS OPERATING A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS PURSUANT TO THIS SUBSECTION (1)(b) IS SUBJECT TO THE TERMS AND CONDITIONS OF ARTICLE 4 OF TITLE 25 AND THE RULES PROMULGATED PURSUANT TO THAT ARTICLE, INCLUDING BUT NOT LIMITED TO LICENSURE REQUIREMENTS AND INSPECTION AND ENFORCEMENT AUTHORITY OF THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THIS SUBSECTION (1)(b) DOES NOT AUTHORIZE THE RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS TO ENGAGE IN THE MANUFACTURE OF MEDICAL MARIJUANA-INFUSED PRODUCTS OR RETAIL MARIJUANA PRODUCTS OR TO ADD MARIJUANA TO FOODS PRODUCED OR PROVIDED AT THE RETAIL FOOD BUSINESS.

(c) THE STATE LICENSING AUTHORITY SHALL MAINTAIN A LIST OF ALL RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES IN THE STATE AND SHALL MAKE THE LIST AVAILABLE ON ITS WEBSITE.

(2) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSEE SHALL NOT:

(a) ENGAGE IN MULTIPLE SALES TRANSACTIONS TO THE SAME

PATRON DURING THE SAME BUSINESS DAY WHEN THE BUSINESS'S EMPLOYEE KNOWS OR REASONABLY SHOULD HAVE KNOWN THAT THE SALES TRANSACTION WOULD RESULT IN THE PATRON POSSESSING MORE THAN THE SALES LIMIT ESTABLISHED BY THE STATE LICENSING AUTHORITY;

(b) ALLOW ON-DUTY EMPLOYEES OF THE BUSINESS TO CONSUME ANY MARIJUANA IN THE LICENSED PREMISES;

(c) DISTRIBUTE OR ALLOW DISTRIBUTION OF FREE SAMPLES OF MARIJUANA IN THE LICENSED PREMISES OF THE BUSINESS;

(d) SELL ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS THAT CONTAIN NICOTINE OR, IF THE SALE OF ALCOHOL WOULD REQUIRE A LICENSE OR PERMIT PURSUANT TO ARTICLE 3, 4, OR 5 OF THIS TITLE 44, ALCOHOL;

(e) ALLOW THE CONSUMPTION OF ALCOHOL ON THE LICENSED PREMISES;

(f) ALLOW THE SMOKING OF TOBACCO OR TOBACCO PRODUCTS IN THE LICENSED PREMISES OF THE BUSINESS;

(g) ALLOW THE USE OF ANY DEVICE USING ANY LIQUID PETROLEUM GAS, A BUTANE TORCH, A BUTANE LIGHTER, OR MATCHES IN THE LICENSED PREMISES IF PROHIBITED BY LOCAL ORDINANCE OR RESOLUTION;

(h) ALLOW ANY ACTIVITY THAT WOULD REQUIRE AN ADDITIONAL LICENSE UNDER THIS ARTICLE 10 IN THE LICENSED PREMISES OF THE BUSINESS, INCLUDING BUT NOT LIMITED TO MANUFACTURING OR CULTIVATION ACTIVITY;

(i) KNOWINGLY PERMIT ANY ACTIVITY OR ACTS OF DISORDERLY CONDUCT AS DESCRIBED IN SECTION 18-9-106;

(j) SELL, SERVE, OR PERMIT THE SALE OR SERVING OF RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS TO ANY PATRON WHO SHOWS SIGNS OF VISIBLE INTOXICATION;

(k) PERMIT ROWDINESS, UNDUE NOISE, OR OTHER DISTURBANCES OR ACTIVITY OFFENSIVE TO THE AVERAGE CITIZEN OR TO THE RESIDENTS OF THE NEIGHBORHOOD IN WHICH THE LICENSED PREMISES IS LOCATED; OR

(l) ADMIT INTO THE LICENSED PREMISES OF A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS ANY PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE.

(3) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSEE SHALL:

(a) TRACK ALL OF ITS RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS FROM THE POINT THAT THEY ARE TRANSFERRED FROM A RETAIL MARIJUANA STORE, RETAIL MARIJUANA PRODUCTS MANUFACTURER, OR RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE TO ITS PATRONS;

(b) LIMIT A PATRON TO ONE TRANSACTION OF NO MORE THAN THE SALES LIMIT SET BY THE STATE LICENSING AUTHORITY BY RULE PURSUANT TO SECTION 44-10-203 (2)(cc)(II);

(c) BEFORE ALLOWING A PATRON TO LEAVE THE LICENSED PREMISES WITH ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS, PACKAGE AND LABEL THE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS IN ACCORDANCE WITH PROCEDURES DEVELOPED BY THE BUSINESS THAT COMPLY WITH THE REQUIREMENTS OF SECTION 44-10-203 (2)(f) AND (3)(b);

(d) OPERATE THE BUSINESS IN A DECENT, ORDERLY, AND RESPECTABLE MANNER;

(e) REQUIRE ALL EMPLOYEES OF THE BUSINESS TO SUCCESSFULLY COMPLETE AN ANNUAL RESPONSIBLE VENDOR TRAINING PROGRAM AUTHORIZED PURSUANT TO SECTION 44-10-1201;

(f) ENSURE THAT THE DISPLAY AND CONSUMPTION OF ANY RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCT IS NOT VISIBLE FROM OUTSIDE OF THE BUSINESS;

(g) EDUCATE CONSUMERS OF MARIJUANA BY PROVIDING INFORMATIONAL MATERIALS REGARDING THE SAFE CONSUMPTION OF MARIJUANA. THE MATERIALS MUST BE BASED ON THE REQUIREMENTS ESTABLISHED BY THE MARIJUANA EDUCATIONAL OVERSIGHT COMMITTEE, ESTABLISHED PURSUANT TO SECTION 24-20-112 (4), AND ON THE RELEVANT RESEARCH FROM THE PANEL OF HEALTH CARE PROFESSIONALS APPOINTED PURSUANT TO SECTION 25-1.5-110. NOTHING IN THIS SUBSECTION (3)(g) PROHIBITS A LOCAL JURISDICTION FROM ADOPTING

ADDITIONAL REQUIREMENTS FOR EDUCATION ON SAFE CONSUMPTION.

(h) MAINTAINING A RECORD OF ALL EDUCATIONAL MATERIALS REQUIRED BY SUBSECTION (3)(g) OF THIS SECTION IN THE LICENSED PREMISES FOR INSPECTION BY STATE AND LOCAL LICENSING AUTHORITIES AND LAW ENFORCEMENT; AND

(i) IF AN EMERGENCY REQUIRES LAW ENFORCEMENT, FIREFIGHTERS, EMERGENCY MEDICAL SERVICE PROVIDERS, OR OTHER PUBLIC SAFETY PERSONNEL TO ENTER A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS, ENSURE THAT ALL EMPLOYEES AND PATRONS OF THE BUSINESS CEASE ALL SALES, CONSUMPTION AND OTHER ACTIVITIES UNTIL SUCH PERSONNEL HAVE COMPLETED THEIR INVESTIGATION OR SERVICES AND HAVE LEFT THE LICENSED PREMISES.

(4) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS AND ITS EMPLOYEES MAY REMOVE AN INDIVIDUAL FROM THE BUSINESS FOR ANY REASON, INCLUDING A PATRON WHO DISPLAYS ANY VISIBLE SIGNS OF INTOXICATION.

(5) A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS MAY PURCHASE RETAIL MARIJUANA OR RETAIL MARIJUANA PRODUCTS FROM ANY RETAIL MARIJUANA STORE, RETAIL MARIJUANA CULTIVATION FACILITY, OR RETAIL MARIJUANA PRODUCTS MANUFACTURER.

SECTION 21. In Colorado Revised Statutes, 44-10-701, **amend as relocated by Senate Bill 19-224** (1)(a), (3)(d), and (3)(f) as follows:

44-10-701. Unlawful acts - exceptions. (1) Except as otherwise provided in this article 10, it is unlawful for a person:

(a) EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION 44-10-610:

(I) To consume regulated marijuana or regulated marijuana products in a licensed medical marijuana business or retail marijuana business; ~~and it shall be unlawful~~ OR

(II) For a medical marijuana business or retail marijuana business to allow regulated marijuana or regulated marijuana products to be consumed upon its licensed premises;

(3) It is unlawful for a person licensed pursuant to this article 10:

(d) To provide public premises, or any portion thereof, for the purpose of consumption of regulated marijuana in any form, EXCEPT IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION 44-10-610;

(f) To have on the licensed premises any regulated marijuana or marijuana paraphernalia that shows evidence of the regulated marijuana having been consumed or partially consumed, EXCEPT:

(I) If it is for purposes of recycling; OR

(II) IN THE LICENSED PREMISES OF A MARIJUANA HOSPITALITY BUSINESS LICENSED PURSUANT TO SECTION 44-10-609 OR A RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESS LICENSED PURSUANT TO SECTION 44-10-610;

SECTION 22. In Colorado Revised Statutes, 44-10-1201, **amend as relocated by Senate Bill 19-224** (2)(b)(IV) and (2)(b)(V); and **add as relocated by Senate Bill 19-224** (2)(b)(VI) as follows:

44-10-1201. Responsible vendor program - standards - designation. (2) An approved training program must contain, at a minimum, the following standards and be taught in a classroom setting in a minimum of a two-hour period:

(b) A core curriculum of pertinent statutory and regulatory provisions, which curriculum includes but need not be limited to:

(IV) Acceptable forms of identification, including patient registry cards and associated documents and procedures; ~~and~~

(V) Local and state licensing and enforcement, which may include but need not be limited to key statutes and rules affecting patients, owners, managers, and employees; AND

(VI) INFORMATION ON SERVING SIZE, THC AND CANNABINOID POTENCY, AND IMPAIRMENT.

SECTION 23. In Colorado Revised Statutes, 18-18-406, **amend as enacted in section 9 of this act** (5)(b)(IV) and (5)(b)(V) as follows:

18-18-406. Offenses related to marijuana and marijuana concentrate - definitions. (5) (b) (IV) Public display, consumption, or

use of marijuana or marijuana concentrate pursuant to the provisions of ~~section 44-12-408~~ SECTION 44-10-609, when such display, consumption, or use is within the licensed premises of a marijuana hospitality ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-408~~ SECTION 44-10-609, is not a violation of this subsection (5).

(V) Public display, consumption, or use of retail marijuana or retail marijuana concentrate pursuant to the provisions of ~~section 44-12-409~~ SECTION 44-10-610, when such display, consumption, or use is within the licensed premises of a retail marijuana hospitality and sales ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-409~~ SECTION 44-10-610 and when an individual's display, consumption, or use does not exceed the sales limit established by the state licensing authority by rule pursuant to ~~section 44-12-202 (3)(a)(XXV)(B)~~ SECTION 44-10-203 (2)(cc)(II), is not a violation of this subsection (5).

SECTION 24. In Colorado Revised Statutes, 25-14-205, **amend as amended in section 10 of this act** (1)(l) as follows:

25-14-205. Exceptions to smoking restrictions. (1) This part 2 does not apply to:

(l) If authorized by local ordinance, license, or regulation, the licensed premises of a marijuana hospitality ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-408~~ SECTION 44-10-609 or a retail marijuana hospitality and sales ~~establishment~~ BUSINESS licensed pursuant to ~~section 44-12-409~~ SECTION 44-10-610; except that this exception only applies to the smoking of marijuana and does not allow the smoking of tobacco within such premises.".

Renumber succeeding sections accordingly.

Page 23, line 26, strike "This" and substitute "(1) Except as otherwise provided in subsection (2) of this section, this".

Page 24, after line 8, insert:

"(2) Sections 12 through 24 of this act take effect January 1, 2020, only if Senate Bill 19-224 becomes law; 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary After consideration on the merits, the Committee recommends that **HB19-1283** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB19-234** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB19-237** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB19-1282** 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: SB19-238.
Correctly Reengrossed: SB19-188, 198, 223, 228, 248, 251, 252, 253, 254, and 258.
Correctly Revised: HB19-1171, 1262, and 1266.
Correctly Rerevised: HB19-1006, 1026, 1051, 1088, 1122, 1133, 1269, 1285, 1288, 1290, 1291, 1294, and 1307.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB19-1226 by Representative(s) Herod and Soper; also Senator(s) Lee--Concerning changes to release on bond, and, in connection therewith, the development of a pretrial screening process and administrative order for release without any monetary conditions; creating a presumption of release with the least restrictive conditions and without monetary conditions; specifying the information the court considers when making determinations about type of bond and conditions of release; a requirement for pretrial services programs throughout the state; and making an appropriation.
State, Veterans, & Military Affairs

On motion of Majority Leader Fenberg, 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.

On motion of Majority Leader Fenberg, 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

HJR19-1014 by Representative(s) Michaelson Jenet and McKean; also Senator(s) Ginal and Gardner--Concerning the declaration of April 28, 2019, through May 5, 2019, as "Holocaust Awareness Week".

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gonzales, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Health & Human Services — After consideration on the merits, the Committee recommends that **HB19-1301** 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 **SB19-134** be postponed indefinitely.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB19-1203** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1076** 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 7, line 19, after "portion," insert "(1)(d),", and strike "(1)(d)," and substitute "(1)(c),".

Page 7, after line 25 insert:

"(d) Any retail tobacco business; EXCEPT THAT THE REQUIREMENTS IN SECTION 25-14-204 (3) AND ANY RELATED PENALTIES APPLY TO A RETAIL TOBACCO BUSINESS;".

Page 10, line 20, strike "(2)," and substitute "(2) OR (3),".

Page 10, line 27, after "(2)" insert "OR (3)".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1279** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 1, strike "DISCHARGE," and substitute "DISCHARGE".

Page 4, line 2, strike "PURPOSES," and substitute "PURPOSES OR FOR TESTING FIREFIGHTING FOAM FIRE SYSTEMS".

Page 4, line 4, after the period add "AS USED IN THIS SUBSECTION (1), "FIREFIGHTING FOAM FIRE SYSTEMS" MEANS A SYSTEM DESIGNED TO PROVIDE PROTECTION FROM FIRE, OR FOR THE SUPPRESSION OF FIRE, THROUGH THE USE OF FIREFIGHTING FOAM.".

Page 6, line 16, after "REQUIRED BY" insert "OR AUTHORIZED BY".

Page 6, line 17, after "LAW" insert "INCLUDING BUT NOT LIMITED TO 14 C.F.R. PART 139, OR IMPLEMENTED IN ACCORDANCE WITH FEDERAL AVIATION ADMINISTRATION GUIDANCE,".

Page 6, line 18, strike "GASOLINE OR SPECIAL FUEL" and substitute "GASOLINE, SPECIAL FUEL, OR JET FUEL".

Page 6, line 20, strike "GASOLINE OR SPECIAL FUEL" and substitute "GASOLINE, SPECIAL FUEL, OR JET FUEL".

Page 6, line 21, strike "AND".

Page 6, line 22, strike "PLANT." and substitute "PLANT; AND".

Page 6, after line 22 insert:

"(d) FOR USE AT THE EISENHOWER-JOHNSON TUNNELS, IF DEEMED NECESSARY BY THE DEPARTMENT OF TRANSPORTATION. IF THE DEPARTMENT OF TRANSPORTATION DEEMS THE USE OF SUCH CLASS B FIREFIGHTING FOAM NECESSARY, THE DEPARTMENT OF TRANSPORTATION MUST ALSO MAKE A PLAN TO CONTAIN AND SAFELY DISPOSE OF SUCH CLASS B FIREFIGHTING FOAM AND ANY WATER USED IN THE CLEANUP OF SUCH CLASS B FIREFIGHTING FOAM.".

Page 8, strike lines 12 and 13, and substitute "IDENTIFICATION NUMBER, AND ADDRESS;".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB19-1168** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 7, line 2, after "FEDERAL" insert "OR STATE".

Page 7, line 11, after "(2)" insert "(a)".

Page 7, strike line 17 and substitute "CONSUMERS.
(b) AFTER".

Page 7, line 18, strike the first "OF".

Page 7, line 19, strike "OF AND ISSUE A REPORT ON THE" and substitute "THAT EVALUATES:
(I) THE".

Page 7, lines 22 and 23, strike"REDUCTIONS. THE COMMISSIONER SHALL" and substitute "REDUCTIONS; AND
(II) HEALTH PLAN AFFORDABILITY, INCLUDING COST SHARING AND PREMIUMS.
(c) THE COMMISSIONER SHALL ISSUE A REPORT ON THE STUDY WITHIN ONE HUNDRED TWENTY DAYS AFTER THE END OF THE SECOND FULL YEAR OF OPERATION OF THE PROGRAM,".

Page 7, line 23, strike "WEBSITE AND" and substitute "WEBSITE, AND".

Page 10, lines 17 and 18, strike "YEAR AND EACH BENEFIT YEAR THEREAFTER," and substitute "YEAR,".

Page 10, line 19, strike "THE APPLICABLE".

Page 10, strike lines 20 and 21 and substitute "THAT BENEFIT YEAR BY MARCH 15, 2020. IN SETTING THE PAYMENT PARAMETERS.".

Page 11, line 6, strike "APPROVED".

Page 13, line 26, strike "APPROPRIATED" and substitute "EXPENDED".

Page 14, line 18, strike "1 EACH YEAR THEREAFTER," and substitute "1, 2021,".

Page 15, line 3, strike "AND".

Page 15, line 5, strike "10-16-1108." and substitute "10-16-1108;
(III) THE FOLLOWING AMOUNTS TRANSFERRED FROM THE GENERAL FUND TO THE REINSURANCE PROGRAM CASH FUND, BUT ONLY IF HOUSE BILL 19-1245 IS ENACTED AT THE FIRST REGULAR SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY AND BECOMES LAW:
(A) FIFTEEN MILLION DOLLARS, TRANSFERRED TO THE FUND ON JUNE 30, 2020; AND
(B) FORTY MILLION DOLLARS, TRANSFERRED TO THE FUND ON JUNE 30, 2021;
(IV) AN AMOUNT OF PREMIUM TAX REVENUES DEPOSITED IN THE FUND PURSUANT TO SECTION 10-3-209 (4)(a)(III); AND
(V) ANY MONEY THE GENERAL ASSEMBLY APPROPRIATES TO THE FUND FOR THE PROGRAM.".

Page 15, line 6, after "INTO" insert "OR APPROPRIATED TO".

Page 15, line 27, strike "BENEFIT YEAR," and substitute "AND 2021 BENEFIT YEARS, AS APPLICABLE,".

Page 16, strike lines 1 through 23 and substitute "COMMISSIONER MAY ASSESS SPECIAL FEES AGAINST HOSPITALS, SUBJECT TO THE FOLLOWING:
(A) FEES ASSESSED AGAINST HOSPITALS MUST COMPLY WITH AND NOT VIOLATE 42 CFR 433.68 AND, IN ANY YEAR, MUST NOT EXCEED THE LESSER OF FORTY MILLION DOLLARS OR THE MAXIMUM AMOUNT ALLOWED UNDER 42 CFR 433.68;".

Page 16, strike line 27.

Page 17, strike lines 1 through 4.

Renumber succeeding subparagraph accordingly.

Page 17, strike lines 19 through 25 and substitute "SECTION 9010 OF THE FEDERAL ACT.".

Page 18, after line 1 insert:

"(c) THE COMMISSIONER SHALL USE THE SPECIAL FEES ASSESSED PURSUANT TO THIS SUBSECTION (1) TO PAY THE ADMINISTRATIVE AND OPERATING EXPENSES OF THE REINSURANCE PROGRAM, INCLUDING REINSURANCE PAYMENTS AND EXPENSES OF THE PROGRAM, THE COMMISSIONER, AND THE DIVISION.".

Reletter succeeding paragraph accordingly.

Page 19, after line 13 insert:

"(4) PRIOR TO ASSESSING SPECIAL FEES AGAINST HOSPITALS PURSUANT TO THIS SECTION, THE STATE SHALL REQUEST THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO DETERMINE IF THE SPECIAL FEES ASSESSED ON HOSPITALS PURSUANT TO THIS SECTION, IN COMBINATION WITH ANY OTHER HEALTH-CARE-RELATED FEES, TAXES, AND ASSESSMENTS IMPOSED ON HOSPITALS BY THE STATE THAT ARE SUBJECT TO 42 CFR 433.55, COMPLY WITH 42 CFR 433. IF THE SECRETARY DECLINES OR OTHERWISE FAILS TO AFFIRM COMPLIANCE WITH 42 CFR 433 IN WRITING SUCH THAT FEDERAL FINANCIAL PARTICIPATION IN THE COLORADO MEDICAID PROGRAM PURSUANT TO 42 CFR 433 MAY BE AT RISK, THE COMMISSIONER SHALL NOT ASSESS SPECIAL FEES AGAINST HOSPITALS PURSUANT TO THIS SECTION.".

Renumber succeeding subsection accordingly.

Page 19, line 25, strike "FIVE-YEAR" and substitute "TWO-YEAR".

Page 21, line 18, strike "2024." and substitute "2023.".

Page 21, strike lines 19 through 27.

Page 22, strike line 1 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 10-3-209, **amend** (4)(a) as follows:

10-3-209. Tax on premiums collected - exemptions - penalties. (4) (a) The division of insurance shall transmit all taxes, penalties, and fines it collects under this section to the state treasurer for deposit in the general fund; except that the state treasurer shall deposit amounts in the specified cash funds as follows:

(I) In the division of insurance cash fund created in section 10-1-103 (3), an amount that is equal to the general assembly's appropriation from the fund to the division for its direct and indirect expenditures less the total fee revenue that is deposited in the fund; except that the amount deposited in the fund under this subparagraph (I) ~~may~~ SHALL not exceed five percent of all taxes collected under this section; ~~and~~

(II) In the wildfire emergency response fund created in section 24-33.5-1226 ~~C.R.S.,~~ and the wildfire preparedness fund created in section 24-33.5-1227, ~~C.R.S.,~~ the amount of the taxes, penalties, and fines that the general assembly appropriates to each of the cash funds;

(III) FOR THE 2020-21 FISCAL YEAR, IN THE REINSURANCE PROGRAM CASH FUND CREATED IN SECTION 10-16-1107, THE AMOUNT OF PREMIUM TAXES COLLECTED PURSUANT TO THIS SECTION IN THE 2020 CALENDAR YEAR THAT EXCEEDS THE AMOUNT OF PREMIUM TAXES COLLECTED PURSUANT TO THIS SECTION IN THE 2019 CALENDAR YEAR; AND

(IV) FOR THE 2021-22 FISCAL YEAR, IN THE REINSURANCE PROGRAM CASH FUND CREATED IN SECTION 10-16-1107, THE AMOUNT OF PREMIUM TAXES COLLECTED PURSUANT TO THIS SECTION IN THE 2021 CALENDAR YEAR THAT EXCEEDS THE AMOUNT OF PREMIUM TAXES COLLECTED PURSUANT TO THIS SECTION IN THE 2020 CALENDAR YEAR.".

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:

SB19-256 by Senator(s) Bridges; also Representative(s) Esgar--Concerning an appropriation made to implement House Bill 18-1299 concerning electronic documents related to the ownership of a 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: 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:

HB19-1274 by Representative(s) Snyder; also Senator(s) Hisey--Concerning the ability of the boards of county commissioners to delegate to county administrative officials certain land use determinations affecting subdivision platting.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola, Scott, and Tate.

SB19-238 by Senator(s) Danielson and Moreno; also Representative(s) Kennedy and Duran--Concerning home care agencies, and, in connection therewith, requiring certain agencies to expend a minimum percentage of their reimbursements from the "Colorado Medical Assistance Act" as wages for employees who provide direct care, requiring the department of health care policy and financing to enforce training requirements and request an increase to the reimbursement rate for certain services provided under the "Colorado Medical Assistance Act", and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fenberg, Fields, Garcia, Ginal, Gonzales, Pettersen, Story, Todd, and Winter.

HB19-1171 by Representative(s) Michaelson Jenet; also Senator(s) Fields and Priola--Concerning expanding the grades eligible for the child nutrition school lunch protection 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	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1262 by Representative(s) Wilson and McLachlan, Arndt, Benavidez, Bird, Buckner, Buentello, Caraveo, Catlin, Coleman, Cutter, Duran, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Landgraf, Liston, McCluskie, McKean, Melton, Michaelson Jenet, Pelton, Roberts, Singer, Sirota, Snyder, Sullivan, Titone, Valdez D., Weissman, Will, Valdez A., Van Winkle; also Senator(s) Bridges and Fields, Todd, Story, Priola, Coram, Court, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Lee, Pettersen, Williams A., Winter--Concerning state funding for full-day kindergarten educational programs, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Hisey, Holbert, Lundeen, Moreno, Rankin, Rodriguez, Smallwood, Sonnenberg, Tate, and Zenzinger.

HB19-1266 by Representative(s) Herod; also Senator(s) Fenberg--Concerning the voting rights of persons serving a sentence of parole, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Garcia, Gonzales, Lee, Moreno, Pettersen, Rodriguez, and Williams A.

SB19-232 by Senator(s) Foote; also Representative(s) Weissman--Concerning the codification of the rules of the secretary of state addressing the procedures for the enforcement of state laws governing campaign finance.

Laid over until Saturday, April 27, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Hisey, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hisey 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:

SB19-255 by Senator(s) Court and Tate; also Representative(s) Herod and Esgar--Concerning the establishment of the ratio of valuation for assessment for residential real property.

Upon request of Majority Leader Fenberg, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Friday, April 26, 2019, and placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, April 26, 2019.

HB19-1265 by Representative(s) Esgar and Soper; also Senator(s) Rankin and Winter--Concerning the penalty for a person who passes a snowplow that is performing its service function in echelon formation with at least one other snowplow, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-259 by Senator(s) Garcia and Hisey; --Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 24, page 1076 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1315 by Representative(s) Gonzales-Gutierrez and Michaelson Jenet, Benavidez, Herod, Soper; also Senator(s) Gonzales--Concerning the admissibility of statements by a juvenile.

Upon request of Majority Leader Fenberg, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Friday, April 26, 2019, and placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, April 26, 2019.

HB19-1284 by Representative(s) Titone and Beckman, Baisley, Benavidez, Bird, Bockenfeld, Buck, Buckner, Caraveo, Coleman, Cutter, Duran, Froelich, Galindo, Gonzales-Gutierrez, Gray, Hansen, Hooton, Humphrey, Jaquez Lewis, Kipp, Landgraf, Larson, Lontine, McCluskie, McKean, McLachlan, Rich, Roberts, Singer, Snyder, Soper, Weissman, Will; also Senator(s) Holbert and Moreno--Concerning the board of directors of the urban drainage and flood control district.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1305 by Representative(s) McLachlan and Catlin; also Senator(s) Gonzales and Coram--Concerning the authority of tribal entities to administer fingerprint-based criminal history record checks related to emergency child welfare placements.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1321 by Representative(s) Coleman and Williams D.; also Senator(s) Priola--Concerning the use of an electronic device to verify the driver's license of a person who rents a motor vehicle.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1295 by Representative(s) Rich and Becker; also Senator(s) Scott and Story--Concerning a requirement that the county treasurer in specified counties serve as the public trustee for the county.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1299 by Representative(s) McCluskie and Rich; also Senator(s) Donovan--Concerning flexibility in the contribution rates to a local government retirement plan or 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 Hisey, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-259 as amended, HB19-1265, HB19-1284, HB19-1305, HB19-1321, HB19-1295, HB19-1299.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Saturday, April 27: SB19-255, HB19-1315.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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, had been considered and action taken thereon as follows:

SB19-225 by Senator(s) Gonzales and Rodriguez, Foote, Moreno; also Representative(s) Lontine and Gonzales-Gutierrez, Duran, Galindo, Jackson, Singer, Sirota--Concerning the ability of local governments to stabilize rents on private residential property.

Laid over until Monday, April 29, retaining its place on the calendar.

HB19-1024 by Representative(s) McKean and Buentello; also Senator(s) Todd and Coram--Concerning creation of the Colorado youth advisory council review committee, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1248 by Representative(s) Weissman and Cutter; also Senator(s) Foote--Concerning measures to promote transparency about the activities of persons lobbying state government officials, and, in connection therewith, making an appropriation.

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.)

HB19-1239 by Representative(s) Tipper and Caraveo; also Senator(s) Priola and Winter--Concerning the promotion of an accurate count in the decennial census by creating a census outreach program, and, in connection therewith, making an appropriation.

At the request of Senator Hill, the bill was read at length.

Amendment No. 1(L.017), by Senator Priola.

Amend reengrossed bill, page 8, line 11, strike "SEVEN" and substitute "FIVE".

Page 8, strike line 17 and substitute:

"(II) THE SECRETARY OF STATE SHALL APPOINT ONE COMMITTEE MEMBER.".

Page 9, line 5, strike "GOVERNOR" and substitute "SECRETARY OF STATE".

Page 9, line 7, strike "GOVERNOR" and substitute "MEMBERS OF THE COMMITTEE".

Amendment No. 2(L.018), by Senator Hill.

Amend reengrossed bill, page 11, line 26, strike "MAY 1, 2021," and substitute "DECEMBER 1, 2020,".

Page 12, line 9, strike "JANUARY 1, 2023," and substitute "FEBRUARY 1, 2021,".

Amendment No. 3(L.019), by Senator Winter.

Strike the Hill floor amendment (HB1239_L.018) and substitute:

"Amend reengrossed bill, page 11, lines 26 and 27, strike "ON OR BEFORE MAY 1, 2021, EACH" and substitute "EACH".

Page 12, line 8, after "GRANTS." add "EACH ELIGIBLE RECIPIENT SHALL SUBMIT AN INITIAL REPORT AND SUPPORTING DOCUMENTATION ON OR BEFORE DECEMBER 1, 2020, AND SHALL SUBMIT A FINAL REPORT ON OR BEFORE MAY 1, 2021.".

Page 12, strike line 9 and substitute:

"(b) THE DEPARTMENT SHALL".

Page 12, line 14, after "PROGRAM." insert "THE DEPARTMENT SHALL SUBMIT AN INITIAL REPORT WITH AVAILABLE INFORMATION REQUIRED PURSUANT TO THIS SUBSECTION (7)(b) ON OR BEFORE FEBRUARY 1, 2021. THE INITIAL REPORT SHALL INCLUDE AT A MINIMUM THE INFORMATION SPECIFIED IN SUBSECTIONS (7)(b)(I) AND (7)(b)(II) OF THIS SECTION. THE DEPARTMENT SHALL SUBMIT A FINAL REPORT ON OR BEFORE JANUARY 1, 2023.".

Page 12, line 14, after "THE" insert "FINAL".".

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.)

SB19-239 by Senator(s) Winter and Bridges; also Representative(s) Gray and Hansen--Concerning means of addressing the impacts of technological and business model changes related to commercial vehicles, and, in connection therewith, requiring the department of transportation to convene and consult with a stakeholder group to examine impacts of new transportation technologies and business models, identify means of addressing impacts, and report findings and make recommendations to the general assembly.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, April 24, pages 1043-1044 and placed in members' bill files.)

Amendment No. 2(L.009), by Senator Bridges.

Amend the Transportation & Energy Committee Report, dated April 23, 2019, page 1, strike lines 8 through 10 and substitute:

"(II) RECEIVE INFORMATION AND RECOMMENDATIONS FROM THE FREIGHT ADVISORY COUNCIL REGARDING CURRENT AND EVOLVING PRACTICES RELATED TO THE RESIDENTIAL DELIVERY OF GOODS; AND".

Page 1 of the committee report, after line 15 insert:

"Page 5 of the bill, strike lines 9 through 19 and substitute "PURPOSES" MEANS A MOTOR VEHICLE THAT IS USED TO PROVIDE PASSENGER TRANSPORTATION SERVICES PURCHASED THROUGH A TRANSPORTATION NETWORK COMPANY, AS DEFINED IN SECTION 40-10.1-602 (3), A PEER-TO-PEER CAR SHARING COMPANY, A CAR SHARING COMPANY THAT DOES NOT USE A PEER-TO-PEER BUSINESS MODEL, OR A COMPANY THAT PROVIDES TAXICAB SERVICE, AS DEFINED IN SECTION 40-10.1-101 (19), A MOTOR VEHICLE THAT IS RENTED OUT BY A RENTAL CAR COMPANY, AND A MOTOR VEHICLE THAT IS USED FOR RESIDENTIAL DELIVERY OF GOODS.".

Page 5 of the bill, strike lines 22 and 23 and substitute:

"(I) A MOTOR VEHICLE USED TO DELIVER GOODS THAT IS USED ONLY TO DELIVER GOODS:
(A) TO ADDRESSES OTHER THAN RESIDENCES; OR
(B) THAT ARE DELIVERED AS FREIGHT; OR".".

Page 2 of the committee report, after line 12 insert:

"(XII) A REPRESENTATIVE OF TOWING AND RECOVERY PROFESSIONALS OF COLORADO;".

Page 2 of the committee report, line 13, strike "(XII)" and substitute "(XIII)".

Page 2 of the committee report, line 15, strike "(XIII)" and substitute "(XIV)".

Page 3 of the committee report, after line 2 insert:

"Page 10 of the bill, line 14, strike "INDIVIDUAL OWNERS OF" and substitute "INDIVIDUALS USING".

Page 10 of the bill, line 17, strike "EVERY MOTOR VEHICLE" and substitute "SUCH MOTOR VEHICLES".

Page 10 of the bill, strike lines 18 through 20 and substitute "FOR COMMERCIAL PURPOSES.".".

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.)

HB19-1216 by Representative(s) Roberts, McCluskie; also Senator(s) Donovan and Priola--Concerning measures to reduce a patient's costs of prescription insulin drugs, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 19, page 978 and placed in members' bill files.)

At the request of Senator Woodward, the bill was read at length.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1250 by Representative(s) Herod; also Senator(s) Danielson--Concerning sex offenses committed by a peace officer, and, in connection therewith, making an appropriation.

Amendment No. 1(L.004), by Senator Danielson.

Amend reengrossed bill, page 2, strike lines 2 through 16.

Page 3, strike lines 1 through 11.

Page 3, strike lines 23 through 25 and substitute:

"(b) THE PEACE OFFICER KNOWS THAT THE VICTIM IS, OR CAUSES THE VICTIM TO BELIEVE THAT HE OR SHE IS, THE SUBJECT OF AN ACTIVE INVESTIGATION, AND THE PEACE OFFICER USES THAT KNOWLEDGE TO FURTHER THE SEXUAL CONTACT, INTRUSION, OR PENETRATION; OR".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1246 by Representative(s) Van Winkle and Kraft-Tharp; also Senator(s) Cooke and Moreno--Concerning the regulation of food truck businesses by local governments.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 17, page 899 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.)

SB19-255 by Senator(s) Court and Tate; also Representative(s) Herod and Esgar--Concerning the establishment of the ratio of valuation for assessment for residential real property.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1315 by Representative(s) Gonzales-Gutierrez and Michaelson Jenet, Benavidez, Herod, Soper; also Senator(s) Gonzales--Concerning the admissibility of statements by a juvenile.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 24, page 1076 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1132 by Representative(s) Buentello and Pelton; also Senator(s) Coram and Bridges--Concerning Colorado food products in schools, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1259 by Representative(s) Roberts and Pelton; also Senator(s) Donovan--Concerning support for species conservation trust fund projects, and, in connection therewith, making transfers to and appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1202 by Representative(s) McLachlan and Galindo, Arndt, Kipp, Pelton; also Senator(s) Ginal and Priola--Concerning the food systems advisory council, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 23, page 1006 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1260 by Representative(s) Kipp and Valdez A., Cutter, Duran, Froelich, Hooton, Jaquez Lewis, Sirota, Weissman; also Senator(s) Winter and Priola--Concerning an update to the minimum energy code for the construction of buildings.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1255 by Representative(s) Hansen and Catlin; also Senator(s) Coram and Zenzinger--Concerning the creation of a Mesa Verde National Park license plate.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1228 by Representative(s) Bird and Titone, McLachlan, Soper; also Senator(s) Zenzinger and Tate, Bridges, Gardner, Priola, Rodriguez--Concerning an increase in the aggregate amount of the tax credits that the Colorado housing and finance authority may allocate in a calendar year under the Colorado affordable housing tax credit.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1013 by Representative(s) Exum, Coleman; also Senator(s) Pettersen, Fields--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.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1311 by Representative(s) Singer; also Senator(s) Bridges--Concerning the creation of the institute of cannabis research at Colorado state university - Pueblo.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-233 by Senator(s) Lee; also Representative(s) Snyder--Concerning combined reporting by a corporation for Colorado state income tax purposes.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1233 by Representative(s) Froelich and Caraveo; also Senator(s) Ginal and Moreno--Concerning payment system reforms to reduce health care costs by increasing utilization of primary care, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 19, page 977 and placed in members' bill files.)

Amendment No. 2(L.010), by Senator Ginal.

> Amend the Health and Human Services Committee Report, dated April 19, 2019, page 1, line 2, after "A" insert "NONPROFIT,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1090 by Representative(s) Gray and Van Winkle, Arndt, Buckner, Buentello, Galindo, Hooton, Larson, Lontine, Melton, Michaelson Jenet, Valdez A.; also Senator(s) Gonzales and Hill, Coram, Ginal, Holbert, Marble, Rodriguez, Williams A., Winter--Concerning measures to allow greater investment flexibility in marijuana businesses, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-007, HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1261, HB19-1258, HB19-1257, HB19-1272, HB19-1231, HB19-1174, HB19-1298, HB19-1289, HB19-1306) of Friday, April 26, was laid over until Saturday, April 27, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1248 by Representative(s) Weissman and Cutter; also Senator(s) Foote--Concerning measures to promote transparency about the activities of persons lobbying state government officials, and, in connection therewith, making an appropriation.

Senator Holbert moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1248 did pass.

Amend reengrossed bill, page 5, line 6, after "is" insert "REGISTERED AS".

Page 5, line 9, after "IS" insert "REGISTERED AS".

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

HB19-1239 by Representative(s) Tipper and Caraveo; also Senator(s) Priola and Winter--Concerning the promotion of an accurate count in the decennial census by creating a census outreach program, and, in connection therewith, making an appropriation.

Senator Marble moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1239 did pass.

Amend reengrossed bill, page 8, after line 3 insert:

"(4.5) THE DEPARTMENT SHALL NOT AWARD GRANTS TO ANY PARTISAN POLITICAL ORGANIZATIONS OR IDEOLOGICALLY DRIVEN POLITICAL INTEREST GROUPS WHO WOULD USE THE CENSUS GATHERING PROCESS TO RESHAPE THE ELECTORAL LANDSCAPE.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Marble moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1239 did pass.

Amend reengrossed bill, page 8, after line 3 insert:

"(4.5) THE DEPARTMENT SHALL NOT AWARD GRANTS TO ANY PARTISAN POLITICAL ORGANIZATIONS OR ORGANIZATIONS THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501 (c)(4) OF THE

FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, WHO WOULD USE THE CENSUS GATHERING PROCESS TO RESHAPE THE ELECTORAL LANDSCAPE.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	Y	Todd	N
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

SB19-239 by Senator(s) Winter and Bridges; also Representative(s) Gray and Hansen--Concerning means of addressing the impacts of technological and business model changes related to commercial vehicles, and, in connection therewith, requiring the department of transportation to convene and consult with a stakeholder group to examine impacts of new transportation technologies and business models, identify means of addressing impacts, and report findings and make recommendations to the general assembly.

Senators Bridges and Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.010) to SB 19-239, did pass.

Amend printed bill, page 9, line 20, strike "THAT ARE STRUCTURED AND".

Page 9, strike likes 21 through 23.

Page 9, line 24, strike "AND".

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

HB19-1239 by Representative(s) Tipper and Caraveo; also Senator(s) Priola and Winter--Concerning the promotion of an accurate count in the decennial census by creating a census outreach program, and, in connection therewith, making an appropriation.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.020) to HB 19-1239, did pass.

Amend reengrossed bill, page 6, line 19, strike "OR SOCIAL WELFARE".

Page 6, line 20, strike "OR 501 (c)(4)".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-239 as amended, SB19-255, SB19-233, HB19-1024, HB19-1248 as amended, HB19-1239 as amended, HB19-1216 as amended, HB19-1250 as amended, HB19-1246 as amended, HB19-1315 as amended, HB19-1132, HB19-1259, HB19-1202 as amended, HB19-1260, HB19-1255, HB19-1228, HB19-1013, HB19-1311, HB19-1233 as amended, HB19-1090.
Laid over until Saturday, April 27: SB19-007 as amended, HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1261, HB19-1258, HB19-1257, HB19-1272, HB19-1231, HB19-1174, HB19-1298, HB19-1289, HB19-1306.
Laid over until Monday, April 29: SB19-225.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

Senator Williams moved that the Senate not concur in House amendments to SB19-077, as printed in House journal, April 10, pages 1106-1107, and April 17, pages 1265-1266, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senators Williams, Chair, Gonzales, and Priola were appointed as Senate conferees on the first conference committee on **SB19-077**.

Senator Williams moved that the Senate conferees on the first conference committee on **SB19-077** 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**.

SB19-054 by Senator(s) Crowder; also Representative(s) Valdez D. and Humphrey--Concerning the regulation of surplus military vehicles for the purposes of operation on the highway, and, in connection therewith, making an appropriation.

Senator Crowder moved that the Senate concur in House amendments to SB19-054, as printed in House journal, April 16, page 1247. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Marble.

SB19-137 by Senator(s) Todd and Crowder; also Representative(s) Hansen and Wilson--Concerning the extension of the Colorado student leaders institute, and, in connection therewith, making an appropriation.

Senator Todd moved that the Senate concur in House amendments to SB19-137, as printed in House journal, April 10, page 1097. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

SB19-002 by Senator(s) Winter and Fenberg; also Representative(s) Roberts and Jackson--Concerning the regulation of student education loan servicers, and, in connection therewith, making an appropriation.

Senator Winter moved that the Senate not concur in House amendments to SB19-002, as printed in House journal, April 17, page 1286, and April 23, pages 1417-1418 and 1428, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Senators Winter, Chair, Fenberg, and Tate were appointed as Senate conferees on the first conference committee on SB19-002.

SB19-099 by Senator(s) Todd; also Representative(s) Tipper--Concerning the "Revised Uniform Athlete Agents Act (2015)", and, in connection therewith, making an appropriation.

Senator Todd moved that the Senate concur in House amendments to SB19-099, as printed in House journal, April 10, page 1095. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-155 by Senator(s) Williams A. and Priola; also Representative(s) Kraft-Tharp and Snyder--Concerning the continuation of the state board of accountancy, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Williams moved that the Senate concur in House amendments to SB19-155, as printed in House journal, April 17, pages 1283-1285. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-059 by Senator(s) Moreno; also Representative(s) Buckner--Concerning creation of an automatic enrollment in advanced courses grant program in the department of education, and, in connection therewith, making an appropriation.

Senator Moreno moved that the Senate concur in House amendments to SB19-059, as printed in House journal, April 23, pages 1428-1429, and April 24, pages 1460-1462. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Danielson, Holbert, Lee, Marble, and Williams A.

Upon request of Majority Leader Fenberg, Members of the State Board of the Great Outdoors Colorado Trust Fund, were removed from the Consideration of Governor's Appointments--Consent Calendar of Friday, April 26, 2019, and were placed at the end of the Consideration of Governor's Appointments Calendar of Friday, April 26, 2019.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, a Member of the Energy Impact Advisory Committee, a Member of the State Plumbing Board, Members of the Juvenile Parole Board, Members of the Colorado Civil Rights Commission, Members of the Colorado Education and Cultural Facilities Authority Board of Directors, Members of the Board of Trustees for Colorado Mesa University, a Member of the Colorado Lottery Commission, a Member of the Colorado Limited Gaming Control Commission, the Executive Director of the Department of Revenue, a Member of the Colorado Energy Research Authority, Members of the State Board of Health, and Members of the Medical Services Board, were made Special Orders--Governor's Appointments--Consent Calendar at 6:42 p.m.

CONSIDERATION OF SPECIAL ORDERS -- GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

The hour of 6:42 p.m. having arrived, on motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2020:

Jamie Linell Harkins of Boulder, Colorado, and occasioned by the resignation of Hon. Cari Hermacinski of Steaboat Springs, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
STATE PLUMBING BOARD

for a term expiring July 1, 2022:

John D. Craco of Arvada, Colorado, a person engaged in the construction of residential or commercial buildings as a plumbing contractor, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
JUVENILE PAROLE BOARD

for terms expiring November 15, 2021:

Kim Branham of Thornton, Colorado, to serve as a representative of the Colorado Department of Public Safety, appointed;

James A. Newby, MA, LPC, CWDP of Aurora, Colorado, to serve as a representative from the Colorado Department of Labor and Employment, appointed;

for terms expiring November 15, 2022:

Rachael Victoria Lovendahl of Westminster, Colorado, to serve as a representative of the Colorado Department of Education, reappointed;

Michael Anthony Rodriguez of Aurora, Colorado to serve as a public member/not employed by state government, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2023:

Richard Lee Lewis Jr. of Aurora, Colorado, to serve as a majority business owner with employees numbering more than 50, and as a Democrat, appointed;

Sergio Raudel Cordova of Littleton, Colorado, to serve as a representative of an employee association that represents workers in Colorado, and as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for a term expiring June 30, 2019:

Amanda Mountain of Denver, Colorado and as an Unaffiliated and occasioned by the resignation of Cheryl Denise Cohen-Vader of Denver, Colorado, appointed;

for terms expiring June 30, 2022:

Samuel James Todd of Broomfield, Colorado, a Republican, reappointed;

Amanda Mountain of Denver, Colorado and as an Unaffiliated, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for terms expiring December 31, 2022:

Daniel Anthony Lee Ramos of Denver, Colorado, a Democrat, appointed;

Kasia Iwaniczko MacLeod of Denver, Colorado, a Democrat, appointed;

Amy Lentz of Grand Junction, Colorado, an Unaffiliated member, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2022:

Stanley Henry Podolski III, CPA of Fort Collins, Colorado, a Republican, and certified public accountant who has practiced accountancy in Colorado for at least five years, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2021:

Kristen Shirley Blessman of Denver, Colorado, to serve as a member from the First Congressional District, and as a representative who has been engaged in business in a management-level capacity for at least five years, and as an Unaffiliated, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REVENUE

effective April 18, 2019 for a term expiring at the pleasure of the Governor:

Lu M. Cordova of Boulder, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBER OF THE
COLORADO ENERGY RESEARCH AUTHORITY

for a term expiring July 1, 2022:

Michelle Hadwiger of Denver, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2021:

Hon. Ronald E. Engels of Central City, Colorado, a resident of the Second Congressional District and a Democrat, to serve an at-large member and county commissioner, and occasioned by the resignation of Hon. Lew Gaiter, III of Livermore, Colorado, appointed.

for terms expiring March 1, 2023:

Raymond O. Estacio of Denver, Colorado, a resident of the First Congressional District, a Democrat, reappointed;

Thomas Butts of Thornton, Colorado, a resident of the Seventh Congressional District, an Unaffiliated member, appointed.

Kendall Paul Alexander of Greeley, Colorado, a resident of the Fourth Congressional District, and as an Unaffiliated, to serve as a member at-large, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
MEDICAL SERVICES BOARD

for a term expiring July 1, 2021

Patricia L. Givens, DHA, EdM, BN, RN of Denver, Colorado, an Unaffiliated from the First Congressional District, with knowledge of medical assistance programs, reappointed;

for a term expiring July 1, 2022:

Amanda Ann Moorer of Westminster, Colorado, a Republican from the Seventh Congressional District with knowledge of medical assistance programs, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MESSAGE FROM THE HOUSE

April 26, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1326, 1330.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19 1275, 1308,1322, 1017, 1297, 1328, 1073, 1287, 1236, 1310, 1212, amended as printed in House Journal, April 25, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1142, 1229, amended as printed in House Journal, April 25, 2019, and amended on Third Reading as printed in House Journal, April 26, 2019.

The House has passed on Third Reading and returns herewith SB19-159, 160, 163, 187.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-197, 161, 202, amended as printed in House Journal, April 25, 109.

MESSAGE FROM THE REVISOR OF STATUTES

April 26, 2019

We herewith transmit:

Without comment, HB19-1330.
Without comment, as amended, HB19-1017, 1275, 1308, 1322, 1326, 1297, 1328, 1073, 1287, 1236, 1310, 1212, 1142 and 1229.
Without comment, as amended, SB19-197 and 202.
Without comment, as amended, SB19-161.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (Members of the Colorado Lottery Commission, a Member of the Colorado Racing Commission, and Members of the State Board of Great Outdoors Colorado Trust Fund) of Friday, April 26, was laid over until Saturday, April 27, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB19-1055, HB19-1134, HB19-1193, HB19-1282, HB19-1301, and HB19-1076 were made Special Orders--Consent Calendar at 6:56 p.m.

Committee of the Whole

The hour of 6:56 p.m. having arrived, Senator Moreno 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 Moreno 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:

HB19-1055 by Representative(s) Bird; also Senator(s) Zenzinger--Concerning the provision of state financial assistance for public school capital construction, and, in connection therewith, increasing the amount of retail marijuana excise tax revenue that is credited to the public school capital construction assistance fund, increasing the maximum total amount of annual lease payments payable by the state for financial assistance provided under the terms of lease-purchase agreements, more precisely tying the total amount of financial assistance provided to charter schools to the number of students enrolled in charter schools, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1134 by Representative(s) Buckner and Wilson; also Senator(s) Todd--Concerning researching effective methods for assisting early-grade students with dyslexia, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1193 by Representative(s) Herod and Pelton; also Senator(s) Garcia--Concerning behavioral health supports for high-risk families, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1282 by Representative(s) Singer and Michaelson Jenet; also Senator(s) Smallwood and Donovan--Concerning administration of the court-appointed special advocate program.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1301 by Representative(s) Michaelson Jenet and Buckner, Buentello, Caraveo, Cutter, Duran, Galindo, Gonzales-Gutierrez, Hooton, Kipp, Sirota; also Senator(s) Williams A., Todd, Story--Concerning health insurance coverage for breast imaging.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1076 by Representative(s) Michaelson Jenet and Larson, Caraveo, Cutter, Jackson, Mullica; also Senator(s) Priola and Donovan, Ginal--Concerning updates to the "Colorado Clean Indoor Air Act", and, in connection therewith, removing certain exceptions and adding provisions relevant to the use of electronic smoking devices.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, page 1121 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 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1055, HB19-1134, HB19-1193, HB19-1282, HB19-1301, HB19-1076 as amended.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB19-261 by Senator(s) Moreno and Cooke, Zenzinger, Rankin; also Representative(s) Esgar and Will, Neville, Hansen, Ransom--Concerning the transfer of money from the unclaimed property trust fund to the general fund.
Appropriations

HB19-1308 by Representative(s) Singer and Landgraf; also Senator(s) Moreno and Rankin--Concerning foster care prevention services to align current standards with the federal "Family First Prevention Services Act".
Appropriations

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1085** 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 11, line 3, after "the" insert "general fund".

Page 11, line 6, strike "$650,500." and substitute "$653,500.".

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1110** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1167** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1230** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1234** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1237** 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 33, after line 16 insert:

"**SECTION 26. Appropriation.** (1) For the 2019-20 state fiscal year, $51,472 is appropriated to the department of public health and environment for use by the health facilities and emergency medical services division. This appropriation is from the general fund and is based on the assumption that the division will require an additional 0.5 FTE. To implement this act, the department may use this appropriation for behavioral health entity licensing.".

Renumber succeeding sections accordingly.

Page 1, line 101, strike "**ENTITIES.**" and substitute "**ENTITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1278** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 60, line 26, strike "$175,798" and substitute "$255,298".

Page 61, line 4, strike "$148,400" and substitute "$227,900".

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1279** 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 **HB19-1280** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1203** 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 **HB19-1283** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1314** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 15, strike lines 10 through 24 and substitute the following:

"**SECTION 3. Appropriation.** (1) For the 2019-20 state fiscal year, $155,758 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the general fund and is based on an assumption that the division will require an additional 1.8 FTE. To implement this act, the division may use this appropriation for the just transition office.

(2) For the 2019-20 state fiscal year, $920 is appropriated to the legislative department for use by the general assembly. This appropriation is from the general fund.".

Appro-
priations

After consideration on the merits, the Committee recommends that **HB19-1318** be referred to the Committee of the Whole with favorable recommendation.

Appro-
priations

After consideration on the merits, the Committee recommends that **HB19-1242** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 39, line 19, strike "$139,486" and substitute "$183,063".

Page 39, line 23, strike "$113,585" and substitute "$156,972".

Page 39, line 25, strike "1.0" and substitute "1.2".

Page 39, line 26, strike "$10,356" and substitute "$10,546".

Appro-
priations

After consideration on the merits, the Committee recommends that **SB19-234** be referred to the Committee of the Whole with favorable recommendation.

On motion of Senator Hill, the Senate adjourned until 11:00 a.m., Saturday, April 27, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

114th Legislative Day Saturday, April 27, 2019

Prayer — By Senator Bridges.

Call to Order — By the President at 12:25 p.m.

Roll Call — Present--34
Excused--1, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Foote.

Reading of the Journal — On motion of Senator Ginal, reading of the Journal of Friday, April 26, 2019, 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 **HB19-1319** 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 **HB19-1223** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1302** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1300** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1309** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1045** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-260** 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 **HB19-1245** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 8, after line 21 insert:

"**SECTION 6.** In Colorado Revised Statutes, 39-26-105, **amend** (1)(c)(III) and (5)(c); **amend as amended by House Bill 19-1240**

(1)(c)(I) and (1)(c)(II); and **add** (1)(d) as follows:

39-26-105. Vendor liable for tax - repeal. (1) (c) (I) Every retailer shall remit, along with the return required in subsection (1)(b) of this section, an amount equivalent to the percentage on sales as specified in subsection (1)(a)(I) of this section to the executive director of the department of revenue, less an amount as set forth in ~~subsection (1)(c)(II)~~ SUBSECTION (1)(c)(II) OR (1)(d) of this section to cover the retailer's expense in the collection and remittance of said tax.

(II) FOR SALES MADE PRIOR TO JANUARY 1, 2020, the amount retained by a retailer to cover the retailer's expense in collecting and remitting tax pursuant to this section is three and one-third percent of all sales tax reported.

(III) If any retailer is delinquent in remitting said tax, other than in unusual circumstances shown to the satisfaction of the executive director of the department of revenue, the retailer shall not be allowed to retain any amounts UNDER THIS SUBSECTION (1)(c) OR SUBSECTION (1)(d) OF THIS SECTION to cover such retailer's expense in collecting and remitting said tax, and an amount equivalent to the said percentage, plus the amount of any local vendor expense that may be allowed by the local government to the vendor, shall be remitted to the executive director by any such delinquent vendor. Any local vendor expense remitted to the executive director shall be deposited to the state general fund.

(d) (I) FOR SALES MADE ON OR AFTER JANUARY 1, 2020, THE AMOUNT RETAINED BY A RETAILER TO COVER THE RETAILER'S EXPENSE IN COLLECTING AND REMITTING TAX IN ACCORDANCE WITH THIS SECTION IS FOUR PERCENT OF THE TAX REPORTED; EXCEPT THAT A RETAILER SHALL NOT RETAIN MORE THAN ONE THOUSAND DOLLARS IN ANY FILING PERIOD.

(II) A RETAILER WITH MULTIPLE LOCATIONS IS TREATED AS A SINGLE RETAILER FOR PURPOSES OF THIS SUBSECTION (1)(d) AND IS REQUIRED TO REGISTER ALL LOCATIONS UNDER ONE ACCOUNT WITH THE DEPARTMENT OF REVENUE.

(III) IF A RETAILER IS PERMITTED TO RETAIN AN AMOUNT TO COVER THE RETAILER'S EXPENSE IN COLLECTING AND REMITTING LOCAL SALES TAX THAT IS THE SAME AMOUNT AS PERMITTED BY THE STATE UNDER THIS SECTION, THEN SUCH AMOUNT IS THE AMOUNT THAT WAS PERMITTED AS OF DECEMBER 31, 2019.

(5) (c) From the amount of the tax required to be remitted pursuant to ~~paragraph (a) of this subsection (5)~~ SUBSECTION (5)(a) OF THIS SECTION, a qualified purchaser shall be entitled to retain the amount specified in ~~subparagraph (II) of paragraph (c) of subsection (1)~~ SUBSECTION (1)(c)(II) OR (1)(d) of this section that a retailer would otherwise be entitled to retain to cover the retailer's expense in collecting and remitting the tax imposed by this ~~article~~ ARTICLE 26 if the qualified purchaser had not provided a direct payment permit number to the retailer.".

Renumber succeeding sections accordingly.

Page 9, line 27, strike "(b) AN" and substitute: "(b) (I) EXCEPT AS SET FORTH IN SUBSECTION (3)(b)(II) OF THIS SECTION, AN".

Page 10, strike lines 1 through 5 and substitute "REVENUE ATTRIBUTABLE TO THE VENDOR FEE CHANGES, WHICH AMOUNT THE STATE TREASURER SHALL CREDIT TO".

Page 10, after line 7 insert:

"(II) THE AMOUNT CREDITED TO THE HOUSING DEVELOPMENT GRANT FUND CREATED IN SECTION 24-32-721 (1) UNDER SUBSECTION (1)(b)(I) OF THIS SECTION IS REDUCED BY THE FOLLOWING AMOUNTS:

(A) FIFTEEN MILLION THREE HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED EIGHTY-ONE DOLLARS FOR THE STATE FISCAL YEAR 2019-20;

(B) FORTY MILLION THREE HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED FIFTY-EIGHT DOLLARS FOR THE STATE FISCAL YEAR 2020-21; AND

(C) NINE HUNDRED EIGHTY-FIVE THOUSAND THREE HUNDRED

THIRTY-FIVE DOLLARS FOR THE STATE FISCAL YEAR 2021-22 AND EACH STATE FISCAL YEAR THEREAFTER.".

Page 11, line 18, strike "This" and insert "(1) Except as set forth in subsection (2) of this section, this".

Page 11, after line 27 insert:

"(2) (a) Section 5 of this act takes effect only if House Bill 19-1240 does not become law.

(b) Section 6 of this act takes effect only if House Bill 19-1240 becomes law, in which case section 6 of this act takes effect on the effective date of this act or House Bill 19-1240, whichever is later.".

Finance

After consideration on the merits, the Committee recommends that **HB19-1263** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Judiciary Committee Report, dated April 22, 2019, page 1, strike lines 17 through 19 and substitute:
"Page 11 of the reengrossed bill, strike lines 24 through 27.

Renumber succeeding sections accordingly.

Page 12 of the reengrossed bill, strike lines 1 through 14.".

Page 2 of the committee report, strike lines 1 through 21.

Page 2 of the committee report, after line 21, insert:
"Page 13 of the reengrossed bill, strike lines 17 through 27 and substitute:

"(4) BEGINNING FOR FISCAL YEAR 2020-21, AND FOR EACH YEAR THEREAFTER, THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE DEPARTMENT, FOR THE PURPOSE OF PROVIDING GRANTS PURSUANT TO THE GRANT PROGRAM, AT LEAST ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND GENERATED FROM ESTIMATED SAVINGS FROM HOUSE BILL 19-1263, ENACTED IN 2019.".

Page 14 of the reengrossed bill, strike lines 1 through 7.

Renumber succeeding sections accordingly.".

Finance

After consideration on the merits, the Committee recommends that **HB19-1264** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 7, line 19, strike "AND".

Page 7, line 20, strike "CREDITS" and substitute "CREDITS, PAYMENTS, OR REFUNDS".

Page 7, line 25, strike "CREDITS." and substitute "CREDITS, PAYMENTS, OR REFUNDS; AND

(III) RECOMMENDATIONS FOR ADMINISTERING ORPHANED CONSERVATION EASEMENTS.".

Page 10, line 12, after the period add "ANY RELEASE, TERMINATION, OR EXTINGUISHMENT OF A CONSERVATION EASEMENT UNDER THIS SECTION MUST BE RECORDED IN THE RECORDS OF THE OFFICE OF THE CLERK AND RECORDER IN THE COUNTY WHERE THE CONSERVATION EASEMENT IS LOCATED.".

Page 10, line 14, strike "(2.7) and (3.3);" and substitute "(2.7), (3.3), and (4)(a)(II.5);".

Page 12, after line 23 insert:

"(4)(a)(II.5) For a conservation easement in gross created in accordance with article 30.5 of title 38 ~~C.R.S.,~~ that is donated on or after January 1, 2015, to a governmental entity or a charitable organization described in section 38-30.5-104 (2), ~~C.R.S.,~~ the credit provided for in subsection (2) of this section shall be an amount equal to seventy-five percent of the first one hundred thousand dollars of the fair market value of the donated portion of such conservation easement in gross when created, and fifty percent of all amounts of the donation in excess of one hundred thousand dollars; except that in no case shall the credit exceed ~~one million five hundred thousand~~ FIVE MILLION dollars per donation. CREDITS SHALL BE ISSUED IN INCREMENTS OF NO MORE THAN ONE MILLION FIVE HUNDRED THOUSAND DOLLARS PER YEAR. CREDITS FOR EASEMENTS DONATED IN A PRIOR YEAR SHALL BE ELIGIBLE FOR TAX CREDIT CERTIFICATES IN SUBSEQUENT YEARS IN ORDER OF APPLICATION AND BEFORE NEW APPLICATIONS AND THOSE CREDIT APPLICATIONS, IF ANY, ON THE WAIT LIST.".

Finance After consideration on the merits, the Committee recommends that **HB19-1327** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB19-261.
Correctly Engrossed: SB19-233, 239, 255, and 259.
Correctly Reengrossed: SB19-238 and 256.
Correctly Revised: HB19-1013, 1024, 1055, 1076, 1090, 1132, 1134, 1193, 1202, 1216, 1228, 1233, 1239, 1246, 1248, 1250, 1255, 1259, 1260, 1265, 1282, 1284, 1295, 1299, 1301, 1305, 1311, 1315, and 1321; HJR19-1014.
Correctly Rerevised: HB19-1171, 1262, 1266, and 1274.

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:

HB19-1265 by Representative(s) Esgar and Soper; also Senator(s) Rankin and Winter--Concerning the penalty for a person who passes a snowplow that is performing its service function in echelon formation with at least one other snowplow, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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, Hisey, Moreno, Scott, Smallwood, Tate, and Todd.

SB19-259 by Senator(s) Garcia and Hisey; also Representative(s) Herod and Wilson--Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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, Gardner, Gonzales, Moreno, Pettersen, Rankin, and Tate.

HB19-1284 by Representative(s) Titone and Beckman, Baisley, Benavidez, Bird, Bockenfeld, Buck, Buckner, Caraveo, Coleman, Cutter, Duran, Froelich, Galindo, Gonzales-Gutierrez, Gray, Hansen, Hooton, Humphrey, Jaquez Lewis, Kipp, Landgraf, Larson, Lontine, McCluskie, McKean, McLachlan, Rich, Roberts, Singer, Snyder, Soper, Weissman, Will; also Senator(s) Holbert and Moreno--Concerning the board of directors of the urban drainage and flood control district.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Scott, and Tate.

HB19-1305 by Representative(s) McLachlan and Catlin; also Senator(s) Gonzales and Coram--Concerning the authority of tribal entities to administer fingerprint-based criminal history record checks related to emergency child welfare placements.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Rankin, and Tate.

HB19-1321 by Representative(s) Coleman and Williams D.; also Senator(s) Priola--Concerning the use of an electronic device to verify the driver's license of a person who rents a motor 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno, Rankin, and Tate.

HB19-1295 by Representative(s) Rich and Becker; also Senator(s) Scott and Story--Concerning a requirement that the county treasurer in specified counties serve as the public trustee for the county.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Gonzales, Hisey, Moreno, Rankin, Tate, and Woodward.

HB19-1299 by Representative(s) McCluskie and Rich; also Senator(s) Donovan--Concerning flexibility in the contribution rates to a local government retirement plan or system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

HB19-1055 by Representative(s) Bird; also Senator(s) Zenzinger and Coram--Concerning the provision of state financial assistance for public school capital construction, and, in connection therewith, increasing the amount of retail marijuana excise tax revenue that is credited to the public school capital construction assistance fund, increasing the maximum total amount of annual lease payments payable by the state for financial assistance provided under the terms of lease-purchase agreements, more precisely tying the total amount of financial assistance provided to charter schools to the number of students enrolled in charter schools, and 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Tate, Todd, and Winter.

HB19-1134 by Representative(s) Buckner and Wilson; also Senator(s) Todd--Concerning researching effective methods for assisting early-grade students with dyslexia, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Donovan, Fenberg, Fields, Garcia, Ginal, Holbert, Lee, Moreno, Pettersen, Rodriguez, Story, Tate, Williams A., Winter, Woodward, and Zenzinger.

HB19-1193 by Representative(s) Herod and Pelton; also Senator(s) Garcia--Concerning behavioral health supports for high-risk families, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Coram, Court, Crowder, Danielson, Donovan, Fenberg, Fields, Gardner, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, and Zenzinger.

HB19-1282 by Representative(s) Singer and Michaelson Jenet; also Senator(s) Smallwood and Donovan--Concerning administration of the court-appointed special advocate 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner, Ginal, Moreno, Pettersen, Story, Tate, Todd, and Winter.

HB19-1301 by Representative(s) Michaelson Jenet and Buckner, Buentello, Caraveo, Cutter, Duran, Galindo, Gonzales-Gutierrez, Hooton, Kipp, Sirota; also Senator(s) Williams A., Todd, Story--Concerning health insurance coverage for breast imaging.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Fields, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Winter, and Zenzinger.

HB19-1076 by Representative(s) Michaelson Jenet and Larson, Caraveo, Cutter, Jackson, Mullica; also Senator(s) Priola and Donovan, Ginal--Concerning updates to the "Colorado Clean Indoor Air Act", and, in connection therewith, removing certain exceptions and adding provisions relevant to the use of electronic smoking devices.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Foote, Garcia, Gonzales, Moreno, Pettersen, Story, 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:

SB19-232 by Senator(s) Foote; also Representative(s) Weissman--Concerning the codification of the rules of the secretary of state addressing the procedures for the enforcement of state laws governing campaign finance.

A majority of those elected to the Senate having voted in the affirmative, Senator Foote was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.007), by Senator Foote.

Amend engrossed bill, page 12, line 19, strike "subsection (5) or (6)" and substitute "~~subsection (5) or (6)~~ SUBSECTION (1.5), (5), OR (6)".

Page 19, line 25, after "**applicability.**" insert "(1)".

Page 19, after line 27 insert:

"(2) Section 1-45-103.7 (7)(a), Colorado Revised Statutes, as amended in section 1 of House Bill 19-1007, does not take effect if this act, Senate Bill 19-232, becomes law.".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Fields, Gonzales, Pettersen, Rodriguez, Story, and Winter.

HB19-1024 by Representative(s) McKean and Buentello; also Senator(s) Todd and Coram--Concerning creation of the Colorado youth advisory council review committee, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Fields, Garcia, Ginal, Moreno, Pettersen, Story, Tate, and Winter.

HB19-1248 by Representative(s) Weissman and Cutter; also Senator(s) Foote--Concerning measures to promote transparency about the activities of persons lobbying state government officials, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Donovan, Fenberg, Garcia, Gonzales, Rodriguez, and Todd.

HB19-1239 by Representative(s) Tipper and Caraveo; also Senator(s) Priola and Winter--Concerning the promotion of an accurate count in the decennial census by creating a census outreach 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	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Donovan, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, and Williams A.

SB19-239 by Senator(s) Winter and Bridges; also Representative(s) Gray and Hansen--Concerning means of addressing the impacts of technological and business model changes related to commercial vehicles, and, in connection therewith, requiring the department of transportation to convene and consult with a stakeholder group to examine impacts of new transportation technologies and business models, identify means of addressing impacts, and report findings and make recommendations to the general assembly.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1216 by Representative(s) Roberts, McCluskie; also Senator(s) Donovan and Priola--Concerning measures to reduce a patient's costs of prescription insulin drugs, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Fenberg, Fields, Ginal, Gonzales, Moreno, Pettersen, Story, Todd, Williams A., and Winter.

HB19-1250 by Representative(s) Herod; also Senator(s) Danielson--Concerning sex offenses committed by a peace officer, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Garcia, Gardner, Hill, Holbert, Lundeen, Moreno, Pettersen, Priola, Smallwood, Story, Tate, Todd, Winter, and Woodward.

HB19-1246 by Representative(s) Van Winkle and Kraft-Tharp; also Senator(s) Cooke and Moreno--Concerning the regulation of food truck businesses by local governments.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Garcia, Gonzales, Hill, Holbert, Lundeen, Rankin, Scott, Smallwood, Story, Tate, Todd, Winter, and Woodward.

SB19-255 by Senator(s) Court and Tate; also Representative(s) Herod and Esgar--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	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Donovan, Fields, Garcia, Ginal, Hisey, Lee, Lundeen, Priola, Rankin, Rodriguez, Smallwood, Story, Todd, Winter, and Zenzinger.

HB19-1315 by Representative(s) Gonzales-Gutierrez and Michaelson Jenet, Benavidez, Herod, Soper; also Senator(s) Gonzales--Concerning the admissibility of statements by a juvenile.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Court, Fields, Garcia, Gardner, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Smallwood, and Tate.

HB19-1132 by Representative(s) Buentello and Pelton; also Senator(s) Coram and Bridges--Concerning Colorado food products in schools, 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	6	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Ginal, Moreno, Pettersen, Priola, Story, Todd, and Winter.

HB19-1259 by Representative(s) Roberts and Pelton; also Senator(s) Donovan--Concerning support for species conservation trust fund projects, and, in connection therewith, making transfers to and 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	3	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Coram, Crowder, Ginal, Hill, Hisey, Moreno, Pettersen, Rankin, Story, Todd, and Winter.

HB19-1202 by Representative(s) McLachlan and Galindo, Arndt, Kipp, Pelton; also Senator(s) Ginal and Priola--Concerning the food systems advisory council, 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	10	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges and Pettersen.

HB19-1260 by Representative(s) Kipp and Valdez A., Cutter, Duran, Froelich, Hooton, Jaquez Lewis, Sirota, Weissman; also Senator(s) Winter and Priola--Concerning an update to the minimum energy code for the construction of buildings.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lee, Moreno, and Tate.

HB19-1255 by Representative(s) Hansen and Catlin; also Senator(s) Coram and Zenzinger--Concerning the creation of a Mesa Verde National Park license plate.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Fenberg, Garcia, Ginal, Priola, Story, Tate, Todd, Williams A., and Winter.

HB19-1228 by Representative(s) Bird and Titone, McLachlan, Soper; also Senator(s) Zenzinger and Tate, Bridges, Gardner, Priola, Rodriguez--Concerning an increase in the aggregate amount of the tax credits that the Colorado housing and finance authority may allocate in a calendar year under the Colorado affordable housing tax credit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Todd, and Winter.

HB19-1013 by Representative(s) Exum, Coleman; also Senator(s) Pettersen, Fields--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.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Garcia, Gardner, Ginal, Lee, Moreno, Priola, Story, Tate, Todd, Winter, and Zenzinger.

HB19-1311 by Representative(s) Singer; also Senator(s) Bridges--Concerning the creation of the institute of cannabis research at Colorado state university - Pueblo.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

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, Garcia, Ginal, Gonzales, Holbert, Marble, Pettersen, Rankin, Tate, and Todd.

SB19-233 by Senator(s) Lee; also Representative(s) Snyder--Concerning combined reporting by a corporation for Colorado state income tax purposes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court and Moreno.

HB19-1233 by Representative(s) Froelich and Caraveo; also Senator(s) Ginal and Moreno--Concerning payment system reforms to reduce health care costs by increasing utilization of primary care, 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	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Winter and Zenzinger.

HB19-1090 by Representative(s) Gray and Van Winkle, Arndt, Buckner, Buentello, Galindo, Hooton, Larson, Lontine, Melton, Michaelson Jenet, Valdez A.; also Senator(s) Gonzales and Hill, Coram, Ginal, Holbert, Marble, Rodriguez, Williams A., Winter--Concerning measures to allow greater investment flexibility in marijuana businesses, 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	7	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Moreno, and Pettersen.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, SB19-234, SB19-244, HB19-1203, HB19-1237, HB19-1242, HB19-1278, HB19-1279, HB19-1280, and HB19-1283 were made Special Orders at 2:00 p.m.

Committee of the Whole

The hour of 2:00 p.m. having arrived, Senator Bridges moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Bridges 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:

SB19-234 by Senator(s) Rodriguez and Foote; also Representative(s) Weissman--Concerning the continuation of the functions of professional review committees, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB19-244 by Senator(s) Winter and Gardner, Moreno; also Representative(s) Lontine--Concerning statutory changes to implement changes to the workplace policies of the general assembly.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 22, page 1001 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1110 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1203 by Representative(s) Mullica; also Senator(s) Todd--Concerning the creation of a grant program to increase the number of school nurses, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1237 by Representative(s) Cutter and Will; also Senator(s) Woodward--Concerning licensing behavioral health entities.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1147 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1242 by Representative(s) Jackson and Jaquez Lewis; also Senator(s) Winter and Tate--Concerning the regulation of pharmacy technicians by the state board of pharmacy, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1148 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1278 by Representative(s) Lontine; also Senator(s) Fenberg--Concerning modifications to miscellaneous provisions of the "Uniform Election Code of 1992", and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 26, pages 1110-1111 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1147 and placed in members' bill files.)

Amendment No. 3(L.127), by Senator Fenberg.

Amend reengrossed bill, page 56, after line 1 insert:

"**SECTION 50.** In Colorado Revised Statutes, 1-12-100.5, **add** (7.5) as follows:

1-12-100.5. Definitions. As used in this part 1, and for purposes of article XXI of the state constitution, unless the context otherwise requires:

(7.5) "GENERAL ELECTION" MEANS AN ELECTION HELD ON THE TUESDAY SUCCEEDING THE FIRST MONDAY OF NOVEMBER IN AN EVEN-NUMBERED YEAR OR AN ELECTION HELD ON THE FIRST TUESDAY OF NOVEMBER IN AN ODD-NUMBERED YEAR.".

Renumber succeeding sections accordingly.

Amendment No. 4(L.123), by Senator Fenberg.

Amend the State, Veterans, & Military Affairs Committee Report, dated April 25, 2019, strike page 1.

Page 2 of the report, strike lines 1 through 3 and substitute:

"Amend the reengrossed bill, page 43, lines 1 and 2, strike "(3); and **add** (1)(d)" and substitute "(3)".

Page 43 of the bill, strike lines 4 through 10.

Strike page 53 of the bill.

Page 54 of the bill, strike lines 1 through 23.".

Amendment No. 5(L.126), by Senator Fenberg.

Amend reengrossed bill, page 15, line 22, strike "FIVE HUNDRED".

Page 15, line 23, strike "OFFICE OF GOVERNOR" and substitute "OFFICES OF GOVERNOR, SECRETARY OF STATE, ATTORNEY GENERAL, OR TREASURER,".

Page 15, strike lines 25 through 27.

Reletter succeeding sub-subparagraph accordingly.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1279 by Representative(s) Exum and Landgraf; also Senator(s) Lee and Hisey--Concerning the use of perfluoroalkyl and polyfluoroalkyl substances, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, page 1121 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1280 by Representative(s) Herod and Becker; also Senator(s) Fenberg--Concerning the creation of the college kickstarter account program to incentivize the creation of a college savings account for every child born in Colorado.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1283 by Representative(s) Roberts; also Senator(s) Rodriguez--Concerning requiring insurers to disclose certain information concerning insurance policies, and, in connection therewith, making an appropriation.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

The Committee of the Whole took the following action:

Passed on second reading: SB19-234, SB19-244 as amended, HB19-1203, HB19-1237 as amended, HB19-1242 as amended, HB19-1278 as amended, HB19-1279 as amended, HB19-1280, HB19-1283.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

SB19-007 by Senator(s) Pettersen and Winter; also Representative(s) McLachlan and Buckner--Concerning the prevention of sexual misconduct on higher education campuses.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 18, pages 937-938 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Winter.

Amend printed bill, page 2, line 2, after "23-5-146" insert "and 23-5-147".

Page 10, after line 22, insert:

23-5-147. Sexual misconduct advisory committee - membership - duties - legislative declaration - definitions -repeal. (1) (a) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT IN NOVEMBER OF 2018, THE FEDERAL DEPARTMENT OF EDUCATION ISSUED NEW, PROPOSED RULES ON TITLE IX DEALING WITH SEXUAL MISCONDUCT.

(b) THE DRAFT RULES INCLUDED CHANGES IN HOW EDUCATIONAL INSTITUTIONS WERE TO HANDLE:

(I) ALLEGATIONS OF OFF-CAMPUS SEXUAL MISCONDUCT; AND

(II) CROSS-EXAMINATION OF PARTIES AND WITNESSES DURING HEARINGS.

(c) IN RESPONSE TO THE PROPOSED RULES, THE FEDERAL DEPARTMENT OF EDUCATION RECEIVED NUMEROUS COMMENTS AND HAS NOT YET ADOPTED THE FINAL RULES.

(d) INSTITUTIONS OF HIGHER EDUCATION WILL NEED TO RESPOND TO THE NEW FEDERAL RULES QUICKLY.

(e) THEREFORE, THE STATE SHOULD HAVE IN PLACE AN ADVISORY COMMITTEE TO QUICKLY MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND INSTITUTIONS OF HIGHER EDUCATION ON THE PROPOSED RULES.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ADVISORY COMMITTEE" MEANS THE SEXUAL MISCONDUCT ADVISORY COMMITTEE CREATED PURSUANT TO SUBSECTION (3) OF THIS SECTION.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-114.

(c) "INSTITUTION OF HIGHER EDUCATION" OR "INSTITUTION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (7), OR ANY ACCREDITED CAMPUS OF A STATE INSTITUTION OF HIGHER EDUCATION; A PARTICIPATING PRIVATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (8); A LOCAL DISTRICT COLLEGE, AS DEFINED IN SECTION 23-71-102 (1)(a); AND AN AREA TECHNICAL COLLEGE, AS DEFINED IN SECTION 23-60-103 (1).

(3) THERE IS CREATED IN THE DEPARTMENT THE SEXUAL MISCONDUCT ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND TO INSTITUTIONS OF HIGHER EDUCATION CONCERNING SEXUAL MISCONDUCT POLICIES AND METHODS TO REDUCE SEXUAL MISCONDUCT AT INSTITUTIONS OF HIGHER EDUCATION.

(4) (a) THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING ELEVEN PERSONS APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT:

(I) THREE REPRESENTATIVES FROM INSTITUTIONS OF HIGHER EDUCATION;

(II) TWO TITLE IX COORDINATORS FROM INSTITUTIONS OF HIGHER EDUCATION;

(III) THREE PERSONS WHO ARE REPRESENTATIVES OF ORGANIZATIONS THAT ADVOCATE ON BEHALF OF OR PROVIDE SERVICES TO VICTIMS OF SEXUAL MISCONDUCT;

(IV) AN ATTORNEY WHO HAS EXPERIENCE REPRESENTING VICTIMS OF SEXUAL MISCONDUCT AT INSTITUTIONS OF HIGHER EDUCATION;

(V) AN ATTORNEY WHO HAS EXPERIENCE REPRESENTING PERSONS ACCUSED OF SEXUAL MISCONDUCT AT INSTITUTIONS OF HIGHER EDUCATION; AND

(VI) A PERSON WITH EXPERIENCE PROVIDING TRAUMA-INFORMED CARE.

(b) MEMBERS OF THE ADVISORY COMMITTEE SERVE FOUR-YEAR TERMS AND MAY BE REAPPOINTED.

(c) MEMBERS OF THE ADVISORY COMMITTEE SERVE WITHOUT COMPENSATION OR REIMBURSEMENT OF EXPENSES.

(5) AFTER THE FINAL FEDERAL RULES ON TITLE IX SEXUAL MISCONDUCT ARE ADOPTED, THE ADVISORY COMMITTEE SHALL STUDY, EXAMINE BEST PRACTICES, AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND TO INSTITUTIONS OF HIGHER EDUCATION ON ISSUES RELATED TO SEXUAL MISCONDUCT AT INSTITUTIONS OF HIGHER EDUCATION INCLUDING:

(a) HOW TO HANDLE INCIDENTS OF SEXUAL MISCONDUCT THAT OCCUR OUTSIDE OF AN INSTITUTION'S PROGRAMS, ACTIVITIES, OR PROPERTY;

(b) HOW TO CONDUCT CROSS-EXAMINATION OF PARTIES AND WITNESSES AT HEARINGS;

(c) WHETHER A STANDARD OF REASONABLENESS SHOULD BE INCLUDED IN AN INSTITUTION'S SEXUAL MISCONDUCT POLICY; AND

(d) CAN AND SHOULD INSTITUTIONS OF HIGHER EDUCATION HAVE HIGHER STANDARDS THAN ARE REQUIRED BY FEDERAL LAW AND REGULATION.

(6) (a) WITHIN NINETY DAYS AFTER THE FINAL FEDERAL RULES ON

TITLE IX SEXUAL MISCONDUCT ARE ADOPTED, THE ADVISORY COMMITTEE SHALL SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, ON SUGGESTED CHANGES TO INSTITUTIONS' POLICIES OF SEXUAL MISCONDUCT DUE TO THE NEW FEDERAL RULES.

(b) ON OR BEFORE JANUARY 15, 2021, AND EACH JANUARY 15 THEREAFTER, THE ADVISORY COMMITTEE SHALL SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, INCLUDING RECOMMENDATIONS FOR CHANGES TO STATUTES AND POLICIES OF INSTITUTIONS OF HIGHER EDUCATION.

(7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023. BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

SECTION 2. In Colorado Revised Statutes, 2-3-1203, **add** (14)(a)(XI) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (14) (a) The following statutory authorizations for the designated advisory committees are scheduled for repeal on September 1, 2023:

(XI) THE SEXUAL MISCONDUCT ADVISORY COMMITTEE CREATED IN SECTION 23-5-147.

Renumber succeeding section accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1174 by Representative(s) Esgar and Catlin; also Senator(s) Gardner and Pettersen--Concerning out-of-network health care services provided to covered persons, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 16, pages 864-869 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 24, page 1042 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, pages 1072-1073 and placed in members' bill files.)

Amendment No. 4(L.073), by Senator Gardner.

Amend reengrossed bill, page 17, line 25, strike "AN" and substitute "IN ACCORDANCE WITH SUBSECTIONS (1) AND (2) OF THIS SECTION, AN".

Page 18, strike line 3 and substitute:

"(4) IN ACCORDANCE WITH SUBSECTIONS (1) AND (2) OF THIS SECTION:

(a) AN OUT-OF-NETWORK HEALTH CARE PROVIDER MUST SEND".

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.)

HB19-1306 by Representative(s) Esgar and Galindo; also Senator(s) Rodriguez--Concerning the monitoring of Colorado call center job losses.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1258 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning the allocation of money that the state keeps and spends as a result of a voter-approved revenue change at the 2019 statewide election.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1257 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning authority for the state to keep and spend all of the revenue in excess of the constitutional limitation on state fiscal year spending beginning with the 2019-20 fiscal year in order to provide funding for public schools, higher education, and roads, bridges, and transit.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1261, HB19-1272, HB19-1231, HB19-1298, HB19-1289) of Saturday, April 27, was laid over until Monday, April 29, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1174 by Representative(s) Esgar and Catlin; also Senator(s) Gardner and Pettersen--Concerning out-of-network health care services provided to covered persons, and, in connection therewith, making an appropriation.

Senator Holbert moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.072) to HB 19-1174, did pass.

> Amend the Finance Committee Report, dated April 23, 2019, page 1, line 4, strike "SIXTIETH" and substitute "SIXTY-FIFTH".
>
> Page 1, line 9, strike "SIXTIETH" and substitute "SIXTY-FIFTH".

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	12	NO	22	EXCUSED	1	ABSENT	0
Bridges	N	Foote	N	Marble	N	Story	N
Cooke	Y	Gardner	N	Moreno	N	Tate	Y
Coram	Y	Ginal	Y	Pettersen	N	Todd	Y
Court	N	Gonzales	N	Priola	N	Williams A.	N
Crowder	N	Hill	Y	Rankin	N	Winter	N
Danielson	N	Hisey	N	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	Y	Lundeen	N	Sonnenberg	E		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

The Committee of the Whole took the following action:

Passed on second reading: SB19-007 as amended, HB19-1174 as amended, HB19-1306, HB19-1258, HB19-1257.
Laid over until Monday, April 29: HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1261, HB19-1272, HB19-1231, HB19-1298, HB19-1289.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-197 by Senator(s) Zenzinger; also Representative(s) Kennedy--Concerning the continuation of the pilot program to allow an eligible person with a spinal cord injury to receive complementary or alternative medicine.

Senator Zenzinger moved that the Senate concur in House amendments to SB19-197, as printed in House journal, April 17, pages 1286-1287. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-161 by Senator(s) Bridges and Story, Lundeen, Hill, Todd; also Representative(s) Kipp--Concerning the continuation of the state advisory council for parent involvement in education, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

Senator Story moved that the Senate concur in House amendments to SB19-161, as printed in House journal, April 24, pages 1449-1450. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-202 by Senator(s) Danielson and Zenzinger; also Representative(s) Froelich--Concerning ballot access for voters with disabilities, and, in connection therewith, making an appropriation.

Senator Danielson moved that the Senate concur in House amendments to SB19-202, as printed in House journal, April 19, pages 1352-1353. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	E		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (Members of the Colorado Lottery Commission, a Member of the Colorado Racing Commission, and Members of the State Board of the Great Outdoors Colorado Trust Fund) of Saturday, April 27, was laid over until Monday, April 29, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

April 27, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1009, 1331.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19- 1312, 1324, 1005, 1064, 1161, 1215, 1276, 1107, amended as printed in House Journal, April 26, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1313, amended as printed in House Journal, April 26, 2019, and amended on Third Reading as printed in House Journal, April 27, 2019.

The House has passed on Third Reading and returns herewith SB19-001, 030.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-085, amended as printed in House Journal, April 26, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-104, amended as printed in House Journal, April 26, 2019, and amended on Third Reading as printed in House Journal, April 27, 2019

The Speaker has appointed Representatives Hansen, chairman, Gray, and Carver as House conferees on the First Conference Committee on SB19-077.

The Speaker has appointed Representatives Roberts, chairman, Jackson, and Larson as House conferees on the First Conference Committee on SB19-002.

MESSAGE FROM THE REVISOR OF STATUTES

April 27, 2019

We herewith transmit:

Without comment, HB19-1324 and 1331.
Without comment, as amended, HB19-1005, 1009, 1064, 1107, 1161, 1215, 1276, 1312, and 1313.
Without comment, as amended, SB19-085 and 104.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB19-262 by Senator(s) Rankin and Zenzinger, Moreno; also Representative(s) Esgar and Ransom, Hansen--Concerning a one-time transfer of one hundred million dollars from the general fund to the highway users tax fund.
Appropriations

SB19-263 by Senator(s) Zenzinger and Rankin; also Representative(s) Gray and Hansen--Concerning the delay until the November 2020 general election of the requirement that a ballot issue seeking approval for the issuance of transportation revenue anticipation notes be submitted to the voters of the state at the November 2019 statewide election, and, in connection therewith, amending the ballot issue to reduce the amount of notes authorized to be issued to offset the additional transportation funding that will result from the repeal of only two, rather than three, tranches of lease-purchase agreements authorized by Senate Bill 17-267 if the ballot issue is approved and extending from twenty to twenty-one years the period for which annual fifty million dollar transfers from the general fund to the state highway fund are required.
Appropriations

HB19-1017 by Representative(s) Michaelson Jenet; also Senator(s) Fields--Concerning increasing access to school social workers in public elementary schools, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1073 by Representative(s) Benavidez; also Senator(s) Fields--Concerning the creation of the law enforcement, public safety, and criminal justice information sharing grant program, and, in connection therewith, making an appropriation.
Judiciary

HB19-1142 by Representative(s) Ransom and Singer; also Senator(s) Moreno and Smallwood--Concerning creating an option for parents who seek to voluntarily delegate certain parental responsibilities to a safe family for a limited period of time without relinquishing legal custody of their child, and, in connection therewith, making an appropriation.
Finance

HB19-1212 by Representative(s) Titone and Duran; also Senator(s) Fields and Todd--Concerning the recreation of the community association manager licensing program.
Finance

HB19-1236 by Representative(s) Gray and Sullivan, Buckner, Galindo, Van Winkle; also Senator(s) Todd--Concerning the creation of a workforce diploma pilot program.
State, Veterans, & Military Affairs

HB19-1229 by Representative(s) Roberts and Snyder; also Senator(s) Gardner and Lee--Concerning the "Colorado Electronic Preservation of Abandoned Estate Planning Documents Act".
Finance

HB19-1275 by Representative(s) Weissman and Soper; also Senator(s) Lee--Concerning increased eligibility for the sealing of criminal justice records by individuals who are not under supervision, and, in connection therewith, making an appropriation.
Finance

HB19-1287 by Representative(s) Esgar and Wilson; also Senator(s) Pettersen and Priola--Concerning methods to increase access to treatment for behavioral health disorders, and, in connection therewith, making an appropriation.
Judiciary

HB19-1297 by Representative(s) Weissman and McKean; also Senator(s) Lee--Concerning data collection from jail facilities operated by political subdivisions of the state, and, in connection therewith, making an appropriation.
Judiciary

HB19-1310 by Representative(s) Melton and Gonzales-Gutierrez; also Senator(s) Lee--Concerning interest on orders of restitution, and, in connection therewith, making an appropriation.
Judiciary

HB19-1322 by Representative(s) Roberts and Will; also Senator(s) Moreno and Coram--Concerning the use of money from certain state funds to expand the supply of affordable housing statewide.
Finance

HB19-1326 by Representative(s) Esgar and Hansen, Ransom; also Senator(s) Zenzinger and Rankin, Moreno--Concerning rate flexibility on existing procedures in the Colorado dental health care program for low-income seniors.
Judiciary

HB19-1328 by Representative(s) Herod; also Senator(s) Rodriguez--Concerning bed bugs in residential premises, and, in connection therewith, establishing duties for landlords and tenants in addressing the presence of bed bugs.
State, Veterans, & Military Affairs

HB19-1330 by Representative(s) Arndt; also Senator(s) Priola--Concerning an exemption from regulation by the division of professions and occupations in the department of regulatory agencies for persons who provide hair drying services only.
State, Veterans, & Military Affairs

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR19-010 by Senator(s) Garcia and Holbert, Fenberg, Court, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Todd, Williams A.; also Representative(s) Becker and Neville, Garnett--Concerning changes to the joint rules of the senate and house of representatives to implement changes in workplace policies.

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:

HB19-1124 by Representative(s) Benavidez and Lontine, Buckner, Caraveo, Coleman, Duran, Galindo, Gonzales-Gutierrez, Hooton, Melton; also Senator(s) Foote and Gonzales--Concerning clarification of the authority of criminal justice officials with respect to the enforcement of certain federal civil laws.
State, Veterans, & Military Affairs

On motion of Majority Leader Fenberg, the Senate adjourned until 10:00 a.m., Monday, April 29, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

116th Legislative Day Monday, April 29, 2019

Prayer — By Senator Lundeen.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Tate.
Present later--1, Tate.

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Saturday, April 27, 2019, 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 **HB19-1045** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, line 11, after "**Appropriation.**" insert "(1)".

Page 10, after line 18 insert:

"(2) For the 2019-20 state fiscal year, $50,000 is appropriated to the department of law. This appropriation is from reappropriated funds received from the office of public guardianship from the appropriation in subsection (1) of this section and is based on an assumption that the department of law will require an additional 0.3 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the office of public guardianship.".

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1223** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1245** 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 3, strike "$42,798" and substitute "$3,398".

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1263** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 14, line 11, strike "$297,370" and substitute "$48,730".

Page 14, line 12, strike "3.2" and substitute "0.4".

Page 14, line 13, strike "$350,000" and substitute "$123,139".

Page 14, lines 15 and 16, strike "the county court drug court grant program." and substitute "probation programs, which amount is based on an assumption that the program will require an additional 0.8 FTE.".

Page 1, line 103, strike the first "**AND**" and substitute "**AND,**".

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1264** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1302** 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 **HB19-1308** 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 **HB19-1309** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1327** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 42, line 26, strike "$1,739,015" and substitute "$1,874,365".

Page 43, strike lines 2 through 10 and substitute:

"(a) $170,324 for use by the executive director's office for personal services related to administration and support, which amount is based on an assumption that the office will require an additional 2.3 FTE;
(b) $25,700 for use by the executive director's office for operating expenses related to administration and support;
(c) $796,081 for use by the limited gaming division for personal services, which amount is based on an assumption that the division will require an additional 9.5 FTE;
(d) $260,006 for use by the limited gaming division for operating expenses;
(e) $443,500 for tax administration IT system (GenTax) support;
(f) $142,388 for the purchase of legal services;
(g) $34,650 for vehicle lease payments; and
(h) $1,716 for the purchase of criminal history record checks.".

Page 43, line 13, strike "(1)(d)" and substitute "(1)(f)".

Page 43, line 20, strike "(1)(e)" and substitute "(1)(g)".

Page 43, line 26, strike "(1)(f)" and substitute "(1)(h)".

Appropriations

After consideration on the merits, the Committee recommends that **SB19-261** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB19-262** 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 **SB19-263** 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: SB19-262 and 263; SJR19-010.
Correctly Engrossed: SB19-007, 234, and 244.
Correctly Reengrossed: SB19-232, 233, 239, 255, and 259.
Correctly Revised: HB19-1174, 1203, 1237, 1242, 1257, 1258, 1278, 1279, 1280, 1283, and 1306.
Correctly Rerevised: HB19-1013, 1024, 1055, 1076, 1090, 1132, 1134, 1193, 1202, 1216, 1228, 1233, 1239, 1246, 1248, 1250, 1255, 1259, 1260, 1265, 1282, 1284, 1295, 1299, 1301, 1305, 1311, 1315, and 1321.

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:

SB19-244 by Senator(s) Winter and Gardner, Moreno; also Representative(s) Lontine--Concerning statutory changes to implement changes to the workplace policies of the general assembly, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Danielson, Donovan, Fields, Garcia, Ginal, Hisey, Holbert, Lee, Lundeen, Marble, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Woodward, and Zenzinger.

HB19-1278 by Representative(s) Lontine; also Senator(s) Fenberg--Concerning modifications to miscellaneous provisions of the "Uniform Election Code of 1992", and, in connection therewith, making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	N	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Gonzales, Moreno, Pettersen, Story, and Winter.

SB19-007 by Senator(s) Pettersen and Winter; also Representative(s) McLachlan and Buckner--Concerning the prevention of sexual misconduct on higher education campuses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fields, Ginal, Lee, Moreno, Rodriguez, Todd, Williams A., and Zenzinger.

HB19-1258 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning the allocation of money that the state keeps and spends as a result of a voter-approved revenue change at the 2019 statewide election.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1257 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning authority for the state to keep and spend all of the revenue in excess of the constitutional limitation on state fiscal year spending beginning with the 2019-20 fiscal year in order to provide funding for public schools, higher education, and roads, bridges, and transit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Foote.

HB19-1280 by Representative(s) Herod and Becker; also Senator(s) Fenberg--Concerning the creation of the college kickstarter account program to incentivize the creation of a college savings account for every child born in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fields, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Todd, Winter, and Zenzinger.

On motion of Majority Leader Fenberg, 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 (HB19-1237, HB19-1242, HB19-1279, HB19-1283, HB19-1174, HB19-1306, SB19-234, HB19-1203) of Monday, April 29, was laid over until later in the day today, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

April 29, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1323, 1332, 1320, 1335, amended as printed in House Journal, April 26, 2019.

The House has passed on Third Reading and returns herewith SB19-165, 036, 061, 142, 153, 146, 205, 219, 221, 216, 171, 179, 173, 010, 231.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-149, 220, 136, 143, 218, 190, 196, 192, 135, 107, amended as printed in House Journal, April 26, 2019.

The Speaker has appointed Representative Beckman to replace Representative Carver as House conferee on the First Conference Committee on SB19-077.

The House has voted to grant the House conferees on the First Conference Committee on SB19-077 to consider matters not at issue between the two houses.

The House has voted not to concur in the Senate amendments to HB19-1253 and requests that a conference committee be appointed. The Speaker has appointed Representatives Buckner, chairman, Titone, and Landgraf as House conferees on the First Conference Committee on HB19-1253. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB19-1160 and requests that a conference committee be appointed. The Speaker has appointed Representatives Singer, chairman, Sirota, and Landgraf as House conferees on the First Conference Committee on HB19-1160. The bill is transmitted herewith.

The House has voted to grant the House conferees on the First Conference Committee on HB19-1160 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR OF STATUTES

April 29, 2019

We herewith transmit:

Without comment, as amended, HB19-1323, 1332, 1320, and 1335.
Without comment, as amended, SB19-149, 220, 136, 143, 218, 190, 196, 192, 135, and 107.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-103, 162, 174, 185, 194, 208, and 214; SJR19-007; SR19-012; HB19-1023, 1025, 1030, 1080, 1092, 1128, 1149, 1178, 1207, 1208, 1214, 1217, 1220, 1232.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 29, 2019, at 3:01 p.m.:
SB19-003, 162, 174, 185, 194, 208, and 214.

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 **HB19-1275** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1326** 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 **HB19-1073** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB19-1287** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB19-1159** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, after line 1 insert:

"**SECTION 1. Legislative declaration.** The general assembly hereby finds and declares that the purpose of this act is to extend the income tax credits for the purchase or lease of alternative fuel motor vehicles, to clarify the availability of the credits for motor vehicles powered by hydrogen fuel, to address the availability of the credit for transportation network companies that provide category 1 vehicles for short-term rentals to their drivers, and to adjust the amounts of the available credits.".

Renumber succeeding sections accordingly.

Page 2, line 3, strike "(4)(a)(III)," and strike "**add** (4)(a)(III.5)" and substitute "**add** (4)(a)(V)".

Page 2, strike lines 10 through 15 and substitute:

"(III) Is propelled to a significant extent by: ~~an electric motor that draws electricity from a battery that:~~

(A) ~~Has a~~ AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A battery THAT HAS A capacity of not less than four kilowatt hours and IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY; OR

(B) ~~Is capable of being recharged from an external source of electricity~~ POWER DERIVED FROM ONE OR MORE CELLS WHICH CONVERT CHEMICAL ENERGY DIRECTLY INTO ELECTRICITY BY COMBINING OXYGEN WITH HYDROGEN FUEL WHICH IS STORED ON BOARD THE VEHICLE IN ANY FORM AND MAY OR MAY NOT REQUIRE REFORMATION PRIOR TO USE.".

Page 2, strike lines 24 through 26 and substitute:

"(a) **Category 1.** (IV) With respect to the tax years commencing on or after January 1, 2021, but prior to ~~January 1, 2022~~ JANUARY 1, 2023, two thousand five hundred dollars for a purchase or one thousand five hundred dollars for a lease.

(V) WITH RESPECT TO THE TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2023, BUT PRIOR TO JANUARY 1, 2026, TWO THOUSAND DOLLARS FOR A PURCHASE OR ONE THOUSAND FIVE HUNDRED DOLLARS FOR A LEASE.".

Page 3, strike lines 1 through 17 and substitute:

"(9.5) WITH RESPECT TO THE TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2019, A TRANSPORTATION NETWORK COMPANY, AS DEFINED IN SECTION 40-10.1-602 (3), OR A THIRD-PARTY VEHICLE SUPPLIER THAT CONTRACTS WITH A TRANSPORTATION NETWORK COMPANY TO PROVIDE CATEGORY 1 MOTOR VEHICLES FOR SHORT-TERM RENTAL TO TRANSPORTATION NETWORK COMPANY DRIVERS, AS DEFINED IN SECTION 40-10.1-602 (4), THAT ENTERS INTO LONG-TERM LEASES WITH A DURATION OF NOT LESS THAN TWO YEARS FOR CATEGORY 1 MOTOR VEHICLES SHALL BE TREATED AS HAVING PURCHASED EACH CATEGORY 1 MOTOR VEHICLE FOR PURPOSES OF THE CREDIT CALCULATION SPECIFIED IN SUBSECTION (4)(a) OF THIS SECTION IF THE VEHICLES ARE OFFERED TO TRANSPORTATION NETWORK COMPANY DRIVERS, AS DEFINED IN SECTION 40-10.1-602 (4), FOR SHORT-TERM RENTAL PERIODS OF NOT MORE THAN SIXTY DAYS.".

Page 3, line 20, after "**amend**" insert "(1)(h), (1)(i), (1)(r)(III),".

Page 3, strike line 23 and substitute:

"**repeal.** (1) As used in this section, unless the context otherwise requires:

(h) "Category 4 B" means original equipment manufacturer trucks that are equipped to operate on liquified natural gas. ~~or on hydrogen.~~ For purposes of this ~~paragraph (h)~~ SUBSECTION (1)(h), "operate on liquified natural gas" ~~or on hydrogen"~~ means a truck that operates exclusively on liquified natural gas, ~~or on hydrogen,~~ or a bi-fuel truck with a multi-fuel engine capable of running on either liquified natural gas or traditional fuel, ~~or on either hydrogen or traditional fuel,~~ or a dual-fuel truck with a multi-fuel engine capable of running on both liquified natural gas and traditional fuel. ~~or on both hydrogen and traditional fuel.~~

(i) "Category 4 C" means liquefied natural gas ~~or hydrogen~~ conversions certified by the United States environmental protection agency. For purposes of this ~~paragraph (i)~~ SUBSECTION (1)(i), "liquefied natural gas ~~or hydrogen~~ conversions" means a conversion to a truck that operates exclusively on liquefied natural gas, ~~or on hydrogen,~~ or a bi-fuel truck with a multi-fuel engine capable of running on either liquefied natural gas or traditional fuel, ~~or on either hydrogen or traditional fuel,~~ or a dual-fuel truck with a multi-fuel engine capable of running on both liquified natural gas and traditional fuel. ~~or on both hydrogen and traditional fuel.~~

(r) "Electric truck" or "plug-in hybrid electric truck" means a truck that:

(III) Is propelled to a significant extent by: ~~an electric motor that draws electricity from a battery that:~~

(A) ~~Has a~~ AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A battery THAT HAS A capacity of not less than four kilowatt hours and IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY; OR

(B) ~~Is capable of being recharged from an external source of electricity~~ POWER DERIVED FROM ONE OR MORE CELLS WHICH CONVERT CHEMICAL ENERGY DIRECTLY INTO ELECTRICITY BY COMBINING OXYGEN WITH HYDROGEN FUEL WHICH IS STORED ON BOARD THE VEHICLE IN ANY FORM AND MAY OR MAY NOT REQUIRE REFORMATION PRIOR TO USE.

(8.3) **Category 7 purchase.** (a) Except as provided in subsection".

Page 4, strike lines 4 through 17 and substitute:

	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~~ ***1/1/2023***	***1/1/2023 but before 1/1/2026***
Light duty passenger motor vehicle over 8,500 GVWR	$5,000	$4,000	$2,500	***$2,000***
Light duty electric truck	$7,000	$5,500	$3,500	***$2,800***
Medium duty electric truck	$10,000	$8,000	$5,000	***$4,000***
Heavy duty truck	$20,000	$16,000	$10,000	***$8,000***

Page 5, strike lines 2 through 15 and substitute:

	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*~~ ***1/1/2026***
Light duty passenger motor vehicle over 8,500 GVWR	$2,500	$2,000	$1,500
Light duty electric truck	$3,500	$2,750	$1,750
Medium duty electric truck	$5,000	$4,000	$2,500
Heavy duty truck	$10,000	$8,000	$5,000

Finance

After consideration on the merits, the Committee recommends that **HB19-1168** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 18, line 9, after "FEES;" insert "AND".

Page 18, strike lines 10 through 27.

Page 19, strike lines 1 and 2.

Reletter succeeding paragraph accordingly.

Finance

After consideration on the merits, the Committee recommends that **HB19-1142** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1328** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 18, strike "BUGS," and substitute "BUGS IN ANY STAGE OF THE LIFE CYCLE,".

Page 5, line 19, strike "HOURS." and substitute "HOURS; EXCEPT THAT, FOR ANY SUCH DETERMINATION THAT IS MADE BY A QUALIFIED INSPECTOR LICENSED BY THE COMMISSIONER OF AGRICULTURE PURSUANT TO ARTICLE 10 OF TITLE 35, THE QUALIFIED INSPECTOR SHALL PROVIDE THE REPORT IN ACCORDANCE WITH RULES PROMULGATED BY THE COMMISSIONER OF AGRICULTURE PURSUANT TO SAID ARTICLE 10.".

Page 7, line 17, strike "COMPLETED." and substitute "COMPLETED; EXCEPT THAT, IF THE DETERMINATION THAT ANY FURNITURE, CLOTHING, EQUIPMENT, OR PERSONAL PROPERTY CONTAINS BED BUGS IS MADE BY A QUALIFIED INSPECTOR LICENSED BY THE COMMISSIONER OF AGRICULTURE PURSUANT TO ARTICLE 10 OF TITLE 35, THE QUALIFIED INSPECTOR SHALL ADVISE THE TENANT REGARDING THE REMOVAL OF THE FURNITURE, CLOTHING, EQUIPMENT, OR PERSONAL PROPERTY IN ACCORDANCE WITH RULES PROMULGATED BY THE COMMISSIONER OF AGRICULTURE PURSUANT TO SAID ARTICLE 10.".

Page 8, strike lines 3 through 6 and substitute "BUGS. UPON REQUEST FROM A PROSPECTIVE TENANT, A LANDLORD SHALL DISCLOSE TO THE PROSPECTIVE TENANT WHETHER, TO THE LANDLORD'S KNOWLEDGE, THE

DWELLING UNIT THAT THE LANDLORD IS OFFERING FOR RENT CONTAINED BED BUGS WITHIN THE PREVIOUS EIGHT MONTHS. UPON REQUEST".

Page 9, strike lines 18 through 20 and substitute "takes effect January 1, 2020; except that, if a".

Page 9, line 23, strike "such period," and substitute "the ninety-day period after final adjournment of the general assembly,".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1226** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 2 through 13.

Page 4, strike lines 1 through 9.

Renumber succeeding sections accordingly.

Page 15, line 8, strike "SUBSECTION (2) OF THIS SECTION" and substitute "SECTIONS 16-4-103 AND 13-3-101".

Page 17, line 26, strike "30" and substitute "THIRTY".

Page 17, line 27, strike "90" and substitute "NINETY".

Page 18, line 16, strike "**created.** (1)" and substitute "**created - repeal.** (1) (a)".

Page 18, line 20, after the period insert "IT IS THE INTENT OF THE GENERAL ASSEMBLY TO APPROPRIATE MONEY TO THE FUND ON AN ANNUAL BASIS.".

Page 19, after line 1 insert:

"(b) (I) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE OFFENDER SERVICES FUND TO THE PRETRIAL SERVICES CASH FUND.

(II) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE PRETRIAL SERVICES CASH FUND, WHICH IS AN AMOUNT EQUAL TO THE AMOUNT BY WHICH THE APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS PAROLE SUBPROGRAM WORK RELEASE PROGRAM IS REDUCED.

(III) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE JULY 1, 2020.".

Page 19, line 14, after the period insert "THE STATE COURT ADMINISTRATOR SHALL PROVIDING FUNDING TO A COUNTY OR COUNTIES WHO REQUEST MONEY TO IMPLEMENT EFFECTIVE PRETRIAL ASSESSMENT AND SUPERVISION PROGRAMS BASED ON CRITERIA DEVELOPED BY THE STATE COURT ADMINISTRATOR.".

Page 24, line 6, strike "WAIVER REQUESTS" and substitute "STATEMENTS OF INABILITY TO COMPLY".

Page 24, line 9, strike "WAIVER REQUESTS" and substitute "STATEMENTS OF INABILITY TO COMPLY".

Page 24, lines 23 and 24, strike "JUDICIAL RELIANCE ON THE ASSESSMENT IN PRETRIAL DECISION-MAKING" and substitute "THE BOND RELEASE PROCESS, INCLUDING CONSIDERATION OF THE FACTORS REQUIRED IN SECTION 16-4-104 (2), IF METHODOLOGICALLY POSSIBLE, AND OUTCOMES INCLUDING THE TYPE OF BOND SET, THE AMOUNT OF ANY SECURED MONETARY CONDITION OF BOND, AND ANY OTHER CONDITIONS OF RELEASE ON BOND".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1330** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1236** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB19-1017** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1310** 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 15 through 19 and substitute:
"(B) THE DEFENDANT IS IN A JUVENILE DELINQUENCY CASE AND IS UNDER TWENTY-ONE YEARS OF AGE.".

Page 2, strike lines 20 through 26 and substitute:
"(II) IN ANY CASE WHERE INTEREST WAS ACCRUING ON AN ORDER OF RESTITUTION AT THE RATE OF TWELVE PERCENT PER ANNUM, ON AND AFTER JANUARY 1, 2020, INTEREST ACCRUES AT THE RATE OF EIGHT PERCENT PER ANNUM.".

Page 3, strike line 1.

Judiciary

After consideration on the merits, the Committee recommends that **HB19-1297** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs

The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2023:

Kendra Meredith Anderson of Denver, Colorado, to serve as a majority business owner with employees numbering more than 5 but less than 50 employees, and as an Unaffiliated member, appointed.

Finance

After consideration on the merits, the Committee recommends that **HB19-1322** be referred to the Committee on Appropriations with favorable recommendation.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB19-1005 by Representative(s) Buckner and Wilson; also Senator(s) Todd and Priola--Concerning an income tax credit for certain early childhood educators.
Finance

HB19-1009 by Representative(s) Kennedy and Singer; also Senator(s) Priola and Pettersen--Concerning supports for persons recovering from substance use disorders, and, in connection therewith, expanding a program in the department of local affairs that provides vouchers for housing assistance to certain individuals, creating standards for recovery residences for purposes of referrals and title protection, creating the opioid crisis recovery funds advisory committee, creating the recovery residence certification grant program, and making an appropriation.
State, Veterans, & Military Affairs

HB19-1064 by Representative(s) Sullivan and Baisley; also Senator(s) Foote and Cooke--Concerning eliminating requirements that victims must opt in to effect their rights in criminal proceedings, and, in connection therewith, making an appropriation.
Judiciary

HB19-1107 by Representative(s) Coleman, Herod, Exum, Benavidez, Lontine, Singer; also Senator(s) Fields and Priola--Concerning the creation of the employment support and job retention services program within the division of employment and training in the department of labor and employment, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1161 by Representative(s) Buckner and Wilson; also Senator(s) Todd and Priola--Concerning the creation of the health and wellness through comprehensive quality physical education instruction pilot program, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB19-1215 by Representative(s) Singer; also Senator(s) Crowder--Concerning legislative recommendations of the Colorado child support commission, and, in connection therewith, making an appropriation.
Judiciary

HB19-1276 by Representative(s) Buentello and Exum, Larson; also Senator(s) Todd and Coram--Concerning providing financial support for comprehensive programs to assist ninth-grade students in completing high school, and, in connection therewith, creating the ninth grade success grant program, and making an appropriation.
Judiciary

HB19-1320 by Representative(s) Kennedy and Lontine; also Senator(s) Winter--Concerning requiring certain health care providers to be accountable to their communities.
State, Veterans, & Military Affairs

HB19-1323 by Representative(s) Herod and Van Winkle; also Senator(s) Todd and Lundeen--Concerning an exemption from state sales tax for occasional sales by charitable organizations.
Finance

HB19-1324 by Representative(s) Cutter and Bird; also Senator(s) Foote--Concerning motions to dismiss certain civil actions involving constitutional rights.
Judiciary

HB19-1331 by Representative(s) Hansen and Ransom, Esgar; also Senator(s) Rankin, Moreno, Zenzinger--Concerning removing the limit on the departments with which the evidence-based practices implementation for capacity resource center can collaborate.
Appropriations

HB19-1332 by Representative(s) Hansen, Esgar, Ransom; also Senator(s) Zenzinger, Moreno, Rankin--Concerning the use of money in the Colorado telephone users with disabilities fund to provide talking book library services for certain persons with disabilities, and, in connection therewith, making an appropriation.
Appropriations

HB19-1335 by Representative(s) Gonzales-Gutierrez and Bockenfeld; also Senator(s) Lee and Cooke--Concerning expungement of juvenile records, and, in connection therewith, making clarifying changes to the expungement process and procedure and clarifying that juvenile record expungement applies to municipal courts.
Judiciary

MESSAGE FROM THE HOUSE

April 29, 2019

Mr. President:

The House has voted to concur in the Senate amendments to HB19-1189, 1244, 1003, 1138, 1183, 1222, 1247, 1051, 1269, 1274, 1239, and has repassed the bills as so amended.

The House has adopted the First Report of the First Conference Committee on SB19-090, as printed in House Journal, April 18, 2019, and has repassed the bill as so amended. The bill is returned herewith.

The Speaker has appointed Reprsentative Tipper to replace Representative Jackson as House conferee on the First Conference Committee on SB 19-002.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-090

****
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 SB19-090, concerning the operation of peer-to-peer motor vehicle sharing businesses, has met and reports that it has agreed upon the following:

1. 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 14, line 9, strike "FACILITATE, PROMOTE, OR OTHERWISE CONTRACT" and substitute "CONTRACT".

Page 14, line 11, strike "FOR USE BY" and substitute "TO TRANSPORT".

Page 14, line 13, strike "FOR USE BY" and substitute "TO TRANSPORT".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 6, after line 21 insert:

"(5) A CAR SHARING PROGRAM SHALL ASSUME PRIMARY LIABILITY FOR A CLAIM IF:
(a) THE PROGRAM IS IN WHOLE OR IN PART PROVIDING THE INSURANCE REQUIRED IN SUBSECTIONS (2) AND (3) OF THIS SECTION;
(b) A DISPUTE EXISTS AS TO WHO WAS IN CONTROL OF THE SHARED CAR AT THE TIME OF THE LOSS; AND
(c) THE PROGRAM DOES NOT HAVE AVAILABLE, DID NOT RETAIN, OR FAILS TO PROVIDE THE INFORMATION REQUIRED IN SECTION 6-1-1207 THAT RELATES TO THE CLAIM.".

Renumber succeeding subsections accordingly.

Page 7, line 2, strike "(5)" and substitute "(6)".

Page 8, line 24, strike "**cancellation**" and substitute "**exclusion**".

Page 8, strike lines 25 through 27.

Page 9, strike lines 1 through 4 and substitute "**sharing.** AN AUTOMOBILE INSURANCE COMPANY SHALL NOT EXCLUDE".

Page 9, strike lines 9 through 18.

Page 14, after line 22 insert:

"**SECTION 2.** In Colorado Revised Statutes, **amend** 10-4-601.5 as follows:

10-4-601.5. Administrative authority. The commissioner shall administer and enforce the provisions of this part 6, ~~and~~ may make rules necessary for the administration of this part 6 in accordance with article 4 of title 24, ~~C.R.S.~~ AND MAY ENFORCE THE PROVISIONS OF PART 12 OF ARTICLE 1 OF TITLE 6 THAT APPLY TO AN INSURER OR A POLICY.".

Renumber succeeding section accordingly.

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Kerry Donovan, Chair	Matt Gray, Chair
Ray Scott	Edie Hooton
Nancy Todd	Larry Liston

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Lee, Chair, Ginal, and Gardner were appointed as Senate conferees on the first conference committee on **HB19-1160**.

Senators Gonzales, Chair, Fields, and Hisey were appointed as Senate conferees on the first conference committee on **HB19-1253**.

RECONSIDERATION OF HB19-1257

HB19-1257 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning authority for the state to keep and spend all of the revenue in excess of the constitutional limitation on state fiscal year spending beginning with the 2019-20 fiscal year in order to provide funding for public schools, higher education, and roads, bridges, and transit.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB19-1257.

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 unless otherwise noted:

HB19-1257 by Representative(s) Becker and McCluskie, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Valdez A., Weissman, Galindo; also Senator(s) Court and Priola, Fenberg, Gonzales, Moreno, Rodriguez, Story, Todd, Williams A., Winter--Concerning authority for the state to keep and spend all of the revenue in excess of the constitutional limitation on state fiscal year spending beginning with the 2019-20 fiscal year in order to provide funding for public schools, higher education, and roads, bridges, and transit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1203 by Representative(s) Mullica; also Senator(s) Todd--Concerning the creation of a grant program to increase the number of school nurses, and, in connection therewith, making an appropriation.

Pursuant to Senate Rule 9 (b), Majority Leader Fenberg asked "Shall the main question be now put?" The motion was **adopted** on the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Winter, and Zenzinger.

HB19-1242 by Representative(s) Jackson and Jaquez Lewis; also Senator(s) Winter and Tate--Concerning the regulation of pharmacy technicians by the state board of pharmacy, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Ginal, Pettersen, Story, and Todd.

HB19-1237 by Representative(s) Cutter and Will; also Senator(s) Woodward and Ginal--Concerning licensing behavioral health entities, and, in connection therewith, making an appropriation.

Senator Woodward requested the bill to be read at length, before later withdrawing the request.

Laid over to the end of the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Monday, April 29, was laid over until Tuesday, April 30, retaining its place on the calendar.

Third Reading of Bills--Final Passage: HB19-1279, HB19-1283, HB19-1174, HB19-1306, SB19-234, HB19-1237.
General Orders--Second Reading of Bills--Consent Calendar: HB19-1085.
General Orders--Second Reading of Bills: HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1261, HB19-1272, HB19-1231, HB19-1298, HB19-1289, SB19-225, SB19-257, HB19-1176, HB19-1187, SB19-249, HB19-1316, HB19-1292, HB19-1277, HB19-1002, SB19-237, HB19-1240, HB19-1110, HB19-1167, HB19-1230, HB19-1234, HB19-1314, HB19-1318.
Consideration of Resolutions: SJR19-010.
Consideration of House Amendments to Senate Bills: SB19-085, SB19-104.
Consideration of Governor's Appointments:
Members of the Colorado Lottery Commission
Member of the Colorado Racing Commission
Members of the State Board of the Great Outdoors Colorado Trust Fund

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On motion of Majority Leader Fenberg, the Senate adjourned until 12:01 a.m., Tuesday, April 30, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

117th Legislative Day Tuesday, April 30, 2019

Prayer By Senator Bridges.

Call to Order By the President at 12:55 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 Gonzales, reading of the Journal of Monday, April 29, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB19-007 and 244.
Correctly Rerevised: HB19-1203, 1242, 1257, 1258, 1278, 1280.
Correctly Enrolled: SB19-001, 010, 030, 036, 054, 059, 061, 099, 137, 142, 146, 153, 155, 159, 160, 161, 163, 165, 171, 173, 179, 187, 197, 202, 205, 216, 219, 221, and 231.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bills.

Pursuant to Senate Rules 9 (a) and 9 (c), Majority Leader Fenberg moved that debate on HB19-1261 be limited to one hour. A majority of those elected to the Senate having voted in the affirmative, the motion was **adopted**.

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, and Senator Moreno 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 unless otherwise noted, had been considered and action taken thereon as follows:

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 22, page 1000 and placed in members' bill files.)

Amendment No. 2(L.076), by Senator Winter.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 22, 2019, page 1, line 5, strike ""CHANGE"" and substitute ""CHANGE AND FROM"".

Page 1, line 6, strike "COMMUNITIES,"." and substitute "COMMUNITIES; LARGE EMISSION SOURCES;".".

Page 1, after line 6 insert:

"Page 7 of the bill, line 9, strike "DELIVERY," and substitute "DELIVERY;".".

Amendment No. 3(L.056), by Senators Williams and Winter.

Amend reengrossed bill, page 8, line 17, after "EMISSIONS;" insert "WHETHER PROGRAM DESIGN COULD ENHANCE THE RELIABILITY OF ELECTRIC SERVICE;".

Page 9, line 7, strike "COMMISSION." and substitute "COMMISSION, INCLUDING ON ISSUES OF COST OF ELECTRICITY, RELIABILITY OF ELECTRIC SERVICE, TECHNOLOGY DEVELOPMENTS IN ELECTRICITY PRODUCTION, AND BENEFICIAL ELECTRIFICATION, AND KEEP A RECORD OF ITS CONSULTATION.".

Amendment No. 4(L.062), by Senator Williams.

Amend reengrossed bill, page 7, after line 2 insert:

"(III) THE COMMISSION WILL IDENTIFY DISPROPORTIONATELY IMPACTED COMMUNITIES. IN IDENTIFYING THESE COMMUNITIES, THE COMMISSION WILL CONSIDER: MINORITY, LOW-INCOME, TRIBAL, OR INDIGENOUS POPULATIONS IN THE STATE THAT POTENTIALLY EXPERIENCE DISPROPORTIONATE ENVIRONMENTAL HARMS AND RISKS. THIS DISPROPORTIONALITY CAN BE A RESULT OF INCREASED VULNERABILITY TO ENVIRONMENTAL DEGRADATION, LACK OF OPPORTUNITY FOR PUBLIC PARTICIPATION, OR OTHER FACTORS. INCREASED VULNERABILITY MAY BE ATTRIBUTABLE TO AN ACCUMULATION OF NEGATIVE OR LACK OF POSITIVE ENVIRONMENTAL, HEALTH, ECONOMIC, OR SOCIAL CONDITIONS WITHIN THESE POPULATIONS. "DISPROPORTIONATELY IMPACTED COMMUNITIES" DESCRIBES SITUATIONS WHERE MULTIPLE FACTORS, INCLUDING BOTH ENVIRONMENTAL AND SOCIO-ECONOMIC STRESSORS, MAY ACT CUMULATIVELY TO AFFECT HEALTH AND THE ENVIRONMENT AND CONTRIBUTE TO PERSISTENT ENVIRONMENTAL HEALTH DISPARITIES.".

Reletter succeeding subparagraphs accordingly.

Amendment No. 5(L.068), by Senator Williams.

Amend reengrossed bill, page 7, line 16, after "HAVE" insert "VERY LOW OR".

Amendment No. 6(L.064), by Senator Garcia.

Amend reengrossed bill, page 11, after line 7 insert:

"(VIII) (A) IN ADDRESSING GREENHOUSE GAS EMISSIONS FROM AN ENERGY-INTENSIVE, TRADE-EXPOSED MANUFACTURING SOURCE, THE COMMISSION SHALL REQUIRE THE SOURCE TO EXECUTE AN ENERGY AND EMISSION CONTROL AUDIT, ACCORDING TO CRITERIA ESTABLISHED BY THE COMMISSION, OF THE SOURCE'S OPERATIONS EVERY FIVE YEARS THROUGH AT LEAST 2035. A QUALIFIED THIRD PARTY, AS DETERMINED BY THE COMMISSION, SHALL CONDUCT THE AUDIT AND SUBMIT THE RESULTS TO THE COMMISSION. IF THE COMMISSION DETERMINES THAT THE SOURCE CURRENTLY EMPLOYS BEST AVAILABLE EMISSION CONTROL TECHNOLOGIES FOR GREENHOUSE GAS EMISSIONS AND BEST AVAILABLE ENERGY EFFICIENCY PRACTICES, THE COMMISSION SHALL NOT IMPOSE A DIRECT NONADMINISTRATIVE COST ON THE SOURCE DIRECTLY ASSOCIATED WITH AT LEAST NINETY-FIVE PERCENT OF THE SOURCE'S GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO MANUFACTURING A GOOD IN THIS STATE FOR A PERIOD OF FIVE YEARS, IF THE SOURCE'S

EMISSIONS ARE NOT GREATER THAN THE EMISSIONS ASSOCIATED WITH USE OF THE BEST AVAILABLE EMISSION CONTROL TECHNOLOGIES AS DETERMINED BY THE COMMISSION. THE COMMISSION SHALL CONSIDER HOW PROGRAM DESIGN AS RELEVANT TO THOSE SOURCES CAN FURTHER MITIGATE THE COST OF REDUCING EMISSIONS FOR SUCH MANUFACTURERS WHILE PROVIDING AN INCENTIVE TO IMPROVE EFFICIENCY AND REDUCE EMISSIONS. SPECIFICALLY, THE COMMISSION SHALL DESIGN THE PROGRAM AS RELEVANT TO THOSE SOURCES SUCH THAT AS THE SOURCES ARE SUBJECT TO EMISSION REDUCTION REQUIREMENTS, THOSE SOURCES WILL HAVE, UNDER THE PROGRAM, A PATHWAY TO OBTAIN EQUIVALENT LOWER-COST EMISSION REDUCTIONS AT OTHER REGULATED SOURCES TO SATISFY THEIR COMPLIANCE OBLIGATIONS.

(B) AS USED IN THIS SUBSECTION (1)(e)(VIII), "ENERGY-INTENSIVE, TRADE-EXPOSED MANUFACTURING SOURCE" MEANS AN ENTITY THAT PRINCIPALLY MANUFACTURES IRON, STEEL, ALUMINUM, PULP, PAPER, OR CEMENT AND THAT IS ENGAGED IN THE MANUFACTURE OF GOODS THROUGH ONE OR MORE EMISSIONS-INTENSIVE, TRADE-EXPOSED PROCESSES, AS DETERMINED BY THE COMMISSION.".

Renumber succeeding subparagraphs accordingly.

At the request of Senator Gardner, the bill was read at length.

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.)

Majority Leader Fenberg 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.

Pursuant to Senate Rules 9 (a) and 9 (c), Majority Leader Fenberg moved that debate on HB19-1341 be limited to one hour. A majority of those elected to the Senate having voted in the affirmative, the motion was **adopted**.

Committee of the Whole

On motion of Senator Moreno, the Senate re-resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Moreno was called to act as Chair.

Committee of the Whole reconvened.

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 unless otherwise noted, had been considered and action taken thereon as follows:

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 26, pages 1111-1112 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1147 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.)

HB19-1292 by Representative(s) Singer and Galindo; also Senator(s) Ginal--Concerning the reauthorization of the Colorado resiliency office, and, in connection therewith, making an appropriation.

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.)

HB19-1316 by Representative(s) Hansen and Landgraf, Arndt, Beckman, Buckner, Buentello, Caraveo, Carver, Duran, Geitner, Hooton, Larson, Liston, McKean, Mullica, Pelton, Sandridge, Singer, Soper, Van Winkle, Will, Wilson; also Senator(s) Winter and Cooke--Concerning modernizing marriage laws related to minors, and, in connection therewith, making an appropriation.

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.)

HB19-1002 by Representative(s) McLachlan and Wilson; also Senator(s) Zenzinger and Priola--Concerning professional development in leadership for public school principals, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, April 24, pages 1077-1078 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1277 by Representative(s) Esgar and Cutter; also Senator(s) Todd and Winter--Concerning the creation of the computer science grant program.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1187 by Representative(s) Coleman; also Senator(s) Bridges--Concerning increasing completion rates of applications for student financial aid for higher education, and, in connection therewith, making an appropriation.

At the request of Senator Hill, the bill was read at length.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1272, HB19-1231, HB19-1298, HB19-1289, SB19-225, SB19-257, HB19-1176, SB19-249, SB19-237, HB19-1240, HB19-1110, HB19-1167, HB19-1230, HB19-1234, HB19-1318, HB19-1300) of Tuesday, April 30, was laid over until later in the day today, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1292 by Representative(s) Singer and Galindo; also Senator(s) Ginal--Concerning the reauthorization of the Colorado resiliency office, and, in connection therewith, making an appropriation.

Senator Scott moved to amend the Report of the Committee of the Whole to show that HB 19-1292 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

HB19-1316 by Representative(s) Hansen and Landgraf, Arndt, Beckman, Buckner, Buentello, Caraveo, Carver, Duran, Geitner, Hooton, Larson, Liston, McKean, Mullica, Pelton, Sandridge, Singer, Soper, Van Winkle, Will, Wilson; also Senator(s) Winter and Cooke--Concerning modernizing marriage laws related to minors, and, in connection therewith, making an appropriation.

Senator Scott moved to amend the Report of the Committee of the Whole to show that HB 19-1316 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

Senator Scott moved to amend the Report of the Committee of the Whole to show that HB 19-1314 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.

Senator Scott moved to amend the Report of the Committee of the Whole to show that HB 19-1261 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1314 did pass.

Amend reengrossed bill, page 5, line 23, strike "JUST TRANSITION" and substitute "LET THEM EAT CAKE".

Page 6, line 4, strike "**Just transition**" and substitute "**Let them eat cake**".

Page 6, line 5, strike "JUST TRANSITION" and substitute "LET THEM EAT CAKE".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Hill floor amendment, (L.017) to HB 19-1314, did pass.

Amend reengrossed bill, page 7, after line 15.

"(5) THE OFFICE SHALL HIRE PERSONS WHO ARE COAL TRANSITION WORKERS TO IMPLEMENT THE PROVISIONS OF THIS PART 4.".

Renumber succeeding subsection 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the State, Veterans, and Military Affairs Committee amendment to HB 19-1314 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the Appropriations Committee amendment to HB 19-1314 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1314 did pass.

Amend reengrossed bill, page 2, strike lines 7 through 19.

Strike page 3.

Page 4, strike lines 1 through 18.

Renumber succeeding C.R.S. sections accordingly.

Page 5, line 20, strike "8-83-404." and substitute "8-83-403.".

Page 5, line 22, strike "8-83-406." and substitute "8-83-405.".

Page 5, line 24, strike "8-83-403" and substitute "8-83-402".

Page 7, line 2, strike "8-83-406," and substitute "8-83-405,".

Page 9, line 26, strike "8-83-405" and substitute "8-83-404" and strike "8-83-406" and substitute "8-83-405".

Page 10, line 27, strike "8-83-404" and substitute "8-83-403".

Page 11, line 5, strike "8-83-404" and substitute "8-83-403".

Page 15, line 9, strike "8-83-403" and substitute "8-83-402".

Page 15, line 12, strike "8-83-404," and substitute "8-83-403,".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1314 did pass.

Amend reengrossed bill, page 15, strike lines 25 through 27 and substitute:

"**SECTION 4. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that HB 19-1314 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.

Senator Rankin moved to amend the Report of the Committee of the Whole to show that the following Rankin floor amendment, (L.065) to HB 19-1261, did pass.

Amend reengrossed bill, page 6, line 17, after "(II)" insert "(A)".

Page 7, after line 2 insert:

"(B) NOTWITHSTANDING ANY OTHER REQUIREMENT OF SECTIONS 24-4-103 (8)(d) AND 25-7-133, THE RULES ADOPTED PURSUANT TO THIS SUBSECTION (1)(e) DO NOT TAKE EFFECT UNTIL AFTER THE COMMISSION HAS SUBMITTED THE RULES TO THE GENERAL ASSEMBLY FOR ITS REVIEW AND THE GENERAL ASSEMBLY HAS HAD AN OPPORTUNITY TO REVIEW THE RULES PURSUANT TO THE PROCEDURES SPECIFIED IN SECTION 25-7-133 AS IF THE RULES ADOPTED PURSUANT TO THIS SUBSECTION (1)(e) WERE A CHANGE TO AN ELEMENT OF THE STATE IMPLEMENTATION PLAN.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.070) to HB 19-1261, did pass.

Amend reengrossed bill, page 10, line 22, strike "OR BY A MUNICIPAL UTILITY".

Page 10, line 26, strike "OR MUNICIPAL UTILITY".

Page 11, line 5, strike "OR MUNICIPAL UTILITY".

Page 11, after line 7 insert:

"(G) A CLEAN ENERGY PLAN VOLUNTARILY FILED BY A MUNICIPAL UTILITY SHALL BE DEEMED APPROVED AS FILED IF: THE DIVISION PUBLICLY VERIFIES THAT THE PLAN DEMONSTRATES THAT, BY 2030, THE MUNICIPAL UTILITY WILL ACHIEVE AT LEAST A FIFTY PERCENT REDUCTION IN GREENHOUSE GAS EMISSIONS CAUSED BY THE ENTITY'S COLORADO RETAIL ELECTRICITY SALES RELATIVE TO 2005 LEVELS; AND THE CLEAN ENERGY PLAN HAS PREVIOUSLY BEEN APPROVED BY A VOTE OF THE ENTITY'S GOVERNING BODY.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.078) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (1)(e) TO THE CONTRARY, THE PUBLIC UTILITIES COMMISSION SHALL ESTABLISH A MAXIMUM ELECTRIC RETAIL CUSTOMER IMPACT OF ALL REQUIREMENTS IMPOSED PURSUANT TO THIS SUBSECTION (1)(e) OF AN AVERAGE OF TWO AND ONE-HALF PERCENT OF THE TOTAL EXPECTED ELECTRIC BILL, MEASURED OVER THE PLANNING PERIOD, CALCULATED BY COMPARING:

(A) THE BASELINE ELECTRIC RESOURCE ACQUISITION PLAN WITHOUT ANY CLEAN ENERGY PLAN ACTIONS AS CONTEMPLATED BY THIS SUBSECTION (1)(e); AND

(B) THE QUALIFYING RETAIL UTILITY'S PREFERRED ELECTRIC RESOURCE PLAN THAT INCLUDES CLEAN ENERGY PLAN ACTIONS AS CONTEMPLATED BY THIS SUBSECTION (1)(e).".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.077) to HB 19-1261, did pass.

Amend reengrossed bill, page 10, lines 20 through 22, strike "COOPERATIVE ELECTRIC ASSOCIATION THAT HAS VOTED TO EXEMPT ITSELF FROM REGULATION BY THE PUBLIC UTILITIES COMMISSION PURSUANT TO ARTICLE 9.5 OF TITLE 40 OR BY A".

Page 10, line 26, strike "COOPERATIVE ELECTRIC ASSOCIATION OR".

Page 11, line 5, strike "COOPERATIVE ELECTRIC ASSOCIATION OR".

Page 11, line 7, after the period add "A COOPERATIVE ELECTRIC ASSOCIATION IS NOT SUBJECT TO ANY REQUIREMENT IMPOSED PURSUANT TO THIS SUBSECTION (1)(e).".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.051) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION IN THIS SUBSECTION (1)(e) TO THE CONTRARY, ANY ENTITY THAT SUBMITS ITS OWN PLAN TO PROMOTE PROGRESS TOWARD THE 2025, 2030, AND 2050 GOALS SET FORTH IN SECTION 25-7-102 (2)(g) IS EXEMPT FROM ANY RULES PROMULGATED BY THE COMMISSION PURSUANT TO THIS SUBSECTION (1)(e).".

Renumber succeeding subparagraph 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.050) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION IN THIS SUBSECTION (1)(e) TO THE CONTRARY, THE RULES PROMULGATED BY THE COMMISSION PURSUANT TO THIS SUBSECTION (1)(e) ARE LIMITED TO PROMOTING OR INCENTIVIZING THE VOLUNTARY REDUCTION OF GREENHOUSE GAS POLLUTION.".

Renumber succeeding subparagraph 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.049) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION IN THIS SUBSECTION (1)(e) TO THE CONTRARY, THE RULES PROMULGATED BY THE COMMISSION PURSUANT TO THIS SUBSECTION (1)(e) ARE LIMITED TO PROMOTING OR INCENTIVIZING THE VOLUNTARY REDUCTION OF GREENHOUSE GAS POLLUTION.".

Renumber succeeding subparagraph 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.048) to HB 19-1261, did pass.

Amend reengrossed bill, page 7, lines 14 and 15, strike "THAT HAVE BEEN DEPLOYED BY ANOTHER JURISDICTION TO REDUCE MULTI-SECTOR GREENHOUSE GAS EMISSIONS,".

Page 7, line 17, strike "AND".

Page 7, line 19, strike "STRATEGIES." and substitute "STRATEGIES, AND THAT ENSURE RELIABLE AND AFFORDABLE ENERGY TO MEET THE NEEDS OF COLORADO AND ITS CITIZENS.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Priola floor amendment, (L.067) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, line 20, strike "MEANS" and substitute "MEANS, FOR ANY SPECIFIC EMISSIONS REDUCTION OR POLLUTION ABATEMENT STRATEGY, PROGRAM, OR REQUIREMENT,".

Page 11, line 22, strike "EQUIVALENT." and substitute "EQUIVALENT IS COMMENSURATE WITH OR LOWER THAN THE DEMONSTRABLE BENEFIT OF THOSE REDUCED EMISSIONS.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.047) to HB 19-1261, did pass.

> Amend reengrossed bill, page 6, line 22, strike "SHALL" and substitute "MAY".
>
> Page 6, line 23, strike "ENSURE" and substitute "PROMOTE".
>
> Page 6, line 24, strike "SHALL" and substitute "MAY".
>
> Page 6, line 25, strike "EMISSION SOURCES" and substitute "SOURCES OF GREENHOUSE GAS POLLUTION".
>
> Page 6, line 27, strike "MUST" and substitute "MAY".
>
> Page 7, line 1, strike "AIR" and substitute "GREENHOUSE GAS".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.045) to HB 19-1261, did pass.

> Amend reengrossed bill, page 10, line 27, strike "AN EIGHTY" and substitute "A FIFTY".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.072) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 7 insert:

"(G) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT IT IS BENEFICIAL TO ENCOURAGE THE DEVELOPMENT OF A CLEAN ENERGY PLAN BY A NONINVESTOR-OWNED PUBLIC UTILITY THROUGH A RESOURCE PLANNING PROCESS EXECUTED BY A NONINVESTOR-OWNED PUBLIC UTILITY THAT WILL REQUIRE GREENHOUSE GAS EMISSIONS CAUSED BY ITS COLORADO ELECTRICITY SALES TO DECREASE BY AT LEAST TWENTY-SIX PERCENT BY DECEMBER 31, 2025, AND FIFTY PERCENT BY DECEMBER 31, 2030, AND CONTINUE TO MAKE EMISSION REDUCTIONS OF GREENHOUSE GASES TOWARD THE 2050 GOAL SET FORTH IN SECTION 25-7-102 (2)(g), ALL MEASURED RELATIVE TO ITS 2005 STATEWIDE GREENHOUSE GAS POLLUTION LEVELS. THE GENERAL ASSEMBLY ALSO DECLARES THAT PRESERVING ELECTRIC SYSTEM RELIABILITY, RESILIENCY, AND AFFORDABILITY IS PRESUMED TO BE IN THE PUBLIC INTEREST AND THAT ANY RULES TO ACHIEVE THE GOALS OF SECTION 25-7-102 (2)(g) MUST BE TECHNICALLY FEASIBLE AND ENSURE THAT ELECTRIC RELIABILITY IS MAINTAINED. IMPLEMENTATION OF ANY REQUIREMENTS TO ACHIEVE THE GOALS OF SECTION 25-7-102 (2)(g) MUST NOT CAUSE ELECTRIC SERVICE TO BECOME UNAFFORDABLE AND MUST ALSO CONSIDER THE FACTORS SET FORTH IN SECTION 25-7-109 (1)(b). NONINVESTOR-OWNED PUBLIC UTILITIES MAY WORK WITH OTHER SECTORS TO USE THE MOST COST-EFFECTIVE MEASURES AVAILABLE TO ACHIEVE THE STATEWIDE GREENHOUSE GAS POLLUTION REDUCTION GOALS WHILE MAINTAINING ELECTRIC RELIABILITY, GRID RESILIENCY, AND CUSTOMER AFFORDABILITY. A CLEAN ENERGY PLAN DEVELOPED BY A NONINVESTOR-OWNED PUBLIC UTILITY TO MEET THE GOALS OF THIS SUBSECTION (1)(e)(VII)(G) MAY BE SUBMITTED TO THE PUBLIC UTILITIES COMMISSION, TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND TO THE OFFICE OF THE GOVERNOR. IN DESIGNING, IMPLEMENTING, AND ENFORCING PROGRAMS AND REQUIREMENTS UNDER SECTION 25-7-102 (2)(g), THE COMMISSION AND THE DIVISION SHALL INCLUDE ANY CLEAN ENERGY PLAN THAT, AS FILED, WILL ACHIEVE THE GOALS OF THIS SUBSECTION (1)(e)(VII)(G) FOR THAT NONINVESTOR-OWNED PUBLIC UTILITY AS VERIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. WHEN INCLUDING NONINVESTOR-OWNED PUBLIC UTILITIES IN ITS PROGRAMS OR REQUIREMENTS UNDER SECTION 25-7-102 (2)(g), THE COMMISSION SHALL NOT MANDATE THAT A NONINVESTOR-OWNED PUBLIC UTILITY REDUCE GREENHOUSE GAS EMISSIONS CAUSED BY THE UTILITY'S COLORADO ELECTRICITY SALES MORE THAN IS REQUIRED UNDER A CLEAN ENERGY PLAN MEETING THE REQUIREMENTS OF THIS SUBSECTION (1)(e)(VII)(G) OR IMPOSE ANY DIRECT, NONADMINISTRATIVE COST ON THE NONINVESTOR-OWNED PUBLIC UTILITY DIRECTLY ASSOCIATED WITH QUANTITIES OF GREENHOUSE GAS EMISSIONS CAUSED BY THE UTILITY'S COLORADO ELECTRICITY SALES THAT REMAIN AFTER THE REDUCTIONS REQUIRED BY THE CLEAN ENERGY PLAN IF THOSE REDUCTIONS ARE VERIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. A NONINVESTOR-OWNED PUBLIC UTILITY THAT FILES A CLEAN ENERGY PLAN WITH THE PUBLIC UTILITIES COMMISSION, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND THE OFFICE OF THE GOVERNOR SHALL PROVIDE BIANNUAL UPDATES TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO ENSURE THAT THE PLAN CONTINUES TO BE ADEQUATE TO MEET THE GOALS SET FORTH IN THIS SUBSECTION (1)(e)(VII)(G).".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Rankin floor amendment, (L.065) to HB 19-1261, did pass.

Amend reengrossed bill, page 6, line 17, after "(II)" insert "(A)".

Page 7, after line 2 insert:

"(B) NOTWITHSTANDING ANY OTHER REQUIREMENT OF SECTIONS 24-4-103 (8)(d) AND 25-7-133, THE RULES ADOPTED PURSUANT TO THIS SUBSECTION (1)(e) DO NOT TAKE EFFECT UNTIL AFTER THE COMMISSION HAS SUBMITTED THE RULES TO THE GENERAL ASSEMBLY FOR ITS REVIEW AND THE GENERAL ASSEMBLY HAS HAD AN OPPORTUNITY TO REVIEW THE RULES PURSUANT TO THE PROCEDURES SPECIFIED IN SECTION 25-7-133 AS IF THE RULES ADOPTED PURSUANT TO THIS SUBSECTION (1)(e) WERE A CHANGE TO AN ELEMENT OF THE STATE IMPLEMENTATION PLAN.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (L.058) to HB 19-1261, did pass.

Amend reengrossed bill, page 12, after line 1 insert:

"**SECTION 4.** In Colorado Revised Statutes, 25-7-105, **add** (1.5) as follows:

25-7-105. Duties of commission - rules - legislative declaration - definitions - repeal. (1.5) (a) THE COMMISSION SHALL APPOINT MEMBERS TO AND CONVENE A TASK FORCE TO STUDY THE EFFECTS ON RURAL COLORADO AND LOW-INCOME COMMUNITIES OF THE ABATEMENT OF STATEWIDE GREENHOUSE GAS POLLUTION THAT WILL OCCUR PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION AS IT BECOMES EFFECTIVE ON JANUARY 1, 2021. THE DIVISION SHALL PROVIDE ADMINISTRATIVE SUPPORT TO THE TASK FORCE WITHIN EXISTING RESOURCES.

(b) (I) THE TASK FORCE CONSISTS OF REPRESENTATIVES OF RURAL COLORADO AS NOMINATED BY THE COLORADO FARM BUREAU, COLORADO CATTLEMEN'S ASSOCIATION, AND COLORADO COUNTIES, INC., REPRESENTATIVES OF LOW-INCOME COMMUNITIES AS NOMINATED BY THE COLORADO COMMUNITY ACTION ASSOCIATION AND COLORADO MUNICIPAL LEAGUE, REPRESENTATIVES OF THE BUSINESS COMMUNITY NOMINATED BY THE COLORADO MINING ASSOCIATION AND THE COLORADO CHAMBER OF COMMERCE, REPRESENTATIVES OF PUBLIC INTEREST ENVIRONMENTAL GROUPS NOMINATED BY CONSERVATION

COLORADO, AND OTHER STAKEHOLDERS AS DETERMINED BY THE COMMISSION.

(II) MEMBERS OF THE TASK FORCE ARE ENTITLED TO A PER DIEM AND REIMBURSEMENT OF EXPENSES AS AUTHORIZED BY LAW.

(c) THE TASK FORCE SHALL BEGIN TO MEET BY AUGUST 1, 2020, SHALL SELECT A CHAIR AND CO-CHAIR FROM AMONG ITS MEMBERS, SHALL MEET AT LEAST EVERY TWO MONTHS, AND SHALL DELIVER A REPORT TO THE COMMISSION AND THE GENERAL ASSEMBLY BY FEBRUARY 1, 2020, THAT CONTAINS ITS RECOMMENDATIONS REGARDING:

(I) THE ANTICIPATED EFFECTS ON RURAL COLORADO AND LOW-INCOME COMMUNITIES OF THE ABATEMENT OF STATEWIDE GREENHOUSE GAS POLLUTION THAT WILL OCCUR PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION; AND

(II) POTENTIAL METHODS TO AVOID, MITIGATE, AND MINIMIZE ANY ADVERSE IMPACTS, INCLUDING LEGISLATIVE AND REGULATORY CHANGES.

(d) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.".

Renumber succeeding sections accordingly.

Page 12, line 2, strike "2019-20" and substitute "2020-21".

Page 12, line 10, strike "2019-20" and substitute "2020-21".

Page 12, after line 16 insert:

"**SECTION 6. Effective date.** This act takes effect upon passage; except that sections 1 through 3 of this act take effect January 1, 2021.".

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	19	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Williams floor amendment, (L.068) to HB 19-1261, did not pass.

Amend reengrossed bill, page 7, line 16, after "HAVE" insert "VERY LOW OR".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Williams floor amendment, (L.056) to HB 19-1261, did not pass.

Amend reengrossed bill, page 8, line 17, after "EMISSIONS;" insert "WHETHER PROGRAM DESIGN COULD ENHANCE THE RELIABILITY OF ELECTRIC SERVICE;".

Page 9, line 7, strike "COMMISSION." and substitute "COMMISSION, INCLUDING ON ISSUES OF COST OF ELECTRICITY, RELIABILITY OF ELECTRIC SERVICE, TECHNOLOGY DEVELOPMENTS IN ELECTRICITY PRODUCTION, AND BENEFICIAL ELECTRIFICATION, AND KEEP A RECORD OF ITS CONSULTATION.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Garcia floor amendment, (L.064) to HB 19-1261, did not pass.

Amend reengrossed bill, page 11, after line 7 insert:

"(VIII) (A) IN ADDRESSING GREENHOUSE GAS EMISSIONS FROM AN ENERGY-INTENSIVE, TRADE-EXPOSED MANUFACTURING SOURCE, THE COMMISSION SHALL REQUIRE THE SOURCE TO EXECUTE AN ENERGY AND EMISSION CONTROL AUDIT, ACCORDING TO CRITERIA ESTABLISHED BY THE COMMISSION, OF THE SOURCE'S OPERATIONS EVERY FIVE YEARS THROUGH AT LEAST 2035. A QUALIFIED THIRD PARTY, AS DETERMINED BY THE COMMISSION, SHALL CONDUCT THE AUDIT AND SUBMIT THE RESULTS TO THE COMMISSION. IF THE COMMISSION DETERMINES THAT THE SOURCE CURRENTLY EMPLOYS BEST AVAILABLE EMISSION CONTROL TECHNOLOGIES FOR GREENHOUSE GAS EMISSIONS AND BEST AVAILABLE ENERGY EFFICIENCY PRACTICES, THE COMMISSION SHALL NOT IMPOSE A DIRECT NONADMINISTRATIVE COST ON THE SOURCE DIRECTLY ASSOCIATED WITH AT LEAST NINETY-FIVE PERCENT OF THE SOURCE'S GREENHOUSE GAS EMISSIONS ATTRIBUTABLE TO MANUFACTURING A GOOD IN THIS STATE FOR A PERIOD OF FIVE YEARS, IF THE SOURCE'S EMISSIONS ARE NOT GREATER THAN THE EMISSIONS ASSOCIATED WITH USE OF THE BEST AVAILABLE EMISSION CONTROL TECHNOLOGIES AS DETERMINED BY THE COMMISSION. THE COMMISSION SHALL CONSIDER HOW PROGRAM DESIGN AS RELEVANT TO THOSE SOURCES CAN FURTHER MITIGATE THE COST OF REDUCING EMISSIONS FOR SUCH MANUFACTURERS WHILE PROVIDING AN INCENTIVE TO IMPROVE EFFICIENCY AND REDUCE EMISSIONS. SPECIFICALLY, THE COMMISSION SHALL DESIGN THE PROGRAM AS RELEVANT TO THOSE SOURCES SUCH THAT AS THE SOURCES ARE SUBJECT TO EMISSION REDUCTION REQUIREMENTS, THOSE SOURCES WILL HAVE, UNDER THE PROGRAM, A PATHWAY TO OBTAIN EQUIVALENT LOWER-COST EMISSION REDUCTIONS AT OTHER REGULATED SOURCES TO SATISFY THEIR COMPLIANCE OBLIGATIONS.

(B) AS USED IN THIS SUBSECTION (1)(e)(VIII), "ENERGY-INTENSIVE, TRADE-EXPOSED MANUFACTURING SOURCE" MEANS AN ENTITY THAT PRINCIPALLY MANUFACTURES IRON, STEEL, ALUMINUM, PULP, PAPER, OR CEMENT AND THAT IS ENGAGED IN THE MANUFACTURE OF GOODS THROUGH ONE OR MORE EMISSIONS-INTENSIVE, TRADE-EXPOSED PROCESSES, AS DETERMINED BY THE COMMISSION.".

Renumber succeeding subparagraphs 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Williams floor amendment, (L.062) to HB 19-1261, did not pass.

Amend reengrossed bill, page 7, after line 2 insert:

"(III) THE COMMISSION WILL IDENTIFY DISPROPORTIONATELY IMPACTED COMMUNITIES. IN IDENTIFYING THESE COMMUNITIES, THE COMMISSION WILL CONSIDER: MINORITY, LOW-INCOME, TRIBAL, OR INDIGENOUS POPULATIONS IN THE STATE THAT POTENTIALLY EXPERIENCE DISPROPORTIONATE ENVIRONMENTAL HARMS AND RISKS. THIS DISPROPORTIONALITY CAN BE A RESULT OF INCREASED VULNERABILITY TO ENVIRONMENTAL DEGRADATION, LACK OF OPPORTUNITY FOR PUBLIC PARTICIPATION, OR OTHER FACTORS. INCREASED VULNERABILITY MAY BE ATTRIBUTABLE TO AN ACCUMULATION OF NEGATIVE OR LACK OF POSITIVE ENVIRONMENTAL, HEALTH, ECONOMIC, OR SOCIAL CONDITIONS WITHIN THESE POPULATIONS. "DISPROPORTIONATELY IMPACTED COMMUNITIES" DESCRIBES SITUATIONS WHERE MULTIPLE FACTORS, INCLUDING BOTH ENVIRONMENTAL AND SOCIO-ECONOMIC STRESSORS, MAY ACT CUMULATIVELY TO AFFECT HEALTH AND THE ENVIRONMENT AND CONTRIBUTE TO PERSISTENT ENVIRONMENTAL HEALTH DISPARITIES.".

Reletter succeeding subparagraphs 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following Williams floor amendment, (L.076) to HB 19-1261, did not pass.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 22, 2019, page 1, line 5, strike ""CHANGE"" and substitute ""CHANGE AND FROM"".

Page 1, line 6, strike "COMMUNITIES,"." and substitute "COMMUNITIES; LARGE EMISSION SOURCES;".".

Page 1, after line 6 insert:

"Page 7 of the bill, line 9, strike "DELIVERY," and substitute "DELIVERY;".".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Lundeen moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1261 did pass.

Amend reengrossed bill, page 5, line 16, after "(g)" insert "(I)".

Page 5, strike lines 19 through 23 and substitute:

"CENTURY AND HAVE GOALS OF ACHIEVING IN EACH OF THE FOLLOWING YEARS THE LESSER OF THE FOLLOWING REDUCTIONS, AS APPLICABLE:

(A) A TWENTY-SIX-PERCENT REDUCTION IN STATEWIDE GREENHOUSE GAS POLLUTION BY 2025 OR THE DEMONSTRABLE REDUCTION IN SUCH POLLUTION ACHIEVED IN AGGREGATE ON THE ASIAN CONTINENT BY 2025;

(B) A FIFTY-PERCENT REDUCTION IN STATEWIDE GREENHOUSE GAS POLLUTION BY 2030 OR THE DEMONSTRABLE REDUCTION IN SUCH POLLUTION ACHIEVED IN AGGREGATE ON THE ASIAN CONTINENT BY 2030; AND

(C) A NINETY-PERCENT REDUCTION IN STATEWIDE GREENHOUSE GAS POLLUTION BY 2050 OR THE DEMONSTRABLE REDUCTION IN SUCH POLLUTION ACHIEVED IN AGGREGATE ON THE ASIAN CONTINENT BY 2050.

(II) THE".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Scott moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.078) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (1)(e) TO THE CONTRARY, THE PUBLIC UTILITIES COMMISSION SHALL ESTABLISH A MAXIMUM ELECTRIC RETAIL CUSTOMER IMPACT OF ALL REQUIREMENTS IMPOSED PURSUANT TO THIS SUBSECTION (1)(e) OF AN AVERAGE OF TWO AND ONE-HALF PERCENT OF THE TOTAL EXPECTED ELECTRIC BILL, MEASURED OVER THE PLANNING PERIOD, CALCULATED BY COMPARING:

(A) THE BASELINE ELECTRIC RESOURCE ACQUISITION PLAN WITHOUT ANY CLEAN ENERGY PLAN ACTIONS AS CONTEMPLATED BY THIS SUBSECTION (1)(e); AND

(B) THE QUALIFYING RETAIL UTILITY'S PREFERRED ELECTRIC RESOURCE PLAN THAT INCLUDES CLEAN ENERGY PLAN ACTIONS AS CONTEMPLATED BY THIS SUBSECTION (1)(e).".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.077) to HB 19-1261, did pass.

Amend reengrossed bill, page 10, lines 20 through 22, strike "COOPERATIVE ELECTRIC ASSOCIATION THAT HAS VOTED TO EXEMPT ITSELF FROM REGULATION BY THE PUBLIC UTILITIES COMMISSION PURSUANT TO ARTICLE 9.5 OF TITLE 40 OR BY A".

Page 10, line 26, strike "COOPERATIVE ELECTRIC ASSOCIATION OR".

Page 11, line 5, strike "COOPERATIVE ELECTRIC ASSOCIATION OR".

Page 11, line 7, after the period add "A COOPERATIVE ELECTRIC ASSOCIATION IS NOT SUBJECT TO ANY REQUIREMENT IMPOSED PURSUANT TO THIS SUBSECTION (1)(e).".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.051) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION IN THIS SUBSECTION (1)(e) TO THE CONTRARY, ANY ENTITY THAT SUBMITS ITS OWN PLAN TO PROMOTE PROGRESS TOWARD THE 2025, 2030, AND 2050 GOALS SET FORTH IN SECTION 25-7-102 (2)(g) IS EXEMPT FROM ANY RULES PROMULGATED BY THE COMMISSION PURSUANT TO THIS SUBSECTION (1)(e).".

Renumber succeeding subparagraph 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.045) to HB 19-1261, did pass.

Amend reengrossed bill, page 10, line 27, strike "AN EIGHTY" and substitute "A FIFTY".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.048) to HB 19-1261, did pass.

Amend reengrossed bill, page 7, lines 14 and 15, strike "THAT HAVE BEEN DEPLOYED BY ANOTHER JURISDICTION TO REDUCE MULTI-SECTOR GREENHOUSE GAS EMISSIONS,".

Page 7, line 17, strike "AND".

Page 7, line 19, strike "STRATEGIES." and substitute "STRATEGIES, AND THAT ENSURE RELIABLE AND AFFORDABLE ENERGY TO MEET THE NEEDS OF COLORADO AND ITS CITIZENS.".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.050) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 18 insert:

"(IX) NOTWITHSTANDING ANY PROVISION IN THIS SUBSECTION

(1)(e) TO THE CONTRARY, THE RULES PROMULGATED BY THE COMMISSION PURSUANT TO THIS SUBSECTION (1)(e) ARE LIMITED TO PROMOTING OR INCENTIVIZING THE VOLUNTARY REDUCTION OF GREENHOUSE GAS POLLUTION.".

Renumber succeeding subparagraph 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.072) to HB 19-1261, did pass.

Amend reengrossed bill, page 11, after line 7 insert:

"(G) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT IT IS BENEFICIAL TO ENCOURAGE THE DEVELOPMENT OF A CLEAN ENERGY PLAN BY A NONINVESTOR-OWNED PUBLIC UTILITY THROUGH A RESOURCE PLANNING PROCESS EXECUTED BY A NONINVESTOR-OWNED PUBLIC UTILITY THAT WILL REQUIRE GREENHOUSE GAS EMISSIONS CAUSED BY ITS COLORADO ELECTRICITY SALES TO DECREASE BY AT LEAST TWENTY-SIX PERCENT BY DECEMBER 31, 2025, AND FIFTY PERCENT BY DECEMBER 31, 2030, AND CONTINUE TO MAKE EMISSION REDUCTIONS OF GREENHOUSE GASES TOWARD THE 2050 GOAL SET FORTH IN SECTION 25-7-102 (2)(g), ALL MEASURED RELATIVE TO ITS 2005 STATEWIDE GREENHOUSE GAS POLLUTION LEVELS. THE GENERAL ASSEMBLY ALSO DECLARES THAT PRESERVING ELECTRIC SYSTEM RELIABILITY, RESILIENCY, AND AFFORDABILITY IS PRESUMED TO BE IN THE PUBLIC INTEREST AND THAT ANY RULES TO ACHIEVE THE GOALS OF SECTION 25-7-102 (2)(g) MUST BE TECHNICALLY FEASIBLE AND ENSURE THAT ELECTRIC RELIABILITY IS MAINTAINED. IMPLEMENTATION OF ANY REQUIREMENTS TO ACHIEVE THE GOALS OF SECTION 25-7-102 (2)(g) MUST NOT CAUSE ELECTRIC SERVICE TO BECOME UNAFFORDABLE AND MUST ALSO CONSIDER THE FACTORS SET FORTH IN SECTION 25-7-109 (1)(b). NONINVESTOR-OWNED PUBLIC UTILITIES MAY WORK WITH OTHER SECTORS TO USE THE MOST COST-EFFECTIVE MEASURES AVAILABLE TO ACHIEVE THE STATEWIDE GREENHOUSE GAS POLLUTION REDUCTION GOALS WHILE MAINTAINING ELECTRIC RELIABILITY, GRID RESILIENCY, AND CUSTOMER AFFORDABILITY. A CLEAN ENERGY PLAN DEVELOPED BY A NONINVESTOR-OWNED PUBLIC UTILITY TO MEET THE GOALS OF THIS SUBSECTION (1)(e)(VII)(G) MAY BE SUBMITTED TO THE PUBLIC UTILITIES COMMISSION, TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND TO THE OFFICE OF THE GOVERNOR. IN DESIGNING, IMPLEMENTING, AND ENFORCING PROGRAMS AND REQUIREMENTS UNDER SECTION 25-7-102 (2)(g), THE COMMISSION AND THE DIVISION SHALL INCLUDE ANY CLEAN ENERGY PLAN THAT, AS FILED, WILL ACHIEVE THE GOALS OF THIS SUBSECTION (1)(e)(VII)(G) FOR THAT NONINVESTOR-OWNED PUBLIC UTILITY AS VERIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. WHEN INCLUDING NONINVESTOR-OWNED PUBLIC UTILITIES IN ITS PROGRAMS OR REQUIREMENTS UNDER SECTION 25-7-102 (2)(g), THE COMMISSION SHALL NOT MANDATE THAT A NONINVESTOR-OWNED PUBLIC UTILITY REDUCE GREENHOUSE GAS EMISSIONS CAUSED BY THE UTILITY'S COLORADO ELECTRICITY SALES MORE THAN IS REQUIRED UNDER A CLEAN ENERGY PLAN MEETING THE REQUIREMENTS OF THIS SUBSECTION (1)(e)(VII)(G) OR IMPOSE ANY DIRECT, NONADMINISTRATIVE COST ON THE NONINVESTOR-OWNED PUBLIC UTILITY DIRECTLY ASSOCIATED WITH

QUANTITIES OF GREENHOUSE GAS EMISSIONS CAUSED BY THE UTILITY'S COLORADO ELECTRICITY SALES THAT REMAIN AFTER THE REDUCTIONS REQUIRED BY THE CLEAN ENERGY PLAN IF THOSE REDUCTIONS ARE VERIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. A NONINVESTOR-OWNED PUBLIC UTILITY THAT FILES A CLEAN ENERGY PLAN WITH THE PUBLIC UTILITIES COMMISSION, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND THE OFFICE OF THE GOVERNOR SHALL PROVIDE BIANNUAL UPDATES TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO ENSURE THAT THE PLAN CONTINUES TO BE ADEQUATE TO MEET THE GOALS SET FORTH IN THIS SUBSECTION (1)(e)(VII)(G).".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Scott moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (L.058) to HB 19-1261, did pass.

Amend reengrossed bill, page 12, after line 1 insert:

"**SECTION 4.** In Colorado Revised Statutes, 25-7-105, **add** (1.5) as follows:

25-7-105. Duties of commission - rules - legislative declaration - definitions - repeal. (1.5) (a) THE COMMISSION SHALL APPOINT MEMBERS TO AND CONVENE A TASK FORCE TO STUDY THE EFFECTS ON RURAL COLORADO AND LOW-INCOME COMMUNITIES OF THE ABATEMENT OF STATEWIDE GREENHOUSE GAS POLLUTION THAT WILL OCCUR PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION AS IT BECOMES EFFECTIVE ON JANUARY 1, 2021. THE DIVISION SHALL PROVIDE ADMINISTRATIVE SUPPORT TO THE TASK FORCE WITHIN EXISTING RESOURCES.

(b) (I) THE TASK FORCE CONSISTS OF REPRESENTATIVES OF RURAL COLORADO AS NOMINATED BY THE COLORADO FARM BUREAU, COLORADO CATTLEMEN'S ASSOCIATION, AND COLORADO COUNTIES, INC., REPRESENTATIVES OF LOW-INCOME COMMUNITIES AS NOMINATED BY THE COLORADO COMMUNITY ACTION ASSOCIATION AND COLORADO MUNICIPAL LEAGUE, REPRESENTATIVES OF THE BUSINESS COMMUNITY NOMINATED BY THE COLORADO MINING ASSOCIATION AND THE COLORADO CHAMBER OF COMMERCE, REPRESENTATIVES OF PUBLIC INTEREST ENVIRONMENTAL GROUPS NOMINATED BY CONSERVATION COLORADO, AND OTHER STAKEHOLDERS AS DETERMINED BY THE COMMISSION.

(II) MEMBERS OF THE TASK FORCE ARE ENTITLED TO A PER DIEM AND REIMBURSEMENT OF EXPENSES AS AUTHORIZED BY LAW.

(c) THE TASK FORCE SHALL BEGIN TO MEET BY AUGUST 1, 2020, SHALL SELECT A CHAIR AND CO-CHAIR FROM AMONG ITS MEMBERS, SHALL MEET AT LEAST EVERY TWO MONTHS, AND SHALL DELIVER A REPORT TO THE COMMISSION AND THE GENERAL ASSEMBLY BY FEBRUARY 1, 2020, THAT CONTAINS ITS RECOMMENDATIONS REGARDING:

(I) THE ANTICIPATED EFFECTS ON RURAL COLORADO AND LOW-INCOME COMMUNITIES OF THE ABATEMENT OF STATEWIDE GREENHOUSE GAS POLLUTION THAT WILL OCCUR PURSUANT TO SUBSECTION (1)(e) OF THIS SECTION; AND

(II) POTENTIAL METHODS TO AVOID, MITIGATE, AND MINIMIZE ANY ADVERSE IMPACTS, INCLUDING LEGISLATIVE AND REGULATORY CHANGES.

(d) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.".

Renumber succeeding sections accordingly.

Page 12, line 2, strike "2019-20" and substitute "2020-21".

Page 12, line 10, strike "2019-20" and substitute "2020-21".

Page 12, after line 16 insert:

"**SECTION 6. Effective date.** This act takes effect upon passage; except that sections 1 through 3 of this act take effect January 1, 2021.".

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	19	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the State, Veterans, and Military Affairs Committee amendment to HB 19-1261 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1261 did pass.

Amend reengrossed bill, page 12, strike lines 2 through 16.

Renumber succeeding section accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1261 did pass.

Amend reengrossed bill, page 6, strike lines 8 through 27.

Strike pages 7 through 11.

Page 12, strike line 1.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1261 did pass.

Amend reengrossed bill, page 5, strike lines 26 and 27.

Page 6, strike lines 1 through 7.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1261 did pass.

Amend reengrossed bill, page 1, strike lines 2 through 19.

Strike pages 3 and 4.

Page 5, strike lines 1 through 25.

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1261 did pass.

> Amend reengrossed bill, page 12, strike lines 17 through 19 and substitute:
>
> "**SECTION 5. 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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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	9	NO	26	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	N	Gardner	Y	Moreno	N	Tate	N
Coram	N	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	N	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	N	Scott	N	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	N	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Woodward moved to amend the Report of the Committee of the Whole to show that HB 19-1261, as amended, 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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1261 as amended, HB19-1314 as amended, HB19-1292, HB19-1316, HB19-1002 as amended, HB19-1277, HB19-1187.
Laid over until later in the day on Tuesday, April 30: HB19-1227, SB19-250, SB19-243, HB19-1192, HB19-1210, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1272, HB19-1231, HB19-1298, HB19-1289, SB19-225, SB19-257, HB19-1176, SB19-249, SB19-237, HB19-1240, HB19-1110, HB19-1167, HB19-1230, HB19-1234, HB19-1318, HB19-1300.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SJR19-010) of Tuesday, April 30, was laid over until later in the day, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-085 by Senator(s) Danielson and Pettersen, Fields, Donovan, Winter, Gonzales, Court, Zenzinger, Todd, Story, Ginal, Williams A., Rodriguez, Lee, Moreno, Garcia, Fenberg, Foote, Bridges; also Representative(s) Buckner and Gonzales-Gutierrez, Benavidez, Buentello, Caraveo, Coleman, Cutter, Duran, Esgar, Exum, Galindo, Garnett, Hansen, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Titone, Valdez A., Weissman--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities.

Senator Danielson moved that the Senate concur in House amendments to SB19-085, as printed in House journal, April 18, pages 1301-1302, and April 26, page 1572. The motion was **adopted** by the following roll call vote:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-104 by Senator(s) Holbert and Foote; also Representative(s) Baisley and Gray--Concerning the elimination of duplicate regulation of the property of a school district, district charter school, or institute charter school.

Senator Holbert moved that the Senate concur in House amendments to SB19-104, as printed in House journal, April 26, pages 1573-1574, and April 27, pages 1648-1649. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-149 by Senator(s) Garcia and Marble, Court, Fields, Foote; also Representative(s) Froelich--Concerning the continuation of the Colorado human trafficking council.

Senator Marble moved that the Senate concur in House amendments to SB19-149, as printed in House journal, April 23, pages 1423-1424. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-220 by Senator(s) Marble and Fenberg; also Representative(s) Saine and Arndt--Concerning updates to the industrial hemp regulatory program administered by the commissioner of agriculture to align the program with the regulatory requirements set forth in the federal "Agricultural Improvement Act of 2018", and, in connection therewith, making an appropriation.

Senator Marble moved that the Senate concur in House amendments to SB19-220, as printed in House journal, April 23, page 1426. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-136 by Senator(s) Lee; also Representative(s) Gonzales-Gutierrez--Concerning an expansion of the pilot program in the division of youth services, and, in connection therewith, making an appropriation.

Senator Lee moved that the Senate concur in House amendments to SB19-136, as printed in House journal, April 26, page 1550. The motion was **adopted** by the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-143 by Senator(s) Gonzales and Lee; also Representative(s) Herod--Concerning changes related to parole release to alleviate prison population issues, and, in connection therewith, making an appropriation.

Senator Lee moved that the Senate concur in House amendments to SB19-143, as printed in House journal, April 18, pages 1322-1323, and April 26, page 1550. The motion was **adopted** by the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-218 by Senator(s) Gonzales; also Representative(s) Jaquez Lewis--Concerning the continuation of the medical marijuana program, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

Senator Gonzales moved that the Senate concur in House amendments to SB19-218, as printed in House journal, April 24, page 1469, and April 27, page 1591. The motion was **adopted** by the following roll call vote:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-190 by Senator(s) Todd and Rankin; also Representative(s) McLachlan and Wilson--Concerning measures to increase the number of individuals who are well-prepared to teach in public schools, and, in connection therewith, creating the "Growing Great Teachers Act" and making an appropriation.

Senator Rankin moved that the Senate concur in House amendments to SB19-190, as printed in House journal, April 23, page 1423, April 25, page 1496, and April 27, page 1593. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-196 by Senator(s) Lee and Danielson; also Representative(s) Garnett and Duran--Concerning the modification of procurement requirements for state contracts for public projects.

Senator Lee moved that the Senate concur in House amendments to SB19-196, as printed in House journal, April 23, pages 1424-1426, and April 27, pages 1592-1593. The motion was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-192 by Senator(s) Winter and Priola; also Representative(s) Jackson and Cutter--Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution to administer a fee-based waste diversion grant program.

Senator Winter moved that the Senate concur in House amendments to SB19-192, as printed in House journal, April 22, pages 1382-1383, and April 27, Page 1593-1594. The motion was **adopted** by the following roll call vote:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	N	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-135 by Senator(s) Williams A. and Rodriguez, Bridges, Court, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Pettersen, Priola, Story, Tate, Todd, Winter, Zenzinger; also Representative(s) Buckner and Buentello, Coleman, Cutter, Duran, Exum, Galindo, Herod, Jackson, Melton, Michaelson Jenet, Valdez A.--Concerning methods to determine whether disparities involving certain historically underutilized businesses exist within the state procurement process, and, in connection therewith, commissioning a study to make such determination, requiring the department of personnel to track contracts awarded to historically underutilized businesses, and, making an appropriation.

Senator Williams moved that the Senate concur in House amendments to SB19-135, as printed in House journal, April 23, page 1418. The motion was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-107 by Senator(s) Donovan; also Representative(s) Roberts--Concerning the installation of broadband internet service infrastructure.

Senator Donovan moved that the Senate concur in House amendments to SB19-107, as printed in House journal, April 26, pages 1582-1583. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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.

On motion of Majority Leader Fenberg, 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.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills--Consent Calendar.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales 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:

HB19-1085 by Representative(s) Exum; also Senator(s) Zenzinger--Concerning the property-related expense assistance grants for low-income seniors and individuals with disabilities, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1146 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1319 by Representative(s) Bird and McKean; also Senator(s) Winter and Hisey--Concerning incentives to assist land developers in providing affordable housing statewide, and, in connection therewith, identifying nondeveloped land owned by the state that could be developed for affordable housing purposes and making modifications to the administration of an existing property tax exemption that applies to certain affordable housing developments.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-260 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Larson--Concerning entry into the fire and police pension association for social security employers.

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 Gonzales, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-260, HB19-1085 as amended, HB19-1319.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bills Calendar.

Committee of the Whole

On motion of Senator Gonzales, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gonzales 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:

HB19-1227 by Representative(s) Benavidez; also Senator(s) Lee--Concerning a requirement that the department of personnel create a prevailing wage working group to determine the appropriate manner in which to implement a prevailing wage requirement for state contracts.

Laid over until Saturday, May 4.

HB19-1272 by Representative(s) Bird; also Senator(s) Winter and Priola--Concerning housing authority participation in the Colorado new energy improvement district program.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-225 by Senator(s) Gonzales and Rodriguez, Foote, Moreno; also Representative(s) Lontine and Gonzales-Gutierrez, Duran, Galindo, Jackson, Singer, Sirota--Concerning the ability of local governments to stabilize rents on private residential property.

Laid over until Thursday, May 2, retaining its place on the calendar.

HB19-1231 by Representative(s) Froelich and Kipp, Benavidez, Jaquez Lewis, Melton, Mullica, Titone, Valdez A.; also Senator(s) Lee and Priola--Concerning efficiency standards for equipment sold in Colorado, and, in connection therewith, requiring certain appliances, plumbing fixtures, and other products sold for residential or commercial use to meet energy efficiency and water efficiency standards.

Amendment No. 1, Transportation & Energy Committee Amendment.
(Printed in Senate Journal, April 24, page 1043 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1289 by Representative(s) Weissman; also Senator(s) Foote--Concerning the creation of additional protections in the Colorado consumer code, and, in connection therewith, enabling enforcement of the "Colorado Consumer Protection Act" for reckless acts.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 24, page 1076 and placed in members' bill files.)

Amendment No. 2(L.031), by Senator Foote.

Amend the Judiciary Committee Report, dated April 24, 2019, page 1, strike lines 1 through 3 and substitute:

"Amend reengrossed bill, page 2, after line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, **amend** 6-1-103 as follows:

6-1-103. Attorney general and district attorneys concurrently responsible for enforcement. The attorney general and the district attorneys of the several judicial districts of this state are concurrently responsible for the enforcement of this ~~article~~ ARTICLE 1. Until the Colorado supreme court adopts a venue provision relating to this ~~article~~ ARTICLE 1, actions instituted pursuant to this article may be brought in the county where an alleged deceptive trade practice occurred or where any portion of a transaction involving an alleged deceptive trade practice occurred, or in the county where the principal place of business of any defendant is located, or in the county in which any defendant resides. AN ACTION UNDER THIS ARTICLE 1 BROUGHT BY THE ATTORNEY GENERAL OR A DISTRICT ATTORNEY DOES NOT REQUIRE PROOF THAT A DECEPTIVE TRADE PRACTICE HAS A SIGNIFICANT PUBLIC IMPACT.".

Renumber succeeding sections accordingly.".

Page 1 of the report, strike line 6 and substitute:

"Page 3 of the bill, strike lines 19 through 21.".

Page 1 of the report, line 8, strike ""(5)" and substitute ""(4)".

Page 1 of the report, after line 10 insert:

"Page 5 of the bill, line 3, strike "1 and 2" and substitute "2 and 3".

Page 5 of the bill, line 4, strike "3" and substitute "4".".

Amendment No. 3(L.027), by Senator Foote.

Amend reengrossed bill, page 4, line 18, strike "portion and (2)(a)(I)" and substitute "portion, (2)(a)(I), and (3)".

Page 5, after line 1 insert:

"(3) Any person who brings an action under this ~~article~~ ARTICLE 1 that is found by the court to be FRIVOLOUS, LACKING FACTUAL SUPPORT OR LEGAL BASIS, groundless and in bad faith, or for the purpose of harassment shall be liable to the defendant for the costs of the action together with reasonable attorney fees as determined by the court.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-249 by Senator(s) Gonzales and Scott; also Representative(s) Benavidez--Concerning the licensing of a business selling used motor vehicles that the business used for its purposes.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 24, pages 1073-1075 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 1109 and placed in members' bill files.)

Amendment No. 3(L.008), by Senator Gonzales.

Amend the Business, Labor, and Technology Committee Report, dated April 24, 2019, page 2, strike line 24 and substitute "PASSENGERS, NOT INCLUDING:

(A) A VEHICLE DESIGNED PRIMARILY FOR TRANSPORTING MORE THAN TEN INDIVIDUALS; OR

(B) A TRUCK HAVING AN ENCLOSED CAB AND AN OPEN CARGO AREA.".

Page 4 of the committee report, after line 4 insert:

"Page 5 of the bill, line 10, strike "OR".

Page 5 of the bill, line 15, strike "SALE." and substitute "SALE;

(p) FAILING TO MAINTAIN IN COLORADO, WHEN THE BUSINESS DISPOSER IS LICENSED, A PLACE OF BUSINESS THAT:

(I) IS MAINTAINED BY THE BUSINESS DISPOSER AND IS LOCATED AT A FIXED ADDRESS, OTHER THAN SOLELY A POST OFFICE BOX OR AN ELECTRONIC ADDRESS; AND

(II) EMPLOYS ONE OR MORE INDIVIDUALS ON A FULL-TIME BASIS.".".

Page 4 of the committee report, strike line 6 and substitute:

""**SECTION 7.** In Colorado Revised Statutes, 44-20-122, **amend** (2)(a)(I) as follows:

44-20-122. Procedure for denial, suspension, or revocation of license - judicial review. (2) (a) (I) The board shall appoint an administrative law judge pursuant to part 10 of article 30 of title 24 to conduct any hearing concerning the licensing or discipline of a motor vehicle dealer, used motor vehicle dealer, wholesaler, buyer's agent, BUSINESS DISPOSER, or wholesale motor vehicle auction dealer; except that the board may, upon a unanimous vote of the members present when the vote is taken, conduct the hearing in lieu of appointing an administrative law judge.

SECTION 8. In Colorado Revised Statutes, 44-20-123, **amend** (1)(a) as follows:

44-20-123. Sales activity following license denial, suspension, or revocation - unlawful act - penalty. (1) (a) It ~~shall be~~ IS unlawful and a violation of this part 1 for any person whose motor vehicle dealer's, used motor vehicle dealer's, motor vehicle wholesaler's, BUSINESS DISPOSER'S, or motor vehicle salesperson's license has been denied, suspended, or revoked to exercise any of the privileges of the license that was denied, suspended, or revoked.

SECTION 9. In Colorado Revised Statutes, 44-20-124, **amend**".".

Page 4 of the committee report, line 14, strike "**8.**" and substitute "**10.**".

Page 4 of the committee report, line 29, strike "suspend."." and substitute "suspend.

SECTION 11. In Colorado Revised Statutes, 44-20-131, **amend** (1) as follows:

44-20-131. Right of action for loss. (1) (a) If ~~any~~ A person suffers loss or damage by reason of ~~any~~ fraud practiced on the person or fraudulent representation made to the person by a licensed dealer or one of the dealer's salespersons acting ~~for the dealer~~ on the dealer's behalf or within the scope of the employment of the salesperson or suffers any loss or damage by reason of the violation by the dealer or salesperson of ~~any of the provisions of~~ this part 1 that are designated by the board by rule, whether or not the violation is the basis for denial, suspension, or revocation of a license, the person ~~shall have~~ SUFFERING LOSS OR DAMAGES HAS a right of action against the dealer, the dealer's motor vehicle salespersons, and the sureties upon their respective bonds. The right of a person to recover for loss or damage as provided in this subsection (1) against the dealer or salesperson ~~shall~~ IS not ~~be~~ limited to the amount of their respective bonds.

(b) A PERSON SUFFERING LOSS OR DAMAGES HAS A RIGHT OF ACTION AGAINST A LICENSED BUSINESS DISPOSER AND THE SURETY UPON THE DISPOSER'S BOND IF:

(I) THE LOSS OR DAMAGE IS CAUSED BY FRAUD PRACTICED ON THE

PERSON OR A FRAUDULENT REPRESENTATION MADE TO THE PERSON BY THE DISPOSER OR THE DISPOSER'S AGENT WITHIN THE SCOPE OF EMPLOYMENT; OR

(II) THE LOSS OR DAMAGE IS CAUSED BY THE DISPOSER VIOLATING THIS PART 1 AND THE VIOLATION IS DESIGNATED BY THE BOARD BY RULE, WHETHER OR NOT THE VIOLATION IS THE BASIS FOR DENIAL, SUSPENSION, OR REVOCATION OF THE LICENSE.".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1240 by Representative(s) Kraft-Tharp and Van Winkle; also Senator(s) Court and Tate--Concerning sales and use tax administration, and, in connection therewith, establishing economic nexus for retailers without physical presence in the state, codifying the destination sourcing rule with a specified exception, requiring marketplace facilitators to collect and remit sales tax for sales made by marketplace sellers on the marketplace facilitator's marketplace, and repealing obsolete statutory references to remote sellers.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1300 by Representative(s) Gray and Landgraf; also Senator(s) Cooke and Pettersen--Concerning vehicle identification number inspections performed by a peace officer certified to perform the inspection.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-237 by Senator(s) Rodriguez; --Concerning amending the "Colorado Consumer Protection Act" to clarify the damages for which plaintiffs are eligible.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1234 by Representative(s) Valdez A. and Singer, Gray, Melton; also Senator(s) Gonzales and Marble, Fenberg, Winter--Concerning allowing delivery of regulated marijuana by regulated marijuana sellers, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1230 by Representative(s) Singer and Melton, Coleman, Gray, Landgraf, Michaelson Jenet; also Senator(s) Marble and Gonzales, Pettersen, Rodriguez, Fenberg--Concerning marijuana hospitality establishments, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 26, pages 1112-1119 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-243, HB19-1192, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1298, SB19-257, HB19-1176, HB19-1110, HB19-1167, HB19-1318, HB19-1210 as amended, SB19-250) of Tuesday, April 30, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Foote, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-249 as amended, SB19-237, HB19-1272, HB19-1231 as amended, HB19-1289 as amended, HB19-1240, HB19-1300, HB19-1234, HB19-1230 as amended.
Laid over until later in the day on Tuesday, April 30: SB19-243, HB19-1192, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1120, HB19-1298, SB19-257, HB19-1176, HB19-1110, HB19-1167, HB19-1318, HB19-1210 as amended, SB19-250.

Upon request of Majority Leader Fenberg, **SB19-262** and **SB19-263**, were removed from the General Orders--Second Reading of Bills--Consent Calendar of Wenesday, May 1, 2019.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB19-1302, HB19-1308, and HB19-1326, were made Special Orders--Consent Calendar at 1:12 p.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 1:12 p.m. having arrived, Senator Danielson 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 Danielson 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:

HB19-1302 by Representative(s) Michaelson Jenet and Buckner, Caraveo, Coleman, Duran, Esgar, Galindo, Gray, Hooton, Jaquez Lewis, Kipp, Landgraf, McCluskie, McLachlan, Roberts, Singer, Titone, Valdez A.; also Senator(s) Winter, Coram, Gonzales, Hisey, Rodriguez, Todd, Williams A.--Concerning the continuation of the breast and cervical cancer prevention and treatment program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1308 by Representative(s) Singer and Landgraf; also Senator(s) Moreno and Rankin--Concerning foster care prevention services to align current standards with the federal "Family First Prevention Services Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1326 by Representative(s) Esgar and Hansen, Ransom; also Senator(s) Zenzinger and Rankin, Moreno--Concerning rate flexibility on existing procedures in the Colorado dental health care program for low-income seniors.

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1302, HB19-1308, HB19-1326.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, SB19-262 and SB19-263, were made Special Orders at 1:20 p.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 1:20 p.m. having arrived, Senator Danielson moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Danielson 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:

SB19-263 by Senator(s) Zenzinger and Rankin; also Representative(s) Gray and Hansen--Concerning the delay until the November 2020 general election of the requirement that a ballot issue seeking approval for the issuance of transportation revenue anticipation notes be submitted to the voters of the state at the November 2019 statewide election, and, in connection therewith, amending the ballot issue to reduce the amount of notes authorized to be issued to offset the additional transportation funding that will result from the repeal of only two, rather than three, tranches of lease-purchase agreements authorized by Senate Bill 17-267 if the ballot issue is approved and extending from twenty to twenty-one years the period for which annual fifty million dollar transfers from the general fund to the state highway fund are required.

Amendment No. 1(L.004), by Senator Zenzinger.

> Amend printed bill, page 3, lines 7 and 8, strike "~~money~~ FIFTY MILLION DOLLARS" and substitute "money".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB19-262 by Senator(s) Rankin and Zenzinger, Moreno; also Representative(s) Esgar and Ransom, Hansen--Concerning a one-time transfer of one hundred million dollars from the general fund to the highway users tax fund.

Amendment No. 1(L.001), by Senator Coram.

Amend printed bill, page 2, after line 22 insert:

"**SECTION 3.** In Colorado Revised Statutes, **add** part 23 to article 33.5 of title 24 as follows:

PART 23

SMART SCHOOL BUS SAFETY PILOT PROGRAM

24-33.5-2301. Short title. THE SHORT TITLE OF THIS PART 23 IS THE "SMART SCHOOL BUS SAFETY PILOT PROGRAM ACT".

24-33.5-2302. Definitions. AS USED IN THIS PART 23, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "FIRSTNET" MEANS THE NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK DEPLOYED AND OPERATED BY THE FIRST RESPONDER NETWORK AUTHORITY PURSUANT TO SECTION 6206 OF THE FEDERAL "MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012", 47 U.S.C. SEC. 1426.

(2) "PILOT PROGRAM" MEANS THE SMART SCHOOL BUS SAFETY PILOT PROGRAM CREATED IN SECTION 24-33.5-2303.

(3) "PROGRAM ADMINISTRATOR" MEANS A PUBLIC BENEFIT CORPORATION ORGANIZED IN ANY STATE WITH EXPERIENCE IN SCHOOL BUS SAFETY, SURFACE TRANSPORTATION SECURITY, CHILD SAFETY CAMPAIGN MANAGEMENT, AND CONDUCTING FUNDRAISING CAMPAIGNS THAT SUPPORT SAFETY-RELATED INITIATIVES THAT HAS ENTERED INTO AN AGREEMENT WITH THE DEPARTMENT TO ADMINISTER THE PILOT PROGRAM PURSUANT TO SECTION 24-33.5-2303 (2).

(4) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

24-33.5-2303. Smart school bus safety pilot program - creation - use of funds - department duties - rules. (1) THERE IS CREATED IN THE DEPARTMENT THE SMART SCHOOL BUS SAFETY PILOT PROGRAM TO PROVIDE SCHOOL DISTRICTS WITH GRANTS, PURSUANT TO SECTION 24-33.5-2304, TO INCREASE THE SAFETY OF STUDENTS AND THE EFFICIENCY OF THE SCHOOL BUSSES, PROVIDE INFORMATION TO PARENTS ABOUT SCHOOL BUSSES AND STUDENT SAFETY, AND INFORM AND EDUCATE THE PUBLIC ABOUT SCHOOL TRANSPORTATION SAFETY.

(2) (a) THE DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH A PROGRAM ADMINISTRATOR TO ADMINISTER THE PILOT PROGRAM IN ACCORDANCE WITH DEPARTMENT RULES.

(b) THE PROGRAM ADMINISTRATOR MAY USE PILOT PROGRAM FUNDS FOR THE FOLLOWING:

(I) ASSISTING RURAL SCHOOL DISTRICTS WITH COMPLETING AN APPLICATION FOR A GRANT AWARDED PURSUANT TO SECTION 24-33.5-2304;

(II) SUPPORTING SCHOOL DISTRICTS AWARDED GRANTS PURSUANT TO SECTION 24-33.5-2304;

(III) DEVELOPING OR MAINTAINING AN INTERNET WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION TO PROVIDE PARENTAL NOTIFICATION AT NO COST TO PARENTS;

(IV) RECRUITING SCHOOL BUS DRIVERS;

(V) DEVELOPING FOR THE PUBLIC SCHOOL BUS TRANSPORTATION SAFETY INFORMATION AND EDUCATION; AND

(VI) DEVELOPING PRIVATE-PUBLIC PARTNERSHIP FUNDING AND STUDYING THE AVAILABILITY OF NEW FUNDING SOURCES.

(3) (a) PURSUANT TO ARTICLE 4 OF THIS TITLE 24, THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES NECESSARY FOR THE ADMINISTRATION OF THIS PART 23.

(b) THE DEPARTMENT SHALL NOTIFY SCHOOL DISTRICTS OF THE PILOT PROGRAM, INCLUDING ANY GRANT PROGRAM APPLICATION DEADLINES. THE DEPARTMENT MAY COORDINATE WITH THE DEPARTMENT OF EDUCATION CONCERNING SCHOOL DISTRICT NOTIFICATION.

(c) THE DEPARTMENT SHALL DISTRIBUTE FUNDS TO THE PROGRAM ADMINISTRATOR NECESSARY TO IMPLEMENT THIS PART 23.

(d) THE DEPARTMENT MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE

PURPOSES OF THIS PART 23.

24-33.5-2304. Grant program - report - rules. (1) SUBJECT TO AVAILABLE FUNDING, THE DEPARTMENT SHALL PROVIDE GRANTS TO SCHOOL DISTRICTS TO ACHIEVE THE GOALS OF THE PILOT PROGRAM BY PROVIDING THOSE DISTRICTS WITH FUNDING NECESSARY TO EQUIP SCHOOL BUSSES WITH HARDWARE AND SOFTWARE, FOR EQUIPMENT MAINTENANCE, AND FOR ANY RELEVANT TRAINING TO INCREASE THE SAFETY OF STUDENTS AND THE EFFICIENCY OF SCHOOL BUSSES.

(2) A GRANT AWARDED PURSUANT TO THE PROGRAM MUST PROVIDE FUNDING FOR THREE YEARS.

(3) A SCHOOL DISTRICT THAT RECEIVES A GRANT SHALL CONSULT WITH AND RECEIVE SUPPORT FROM THE PROGRAM ADMINISTRATOR AND SHALL USE A GRANT AWARD FOR THE FOLLOWING:

(a) THE ACQUISITION OF EQUIPMENT NECESSARY TO JOIN AND OPERATE ON FIRSTNET, INCLUDING ANY TRAINING, INSTALLATION, MAINTENANCE, AND DATA-RELATED COSTS;

(b) THE OPERATION AND USE OF AN INTERNET WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION TO PROVIDE PARENTAL NOTIFICATION, AT NO COST TO PARENTS, RELATING TO SCHOOL BUS AND STUDENT STATUS;

(c) SCHOOL BUS DRIVER TRAINING AND THE PROVISION OF BACKGROUND CHECKS NECESSARY FOR SCHOOL BUS DRIVERS TO PARTICIPATE IN FIRSTNET; AND

(d) THE TRAINING NECESSARY TO USE ANY EQUIPMENT ACQUIRED WITH GRANT MONEY TO IMPROVE SCHOOL BUS MAINTENANCE.

(4) ON OR BEFORE JUNE 30, 2020, AND ON OR BEFORE EACH JUNE 30 THEREAFTER, A SCHOOL DISTRICT THAT RECEIVES A GRANT PURSUANT TO THIS SECTION SHALL SUBMIT A REPORT TO THE PROGRAM ADMINISTRATOR. AT A MINIMUM, THE REPORT MUST INCLUDE THE FOLLOWING:

(a) THE NUMBER OF BUSSES EQUIPPED WITH EQUIPMENT NECESSARY TO JOIN AND OPERATE ON FIRSTNET;

(b) WHETHER ANY SUCH EQUIPMENT WAS USED IN AN EMERGENCY SITUATION;

(c) ANY SCHOOL BUS MAINTENANCE OR OPERATION DECISIONS MADE BASED ON INFORMATION LEARNED FROM EQUIPMENT ACQUIRED WITH GRANT MONEY; AND

(d) ANY OTHER USE OF GRANT MONEY.

(5) (a) PURSUANT TO ARTICLE 4 OF THIS TITLE 24, THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES TO IMPLEMENT THE GRANT PROGRAM, INCLUDING RULES RELATING TO:

(I) THE APPLICATION PROCESS, INCLUDING DEADLINES; AND

(II) THE CRITERIA FOR AWARDING A GRANT TO A SCHOOL DISTRICT AND DETERMINING THE AMOUNT OF THE AWARD, INCLUDING A PROCESS FOR ACHIEVING A BALANCED DISTRIBUTION OF GRANT MONEY TO RURAL, URBAN, AND SUBURBAN SCHOOL DISTRICTS.

(b) IN PROMULGATING RULES PURSUANT TO THIS SECTION, THE EXECUTIVE DIRECTOR SHALL ENSURE THAT A RURAL SCHOOL DISTRICT MAY SUBMIT A SIMPLIFIED GRANT APPLICATION.

24-33.5-2305. Reporting. (1) ON OR BEFORE SEPTEMBER 30, 2020, AND ON OR BEFORE EACH SEPTEMBER 30 THEREAFTER, THE PROGRAM ADMINISTRATOR SHALL SUBMIT A REPORT TO THE DEPARTMENT CONCERNING THE OPERATION OF THE PILOT PROGRAM. THE REPORT MUST INCLUDE, BUT IS NOT LIMITED TO, THE USE OF PILOT PROGRAM FUNDS, A DESCRIPTION OF THE PERFORMANCE OF THE PROGRAM ADMINISTRATOR'S DUTIES DESCRIBED IN SECTION 24-33.5-2303 (2)(b), AND THE INFORMATION REPORTED TO THE PROGRAM ADMINISTRATOR BY A SCHOOL DISTRICT PURSUANT TO SECTION 24-33.5-2304.

(2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE DEPARTMENT SHALL INCLUDE INFORMATION ABOUT THE PILOT PROGRAM IN ITS ANNUAL PRESENTATION TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 2-7-203.

24-33.5-2306. Repeal. THIS PART 23 IS REPEALED, EFFECTIVE JULY 31, 2023.

SECTION 4. In Colorado Revised Statutes, 24-33.5-1807, **add** (8) as follows:

24-33.5-1807. School safety resource center cash fund - repeal. (8) (a) IN ADDITION TO ANY OTHER PURPOSE AUTHORIZED BY THIS SECTION, SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, THE DEPARTMENT IS AUTHORIZED TO EXPEND MONEY FROM THE FUND FOR THE SMART SCHOOL BUS SAFETY PILOT PROGRAM CREATED IN PART 23 OF THIS ARTICLE 33.5.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 31, 2023.

SECTION 5. Appropriation. (1) For the 2019-20 state fiscal year, $4,962,722 is appropriated to the department of public safety for use by the office of preparedness. This appropriation consists of $1,112,722 from the general fund and $3,850,000 from the school safety resource center cash fund created in section 24-33.5-1807 (1), C.R.S. To implement this act, the office may use this appropriation for the program administration. Any money appropriated in this section not expended prior to July 1, 2020, is further appropriated to the office for the 2020-21 and 2021-22 state fiscal years for the same purpose.

(2) For the 2019-20 state fiscal year, $37,278 is appropriated to the department of public safety for use by the office of preparedness. This appropriation is from the general fund, and is based on an assumption that the division will require an additional 0.5 FTE. To implement this act, the division may use this appropriation for program administration.".

Renumber succeeding section accordingly.

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 Danielson, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-263 as amended, SB19-262 as amended.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB19-1160 by Representative(s) Landgraf and Singer, Pelton, Bockenfeld, Larson, Wilson, McKean, Catlin, Gonzales-Gutierrez, Mullica; also Senator(s) Lee and Gardner--Concerning a mental health facility pilot program, and, in connection therewith, making an appropriation.

Senator Lee moved that the Senate conferees on the first conference committee on HB19-1160 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**.

MESSAGE FROM THE HOUSE

April 30, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-145, 066, 222, 223, 251, 252, 253, 258, 254, 240, 040, 180, 157, 158, 198, 227, 255, 242, 241.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-168, 169, 013, 217, 108, 224, 175, 008, 156, 188, 193, 245, amended as printed in House Journal, April 29, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-224, 108 amended as printed in House Journal, April 29, 2019,and amended on Third Reading as printed in House Journal, April 30, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

April 30, 2019

We herewith transmit:

Without comment, as amended, SB19-008, 013, 108, 156, 168, 169, 175, 188, 193, 217, 224, and 245.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1017** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1073** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1142** 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 **HB19-1159** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1168** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB19-1236** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 9, after line 24 insert:

"**SECTION 2. Appropriation.** For the 2019-20 state fiscal year, $1,012,201 is appropriated to the department of education. This appropriation is from the general fund and is based on an assumption that

the department will require an additional 0.2 FTE. To implement this act, the department may use this appropriation for the workforce diploma pilot program.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1275** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1287** 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 **HB19-1297** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1310** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1322** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **HB19-1331** 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 **HB19-1332** 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 **HB19-1320** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1161** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1107** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1009** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 15, after "PLACE," insert "FACILITY,".

Page 5, line 7, strike "OR".

Page 5, line 9, strike "SERVICES." and substitute "SERVICES; OR
(IV) PERMANENT SUPPORTIVE HOUSING UNITS INCORPORATED INTO AFFORDABLE HOUSING DEVELOPMENTS.".

Page 6, line 8, strike "PERSON OR A".

Page 6, line 13, strike "VALUE:" and substitute "VALUE, EXCLUDING THE SUPPORTIVE SERVICES REQUIRED TO PLACE THE RESIDENT:".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB19-1124** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1215** be referred to the Committee on Finance with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1064** 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 12 insert:
"**SECTION 6. Appropriation.** For the 2019-20 state fiscal year, $300,000 is appropriated to the department of public health and environment. This appropriation is from the general fund. The department may use this appropriation for the community crime victims grant program for direct services to crime victims, as defined in section 24-4.1-302 (5).".

Renumber succeeding sections accordingly.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1324** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1335** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB19-1276** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1005** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1323** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB19-132** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB19-1229** be referred to the Committee on Appropriations with favorable recommendation.

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 unless otherwise noted:

HB19-1279 by Representative(s) Exum and Landgraf; also Senator(s) Lee and Hisey--Concerning the use of perfluoroalkyl and polyfluoroalkyl substances, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Fenberg, Fields, Gardner, Ginal, Gonzales, Moreno, Pettersen, Rankin, Story, Tate, Todd, and Winter.

HB19-1283 by Representative(s) Roberts; also Senator(s) Rodriguez--Concerning requiring insurers to disclose certain information concerning insurance policies, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lee.

HB19-1174 by Representative(s) Esgar and Catlin; also Senator(s) Gardner and Pettersen--Concerning out-of-network health care services provided to covered persons, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Danielson, Donovan, Fenberg, Garcia, Lee, Moreno, Priola, Story, Tate, and Winter.

HB19-1306 by Representative(s) Esgar and Galindo; also Senator(s) Rodriguez--Concerning the monitoring of Colorado call center job losses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Winter.

SB19-234 by Senator(s) Rodriguez and Foote; also Representative(s) Weissman--Concerning the continuation of the functions of professional review committees, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

With unanimous consent of those elected to the Senate having voted in the affirmative, Senator Foote was given permission to offer a substantive third reading amendment.

Third Reading Amendment No. 1(L.008), by Senators Foote and Rodriguez.

Amend engrossed bill, page 3, line 12, strike "and (7)(a)(V)" and substitute "(7)(a)(V), and (7)(b); and **add** (5.5)".

Page 3, after line 15 insert:

"(5.5) "ORIGINAL SOURCE DOCUMENT" MEANS ANY SEPARATE WRITTEN DOCUMENT CREATED OR PREPARED IN THE ORDINARY COURSE OF BUSINESS THAT IS NOT OTHERWISE PRIVILEGED OR CONFIDENTIAL, INCLUDING ELECTRONIC RECORDS AND ELECTRONIC COMMUNICATIONS, CONTAINING FACTUAL INFORMATION RELATING SOLELY TO THE INDIVIDUAL PATIENT IN INTEREST IN A CIVIL ACTION THAT IS NOT CREATED OR PREPARED AS PART OF THE PROFESSIONAL REVIEW ACTIVITIES OR CREATED BY OR AT THE DIRECTION OF A PROFESSIONAL REVIEW COMMITTEE.".

Page 3, after line 25 insert:

"(b) "Records" does not include any written, electronic, or oral communications by any person that are otherwise available from a source outside the scope of professional review activities, including medical records and other health information, INCIDENT REPORTS PREPARED IN THE ORDINARY COURSE OF BUSINESS, AND RELEVANT HOSPITAL OR FACILITY POLICIES, PROCEDURES, AND PROTOCOLS, OR OTHER ORIGINAL SOURCE DOCUMENTS.".

Page 3, line 27, strike "(13)" and substitute "(13); **repeal** (7)(f); and **add** (2.7) and (17)".

Page 4, line 2, strike "(3)" and substitute "(2.7) A PROFESSIONAL REVIEW COMMITTEE OF A HOSPITAL LICENSED OR CERTIFIED BY THE DEPARTMENT

OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-1.5-103 (1)(a) IS ENCOURAGED TO APPOINT A CONSUMER TO SERVE AS A NONVOTING MEMBER OF THE PROFESSIONAL REVIEW COMMITTEE, SO LONG AS THE CONSUMER COMPLIES WITH THE HOSPITAL'S CONFLICT OF INTEREST POLICIES, ENTERS INTO A CONFIDENTIALITY AGREEMENT ACCEPTABLE TO THE HOSPITAL, AND ENTERS INTO A BUSINESS ASSOCIATE AGREEMENT IN ACCORDANCE WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED.

(3)".

Page 4, after line 6 insert:

"(7) The written bylaws, policies, or procedures of any professional review committee for persons licensed under article 36 of this title or licensed under article 38 of this title and granted authority as advanced practice nurses must provide for at least the following:

(f) ~~The professional review committee shall forward a copy of any recommendations made pursuant to paragraph (d) of this subsection (7) promptly to the medical board if the subject of the investigation is licensed under article 36 of this title, or to the nursing board if the subject of the investigation is licensed under article 38 of this title and granted authority as an advanced practice nurse.~~".

Page 4, after line 23 insert:

"(17) (a) ORIGINAL SOURCE DOCUMENTS ARE NOT PROTECTED FROM SUBPOENA, DISCOVERY, OR USE IN ANY CIVIL ACTION MERELY BECAUSE THEY WERE CONSIDERED BY OR PRESENTED TO A PROFESSIONAL REVIEW COMMITTEE. ORIGINAL SOURCE DOCUMENTS ARE SUBJECT TO SUBPOENA OR DISCOVERY ONLY FROM THE ORIGINAL SOURCES AND ARE PROTECTED FROM SUBPOENA OR DISCOVERY FROM THE PROFESSIONAL REVIEW FILES OF A PROFESSIONAL REVIEW COMMITTEE OF AN AUTHORIZED ENTITY EXCEPT AS PROVIDED BELOW:

(I) UPON SUBPOENA OR REQUEST FOR DISCOVERY FOR ORIGINAL SOURCE DOCUMENTS, AN AUTHORIZED ENTITY SHALL PROVIDE A LOG OF ALL ORIGINAL SOURCE DOCUMENTS CONTAINED IN THE AUTHORIZED ENTITY'S PROFESSIONAL REVIEW FILES INCLUDING THE SOURCE AND NATURE OF EACH ORIGINAL SOURCE DOCUMENT;

(II) THE INDIVIDUAL PATIENT IN INTEREST IN A CIVIL ACTION BY SUCH PERSON, NEXT FRIEND, OR LEGAL REPRESENTATIVE MAY SUBPOENA OR SEEK DISCOVERY OF ANY ORIGINAL SOURCE DOCUMENT IDENTIFIED ON THE AUTHORIZED ENTITY'S PROFESSIONAL REVIEW COMMITTEE LOG ONLY IF THE ORIGINAL SOURCE DOCUMENT WAS NOT PRODUCED IN RESPONSE TO A PRIOR SUBPOENA OR DISCOVERY REQUEST TO THE ORIGINAL SOURCE; AND

(b) THIS SUBSECTION (17) DOES NOT RELIEVE ANY PARTY OF THEIR OBLIGATION UNDER THE COLORADO RULES OF CIVIL PROCEDURE.".

Page 5, strike lines 18 and 19 and substitute:

"(II) DETERMINE THE DE-IDENTIFIED INFORMATION REGARDING INVESTIGATIONS AND OUTCOMES A GOVERNING BOARD IS REQUIRED TO REPORT; AND".

Page 6, after line 5 insert:

"**SECTION 7.** In Colorado Revised Statutes, 12-30-202, **amend as relocated by House Bill 19-1172** (8)(b); and **add as relocated by House Bill 19-1172** (6.5) as follows:

12-30-202. Definitions. As used in this part 2, unless the context otherwise requires:

(6.5) "ORIGINAL SOURCE DOCUMENT" MEANS ANY SEPARATE WRITTEN DOCUMENT CREATED OR PREPARED IN THE ORDINARY COURSE OF BUSINESS THAT IS NOT OTHERWISE PRIVILEGED OR CONFIDENTIAL, INCLUDING ELECTRONIC RECORDS AND ELECTRONIC COMMUNICATIONS, CONTAINING FACTUAL INFORMATION RELATING SOLELY TO THE INDIVIDUAL PATIENT IN INTEREST IN A CIVIL ACTION THAT IS NOT CREATED OR PREPARED AS PART OF THE PROFESSIONAL REVIEW

ACTIVITIES OR CREATED BY OR AT THE DIRECTION OF A PROFESSIONAL REVIEW COMMITTEE.

(8) (b) "Records" does not include any written, electronic, or oral communications by any person that are otherwise available from a source outside the scope of professional review activities, including medical records and other health information, INCIDENT REPORTS PREPARED IN THE ORDINARY COURSE OF BUSINESS, AND RELEVANT HOSPITAL OR FACILITY POLICIES, PROCEDURES, AND PROTOCOLS, OR OTHER ORIGINAL SOURCE DOCUMENTS.".

SECTION 8. In Colorado Revised Statutes, 12-30-204, **repeal as relocated by House Bill 19-1172** (8)(f); and **add as relocated by House Bill 19-1172** (3.5) and (18) as follows:

12-30-204. Establishment of professional review committees - function - rules. (3.5) A PROFESSIONAL REVIEW COMMITTEE OF A HOSPITAL LICENSED OR CERTIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-1.5-103 (1)(a) IS ENCOURAGED TO APPOINT A CONSUMER TO SERVE AS A NONVOTING MEMBER OF THE PROFESSIONAL REVIEW COMMITTEE, SO LONG AS THE CONSUMER COMPLIES WITH THE HOSPITAL'S CONFLICT OF INTEREST POLICIES, ENTERS INTO A CONFIDENTIALITY AGREEMENT ACCEPTABLE TO THE HOSPITAL, AND ENTERS INTO A BUSINESS ASSOCIATE AGREEMENT IN ACCORDANCE WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED.

(8) The written bylaws, policies, or procedures of any professional review committee for persons licensed under article 240 of this title 12 or advanced practice nurses must provide for at least the following:

(f) ~~The professional review committee shall forward a copy of any recommendations made pursuant to subsection (8)(d) of this section promptly to the medical board if the subject of the investigation is licensed under article 240 of this title 12, or to the nursing board if the subject of the investigation is an advanced practice nurse.~~

(18) (a) ORIGINAL SOURCE DOCUMENTS ARE NOT PROTECTED FROM SUBPOENA, DISCOVERY, OR USE IN ANY CIVIL ACTION MERELY BECAUSE THEY WERE CONSIDERED BY OR PRESENTED TO A PROFESSIONAL REVIEW COMMITTEE. ORIGINAL SOURCE DOCUMENTS ARE SUBJECT TO SUBPOENA OR DISCOVERY ONLY FROM THE ORIGINAL SOURCES AND ARE PROTECTED FROM SUBPOENA OR DISCOVERY FROM THE PROFESSIONAL REVIEW FILES OF A PROFESSIONAL REVIEW COMMITTEE OF AN AUTHORIZED ENTITY EXCEPT AS PROVIDED BELOW:

(I) UPON SUBPOENA OR REQUEST FOR DISCOVERY FOR ORIGINAL SOURCE DOCUMENTS, AN AUTHORIZED ENTITY SHALL PROVIDE A LOG OF ALL ORIGINAL SOURCE DOCUMENTS CONTAINED IN THE AUTHORIZED ENTITY'S PROFESSIONAL REVIEW FILES INCLUDING THE SOURCE AND NATURE OF EACH ORIGINAL SOURCE DOCUMENT;

(II) THE INDIVIDUAL PATIENT IN INTEREST IN A CIVIL ACTION BY SUCH PERSON, NEXT FRIEND, OR LEGAL REPRESENTATIVE MAY SUBPOENA OR SEEK DISCOVERY OF ANY ORIGINAL SOURCE DOCUMENT IDENTIFIED ON THE AUTHORIZED ENTITY'S PROFESSIONAL REVIEW COMMITTEE LOG ONLY IF THE ORIGINAL SOURCE DOCUMENT WAS NOT PRODUCED IN RESPONSE TO A PRIOR SUBPOENA OR DISCOVERY REQUEST TO THE ORIGINAL SOURCE; AND

(b) THIS SUBSECTION (17) DOES NOT RELIEVE ANY PARTY OF THEIR OBLIGATION UNDER THE COLORADO RULES OF CIVIL PROCEDURE.".

Renumber succeeding sections accordingly.

Page 6, strike lines 26 and 27 and substitute:

"(II) DETERMINE THE DE-IDENTIFIED INFORMATION REGARDING INVESTIGATIONS AND OUTCOMES A GOVERNING BOARD IS REQUIRED TO REPORT; AND".

Page 7, line 19, strike " and 7" and substitute "through 9".

Page 7, line 20, strike "and 7" and substitute "through 9".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Bridges, Cooke, Crowder, Fields, Garcia, Gardner, Ginal, Hisey, Holbert, Pettersen, Priola, Rankin, Scott, Story, Todd, Woodward, and Zenzinger.

HB19-1237 by Representative(s) Cutter and Will; also Senator(s) Woodward and Ginal--Concerning licensing behavioral health entities, and, in connection therewith, making an appropriation.

At the request of Senator Woodward, the bill was read at length.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Pettersen, Story, and Todd.

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, and Senator Moreno 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:

HB19-1210 by Representative(s) Melton and Galindo, Arndt, Benavidez, Buckner, Buentello, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Herod, Jackson, Kennedy, McLachlan, Michaelson Jenet, Mullica, Singer, Sirota, Sullivan, Weissman; also Senator(s) Danielson and Moreno, Court, Fields, Foote, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, Todd, Zenzinger--Concerning the repeal of the prohibitions on a local government establishing minimum wage laws within its jurisdiction.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, April 16, pages 860-861 and placed in members' bill files.)

Amendment No. 2(L.030), by Senator Moreno.

Amend reengrossed bill, page 4, line 26, after "(a)" insert "(I)".

Page 5, after line 12 insert:

"(II) ALL ADULT EMPLOYEES AND EMANCIPATED MINORS, WHETHER EMPLOYED ON AN HOURLY, PIECEWORK, COMMISSION, TIME, TASK, OR OTHER BASIS, SHALL BE PAID NOT LESS THAN THE MINIMUM WAGE ENACTED BY THE LOCAL GOVERNMENT THROUGH ITS GOVERNING BODY OR THROUGH INITIATIVE OR REFERENDUM POWERS.".

Amendment No. 3(L.040), by Senator Moreno.

Amend the Business, Labor, and Technology Committee Report, dated April 15, 2019, page 1, line 2, strike "and (9)"." and substitute "(9), and (10)".".

Page 3, line 15, strike "INDEFINITELY."." and substitute "INDEFINITELY.
(10) (a) IF AT ANY POINT TEN PERCENT OF LOCAL GOVERNMENTS IN THE STATE HAVE ENACTED A LOCAL MINIMUM WAGE LAW PURSUANT TO THIS SECTION, A LOCAL GOVERNMENT THAT HAS NOT PREVIOUSLY ENACTED A LOCAL MINIMUM WAGE LAW SHALL NOT ENACT A LOCAL MINIMUM WAGE LAW PURSUANT TO THIS SECTION UNTIL THE GENERAL ASSEMBLY HAS AMENDED THIS SECTION TO AUTHORIZE ADDITIONAL LOCAL GOVERNMENTS TO ENACT LOCAL MINIMUM WAGE LAWS. A LOCAL GOVERNMENT THAT ENACTED A LOCAL MINIMUM WAGE LAW PRIOR TO THE POINT AT WHICH TEN PERCENT OF LOCAL GOVERNMENTS HAVE ENACTED A LOCAL MINIMUM WAGE LAW MAY CONTINUE TO AMEND THAT LAW.
(b) FOR PURPOSES OF DETERMINING WHETHER TEN PERCENT OF LOCAL GOVERNMENTS IN THE STATE HAVE ENACTED A LOCAL MINIMUM WAGE LAW PURSUANT TO THIS SECTION, WHEN A COUNTY ENACTS A LOCAL MINIMUM WAGE LAW, IF A LOCAL MINIMUM WAGE LAW IS ENACTED BY ANY LOCAL GOVERNMENT LOCATED WITHIN THAT COUNTY, ONLY THE COUNTY'S MINIMUM WAGE LAW COUNTS TOWARD THE CALCULATION OF THE TEN PERCENT. IF LOCAL GOVERNMENTS ENTER INTO AN INTERGOVERNMENTAL AGREEMENT ON THE ENFORCEMENT OR ADMINISTRATION OF LOCAL MINIMUM WAGE POLICIES, THAT WILL ONLY BE COUNTED AS ONE LOCAL MINIMUM WAGE FOR DETERMINING THE CALCULATION OF THE TEN PERCENT.".".

Amendment No. 4(L.029), by Senator Moreno.

Amend the Business, Labor, and Technology Committee Report, dated April 15, 2019, page 1, strike lines 1 and 2 and substitute:

"Amend reengrossed bill, page 3, line 7, strike "LAWS" and substitute "A LAW".

Page 4 of the bill, line 18, strike "and (6)" and substitute "(6), (7), (8), and (9)".

Page 5 of the bill, line 5, strike "LAWS" and substitute "A LAW"."

Page 1 of the report, line 16, strike "LAWS" and substitute "LAW".

Page 2 of the report, after line 1 insert:

"Page 5 of the bill, line 17, strike "ANY" and substitute "A".

Page 5 of the bill, line 18, strike "LAWS" and substitute "LAW".

Page 5 of the bill, line 19, strike "LAWS," and substitute "LAW,".

Page 6 of the bill, line 8, strike "LOCAL MINIMUM WAGE LAWS." and substitute "A LOCAL MINIMUM WAGE LAW.".

Page 6 of the bill, line 21, strike "LOCAL MINIMUM WAGE LAWS" and substitute "A LOCAL MINIMUM WAGE LAW".".

Amendment No. 5(L.044), by Senator Moreno.

Amend the Business, Labor, and Technology Committee Report, dated April 15, 2019, page 1, lines 11 and 12, strike "LESS THAN OR".

Page 3 of the report, line 9, strike "RATES" and substitute "RATES, WITH THE EXCEPTION OF RATES FOR AN ELIGIBLE NURSING FACILITY PROVIDER AS DEFINED IN SECTION 25.5-6-201 (15.5),".

Page 3 of the report, after line 15 insert:

"Page 8 of the reengrossed bill, after line 10 insert:

"**SECTION 6.** In Colorado Revised Statutes, 25.5-6-201, **add** (15.5) and (20.5) as follows:

25.5-6-201. Special definitions relating to nursing facility reimbursement. As used in this part 2, unless the context otherwise requires:

(15.5) "ELIGIBLE NURSING FACILITY PROVIDER" MEANS A NURSING FACILITY PROVIDER THAT IS LOCATED:

(a) WITHIN THE JURISDICTION OF A LOCAL GOVERNMENT THAT HAS INCREASED ITS LOCAL MINIMUM WAGE ABOVE THE STATEWIDE MINIMUM WAGE; OR

(b) ADJACENT TO A LOCAL GOVERNMENT THAT HAS INCREASED ITS LOCAL MINIMUM WAGE ABOVE THE STATEWIDE MINIMUM WAGE AND THE NURSING FACILITY HAS VOLUNTARILY AGREED TO RAISE THE WAGE OF ALL EMPLOYEES TO THE SAME AMOUNT AND IN THE SAME MANNER AS THE ADJACENT LOCAL GOVERNMENT.

(20.5) "LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT" MEANS A SUPPLEMENTAL PAYMENT TO AN ELIGIBLE NURSING FACILITY PROVIDER THAT IS SUBJECT TO AVAILABLE APPROPRIATIONS AND NOT A RATE ENHANCEMENT.

SECTION 7. In Colorado Revised Statutes, **add** 25.5-6-208 as follows:

25.5-6-208. Nursing facility provider reimbursement - rules - definition. (1) (a) THE EXECUTIVE DIRECTOR SHALL, BY RULE, ESTABLISH A PROCESS FOR ELIGIBLE NURSING FACILITY PROVIDERS TO APPLY FOR A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT WHENEVER A LOCAL GOVERNMENT INCREASES ITS MINIMUM WAGE ABOVE THE STATEWIDE MINIMUM WAGE. IF A LOCAL GOVERNMENT INCREASES ITS MINIMUM WAGE ABOVE THE STATEWIDE MINIMUM WAGE, THE GENERAL ASSEMBLY SHALL APPROPRIATE ENOUGH MONEY TO THE STATE DEPARTMENT TO COVER THE LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT FOR ALL ELIGIBLE NURSING FACILITY PROVIDERS. ANY PAYMENT MADE PURSUANT TO THIS SECTION MUST NOT OCCUR UNTIL THE LOCAL GOVERNMENT MINIMUM WAGE LAW TAKES EFFECT.

(b) THE RULES MUST PROVIDE:

(I) THAT WAGE ENHANCEMENT PAYMENTS ARE AVAILABLE TO ANY ELIGIBLE NURSING FACILITY PROVIDER; AND

(II) THE FORM AND MANNER IN WHICH AN ELIGIBLE NURSING

FACILITY PROVIDER MAY APPLY TO THE STATE DEPARTMENT FOR WAGE ENHANCEMENT PAYMENTS. THE FORM MUST REQUIRE THE ELIGIBLE NURSING FACILITY PROVIDER TO DEMONSTRATE THE DIFFERENCE BETWEEN THE ACTUAL WAGES OF NURSING FACILITY PROVIDER EMPLOYEES AT THE TIME THE LOCAL GOVERNMENT WAGE INCREASE GOES INTO EFFECT AND THE LOCALLY ENACTED MINIMUM WAGE.

(2) SUBJECT TO AVAILABLE APPROPRIATIONS, A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT SHALL BE CALCULATED AND PAID TO ELIGIBLE NURSING FACILITY PROVIDERS BY DETERMINING THE TOTAL AMOUNT OF FUNDING NEEDED TO INCREASE THE MINIMUM WAGE OF ALL EMPLOYEES AT AN ELIGIBLE NURSING FACILITY PROVIDER TO THE LOCALLY ENACTED MINIMUM WAGE MULTIPLIED BY THE FACTOR OF THE MEDICAID CENSUS OF EACH PROVIDER.

(3) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, FOR THE PURPOSE OF REIMBURSING AN ELIGIBLE NURSING FACILITY PROVIDER FOR A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT, THE STATE DEPARTMENT SHALL ESTABLISH AND ANNUALLY READJUST A PAYMENT SCHEDULE.

(b) TO REQUEST A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT, AN ELIGIBLE NURSING FACILITY SHALL ANNUALLY SUBMIT:

(I) THE DIFFERENCE BETWEEN THE ACTUAL WAGE RATE OF NURSING FACILITY PROVIDER EMPLOYEES AND THE LOCAL MINIMUM WAGE RATE APPLICABLE TO THOSE NURSING FACILITY PROVIDER'S EMPLOYEES THAT ARE ELIGIBLE FOR AN INCREASED LOCAL MINIMUM WAGE RATE. A NURSING FACILITY PROVIDER'S EMPLOYEE'S WAGE RATE MUST EQUAL OR EXCEED THE MINIMUM WAGE RATE REQUIRED BY STATE OR FEDERAL LAW.

(II) THE NUMBER OF ELIGIBLE NURSING FACILITY PROVIDER'S EMPLOYEES BY PROVIDER, CURRENT WAGE RATE OF THE EMPLOYEES, AND WAGE RATE OF THE EMPLOYEES AFTER A LOCAL MINIMUM WAGE LAW GOES INTO EFFECT.

(c) AN ELIGIBLE NURSING FACILITY PROVIDER SHALL SUBMIT AN APPLICATION WITH THE INFORMATION REQUIRED IN THIS SECTION FOR EACH YEAR IN WHICH THE ELIGIBLE NURSING FACILITY PROVIDER SEEKS A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT.

(4) A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT MADE PURSUANT TO THIS SECTION IS IN EFFECT AS LONG AS THE LOCAL MINIMUM WAGE APPLICABLE TO ELIGIBLE NURSING FACILITY PROVIDER EMPLOYEES PERFORMING WORK WITHIN THE LOCAL JURISDICTION EXCEEDS THE STATEWIDE MINIMUM WAGE.

(5) (a) AN ELIGIBLE NURSING FACILITY PROVIDER THAT RECEIVES A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT PURSUANT TO THIS SECTION SHALL:

(I) USE THE PAYMENTS ONLY TO INCREASE THE COMPENSATION FOR ELIGIBLE NURSING FACILITY PROVIDER EMPLOYEES AND NOT FOR ANY OTHER EXPENDITURES; AND

(II) TRACK AND REPORT HOW THE PAYMENTS ARE USED FOR ELIGIBLE NURSING FACILITY EMPLOYEES ON AN ANNUAL BASIS.

(b) THE EXECUTIVE DIRECTOR MAY REQUEST INFORMATION FROM A NURSING FACILITY PROVIDER THAT RECEIVES A LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT UNDER THIS SECTION REGARDING THE USE OF SUCH PAYMENT.

(c) IF AN ELIGIBLE NURSING FACILITY PROVIDER DOES NOT USE ONE HUNDRED PERCENT OF THE LOCAL MINIMUM WAGE ENHANCEMENT PAYMENT RECEIVED PURSUANT TO THIS SECTION TO INCREASE THE COMPENSATION FOR THE ELIGIBLE NURSING FACILITY PROVIDER'S EMPLOYEES, THE EXECUTIVE DIRECTOR MAY RECOUP ANY OR ALL OF THE IMPROPERLY USED PAYMENTS. THE EXECUTIVE DIRECTOR MAY PROMULGATE RULES FOR THE NOTIFICATION, VIOLATION, AND PROCESS REGARDING AN ELIGIBLE NURSING FACILITY'S IMPROPER USE OF LOCAL MINIMUM WAGE ENHANCEMENT PAYMENTS.

(6) PAYMENTS RECEIVED UNDER THIS SECTION SHALL OFFSET COSTS REPORTED ON THE MED-13 COST REPORT WHEN CALCULATING NURSING FACILITY PROVIDER PER DIEM REIMBURSEMENT UNDER 10 CCR 2505.".

Renumber succeeding section accordingly.".

Amendment No. 6(L.046), by Senators Smallwood and Zenzinger.

Amend reengrossed bill, page 8, strike lines 11 through 20 and substitute:

"**SECTION 6. Act subject to petition - effective date.** This act takes effect January 1, 2021; 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 2020 and, in such case, will take effect January 1, 2021, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

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.)

HB19-1192 by Representative(s) Gonzales-Gutierrez and Buentello, Benavidez, Buckner, Caraveo, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, Melton, Mullica, Singer, Sirota, Titone, Valdez A., Valdez D., Weissman; also Senator(s) Gonzales, Garcia, Moreno, Rodriguez--Concerning the inclusion of matters relating to American minorities in the teaching of social contributions in civil government in public schools, and, in connection therewith, establishing the history, culture, social contributions, and civil government in education commission to make recommendations to include the history, culture, and social contributions of American Indians, Latinos, African Americans, and Asian Americans, the lesbian, gay, bisexual, and transgender individuals within these minority groups, the contributions and persecution of religious minorities, and the intersectionality of significant social and cultural features within these communities, in the teaching and content standards for history and civics, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB19-257 by Senator(s) Pettersen; also Representative(s) Buentello and Cutter--Concerning amendments to the state income tax deduction for contributions to a qualified 529 account to ensure that the state income tax deduction is not aligned with the changes in the federal "Tax Cuts and Jobs Act" of 2017 that allow tax-free distributions for elementary and secondary school expenses.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 25, page 1106 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1120 by Representative(s) Michaelson Jenet and Roberts; also Senator(s) Fenberg and Coram--Concerning multiple approaches to prevent youth suicide, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans, & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 22, page 998 and placed in members' bill files.)

Amendment No. 2(L.028), by Senator Fenberg.

Amend reengrossed bill, page 6, line 4, strike "PSYCHOTROPIC".

Page 6, strike lines 5 and 6.

Amendment No. 3(L.029), by Senator Fenberg.

Amend reengrossed bill, page 4, line 8, after "43;" insert "A LICENSED PROFESSIONAL COUNSELOR CANDIDATE; A PSYCHOLOGIST CANDIDATE;".

Page 9, line 22, after "245;" insert "A LICENSED PROFESSIONAL COUNSELOR CANDIDATE; A PSYCHOLOGIST CANDIDATE;".

Page 12, line 2, strike "SUICIDOLOGY." and substitute "SUICIDAL IDEATION.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1110, HB19-1167, HB19-1318, SB19-250) of Tuesday, April 30, was laid over until Wednesday, May 1, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1210 by Representative(s) Melton and Galindo, Arndt, Benavidez, Buckner, Buentello, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Herod, Jackson, Kennedy, McLachlan, Michaelson Jenet, Mullica, Singer, Sirota, Sullivan, Weissman; also Senator(s) Danielson and Moreno, Court, Fields, Foote, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, Todd, Zenzinger--Concerning the repeal of the prohibitions on a local government establishing minimum wage laws within its jurisdiction.

Senator Moreno moved to amend the Report of the Committee of the Whole to show that the following Smallwood and Zenzinger floor amendment (HB1210_L.046) did not pass, and that the following new amendment did pass.

L.046

Amend reengrossed bill, page 8, strike lines 11 through 20 and substitute:

"**SECTION 6. Act subject to petition - effective date.** This act takes effect January 1, 2021; 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 2020 and, in such case, will take effect January 1, 2021, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

New Amendment
Amend reengrossed bill, page 8, strike lines 11 through 20 and substitute:

"**SECTION 6. Act subject to petition - effective date.** This act takes effect January 1, 2020; 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-257 as amended, HB19-1210 as amended, HB19-1192, HB19-1120 as amended.
Laid over until Wednesday, May 1: SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1110, HB19-1167, HB19-1318, SB19-250.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB19-1168, HB19-1245, and SB19-261, were made Special Orders at 8:30 p.m.

Committee of the Whole

The hour of 8:30 p.m. having arrived, Senator Moreno moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Moreno 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:

HB19-1168 by Representative(s) McCluskie and Rich, Buckner, Esgar, Kennedy, McLachlan, Roberts, Soper; also Senator(s) Donovan and Rankin--Concerning the creation of the Colorado reinsurance program to provide reinsurance payments to health insurers to aid in paying high-cost insurance claims, and, in connection therewith, authorizing the commissioner of insurance to seek approval from the federal government to waive applicable federal requirements, request federal funds, or both, to enable the state to implement the program, making the program contingent upon waiver or funding approval, and making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, pages 1121-1123 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 29, page 1185 and placed in members' bill files.)

Amendment No. 3(L.021), by Senator Donovan.

Amend the Health and Human Services Committee Report, dated April 25, 2019, page 3, strike lines 14 through 25 and substitute:

""(4) IF THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES IN THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES INFORMS THE STATE THAT THE STATE WILL NOT BE IN COMPLIANCE WITH 42 CFR 433 AS A RESULT OF THE SPECIAL FEES ASSESSED ON HOSPITALS PURSUANT TO THIS SECTION, THE COMMISSIONER SHALL REDUCE THE AMOUNT OF THE SPECIAL FEES AS NECESSARY TO AVOID ANY REDUCTION IN THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE COLLECTED PURSUANT TO SECTION 25.5-4-402.4.".".

Amendment No. 4(L.020), by Senator Rankin.

Amend reengrossed bill, page 13, line 3, strike "CLAIM." and substitute "CLAIM AND DO NOT DUPLICATE AMOUNTS RECEIVED UNDER THE FEDERAL RISK ADJUSTMENT PROGRAM ESTABLISHED PURSUANT TO THE FEDERAL ACT.".

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.)

HB19-1245 by Representative(s) Weissman; also Senator(s) Gonzales and Foote--Concerning an increase in affordable housing funding from increased state sales tax revenue that results from a modification to the state sales tax vendor fee, and, in connection therewith, enacting the "Affordable Housing Act of 2019" and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, Aprill 27, pages 1149-1151 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page 1177 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-261 by Senator(s) Moreno and Cooke, Zenzinger, Rankin; also Representative(s) Esgar and Will, Neville, Hansen, Ransom--Concerning the transfer of money from the unclaimed property trust fund to the general fund.

Ordered engrossed and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1168 by Representative(s) McCluskie and Rich, Buckner, Esgar, Kennedy, McLachlan, Roberts, Soper; also Senator(s) Donovan and Rankin--Concerning the creation of the Colorado reinsurance program to provide reinsurance payments to health insurers to aid in paying high-cost insurance claims, and, in connection therewith, authorizing the commissioner of insurance to seek approval from the federal government to waive applicable federal requirements, request federal funds, or both, to enable the state to implement the program, making the program contingent upon waiver or funding approval, and making an appropriation.

Senator Donovan moved to amend the Report of the Committee of the Whole to show that the following Rankin floor amendment, (L.020) to HB 19-1168, did not pass.

Amend reengrossed bill, page 13, line 3, strike "CLAIM." and substitute "CLAIM AND DO NOT DUPLICATE AMOUNTS RECEIVED UNDER THE FEDERAL RISK ADJUSTMENT PROGRAM ESTABLISHED PURSUANT TO THE FEDERAL ACT.".

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	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-261, HB19-1168 as amended, HB19-1245 as amended.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SJR19-010) of Tuesday, April 30, was laid over until Wednesday, May 1, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments (Members of the Colorado Lottery Commission, Member of the Colorado Racing Commission, Members of the State Board of the Great Outdoors Colorado Trust Fund) of Tuesday, April 30, was laid over until Wednesday, May 1, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-090 by Senator(s) Scott, Donovan; also Representative(s) Gray--Concerning the operation of peer-to-peer motor vehicle sharing businesses.

Senator Scott moved for the adoption of the first report of the first conference committee on SB19-090, as printed in Senate journal, April 29, pages 1189-1190. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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)

Trans-portation & Energy

After consideration on the merits, the Committee recommends that **HB19-1037** be postponed indefinitely.

MESSAGE FROM THE HOUSE

April 30, 2019

Mr. President:

The House has voted to concur in the Senate amendments to HB19-1262, 1202, 1216, 1233, 1246, 1248, 1250, 1315, 1278 and has repassed the bills as so amended.

The House has adopted the First Report of the First Conference Committee on SB19-077, as printed in House Journal, April 30, 2019, 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 SB19-002, as printed in House Journal, April 30, 2019, and has repassed the bill as so amended. The bill is returned herewith.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-002

****
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 SB19-002, concerning the regulation of student education loan servicers, and, in connection therewith, making an appropriation, 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 7, line 17, strike "A STATE WHERE" and substitute "THIS STATE, BUT ONLY TO THE EXTENT THAT".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Faith Winter, Chair	Dylan Roberts, Chair
Steve Fenberg	Dominique Jackson
Jack Tate	Colin Larson

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-077

****
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 SB19-077, concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity, has met and reports that it has agreed upon the following:

1. That the Senate accede to the House amendments made to the bill, as the amendments appear in the rerevised bill.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend rerevised bill, page 6, line 16, strike "MAY" and substitute "SHALL".

Page 6, line 24, strike "STANDARDS" and substitute "STANDARDS, IMPROVING AIR QUALITY IN COMMUNITIES MOST AFFECTED BY EMISSIONS FROM THE TRANSPORTATION SECTOR,".

Page 7, strike lines 10 and 11 and substitute "ELECTRIFICATION PROGRAMS, WHICH MAY INCLUDE COMMUNITY-BASED AND MULTI-FAMILY CHARGING INFRASTRUCTURE, CAR SHARE PROGRAMS, AND ELECTRIFICATION OF PUBLIC TRANSIT, WHILE GIVING DUE CONSIDERATION TO THE AFFECT ON LOW-INCOME CUSTOMERS.".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Angela Williams, Chair	Chris Hansen, Chair
Julie Gonzales	Matt Gray
Kevin Priola	Susan Beckman

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, May 1, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

118th Legislative Day Wednesday, May 1, 2019

Prayer — By the chaplain, Pastor Gerald A. Bargaineer II, Aurora Police Chaplain.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Excused--2, Priola, Williams.
Present later--2, Priola, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Todd.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Tuesday, April 30, 2019, 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 **HB19-1226** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the State, Veterans & Military Affairs Committee Report, dated April 29, 2019, page 2, line 4, strike "REDUCED." and substitute "REDUCED BY SECTION 15 OF HOUSE BILL 19-1226.".

Page 2, line 8, strike "PROVIDING FUNDING" and substitute "PROVIDE FUNDING WITHIN AVAILABLE APPROPRIATIONS".

Page 2, line 11, strike "ADMINISTRATOR."." and substitute "ADMINISTRATOR, WHICH MUST INCLUDE PRIORITY FOR COUNTIES THAT DO NOT HAVE OR ARE UNABLE TO FUND PRETRIAL ASSESSMENT AND SUPERVISION PROGRAMS AND A CONSIDERATION OF THE NUMBER OF PEOPLE WHO WOULD BE SERVED BY THE PRETRIAL ASSESSMENT AND SUPERVISION PROGRAMS."."

Amend page 2 of the committee report, after line 22 insert:

"Amend reengrossed bill, page 29, after line 21 insert:

"(2) For the 2019-20 state fiscal year, $2,500,000 is appropriated to the judicial department. This appropriation is from the pretrial services cash fund created in section 16-4-106.5 (1), C.R.S. To implement this act, the department may use this appropriation for assistance to county pretrial programs.".

Page 29, line 22, strike "(2)" and substitute "(3)".

Page 29, after line 27 insert:

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

"**SECTION 17. Appropriation to the department of corrections for the fiscal year beginning July 1, 2019.** In Senate Bill 19-207, section 2, **amend** Part II (5)(A) and the affected totals, as follows:

Section 2. **Appropriation.**

PART II

DEPARTMENT OF CORRECTIONS

(5) COMMUNITY SERVICES							
(A) Parole Subprogram							
Personal Services	19,007,465		19,007,465				
			(302.2 FTE)				
Operating Expenses	2,615,820		2,615,820				
Parolee Supervision and Support Services	11,299,514		9,089,758			2,209,756[a]	
Wrap-Around Services Program	2,336,782		2,336,782				

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
Grants to Community-based Organizations for Parolee Support	6,697,140		6,697,140				
Community-based Organizations Housing Support	500,000		500,000				
Parolee Housing Support	500,000		500,000				
Work Release Program[3]	~~3,500,000~~		~~3,500,000~~				
	2,500,000		2,500,000				
	~~46,456,721~~						
	45,456,721						

[a] Of this amount, $2,163,125 shall be transferred from the Judicial Department from the Correctional Treatment Cash Fund Expenditures line item appropriation in the Probation and Related Services section and $46,631 shall be transferred from the General Fund appropriation to the Offender Treatment and Services line item in the Probation and Related Services section. The transfer from the Offender Treatment and Services line item is for the provision of day reporting services.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
TOTALS PART II							
(CORRECTIONS)		~~$975,865,876~~	~~$872,913,457~~		$47,619,442[a]	$51,757,665	$3,575,312[b]
		$974,865,876	$871,913,457				

[a] Of this amount, $21,314,186 contains an (I) notation.

[b] This amount contains an (I) notation.".

Renumber succeeding section accordingly.

Page 1, line 110, after "**MAKING**" insert "**AND REDUCING**".".

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1323** 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 **HB19-1276** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1229** 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 **HB19-1161** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1064** 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 **HB19-1107** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1009** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1005** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB19-237, 249, 257, 260, 261, 262, and 263.
Correctly Reengrossed: SB19-234.
Correctly Revised: HB19-1002, 1085, 1120, 1168, 1187, 1192, 1210, 1230, 1231, 1234, 1240, 1245, 1261, 1272, 1277, 1289, 1292, 1300, 1302, 1308, 1314, 1316, 1319, and 1326.
Correctly Rerevised: HB19-1174, 1237, 1279, 1283, and 1306.
Correctly Enrolled: SB19-107, 135, 136, 143, 190, 192, 196, 218, and 220..

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR19-011 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett, Becker, Neville--Concerning the appointment of a joint committee to notify the governor that the first regular session of the seventy-second general assembly is about to adjourn sine die.

Laid over until Friday, May 3, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB19-1312 by Representative(s) Mullica, Arndt, Benavidez, Bird, Buckner, Buentello, Caraveo, Coleman, Duran, Esgar, Froelich, Gray, Hansen, Jaquez Lewis, Kennedy, Kipp, McCluskie, Melton, Michaelson Jenet, Roberts, Sirota, Snyder, Tipper, Valdez A.; also Senator(s) Gonzales and Priola--Concerning modernizing immunization requirements for school entry to improve vaccination rates.
Finance

HB19-1313 by Representative(s) Becker and Hansen; also Senator(s) Winter and Priola--Concerning plans to reduce carbon dioxide emissions by qualifying retail utilities, and, in connection therewith, encouraging the achievement of zero carbon dioxide emissions by 2050 and making an appropriation.
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:

HB19-1085 by Representative(s) Exum; also Senator(s) Zenzinger--Concerning the property-related expense assistance grants for low-income seniors and individuals with disabilities, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fields, Ginal, Lee, Moreno, Pettersen, Story, Tate, Todd, Williams A., and Winter.

HB19-1319 by Representative(s) Bird and McKean; also Senator(s) Winter and Hisey--Concerning incentives to assist land developers in providing affordable housing statewide, and, in connection therewith, identifying nondeveloped land owned by the state that could be developed for affordable housing purposes and making modifications to the administration of an existing property tax exemption that applies to certain affordable housing developments.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Donovan, Fields, Garcia, Ginal, Gonzales, Pettersen, Priola, Rodriguez, Story, Tate, Todd, Williams A., and Zenzinger.

SB19-260 by Senator(s) Zenzinger and Cooke; also Representative(s) Tipper and Larson--Concerning entry into the fire and police pension association for social security employers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Ginal, Pettersen, Tate, and Todd.

HB19-1302 by Representative(s) Michaelson Jenet and Buckner, Caraveo, Coleman, Duran, Esgar, Galindo, Gray, Hooton, Jaquez Lewis, Kipp, Landgraf, McCluskie, McLachlan, Roberts, Singer, Titone, Valdez A.; also Senator(s) Winter, Coram, Gonzales, Hisey, Rodriguez, Todd, Williams A.--Concerning the continuation of the breast and cervical cancer prevention and treatment 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	31	NO	4	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fields, Ginal, Lee, Moreno, Pettersen, Story, Tate, and Zenzinger.

HB19-1308 by Representative(s) Singer and Landgraf; also Senator(s) Moreno and Rankin--Concerning foster care prevention services to align current standards with the federal "Family First Prevention Services 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Ginal, Pettersen, Priola, Story, Tate, Todd, Winter, and Zenzinger.

HB19-1326 by Representative(s) Esgar and Hansen, Ransom; also Senator(s) Zenzinger and Rankin, Moreno--Concerning rate flexibility on existing procedures in the Colorado dental health care program for low-income seniors.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Fenberg, Garcia, Ginal, Gonzales, Lee, Pettersen, Story, Tate, Todd, and Winter.

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:

SB19-249 by Senator(s) Gonzales and Scott; also Representative(s) Benavidez--Concerning the licensing of a business selling used motor vehicles that the business used for its purposes, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Gardner, Hisey, Holbert, Marble, Tate, Todd, and Woodward.

SB19-237 by Senator(s) Rodriguez; also Representative(s) NONE--Concerning amending the "Colorado Consumer Protection Act" to clarify the damages for which plaintiffs are eligible.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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, Ginal, Gonzales, Lee, Story, and Winter.

SB19-263 by Senator(s) Zenzinger and Rankin; also Representative(s) Gray and Hansen--Concerning the delay until the November 2020 general election of the requirement that a ballot issue seeking approval for the issuance of transportation revenue anticipation notes be submitted to the voters of the state at the November 2019 statewide election, and, in connection therewith, amending the ballot issue to reduce the amount of notes authorized to be issued to offset the additional transportation funding that will result from the repeal of only two, rather than three, tranches of lease-purchase agreements authorized by Senate Bill 17-267 if the ballot issue is approved and extending from twenty to twenty-one years the period for which annual fifty million dollar transfers from the general fund to the state highway fund are required.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Court, Fields, Ginal, Gonzales, Moreno, Pettersen, Rodriguez, Tate, Todd, Williams A., and Winter.

SB19-262 by Senator(s) Rankin and Zenzinger, Moreno; also Representative(s) Esgar and Ransom, Hansen--Concerning a one-time transfer of one hundred million dollars from the general fund to the highway users tax 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Ginal, Gonzales, Hill, Hisey, Holbert, Lundeen, Marble, Pettersen, Priola, Scott, Sonnenberg, Story, Tate, Todd, Williams A., Winter, and Woodward.

SB19-257 by Senator(s) Pettersen; also Representative(s) Buentello and Cutter--Concerning amendments to the state income tax deduction for contributions to a qualified 529 account to ensure that the state income tax deduction is not aligned with the changes in the federal "Tax Cuts and Jobs Act" of 2017 that allow tax-free distributions for elementary and secondary school expenses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fenberg, Fields, Moreno, Todd, and Winter.

SB19-261 by Senator(s) Moreno and Cooke, Zenzinger, Rankin; also Representative(s) Esgar and Will, Neville, Hansen, Ransom--Concerning the transfer of money from the unclaimed property trust fund to the general fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--
Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.

Pursuant to Senate Rule 9 (b), Senator Hill moved for the previous question by asking 'Shall the main question be now put?' The motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Foote, Ginal, Lee, Pettersen, Story, Todd, and Zenzinger.

RECONSIDERATION OF HB19-1261

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--
Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills-Final Passage, on HB19-1261.

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:

HB19-1261 by Representative(s) Becker and Jackson, Jaquez Lewis, Bird, Cutter, Duran, Froelich, Galindo, Hooton, Kennedy, Kipp, Melton, Roberts, Singer, Sirota, Snyder, Sullivan, Tipper, Titone, Valdez A., Weissman; also Senator(s) Winter and Williams A., Moreno--
Concerning the reduction of greenhouse gas pollution, and, in connection therewith, establishing statewide greenhouse gas pollution reduction goals and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	E	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales.

HB19-1240 by Representative(s) Kraft-Tharp and Van Winkle; also Senator(s) Court and Tate--
Concerning sales and use tax administration, and, in connection therewith, establishing economic nexus for retailers without physical presence in the state, codifying the destination sourcing rule with a specified exception, requiring marketplace facilitators to collect and remit sales tax for sales made by marketplace sellers on the marketplace facilitator's marketplace, and repealing obsolete statutory references to remote sellers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Crowder, Donovan, Garcia, Gardner, Ginal, Hill, Holbert, Lee, Lundeen, Marble, Pettersen, Priola, Scott, Smallwood, Story, Todd, Williams A., Winter, Woodward, and Zenzinger.

HB19-1002 by Representative(s) McLachlan and Wilson; also Senator(s) Zenzinger and Priola--
Concerning professional development in leadership for public school principals, 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	7	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Fenberg, Fields, Garcia, Ginal, Lee, Moreno, Pettersen, Story, Todd, and Winter.

HB19-1272 by Representative(s) Bird; also Senator(s) Winter and Priola--Concerning housing authority participation in the Colorado new energy improvement district program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	9	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno, Pettersen, Story, and Todd.

HB19-1316 by Representative(s) Hansen and Landgraf, Arndt, Beckman, Buckner, Buentello, Caraveo, Carver, Duran, Geitner, Hooton, Larson, Liston, McKean, Mullica, Pelton, Sandridge, Singer, Soper, Van Winkle, Will, Wilson; also Senator(s) Winter and Cooke--Concerning modernizing marriage laws related to minors, 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	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Moreno, Priola, Tate, and Zenzinger.

HB19-1300 by Representative(s) Gray and Landgraf; also Senator(s) Cooke and Pettersen--Concerning vehicle identification number inspections performed by a peace officer certified to perform the inspection.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	E	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB19-1234 by Representative(s) Valdez A. and Singer, Gray, Melton; also Senator(s) Gonzales and Marble, Fenberg, Winter--Concerning allowing delivery of regulated marijuana by regulated marijuana sellers, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	N	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	E	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	N	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

Senate in recess. Senate reconvened.

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:

HB19-1230 by Representative(s) Singer and Melton, Coleman, Gray, Landgraf, Michaelson Jenet; also Senator(s) Marble and Gonzales, Pettersen, Rodriguez, Fenberg--Concerning marijuana hospitality establishments, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	N	Williams A.	N
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill

was **passed**.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (HB19-1314, HB19-1292, HB19-1277, HB19-1187, HB19-1231, HB19-1289, HB19-1210, HB19-1192, HB19-1120, HB19-1168, HB19-1245) of Wednesday, May 1, was laid over to Thursday, May 2, retaining its place on the calendar.

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, and Senator Moreno 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:

HB19-1318 by Representative(s) Weissman, Kennedy; also Senator(s) Bridges and Foote--Concerning increased transparency of money in elections consistent with the first amendment to the United States constitution, and, in connection therewith, making an appropriation.

Amendment No. 1(L.005), by Senator Foote.

Amend reengrossed bill, page 3, line 8, after "transmission" insert "AND USE".

Page 10, line 1, strike "PENALTY OF PERJURY," and substitute "OATH,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1264 by Representative(s) Roberts and Wilson, Buentello; also Senator(s) Winter and Donovan--Concerning programmatic efficiency of the conservation easement tax credit program, and, in connection therewith, increasing the transparency of the program and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 27, pages 1151-1152 and placed in members' bill files.)

Amendment No. 2(L.018), by Senator Winter.

Amend reengrossed bill page 18, line 9, strike "AND".

Page 18, line 10, strike "CREDITS" and substitute "CREDITS, PAYMENTS, OR REFUNDS".

Page 18, line 15, strike "CREDITS." and substitute "CREDITS, PAYMENTS, OR REFUNDS; AND
(III) RECOMMENDATIONS FOR ADMINISTERING ORPHANED CONSERVATION EASEMENTS.".

Amendment No. 3(L.022), by Senator Sonnenberg.

Amend reengrossed bill, page 8, line 2, strike "JULY 15," and substitute "JUNE 1,".

Page 8, line 5, after "HAVE" insert "CONSIDERED CONVEYING A CONSERVATION EASEMENT OR".

Page 8, line 7, after the period add "THE WORKING GROUP SHALL CONVENE ITS FIRST MEETING IN A HEARING ROOM AT THE STATE CAPITOL

BUILDING AT 9:00 A.M. ON JUNE 25, 2019. THE WORKING GROUP SHALL SELECT A CHAIRPERSON AT THE FIRST MEETING. AT EACH MEETING OF THE WORKING GROUP, IT SHALL DESIGNATE THE DATE, PLACE, AND TIME OF ITS NEXT MEETING.".

Page 18, line 19, strike "JULY 15," and substitute "JUNE 1,".

Page 18, line 22, after "HAVE" insert "CONSIDERED CONVEYING A CONSERVATION EASEMENT OR".

Page 18, line 24, after the period add "THE WORKING GROUP SHALL CONVENE ITS FIRST MEETING IN A HEARING ROOM AT THE STATE CAPITOL BUILDING AT 9:00 A.M. ON JUNE 25, 2019. THE WORKING GROUP SHALL SELECT A CHAIRPERSON AT THE FIRST MEETING. AT EACH MEETING OF THE WORKING GROUP, IT SHALL DESIGNATE THE DATE, PLACE, AND TIME OF ITS NEXT MEETING.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB19-250 by Senator(s) Garcia and Scott; --Concerning ratepayer protections regarding electric utilities' ability to establish a graduated scale of charges.

Amendment No. 1(L.003), by Senator Scott.

Amend printed bill, page 2, strike lines 6 and 7 and substitute "**finding - definitions - repeal.** (2) (a) Nothing in articles 1 to 7 of this ~~title shall be taken to~~".

Page 2, strike lines 12 through 21.

Page 3, strike lines 1 through 3 and substitute:

"(b) (I) THE LEGISLATIVE INVESTOR-OWNED UTILITY REVIEW INTERIM STUDY COMMITTEE SHALL STUDY TIERED ELECTRIC RATES. THE COMMITTEE SHALL CONSIDER THE FOLLOWING ITEMS IN ITS STUDY:
(A) THE IMPACTS ON RESIDENTIAL CUSTOMERS OF TIERED RATES;
(B) THE APPROPRIATE LEVELS FOR TIERED RATES;
(C) THE EFFECT OF TIERED RATES ON RESIDENTIAL ENERGY USAGE; AND
(D) THE IMPACT OF SEASONAL TIERED RATES.
(II) NOTWITHSTANDING ANY PREVIOUS LIMITATION ON THE NUMBER OF MEETINGS THAT THE LEGISLATIVE INVESTOR-OWNED UTILITY REVIEW INTERIM STUDY COMMITTEE MAY HOLD, THE COMMITTEE MAY HOLD FOUR MEETINGS DURING THE 2019 INTERIM.
(III) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB19-1309 by Representative(s) Hooton and McCluskie; also Senator(s) Fenberg--Concerning the regulation of mobile home parks, and, in connection therewith, granting counties the power to enact ordinances for mobile home parks, extending the time to move or sell a mobile home after eviction proceedings, creating the "Mobile Home Park Act Dispute Resolution and Enforcement Program", and making an appropriation.

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.)

On motion of Majority Leader Fenberg, 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 (SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1110, HB19-1167, HB19-1045, HB19-1223, HB19-1327, HB19-1328, HB19-1330, HB19-1263 as amended) of Wednesday, May 1, was laid over until Thursday, May 2, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1309 by Representative(s) Hooton and McCluskie; also Senator(s) Fenberg--Concerning the regulation of mobile home parks, and, in connection therewith, granting counties the power to enact ordinances for mobile home parks, extending the time to move or sell a mobile home after eviction proceedings, creating the "Mobile Home Park Act Dispute Resolution and Enforcement Program", and making an appropriation.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Zenzinger floor amendment, (L.041) to HB 19-1309, did pass.

> Amend reengrossed bill, page 5, lines 5 and 6, strike "AND FURTHER AS THE BOARD DEEMS NECESSARY".
>
> Page 6, lines 5 and 6, strike "AND FURTHER AS THE MUNICIPALITY DEEMS NECESSARY".

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
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB19-250 as amended, HB19-1318 as amended, HB19-1264 as amended, HB19-1309.
Laid over until Thursday, May 2: SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1110, HB19-1167, HB19-1045, HB19-1223, HB19-1327, HB19-1328, HB19-1330, HB19-1263 as amended

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On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SJR19-010) of Wednesday, May 1, was laid over until Thursday, May 2, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-168 by Senator(s) Lee and Gardner, Cooke, Foote, Rodriguez; also Representative(s) Weissman and Herod, Snyder, Soper, Van Winkle--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules of state agencies.

Senator Lee moved that the Senate concur in House amendments to SB19-168, as printed in House journal, April 29, page 1678. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-169 by Senator(s) Tate and Bridges; also Representative(s) Arndt and Titone--Concerning project management competencies for certain state contracts.

Senator Tate moved that the Senate concur in House amendments to SB19-169, as printed in House journal, April 24, page 1473, and April 29, page 1679. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-013 by Senator(s) Marble and Ginal; also Representative(s) Hooton and Ransom--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding a condition for which a physician could prescribe an opioid to the list of disabling medical conditions for medical marijuana use.

Senator Marble moved that the Senate concur in House amendments to SB19-013, as printed in House journal, April 24, page 1484. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-217 by Senator(s) Foote and Tate; also Representative(s) Snyder and Bockenfeld--Concerning healthcare provider liens related to charges for medical care provided to a person injured as a result of the negligence or wrongful acts of another person.

Senator Foote moved that the Senate not concur in House amendments to SB19-217, as printed in House journal, April 26, page 1580, and that a conference committee be appointed.

On a substitute motion, Senator Gardner moved that the Senate concur in House amendments to SB19-217. The motion was **lost** by the following roll call vote:

YES	14	NO	21	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	N	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	N
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	Y	Winter	N
Danielson	N	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	N	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

Senator Foote's motion to reject the House amendments and that a conference committee be appointed was **adopted** on the following roll call vote:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

Senator Tate moved that the Senate conferees on the first conference committee on **SB19-217** 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**.

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user, and, in connection therewith, making an appropriation.

Senator Foote moved that the Senate concur in House amendments to SB19-175, as printed in House journal, April 25, page 1497. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-008 by Senator(s) Priola and Pettersen; also Representative(s) Kennedy and Singer--Concerning treatment of individuals with substance use disorders who come into contact with the criminal justice system, and, in connection therewith, making an appropriation.

Senator Pettersen moved that the Senate concur in House amendments to SB19-008, as printed in House journal, April 29, pages 1656 and 1688. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-156 by Senator(s) Rodriguez; also Representative(s) Sullivan--Concerning the continuation of the state electrical board, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies.

Senator Rodriguez moved that the Senate concur in House amendments to SB19-156, as printed in House journal, April 24, pages 1472-1473, and April 27, page 1604. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program, and, in connection therewith, creating an implementation plan for a family and medical leave insurance program and making an appropriation.

Senator Winter moved that the Senate concur in House amendments to SB19-188, as printed in House journal, April 27, pages 1604-1605, and April 29, page 1657. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-193 by Senator(s) Ginal and Lee, Gardner; also Representative(s) Tipper--Concerning the continuation of the "Colorado Medical Practice Act", and, in connection therewith, continuing the Colorado medical board, eliminating the sixty-day limit on the pro bono license, repealing the requirement that a letter of admonition be sent to licensees by certified mail, and updating language and making technical amendments.

Senator Lee moved that the Senate concur in House amendments to SB19-193, as printed in House journal, April 27, page 1605. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-245 by Senator(s) Gonzales; also Representative(s) Tipper--Concerning granting the department of human services rule-making authority to amend the length of time permitted to satisfy administrative appeal requirements for the food stamp program in order to comply with federal law.

Senator Gonzales moved that the Senate concur in House amendments to SB19-245, as printed in House journal, April 29, page 1686. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-224 by Senator(s) Gonzales and Fenberg; also Representative(s) Herod and Van Winkle--Concerning the continuation of the regulated marijuana programs, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

Senator Gonzales moved that the Senate concur in House amendments to SB19-224, as printed in House journal, April 27, pages 1605-1635, April 29, pages 1681-1683, and April 30, pages 1723-1724. The motion was **adopted** by the following roll call vote:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-108 by Senator(s) Lee and Gardner; also Representative(s) Michaelson Jenet and Soper--Concerning changes to improve outcomes for youth in the juvenile justice system, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB19-108, as printed in House journal, April 26, pages 1578-1580, and April 30, pages 1721-1722. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB19-188

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program, and, in connection therewith, creating an implementation plan for a family and medical leave insurance program and making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Re-Passage, on SB19-188.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

RE-PASSAGE

SB19-188 by Senator(s) Winter and Williams A., Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Todd; also Representative(s) Gray and Duran, Arndt, Buckner, Caraveo, Coleman, Cutter, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McLachlan, Melton, Michaelson Jenet, Mullica, Roberts, Singer, Sirota, Sullivan, Tipper, Titone, Valdez A.--Concerning the creation of a family and medical leave insurance program, and, in connection therewith, creating an implementation plan for a family and medical leave insurance program and making an appropriation.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

RECONSIDERATION OF SB19-013

SB19-013 by Senator(s) Marble and Ginal; also Representative(s) Hooton and Ransom--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding a condition for which a physician could prescribe an opioid to the list of disabling medical conditions for medical marijuana use.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Re-Passage, on SB19-013.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

Senate in recess. Senate reconvened.

RE-PASSAGE

SB19-013 by Senator(s) Marble and Ginal; also Representative(s) Hooton and Ransom--Concerning the conditions for medical marijuana use for disabling medical conditions, and, in connection therewith, adding a condition for which a physician could prescribe an opioid to the list of disabling medical conditions for medical marijuana use.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

RECONSIDERATION OF SB19-175

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Re-Passage, on SB19-175.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

RE-PASSAGE

SB19-175 by Senator(s) Foote; also Representative(s) Roberts--Concerning the penalties imposed on the driver of a motor vehicle who causes serious bodily injury to a vulnerable road user, 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	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Fenberg, the following Governor's appointment was confirmed by the following roll call vote:

MEMBERS OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2023:

Kendra Meredith Anderson of Denver, Colorado, to serve as a majority business owner with employees numbering more than 5 but less than 50 employees, and as an Unaffiliated member, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (Members of the Colorado Lottery Commission, a Member of the Colorado Racing Commission, and Members of the State Board for the Great Outdoors Colorado Trust Fund) of Wednesday, May 1, was laid over until Thursday, May 2, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-077 by Senator(s) Priola and Williams A.; also Representative(s) Hansen--Concerning measures that affect the development of infrastructure used by electric motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an electric motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.

Senator Williams moved for the adoption of the first report of the first conference committee on SB19-077, as printed in Senate journal, April 30, page 1253. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Foote, Chair, Fields, and Tate were appointed as Senate conferees on the first conference committee on **SB19-217**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

SB19-002 by Senator(s) Winter and Fenberg; also Representative(s) Roberts and Jackson--Concerning the regulation of student education loan servicers, and, in connection therewith, making an appropriation.

Senator Fenberg moved for the adoption of the first report of the first conference committee on SB19-002, as printed in Senate journal, April 30, pages 1252-1253. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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 1, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1333, 1329, amended as printed in House Journal, April 30, 2019.

The House has passed on Third Reading and returns herewith SB19-020, 199, 204, 195, 186, 238.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-172, amended as printed in House Journal, April 30, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

May 1, 2019

We herewith transmit:

Without comment, as amended, HB19-1329 and 1333.
Without comment, as amended, SB19-172.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB19-1329 by Representative(s) Arndt and McKean; also Senator(s) Sonnenberg--Concerning the sales and use tax treatment of certain wholesale sales related to the production of agricultural products.
Finance

HB19-1333 by Representative(s) Caraveo, Becker, Bird, Buckner, Coleman, Cutter, Duran, Gonzales-Gutierrez, Jaquez Lewis, Kennedy, Lontine, McCluskie, Michaelson Jenet, Mullica, Roberts, Singer; also Senator(s) Fields--Concerning the taxation of products that contain nicotine, and, in connection therewith, increasing the cigarette tax by eight and seventy-five one-hundredths cents per cigarette and the tobacco products tax by twenty-two percent of the manufacturer's list price; creating a tax on nicotine products that is equal to sixty-two percent of the manufacturer's list price; referring a ballot issue for prior voter approval for the new and increased taxes; dedicating the new tax revenue for behavioral health services for children and youth, health care affordability and accessibility, the Colorado preschool program expansion and enhancement, and the newly created Colorado expanded learning opportunities program; and making an appropriation.
Finance

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB19-1253

****
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 HB19-1253, concerning a prohibition on discrimination against a living organ donor in certain insurance policies, has met and reports that it has agreed upon the following:

That the Senate 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 2, line 11, before "OR" insert "HEALTH INSURANCE,".

Page 2, line 16, before "OR" insert "HEALTH INSURANCE,".

Page 2, line 21, after "INSURANCE," insert "HEALTH INSURANCE,".

Page 2, line 25, before "OR" insert "HEALTH INSURANCE,".

Page 3, after line 25 insert:

"(b) "HEALTH INSURANCE" MEANS A HEALTH BENEFIT PLAN AS DEFINED IN SECTION 10-16-102 (32).".

Reletter succeeding paragraphs accordingly.

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Janet Buckner, Chair	Julie Gonzales, Chair
Brianna Titone	Rhonda Fields
Lois Landgraf	Dennis Hisey

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB19-1160

****
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 HB19-1160, concerning a mental health facility pilot program, and, in connection therewith, making an appropriation, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill, as the amendments appear in the rerevised bill.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Amend the rerevised bill, page 4, line 20, after "ONE" insert "SELECTED".

Page 4, line 21, after "AND ONE" insert "SELECTED".

Page 4, line 23, strike "AND".

Page 4, line 24, after "BOTH" insert "SELECTED" and after "CITY" insert "UNLESS THE ONLY QUALIFIED APPLICANTS ARE FROM A SINGLE CITY; AND".

Page 4, strike line 25 and substitute:

"(c) BOTH SELECTED APPLICANTS MUST NOT BE ASSISTED LIVING FACILITIES.".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Lois Landgraf, Chair	Pete Lee, Chair
Emily Sirota	Joann Ginal
Jonathan Singer	Bob Gardner

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Thursday, May 2, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

119th Legislative Day Thursday, May 2, 2019

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--35

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gonzales, reading of the Journal of Wednesday, May 1, 2019, 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 **HB19-1313** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1333** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 15, after "FIRST" insert "FULL".

Finance — After consideration on the merits, the Committee recommends that **HB19-1215** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1329** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB19-1212** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **recreate and reenact, with amendments,** part 10 of article 61 of title 12 as follows:

PART 10
COMMUNITY ASSOCIATION MANAGERS

12-61-1001. Definitions. AS USED IN THIS PART 10, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "APPRENTICE" MEANS A PERSON WHO:

(a) HAS NOT COMPLETED THE EDUCATION AND EXAMINATION REQUIREMENTS FOR OBTAINING A COMMUNITY ASSOCIATION MANAGER LICENSE;

(b) IS UNDER THE CONTROL AND DIRECT SUPERVISION OF A

LICENSED COMMUNITY ASSOCIATION MANAGER; AND

(c) IS LICENSED WITH THE DIRECTOR FOR PURPOSES OF LEARNING AND PERFORMING ANY PRACTICES THAT REQUIRE A COMMUNITY ASSOCIATION MANAGER LICENSE.

(2) "CCIOA" MEANS THE "COLORADO COMMON INTEREST OWNERSHIP ACT", ARTICLE 33.3 OF TITLE 38.

(3) (a) "COMMON INTEREST COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (8); EXCEPT THAT "COMMON INTEREST COMMUNITY" DOES NOT INCLUDE:

(I) A COMMUNITY MANAGED BY AN ASSOCIATION OR UNIT OWNERS' ASSOCIATION IN WHICH A MAJORITY OF UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE ARE TIME SHARE UNITS, AS DEFINED IN SECTION 38-33-110 (7), OR CONSIST OF TIME SHARE INTERESTS, AS DEFINED IN SECTION 12-61-401 (4); OR

(II) A COMMUNITY, RESORT, OR DEVELOPMENT REGISTERED WITH THE DIVISION AS A TIME SHARE SUBDIVISION.

(b) AS USED IN THIS SUBSECTION (3), "MAJORITY OF UNITS" MEANS THE UNITS TO WHICH ARE ALLOCATED MORE THAN FIFTY PERCENT OF THE ALLOCATED INTERESTS IN THE COMMON INTEREST COMMUNITY APPURTENANT TO ALL UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE.

(4) (a) "COMMUNITY ASSOCIATION MANAGEMENT" MEANS ANY OF THE FOLLOWING PRACTICES RELATING TO THE MANAGEMENT OF A COMMON INTEREST COMMUNITY, AT THE DIRECTION OR ON BEHALF OF ITS EXECUTIVE BOARD:

(I) IN INTERACTIONS WITH MEMBERS OR NONMEMBERS OF THE COMMON INTEREST COMMUNITY, ACTING WITH THE AUTHORITY OF THE COMMON INTEREST COMMUNITY WITH RESPECT TO ITS BUSINESS, LEGAL, FINANCIAL, OR OTHER TRANSACTIONS;

(II) EXECUTING THE RESOLUTIONS AND DECISIONS OF THE EXECUTIVE BOARD;

(III) ENFORCING THE RIGHTS OF THE COMMON INTEREST COMMUNITY SECURED BY STATUTE, CONTRACT, COVENANT, RULE, OR BYLAW;

(IV) ADMINISTERING OR COORDINATING MAINTENANCE OF PROPERTY OR FACILITIES OF THE COMMON INTEREST COMMUNITY;

(V) ADMINISTERING APPLICATIONS FOR ARCHITECTURAL REVIEW;

(VI) ARRANGING, CONDUCTING, OR COORDINATING MEETINGS OF THE COMMON INTEREST COMMUNITY'S MEMBERSHIP OR EXECUTIVE BOARD;

(VII) MAINTAINING THE COMMON INTEREST COMMUNITY'S RECORDS PURSUANT TO ITS GOVERNING DOCUMENTS AND APPLICABLE PROVISIONS OF THE CCIOA; OR

(VIII) ADMINISTERING, OR OTHERWISE EXERCISING CONTROL OF, A COMMON INTEREST COMMUNITY'S FUNDS, INCLUDING THE ADMINISTRATION OF A RESERVE PROGRAM FOR THE MAJOR REPAIR OR REPLACEMENT OF CAPITAL ASSETS.

(b) "COMMUNITY ASSOCIATION MANAGEMENT" DOES NOT MEAN THE PERFORMANCE OF ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION.

(5) (a) "COMMUNITY ASSOCIATION MANAGER" OR "MANAGER" MEANS ANY PERSON, FIRM, PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, OR CORPORATION THAT, IN CONSIDERATION OF COMPENSATION BY FEE, COMMISSION, SALARY, OR ANYTHING ELSE OF VALUE OR WITH THE INTENTION OF RECEIVING OR COLLECTING SUCH COMPENSATION, WHETHER OR NOT THE COMPENSATION IS RECEIVED BY THE LICENSED MANAGER DIRECTLY OR BY THE LICENSED ENTITY THAT EMPLOYS THE LICENSED MANAGER, ENGAGES IN OR OFFERS OR ATTEMPTS TO ENGAGE IN COMMUNITY ASSOCIATION MANAGEMENT IN COLORADO.

(b) "COMMUNITY ASSOCIATION MANAGER" OR "MANAGER" DOES NOT INCLUDE:

(I) A PERSON WHO, UNDER THE DIRECT SUPERVISION OF A MANAGER, PERFORMS ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION;

(II) ANY PUBLIC OFFICIAL IN THE CONDUCT OF HIS OR HER OFFICIAL DUTIES;

(III) A RECEIVER, TRUSTEE, ADMINISTRATOR, CONSERVATOR,

EXECUTOR, OR GUARDIAN ACTING UNDER PROPER AUTHORIZATION;

(IV) A PERSON, FIRM, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR ASSOCIATION ACTING PERSONALLY OR A CORPORATION ACTING THROUGH ITS OFFICERS OR REGULAR SALARIED EMPLOYEES, ON BEHALF OF THAT PERSON OR ON ITS OWN BEHALF AS PRINCIPAL IN ACQUIRING OR IN NEGOTIATING TO ACQUIRE ANY INTEREST IN REAL ESTATE;

(V) AN ATTORNEY-AT-LAW IN CONNECTION WITH HIS OR HER REPRESENTATION OF CLIENTS IN THE PRACTICE OF LAW;

(VI) A CORPORATION WITH RESPECT TO PROPERTY OWNED OR LEASED BY IT, ACTING THROUGH ITS OFFICERS OR REGULAR SALARIED EMPLOYEES, WHEN SUCH ACTS ARE INCIDENTAL AND NECESSARY IN THE ORDINARY COURSE OF THE CORPORATION'S BUSINESS ACTIVITIES OF A NON-PROPERTY MANAGEMENT NATURE. FOR THE PURPOSES OF THIS SUBSECTION (5)(b), THE TERM "OFFICERS OR REGULAR SALARIED EMPLOYEES" MEANS PERSONS REGULARLY EMPLOYED WHO DERIVE NOT LESS THAN SEVENTY-FIVE PERCENT OF THEIR COMPENSATION FROM THE CORPORATION IN THE FORM OF SALARIES;

(VII) AN INDEPENDENT CONTRACTOR WHO:

(A) PERFORMS ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION; OR

(B) IS NOT OTHERWISE ENGAGED IN THE PERFORMANCE OF COMMUNITY ASSOCIATION MANAGEMENT; OR

(VIII) AN APPRENTICE WORKING UNDER THE DIRECT SUPERVISION OF A LICENSED MANAGER.

(6) "DESIGNATED MANAGER" MEANS A PERSON WHO IS CURRENTLY LICENSED AS A MANAGER AND WHO, ON BEHALF OF A LICENSED ENTITY, IS RESPONSIBLE FOR PERFORMING COMMUNITY ASSOCIATION MANAGEMENT PRACTICES AND SUPERVISING COMMUNITY ASSOCIATION MANAGEMENT PRACTICES PERFORMED BY PERSONS EMPLOYED BY, OR ACTING ON BEHALF OF, THE LICENSED ENTITY.

(7) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

(8) "DIVISION" MEANS THE DIVISION OF REAL ESTATE IN THE DEPARTMENT OF REGULATORY AGENCIES.

(9) "EXECUTIVE BOARD" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (16).

(10) "HOA" OR "HOMEOWNERS' ASSOCIATION" MEANS AN ASSOCIATION OR UNIT OWNERS' ASSOCIATION, AS DEFINED IN SECTION 38-33.3-103 (3), WHETHER ORGANIZED BEFORE, ON, OR AFTER JULY 1, 1992; EXCEPT THAT THE TERM DOES NOT INCLUDE AN ASSOCIATION OR UNIT OWNERS' ASSOCIATION IN WHICH A MAJORITY OF UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE ARE TIME SHARE UNITS, AS DEFINED IN SECTION 38-33-110 (7). AS USED IN THIS SUBSECTION (10), "MAJORITY OF UNITS" MEANS THE UNITS TO WHICH ARE ALLOCATED MORE THAN FIFTY PERCENT OF THE ALLOCATED INTERESTS IN THE COMMON INTEREST COMMUNITY APPURTENANT TO ALL UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE.

(11) "LIMITED LIABILITY COMPANY" HAS THE MEANING SET FORTH IN SECTION 7-80-102 (7).

12-61-1002. License required - rule-making authority - violations - administrative and legal remedies. (1) IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN, OR TO HOLD OUT HIMSELF, HERSELF, OR ITSELF AS QUALIFIED TO ENGAGE IN, THE BUSINESS OF COMMUNITY ASSOCIATION MANAGEMENT WITHOUT FIRST HAVING OBTAINED A LICENSE FROM THE DIRECTOR IN ACCORDANCE WITH SECTION 12-61-1003 OR DURING ANY PERIOD IN WHICH THE MANAGER'S LICENSE IS REVOKED OR SUSPENDED.

(2) THE DIRECTOR MAY PROMULGATE RULES AS NECESSARY TO ENABLE THE DIRECTOR TO CARRY OUT THE DIRECTOR'S DUTIES UNDER THIS PART 10.

(3) IN ADDITION TO CONDUCTING HEARINGS AS PROVIDED IN SECTION 12-61-1012, THE DIRECTOR MAY ENFORCE THIS PART 10 AND RULES ADOPTED UNDER THIS PART 10 BY TAKING ONE OR MORE OF THE FOLLOWING ACTIONS:

(a) IF THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS VIOLATING THIS PART 10 OR A RULE ADOPTED UNDER THIS PART 10, THE DIRECTOR MAY ENTER AN ORDER REQUIRING THE PERSON TO CEASE AND DESIST THE VIOLATION.

(b) THE DIRECTOR MAY APPLY TO A COURT OF COMPETENT JURISDICTION FOR AN ORDER ENJOINING ANY ACT OR PRACTICE THAT CONSTITUTES A VIOLATION OF THIS PART 10 OR OF A RULE ADOPTED UNDER THIS PART 10, AND, UPON A SHOWING THAT A PERSON IS ENGAGING OR INTENDS TO ENGAGE IN ANY SUCH ACT OR PRACTICE, THE COURT SHALL GRANT AN INJUNCTION, RESTRAINING ORDER, OR OTHER APPROPRIATE ORDER REGARDLESS OF THE EXISTENCE OF ANOTHER REMEDY THEREFOR. ANY NOTICE, HEARING, OR DURATION OF ANY INJUNCTION OR RESTRAINING ORDER SHALL BE MADE IN ACCORDANCE WITH THE COLORADO RULES OF CIVIL PROCEDURE.

(c) THE DIRECTOR MAY CONDUCT AUDITS OF BUSINESS RECORDS AND ACCOUNTS OF LICENSEES.

12-61-1003. Application for license - criminal history record check - examination - rules. (1) (a) A PERSON DESIRING TO BECOME A COMMUNITY ASSOCIATION MANAGER OR APPRENTICE MUST APPLY TO THE DIRECTOR FOR A LICENSE IN THE FORM AND MANNER PRESCRIBED BY THE DIRECTOR.

(b) BEFORE SUBMITTING AN APPLICATION FOR A LICENSE PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION, EACH APPLICANT MUST SUBMIT A SET OF FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK UTILIZING RECORDS OF THE COLORADO BUREAU OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION. THE APPLICANT SHALL PAY THE FEE ESTABLISHED BY THE COLORADO BUREAU OF INVESTIGATION FOR CONDUCTING THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO THE BUREAU. UPON COMPLETION OF THE CRIMINAL HISTORY RECORD CHECK, THE BUREAU SHALL FORWARD THE RESULTS TO THE DIRECTOR. THE DIRECTOR MAY ACQUIRE A NAME-BASED CRIMINAL HISTORY RECORD CHECK FOR AN APPLICANT WHO HAS TWICE SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE.

(2) EVERY COMMUNITY ASSOCIATION MANAGER LICENSED UNDER THIS PART 10 SHALL MAINTAIN A PLACE OF BUSINESS WITHIN THIS STATE, EXCEPT AS PROVIDED IN SECTION 12-61-1007. IF A COMMUNITY ASSOCIATION MANAGER MAINTAINS MORE THAN ONE PLACE OF BUSINESS WITHIN THE STATE, THE MANAGER IS RESPONSIBLE FOR SUPERVISING ALL LICENSED ACTIVITIES ORIGINATING IN THOSE OFFICES.

(3) (a) THE DIRECTOR MAY REQUIRE AND PROCURE ANY PROOF NECESSARY IN REFERENCE TO THE TRUTHFULNESS, HONESTY, AND GOOD MORAL CHARACTER OF ANY APPLICANT FOR A LICENSE OR, IF THE APPLICANT IS A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION, OF ANY PARTNER, MANAGER, DIRECTOR, OFFICER, MEMBER, OR STOCKHOLDER IF SUCH PERSON HAS, EITHER DIRECTLY OR INDIRECTLY, A SUBSTANTIAL INTEREST IN THE APPLICANT PRIOR TO THE ISSUANCE OF THE LICENSE.

(b) AN APPLICANT IS INELIGIBLE FOR A LICENSE IF THE PERSON HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, HAD A LICENSE OR CERTIFICATION AS A COMMUNITY ASSOCIATION MANAGER REVOKED OR SUSPENDED IN COLORADO OR ANY OTHER JURISDICTION THAT REGULATES COMMUNITY ASSOCIATION MANAGERS; EXCEPT THAT THE DIRECTOR HAS THE DISCRETION TO ACCEPT THE PERSON'S APPLICATION IF AT LEAST TWO YEARS HAVE ELAPSED SINCE THE DATE OF THE REVOCATION OR SUSPENSION AND THE APPLICANT HAS PROVED TO THE DIRECTOR THAT HE OR SHE IS FIT TO BE LICENSED AS A COMMUNITY ASSOCIATION MANAGER IN COLORADO.

(c) IF THE DIRECTOR DETERMINES THAT THE APPLICANT HAS BEEN CONVICTED OF A CRIME, THE DIRECTOR SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING WHETHER THE CONVICTION DISQUALIFIES THE APPLICANT FOR A LICENSE:

(I) THE NATURE OF THE CONVICTION;

(II) WHETHER THERE IS A DIRECT RELATIONSHIP BETWEEN THE CONVICTION AND THE DUTIES AND RESPONSIBILITIES OF LICENSURE AND THE BEARING, IF ANY, THE CONVICTION MAY HAVE ON THE APPLICANT'S FITNESS OR ABILITY TO PERFORM ONE OR MORE SUCH DUTIES AND RESPONSIBILITIES, INCLUDING WHETHER THE CONVICTION WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), AND

WHETHER THE APPLICANT WOULD PLACE A RESIDENT OR THE PUBLIC IN A VULNERABLE POSITION;

(III) ANY INFORMATION PRODUCED BY THE APPLICANT OR PRODUCED ON THE APPLICANT'S BEHALF REGARDING HIS OR HER REHABILITATION AND GOOD CONDUCT; AND

(IV) THE TIME THAT HAS ELAPSED SINCE THE CONVICTION.

(d) NOTWITHSTANDING SUBSECTION (3)(c) OF THIS SECTION, AN APPLICANT IS INELIGIBLE FOR LICENSURE IF THE APPLICANT HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, BEEN CONVICTED OF AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), A BURGLARY OFFENSE, AS DEFINED IN SECTION 18-4-202 OR 18-4-203, OR ANY FELONY INVOLVING FRAUD, THEFT, LARCENY, EMBEZZLEMENT, FRAUDULENT CONVERSION, OR MISAPPROPRIATION OF PROPERTY.

(4) AN APPLICANT FOR A LICENSE MUST BE AT LEAST EIGHTEEN YEARS OF AGE AND MUST FURNISH PROOF SATISFACTORY TO THE DIRECTOR THAT THE APPLICANT HAS RECEIVED EITHER A HIGH SCHOOL DIPLOMA OR THE EQUIVALENT GENERAL EDUCATION DEVELOPMENT CERTIFICATION.

(5) (a) AN APPLICANT FOR A MANAGER'S LICENSE MUST:

(I) HOLD ONE OR MORE OF THE FOLLOWING CREDENTIALS:

(A) THE "CERTIFIED MANAGER OF COMMUNITY ASSOCIATIONS" OR "CMCA" CERTIFICATION AWARDED BY THE COMMUNITY ASSOCIATION MANAGERS INTERNATIONAL CERTIFICATION BOARD, PREVIOUSLY KNOWN AS THE NATIONAL BOARD OF CERTIFICATION FOR COMMUNITY ASSOCIATION MANAGERS;

(B) THE "ASSOCIATION MANAGEMENT SPECIALIST" OR "AMS" DESIGNATION AWARDED BY THE COMMUNITY ASSOCIATIONS INSTITUTE;

(C) THE "PROFESSIONAL COMMUNITY ASSOCIATION MANAGER" OR "PCAM" DESIGNATION AWARDED BY THE COMMUNITY ASSOCIATIONS INSTITUTE; OR

(D) ANOTHER CREDENTIAL IDENTIFIED BY THE DIRECTOR IN RULES;

(II) CERTIFY COMPLETION OF ANY EDUCATIONAL OR CONTINUING EDUCATIONAL REQUIREMENTS AS DETERMINED BY THE DIRECTOR IN RULES AND PUBLISHED ON THE DIVISION'S WEBSITE;

(III) SUBMIT TO AND PASS AN EXAMINATION WITH TWO SEPARATE PORTIONS, WHICH MAY BE ADMINISTERED SEPARATELY. THE EXAMINATION MUST MEASURE THE COMPETENCY OF THE APPLICANT IN CARRYING OUT THE CORE FUNCTIONS OF COMMUNITY ASSOCIATION MANAGEMENT, REFERRED TO AS THE "GENERAL PORTION" OF THE EXAMINATION, AND IN UNDERSTANDING THE BASIC PROVISIONS OF LEGAL DOCUMENTS AND COLORADO LAW WITH WHICH MANAGERS ARE REQUIRED TO COMPLY, REFERRED TO AS THE "COLORADO LAW PORTION" OF THE EXAMINATION. THE EXAMINATION SHALL BE PREPARED BY OR UNDER THE SUPERVISION OF THE DIRECTOR OR THE DIRECTOR'S DESIGNATED CONTRACTOR OR CONTRACTORS. THE DIRECTOR MAY CONTRACT WITH ONE OR MORE INDEPENDENT TESTING SERVICES TO DEVELOP, ADMINISTER, OR GRADE EXAMINATIONS OR TO ADMINISTER LICENSEE RECORDS. THE CONTRACTS MAY ALLOW THE TESTING SERVICE TO RECOVER FROM THE APPLICANT THE COSTS OF THE EXAMINATION AND THE COSTS OF ADMINISTERING THE EXAMINATION AND LICENSE RECORDS. THE DIRECTOR MAY CONTRACT SEPARATELY FOR THESE FUNCTIONS AND ALLOW RECOVERED COSTS TO BE COLLECTED AND RETAINED BY A SINGLE CONTRACTOR FOR DISTRIBUTION TO OTHER CONTRACTORS. THE DIRECTOR MAY SET THE SEPARATE MINIMUM PASSING SCORES FOR THE GENERAL PORTION AND THE COLORADO LAW PORTION OF THE EXAMINATION. THE DIRECTOR SHALL PRESCRIBE THE TIMES AND PLACES AT WHICH THE EXAMINATION AS A WHOLE IS GIVEN OR AT WHICH THE SEPARATE PORTIONS OF THE EXAMINATION ARE GIVEN.

(IV) AN APPLICANT WHO IS CREDENTIALED PURSUANT TO SUBSECTION (5)(a)(I)(A), (5)(a)(I)(B), OR (5)(a)(I)(C) OF THIS SECTION AND HAS MAINTAINED THE CREDENTIAL IN GOOD STANDING, INCLUDING HAVING COMPLETED ALL ONGOING EDUCATION REQUIRED TO MAINTAIN THE CREDENTIAL, MUST COMPLETE THE COLORADO LAW PORTION, BUT NEED NOT COMPLETE THE GENERAL PORTION, OF THE EXAMINATION DESCRIBED IN SUBSECTION (5)(a)(III) OF THIS SECTION.

(b) THE SEPARATE PORTIONS OF THE EXAMINATION DEVELOPED UNDER SUBSECTION (5)(a)(III) OF THIS SECTION MUST ASSESS AN APPLICANT'S COMPETENCY IN THE FOLLOWING SUBJECT MATTER AREAS:

(I) FOR THE COLORADO LAW PORTION OF THE EXAMINATION, LEGAL DOCUMENTS; STATUTES, INCLUDING THE "COLORADO COMMON INTEREST OWNERSHIP ACT"; AND OTHER APPLICABLE PROVISIONS OF COLORADO LAW; AND

(II) FOR THE GENERAL PORTION OF THE EXAMINATION, OTHER CORE COMPETENCIES OF COMMUNITY ASSOCIATION MANAGEMENT, AS SPECIFIED BY THE DIRECTOR.

(c) EXAMINATION RESULTS MEASURING AN APPLICANT'S KNOWLEDGE OF THE MATTERS DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION ARE VALID FOR ONE YEAR. A PERSON WHO TAKES THE EXAMINATION AND DOES NOT APPLY FOR A LICENSE WITHIN ONE YEAR THEREAFTER MUST RETAKE THAT PORTION OF THE EXAMINATION BEFORE APPLYING.

(d) THE DIVISION MAY ISSUE A LICENSE TO AN APPLICANT WHO HAS HELD A COMMUNITY ASSOCIATION MANAGER LICENSE IN ANOTHER JURISDICTION THAT REGULATES COMMUNITY ASSOCIATION MANAGERS AND WHO HAS BEEN LICENSED FOR TWO OR MORE YEARS PRIOR TO APPLYING FOR A COLORADO LICENSE IF THE APPLICANT ESTABLISHES THAT HE OR SHE POSSESSES CREDENTIALS AND QUALIFICATIONS THAT ARE SUBSTANTIVELY EQUIVALENT TO THE REQUIREMENTS IN COLORADO FOR LICENSURE BY EXAMINATION, AS DETERMINED BY THE DIRECTOR BY RULE. THE DIRECTOR MAY REQUIRE A PERSON SO LICENSED TO TAKE THE PORTION OF THE EXAMINATION PERTAINING TO THE MATTERS DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION WITHIN A SPECIFIED TIME AFTER FIRST RECEIVING A COLORADO LICENSE.

(6) (a) COMMUNITY ASSOCIATION MANAGERS' LICENSES MAY BE GRANTED TO INDIVIDUALS, PARTNERSHIPS, LIMITED LIABILITY COMPANIES, OR CORPORATIONS.

(b) A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION, IN ITS APPLICATION FOR A LICENSE, SHALL DESIGNATE A QUALIFIED, ACTIVE MANAGER TO BE RESPONSIBLE FOR MANAGEMENT AND SUPERVISION OF THE LICENSED ACTIONS OF THE ENTITY AND ALL PERSONS EMPLOYED BY, OR ACTING AT ANY TIME ON BEHALF OF, THE ENTITY. A LICENSE MAY NOT BE ISSUED TO THE ENTITY UNLESS THE MANAGER SO DESIGNATED TAKES AND PASSES THE EXAMINATION REQUIRED BY THIS PART 10. UPON THE MANAGER SUCCESSFULLY PASSING THE EXAMINATION AND UPON COMPLIANCE WITH ALL OTHER REQUIREMENTS OF LAW BY THE ENTITY AS WELL AS BY THE MANAGER, THE DIRECTOR SHALL ISSUE A DESIGNATED MANAGER'S LICENSE TO THE MANAGER.

(c) IF THE DESIGNATED MANAGER IS REFUSED A LICENSE BY THE DIRECTOR OR CEASES TO BE THE DESIGNATED MANAGER OF THE ENTITY, THE ENTITY MAY DESIGNATE ANOTHER PERSON TO APPLY FOR A LICENSE, AND THE DIRECTOR MAY ISSUE A TEMPORARY LICENSE TO PREVENT HARDSHIP FOR A PERIOD NOT TO EXCEED NINETY DAYS TO THE PERSON SO DESIGNATED.

(7) THE DESIGNATED MANAGER FOR ANY PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION IS PERSONALLY RESPONSIBLE FOR THE HANDLING OF ANY AND ALL COMMON INTEREST COMMUNITY FUNDS RECEIVED OR DISBURSED BY THE ENTITY. IN THE EVENT OF ANY BREACH OF DUTY BY THE ENTITY, ANY PERSON AGGRIEVED OR DAMAGED BY THE BREACH MAY MAKE A CLAIM FOR RELIEF AGAINST THE ENTITY.

(8) A PERSON SHALL NOT:

(a) BE LICENSED AS A COMMUNITY ASSOCIATION MANAGER UNDER MORE THAN ONE NAME; OR

(b) CONDUCT OR PROMOTE BUSINESS AS A COMMUNITY ASSOCIATION MANAGER EXCEPT UNDER THE NAME UNDER WHICH THE PERSON IS LICENSED.

(9) AN APPRENTICE SHALL NOT PERFORM AN ACT THAT OTHERWISE REQUIRES A COMMUNITY ASSOCIATION MANAGER LICENSE EXCEPT WHEN UNDER THE DIRECT SUPERVISION OF A LICENSED COMMUNITY ASSOCIATION MANAGER.

12-61-1004. Insurance required - rules. EVERY LICENSEE UNDER THIS PART 10, EXCEPT AN INACTIVE MANAGER OR AN ATTORNEY LICENSEE WHO MAINTAINS A POLICY OF PROFESSIONAL MALPRACTICE

INSURANCE THAT PROVIDES COVERAGE FOR HIS OR HER ACTIVITIES UNDER THIS PART 10, MUST BE INSURED UNDER INSURANCE NECESSARY TO COVER ALL ACTIVITIES CONTEMPLATED UNDER THIS PART 10 IN AN AMOUNT AND UNDER TERMS AND CONDITIONS SPECIFIED BY THE DIRECTOR BY RULE. IN PROMULGATING RULES UNDER THIS SECTION, THE DIRECTOR SHALL SOLICIT AND CONSIDER INFORMATION AND COMMENTS FROM INTERESTED PERSONS.

12-61-1005. Fees and charges for contracted services and home sales - disclosure required. (1) EVERY MANAGER, AND EVERY AGENT OR OTHER PERSON WHO REPRESENTS OR NEGOTIATES ON BEHALF OF A MANAGER, SHALL DISCLOSE TO THE EXECUTIVE BOARD OF EACH HOA FOR WHICH IT PROVIDES OR OFFERS TO PROVIDE SERVICES, DURING CONTRACT NEGOTIATIONS AND THEREAFTER ON AN ANNUAL BASIS, ALL FEES AND OTHER AMOUNTS THAT THE MANAGER CHARGES OR WILL CHARGE TO THE COMMON INTEREST COMMUNITY, UNIT OWNERS, AND PURCHASERS OF UNITS IN THE COMMON INTEREST COMMUNITY FOR OR AS A RESULT OF ANY SERVICE, PRODUCT, TRANSACTION, OR ITEM OF VALUE PROVIDED BY THE MANAGER, ANY EMPLOYEE OR CONTRACTOR OF THE MANAGER, OR ANY OTHER INDIVIDUAL OR ENTITY WITH WHOM THE MANAGER ASSOCIATES IN THE PERFORMANCE OF COMMUNITY ASSOCIATION MANAGEMENT SERVICES.

(2) NEITHER A MANAGER NOR ANY AGENT OF A MANAGER MAY ENFORCE ANY FEE OR CHARGE, INCLUDING A TRANSFER FEE, AGAINST THE HOA OR ANY BUYER OR SELLER OF PROPERTY SERVED BY THE HOA UNLESS THE FEE OR CHARGE IS:

(a) EXPLICITLY DISCLOSED IN THE MANAGER'S CONTRACT WITH THE HOA OR AN ADDENDUM TO THE CONTRACT; OR

(b) DOCUMENTED BY A CLEARLY IDENTIFIED LINE ITEM ON A REAL ESTATE CLOSING SETTLEMENT STATEMENT.

(3) IN ADDITION TO MAKING THE DISCLOSURES REQUIRED UNDER SUBSECTIONS (1) AND (2) OF THIS SECTION, A MANAGER SHALL DISCLOSE TO THE EXECUTIVE BOARD ALL REMUNERATION THE MANAGER OR ANY SUBSIDIARY, AFFILIATE, OR RELATED PERSON OR ENTITY RECEIVES OR WILL RECEIVE, DIRECTLY OR INDIRECTLY, IN CONNECTION WITH ITS RELATIONSHIP WITH THE COMMON INTEREST COMMUNITY.

(4) THE DIVISION MAY REGULATE, INVESTIGATE, AND TAKE DISCIPLINARY ACTION AGAINST ANY MANAGER OR PRINCIPAL THEREOF FOR A VIOLATION OF THIS SECTION.

12-61-1006. Licenses - issuance - contents - display. THE DIRECTOR SHALL MAKE AVAILABLE FOR EACH LICENSEE A LICENSE IN SUCH FORM AND SIZE AS THE DIRECTOR MAY PRESCRIBE. THE LICENSE MUST SHOW THE NAME OF THE LICENSEE AND MAY CONTAIN SUCH OTHER MATTER AS THE DIRECTOR PRESCRIBES.

12-61-1007. Resident licensee - nonresident licensee - consent to service. (1) A NONRESIDENT OF THE STATE MAY BECOME A COMMUNITY ASSOCIATION MANAGER OR APPRENTICE IN THIS STATE BY CONFORMING TO ALL THE CONDITIONS OF THIS PART 10; EXCEPT THAT THE NONRESIDENT MANAGER IS NOT REQUIRED TO MAINTAIN A PLACE OF BUSINESS WITHIN THIS STATE IF THAT MANAGER MAINTAINS A DEFINITE PLACE OF BUSINESS IN ANOTHER STATE.

(2) IF A MANAGER HAS NO REGISTERED AGENT REGISTERED IN THIS STATE AS CONTEMPLATED BY SECTION 7-90-701, THE REGISTERED AGENT IS NOT LOCATED UNDER ITS REGISTERED AGENT NAME AT ITS REGISTERED AGENT ADDRESS, OR THE REGISTERED AGENT CANNOT WITH REASONABLE DILIGENCE BE SERVED, NOTWITHSTANDING SECTION 7-90-704, THE MANAGER MAY BE SERVED BY REGISTERED MAIL OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, ADDRESSED TO THE MANAGER AT THE MANAGER'S LAST-KNOWN ADDRESS. SERVICE IS PERFECTED UNDER THIS SUBSECTION (2) AT THE EARLIEST OF:

(a) THE DATE THE MANAGER RECEIVES THE PROCESS, NOTICE, OR DEMAND;

(b) THE DATE SHOWN ON THE RETURN RECEIPT, IF SIGNED BY OR ON BEHALF OF THE MANAGER; OR

(c) FIVE DAYS AFTER MAILING.

(3) ALL APPLICATIONS MADE BY A DESIGNATED MANAGER ON BEHALF OF A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION MUST CONTAIN A CERTIFICATION THAT THE MANAGER IS

AUTHORIZED TO ACT FOR THE ENTITY.

12-61-1008. Record of licensees - publications. THE DIRECTOR SHALL MAINTAIN A RECORD OF THE NAMES AND ADDRESSES OF ALL COMMUNITY ASSOCIATION MANAGERS LICENSED UNDER THIS PART 10, TOGETHER WITH SUCH OTHER INFORMATION RELATIVE TO THE ENFORCEMENT OF THIS PART 10 AS THE DIRECTOR DEEMS NECESSARY. THE DIRECTOR SHALL PUBLISH THE NAME AND ADDRESS RECORD AND OTHER NONPROPRIETARY INFORMATION THE DIRECTOR DEEMS USEFUL TO THE PUBLIC ON THE DIVISION'S WEBSITE. PUBLICATION OF THE RECORD AND OF ANY OTHER INFORMATION CIRCULATED IN QUANTITY OUTSIDE THE EXECUTIVE BRANCH MUST BE IN ACCORDANCE WITH SECTION 24-1-136.

12-61-1009. Change of location or employment status - notice required. (1) A COMMUNITY ASSOCIATION MANAGER LICENSED UNDER THIS PART 10 SHALL NOTIFY THE DIRECTOR WITHIN THIRTY DAYS AFTER ANY CHANGE OF BUSINESS LOCATION OR EMPLOYMENT. A CHANGE OF BUSINESS ADDRESS OR EMPLOYMENT STATUS WITHOUT NOTIFICATION TO THE DIRECTOR AUTOMATICALLY INACTIVATES THE LICENSEE'S LICENSE.

(2) FOR PURPOSES OF THIS SECTION, A CHANGE IN EMPLOYMENT STATUS INCLUDES THE DESIGNATION OF A LICENSED COMMUNITY ASSOCIATION MANAGER AS A NEW OR SUCCESSOR MANAGER ACTING FOR A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION.

12-61-1010. License fees - partnership, limited liability company, and corporation licenses - rules. (1) THE DIRECTOR SHALL ESTABLISH, COLLECT, AND PERIODICALLY ADJUST, IN ACCORDANCE WITH SECTION 12-61-111.5, FEES FOR:

(a) EACH EXAMINATION;

(b) EACH MANAGER'S OR ENTITY'S ORIGINAL APPLICATION AND LICENSE;

(c) EACH RENEWAL OR REINSTATEMENT OF A MANAGER'S LICENSE;

(d) ANY CHANGE OF NAME, ADDRESS, OR EMPLOYMENT STATUS REQUIRING A CHANGE IN DIRECTOR RECORDS; AND

(e) EACH APPRENTICE'S ORIGINAL APPLICATION AND LICENSE.

(2) THE DIRECTOR SHALL TRANSMIT ALL FEES TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE DIVISION OF REAL ESTATE CASH FUND, CREATED IN SECTION 12-61-111.5 (2)(b). FEES COLLECTED UNDER SUBSECTIONS (1)(b), (1)(c), (1)(d), AND (1)(e) OF THIS SECTION ARE NONREFUNDABLE.

(3) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, LICENSES ARE VALID FOR UP TO THREE YEARS, SUBJECT TO EXPIRATION AND RENEWAL ON A SCHEDULE DETERMINED BY THE DIRECTOR. THE DIRECTOR SHALL ESTABLISH, BY RULE, THE REQUIREMENTS FOR CONTINUING EDUCATION, REEXAMINATION, AND SUBSEQUENT CRIMINAL HISTORY RECORD CHECKS; EXCEPT THAT THESE REQUIREMENTS MUST NOT BE MORE STRINGENT THAN THE EQUIVALENT REQUIREMENTS FOR REAL ESTATE BROKERS UNDER PART 1 OF THIS ARTICLE 61.

(4) AN APPRENTICE LICENSE IS VALID FOR ONE YEAR AND IS NOT SUBJECT TO RENEWAL.

12-61-1011. Investigation - revocation - actions against licensee. (1) THE DIRECTOR, UPON THE DIRECTOR'S OWN MOTION, MAY, AND, UPON THE COMPLAINT IN WRITING OF ANY PERSON, SHALL, INVESTIGATE THE ACTIVITIES OF ANY LICENSEE OR ANY PERSON WHO ASSUMES TO ACT IN THE CAPACITY OF A LICENSEE WITHIN THE STATE. THE DIRECTOR, AFTER HOLDING A HEARING IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, MAY IMPOSE AN ADMINISTRATIVE FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS FOR EACH SEPARATE OFFENSE, CENSURE A LICENSEE, PLACE THE LICENSEE ON PROBATION AND SET THE TERMS OF PROBATION, OR TEMPORARILY SUSPEND OR PERMANENTLY REVOKE A LICENSE WHEN THE LICENSEE HAS PERFORMED, IS PERFORMING, OR IS ATTEMPTING TO PERFORM ANY OF THE FOLLOWING ACTS AND IS GUILTY OF:

(a) KNOWINGLY MAKING ANY MISREPRESENTATION OR KNOWINGLY MAKING USE OF ANY FALSE OR MISLEADING ADVERTISING;

(b) MAKING ANY PROMISE OF A CHARACTER THAT INFLUENCES, PERSUADES, OR INDUCES ANOTHER PERSON WHEN HE OR SHE COULD NOT OR DID NOT INTEND TO KEEP SUCH PROMISE;

(c) KNOWINGLY MISREPRESENTING OR MAKING FALSE PROMISES

THROUGH AGENTS, ADVERTISING, OR OTHERWISE;

(d) VIOLATING, DIRECTLY OR INDIRECTLY, ANY APPLICABLE PROVISION OF COLORADO OR FEDERAL FAIR HOUSING LAWS;

(e) KNOWINGLY VIOLATING OR KNOWINGLY DIRECTING OTHERS TO VIOLATE CCIOA;

(f) FAILING TO ACCOUNT FOR OR TO REMIT, WITHIN A REASONABLE TIME, ANY MONEY COMING INTO THE LICENSEE'S POSSESSION THAT BELONGS TO OTHERS, WHETHER ACTING AS A COMMUNITY ASSOCIATION MANAGER, APPRENTICE, OR OTHERWISE, AND FAILING TO KEEP RECORDS RELATIVE TO SAID MONEY, WHICH RECORDS MUST CONTAIN ANY INFORMATION REQUIRED BY RULES OF THE DIRECTOR AND ARE SUBJECT TO AUDIT BY THE DIRECTOR;

(g) CONVERTING FUNDS OF OTHERS, DIVERTING FUNDS OF OTHERS WITHOUT PROPER AUTHORIZATION, COMMINGLING FUNDS OF OTHERS WITH THE MANAGER'S OWN FUNDS, OR FAILING TO KEEP SUCH FUNDS OF OTHERS IN A SEGREGATED ACCOUNT WITH SOME BANK OR RECOGNIZED DEPOSITORY IN THIS STATE, WHICH ACCOUNT MAY BE ANY TYPE OF CHECKING, DEMAND, PASSBOOK, OR STATEMENT ACCOUNT INSURED BY AN AGENCY OF THE UNITED STATES GOVERNMENT, AND TO SO KEEP RECORDS RELATIVE TO THE DEPOSIT THAT CONTAIN ANY INFORMATION REQUIRED BY RULES OF THE DIRECTOR AND ARE SUBJECT TO AUDIT BY THE DIRECTOR;

(h) DISREGARDING OR VIOLATING, OR AIDING OR ABETTING ANY VIOLATION OF, THIS PART 10 OR ANY APPLICABLE RULE OR ORDER OF THE DIRECTOR;

(i) PERFORMING ANY ACT THAT LEADS TO A CONVICTION OF, ENTRY OF A PLEA OF GUILTY TO, OR ENTRY OF A PLEA OF NOLO CONTENDERE TO ANY CRIME IN ARTICLE 3 OF TITLE 18; PARTS 1 TO 4 OF ARTICLE 4 OF TITLE 18; PARTS 1 TO 5 AND 7 TO 9 OF ARTICLE 5 OF TITLE 18; ARTICLE 5.5 OF TITLE 18; PARTS 3, 4, AND 6 TO 8 OF ARTICLE 6 OF TITLE 18; PARTS 1 AND 3 TO 8 OF ARTICLE 7 OF TITLE 18; PART 3 OF ARTICLE 8 OF TITLE 18; ARTICLE 15 OF TITLE 18; ARTICLE 17 OF TITLE 18; SECTION 18-18-405, 18-18-411, 18-18-412.5, 18-18-412.7, 18-18-415, 18-18-422, OR 18-18-423; OR ANY OTHER LIKE CRIME UNDER COLORADO LAW, FEDERAL LAW, OR THE LAWS OF OTHER STATES. A CERTIFIED COPY OF THE JUDGMENT OF A COURT OF COMPETENT JURISDICTION OF SUCH CONVICTION OR OTHER OFFICIAL RECORD INDICATING THAT SUCH PLEA WAS ENTERED IS CONCLUSIVE EVIDENCE OF SUCH CONVICTION OR PLEA IN ANY HEARING UNDER THIS PART 10.

(j) FAILING TO IMMEDIATELY NOTIFY THE DIRECTOR IN WRITING OF A CONVICTION, PLEA, OR VIOLATION PURSUANT TO SUBSECTION (1)(i) OF THIS SECTION;

(k) HAVING DEMONSTRATED UNWORTHINESS OR INCOMPETENCY TO ACT AS A COMMUNITY ASSOCIATION MANAGER BY CONDUCTING BUSINESS IN SUCH A MANNER AS TO ENDANGER THE INTEREST OF THE PUBLIC;

(l) IN THE CASE OF A MANAGER WHO EMPLOYS OTHERS OR IS DESIGNATED TO ACT ON BEHALF OF A LICENSED ENTITY, FAILING TO EXERCISE REASONABLE SUPERVISION OVER THE ACTIVITIES OF EMPLOYEES;

(m) FAILING TO MAKE A FULL AND TRUE DISCLOSURE OF FEES, CHARGES, AND REMUNERATION AS REQUIRED BY SECTION 12-61-1005;

(n) PROCURING, OR ATTEMPTING TO PROCURE, A LICENSE OR RENEWING, REINSTATING, OR REACTIVATING, OR ATTEMPTING TO RENEW, REINSTATE, OR REACTIVATE, A LICENSE BY FRAUD, MISREPRESENTATION, OR DECEIT OR BY MAKING A MATERIAL MISSTATEMENT OF FACT IN AN APPLICATION FOR A LICENSE;

(o) CLAIMING, ARRANGING FOR, OR TAKING ANY SECRET OR UNDISCLOSED AMOUNT OF COMPENSATION, COMMISSION, OR PROFIT OR FAILING TO REVEAL TO THE LICENSEE'S PRINCIPAL OR EMPLOYER THE FULL AMOUNT OF THE LICENSEE'S COMPENSATION, COMMISSION, OR PROFIT IN CONNECTION WITH ANY ACTS FOR WHICH A LICENSE IS REQUIRED UNDER THIS PART 10;

(p) HAVING HAD A LICENSE OR A SUBDIVISION DEVELOPER'S REGISTRATION SUSPENDED OR REVOKED IN ANY JURISDICTION, OR HAVING HAD ANY DISCIPLINARY ACTION TAKEN AGAINST THE MANAGER OR SUBDIVISION DEVELOPER IN ANY OTHER JURISDICTION IF THE LICENSEE'S

OR SUBDIVISION DEVELOPER'S ACTION WOULD CONSTITUTE A VIOLATION OF THIS SUBSECTION (1). A CERTIFIED COPY OF THE ORDER OF DISCIPLINARY ACTION IS PRIMA FACIE EVIDENCE OF SUCH DISCIPLINARY ACTION.

(q) WITHIN THE LAST FIVE YEARS, HAVING A LICENSE, REGISTRATION, OR CERTIFICATION ISSUED BY COLORADO OR ANOTHER STATE REVOKED OR SUSPENDED FOR FRAUD, DECEIT, MATERIAL MISREPRESENTATION, THEFT, OR BREACH OF A FIDUCIARY DUTY, AND SUCH DISCIPLINE DENIED THE PERSON AUTHORIZATION TO PRACTICE AS:

(I) A MORTGAGE BROKER OR MORTGAGE LOAN ORIGINATOR;

(II) A REAL ESTATE BROKER OR SALESPERSON;

(III) A REAL ESTATE APPRAISER, AS DEFINED BY SECTION 12-61-702 (11);

(IV) AN INSURANCE PRODUCER, AS DEFINED BY SECTION 10-2-103 (6);

(V) AN ATTORNEY;

(VI) A SECURITIES BROKER-DEALER, AS DEFINED BY SECTION 11-51-201 (2);

(VII) A SECURITIES SALES REPRESENTATIVE, AS DEFINED BY SECTION 11-51-201 (14);

(VIII) AN INVESTMENT ADVISOR, AS DEFINED BY SECTION 11-51-201 (9.5); OR

(IX) AN INVESTMENT ADVISOR REPRESENTATIVE, AS DEFINED BY SECTION 11-51-201 (9.6);

(r) ACTING OUTSIDE THE SCOPE OF AUTHORITY GRANTED BY THE ISSUANCE OF A LICENSE; OR

(s) ANY OTHER CONDUCT, WHETHER OF THE SAME OR A DIFFERENT CHARACTER THAN SPECIFIED IN THIS SUBSECTION (1), THAT CONSTITUTES DISHONEST DEALING.

(2) IF A FIRM, PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, OR CORPORATION OPERATING UNDER THE LICENSE OF A MANAGER DESIGNATED AND LICENSED AS A REPRESENTATIVE OF THE ENTITY COMMITS ANY ACT OR PRACTICE LISTED IN SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY SUSPEND OR REVOKE THE RIGHT OF THE ENTITY TO CONDUCT ITS BUSINESS UNDER THE LICENSE OF THE MANAGER, WHETHER OR NOT THE DESIGNATED MANAGER HAD PERSONAL KNOWLEDGE OF THE ACT OR PRACTICE AND WHETHER OR NOT THE DIRECTOR SUSPENDS OR REVOKES THE INDIVIDUAL LICENSE OF ANY OTHER PERSON.

(3) THIS PART 10 DOES NOT RELIEVE ANY PERSON FROM CIVIL LIABILITY OR CRIMINAL PROSECUTION UNDER THE LAWS OF THIS STATE.

(4) COMPLAINTS OF RECORD IN THE OFFICE OF THE DIRECTOR AND DIVISION INVESTIGATIONS, INCLUDING INVESTIGATIVE FILES, ARE CLOSED TO PUBLIC INSPECTION. STIPULATIONS AND FINAL AGENCY ORDERS ARE PUBLIC RECORDS SUBJECT TO SECTIONS 24-72-203 AND 24-72-204.

(5) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES NOT WARRANT FORMAL ACTION BY THE DIRECTOR BUT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT, THE DIRECTOR MAY SEND A LETTER OF ADMONITION TO THE LICENSEE AGAINST WHOM THE COMPLAINT WAS MADE AND A COPY OF THE LETTER TO THE PERSON MAKING THE COMPLAINT, BUT THE LETTER MUST ADVISE THE LICENSEE THAT THE LICENSEE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS AFTER RECEIPT, THAT FORMAL DISCIPLINARY PROCEEDINGS BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON WHICH THE LETTER OF ADMONITION IS BASED. IF THE REQUEST IS TIMELY MADE, THE LETTER OF ADMONITION IS VACATED, AND THE MATTER SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

(6) ALL ADMINISTRATIVE FINES COLLECTED PURSUANT TO THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE DIVISION OF REAL ESTATE CASH FUND, CREATED IN SECTION 12-61-111.5 (2)(b).

(7) WHEN THE DIVISION BECOMES AWARE OF FACTS OR CIRCUMSTANCES THAT FALL WITHIN THE JURISDICTION OF A CRIMINAL JUSTICE OR OTHER LAW ENFORCEMENT AUTHORITY UPON INVESTIGATION OF THE ACTIVITIES OF A LICENSEE, THE DIVISION SHALL, IN ADDITION TO THE EXERCISE OF ITS AUTHORITY UNDER THIS PART 10, REFER AND

TRANSMIT SUCH INFORMATION, WHICH MAY INCLUDE ORIGINALS OR COPIES OF DOCUMENTS AND MATERIALS, TO ONE OR MORE CRIMINAL JUSTICE OR OTHER LAW ENFORCEMENT AUTHORITIES FOR INVESTIGATION AND PROSECUTION AS AUTHORIZED BY LAW.

12-61-1012. Hearings - use of administrative law judges - subpoenas - judicial review - immunity. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ALL PROCEEDINGS BEFORE THE DIRECTOR WITH RESPECT TO DISCIPLINARY ACTIONS AND DENIAL OF LICENSURE UNDER THIS PART 10, AT THE DISCRETION OF THE DIRECTOR, MAY BE CONDUCTED BY AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR OR BY AN ADMINISTRATIVE LAW JUDGE PURSUANT TO SECTIONS 24-4-104 AND 24-4-105.

(2) VENUE FOR PROCEEDINGS IS IN THE COUNTY WHERE THE DIRECTOR HAS HIS OR HER OFFICE OR IN SUCH OTHER PLACE AS THE DIRECTOR MAY DESIGNATE. IF THE LICENSEE IS EMPLOYED BY ANOTHER LICENSED COMMUNITY ASSOCIATION MANAGER, THE DIRECTOR SHALL ALSO NOTIFY THE LICENSEE'S EMPLOYER BY MAILING, BY FIRST-CLASS MAIL, A COPY OF THE WRITTEN NOTICE REQUIRED UNDER SECTION 24-4-104 (3) TO THE EMPLOYER'S LAST-KNOWN BUSINESS ADDRESS.

(3) THE DIRECTOR, AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR, OR AN ADMINISTRATIVE LAW JUDGE SHALL CONDUCT ALL HEARINGS FOR DENYING, SUSPENDING, OR REVOKING A LICENSE OR CERTIFICATE ON BEHALF OF THE DIRECTOR, SUBJECT TO APPROPRIATIONS MADE TO THE DEPARTMENT OF PERSONNEL. EACH ADMINISTRATIVE LAW JUDGE SHALL BE APPOINTED PURSUANT TO PART 10 OF ARTICLE 30 OF TITLE 24. THE ADMINISTRATIVE LAW JUDGE SHALL CONDUCT THE HEARING IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105. NO LICENSE MAY BE DENIED, SUSPENDED, OR REVOKED UNTIL THE DIRECTOR HAS MADE HIS OR HER DECISION.

(4) THE DIRECTOR, OR THE ADMINISTRATIVE LAW JUDGE APPOINTED FOR HEARINGS, MAY ISSUE A SUBPOENA COMPELLING THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF BOOKS, PAPERS, RECORDS, OR OTHER EVIDENCE PURSUANT TO AN INVESTIGATION OR HEARING. THESE SUBPOENAS MUST BE SERVED IN THE SAME MANNER AS SUBPOENAS ISSUED BY DISTRICT COURTS AND ISSUED WITHOUT DISCRIMINATION BETWEEN PUBLIC AND PRIVATE PARTIES REQUIRING THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF DOCUMENTS AT HEARINGS. IF A PERSON FAILS TO OBEY A SUBPOENA ISSUED BY THE DIRECTOR OR THE APPOINTED ADMINISTRATIVE LAW JUDGE, THE DIRECTOR MAY PETITION THE DISTRICT COURT OF THE CITY AND COUNTY OF DENVER FOR ISSUANCE OF AN ORDER COMPELLING A WITNESS TO ATTEND AND TESTIFY OR PRODUCE BOOKS, PAPERS, RECORDS, OR OTHER EVIDENCE UNDER PENALTY OF PUNISHMENT FOR CONTEMPT.

(5) THE DECISION OF THE DIRECTOR IN ANY DISCIPLINARY ACTION OR DENIAL OF LICENSURE UNDER THIS SECTION IS SUBJECT TO JUDICIAL REVIEW BY THE COURT OF APPEALS. IN ORDER TO EFFECTUATE THE PURPOSES OF THIS PART 10, THE DIRECTOR HAS THE POWER TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

(6) IN A JUDICIAL REVIEW PROCEEDING, THE COURT MAY STAY THE EXECUTION OR EFFECT OF ANY FINAL ORDER OF THE DIRECTOR; BUT A HEARING SHALL BE HELD AFFORDING THE PARTIES AN OPPORTUNITY TO BE HEARD FOR THE PURPOSE OF DETERMINING WHETHER THE PUBLIC HEALTH, SAFETY, AND WELFARE WOULD BE ENDANGERED BY STAYING THE DIRECTOR'S ORDER. IF THE COURT DETERMINES THAT THE ORDER SHOULD BE STAYED, THE COURT SHALL ALSO DETERMINE AT THE HEARING WHETHER THE PETITIONER SHOULD BE REQUIRED TO POST A BOND AND THE AMOUNT OF THE BOND AND ADEQUACY OF THE SURETY, WHICH BOND MUST BE CONDITIONED UPON THE FAITHFUL PERFORMANCE BY THE PETITIONER OF ALL OBLIGATIONS AS A COMMUNITY ASSOCIATION MANAGER AND UPON THE PROMPT PAYMENT OF ALL DAMAGES ARISING FROM OR CAUSED BY THE DELAY IN THE TAKING EFFECT OR ENFORCEMENT OF THE ORDER COMPLAINED OF AND FOR ALL COSTS THAT MAY BE ASSESSED OR REQUIRED TO BE PAID IN CONNECTION WITH THE PROCEEDINGS.

(7) IN ANY HEARING CONDUCTED BY THE DIRECTOR OR AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR IN WHICH THERE IS A POSSIBILITY OF THE DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE

BECAUSE OF THE CONVICTION OF A FELONY OR OF A CRIME INVOLVING MORAL TURPITUDE, THE DIRECTOR OR THE DIRECTOR'S AUTHORIZED REPRESENTATIVE IS GOVERNED BY SECTION 24-5-101.

(8) A PERSON PARTICIPATING IN GOOD FAITH IN THE FILING OF A COMPLAINT OR REPORT OR PARTICIPATING IN AN INVESTIGATION OR HEARING BEFORE THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE PURSUANT TO THIS PART 10 IS IMMUNE FROM ANY LIABILITY, CIVIL OR CRIMINAL, THAT OTHERWISE MIGHT RESULT BY REASON OF SUCH ACTION.

12-61-1013. Stakeholder meetings - topics - frequency - report. (1) THE DIVISION SHALL ESTABLISH A STAKEHOLDER PROCESS WITH REGULAR MEETINGS, NO LESS FREQUENTLY THAN EVERY THREE MONTHS, EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION. THE PURPOSES OF THE MEETINGS ARE TO GATHER INFORMATION AND FEEDBACK FROM HOMEOWNERS AND MANAGERS; TO ACT AS A SOUNDING BOARD FOR DISCUSSION OF ISSUES AFFECTING COMMON INTEREST COMMUNITIES; AND TO MAKE RECOMMENDATIONS TO THE DIRECTOR CONCERNING:

(a) ANY NECESSARY UPDATES OR CHANGES TO THE RULES PROMULGATED BY THE DIRECTOR PURSUANT TO THIS PART 10;

(b) APPROPRIATE ADJUSTMENTS TO THE DEFINITION OF, AND EXCLUSIONS FROM, THE PRACTICE OF COMMUNITY ASSOCIATION MANAGEMENT AS SET FORTH IN SECTION 12-61-1001 (4);

(c) APPRENTICE CREDENTIALING, INCLUDING THE LEVEL OF OVERSIGHT REQUIRED BY THE DIVISION, APPROPRIATE SUPERVISION, EDUCATIONAL REQUIREMENTS, SPECIFIC DUTIES, AND ANY OTHER NECESSARY COMPONENTS RELATED TO APPRENTICES;

(d) THE COMPLAINT PROCESS, INCLUDING:

(I) INFORMATION OR EDUCATION FOR HOMEOWNERS ON FILING A COMPLAINT;

(II) THE TIME PERIODS AND PROCESSES THAT APPLY TO THE RESPONSE BY A PERSON ACCUSED OF A VIOLATION AND THE INVESTIGATION OF THE COMPLAINT;

(III) THE TYPES OF RECORDS AND OTHER EVIDENCE THAT SHOULD BE PRODUCED OR PRESERVED WHEN A COMPLAINT IS FILED; AND

(IV) COMMUNICATION AMONG THE COMPLAINANT, THE RESPONDENT, AND INVESTIGATORS DURING THE PENDENCY OF A COMPLAINT AND ANY SUBSEQUENT ACTION BY THE DIRECTOR; AND

(e) ANY OTHER ISSUES ABOUT WHICH THE DIRECTOR SEEKS INFORMATION AND FEEDBACK FROM THE STAKEHOLDERS.

(2) THE DIRECTOR SHALL APPOINT AT LEAST FIVE MEMBERS TO THE STAKEHOLDER GROUP. THE MEMBERSHIP MUST INCLUDE HOMEOWNERS THAT LIVE IN MANAGED COMMUNITIES; LICENSED COMMUNITY ASSOCIATION MANAGERS; COMPANIES THAT ARE IN THE BUSINESS OF COMMUNITY ASSOCIATION MANAGEMENT; REALTORS AND COMPANIES THAT EMPLOY REALTORS; INDIVIDUALS OR COMPANIES IN THE BUSINESS OF PROVIDING LAND TITLE INSURANCE AND CLOSING SERVICES; ASSOCIATIONS THAT REPRESENT HOMEOWNERS; COMMUNITY ASSOCIATION MANAGERS; AND BUSINESSES THAT SERVE MANAGED COMMUNITIES.

(3) THE STAKEHOLDER GROUP SHALL MEET AT LEAST FOUR TIMES DURING THE 2019 INTERIM AND SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS ON THE TOPICS LISTED IN SUBSECTION (1) OF THIS SECTION TO THE DIRECTOR, WHO SHALL INCLUDE THEM IN THE DIVISION'S ANNUAL REPORT TO THE GENERAL ASSEMBLY REQUIRED UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE DIRECTOR SHALL SHARE A DRAFT OF THE REPORT WITH THE STAKEHOLDER GROUP AND INVITE REVISIONS BEFORE FINALIZING THE DIVISION'S PRESENTATION.

12-61-1014. Repeal of part. THIS PART 10 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.

SECTION 2. In Colorado Revised Statutes, **add to article 10 of title 12 as relocated by House Bill 19-1172** part 10 as follows:

PART 10

COMMUNITY ASSOCIATION MANAGERS

12-10-1001. Definitions. AS USED IN THIS PART 10, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "APPRENTICE" MEANS A PERSON WHO:

(a) HAS NOT COMPLETED THE EDUCATION AND EXAMINATION REQUIREMENTS FOR OBTAINING A COMMUNITY ASSOCIATION MANAGER LICENSE;

(b) IS UNDER THE CONTROL AND DIRECT SUPERVISION OF A LICENSED COMMUNITY ASSOCIATION MANAGER; AND

(c) IS LICENSED WITH THE DIRECTOR FOR PURPOSES OF LEARNING AND PERFORMING ANY PRACTICES THAT REQUIRE A COMMUNITY ASSOCIATION MANAGER LICENSE.

(2) "CCIOA" MEANS THE "COLORADO COMMON INTEREST OWNERSHIP ACT", ARTICLE 33.3 OF TITLE 38.

(3) (a) "COMMON INTEREST COMMUNITY" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (8); EXCEPT THAT "COMMON INTEREST COMMUNITY" DOES NOT INCLUDE:

(I) A COMMUNITY MANAGED BY AN ASSOCIATION OR UNIT OWNERS' ASSOCIATION IN WHICH A MAJORITY OF UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE ARE TIME SHARE UNITS, AS DEFINED IN SECTION 38-33-110 (7), OR CONSIST OF TIME SHARE INTERESTS, AS DEFINED IN SECTION 12-10-501 (4); OR

(II) A COMMUNITY, RESORT, OR DEVELOPMENT REGISTERED WITH THE DIVISION AS A TIME SHARE SUBDIVISION.

(b) AS USED IN THIS SUBSECTION (3), "MAJORITY OF UNITS" MEANS THE UNITS TO WHICH ARE ALLOCATED MORE THAN FIFTY PERCENT OF THE ALLOCATED INTERESTS IN THE COMMON INTEREST COMMUNITY APPURTENANT TO ALL UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE.

(4) (a) "COMMUNITY ASSOCIATION MANAGEMENT" MEANS ANY OF THE FOLLOWING PRACTICES RELATING TO THE MANAGEMENT OF A COMMON INTEREST COMMUNITY, AT THE DIRECTION OR ON BEHALF OF ITS EXECUTIVE BOARD:

(I) IN INTERACTIONS WITH MEMBERS OR NONMEMBERS OF THE COMMON INTEREST COMMUNITY, ACTING WITH THE AUTHORITY OF THE COMMON INTEREST COMMUNITY WITH RESPECT TO ITS BUSINESS, LEGAL, FINANCIAL, OR OTHER TRANSACTIONS;

(II) EXECUTING THE RESOLUTIONS AND DECISIONS OF THE EXECUTIVE BOARD;

(III) ENFORCING THE RIGHTS OF THE COMMON INTEREST COMMUNITY SECURED BY STATUTE, CONTRACT, COVENANT, RULE, OR BYLAW;

(IV) ADMINISTERING OR COORDINATING MAINTENANCE OF PROPERTY OR FACILITIES OF THE COMMON INTEREST COMMUNITY;

(V) ADMINISTERING APPLICATIONS FOR ARCHITECTURAL REVIEW;

(VI) ARRANGING, CONDUCTING, OR COORDINATING MEETINGS OF THE COMMON INTEREST COMMUNITY'S MEMBERSHIP OR EXECUTIVE BOARD;

(VII) MAINTAINING THE COMMON INTEREST COMMUNITY'S RECORDS PURSUANT TO ITS GOVERNING DOCUMENTS AND APPLICABLE PROVISIONS OF THE CCIOA; OR

(VIII) ADMINISTERING, OR OTHERWISE EXERCISING CONTROL OF, A COMMON INTEREST COMMUNITY'S FUNDS, INCLUDING THE ADMINISTRATION OF A RESERVE PROGRAM FOR THE MAJOR REPAIR OR REPLACEMENT OF CAPITAL ASSETS.

(b) "COMMUNITY ASSOCIATION MANAGEMENT" DOES NOT MEAN THE PERFORMANCE OF ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION.

(5) (a) "COMMUNITY ASSOCIATION MANAGER" OR "MANAGER" MEANS ANY PERSON, FIRM, PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, OR CORPORATION THAT, IN CONSIDERATION OF COMPENSATION BY FEE, COMMISSION, SALARY, OR ANYTHING ELSE OF VALUE OR WITH THE INTENTION OF RECEIVING OR COLLECTING SUCH COMPENSATION, WHETHER OR NOT THE COMPENSATION IS RECEIVED BY THE LICENSED MANAGER DIRECTLY OR BY THE LICENSED ENTITY THAT EMPLOYS THE LICENSED MANAGER, ENGAGES IN OR OFFERS OR ATTEMPTS TO ENGAGE IN COMMUNITY ASSOCIATION MANAGEMENT IN COLORADO.

(b) "COMMUNITY ASSOCIATION MANAGER" OR "MANAGER" DOES NOT INCLUDE:

(I) A PERSON WHO, UNDER THE DIRECT SUPERVISION OF A

MANAGER, PERFORMS ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION;

(II) ANY PUBLIC OFFICIAL IN THE CONDUCT OF HIS OR HER OFFICIAL DUTIES;

(III) A RECEIVER, TRUSTEE, ADMINISTRATOR, CONSERVATOR, EXECUTOR, OR GUARDIAN ACTING UNDER PROPER AUTHORIZATION;

(IV) A PERSON, FIRM, PARTNERSHIP, LIMITED LIABILITY COMPANY, OR ASSOCIATION ACTING PERSONALLY OR A CORPORATION ACTING THROUGH ITS OFFICERS OR REGULAR SALARIED EMPLOYEES, ON BEHALF OF THAT PERSON OR ON ITS OWN BEHALF AS PRINCIPAL IN ACQUIRING OR IN NEGOTIATING TO ACQUIRE ANY INTEREST IN REAL ESTATE;

(V) AN ATTORNEY-AT-LAW IN CONNECTION WITH HIS OR HER REPRESENTATION OF CLIENTS IN THE PRACTICE OF LAW;

(VI) A CORPORATION WITH RESPECT TO PROPERTY OWNED OR LEASED BY IT, ACTING THROUGH ITS OFFICERS OR REGULAR SALARIED EMPLOYEES, WHEN SUCH ACTS ARE INCIDENTAL AND NECESSARY IN THE ORDINARY COURSE OF THE CORPORATION'S BUSINESS ACTIVITIES OF A NON-PROPERTY MANAGEMENT NATURE. FOR THE PURPOSES OF THIS SUBSECTION (5)(b), THE TERM "OFFICERS OR REGULAR SALARIED EMPLOYEES" MEANS PERSONS REGULARLY EMPLOYED WHO DERIVE NOT LESS THAN SEVENTY-FIVE PERCENT OF THEIR COMPENSATION FROM THE CORPORATION IN THE FORM OF SALARIES;

(VII) AN INDEPENDENT CONTRACTOR WHO:

(A) PERFORMS ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION; OR

(B) IS NOT OTHERWISE ENGAGED IN THE PERFORMANCE OF COMMUNITY ASSOCIATION MANAGEMENT; OR

(VIII) AN APPRENTICE WORKING UNDER THE DIRECT SUPERVISION OF A LICENSED MANAGER.

(6) "DESIGNATED MANAGER" MEANS A PERSON WHO IS CURRENTLY LICENSED AS A MANAGER AND WHO, ON BEHALF OF A LICENSED ENTITY, IS RESPONSIBLE FOR PERFORMING COMMUNITY ASSOCIATION MANAGEMENT PRACTICES AND SUPERVISING COMMUNITY ASSOCIATION MANAGEMENT PRACTICES PERFORMED BY PERSONS EMPLOYED BY, OR ACTING ON BEHALF OF, THE LICENSED ENTITY.

(7) "EXECUTIVE BOARD" HAS THE MEANING SET FORTH IN SECTION 38-33.3-103 (16).

(8) "HOA" OR "HOMEOWNERS' ASSOCIATION" MEANS AN ASSOCIATION OR UNIT OWNERS' ASSOCIATION, AS DEFINED IN SECTION 38-33.3-103 (3), WHETHER ORGANIZED BEFORE, ON, OR AFTER JULY 1, 1992; EXCEPT THAT THE TERM DOES NOT INCLUDE AN ASSOCIATION OR UNIT OWNERS' ASSOCIATION IN WHICH A MAJORITY OF UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE ARE TIME SHARE UNITS, AS DEFINED IN SECTION 38-33-110 (7). AS USED IN THIS SUBSECTION (8), "MAJORITY OF UNITS" MEANS THE UNITS TO WHICH ARE ALLOCATED MORE THAN FIFTY PERCENT OF THE ALLOCATED INTERESTS IN THE COMMON INTEREST COMMUNITY APPURTENANT TO ALL UNITS THAT ARE DESIGNATED FOR RESIDENTIAL USE.

(9) "LIMITED LIABILITY COMPANY" HAS THE MEANING SET FORTH IN SECTION 7-80-102 (7).

12-10-1002. License required - rule-making authority - violations - administrative and legal remedies. (1) IT IS UNLAWFUL FOR ANY PERSON TO ENGAGE IN, OR TO HOLD OUT HIMSELF, HERSELF, OR ITSELF AS QUALIFIED TO ENGAGE IN, THE BUSINESS OF COMMUNITY ASSOCIATION MANAGEMENT WITHOUT FIRST HAVING OBTAINED A LICENSE FROM THE DIRECTOR IN ACCORDANCE WITH SECTION 12-10-1003 OR DURING ANY PERIOD IN WHICH THE MANAGER'S LICENSE IS REVOKED OR SUSPENDED.

(2) THE DIRECTOR MAY PROMULGATE RULES AS NECESSARY TO ENABLE THE DIRECTOR TO CARRY OUT THE DIRECTOR'S DUTIES UNDER THIS PART 10.

(3) IN ADDITION TO CONDUCTING HEARINGS AS PROVIDED IN SECTION 12-10-1012, THE DIRECTOR MAY ENFORCE THIS PART 10 AND RULES ADOPTED UNDER THIS PART 10 BY TAKING ONE OR MORE OF THE FOLLOWING ACTIONS:

(a) IF THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A PERSON IS VIOLATING THIS PART 10 OR A RULE ADOPTED UNDER THIS

PART 10, THE DIRECTOR MAY ENTER AN ORDER REQUIRING THE PERSON TO CEASE AND DESIST THE VIOLATION.

(b) THE DIRECTOR MAY APPLY TO A COURT OF COMPETENT JURISDICTION FOR AN ORDER ENJOINING ANY ACT OR PRACTICE THAT CONSTITUTES A VIOLATION OF THIS PART 10 OR OF A RULE ADOPTED UNDER THIS PART 10, AND, UPON A SHOWING THAT A PERSON IS ENGAGING OR INTENDS TO ENGAGE IN ANY SUCH ACT OR PRACTICE, THE COURT SHALL GRANT AN INJUNCTION, RESTRAINING ORDER, OR OTHER APPROPRIATE ORDER REGARDLESS OF THE EXISTENCE OF ANOTHER REMEDY THEREFOR. ANY NOTICE, HEARING, OR DURATION OF ANY INJUNCTION OR RESTRAINING ORDER SHALL BE MADE IN ACCORDANCE WITH THE COLORADO RULES OF CIVIL PROCEDURE.

(c) THE DIRECTOR MAY CONDUCT AUDITS OF BUSINESS RECORDS AND ACCOUNTS OF LICENSEES.

12-10-1003. Application for license - criminal history record check - examination - rules. (1) (a) A PERSON DESIRING TO BECOME A COMMUNITY ASSOCIATION MANAGER OR APPRENTICE MUST APPLY TO THE DIRECTOR FOR A LICENSE IN THE FORM AND MANNER PRESCRIBED BY THE DIRECTOR.

(b) BEFORE SUBMITTING AN APPLICATION FOR A LICENSE PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION, EACH APPLICANT MUST SUBMIT A SET OF FINGERPRINTS TO THE COLORADO BUREAU OF INVESTIGATION FOR THE PURPOSE OF CONDUCTING A STATE AND NATIONAL FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK UTILIZING RECORDS OF THE COLORADO BUREAU OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION. THE APPLICANT SHALL PAY THE FEE ESTABLISHED BY THE COLORADO BUREAU OF INVESTIGATION FOR CONDUCTING THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO THE BUREAU. UPON COMPLETION OF THE CRIMINAL HISTORY RECORD CHECK, THE BUREAU SHALL FORWARD THE RESULTS TO THE DIRECTOR. THE DIRECTOR MAY ACQUIRE A NAME-BASED CRIMINAL HISTORY RECORD CHECK FOR AN APPLICANT WHO HAS TWICE SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE.

(2) EVERY COMMUNITY ASSOCIATION MANAGER LICENSED UNDER THIS PART 10 SHALL MAINTAIN A PLACE OF BUSINESS WITHIN THIS STATE, EXCEPT AS PROVIDED IN SECTION 12-10-1007. IF A COMMUNITY ASSOCIATION MANAGER MAINTAINS MORE THAN ONE PLACE OF BUSINESS WITHIN THE STATE, THE MANAGER IS RESPONSIBLE FOR SUPERVISING ALL LICENSED ACTIVITIES ORIGINATING IN THOSE OFFICES.

(3) (a) THE DIRECTOR MAY REQUIRE AND PROCURE ANY PROOF NECESSARY IN REFERENCE TO THE TRUTHFULNESS, HONESTY, AND GOOD MORAL CHARACTER OF ANY APPLICANT FOR A LICENSE OR, IF THE APPLICANT IS A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION, OF ANY PARTNER, MANAGER, DIRECTOR, OFFICER, MEMBER, OR STOCKHOLDER IF SUCH PERSON HAS, EITHER DIRECTLY OR INDIRECTLY, A SUBSTANTIAL INTEREST IN THE APPLICANT PRIOR TO THE ISSUANCE OF THE LICENSE.

(b) AN APPLICANT IS INELIGIBLE FOR A LICENSE IF THE PERSON HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, HAD A LICENSE OR CERTIFICATION AS A COMMUNITY ASSOCIATION MANAGER REVOKED OR SUSPENDED IN COLORADO OR ANY OTHER JURISDICTION THAT REGULATES COMMUNITY ASSOCIATION MANAGERS; EXCEPT THAT THE DIRECTOR HAS THE DISCRETION TO ACCEPT THE PERSON'S APPLICATION IF AT LEAST TWO YEARS HAVE ELAPSED SINCE THE DATE OF THE REVOCATION OR SUSPENSION AND THE APPLICANT HAS PROVED TO THE DIRECTOR THAT HE OR SHE IS FIT TO BE LICENSED AS A COMMUNITY ASSOCIATION MANAGER IN COLORADO.

(c) IF THE DIRECTOR DETERMINES THAT THE APPLICANT HAS BEEN CONVICTED OF A CRIME, THE DIRECTOR SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING WHETHER THE CONVICTION DISQUALIFIES THE APPLICANT FOR A LICENSE:

(I) THE NATURE OF THE CONVICTION;

(II) WHETHER THERE IS A DIRECT RELATIONSHIP BETWEEN THE CONVICTION AND THE DUTIES AND RESPONSIBILITIES OF LICENSURE AND THE BEARING, IF ANY, THE CONVICTION MAY HAVE ON THE APPLICANT'S FITNESS OR ABILITY TO PERFORM ONE OR MORE SUCH DUTIES AND

RESPONSIBILITIES, INCLUDING WHETHER THE CONVICTION WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), AND WHETHER THE APPLICANT WOULD PLACE A RESIDENT OR THE PUBLIC IN A VULNERABLE POSITION;

(III) ANY INFORMATION PRODUCED BY THE APPLICANT OR PRODUCED ON THE APPLICANT'S BEHALF REGARDING HIS OR HER REHABILITATION AND GOOD CONDUCT; AND

(IV) THE TIME THAT HAS ELAPSED SINCE THE CONVICTION.

(d) NOTWITHSTANDING SUBSECTION (3)(c) OF THIS SECTION, AN APPLICANT IS INELIGIBLE FOR LICENSURE IF THE APPLICANT HAS, WITHIN THE IMMEDIATELY PRECEDING TEN YEARS, BEEN CONVICTED OF AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION 16-22-102 (9), A BURGLARY OFFENSE, AS DEFINED IN SECTION 18-4-202 OR 18-4-203, OR ANY FELONY INVOLVING FRAUD, THEFT, LARCENY, EMBEZZLEMENT, FRAUDULENT CONVERSION, OR MISAPPROPRIATION OF PROPERTY.

(4) AN APPLICANT FOR A LICENSE MUST BE AT LEAST EIGHTEEN YEARS OF AGE AND MUST FURNISH PROOF SATISFACTORY TO THE DIRECTOR THAT THE APPLICANT HAS RECEIVED EITHER A HIGH SCHOOL DIPLOMA OR THE EQUIVALENT GENERAL EDUCATION DEVELOPMENT CERTIFICATION.

(5) (a) AN APPLICANT FOR A MANAGER'S LICENSE MUST:

(I) HOLD ONE OR MORE OF THE FOLLOWING CREDENTIALS:

(A) THE "CERTIFIED MANAGER OF COMMUNITY ASSOCIATIONS" OR "CMCA" CERTIFICATION AWARDED BY THE COMMUNITY ASSOCIATION MANAGERS INTERNATIONAL CERTIFICATION BOARD, PREVIOUSLY KNOWN AS THE NATIONAL BOARD OF CERTIFICATION FOR COMMUNITY ASSOCIATION MANAGERS;

(B) THE "ASSOCIATION MANAGEMENT SPECIALIST" OR "AMS" DESIGNATION AWARDED BY THE COMMUNITY ASSOCIATIONS INSTITUTE;

(C) THE "PROFESSIONAL COMMUNITY ASSOCIATION MANAGER" OR "PCAM" DESIGNATION AWARDED BY THE COMMUNITY ASSOCIATIONS INSTITUTE; OR

(D) ANOTHER CREDENTIAL IDENTIFIED BY THE DIRECTOR IN RULES;

(II) CERTIFY COMPLETION OF ANY EDUCATIONAL OR CONTINUING EDUCATIONAL REQUIREMENTS AS DETERMINED BY THE DIRECTOR IN RULES AND PUBLISHED ON THE DIVISION'S WEBSITE;

(III) SUBMIT TO AND PASS AN EXAMINATION WITH TWO SEPARATE PORTIONS, WHICH MAY BE ADMINISTERED SEPARATELY. THE EXAMINATION MUST MEASURE THE COMPETENCY OF THE APPLICANT IN CARRYING OUT THE CORE FUNCTIONS OF COMMUNITY ASSOCIATION MANAGEMENT, REFERRED TO AS THE "GENERAL PORTION" OF THE EXAMINATION, AND IN UNDERSTANDING THE BASIC PROVISIONS OF LEGAL DOCUMENTS AND COLORADO LAW WITH WHICH MANAGERS ARE REQUIRED TO COMPLY, REFERRED TO AS THE "COLORADO LAW PORTION" OF THE EXAMINATION. THE EXAMINATION SHALL BE PREPARED BY OR UNDER THE SUPERVISION OF THE DIRECTOR OR THE DIRECTOR'S DESIGNATED CONTRACTOR OR CONTRACTORS. THE DIRECTOR MAY CONTRACT WITH ONE OR MORE INDEPENDENT TESTING SERVICES TO DEVELOP, ADMINISTER, OR GRADE EXAMINATIONS OR TO ADMINISTER LICENSEE RECORDS. THE CONTRACTS MAY ALLOW THE TESTING SERVICE TO RECOVER FROM THE APPLICANT THE COSTS OF THE EXAMINATION AND THE COSTS OF ADMINISTERING THE EXAMINATION AND LICENSE RECORDS. THE DIRECTOR MAY CONTRACT SEPARATELY FOR THESE FUNCTIONS AND ALLOW RECOVERED COSTS TO BE COLLECTED AND RETAINED BY A SINGLE CONTRACTOR FOR DISTRIBUTION TO OTHER CONTRACTORS. THE DIRECTOR MAY SET THE SEPARATE MINIMUM PASSING SCORES FOR THE GENERAL PORTION AND THE COLORADO LAW PORTION OF THE EXAMINATION. THE DIRECTOR SHALL PRESCRIBE THE TIMES AND PLACES AT WHICH THE EXAMINATION AS A WHOLE IS GIVEN OR AT WHICH THE SEPARATE PORTIONS OF THE EXAMINATION ARE GIVEN.

(IV) AN APPLICANT WHO IS CREDENTIALED PURSUANT TO SUBSECTION (5)(a)(I)(A), (5)(a)(I)(B), OR (5)(a)(I)(C) OF THIS SECTION AND HAS MAINTAINED THE CREDENTIAL IN GOOD STANDING, INCLUDING HAVING COMPLETED ALL ONGOING EDUCATION REQUIRED TO MAINTAIN THE CREDENTIAL, MUST COMPLETE THE COLORADO LAW PORTION, BUT

NEED NOT COMPLETE THE GENERAL PORTION, OF THE EXAMINATION DESCRIBED IN SUBSECTION (5)(a)(III) OF THIS SECTION.

(b) THE SEPARATE PORTIONS OF THE EXAMINATION DEVELOPED UNDER SUBSECTION (5)(a)(III) OF THIS SECTION MUST ASSESS AN APPLICANT'S COMPETENCY IN THE FOLLOWING SUBJECT MATTER AREAS:

(I) FOR THE COLORADO LAW PORTION OF THE EXAMINATION, LEGAL DOCUMENTS; STATUTES, INCLUDING THE "COLORADO COMMON INTEREST OWNERSHIP ACT"; AND OTHER APPLICABLE PROVISIONS OF COLORADO LAW; AND

(II) FOR THE GENERAL PORTION OF THE EXAMINATION, OTHER CORE COMPETENCIES OF COMMUNITY ASSOCIATION MANAGEMENT, AS SPECIFIED BY THE DIRECTOR.

(c) EXAMINATION RESULTS MEASURING AN APPLICANT'S KNOWLEDGE OF THE MATTERS DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION ARE VALID FOR ONE YEAR. A PERSON WHO TAKES THE EXAMINATION AND DOES NOT APPLY FOR A LICENSE WITHIN ONE YEAR THEREAFTER MUST RETAKE THAT PORTION OF THE EXAMINATION BEFORE APPLYING.

(d) THE DIVISION MAY ISSUE A LICENSE TO AN APPLICANT WHO HAS HELD A COMMUNITY ASSOCIATION MANAGER LICENSE IN ANOTHER JURISDICTION THAT REGULATES COMMUNITY ASSOCIATION MANAGERS AND WHO HAS BEEN LICENSED FOR TWO OR MORE YEARS PRIOR TO APPLYING FOR A COLORADO LICENSE IF THE APPLICANT ESTABLISHES THAT HE OR SHE POSSESSES CREDENTIALS AND QUALIFICATIONS THAT ARE SUBSTANTIVELY EQUIVALENT TO THE REQUIREMENTS IN COLORADO FOR LICENSURE BY EXAMINATION, AS DETERMINED BY THE DIRECTOR BY RULE. THE DIRECTOR MAY REQUIRE A PERSON SO LICENSED TO TAKE THE PORTION OF THE EXAMINATION PERTAINING TO THE MATTERS DESCRIBED IN SUBSECTION (5)(b)(I) OF THIS SECTION WITHIN A SPECIFIED TIME AFTER FIRST RECEIVING A COLORADO LICENSE.

(6) (a) COMMUNITY ASSOCIATION MANAGERS' LICENSES MAY BE GRANTED TO INDIVIDUALS, PARTNERSHIPS, LIMITED LIABILITY COMPANIES, OR CORPORATIONS.

(b) A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION, IN ITS APPLICATION FOR A LICENSE, SHALL DESIGNATE A QUALIFIED, ACTIVE MANAGER TO BE RESPONSIBLE FOR MANAGEMENT AND SUPERVISION OF THE LICENSED ACTIONS OF THE ENTITY AND ALL PERSONS EMPLOYED BY, OR ACTING AT ANY TIME ON BEHALF OF, THE ENTITY. A LICENSE MAY NOT BE ISSUED TO THE ENTITY UNLESS THE MANAGER SO DESIGNATED TAKES AND PASSES THE EXAMINATION REQUIRED BY THIS PART 10. UPON THE MANAGER SUCCESSFULLY PASSING THE EXAMINATION AND UPON COMPLIANCE WITH ALL OTHER REQUIREMENTS OF LAW BY THE ENTITY AS WELL AS BY THE MANAGER, THE DIRECTOR SHALL ISSUE A DESIGNATED MANAGER'S LICENSE TO THE MANAGER.

(c) IF THE DESIGNATED MANAGER IS REFUSED A LICENSE BY THE DIRECTOR OR CEASES TO BE THE DESIGNATED MANAGER OF THE ENTITY, THE ENTITY MAY DESIGNATE ANOTHER PERSON TO APPLY FOR A LICENSE, AND THE DIRECTOR MAY ISSUE A TEMPORARY LICENSE TO PREVENT HARDSHIP FOR A PERIOD NOT TO EXCEED NINETY DAYS TO THE PERSON SO DESIGNATED.

(7) THE DESIGNATED MANAGER FOR ANY PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION IS PERSONALLY RESPONSIBLE FOR THE HANDLING OF ANY AND ALL COMMON INTEREST COMMUNITY FUNDS RECEIVED OR DISBURSED BY THE ENTITY. IN THE EVENT OF ANY BREACH OF DUTY BY THE ENTITY, ANY PERSON AGGRIEVED OR DAMAGED BY THE BREACH MAY MAKE A CLAIM FOR RELIEF AGAINST THE ENTITY.

(8) A PERSON SHALL NOT:

(a) BE LICENSED AS A COMMUNITY ASSOCIATION MANAGER UNDER MORE THAN ONE NAME; OR

(b) CONDUCT OR PROMOTE BUSINESS AS A COMMUNITY ASSOCIATION MANAGER EXCEPT UNDER THE NAME UNDER WHICH THE PERSON IS LICENSED.

(9) AN APPRENTICE SHALL NOT PERFORM AN ACT THAT OTHERWISE REQUIRES A COMMUNITY ASSOCIATION MANAGER LICENSE EXCEPT WHEN UNDER THE DIRECT SUPERVISION OF A LICENSED COMMUNITY ASSOCIATION MANAGER.

12-10-1004. Insurance required - rules. EVERY LICENSEE

UNDER THIS PART 10, EXCEPT AN INACTIVE MANAGER OR AN ATTORNEY LICENSEE WHO MAINTAINS A POLICY OF PROFESSIONAL MALPRACTICE INSURANCE THAT PROVIDES COVERAGE FOR HIS OR HER ACTIVITIES UNDER THIS PART 10, MUST BE INSURED UNDER INSURANCE NECESSARY TO COVER ALL ACTIVITIES CONTEMPLATED UNDER THIS PART 10 IN AN AMOUNT AND UNDER TERMS AND CONDITIONS SPECIFIED BY THE DIRECTOR BY RULE. IN PROMULGATING RULES UNDER THIS SECTION, THE DIRECTOR SHALL SOLICIT AND CONSIDER INFORMATION AND COMMENTS FROM INTERESTED PERSONS.

12-10-1005. Fees and charges for contracted services and home sales - disclosure required. (1) EVERY MANAGER, AND EVERY AGENT OR OTHER PERSON WHO REPRESENTS OR NEGOTIATES ON BEHALF OF A MANAGER, SHALL DISCLOSE TO THE EXECUTIVE BOARD OF EACH HOA FOR WHICH IT PROVIDES OR OFFERS TO PROVIDE SERVICES, DURING CONTRACT NEGOTIATIONS AND THEREAFTER ON AN ANNUAL BASIS, ALL FEES AND OTHER AMOUNTS THAT THE MANAGER CHARGES OR WILL CHARGE TO THE COMMON INTEREST COMMUNITY, UNIT OWNERS, AND PURCHASERS OF UNITS IN THE COMMON INTEREST COMMUNITY FOR OR AS A RESULT OF ANY SERVICE, PRODUCT, TRANSACTION, OR ITEM OF VALUE PROVIDED BY THE MANAGER, ANY EMPLOYEE OR CONTRACTOR OF THE MANAGER, OR ANY OTHER INDIVIDUAL OR ENTITY WITH WHOM THE MANAGER ASSOCIATES IN THE PERFORMANCE OF COMMUNITY ASSOCIATION MANAGEMENT SERVICES.

(2) NEITHER A MANAGER NOR ANY AGENT OF A MANAGER MAY ENFORCE ANY FEE OR CHARGE, INCLUDING A TRANSFER FEE, AGAINST THE HOA OR ANY BUYER OR SELLER OF PROPERTY SERVED BY THE HOA UNLESS THE FEE OR CHARGE IS:

(a) EXPLICITLY DISCLOSED IN THE MANAGER'S CONTRACT WITH THE HOA OR AN ADDENDUM TO THE CONTRACT; OR

(b) DOCUMENTED BY A CLEARLY IDENTIFIED LINE ITEM ON A REAL ESTATE CLOSING SETTLEMENT STATEMENT.

(3) IN ADDITION TO MAKING THE DISCLOSURES REQUIRED UNDER SUBSECTIONS (1) AND (2) OF THIS SECTION, A MANAGER SHALL DISCLOSE TO THE EXECUTIVE BOARD ALL REMUNERATION THE MANAGER OR ANY SUBSIDIARY, AFFILIATE, OR RELATED PERSON OR ENTITY RECEIVES OR WILL RECEIVE, DIRECTLY OR INDIRECTLY, IN CONNECTION WITH ITS RELATIONSHIP WITH THE COMMON INTEREST COMMUNITY.

(4) THE DIVISION MAY REGULATE, INVESTIGATE, AND TAKE DISCIPLINARY ACTION AGAINST ANY MANAGER OR PRINCIPAL THEREOF FOR A VIOLATION OF THIS SECTION.

12-10-1006. Licenses - issuance - contents - display. THE DIRECTOR SHALL MAKE AVAILABLE FOR EACH LICENSEE A LICENSE IN SUCH FORM AND SIZE AS THE DIRECTOR MAY PRESCRIBE. THE LICENSE MUST SHOW THE NAME OF THE LICENSEE AND MAY CONTAIN SUCH OTHER MATTER AS THE DIRECTOR PRESCRIBES.

12-10-1007. Resident licensee - nonresident licensee - consent to service. (1) A NONRESIDENT OF THE STATE MAY BECOME A COMMUNITY ASSOCIATION MANAGER OR APPRENTICE IN THIS STATE BY CONFORMING TO ALL THE CONDITIONS OF THIS PART 10; EXCEPT THAT THE NONRESIDENT MANAGER IS NOT REQUIRED TO MAINTAIN A PLACE OF BUSINESS WITHIN THIS STATE IF THAT MANAGER MAINTAINS A DEFINITE PLACE OF BUSINESS IN ANOTHER STATE.

(2) IF A MANAGER HAS NO REGISTERED AGENT REGISTERED IN THIS STATE AS CONTEMPLATED BY SECTION 7-90-701, THE REGISTERED AGENT IS NOT LOCATED UNDER ITS REGISTERED AGENT NAME AT ITS REGISTERED AGENT ADDRESS, OR THE REGISTERED AGENT CANNOT WITH REASONABLE DILIGENCE BE SERVED, NOTWITHSTANDING SECTION 7-90-704, THE MANAGER MAY BE SERVED BY REGISTERED MAIL OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, ADDRESSED TO THE MANAGER AT THE MANAGER'S LAST-KNOWN ADDRESS. SERVICE IS PERFECTED UNDER THIS SUBSECTION (2) AT THE EARLIEST OF:

(a) THE DATE THE MANAGER RECEIVES THE PROCESS, NOTICE, OR DEMAND;

(b) THE DATE SHOWN ON THE RETURN RECEIPT, IF SIGNED BY OR ON BEHALF OF THE MANAGER; OR

(c) FIVE DAYS AFTER MAILING.

(3) ALL APPLICATIONS MADE BY A DESIGNATED MANAGER ON

BEHALF OF A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION MUST CONTAIN A CERTIFICATION THAT THE MANAGER IS AUTHORIZED TO ACT FOR THE ENTITY.

12-10-1008. Record of licensees - publications. THE DIRECTOR SHALL MAINTAIN A RECORD OF THE NAMES AND ADDRESSES OF ALL COMMUNITY ASSOCIATION MANAGERS LICENSED UNDER THIS PART 10, TOGETHER WITH SUCH OTHER INFORMATION RELATIVE TO THE ENFORCEMENT OF THIS PART 10 AS THE DIRECTOR DEEMS NECESSARY. THE DIRECTOR SHALL PUBLISH THE NAME AND ADDRESS RECORD AND OTHER NONPROPRIETARY INFORMATION THE DIRECTOR DEEMS USEFUL TO THE PUBLIC ON THE DIVISION'S WEBSITE. PUBLICATION OF THE RECORD AND OF ANY OTHER INFORMATION CIRCULATED IN QUANTITY OUTSIDE THE EXECUTIVE BRANCH MUST BE IN ACCORDANCE WITH SECTION 24-1-136.

12-10-1009. Change of location or employment status - notice required. (1) A COMMUNITY ASSOCIATION MANAGER LICENSED UNDER THIS PART 10 SHALL NOTIFY THE DIRECTOR WITHIN THIRTY DAYS AFTER ANY CHANGE OF BUSINESS LOCATION OR EMPLOYMENT. A CHANGE OF BUSINESS ADDRESS OR EMPLOYMENT STATUS WITHOUT NOTIFICATION TO THE DIRECTOR AUTOMATICALLY INACTIVATES THE LICENSEE'S LICENSE.

(2) FOR PURPOSES OF THIS SECTION, A CHANGE IN EMPLOYMENT STATUS INCLUDES THE DESIGNATION OF A LICENSED COMMUNITY ASSOCIATION MANAGER AS A NEW OR SUCCESSOR MANAGER ACTING FOR A PARTNERSHIP, LIMITED LIABILITY COMPANY, OR CORPORATION.

12-10-1010. License fees - partnership, limited liability company, and corporation licenses - rules. (1) THE DIRECTOR SHALL ESTABLISH, COLLECT, AND PERIODICALLY ADJUST, IN ACCORDANCE WITH SECTION 12-10-215, FEES FOR:

(a) EACH EXAMINATION;

(b) EACH MANAGER'S OR ENTITY'S ORIGINAL APPLICATION AND LICENSE;

(c) EACH RENEWAL OR REINSTATEMENT OF A MANAGER'S LICENSE;

(d) ANY CHANGE OF NAME, ADDRESS, OR EMPLOYMENT STATUS REQUIRING A CHANGE IN DIRECTOR RECORDS; AND

(e) EACH APPRENTICE'S ORIGINAL APPLICATION AND LICENSE.

(2) THE DIRECTOR SHALL TRANSMIT ALL FEES TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE DIVISION OF REAL ESTATE CASH FUND, CREATED IN SECTION 12-10-215 (2)(b). FEES COLLECTED UNDER SUBSECTIONS (1)(b), (1)(c), (1)(d), AND (1)(e) OF THIS SECTION ARE NONREFUNDABLE.

(3) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, LICENSES ARE VALID FOR UP TO THREE YEARS, SUBJECT TO EXPIRATION AND RENEWAL ON A SCHEDULE DETERMINED BY THE DIRECTOR. THE DIRECTOR SHALL ESTABLISH, BY RULE, THE REQUIREMENTS FOR CONTINUING EDUCATION, REEXAMINATION, AND SUBSEQUENT CRIMINAL HISTORY RECORD CHECKS; EXCEPT THAT THESE REQUIREMENTS MUST NOT BE MORE STRINGENT THAN THE EQUIVALENT REQUIREMENTS FOR REAL ESTATE BROKERS UNDER PART 2 OF THIS ARTICLE 10.

(4) AN APPRENTICE LICENSE IS VALID FOR ONE YEAR AND IS NOT SUBJECT TO RENEWAL.

12-10-1011. Investigation - revocation - actions against licensee. (1) THE DIRECTOR, UPON THE DIRECTOR'S OWN MOTION, MAY, AND, UPON THE COMPLAINT IN WRITING OF ANY PERSON, SHALL, INVESTIGATE THE ACTIVITIES OF ANY LICENSEE OR ANY PERSON WHO ASSUMES TO ACT IN THE CAPACITY OF A LICENSEE WITHIN THE STATE. THE DIRECTOR, AFTER HOLDING A HEARING IN ACCORDANCE WITH THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24, MAY IMPOSE AN ADMINISTRATIVE FINE NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS FOR EACH SEPARATE OFFENSE, CENSURE A LICENSEE, PLACE THE LICENSEE ON PROBATION AND SET THE TERMS OF PROBATION, OR TEMPORARILY SUSPEND OR PERMANENTLY REVOKE A LICENSE WHEN THE LICENSEE HAS PERFORMED, IS PERFORMING, OR IS ATTEMPTING TO PERFORM ANY OF THE FOLLOWING ACTS AND IS GUILTY OF:

(a) KNOWINGLY MAKING ANY MISREPRESENTATION OR KNOWINGLY MAKING USE OF ANY FALSE OR MISLEADING ADVERTISING;

(b) MAKING ANY PROMISE OF A CHARACTER THAT INFLUENCES, PERSUADES, OR INDUCES ANOTHER PERSON WHEN HE OR SHE COULD NOT

OR DID NOT INTEND TO KEEP SUCH PROMISE;

(c) KNOWINGLY MISREPRESENTING OR MAKING FALSE PROMISES THROUGH AGENTS, ADVERTISING, OR OTHERWISE;

(d) VIOLATING, DIRECTLY OR INDIRECTLY, ANY APPLICABLE PROVISION OF COLORADO OR FEDERAL FAIR HOUSING LAWS;

(e) KNOWINGLY VIOLATING OR KNOWINGLY DIRECTING OTHERS TO VIOLATE CCIOA;

(f) FAILING TO ACCOUNT FOR OR TO REMIT, WITHIN A REASONABLE TIME, ANY MONEY COMING INTO THE LICENSEE'S POSSESSION THAT BELONGS TO OTHERS, WHETHER ACTING AS A COMMUNITY ASSOCIATION MANAGER, APPRENTICE, OR OTHERWISE, AND FAILING TO KEEP RECORDS RELATIVE TO SAID MONEY, WHICH RECORDS MUST CONTAIN ANY INFORMATION REQUIRED BY RULES OF THE DIRECTOR AND ARE SUBJECT TO AUDIT BY THE DIRECTOR;

(g) CONVERTING FUNDS OF OTHERS, DIVERTING FUNDS OF OTHERS WITHOUT PROPER AUTHORIZATION, COMMINGLING FUNDS OF OTHERS WITH THE MANAGER'S OWN FUNDS, OR FAILING TO KEEP SUCH FUNDS OF OTHERS IN A SEGREGATED ACCOUNT WITH SOME BANK OR RECOGNIZED DEPOSITORY IN THIS STATE, WHICH ACCOUNT MAY BE ANY TYPE OF CHECKING, DEMAND, PASSBOOK, OR STATEMENT ACCOUNT INSURED BY AN AGENCY OF THE UNITED STATES GOVERNMENT, AND TO SO KEEP RECORDS RELATIVE TO THE DEPOSIT THAT CONTAIN ANY INFORMATION REQUIRED BY RULES OF THE DIRECTOR AND ARE SUBJECT TO AUDIT BY THE DIRECTOR;

(h) DISREGARDING OR VIOLATING, OR AIDING OR ABETTING ANY VIOLATION OF, THIS PART 10 OR ANY APPLICABLE RULE OR ORDER OF THE DIRECTOR;

(i) PERFORMING ANY ACT THAT LEADS TO A CONVICTION OF, ENTRY OF A PLEA OF GUILTY TO, OR ENTRY OF A PLEA OF NOLO CONTENDERE TO ANY CRIME IN ARTICLE 3 OF TITLE 18; PARTS 1 TO 4 OF ARTICLE 4 OF TITLE 18; PARTS 1 TO 5 AND 7 TO 9 OF ARTICLE 5 OF TITLE 18; ARTICLE 5.5 OF TITLE 18; PARTS 3, 4, AND 6 TO 8 OF ARTICLE 6 OF TITLE 18; PARTS 1 AND 3 TO 8 OF ARTICLE 7 OF TITLE 18; PART 3 OF ARTICLE 8 OF TITLE 18; ARTICLE 15 OF TITLE 18; ARTICLE 17 OF TITLE 18; SECTION 18-18-405, 18-18-411, 18-18-412.5, 18-18-412.7, 18-18-415, 18-18-422, OR 18-18-423; OR ANY OTHER LIKE CRIME UNDER COLORADO LAW, FEDERAL LAW, OR THE LAWS OF OTHER STATES. A CERTIFIED COPY OF THE JUDGMENT OF A COURT OF COMPETENT JURISDICTION OF SUCH CONVICTION OR OTHER OFFICIAL RECORD INDICATING THAT SUCH PLEA WAS ENTERED IS CONCLUSIVE EVIDENCE OF SUCH CONVICTION OR PLEA IN ANY HEARING UNDER THIS PART 10.

(j) FAILING TO IMMEDIATELY NOTIFY THE DIRECTOR IN WRITING OF A CONVICTION, PLEA, OR VIOLATION PURSUANT TO SUBSECTION (1)(i) OF THIS SECTION;

(k) HAVING DEMONSTRATED UNWORTHINESS OR INCOMPETENCY TO ACT AS A COMMUNITY ASSOCIATION MANAGER BY CONDUCTING BUSINESS IN SUCH A MANNER AS TO ENDANGER THE INTEREST OF THE PUBLIC;

(l) IN THE CASE OF A MANAGER WHO EMPLOYS OTHERS OR IS DESIGNATED TO ACT ON BEHALF OF A LICENSED ENTITY, FAILING TO EXERCISE REASONABLE SUPERVISION OVER THE ACTIVITIES OF EMPLOYEES;

(m) FAILING TO MAKE A FULL AND TRUE DISCLOSURE OF FEES, CHARGES, AND REMUNERATION AS REQUIRED BY SECTION 12-10-1005;

(n) PROCURING, OR ATTEMPTING TO PROCURE, A LICENSE OR RENEWING, REINSTATING, OR REACTIVATING, OR ATTEMPTING TO RENEW, REINSTATE, OR REACTIVATE, A LICENSE BY FRAUD, MISREPRESENTATION, OR DECEIT OR BY MAKING A MATERIAL MISSTATEMENT OF FACT IN AN APPLICATION FOR A LICENSE;

(o) CLAIMING, ARRANGING FOR, OR TAKING ANY SECRET OR UNDISCLOSED AMOUNT OF COMPENSATION, COMMISSION, OR PROFIT OR FAILING TO REVEAL TO THE LICENSEE'S PRINCIPAL OR EMPLOYER THE FULL AMOUNT OF THE LICENSEE'S COMPENSATION, COMMISSION, OR PROFIT IN CONNECTION WITH ANY ACTS FOR WHICH A LICENSE IS REQUIRED UNDER THIS PART 10;

(p) HAVING HAD A LICENSE OR A SUBDIVISION DEVELOPER'S REGISTRATION SUSPENDED OR REVOKED IN ANY JURISDICTION, OR HAVING

HAD ANY DISCIPLINARY ACTION TAKEN AGAINST THE MANAGER OR SUBDIVISION DEVELOPER IN ANY OTHER JURISDICTION IF THE LICENSEE'S OR SUBDIVISION DEVELOPER'S ACTION WOULD CONSTITUTE A VIOLATION OF THIS SUBSECTION (1). A CERTIFIED COPY OF THE ORDER OF DISCIPLINARY ACTION IS PRIMA FACIE EVIDENCE OF SUCH DISCIPLINARY ACTION.

(q) WITHIN THE LAST FIVE YEARS, HAVING A LICENSE, REGISTRATION, OR CERTIFICATION ISSUED BY COLORADO OR ANOTHER STATE REVOKED OR SUSPENDED FOR FRAUD, DECEIT, MATERIAL MISREPRESENTATION, THEFT, OR BREACH OF A FIDUCIARY DUTY, AND SUCH DISCIPLINE DENIED THE PERSON AUTHORIZATION TO PRACTICE AS:

(I) A MORTGAGE BROKER OR MORTGAGE LOAN ORIGINATOR;

(II) A REAL ESTATE BROKER OR SALESPERSON;

(III) A REAL ESTATE APPRAISER, AS DEFINED BY SECTION 12-10-602 (9);

(IV) AN INSURANCE PRODUCER, AS DEFINED BY SECTION 10-2-103 (6);

(V) AN ATTORNEY;

(VI) A SECURITIES BROKER-DEALER, AS DEFINED BY SECTION 11-51-201 (2);

(VII) A SECURITIES SALES REPRESENTATIVE, AS DEFINED BY SECTION 11-51-201 (14);

(VIII) AN INVESTMENT ADVISOR, AS DEFINED BY SECTION 11-51-201 (9.5); OR

(IX) AN INVESTMENT ADVISOR REPRESENTATIVE, AS DEFINED BY SECTION 11-51-201 (9.6);

(r) ACTING OUTSIDE THE SCOPE OF AUTHORITY GRANTED BY THE ISSUANCE OF A LICENSE; OR

(s) ANY OTHER CONDUCT, WHETHER OF THE SAME OR A DIFFERENT CHARACTER THAN SPECIFIED IN THIS SUBSECTION (1), THAT CONSTITUTES DISHONEST DEALING.

(2) IF A FIRM, PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, OR CORPORATION OPERATING UNDER THE LICENSE OF A MANAGER DESIGNATED AND LICENSED AS A REPRESENTATIVE OF THE ENTITY COMMITS ANY ACT OR PRACTICE LISTED IN SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY SUSPEND OR REVOKE THE RIGHT OF THE ENTITY TO CONDUCT ITS BUSINESS UNDER THE LICENSE OF THE MANAGER, WHETHER OR NOT THE DESIGNATED MANAGER HAD PERSONAL KNOWLEDGE OF THE ACT OR PRACTICE AND WHETHER OR NOT THE DIRECTOR SUSPENDS OR REVOKES THE INDIVIDUAL LICENSE OF ANY OTHER PERSON.

(3) THIS PART 10 DOES NOT RELIEVE ANY PERSON FROM CIVIL LIABILITY OR CRIMINAL PROSECUTION UNDER THE LAWS OF THIS STATE.

(4) COMPLAINTS OF RECORD IN THE OFFICE OF THE DIRECTOR AND DIVISION INVESTIGATIONS, INCLUDING INVESTIGATIVE FILES, ARE CLOSED TO PUBLIC INSPECTION. STIPULATIONS AND FINAL AGENCY ORDERS ARE PUBLIC RECORDS SUBJECT TO SECTIONS 24-72-203 AND 24-72-204.

(5) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES NOT WARRANT FORMAL ACTION BY THE DIRECTOR BUT SHOULD NOT BE DISMISSED AS BEING WITHOUT MERIT, THE DIRECTOR MAY SEND A LETTER OF ADMONITION TO THE LICENSEE AGAINST WHOM THE COMPLAINT WAS MADE AND A COPY OF THE LETTER TO THE PERSON MAKING THE COMPLAINT, BUT THE LETTER MUST ADVISE THE LICENSEE THAT THE LICENSEE HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS AFTER RECEIPT, THAT FORMAL DISCIPLINARY PROCEEDINGS BE INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON WHICH THE LETTER OF ADMONITION IS BASED. IF THE REQUEST IS TIMELY MADE, THE LETTER OF ADMONITION IS VACATED, AND THE MATTER SHALL BE PROCESSED BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

(6) ALL ADMINISTRATIVE FINES COLLECTED PURSUANT TO THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE DIVISION OF REAL ESTATE CASH FUND, CREATED IN SECTION 12-10-215 (2)(b).

(7) WHEN THE DIVISION BECOMES AWARE OF FACTS OR CIRCUMSTANCES THAT FALL WITHIN THE JURISDICTION OF A CRIMINAL JUSTICE OR OTHER LAW ENFORCEMENT AUTHORITY UPON INVESTIGATION

OF THE ACTIVITIES OF A LICENSEE, THE DIVISION SHALL, IN ADDITION TO THE EXERCISE OF ITS AUTHORITY UNDER THIS PART 10, REFER AND TRANSMIT SUCH INFORMATION, WHICH MAY INCLUDE ORIGINALS OR COPIES OF DOCUMENTS AND MATERIALS, TO ONE OR MORE CRIMINAL JUSTICE OR OTHER LAW ENFORCEMENT AUTHORITIES FOR INVESTIGATION AND PROSECUTION AS AUTHORIZED BY LAW.

12-10-1012. Hearings - use of administrative law judges - subpoenas - judicial review - immunity. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ALL PROCEEDINGS BEFORE THE DIRECTOR WITH RESPECT TO DISCIPLINARY ACTIONS AND DENIAL OF LICENSURE UNDER THIS PART 10, AT THE DISCRETION OF THE DIRECTOR, MAY BE CONDUCTED BY AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR OR BY AN ADMINISTRATIVE LAW JUDGE PURSUANT TO SECTIONS 24-4-104 AND 24-4-105.

(2) VENUE FOR PROCEEDINGS IS IN THE COUNTY WHERE THE DIRECTOR HAS HIS OR HER OFFICE OR IN SUCH OTHER PLACE AS THE DIRECTOR MAY DESIGNATE. IF THE LICENSEE IS EMPLOYED BY ANOTHER LICENSED COMMUNITY ASSOCIATION MANAGER, THE DIRECTOR SHALL ALSO NOTIFY THE LICENSEE'S EMPLOYER BY MAILING, BY FIRST-CLASS MAIL, A COPY OF THE WRITTEN NOTICE REQUIRED UNDER SECTION 24-4-104 (3) TO THE EMPLOYER'S LAST-KNOWN BUSINESS ADDRESS.

(3) THE DIRECTOR, AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR, OR AN ADMINISTRATIVE LAW JUDGE SHALL CONDUCT ALL HEARINGS FOR DENYING, SUSPENDING, OR REVOKING A LICENSE OR CERTIFICATE ON BEHALF OF THE DIRECTOR, SUBJECT TO APPROPRIATIONS MADE TO THE DEPARTMENT OF PERSONNEL. EACH ADMINISTRATIVE LAW JUDGE SHALL BE APPOINTED PURSUANT TO PART 10 OF ARTICLE 30 OF TITLE 24. THE ADMINISTRATIVE LAW JUDGE SHALL CONDUCT THE HEARING IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105. NO LICENSE MAY BE DENIED, SUSPENDED, OR REVOKED UNTIL THE DIRECTOR HAS MADE HIS OR HER DECISION.

(4) THE DIRECTOR, OR THE ADMINISTRATIVE LAW JUDGE APPOINTED FOR HEARINGS, MAY ISSUE A SUBPOENA COMPELLING THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF BOOKS, PAPERS, RECORDS, OR OTHER EVIDENCE PURSUANT TO AN INVESTIGATION OR HEARING. THESE SUBPOENAS MUST BE SERVED IN THE SAME MANNER AS SUBPOENAS ISSUED BY DISTRICT COURTS AND ISSUED WITHOUT DISCRIMINATION BETWEEN PUBLIC AND PRIVATE PARTIES REQUIRING THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF DOCUMENTS AT HEARINGS. IF A PERSON FAILS TO OBEY A SUBPOENA ISSUED BY THE DIRECTOR OR THE APPOINTED ADMINISTRATIVE LAW JUDGE, THE DIRECTOR MAY PETITION THE DISTRICT COURT OF THE CITY AND COUNTY OF DENVER FOR ISSUANCE OF AN ORDER COMPELLING A WITNESS TO ATTEND AND TESTIFY OR PRODUCE BOOKS, PAPERS, RECORDS, OR OTHER EVIDENCE UNDER PENALTY OF PUNISHMENT FOR CONTEMPT.

(5) THE DECISION OF THE DIRECTOR IN ANY DISCIPLINARY ACTION OR DENIAL OF LICENSURE UNDER THIS SECTION IS SUBJECT TO JUDICIAL REVIEW BY THE COURT OF APPEALS. IN ORDER TO EFFECTUATE THE PURPOSES OF THIS PART 10, THE DIRECTOR HAS THE POWER TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24.

(6) IN A JUDICIAL REVIEW PROCEEDING, THE COURT MAY STAY THE EXECUTION OR EFFECT OF ANY FINAL ORDER OF THE DIRECTOR; BUT A HEARING SHALL BE HELD AFFORDING THE PARTIES AN OPPORTUNITY TO BE HEARD FOR THE PURPOSE OF DETERMINING WHETHER THE PUBLIC HEALTH, SAFETY, AND WELFARE WOULD BE ENDANGERED BY STAYING THE DIRECTOR'S ORDER. IF THE COURT DETERMINES THAT THE ORDER SHOULD BE STAYED, THE COURT SHALL ALSO DETERMINE AT THE HEARING WHETHER THE PETITIONER SHOULD BE REQUIRED TO POST A BOND AND THE AMOUNT OF THE BOND AND ADEQUACY OF THE SURETY, WHICH BOND MUST BE CONDITIONED UPON THE FAITHFUL PERFORMANCE BY THE PETITIONER OF ALL OBLIGATIONS AS A COMMUNITY ASSOCIATION MANAGER AND UPON THE PROMPT PAYMENT OF ALL DAMAGES ARISING FROM OR CAUSED BY THE DELAY IN THE TAKING EFFECT OR ENFORCEMENT OF THE ORDER COMPLAINED OF AND FOR ALL COSTS THAT MAY BE ASSESSED OR REQUIRED TO BE PAID IN CONNECTION WITH THE PROCEEDINGS.

(7) IN ANY HEARING CONDUCTED BY THE DIRECTOR OR AN

AUTHORIZED REPRESENTATIVE OF THE DIRECTOR IN WHICH THERE IS A POSSIBILITY OF THE DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE BECAUSE OF THE CONVICTION OF A FELONY OR OF A CRIME INVOLVING MORAL TURPITUDE, THE DIRECTOR OR THE DIRECTOR'S AUTHORIZED REPRESENTATIVE IS GOVERNED BY SECTION 24-5-101.

(8) A PERSON PARTICIPATING IN GOOD FAITH IN THE FILING OF A COMPLAINT OR REPORT OR PARTICIPATING IN AN INVESTIGATION OR HEARING BEFORE THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE PURSUANT TO THIS PART 10 IS IMMUNE FROM ANY LIABILITY, CIVIL OR CRIMINAL, THAT OTHERWISE MIGHT RESULT BY REASON OF SUCH ACTION.

12-10-1013. Stakeholder meetings - topics - frequency - report. (1) THE DIVISION SHALL ESTABLISH A STAKEHOLDER PROCESS WITH REGULAR MEETINGS, NO LESS FREQUENTLY THAN EVERY THREE MONTHS, EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION. THE PURPOSES OF THE MEETINGS ARE TO GATHER INFORMATION AND FEEDBACK FROM HOMEOWNERS AND MANAGERS; TO ACT AS A SOUNDING BOARD FOR DISCUSSION OF ISSUES AFFECTING COMMON INTEREST COMMUNITIES; AND TO MAKE RECOMMENDATIONS TO THE DIRECTOR CONCERNING:

(a) ANY NECESSARY UPDATES OR CHANGES TO THE RULES PROMULGATED BY THE DIRECTOR PURSUANT TO THIS PART 10;

(b) APPROPRIATE ADJUSTMENTS TO THE DEFINITION OF, AND EXCLUSIONS FROM, THE PRACTICE OF COMMUNITY ASSOCIATION MANAGEMENT AS SET FORTH IN SECTION 12-10-1001 (4);

(c) APPRENTICE CREDENTIALING, INCLUDING THE LEVEL OF OVERSIGHT REQUIRED BY THE DIVISION, APPROPRIATE SUPERVISION, EDUCATIONAL REQUIREMENTS, SPECIFIC DUTIES, AND ANY OTHER NECESSARY COMPONENTS RELATED TO APPRENTICES;

(d) THE COMPLAINT PROCESS, INCLUDING:

(I) INFORMATION OR EDUCATION FOR HOMEOWNERS ON FILING A COMPLAINT;

(II) THE TIME PERIODS AND PROCESSES THAT APPLY TO THE RESPONSE BY A PERSON ACCUSED OF A VIOLATION AND THE INVESTIGATION OF THE COMPLAINT;

(III) THE TYPES OF RECORDS AND OTHER EVIDENCE THAT SHOULD BE PRODUCED OR PRESERVED WHEN A COMPLAINT IS FILED; AND

(IV) COMMUNICATION AMONG THE COMPLAINANT, THE RESPONDENT, AND INVESTIGATORS DURING THE PENDENCY OF A COMPLAINT AND ANY SUBSEQUENT ACTION BY THE DIRECTOR; AND

(e) ANY OTHER ISSUES ABOUT WHICH THE DIRECTOR SEEKS INFORMATION AND FEEDBACK FROM THE STAKEHOLDERS.

(2) THE DIRECTOR SHALL APPOINT AT LEAST FIVE MEMBERS TO THE STAKEHOLDER GROUP. THE MEMBERSHIP MUST INCLUDE HOMEOWNERS THAT LIVE IN MANAGED COMMUNITIES; LICENSED COMMUNITY ASSOCIATION MANAGERS; COMPANIES THAT ARE IN THE BUSINESS OF COMMUNITY ASSOCIATION MANAGEMENT; REALTORS AND COMPANIES THAT EMPLOY REALTORS; INDIVIDUALS OR COMPANIES IN THE BUSINESS OF PROVIDING LAND TITLE INSURANCE AND CLOSING SERVICES; ASSOCIATIONS THAT REPRESENT HOMEOWNERS; COMMUNITY ASSOCIATION MANAGERS; AND BUSINESSES THAT SERVE MANAGED COMMUNITIES.

(3) THE STAKEHOLDER GROUP SHALL MEET AT LEAST FOUR TIMES DURING THE 2019 INTERIM AND SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS ON THE TOPICS LISTED IN SUBSECTION (1) OF THIS SECTION TO THE DIRECTOR, WHO SHALL INCLUDE THEM IN THE DIVISION'S ANNUAL REPORT TO THE GENERAL ASSEMBLY REQUIRED UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE DIRECTOR SHALL SHARE A DRAFT OF THE REPORT WITH THE STAKEHOLDER GROUP AND INVITE REVISIONS BEFORE FINALIZING THE DIVISION'S PRESENTATION.

12-10-1014. Repeal of part. THIS PART 10 IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.

SECTION 3. Effective date. This act takes effect upon passage; except that section 2 of this act takes effect October 1, 2019.

SECTION 4. 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 **HB19-1312** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SJR19-011.
Correctly Engrossed: SB19-250.
Correctly Reengrossed: SB19-237, 249, 257, 260, 261, 262, and 263.
Correctly Revised: HB19-1264, 1309, 1318.
Correctly Rerevised: HB19-1002, 1085, 1230, 1234, 1240, 1261, 1272, 1302, 1308, 1316, 1319, and 1326.
Correctly Enrolled: SB19-066, 085, 145, 158, 198, 222, 223, 227, 241, 251, 252, 253, and 255.

MESSAGE FROM THE HOUSE

May 1, 2019

Mr. President:

The House has voted to concur in the Senate amendments to HB19-1261 and has repassed the bill as so amended.

In response to the request of the Senate, the Speaker has appointed Representatives Snyder, chairman, Roberts, and McKean as House conferees on the First Conference Committee on SB19-217.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-001, 004, and 170: HB19-1004, 1031, 1118, 1194, 1196, and 1219.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bills--Consent Calendar.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Bridges 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:

HB19-1142 by Representative(s) Ransom and Singer; also Senator(s) Moreno and Smallwood--Concerning creating an option for parents who seek to voluntarily delegate certain parental responsibilities to a safe family for a limited period of time without relinquishing legal custody of their child, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1287 by Representative(s) Esgar and Wilson; also Senator(s) Pettersen and Priola--Concerning methods to increase access to treatment for behavioral health disorders, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1331 by Representative(s) Hansen and Ransom, Esgar; also Senator(s) Rankin, Moreno, Zenzinger--Concerning removing the limit on the departments with which the evidence-based practices implementation for capacity resource center can collaborate.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1332 by Representative(s) Hansen, Esgar, Ransom; also Senator(s) Zenzinger, Moreno, Rankin--Concerning the use of money in the Colorado telephone users with disabilities fund to provide talking book library services for certain persons with disabilities, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1335 by Representative(s) Gonzales-Gutierrez and Bockenfeld; also Senator(s) Lee and Cooke--Concerning expungement of juvenile records, and, in connection therewith, making clarifying changes to the expungement process and procedure and clarifying that juvenile record expungement applies to municipal courts.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1142, HB19-1287, HB19-1331, HB19-1332, HB19-1335.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bills.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1045 by Representative(s) Snyder and Soper; also Senator(s) Ginal--Concerning funding for carrying out duties related to the office of public guardianship, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, page 1177 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1223 by Representative(s) Michaelson Jenet and Larson, Landgraf; also Senator(s) Winter--Concerning application assistance for persons seeking federal disability benefits, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1320 by Representative(s) Kennedy and Lontine; also Senator(s) Winter--Concerning requiring certain health care providers to be accountable to their communities.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1324 by Representative(s) Cutter and Bird; also Senator(s) Foote--Concerning motions to dismiss certain civil actions involving constitutional rights.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1322 by Representative(s) Roberts and Will; also Senator(s) Moreno and Coram--Concerning the use of money from certain state funds to expand the supply of affordable housing statewide.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1110 by Representative(s) Cutter; also Senator(s) Pettersen--Concerning implementing media literacy in elementary and secondary education, and, in connection therewith, making an appropriation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 25, page 1104 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1328 by Representative(s) Herod; also Senator(s) Rodriguez--Concerning bed bugs in residential premises, and, in connection therewith, establishing duties for landlords and tenants in addressing the presence of bed bugs.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 29, pages 1185-1186 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.)

On motion of Majority Leader Fenberg, 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 (SB19-225, SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1167, HB19-1327, HB19-1330, HB19-1263, HB19-1017, HB19-1073, HB19-1159, HB19-1236, HB19-1275, HB19-1297, HB19-1310, HB19-1124) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB19-1328 by Representative(s) Herod; also Senator(s) Rodriguez--Concerning bed bugs in residential premises, and, in connection therewith, establishing duties for landlords and tenants in addressing the presence of bed bugs.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 19-1328 did pass.

Amend the State, Veterans, and Military Affairs Committee report, dated April 29, 2019, page 2, strike lines 2 through 5 and substitute:

"Page 9 of the reengrossed bill, strike lines 17 through 26 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.".".

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	11	NO	24	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	N	Marble	N	Story	N
Cooke	N	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	N
Danielson	Y	Hisey	N	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	N	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	N	President	N
Fields	Y	Lundeen	N	Sonnenberg	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1045 as amended, HB19-1223, HB19-1320, HB19-1324, HB19-1322, HB19-1110 as amended, HB19-1328 as amended.
Laid over until late in the day Thursday, May 2: SB19-225, SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1167, HB19-1327, HB19-1330, HB19-1263, HB19-1017, HB19-1073, HB19-1159, HB19-1236, HB19-1275, HB19-1297, HB19-1310, HB19-1124.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, Senate Rule 21 (c) was suspended to allow a committee of reference to occupy the Senate chamber.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1313** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 48, after line 17 insert:

"**SECTION 7. Appropriation.** (1) For the 2019-20 state fiscal year, $177,685 is appropriated to the department of public health and environment for use by the for use by the air pollution control division. This appropriation is from the public utilities commission fixed utility fund created in section 40-2-114 (1)(b)(II), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $166,379 for personal services related to stationary sources, which amount is based on an assumption that the division will require an additional 2.0 FTE;

(b) $11,306 for operating expenses related to stationary sources.

(2) For the 2019-20 state fiscal year, $86,400 is appropriated to the department of regulatory agencies for use by the public utilities commission. This appropriation is from the public utilities commission fixed utility fund created in section 40-2-114 (1)(b)(II), C.R.S. To implement this act, the commission may use this appropriation as follows:

(a) $80,747 for personal services, which amount is based on an assumption that the commission will require an additional 1.0 FTE;

(b) $5,653 for operating expenses.".

Renumber succeeding sections accordingly.

Page 49, strike lines 5 through 13.

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1333** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 5, line 2, strike "AND".

Page 5, line 3, after "CIGARETTE," insert "EXPANDING THE EXISTING CIGARETTE AND TOBACCO TAXES TO APPLY TO SALES TO CONSUMERS FROM OUTSIDE OF THE STATE,".

Page 5, after line 23 insert:

"**SECTION 2.** In Colorado Revised Statutes, 39-28-101, **amend** the introductory portion and (4) as follows:

39-28-101. Definitions. As used in this ~~article~~ ARTICLE 28, unless the context otherwise requires:

(4) (a) "Wholesaler" means any person, firm, limited liability company, partnership, or corporation who IS DOING BUSINESS IN THIS STATE AND WHO:

(I) Imports cigarettes into this state for sale or resale; OR

(II) SELLS CIGARETTES DIRECTLY TO A CONSUMER:

(A) INTO THE STATE BY MAIL OR DELIVERY SERVICE; AND

(B) THROUGH THE INTERNET OR A COMPUTER NETWORK, BY TELEPHONE, OR THROUGH ANY OTHER MEANS.

(b) FOR PURPOSES OF SUBSECTION (4)(a) OF THIS SECTION, THE DEPARTMENT OF REVENUE SHALL ESTABLISH BY RULE A STANDARD FOR "DOING BUSINESS IN THIS STATE".".

Renumber succeeding sections accordingly.

Page 9, after line 4 insert:

"**SECTION 8.** In Colorado Revised Statutes, 39-28.5-101, **amend** the introductory portion (2) as follows:

39-28.5-101. Definitions. As used in this ~~article~~ ARTICLE 28.5, unless the context otherwise requires:

(2) (a) "Distributor" means every person who IS DOING BUSINESS IN THIS STATE AND WHO:

(I) First receives tobacco products in this state;

(II) ~~every person who~~ Sells tobacco products in this state ~~who~~ AND is primarily liable for the tobacco products tax on such products;

(III) ~~and every person who~~ First sells or offers for sale in this state tobacco products imported into this state from any other state or country; AND

(IV) SELLS TOBACCO PRODUCTS DIRECTLY TO A CONSUMER:

(A) INTO THE STATE BY MAIL OR DELIVERY SERVICE; AND

(B) THROUGH THE INTERNET OR A COMPUTER NETWORK, BY TELEPHONE, OR THROUGH ANY OTHER MEANS.

(b) FOR PURPOSES OF SUBSECTION (2)(a) OF THIS SECTION, THE DEPARTMENT OF REVENUE SHALL ESTABLISH BY RULE A STANDARD FOR "DOING BUSINESS IN THIS STATE".".

Renumber succeeding sections accordingly.

Page 10, after line 10 insert:

"**SECTION 11.** In Colorado Revised Statutes, 39-28.5-107, **amend** (1) as follows:

39-28.5-107. When credit may be obtained for tax paid. (1) Where tobacco products, upon which the tax imposed by this ~~article~~ ARTICLE 28.5 has been reported and paid, are shipped or transported by the distributor to retailers without the state to be sold by those retailers, are shipped or transported by the distributor to a consumer without the state on or after ~~September 1, 2015, but prior to September 1, 2018~~ JANUARY 1, 2020, or are returned to the manufacturer by the distributor or destroyed by the distributor, credit of such tax may be made to the distributor in accordance with regulations prescribed by the department.".

Page 13, strike lines 2 through 7 and substitute:

"(2) (a) "DISTRIBUTOR" MEANS EVERY PERSON WHO IS DOING BUSINESS IN THIS STATE AND WHO:

(I) FIRST RECEIVES NICOTINE PRODUCTS IN THIS STATE;

(II) SELLS NICOTINE PRODUCTS IN THIS STATE AND IS PRIMARILY LIABLE FOR THE NICOTINE PRODUCTS TAX ON THE NICOTINE PRODUCTS;

(III) FIRST SELLS OR OFFERS FOR SALE IN THIS STATE NICOTINE PRODUCTS IMPORTED INTO THIS STATE FROM ANY OTHER STATE OR COUNTRY; AND

(IV) SELLS NICOTINE PRODUCTS DIRECTLY TO A CONSUMER:

(A) INTO THE STATE BY MAIL OR DELIVERY SERVICE; AND

(B) THROUGH THE INTERNET OR A COMPUTER NETWORK, BY TELEPHONE, OR THROUGH ANY OTHER MEANS.

(b) FOR PURPOSES OF SUBSECTION (2)(a) OF THIS SECTION, THE

DEPARTMENT OF REVENUE SHALL ESTABLISH BY RULE A STANDARD FOR "DOING BUSINESS IN THIS STATE".".

Page 19, strike line 7 and substitute "BE SOLD BY THOSE RETAILERS, ARE SHIPPED OR TRANSPORTED BY THE DISTRIBUTOR TO A CONSUMER WITHOUT THE STATE ON OR AFTER JANUARY 1, 2020, OR ARE RETURNED TO THE MANUFACTURER".

Page 44, line 8, strike "18" and substitute "20".

Page 44, line 12, strike "18" and substitute "20".

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1215** 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 **HB19-1329** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB19-1212** be referred to the Committee of the Whole with favorable recommendation.

MESSAGE FROM THE HOUSE

May 2, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19- 244, 256, 232, 007, 248.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-015, 176, amended as printed in House Journal, May 1, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-228, 191, amended as printed in House Journal, May 1, 2019, and amended on Third Reading as printed in House Journal, May 2, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB19-1334, amended as printed in House Journal, May 1, 2019, and amended on Third Reading as printed in House Journal, May 2, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

May 2, 2019

We herewith transmit:

Without comment, as amended, HB19-1334.
Without comment, as amended, SB19-015, 176, 191, and 228.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bills.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1017 by Representative(s) Michaelson Jenet; also Senator(s) Fields--Concerning increasing access to school social workers in public elementary schools, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1236 by Representative(s) Gray and Sullivan, Buckner, Galindo, Van Winkle; also Senator(s) Todd--Concerning the creation of a workforce diploma pilot program.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 30, pages 1236-1237 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1073 by Representative(s) Benavidez; also Senator(s) Fields--Concerning the creation of the law enforcement, public safety, and criminal justice information sharing grant program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1310 by Representative(s) Melton and Gonzales-Gutierrez; also Senator(s) Lee--Concerning interest on orders of restitution, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 29, page 1187 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1167, HB19-1327, HB19-1330, HB19-1263 as amended, HB19-1159, HB19-1275, HB19-1297, HB19-1124) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1017, HB19-1236 as amended, HB19-1073, HB19-1310 as amended.
Laid over until late in the day Thursday, May 2: SB19-225, SB19-243, HB19-1032, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1167, HB19-1327, HB19-1330, HB19-1263 as amended, HB19-1159, HB19-1275, HB19-1297, HB19-1124.

Senate in recess. Senate reconvened.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders--Second Reading of Bills.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1032 by Representative(s) Lontine and Caraveo; also Senator(s) Todd and Coram--Concerning comprehensive human sexuality education, and, in connection therewith, making an appropriation.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 1, pages 369-370 and placed in members' bill files.)

Amendment No. 2(L.123), by Senators Todd and Coram.

Strike the Health & Human Services Committee Report, dated February 28, 2019, and substitute:

"Amend reengrossed bill, page 2, strike lines 2 through 11.

Strike pages 3 through 17.

Page 18, strike lines 1 through 4 and substitute:

"**SECTION 1. Legislative declaration.** (1) The general assembly finds that when accounting for all fifty states and the District of Columbia, Colorado is the only state that does not have a health graduation requirement. Twenty-four states and the District of Columbia

mandate sexual health education as a graduation requirement, and thirty-four states and the District of Columbia mandate human immunodeficiency virus (HIV) education as a graduation requirement. Colorado does not mandate sexual health education or HIV education.

SECTION 2. In Colorado Revised Statutes, 22-1-128, **amend** (6) introductory portion, (6)(b), (6)(c), (6)(f), (6)(g), (7), (9), and (11); and **add** (2)(b.5), (2)(d.3), (2)(d.5), (2)(d.7), (2)(d.9), (6)(i), (6.5), and (12) as follows:

22-1-128. Comprehensive human sexuality education - legislative declaration - definitions - guidelines and content standards. (2) As used in this section, unless the context otherwise requires:

(b.5) "CONSENT" MEANS THE AFFIRMATIVE, UNAMBIGUOUS, VOLUNTARY, CONTINUOUS, KNOWING AGREEMENT BETWEEN ALL PARTICIPANTS IN EACH PHYSICAL ACT WITHIN THE COURSE OF A SEXUAL ENCOUNTER OR INTERPERSONAL RELATIONSHIP.

(d.3) "GENDER STEREOTYPE" MEANS A GENERALIZED VIEW OR PRECONCEPTION ABOUT WHAT ATTRIBUTES, CHARACTERISTICS, OR ROLES ARE, OR OUGHT TO BE, TAUGHT, POSSESSED BY, OR PERFORMED BY WOMEN AND MEN.

(d.5) "HEALTHY RELATIONSHIP" MEANS AN INTERPERSONAL RELATIONSHIP THAT IS FREE OF PHYSICAL, SEXUAL, AND EMOTIONAL ABUSE, COERCION, AND VIOLENCE.

(d.7) "HUMAN SEXUALITY INSTRUCTION" OR "INSTRUCTION" MEANS AN ORAL, WRITTEN, OR DIGITAL LESSON, LECTURE, OR PRESENTATION GIVEN BY SCHOOL STAFF OR NONSCHOOL STAFF THAT TEACHES ABOUT ABSTINENCE OR SEXUAL ACTIVITY IN THE CONTEXT OF STUDENT HEALTH OR HEALTHY RELATIONSHIPS. INSTRUCTION DOES NOT INCLUDE STUDENT SPEECH.

(d.9) "MEDICALLY ACCURATE" MEANS VERIFIED OR SUPPORTED BY RESEARCH CONDUCTED IN COMPLIANCE WITH SCIENTIFIC METHODS AND PUBLISHED IN PEER-REVIEWED JOURNALS, WHERE APPROPRIATE, AND RECOGNIZED AS ACCURATE, OBJECTIVE, AND UNBIASED BY THE AMERICAN PUBLIC HEALTH ASSOCIATION, THE AMERICAN ACADEMY OF PEDIATRICS, OR THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS.

(6) ~~Except as described in subsection (9) of this section,~~ HUMAN SEXUALITY INSTRUCTION IS NOT REQUIRED. HOWEVER, IF a school district, board of cooperative services, charter school, or institute charter school ~~that~~ offers ~~a planned curriculum related to comprehensive~~ human sexuality ~~education must, in offering such a curriculum, maintain established requirements for the comprehensive human sexuality curriculum~~ INSTRUCTION, THE INSTRUCTION MUST BE COMPREHENSIVE AND MEET THE COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT REQUIREMENTS. These requirements must:

(b) Include medically accurate information about methods to prevent unintended pregnancy and sexually transmitted infections, including HIV/AIDS, and the link between human papillomavirus and cancer. Methods TAUGHT shall include information about the correct and consistent use of abstinence, contraception, INCLUDING ALL FDA APPROVED FORMS OF CONTRACEPTION, condoms, and other barrier methods AND MUST BE TAUGHT IN A COHESIVE, INTEGRATED, OBJECTIVE MANNER SO THAT YOUTH LEARN THE FULL SCOPE OF PREVENTIVE METHODS AVAILABLE TO THEM AND ARE EMPOWERED TO DECIDE FOR THEMSELVES WHICH PREVENTIVE METHODS ARE BEST SUITED FOR THEIR INDIVIDUAL NEEDS, BELIEFS, AND VALUES.

(c) ~~Include instruction to help students develop skills for making responsible and healthy decisions about human sexuality, personal power, boundary setting, developing safe and healthy relationships, and resisting peer pressure, including how to avoid~~ PROMOTE THE DEVELOPMENT OF HEALTHY RELATIONSHIPS BY PROVIDING HUMAN SEXUALITY INSTRUCTION ON:

(I) HOW TO COMMUNICATE CONSENT, RECOGNIZE COMMUNICATION OF CONSENT, AND RECOGNIZE WITHDRAWAL OF CONSENT;

~~(I)~~ (II) ~~Making~~ HOW TO AVOID MAKING unwanted verbal, physical, and sexual advances; ~~and~~

~~(II)~~ (III) ~~Making~~ HOW TO AVOID MAKING assumptions about a person's supposed sexual intentions based on that person's appearance OR SEXUAL HISTORY; AND

(IV) HOW TO AVOID PURSUING A SEXUAL ENCOUNTER WITH A PERSON OR PERSUADING A PERSON TO PARTICIPATE IN A SEXUAL ENCOUNTER WHEN THAT PERSON HAS NOT PROVIDED CONSENT OR HAS WITHDRAWN CONSENT;

(f) Be comprehensive, age-appropriate, ~~evidence-based,~~ culturally sensitive, inclusive of a positive youth development framework, and medically accurate;

(i) NOT EMPHASIZE SEXUAL ABSTINENCE AS THE PRIMARY OR SOLE ACCEPTABLE PREVENTIVE METHOD AVAILABLE TO STUDENTS. A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL SHALL NOT ENGAGE THE INSTRUCTIONAL SERVICES OF AN ORGANIZATION OR INDIVIDUAL THAT IS A DIRECT OR INDIRECT RECIPIENT OF MONEY FROM THE FEDERAL GOVERNMENT PURSUANT TO 42 U.S.C. SEC. 710, AS AMENDED, BECAUSE THE GUIDELINES OF 42 U.S.C. SEC. 710 ARE INCONSISTENT WITH THE PROVISIONS OF THIS SECTION.

(6.5) COMPREHENSIVE HUMAN SEXUALITY EDUCATION DOES NOT REQUIRE INSTRUCTION ON PREGNANCY OUTCOME OPTIONS. HOWEVER, IF A PUBLIC SCHOOL OPTS TO PROVIDE INSTRUCTION ON PREGNANCY OUTCOME OPTIONS, THE INSTRUCTION MUST COVER ALL PREGNANCY OUTCOME OPTIONS, INCLUDING BUT NOT LIMITED TO ADOPTION, ABORTION, PARENTING, AND INFORMATION CONCERNING SECTIONS 18-6-401 (9) AND 19-3-304.2, OR ANY SUCCESSOR LAWS, REFERRED TO GENERALLY AS "SAFE HAVEN LAWS." INSTRUCTION ON PREGNANCY OUTCOME OPTIONS MUST BE PROVIDED IN AN OBJECTIVE, UNBIASED MANNER AND MUST NOT ENDORSE OR FAVOR ONE OR MORE PREGNANCY OUTCOME OPTIONS.

(7) (a) Nothing in subsection (6) OR (6.5) of this section shall be interpreted to prohibit discussion of health, moral, ethical, or religious values as they pertain to comprehensive human sexuality, healthy relationships, or family formation. SUCH DISCUSSION IS ENCOURAGED.

(b) HOWEVER, HUMAN SEXUALITY INSTRUCTION MUST NOT EXPLICITLY OR IMPLICITLY:

(I) USE SHAME-BASED OR STIGMATIZING LANGUAGE OR INSTRUCTIONAL TOOLS;

(II) EMPLOY GENDER STEREOTYPES; OR

(III) EXCLUDE THE HEALTH NEEDS OF LESBIAN, GAY, BISEXUAL, OR TRANSGENDER INDIVIDUALS.

(11) The provisions of this section shall not apply to students in kindergarten through third grade. ~~unless the content of the instruction relates to personal hygiene, healthy habits, respecting personal space and boundaries, interpersonal communication skills, and personal safety, as identified in the content standards developed by the department and adopted by the state board.~~

(12) A SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL MAY SEEK GRANT MONEY PURSUANT TO ARTICLE 44 OF TITLE 25 TO IMPLEMENT THE COMPREHENSIVE HUMAN SEXUALITY EDUCATION CONTENT REQUIREMENTS SET FORTH IN THIS SECTION. HOWEVER, COMPLIANCE WITH THIS SECTION IS NOT CONTINGENT UPON RECEIPT OF GRANT MONEY PURSUANT TO ARTICLE 44 OF TITLE 25, NOR IS IT CONTINGENT ON RECEIPT OF ANY OTHER STATE OR FEDERAL FUNDS, OR PUBLIC OR PRIVATE GIFTS, GRANTS, OR DONATIONS.

SECTION 3. In Colorado Revised Statutes, 25-44-101, **repeal** (2); and **add** (6.5) as follows:

25-44-101. Definitions. As used in this ~~article~~ ARTICLE 44, unless the context otherwise requires:

(2) ~~"Cash fund" means the comprehensive human sexuality education grant program cash fund created in section 25-44-104.~~

(6.5) "MEDICALLY ACCURATE" HAS THE SAME MEANING AS DEFINED IN SECTION 22-1-128.".

Renumber succeeding sections accordingly.

Page 26, strike lines 2 through 27.

Page 27, strike lines 1 through 5.

Renumber succeeding sections accordingly.".

Amendment No. 3(L.127), by Senators Coram and Todd.

Amend reengrossed bill, page 21, line 14, strike "AND".

Page 21, line 15, strike "organization." and substitute "organization; AND".

Page 21, after line 15 insert:

"(n) A REPRESENTATIVE OF AN ORGANIZATION SERVING THE NEEDS OF INTERSEX INDIVIDUALS.".

Page 21, line 16, strike "(1)(m)" and substitute "(1)(n)".

Amendment No. 4(L.126), by Senators Coram and Todd.

Amend Todd & Coram floor amendment (HB1032_L.123), page 1, line 14, after "**amend**" insert "(2)(c),".

Page 1, after line 25 insert:

"(c) "Culturally sensitive" means the integration of knowledge about individuals and groups of people into specific standards, requirements, policies, practices, and attitudes used to increase the quality of services. "Culturally sensitive" includes resources, references, and information that are meaningful to the experiences and needs of communities of color; immigrant communities; lesbian, gay, bisexual, and transgender communities; PEOPLE WHO ARE INTERSEX; people with physical or intellectual disabilities; people who have experienced sexual victimization; and others whose experiences have traditionally been left out of sexual health education, programs, and policies.".

Page 3, line 35, after "OF" insert "INTERSEX INDIVIDUALS OR".

Amendment No. 5(L.124), by Senator Smallwood.

Amend the Todd & Coram floor amendment (HB1032_L.123), page 2, strike lines 35 and 36 and substitute "COMMUNICATION OF CONSENT, RECOGNIZE WITHDRAWAL OF CONSENT, AND UNDERSTAND AGE OF CONSENT AS IT RELATES TO SECTION 18-3-402;".

Amendment No. 6(L.125), by Senator Smallwood.

Amend the Todd & Coram floor amendment (HB1032_L.123), page 1, line 16, after "(6)(i)," insert "(6)(j),".

Page 3, line 14, strike "SECTION." and substitute "SECTION; AND".

Page 3, after line 14 insert:

"(j) PROVIDE AGE-APPROPRIATE INFORMATION CONCERNING SECTIONS 18-6-401 (9) AND 19-3-304.5, OR ANY SUCCESSOR LAWS, REFERRED TO GENERALLY AS "SAFE HAVEN LAWS", RELATING TO THE SAFE ABANDONMENT OF A CHILD TO A FIREFIGHTER AT A FIRE STATION OR TO A STAFF MEMBER AT A HOSPITAL OR A COMMUNITY CLINIC EMERGENCY CENTER WITHIN THE FIRST SEVENTY-TWO HOURS OF THE CHILD'S LIFE.".

Amendment No. 7(L.128), by Senators Coram and Todd.

Amend Coram and Todd floor amendment (HB1032_L.123), page 3, line 21, strike "19-3-304.2," and substitute "19-3-304.5,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, SB19-243, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1167, HB19-1327, HB19-1330, HB19-1263 as amended, HB19-1159, HB19-1275, HB19-1297, HB19-1124) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1032 as amended.
Laid over until later in the day Thursday, May 2: SB19-225, SB19-243, SB19-067, HB19-1188, HB19-1184, HB19-1298, HB19-1176, HB19-1167, HB19-1327, HB19-1330, HB19-1263 as amended, HB19-1159, HB19-1275, HB19-1297, HB19-1124.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB19-1312 was made Special Orders at 2:26 p.m.

Committee of the Whole

The hour of 2:26 p.m. having arrived, Senator Bridges moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1312 by Representative(s) Mullica, Arndt, Benavidez, Bird, Buckner, Buentello, Caraveo, Coleman, Duran, Esgar, Froelich, Gray, Hansen, Jaquez Lewis, Kennedy, Kipp, McCluskie, Melton, Michaelson Jenet, Roberts, Sirota, Snyder, Tipper, Valdez A.; also Senator(s) Gonzales and Priola--Concerning modernizing immunization requirements for school entry to improve vaccination rates.

Laid over until Friday, May 3, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Laid over until Friday, May 3: HB19-1312.

IMMEDIATE RECONSIDERATION OF ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

Having voted on the prevailing side, Senator Hill moved for reconsideration of the last Senate action, Adoption of the Report of the Committee of the Whole--Special Orders.

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration was **denied**.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1124 by Representative(s) Benavidez and Lontine, Buckner, Caraveo, Coleman, Duran, Galindo, Gonzales-Gutierrez, Hooton, Melton; also Senator(s) Foote and Gonzales--Concerning clarification of the authority of criminal justice officials with respect to the enforcement of certain federal civil laws.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1263 by Representative(s) Herod and Sandridge; also Senator(s) Marble and Lee--Concerning changing the penalty for certain violations pursuant to the "Uniform Controlled Substances Act of 2013", and in connection therewith, making and reducing an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 22, pages 999-1000 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 27, page 1151 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 29, pages 1177-1178 and placed in members' bill files.)

Amendment No. 4(L.022), by Senator Cooke.

Amend reengrossed bill, page 3, line 8, strike "OR cathinones ~~or~~" and substitute "cathinones; or MORE THAN FOUR GRAMS OF".

Page 3, strike line 9, and substitute "a controlled substance listed in schedule I or II of part 2 of this ~~article~~ ARTICLE 18".

Page 3, line 11, after "contains" insert "NOT MORE THAN FOUR GRAMS OF A CONTROLLED SUBSTANCE LISTED IN SCHEDULE I OR II OF PART 2 OF THIS ARTICLE 18 OR".

Page 3, line 12, strike "~~schedule III, IV, or V~~" and substitute "schedule III, IV, or V".

Page 3, line 13, strike "SCHEDULE I, II, III, IV, OR V".

Amendment No. 5(L.021), by Senator Cooke.

Amend reengrossed bill, page 3, line 15, strike "misdemeanor." and substitute "misdemeanor; EXCEPT THAT A FOURTH OR SUBSEQUENT OFFENSE FOR A VIOLATION OF THIS SUBSECTION (2)(c) IS A LEVEL 4 DRUG FELONY.".

Amendment No. 6(L.024), by Senator Cooke.

Amend reengrossed bill, page 3, line 21, after the period insert "THE CIRCUMSTANCES DESCRIBED IN THIS SUBSECTION (4) MAY BE USED AS A FACTOR IN A PROBABLE CAUSE OR REASONABLE SUSPICION DETERMINATION OF ANY CRIMINAL OFFENSE IF THE ORIGINAL STOP OR SEARCH WAS LAWFUL.".

Amendment No. 7(L.020), by Senator Marble.

Amend reengrossed bill, page 3, line 3, after "(4)" insert "and (5)".

Page 3, after line 21 insert:

"(5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION, A PERSON MAY BE CHARGED WITH ANY OTHER OFFENSE IN THIS ARTICLE 18, INCLUDING UNLAWFUL DISTRIBUTION, MANUFACTURING, DISPENSING, OR SALE OF A CONTROLLED SUBSTANCE, OR POSSESSION WITH INTENT TO DO THE SAME, PURSUANT TO SECTION 18-18-405, WHEN THERE IS EVIDENCE FOR THE PERSON TO BE SO CHARGED. SUCH EVIDENCE MAY INCLUDE, BUT IS NOT LIMITED TO, THE AMOUNT OF THE CONTROLLED SUBSTANCE THAT THE PERSON POSSESSES.".

Amendment No. 8(L.023), by Senator Gardner.

Amend reengrossed bill, page 3, line 3, strike "(2)(a)" and substitute "(2) introductory portion, (2)(a),".

Page 3, line 5, strike "A" and substitute "ON OR AFTER MARCH 1, 2020, A".

Page 3, line 17, after "SECTION," insert "ON OR AFTER MARCH 1, 2020,".

Page 4, strike line 3 and substitute "**concentrate - definitions.** (4) ON OR AFTER MARCH 1, 2020:

(a) ~~A person who possesses more than~~".

Page 4, line 15, strike "SECTION," and substitute "SECTION COMMITTED ON OR AFTER MARCH 1, 2020,".

Page 5, line 27, strike "conviction," and substitute "conviction FOR AN OFFENSE COMMITTED ON OR AFTER MARCH 1, 2020,".

Page 8, line 4, strike "Unlawful" and substitute "IF COMMITTED ON OR AFTER MARCH 1, 2020, unlawful".

Page 9, line 2, after "POSSESSION" insert "ON AND AFTER MARCH 1, 2020,".

Page 9, line 14, after "MISDEMEANOR" insert "COMMITTED ON AND AFTER MARCH 1, 2020,".

Page 9, line 26, after "MISDEMEANOR" insert "COMMITTED ON AND AFTER MARCH 1, 2020,".

Page 10, line 24, strike "Possession" and substitute "ON OR AFTER MARCH 1, 2020, possession".

Page 11, line 13, after "felony" insert "COMMITTED ON OR AFTER MARCH 1, 2020,".

Page 11, line 14, after "felony" insert "COMMITTED ON OR AFTER MARCH 1, 2020,".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1159 by Representative(s) Jaquez Lewis and Gray; also Senator(s) Danielson--Concerning modifications to the income tax credits for innovative motor vehicles.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 29, pages 1183-1185 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1297 by Representative(s) Weissman and McKean; also Senator(s) Lee--Concerning data collection from jail facilities operated by political subdivisions of the state, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1275 by Representative(s) Weissman and Soper; also Senator(s) Lee--Concerning increased eligibility for the sealing of criminal justice records by individuals who are not under supervision, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1184 by Representative(s) Herod and Caraveo; also Senator(s) Williams A.--Concerning a requirement that staff of the legislative council prepare demographic notes on certain legislative bills, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1188 by Representative(s) Sirota and Snyder; also Senator(s) Foote--Concerning the inclusion of the net impact on greenhouse gas pollution in the fiscal notes prepared for legislative measures, and, in connection therewith, making an appropriation.

Amendment No. 1(L.006), by Senator Foote.

Amend reengrossed bill, page 2, strike lines 10 through 19.

Strike page 3.

Page 4, strike lines 1 through 11 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, **add** 2-2-322.3 as follows:

2-2-322.3. Greenhouse gas emissions reports - definitions - repeal. (1) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT REQUIRES OTHERWISE:

(a) "GREENHOUSE GAS" MEANS:

(I) CARBON DIOXIDE;

(II) METHANE;

(III) NITROUS OXIDE;

(IV) HYDROFLUOROCARBONS;

(V) PERFLUOROCARBONS; OR

(VI) SULFUR HEXAFLUORIDE.

(b) "GREENHOUSE GAS EMISSIONS REPORT" OR "REPORT" MEANS A NOTE THAT USES AVAILABLE DATA TO ASSESS WHETHER A LEGISLATIVE MEASURE IS LIKELY TO DIRECTLY CAUSE A NET INCREASE OR DECREASE IN GREENHOUSE GAS POLLUTION WITHIN THE TEN-YEAR PERIOD FOLLOWING ITS ENACTMENT, INCLUDING IDENTIFYING NEW SOURCES OF GREENHOUSE GAS EMISSIONS, ANY INCREASE OR DECREASE IN EMISSIONS FROM EXISTING SOURCES, AND ANY IMPACT ON SEQUESTRATION OF EMISSIONS. A REPORT IS NOT REQUIRED TO QUANTIFY THE MAGNITUDE OF THE IMPACT ON EMISSIONS, BUT MAY DO SO TO THE EXTENT THAT NONPARTISAN STAFF IS ABLE TO PROVIDE AN UNBIASED ESTIMATE GIVEN THE AVAILABLE DATA.

(2) (a) COMMENCING WITH THE SECOND REGULAR SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY AND DURING EACH REGULAR SESSION THEREAFTER, THE STAFF OF THE LEGISLATIVE COUNCIL SHALL PREPARE GREENHOUSE GAS EMISSIONS REPORTS ON LEGISLATIVE BILLS AS SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION.

(b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND THE MINORITY LEADER OF THE SENATE MAY EACH REQUEST THE PREPARATION OF A GREENHOUSE GAS EMISSIONS REPORT ON UP TO FIVE LEGISLATIVE BILLS, OR MORE AT THE DISCRETION OF THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL.

(c) PRIOR TO COMMENCING WORK ON A REPORT, THE STAFF OF THE LEGISLATIVE COUNCIL SHALL MEET WITH THE MEMBER OF LEADERSHIP REQUESTING THE REPORT AND WITH THE SPONSOR OF THE LEGISLATIVE BILL TO DISCUSS WHETHER A GREENHOUSE GAS EMISSIONS REPORT CAN PRACTICALLY BE COMPLETED FOR THAT LEGISLATIVE BILL. IF NOT, THE MEMBER OF LEADERSHIP MAY REQUEST A REPORT, WITHIN THE LIMITS SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION, ON A DIFFERENT LEGISLATIVE BILL THAT MIGHT BE MORE CONDUCIVE TO A GREENHOUSE GAS EMISSIONS REPORT'S ANALYSIS.

(d) NO LATER THAN DECEMBER 1, 2019, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL SHALL DEVELOP THE PROCEDURES FOR REQUESTING, COMPLETING, AND UPDATING THE GREENHOUSE GAS EMISSIONS REPORTS AND SHALL MEMORIALIZE THE PROCEDURES IN A LETTER TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL. THE DEPARTMENT OF NATURAL RESOURCES, THE COLORADO ENERGY OFFICE, AND ANY OTHER STATE DEPARTMENT, AGENCY, OR INSTITUTION WITH SUBJECT MATTER EXPERTISE SHALL COOPERATE WITH AND PROVIDE INFORMATION TO THE DIRECTOR TO ASSIST IN DEVELOPING THE POLICIES AND PROCEDURES REQUIRED BY THIS SUBSECTION (2)(d) IF REQUESTED BY THE DIRECTOR.

(3) (a) EACH STATE DEPARTMENT, AGENCY, OR INSTITUTION

SHALL COOPERATE WITH AND PROVIDE INFORMATION FOR A GREENHOUSE GAS EMISSIONS REPORT ON A LEGISLATIVE BILL IN THE MANNER REQUESTED BY THE STAFF OF THE LEGISLATIVE COUNCIL.

(b) THE STATE DEPARTMENT, AGENCY, OR INSTITUTION SHALL MEET THE DEADLINES ESTABLISHED BY THE STAFF OF THE LEGISLATIVE COUNCIL FOR PROVIDING A RESPONSE TO A REQUEST FOR INFORMATION MADE PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION OR SHALL SPECIFY THE NEED FOR ADDITIONAL TIME TO PROVIDE THE RESPONSE. IF ADDITIONAL TIME IS REQUIRED TO RESPOND TO THE REQUEST FOR INFORMATION, THE STAFF OF THE LEGISLATIVE COUNCIL SHALL SET A REASONABLE TIME FOR PROVIDING THE INFORMATION.

(4) ON OR BEFORE DECEMBER 1, 2024, THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL SHALL PROVIDE A REPORT TO THE LEGISLATIVE COUNCIL ON THE IMPLEMENTATION OF THIS SECTION, INCLUDING INFORMATION ABOUT THE NUMBER OF GREENHOUSE GAS EMISSIONS REPORTS PREPARED, THE TYPES OF ANALYSIS AND INFORMATION THE REPORTS PROVIDED, AND ANY CHANGES OR DEVELOPMENTS IN THE POLICIES AND PROCEDURES FOR CREATING GREENHOUSE GAS EMISSIONS REPORTS OVER TIME.

(5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025.

SECTION 3. In Colorado Revised Statutes, 2-2-322, **add** (1.5) as follows:

2-2-322. Fiscal notes - repeal. (1.5) (a) COMMENCING WITH THE SECOND REGULAR SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY, THE FISCAL NOTE FOR A LEGISLATIVE MEASURE REQUIRED UNDER SUBSECTION (1) OF THIS SECTION MUST INDICATE IF A GREENHOUSE GAS EMISSIONS REPORT HAS BEEN PREPARED PURSUANT TO SECTION 2-3-322.3.

(b) THIS SUBSECTION (1.5) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025.".

Renumber succeeding sections accordingly.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1176 by Representative(s) Sirota and Jaquez Lewis, Benavidez, Singer; also Senator(s) Foote--Concerning the enactment of the "Health Care Cost Savings Act of 2019" that creates a task force to analyze health care financing systems in order to give the general assembly findings regarding the systems' costs of providing adequate health care to residents of the state, and, in connection therewith, making an appropriation.

Amendment No. 1(L.014), by Senator Foote.

Amend reengrossed bill, page 5, line 10, strike "EIGHT" and substitute "FOUR".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1298 by Representative(s) Melton; also Senator(s) Priola--Concerning the use of electric motor vehicle charging stations for parking a motor vehicle.

Amendment No. 1(L.004), by Senator Priola.

Amend reengrossed bill, page 3, strike line 14 and substitute:

"(1) (a) FOR THE PURPOSES OF THIS SECTION, "OFFICIAL SIGN" MEANS A SIGN IDENTIFYING A PARKING SPACE FOR ELECTRIC MOTOR VEHICLE CHARGING THAT CITES THIS SECTION OR THE EQUIVALENT LOCAL ORDINANCE AND THAT CLEARLY DISPLAYS THE PENALTIES FOR VIOLATING THIS SECTION OR THE EQUIVALENT LOCAL ORDINANCE.

(b) THE OWNER OF PUBLIC OR PRIVATE PROPERTY MAY INSTALL OFFICIAL".

As amended, ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, SB19-243, SB19-067, HB19-1167, HB19-1327, HB19-1330) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1124, HB19-1263 as amended, HB19-1159 as amended, HB19-1297, HB19-1275, HB19-1184, HB19-1188 as amended, HB19-1176 as amended, HB19-1298 as amended.
Laid over until later in the day Thursday, May 2: SB19-225, SB19-243, SB19-067, HB19-1167, HB19-1327, HB19-1330.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB19-1323, HB19-1229, HB19-1064, and HB19-1215, were made Special Orders--Consent Calendar at 3:18 p.m.

Senate in recess. Senate reconvened.

Committee of the Whole

The hour of 3:18 p.m. having arrived, Senator Bridges 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 Bridges 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:

HB19-1323 by Representative(s) Herod and Van Winkle; also Senator(s) Todd and Lundeen--Concerning an exemption from state sales tax for occasional sales by charitable organizations.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1229 by Representative(s) Roberts and Snyder; also Senator(s) Gardner and Lee--Concerning the "Colorado Electronic Preservation of Abandoned Estate Planning Documents Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1064 by Representative(s) Sullivan and Baisley; also Senator(s) Foote and Cooke--Concerning eliminating requirements that victims must opt in to effect their rights in criminal proceedings, and, in connection therewith, making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, page 1238 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1215 by Representative(s) Singer; also Senator(s) Crowder--Concerning legislative recommendations of the Colorado child support commission, and, in connection therewith, making an appropriation.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1323, HB19-1229, HB19-1064 as amended, HB19-1215.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB19-1009, HB19-1226, HB19-1276, HB19-1161, HB19-1107, HB19-1005, HB19-1313, HB19-1333, HB19-1329, and HB19-1212, were made Special Orders at 3:30 p.m.

Committee of the Whole

The hour of 3:30 p.m. having arrived, Senator Bridges moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1009 by Representative(s) Kennedy and Singer; also Senator(s) Priola and Pettersen--Concerning supports for persons recovering from substance use disorders, and, in connection therewith, expanding a program in the department of local affairs that provides vouchers for housing assistance to certain individuals, creating standards for recovery residences for purposes of referrals and title protection, creating the opioid crisis recovery funds advisory committee, creating the recovery residence certification grant program, and making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 30, pages 1237-1238 and placed in members' bill files.)

Amendment No. 2(J.003), by Senator Pettersen.

Amend reengrossed bill, page 11, strike lines 19 through 27 and substitute:

"**SECTION 5. Appropriation.** (1) For the 2019-20 state fiscal year, $1,000,000 is appropriated to the department of local affairs. This appropriation consists of $173,500 from the general fund and $826,500 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 as follows:

(a) $51,675 from the general fund for use by the division of housing for personal services, which amount is based on an assumption that the division will require an additional 0.9 FTE;

(b) $6,949 from the general fund for use by the division of housing for operating expenses;

(c) $938,756, consisting of $112,256 from the general fund and $826,500 from the marijuana tax cash fund, for use by the division of housing for low income rental subsidies; and

(d) $2,620 from the general fund for the purchase of information technology services.".

Page 12, strike lines 1 through 4.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1107 by Representative(s) Coleman, Herod, Exum, Benavidez, Lontine, Singer; also Senator(s) Fields and Priola--Concerning the creation of the employment support and job retention services program within the division of employment and training in the department of labor and employment, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1005 by Representative(s) Buckner and Wilson; also Senator(s) Todd and Priola--Concerning an income tax credit for certain early childhood educators.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1212 by Representative(s) Titone and Duran; also Senator(s) Fields and Todd--Concerning the recreation of the community association manager licensing program.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, pages 1287-1310 and placed in members' bill files.)

Amendment No. 2(L.030), by Senator Fields.

Amend the Finance Committee Report, dated May 1, 2019, page 18, line 9, strike "(3)" and substitute "(2)".

Page 18, strike lines 36 through 41.

Page 19, strike lines 1 through 7 and substitute:

"(2) THE STAKEHOLDER GROUP SHALL MEET AT LEAST FOUR TIMES DURING THE 2019 INTERIM AND SHALL KEEP MINUTES OF ITS MEETINGS AS WELL AS WRITTEN SUMMARIES OF ANY DISCUSSION OR OUTREACH, WHETHER IN THE COURSE OF A MEETING OR OTHERWISE, ON THE ISSUES LISTED IN SUBSECTION (1) OF THIS SECTION, INCLUDING FEEDBACK RECEIVED, RECOMMENDATIONS FROM STAKEHOLDERS, AND ANY ADMINISTRATIVE OR STATUTORY CHANGES THAT WOULD BE REQUIRED TO ACHIEVE THE STAKEHOLDER RECOMMENDATIONS. THESE MINUTES AND WRITTEN SUMMARIES MUST BE INCLUDED IN THE DIVISION'S".

Page 36, line 1, strike "(3)" and substitute "(2)".

Page 36, strike lines 28 through 40 and substitute:

"(2) THE STAKEHOLDER GROUP SHALL MEET AT LEAST FOUR TIMES DURING THE 2019 INTERIM AND SHALL KEEP MINUTES OF ITS MEETINGS AS WELL AS WRITTEN SUMMARIES OF ANY DISCUSSION OR OUTREACH, WHETHER IN THE COURSE OF A MEETING OR OTHERWISE, ON THE ISSUES LISTED IN SUBSECTION (1) OF THIS SECTION, INCLUDING FEEDBACK RECEIVED, RECOMMENDATIONS FROM STAKEHOLDERS, AND ANY ADMINISTRATIVE OR STATUTORY CHANGES THAT WOULD BE REQUIRED TO ACHIEVE THE STAKEHOLDER RECOMMENDATIONS. THESE MINUTES AND WRITTEN SUMMARIES MUST BE INCLUDED IN THE DIVISION'S".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB19-1329 by Representative(s) Arndt and McKean; also Senator(s) Sonnenberg--Concerning the sales and use tax treatment of certain wholesale sales related to the production of agricultural products.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Special Orders--Second Reading of Bills Calendar (HB19-1276, HB19-1161, HB19-1313, HB19-1333, HB19-1226) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1009 as amended, HB19-1107, HB19-1005, HB19-1212 as amended, HB19-1329.
Laid over until later in the day Thursday, May 2: HB19-1276, HB19-1161, HB19-1313, HB19-1333, HB19-1226

MESSAGE FROM THE HOUSE

May 2, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB19-1162, amended as printed in House Journal, May 1, 2019..

The House has voted to concur in the Senate amendments to HB19-1076, 1242, 1237, 1174, 1279, 1085, 1002, 1230, and has repassed the bills as so amended.

The House has passed on Third Reading and returns herewith SB19-235, 150, 073, 260, 215, 234, 261, 263, 249 .

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-233, 239, 262, 259, amended as printed in House Journal, May 1, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

May 2, 2019

We herewith transmit:

Without comment, as amended, HB19-1162.
Without comment, as amended, SB19-233, 239, 259, and 262.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 2, 2019, at 12:29 p.m.:
SB19-004 and 170.

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:

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Donovan was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.018), by Senator Winter.

Amend revised bill, page 2, strike line 11 and substitute "GENERATION."

Page 3, line 12, strike "AND".

Page 3, strike lines 13 through 23 and substitute "IF NOT MANAGED CORRECTLY. THE CLOSURE OF COAL-FIRED PLANTS NATIONWIDE IS ALSO LIKELY".

Page 3, line 26, after the period add "MANY OF THESE JOBS PROVIDE FAMILY-SUPPORTING WAGES AND BENEFITS. THE COMMUNITIES THAT HOST RETIRING POWER PLANTS MAY LOSE PRINCIPAL CONTRIBUTORS TO THEIR TAX BASE AND REVENUE FOR VITAL LOCAL GOVERNMENT SERVICES. THE ENACTMENT OF THIS PART 4 WILL HELP ALLEVIATE THESE IMPACTS.".

Page 3, line 27, strike "(IV)" and substitute "(III)".

Page 4, line 5, after "EXIST" insert "SUFFICIENT".

Page 4, line 13, after the semicolon add "AND".

Page 4, line 19, strike "TRANSITION; AND" and substitute "TRANSITION.".

Page 4, strike lines 20 through 26.

Page 6, strike lines 6 and 7 and substitute:

"(7) "JUST TRANSITION PLAN" MEANS THE PLAN, IN DRAFT OR FINAL FORM, PREPARED BY THE JUST TRANSITION ADVISORY COMMITTEE AS OUTLINED IN SECTION 8-83-403 (6) AND SUBMITTED BY THE DIRECTOR AS OUTLINED IN SECTION 8-83-403 (4).".

Page 6, line 11, after "COVERING" insert "ALL OR PART OF".

Page 7, line 3, strike "PRELIMINARY RECOMMENDATIONS" and substitute "RECOMMENDATIONS TO THE JUST TRANSITION ADVISORY COMMITTEE, AS PART OF ITS WORK OUTLINED IN SUBSECTION (6) OF THIS SECTION,".

Page 7, strike lines 5 through 16 and substitute:

"(b) PROVIDE ADMINISTRATIVE, LOGISTICAL, RESEARCH, AND POLICY SUPPORT TO THE JUST TRANSITION ADVISORY COMMITTEE'S WORK AS OUTLINED IN SUBSECTION (6) OF THIS SECTION; AND".

Reletter succeeding paragraph accordingly.

Page 7, lines 21 and 22, strike "FULLY FINANCING GRANTS, BENEFITS, AND THE ADMINISTRATION OF THIS PART 4" and substitute "FINANCING COMPONENTS OF THE JUST TRANSITION PLAN, THE ADMINISTRATION OF THIS PART 4,".

Page 7, after line 23 insert:

"(4) BASED ON THE DRAFT JUST TRANSITION PLAN RECOMMENDED

BY THE ADVISORY COMMITTEE PURSUANT TO SUBSECTION (6) OF THIS SECTION, AND WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS, ON OR BEFORE DECEMBER 31, 2020, THE DIRECTOR SHALL SUBMIT TO THE GOVERNOR AND THE GENERAL ASSEMBLY A FINAL JUST TRANSITION PLAN FOR COLORADO. THIS FINAL PLAN MUST INCLUDE, AT A MINIMUM:

(a) BENEFITS, GRANTS, AND OTHER COMPONENTS THAT THE OFFICE, THE DEPARTMENT, OR THE DEPARTMENT OF LOCAL AFFAIRS SHALL COORDINATE AND IMPLEMENT UNDER EXISTING AUTHORITY;

(b) BENEFITS, GRANTS, AND OTHER COMPONENTS THAT REQUIRE ADDITIONAL LEGISLATIVE AUTHORITY TO IMPLEMENT;

(c) SOURCES OF FUNDING THAT MAY BE ACCESSED FROM FEDERAL, STATE, LOCAL, AND OTHER SOURCES WITHOUT ADDITIONAL LEGISLATIVE AUTHORITY OR APPROVAL; AND

(d) SOURCES OF FUNDING THAT REQUIRE LEGISLATIVE OR VOTER APPROVAL.".

Renumber succeeding subsections accordingly.

Page 8, strike lines 2 through 5 and substitute "ADVISORY COMMITTEE TO DEVELOP AND RECOMMEND A JUST TRANSITION PLAN FOR THE STATE OF COLORADO.

(b) ON OR BEFORE JULY 1, 2020, THE ADVISORY COMMITTEE SHALL PRESENT A DRAFT JUST TRANSITION PLAN TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS.

(c) IN DEVELOPING THE DRAFT JUST TRANSITION PLAN, THE ADVISORY COMMITTEE SHALL CONSIDER OPTIONS TO:

(I) ALIGN AND TARGET LOCAL, STATE, AND FEDERAL RESOURCES AND LEVERAGE ADDITIONAL RESOURCES TO INVEST IN COMMUNITIES AND WORKERS WHOSE COAL-RELATED INDUSTRIES ARE SUBJECT TO SIGNIFICANT ECONOMIC TRANSITION;

(II) ALIGN AND TARGET EXISTING LOCAL, STATE, AND FEDERAL PROGRAMMING AND ESTABLISH ADDITIONAL PROGRAMMING TO SUPPORT COMMUNITIES AND WORKERS WHOSE COAL-RELATED INDUSTRIES ARE SUBJECT TO SIGNIFICANT ECONOMIC TRANSITION;

(III) ESTABLISH BENEFITS FOR COAL TRANSITION WORKERS, INCLUDING CONSIDERATION OF:

(A) BENEFITS SIMILAR IN TYPE, AMOUNT, AND DURATION TO FEDERAL BENEFITS AVAILABLE PURSUANT TO 20 CFR 617.20 TO 617.49; AND

(B) WAGE DIFFERENTIAL BENEFITS FOR AFFECTED WORKERS, INCLUDING CONSIDERATION OF ELIGIBILITY AND THE DURATION OF THE BENEFITS;

(IV) EDUCATE DISLOCATED WORKERS, IN COLLABORATION WITH EMPLOYERS OF DISLOCATED WORKERS AND RELEVANT LABOR UNIONS, REGARDING HOW TO APPLY FOR JUST TRANSITION BENEFITS; AND

(V) ESTABLISH AND STRUCTURE A GRANT PROGRAM AND OTHER POTENTIAL PROGRAMMATIC SUPPORT FOR COAL TRANSITION COMMUNITIES AND ORGANIZATIONS THAT SUPPORT COAL TRANSITION COMMUNITIES, INCLUDING ELIGIBLE ENTITIES.

(d) IN DEVELOPING THE DRAFT JUST TRANSITION PLAN, THE ADVISORY COMMITTEE SHALL IDENTIFY AND CONSIDER:

(I) THE PROJECTED SHORT-TERM AND LONG-TERM COSTS AND BENEFITS TO THE STATE OF EACH PLAN COMPONENT, INCLUDING WORKER BENEFITS, GRANT PROGRAMS, AND OTHER SUPPORTS;

(II) POTENTIAL SOURCES FOR SUSTAINABLE SHORT-TERM AND LONG-TERM FUNDING FOR A JUST TRANSITION PLAN AND ITS COMPONENTS;

(III) THE POTENTIAL FISCAL, ECONOMIC, WORKFORCE, AND OTHER IMPLICATIONS OF EXTENDING COMPONENTS OF THE JUST TRANSITION PLAN TO OTHER SECTORS AND INDUSTRIES AFFECTED BY SIMILAR ECONOMIC DISRUPTIONS; AND

(IV) WHICH COMPONENTS OF THE JUST TRANSITION PLAN CAN BE IMPLEMENTED BY THE DEPARTMENTS UNDER EXISTING AUTHORITY AND WHICH REQUIRE ADDITIONAL LEGISLATION.

(e) THE ADVISORY COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:".

Reletter succeeding paragraphs accordingly.

Page 8, strike lines 21 through 23 and substitute:

"(B) THREE REPRESENTATIVES FROM COAL TRANSITION COMMUNITIES;

(C) TWO REPRESENTATIVES WITH PROFESSIONAL ECONOMIC DEVELOPMENT OR WORKFORCE RETRAINING EXPERIENCE;".

Page 9, line 4, strike "(5)(a)(II)" and substitute "(6)(e)(II)".

Page 9, line 5, strike "(5)(a)(III)" and substitute "(6)(e)(III)".

Page 9, line 12, strike "(5)(b)" and substitute "(6)(f)".

Page 9, after line 19 insert:

"(h) THE ADVISORY COMMITTEE MAY ENGAGE ADDITIONAL NONVOTING MEMBERS OR ADVISORS TO PROVIDE ADDITIONAL EXPERTISE AS NEEDED.".

Reletter succeeding paragraph accordingly.

Page 9, line 20, strike "(5)" and substitute "(6)".

Page 9, line 21, strike "(5)" and substitute "(6)".

Page 9, line 27, strike everything after the period.

Page 10, strike line 1.

Page 10, line 2, strike "FUND.".

Page 10, strike lines 12 through 27.

Strike pages 11 and 12.

Page 13, strike lines 1 through 15 and substitute:

"(3) EACH CONSTRUCTION PROJECT FINANCED THROUGH THE FUND MUST COMPLY WITH SECTIONS 24-92-115 AND 24-92-201.".

Renumber succeeding C.R.S. sections accordingly.

Page 13, lines 17 and 18, strike "NO LESS THAN NINETY DAYS BEFORE THE ACCELERATED" and substitute "WITHIN THIRTY DAYS AFTER THE APPROVAL TO ACCELERATE RETIREMENT OF A GENERATING UNIT BY THE UTILITY'S GOVERNING BODY AND IN NO CASE LESS THAN SIX MONTHS BEFORE THE".

Page 15, line 11, strike everything after the period.

Page 15, strike lines 12 through 15.

Page 15, line 24, strike "(5)." and substitute "(6).".

The amendment was **passed** on the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Bridges, Fenberg, Gonzales, Rodriguez, and Story.

HB19-1292 by Representative(s) Singer and Galindo; also Senator(s) Ginal--Concerning the reauthorization of the Colorado resiliency office, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Foote, Moreno, Story, Todd, Winter, and Zenzinger.

HB19-1277 by Representative(s) Esgar and Cutter; also Senator(s) Todd and Winter--Concerning the creation of the computer science grant 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Danielson, Fields, Moreno, Pettersen, and Priola.

HB19-1187 by Representative(s) Coleman; also Senator(s) Bridges--Concerning increasing completion rates of applications for student financial aid for 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	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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, Ginal, Moreno, Pettersen, Todd, and Winter.

HB19-1231 by Representative(s) Froelich and Kipp, Benavidez, Jaquez Lewis, Melton, Mullica, Titone, Valdez A.; also Senator(s) Lee and Priola--Concerning efficiency standards for equipment sold in Colorado, and, in connection therewith, requiring certain appliances, plumbing fixtures, and other products sold for residential or commercial use to meet energy efficiency and water efficiency standards.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Ginal, Story, and Winter.

HB19-1289 by Representative(s) Weissman; also Senator(s) Foote and Gonzales--Concerning the creation of additional protections in the Colorado consumer code, and, in connection therewith, enabling enforcement of the "Colorado Consumer Protection Act" for reckless acts.

A majority of those elected to the Senate having voted in the affirmative, Senator Foote was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.032), by Senator Foote.

Amend revised bill, page 5, lines 21 and 22, strike "LACKING FACTUAL SUPPORT OR LEGAL BASIS,".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges and Winter.

HB19-1210 by Representative(s) Melton and Galindo, Arndt, Benavidez, Buckner, Buentello, Caraveo, Coleman, Duran, Exum, Gonzales-Gutierrez, Herod, Jackson, Kennedy, McLachlan, Michaelson Jenet, Mullica, Singer, Sirota, Sullivan, Weissman; also Senator(s) Danielson and Moreno, Court, Fields, Foote, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, Todd, Zenzinger--Concerning the repeal of the prohibitions on a local government establishing minimum wage laws within its jurisdiction.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1192 by Representative(s) Gonzales-Gutierrez and Buentello, Benavidez, Buckner, Caraveo, Coleman, Duran, Galindo, Herod, Jackson, Jaquez Lewis, Kennedy, Lontine, Melton, Mullica, Singer, Sirota, Titone, Valdez A., Valdez D., Weissman; also Senator(s) Gonzales, Garcia, Moreno, Rodriguez--Concerning the inclusion of matters relating to American minorities in the teaching of social contributions in civil government in public schools, and, in connection therewith, establishing the history, culture, social contributions, and civil government in education commission to make recommendations to include the history, culture, and social contributions of American Indians, Latinos, African Americans, and Asian Americans, the lesbian, gay, bisexual, and transgender individuals within these minority groups, the contributions and persecution of religious minorities, and the intersectionality of significant social and cultural features within these communities, in the teaching and content standards for history and civics, and 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Lee, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1120 by Representative(s) Michaelson Jenet and Roberts; also Senator(s) Fenberg and Coram--Concerning multiple approaches to prevent youth suicide, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Majority Leader Fenberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.032), by Senator Fenberg.

Amend revised bill, page 11, line 16, strike "PSYCHOTROPIC".

Page 11, strike lines 17 and 18.

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Senator Coram requested his name be removed as joint prime sponsor on HB19-1120.

Co-sponsor(s) added: Court, Danielson, Donovan, Fields, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1168 by Representative(s) McCluskie and Rich, Buckner, Esgar, Kennedy, McLachlan, Roberts, Soper; also Senator(s) Donovan and Rankin--Concerning the creation of the Colorado reinsurance program to provide reinsurance payments to health insurers to aid in paying high-cost insurance claims, and, in connection therewith, authorizing the commissioner of insurance to seek approval from the federal government to waive applicable federal requirements, request federal funds, or both, to enable the state to implement the program, making the program contingent upon waiver or funding approval, and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Rankin was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.022), by Senator Donovan.

Amend revised bill, page 21, line 4, strike "**penalties.**" and substitute "**penalties - repeal.**".

Page 21, line 19, after "funds;" add "AND".

Page 21, line 20, after "(III)" insert "(A)", and strike "FISCAL YEAR," and substitute "AND 2021-22 FISCAL YEARS,".

Page 21, line 21, after "10-16-1107," insert "AN AMOUNT EQUAL TO".

Page 21, line 24, strike "YEAR;" and substitute "YEAR.".

Page 21, strike lines 25 through 27.

Page 22, strike lines 1 through 3 and substitute:

"(B) THIS SUBSECTION (4)(a)(III) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Bridges, Coram, Crowder, Fenberg, Fields, Garcia, Ginal, Gonzales, Pettersen, Rodriguez, Story, Todd, and Winter.

HB19-1245 by Representative(s) Weissman; also Senator(s) Gonzales and Foote--Concerning an increase in affordable housing funding from increased state sales tax revenue that results from a modification to the state sales tax vendor fee, and, in connection therewith, enacting the "Affordable Housing Act of 2019" and 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Ginal, Lee, Moreno, Pettersen, Story, and Winter.

HB19-1318 by Representative(s) Weissman, Kennedy; also Senator(s) Bridges and Foote--Concerning increased transparency of money in elections consistent with the first amendment to the United States constitution, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Danielson, Donovan, Fenberg, Garcia, Ginal, Moreno, Pettersen, and Winter.

HB19-1264 by Representative(s) Roberts and Wilson, Buentello; also Senator(s) Winter and Donovan--Concerning programmatic efficiency of the conservation easement tax credit program, and, in connection therewith, increasing the transparency of the program and 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Danielson, Fenberg, Fields, Garcia, Hill, Moreno, Pettersen, Sonnenberg, Story, and Williams A.

SB19-250 by Senator(s) Garcia and Scott; also Representative(s) Esgar and Rich--Concerning ratepayer protections regarding electric utilities' ability to establish a graduated scale of charges.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Fields, Gardner, Holbert, Marble, Rankin, Sonnenberg, and Tate.

HB19-1309 by Representative(s) Hooton and McCluskie; also Senator(s) Fenberg and Lee--Concerning the regulation of mobile home parks, and, in connection therewith, granting counties the power to enact ordinances for mobile home parks, extending the time to move or sell a mobile home after eviction proceedings, creating the "Mobile Home Park Act Dispute Resolution and Enforcement Program", and 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Ginal, Gonzales, Moreno, Story, and Todd.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 2, 2019

Mr. President:

The House has adopted and returns herewith SJR19-009.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB19-1162 by Representative(s) Pelton and Valdez D., Bockenfeld; also Senator(s) Sonnenberg--Concerning the extension of the state sales and use tax exemption for farm equipment to ear tags and ear tag scanners used by a farm operation to identify or track food animals.
Appropriations

HB19-1334 by Representative(s) Saine; also Senator(s) Marble--Concerning a prohibition on disseminating an image of a suicide of a minor.
State, Veterans, & Military Affairs

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations After consideration on the merits, the Committee recommends that **HB19-1162** 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 **HB19-1334** 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 2, 2019

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-005, amended as printed in House Journal, May 1, 2019, and amended on Third Reading as printed in House Journal, May 2, 2019.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-177, amended as printed in House Journal, May 1, 2019, and amended on Third Reading as printed in House Journal, May 2, 2019.

MESSAGE FROM THE REVISOR OF STATUTES

May 2, 2019

We herewith transmit:

Without comment, as amended, SB19-005 and 177.

On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB19-1334 and HB19-1162, were made Special Orders--Consent Calendar at 7:58 p.m.

Committee of the Whole

The hour of 7:58 p.m. having arrived, Senator Bridges 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 Bridges 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:

HB19-1334 by Representative(s) Saine; also Senator(s) Marble--Concerning a prohibition on disseminating an image of a suicide of a minor.

Ordered revised and placed on the calendar for third reading and final passage.

HB19-1162 by Representative(s) Pelton and Valdez D., Bockenfeld; also Senator(s) Sonnenberg--Concerning the extension of the state sales and use tax exemption for farm equipment to ear tags and ear tag scanners used by a farm operation to identify or track food animals.

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 Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1162, HB19-1334.

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:

HB19-1333 by Representative(s) Caraveo, Becker, Bird, Buckner, Coleman, Cutter, Duran, Gonzales-Gutierrez, Jaquez Lewis, Kennedy, Lontine, McCluskie, Michaelson Jenet, Mullica, Roberts, Singer; also Senator(s) Fields--Concerning the taxation of products that contain nicotine, and, in connection therewith, increasing the cigarette tax by eight and seventy-five one-hundredths cents per cigarette and the tobacco products tax by twenty-two percent of the manufacturer's list price; creating a tax on nicotine products that is equal to sixty-two percent of the manufacturer's list price; referring a ballot issue for prior voter approval for the new and increased taxes; dedicating the new tax revenue for behavioral health services for children and youth, health care affordability and accessibility, the Colorado preschool program expansion and enhancement, and the newly created Colorado expanded learning opportunities program; and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1287 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, pages 1314-1346 and placed in members' bill files.)

As amended, lost on second reading.

On motion of Majority Leader Fenberg, 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 (HB19-1276, HB19-1161, HB19-1313, HB19-1226) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Lost on second reading: HB19-1333 as amended.
Laid over until later in the day Thursday, May 2: HB19-1276, HB19-1161, HB19-1313, HB19-1226.

Committee of the Whole

On motion of Senator Bridges, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Bridges 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:

HB19-1327 by Representative(s) Garnett and Neville, Roberts, Van Winkle; also Senator(s) Donovan and Cooke, Priola--Concerning sports betting, and, in connection therewith, submitting to the registered electors of the state of Colorado a ballot measure authorizing the collection of a tax on the net proceeds of sports betting through licensed casinos, directing the revenues generated through collection of the sports betting tax to specified public purposes, including the state water plan through creation of the water plan implementation cash fund, and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate journal, April 29, page 1178, was **lost**.)

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Majority Leader Fenberg, 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 (SB19-225, SB19-243, SB19-067, HB19-1167, HB19-1330) of Thursday, May 2, was laid over until later in the day, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Bridges, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB19-1327.
Laid over until later in the day Thursday, May 2: SB19-225, SB19-243, SB19-067, HB19-1167, HB19-1330.

CONSIDERATION OF RESOLUTIONS

SJR19-010 by Senator(s) Garcia and Holbert, Fenberg, Court, Gonzales, Lee, Moreno, Pettersen, Rodriguez, Story, Todd, Williams A.; also Representative(s) Becker and Neville, Garnett--Concerning changes to the joint rules of the senate and house of representatives to implement changes in workplace policies.

Amendment No. 1(L.001), by Senator Winter.

Amend printed resolution, page 3, after line 25 insert:

"(B) THAT, EXCEPT AS NECESSARY TO COMPLETE AN INVESTIGATION AND PROVIDE ANY ACCOMMODATIONS, THE IDENTITY OF A COMPLAINANT MUST NOT BE DISCLOSED TO ANYONE, INCLUDING MEMBERS OF A WORKPLACE HARASSMENT COMMITTEE AND LEADERSHIP;".

Reletter succeeding paragraphs accordingly.

Page 5, after line 11 insert:

"(B) THAT, EXCEPT AS NECESSARY TO COMPLETE THE INFORMAL COMPLAINT RESOLUTION PROCESS AND PROVIDE ANY ACCOMMODATIONS, THE IDENTITY OF A COMPLAINANT MUST NOT BE DISCLOSED TO ANYONE, INCLUDING MEMBERS OF A WORKPLACE HARASSMENT COMMITTEE AND LEADERSHIP;".

Reletter succeeding subparagraphs accordingly.

The amendment was **passed** on the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

On motion of Senator Holbert, the resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Danielson, Fields, Foote, Ginal, Priola, Winter, and Zenzinger.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-172 by Senator(s) Danielson and Ginal; also Representative(s) Singer--Concerning crimes related to an at-risk person, and, in connection therewith, creating the crimes of unlawful abandonment and unlawful confinement and making an appropriation.

Senator Danielson moved that the Senate concur in House amendments to SB19-172, as printed in House journal, April 25, page 1537. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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 Sonnenberg.

SB19-015 by Senator(s) Ginal; also Representative(s) Beckman and Kipp--Concerning the creation of the statewide health care review committee to study health care issues that affect Colorado residents throughout the state, and, in connection therewith, making an appropriation.

Senator Ginal moved that the Senate concur in House amendments to SB19-015, as printed in House journal, April 29, page 1686, and April 30, page 1735. The motion was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-176 by Senator(s) Lundeen and Bridges; also Representative(s) McCluskie and Geitner--Concerning measures to expand opportunities for students to earn postsecondary course credit while enrolled in high school, and, in connection therewith, making an appropriation.

Senator Lundeen moved that the Senate concur in House amendments to SB19-176, as printed in House journal, April 23, pages 1421-1422, and May 1, page 1770. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-191 by Senator(s) Bridges and Marble; also Representative(s) Herod and Gonzales-Gutierrez--Concerning defendants' rights related to pretrial bond.

Senator Bridges moved that the Senate concur in House amendments to SB19-191, as printed in House journal, May 1, pages 1770-1771, and May 2, pages 1823-1824. The motion was **adopted** by the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	N	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Moreno.

SB19-228 by Senator(s) Winter and Moreno; also Representative(s) Buentello and Singer--Concerning measures to prevent substance abuse, and, in connection therewith, requiring certain prescribers to complete substance use disorder training; prohibiting prescribers from accepting benefits for prescribing specific medications; requiring opioid prescriptions to bear warning labels; allowing medical examiners and coroners access to the prescription drug monitoring program; authorizing the department of human services to conduct substance use research; providing funding to address opioid and substance use disorders through public health interventions in local communities; requiring state departments to report receipt and eligibility for federal funds for HIV and hepatitis testing; requiring the center for research into substance use disorder prevention, treatment, and recovery support strategies to develop and implement a program to increase public awareness concerning the safe use, storage, and disposal of antagonist drugs; and making an appropriation.

Senator Moreno moved that the Senate concur in House amendments to SB19-228, as printed in House journal, May 1, pages 1771-1773; 1777-1779, and May 2, pages 1820-1822. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-239 by Senator(s) Winter and Bridges; also Representative(s) Gray and Hansen--Concerning means of addressing the impacts of technological and business model changes related to commercial vehicles, and, in connection therewith, requiring the department of transportation to convene and consult with a stakeholder group to examine impacts of new transportation technologies and business models, identify means of addressing impacts, and report findings and make recommendations to the general assembly.

Senator Bridges moved that the Senate concur in House amendments to SB19-239, as printed in House journal, April 29, page 1685, and May 1, page 1792. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Moreno and Priola.

SB19-177 by Senator(s) Ginal and Hisey; also Representative(s) Singer--Concerning matters related to background checks for persons who have contact with children.

Senator Ginal moved that the Senate concur in House amendments to SB19-177, as printed in House journal, May 2, pages 1817-1818. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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: Rankin and Smallwood.

SB19-233 by Senator(s) Lee; also Representative(s) Snyder and Gray--Concerning combined reporting by a corporation for Colorado state income tax purposes.

Senator Lee moved that the Senate concur in House amendments to SB19-233, as printed in House journal, May 1, page 1791. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-262 by Senator(s) Rankin and Zenzinger, Moreno; also Representative(s) Esgar and Ransom, Hansen--Concerning a one-time transfer of one hundred million dollars from the general fund to the highway users tax fund.

Senator Zenzinger moved that the Senate concur in House amendments to SB19-262, as printed in House journal, May 1, page 1789.

On a substitute motion, Senator Coram moved that the Senate Adhere to its position on SB19-262. The motion was **lost** by the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Bridges	N	Foote	N	Marble	Y	Story	N
Cooke	Y	Gardner	Y	Moreno	N	Tate	Y
Coram	Y	Ginal	N	Pettersen	N	Todd	N
Court	N	Gonzales	N	Priola	Y	Williams A.	N
Crowder	Y	Hill	Y	Rankin	N	Winter	N
Danielson	N	Hisey	Y	Rodriguez	N	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	N
Fenberg	N	Lee	N	Smallwood	Y	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

The motion that the Senate concur in House amendments was **adopted** by the following roll call vote:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-005 by Senator(s) Rodriguez and Ginal; also Representative(s) Jaquez Lewis--Concerning wholesale importation of prescription pharmaceutical products from Canada for resale to Colorado residents, and, in connection therewith, making an appropriation.

Senator Ginal moved that the Senate concur in House amendments to SB19-005, as printed in House journal, April 24, pages 1477-1484, May 1, pages 1768-1769, and May 2, pages 1873-1875. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-259 by Senator(s) Garcia and Hisey; also Representative(s) Herod and Wilson--Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.

Laid over until Friday, May 3, retaining its place on the calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (Members of the Colorado Lottery Commission, a Member of the Colorado Racing Commission, and Members of the State Board for the Great Outdoors Colorado Trust Fund) of Thursday, May 2, was laid over until Friday, May 3, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB19-1253 by Representative(s) Landgraf and Buckner; also Senator(s) Hisey and Gonzales--Concerning a prohibition on discrimination against a living organ donor in certain insurance policies.

Senator Gonzales moved for the adoption of the first report of the first conference committee on HB19-1253, as printed in Senate journal, May 1, page 1284. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

HB19-1160 by Representative(s) Landgraf and Singer, Pelton, Bockenfeld, Larson, Wilson, McKean, Catlin, Gonzales-Gutierrez, Mullica; also Senator(s) Lee and Gardner--Concerning a mental health facility pilot program, and, in connection therewith, making an appropriation.

Senator Lee moved for the adoption of the first report of the first conference committee on HB19-1160, as printed in Senate journal, May 1, pages 1284-1285. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Rankin, and Smallwood.

RECONSIDERATION OF HB19-1314

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB19-1314.

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:

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

RECONSIDERATION OF HB19-1314

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Coram moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB19-1314.

With unanimous consent 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:

HB19-1314 by Representative(s) Becker and Galindo; also Senator(s) Winter and Donovan--Concerning a just transition from a coal-based electrical energy economy, and, in connection therewith, making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Danielson, Ginal, Pettersen, Todd, and Zenzinger.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Friday, May 3, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second General Assembly
STATE OF COLORADO
First Regular Session

120th Legislative Day Friday, May 3, 2019

Prayer By Senator Hill.

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 Williams.

Reading of the Journal On motion of Senator Gonzales, reading of the Journal of Thursday, May 2, 2019, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SJR19-010.
Correctly Reengrossed: SB19-250.
Correctly Revised: HB19-1005, 1009, 1017, 1032, 1045, 1064, 1073, 1107, 1110, 1124, 1142, 1159, 1162, 1167, 1176, 1184, 1188, 1212, 1215, 1223, 1229, 1236, 1263, 1275, 1287, 1297, 1298, 1310, 1320, 1322, 1323, 1324, 1327, 1328, 1329, 1331, 1332, 1334, and 1335.
Correctly Rerevised: HB19-1120, 1168, 1187, 1192, 1210, 1231, 1245, 1264, 1277, 1289, 1292, 1309, 1314, and 1318.
Correctly Enrolled: SB19-002, 007, 008, 013, 020, 040, 077, 090, 104, 108, 149, 156, 157, 168, 169, 175, 180, 186, 188, 193, 195, 199, 204, 224, 232, 238, 240, 244, 245, 248, 254, 256, and 258.

On motion of Majority Leader Fenberg, 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

SJR19-011 by Senator(s) Fenberg, Garcia, Holbert; also Representative(s) Garnett, Becker, Neville--Concerning the appointment of a joint committee to notify the governor that the first regular session of the seventy-second general assembly is about to adjourn sine die.

On motion of Majority Leader Fenberg, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

Co-sponsor(s) added: Bridges, Cooke, Coram, Court, Crowder, Danielson, Donovan, Fields, Foote, Gardner, Ginal, Gonzales, Hill, Hisey, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

Pursuant to the resolution, Senators Gonzales and Hill were appointed as members of the Committee to Notify the Governor.

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:

HB19-1142 by Representative(s) Ransom and Singer; also Senator(s) Moreno and Smallwood--Concerning creating an option for parents who seek to voluntarily delegate certain parental responsibilities to a safe family for a limited period of time without relinquishing legal custody of their child, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Hill, Lee, Priola, and Tate.

HB19-1287 by Representative(s) Esgar and Wilson; also Senator(s) Pettersen and Priola--Concerning methods to increase access to treatment for behavioral health disorders, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Fields, Ginal, Gonzales, Lee, Moreno, Story, Todd, and Winter.

HB19-1331 by Representative(s) Hansen and Ransom, Esgar; also Senator(s) Rankin, Moreno, Zenzinger--Concerning removing the limit on the departments with which the evidence-based practices implementation for capacity resource center can collaborate.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1332 by Representative(s) Hansen, Esgar, Ransom; also Senator(s) Zenzinger, Moreno, Rankin--Concerning the use of money in the Colorado telephone users with disabilities fund to provide talking book library services for certain persons with disabilities, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Smallwood and Todd.

HB19-1335 by Representative(s) Gonzales-Gutierrez and Bockenfeld; also Senator(s) Lee and Cooke--Concerning expungement of juvenile records, and, in connection therewith, making clarifying changes to the expungement process and procedure and clarifying that juvenile record expungement applies to municipal courts.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Fenberg, Foote, Garcia, Ginal, Gonzales, Moreno, Pettersen, Priola, Story, Todd, and Williams A.

HB19-1323 by Representative(s) Herod and Van Winkle; also Senator(s) Todd and Lundeen--Concerning an exemption from state sales tax for occasional sales by charitable organizations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Coram, Gardner, Ginal, Hisey, Moreno, Pettersen, Priola, Smallwood, Sonnenberg, Story, Tate, Winter, Woodward, and Zenzinger.

HB19-1229 by Representative(s) Roberts and Snyder; also Senator(s) Gardner and Lee--Concerning the "Colorado Electronic Preservation of Abandoned Estate Planning Documents Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola and Tate.

HB19-1064 by Representative(s) Sullivan and Baisley; also Senator(s) Foote and Cooke--Concerning eliminating requirements that victims must opt in to effect their rights in criminal proceedings, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Crowder, Gardner, Ginal, Lee, Moreno, Pettersen, Priola, Smallwood, Sonnenberg, Story, Tate, Todd, and Zenzinger.

HB19-1215 by Representative(s) Singer; also Senator(s) Crowder--Concerning legislative recommendations of the Colorado child support 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	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola, Rankin, Smallwood, Tate, and Todd.

HB19-1334 by Representative(s) Saine; also Senator(s) Marble--Concerning a prohibition on disseminating an image of a suicide of a minor.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	N	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Foote, Gardner, Priola, Smallwood, and Tate.

HB19-1162 by Representative(s) Pelton and Valdez D., Bockenfeld; also Senator(s) Sonnenberg and Garcia--Concerning the extension of the state sales and use tax exemption for farm equipment to ear tags and ear tag scanners used by a farm operation to identify or track food animals.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Coram, Crowder, Danielson, Donovan, Gardner, Ginal, Hisey, Lundeen, Priola, Rankin, Smallwood, Tate, Todd, Williams A., Winter, and Woodward.

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:

HB19-1045 by Representative(s) Snyder and Soper; also Senator(s) Ginal--Concerning funding for carrying out duties related to the office of public guardianship, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Danielson, and Moreno.

HB19-1223 by Representative(s) Michaelson Jenet and Larson, Landgraf; also Senator(s) Winter--Concerning application assistance for persons seeking federal disability benefits, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Fields, Ginal, Gonzales, Moreno, Pettersen, Priola, Rankin, Story, and Todd.

HB19-1320 by Representative(s) Kennedy and Lontine; also Senator(s) Winter--Concerning requiring certain health care providers to be accountable to their communities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg.

HB19-1324 by Representative(s) Cutter and Bird; also Senator(s) Foote--Concerning motions to dismiss certain civil actions involving constitutional 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales, Lee, and Tate.

HB19-1322 by Representative(s) Roberts and Will; also Senator(s) Moreno and Coram--Concerning the use of money from certain state funds to expand the supply of affordable housing statewide.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Danielson, Donovan, Fenberg, Foote, Garcia, Ginal, Gonzales, Lee, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1110 by Representative(s) Cutter; also Senator(s) Pettersen--Concerning implementing media literacy in elementary and secondary 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	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	Y	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Ginal, Gonzales, Williams A., and Winter.

HB19-1328 by Representative(s) Herod; also Senator(s) Rodriguez--Concerning bed bugs in residential premises, and, in connection therewith, establishing duties for landlords and tenants in addressing the presence of bed bugs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Garcia, Gonzales, Moreno, Story, Tate, Todd, Williams A., and Winter.

HB19-1017 by Representative(s) Michaelson Jenet; also Senator(s) Fields--Concerning increasing access to school social workers in public elementary schools, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Danielson, Fenberg, Garcia, Ginal, Gonzales, Moreno, Pettersen, Priola, Story, Todd, Williams A., Winter, and Zenzinger.

HB19-1236 by Representative(s) Gray and Sullivan, Buckner, Galindo, Van Winkle; also Senator(s) Todd--Concerning the creation of a workforce diploma pilot 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	33	NO	2	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Court, Crowder, Danielson, Fenberg, Fields, Garcia, Ginal, Gonzales, Hill, Lee, Lundeen, Moreno, Pettersen, Rodriguez, Story, Tate, Williams A., Winter, Woodward, and Zenzinger.

HB19-1073 by Representative(s) Benavidez; also Senator(s) Fields--Concerning the creation of the law enforcement, public safety, and criminal justice information sharing grant 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	25	NO	10	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	Y	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Ginal.

HB19-1310 by Representative(s) Melton and Gonzales-Gutierrez; also Senator(s) Lee--Concerning interest on orders of restitution, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gonzales.

HB19-1032 by Representative(s) Lontine and Caraveo; also Senator(s) Todd and Coram--Concerning comprehensive human sexuality education, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Todd was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.129), by Senator Todd.

> Amend revised bill, page 3, line 2, strike "(6)(g), (7), (9)," and substitute "(7),".
>
> Page 6, line 19, strike "PUBLIC SCHOOL" and substitute "SCHOOL DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Bridges, Court, Danielson, Fenberg, Fields, Ginal, Gonzales, Lee, Pettersen, Rodriguez, Story, and Winter.

HB19-1124 by Representative(s) Benavidez and Lontine, Buckner, Caraveo, Coleman, Duran, Galindo, Gonzales-Gutierrez, Hooton, Melton; also Senator(s) Foote and Gonzales--Concerning clarification of the authority of criminal justice officials with respect to the enforcement of certain federal civil laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg.

HB19-1159 by Representative(s) Jaquez Lewis and Gray; also Senator(s) Danielson--Concerning modifications to the income tax credits for innovative motor vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	*	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

* Abstaining from voting under Senate Rule 17(c) -- Senator Priola.

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB19-1297 by Representative(s) Weissman and McKean; also Senator(s) Lee--Concerning data collection from jail facilities operated by political subdivisions of the state, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno.

HB19-1275 by Representative(s) Weissman and Soper; also Senator(s) Lee--Concerning increased eligibility for the sealing of criminal justice records by individuals who are not under supervision, 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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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, Foote, Gonzales, Moreno, and Pettersen.

HB19-1184 by Representative(s) Herod and Caraveo; also Senator(s) Williams A.--Concerning a requirement that staff of the legislative council prepare demographic notes on certain legislative bills, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

HB19-1188 by Representative(s) Sirota and Snyder; also Senator(s) Foote--Concerning the inclusion of the net impact on greenhouse gas pollution in the fiscal notes prepared for legislative measures, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Pettersen and Story.

HB19-1176 by Representative(s) Sirota and Jaquez Lewis, Benavidez, Singer; also Senator(s) Foote--Concerning the enactment of the "Health Care Cost Savings Act of 2019" that creates a task force to analyze health care financing systems in order to give the general assembly findings regarding the systems' costs of providing adequate health care to residents of the state, and, in connection therewith, making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Foote was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.022), by Senator Foote.

Amend revised bill, page 3, strike lines 24 through 27.

Renumber succeeding subsections accordingly.

Page 4, strike lines 19 through 22.

Renumber succeeding subsection accordingly.

Page 8, line 6, strike "DESCRIBE" and substitute "DEFINE, DESCRIBE,"

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Fenberg, Fields, Ginal, Gonzales, Priola, Story, Tate, Todd, and Zenzinger.

HB19-1263 by Representative(s) Herod and Sandridge; also Senator(s) Marble and Lee--Concerning changing the penalty for certain violations pursuant to the "Uniform Controlled Substances Act of 2013", and, in connection therewith, making and reducing an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Lee was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.027), by Senator Lee.

Amend revised bill, page 9, line 19, after "IS" insert "THE".

Page 10, line 6, strike "AND" and substitute "OR".

Page 10, line 23, strike "AND" and substitute "OR".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of those elected to the Senate having voted in the affirmative, Senator Marble was given permission to offer a third reading amendment.

Third Reading Amendment No. 2(L.028), by Senator Marble.

Amend revised bill, page 14, strike lines 20 through 25 and substitute:

"**SECTION 11. Act subject to petition - effective date - applicability.** (1) Except as provided in subsection (2) of this section,

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 2, 2019, if adjournment sine die is on May 3, 2019); 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 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Sections 1 to 8 of this act take effect March 1, 2020, and apply to offenses committed on or after said date.".

The amendment was **passed** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	N	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	N	Foote	Y	Marble	Y	Story	N
Cooke	N	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	N	Winter	N
Danielson	N	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	Y	Scott	N	Zenzinger	N
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	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: Fenberg, Fields, Foote, Gonzales, Moreno, Pettersen, Priola, and Rodriguez.

HB19-1298 by Representative(s) Melton; also Senator(s) Priola--Concerning the use of electric motor vehicle charging stations for parking a motor vehicle.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	N	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Pettersen, and Story.

HB19-1009 by Representative(s) Kennedy and Singer; also Senator(s) Priola and Pettersen--Concerning supports for persons recovering from substance use disorders, and, in connection therewith, expanding a program in the department of local affairs that provides vouchers for housing assistance to certain individuals, creating standards for recovery residences for purposes of referrals and title protection, creating the opioid crisis recovery funds advisory committee, creating the recovery residence certification grant program, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Fenberg, Foote, Garcia, Ginal, Gonzales, Lee, Moreno, Story, Todd, Winter, and Zenzinger.

HB19-1107 by Representative(s) Coleman, Herod, Exum, Benavidez, Lontine, Singer; also Senator(s) Fields and Priola--Concerning the creation of the employment support and job retention services program within the division of employment and training in the department of labor and employment, 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Garcia, Gonzales, Lee, Moreno, and Pettersen.

HB19-1005 by Representative(s) Buckner and Wilson; also Senator(s) Todd and Priola--Concerning an income tax credit for certain early childhood educators.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Donovan, Fenberg, Fields, Foote, Gonzales, Pettersen, Rankin, Story, and Winter.

HB19-1212 by Representative(s) Titone and Duran; also Senator(s) Fields and Todd--Concerning the recreation of the community association manager licensing program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court and Gonzales.

HB19-1329 by Representative(s) Arndt and McKean; also Senator(s) Sonnenberg and Garcia--Concerning the sales and use tax treatment of certain wholesale sales related to the production of agricultural products.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Bridges, Cooke, Coram, Crowder, Donovan, Gardner, Ginal, Hisey, Lundeen, Marble, Priola, Rankin, Scott, Smallwood, Story, Tate, Todd, Williams A., and Woodward.

HB19-1327 by Representative(s) Garnett and Neville, Roberts, Van Winkle; also Senator(s) Donovan and Cooke, Priola--Concerning sports betting, and, in connection therewith, submitting to the registered electors of the state of Colorado a ballot measure authorizing the collection of a tax on the net proceeds of sports betting through licensed casinos, directing the revenues generated through collection of the sports betting tax to specified public purposes, including the state water plan through creation of the water plan implementation cash fund, and 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
Bridges	N	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	N	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	N
Fields	N	Lundeen	Y	Sonnenberg	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram and Hill.

RECONSIDERATION OF HB19-1124

HB19-1124 by Representative(s) Benavidez and Lontine, Buckner, Caraveo, Coleman, Duran, Galindo, Gonzales-Gutierrez, Hooton, Melton; also Senator(s) Foote and Gonzales--Concerning clarification of the authority of criminal justice officials with respect to the enforcement of certain federal civil laws.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on **HB19-1124**.

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:

HB19-1124 by Representative(s) Benavidez and Lontine, Buckner, Caraveo, Coleman, Duran, Galindo, Gonzales-Gutierrez, Hooton, Melton; also Senator(s) Foote and Gonzales--Concerning clarification of the authority of criminal justice officials with respect to the enforcement of certain federal civil laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lee.

RECONSIDERATION OF HB19-1188

HB19-1188 by Representative(s) Sirota and Snyder; also Senator(s) Foote--Concerning the inclusion of the net impact on greenhouse gas pollution in the fiscal notes prepared for legislative measures, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Fenberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on **HB19-1188**.

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:

HB19-1188 by Representative(s) Sirota and Snyder; also Senator(s) Foote--Concerning the inclusion of the net impact on greenhouse gas pollution in the fiscal notes prepared for legislative measures, and, in connection therewith, making 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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	N	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lee.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB19-259 by Senator(s) Garcia and Hisey; also Representative(s) Herod and Wilson--Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.

Senator Hisey moved that the Senate reject the House amendments to SB19-259, as printed in House journal, April 30, pages 1758-1759, and May 1, page 1776, and that a conference committee be appointed. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	N	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	E	Sonnenberg	Y		

President Garcia, Chair, Senators Hisey and Moreno, were appointed as Senate conferees on the first conference committee on **SB19-259**.

MESSAGE FROM THE HOUSE

May 3, 2019

Mr. President:

The House has passed on Third Reading and returns herewith SB19-242.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB19-096, 246, 236, amended as printed in House Journal, May 2, 2019, and amended on Third Reading as printed in House Journal, May 3, 2019.

The House has voted to concur in the Senate amendments to HB19-1120, 1168, 1210, 1231, 1245, 1264, 1289, 1314, 1318, 1064, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2019

We herewith transmit:

Without comment, as amended, SB19-096, 236, and 246.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS (cont'd)

SB19-096 by Senator(s) Donovan; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals, and, in connection therewith, making an appropriation.

Senator Donovan moved that the Senate concur in House amendments to SB19-096, as printed in House journal, April 26, pages 1552-1553, May 1, pages 1769 and 1806, and May 3, page 1880. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	N	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	E	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	E	Sonnenberg	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB19-236 by Senator(s) Garcia and Fenberg, Foote, Winter; also Representative(s) Hansen and Becker--Concerning the continuation of the public utilities commission, and, in connection therewith, implementing the recommendations contained in the 2018 sunset report by the department of regulatory agencies and making an appropriation.

Senator Fenberg moved that the Senate concur in House amendments to SB19-236, as printed in House journal, April 30, pages 1741, May 1, pages 1786-1787; 1788-1789, May 2, pages 1828-1854; 1872-1873, and May 3, page 1883. The motion was **adopted** by the following roll call vote:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	E	Sonnenberg	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

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.

Senator Foote requested his name be removed as sponsor on SB19-236.

SB19-246 by Senator(s) Todd and Lundeen; also Representative(s) McLachlan and Wilson--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Senator Todd moved that the Senate concur in House amendments to SB19-246, as printed in House journal, April 27, page 1587, May 1, pages 1792-1804, and May 3, page 1882. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	Y	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB19-259 by Senator(s) Garcia and Hisey; also Representative(s) Herod and Wilson--Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.

Senator Moreno moved that the Senate conferees on the first conference committee on **SB19-259** 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.

Call of the Senate. Call raised.

MESSAGE FROM THE HOUSE

May 3, 2019

Mr. President:

The House has adopted the First Report of the First Conference Committee on HB19-1160, as printed in House Journal, May 1, 2019, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB19-1253, as printed in House Journal, May 1, 2019, and has repassed the bill as amended.

The House did not introduce SB19-250. The bill is returned herewith.

The Speaker has appointed Representatives Weissman, chairman, Herod, and Wilson as House conferees on the First Conference Committee on SB19-259.

The House has voted to grant the House conferees on the First Conference Committee on SB19-259 to consider matters not at issue between the two houses.

The House has voted to concur in the Senate amendments to HB19-1263, and has repassed the bill as so amended.

The House has adopted the First Report of the First Conference Committee on SB19-259, as printed in House Journal, May 3, 2019, and has repassed the bill as so amended. The bill is returned herewith.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB19-259

****
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 SB19-259, concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the

Centennial south campus of the Centennial correctional facility to house inmates, 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.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendment be recommended:

Amend reengrossed bill, page 3, line 23, strike "2021." and substitute "2020.".

Respectfully submitted,

Senate Committee:	House Committee:
(signed)	(signed)
Leroy M. Garcia, Chair	Mike Weissman
Dominick Moreno	Leslie Herod
Dennis Hisey	Jim Wilson

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB19-259 by Senator(s) Garcia and Hisey; also Representative(s) Herod and Wilson--Concerning measures to address prison population management issues, and, in connection therewith, authorizing the emergency use of the Centennial south campus of the Centennial correctional facility to house inmates.

Senator Fenberg moved for the adoption of the first report of the first conference committee on SB19-259, as printed in Senate journal, May 3, pages 1379-1380. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	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.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Court, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO LOTTERY COMMISSION

or a term expiring July 1, 2019:

William John Clayton of Littleton, Colorado, to serve as a representative of law enforcement and as an Unaffiliated, and occasioned by the death of Kevin Scott Knierim of Englewood, Colorado, appointed.

for a term expiring July 1, 2022:

Jim Bensberg of Colorado Springs, Colorado, to serve as a public member and as a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

On motion of Majority Leader Fenberg, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2022:

Sandra Jeanne Bowen of Idledale, Colorado, a Democrat, from the Second Congressional District to serve as a registered elector of the state, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	Y	Story	Y
Cooke	Y	Gardner	Y	Moreno	Y	Tate	Y
Coram	Y	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	Y	Hill	Y	Rankin	Y	Winter	Y
Danielson	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Donovan	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	Y	President	Y
Fields	Y	Lundeen	Y	Sonnenberg	Y		

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2023:

Leticia Martinez of Denver, Colorado, an Unaffiliated and resident of the First Congressional District, appointed;

John Montepare of Breckenridge, Colorado, an Unaffiliated a resident of the Second Congressional District and West of the Continental Divide, appointed;

David Cockrell of Pueblo, Colorado, an Unaffiliated and resident of the Third Congressional District, appointed;

Pamela Denahy of La Junta, Colorado, a Republican and resident of the Fourth Congressional District, appointed;

Mina Liebert of Colorado Springs, Colorado, an Unaffiliated and resident of the Fifth Congressional District, appointed;

Morris Jay Siegel of Boulder, Colorado, a Democrat and resident of the Second Congressional District, appointed;

Jahi Simbai of Wheatridge, Colorado, an Unaffiliated and resident of the Seventh Congressional District, appointed.

YES	19	NO	15	EXCUSED	1	ABSENT	0
Bridges	Y	Foote	Y	Marble	N	Story	Y
Cooke	N	Gardner	N	Moreno	Y	Tate	N
Coram	N	Ginal	Y	Pettersen	Y	Todd	Y
Court	Y	Gonzales	Y	Priola	E	Williams A.	Y
Crowder	N	Hill	N	Rankin	N	Winter	Y
Danielson	Y	Hisey	N	Rodriguez	Y	Woodward	N
Donovan	Y	Holbert	N	Scott	N	Zenzinger	Y
Fenberg	Y	Lee	Y	Smallwood	N	President	Y
Fields	Y	Lundeen	N	Sonnenberg	N		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR19-009.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 3rd, 2019, at 11:45 a.m.:
SB19-001.

MESSAGE FROM THE GOVERNOR

Friday, May 3rd, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB 19-213 - Marijuana Cash Fund Transfer
Approved Friday, May 3rd, 2019 at 1:41 o'clock P.M.

SB 19-208 - State Employee Reserve Fund Transfer
Approved Friday, May 3rd, 2019 at 1:43 o'clock P.M.

SB 19-214 - Capital-related Transfers Of Money
Approved Friday, May 3rd, 2019 at 1:46 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

TRIBUTES

Honoring:

Juan Carlos Reyes -- By Senator Dominick Moreno.
Detective William Gallegos -- By President Leroy M. Garcia.
Frank Hijar -- By President Leroy M. Garcia.
Silbestre Sanchez -- By President Leroy M. Garcia.
Charles McCulley-Sedillo -- By President Leroy M. Garcia.
Caitlin Johnson -- By President Leroy M. Garcia.
Makenna Hurley -- By President Leroy M. Garcia.
Luke Hawkins -- By President Leroy M. Garcia.
Abigail Gridley -- By President Leroy M. Garcia.
Aiden Evetts -- By President Leroy M. Garcia.
Joli Dou -- By President Leroy M. Garcia.
Claire Davis -- By President Leroy M. Garcia.
Benjamin Cristoferson -- By President Leroy M. Garcia.
Marianna Benitez -- By President Leroy M. Garcia.
Ryan Bayer -- By President Leroy M. Garcia.
Jon Pompia -- By President Leroy M. Garcia.
Carly Moore -- By President Leroy M. Garcia.
David Montera -- By President Leroy M. Garcia.
Daryl and Pat McDonald -- By President Leroy M. Garcia.
Tyler Lundquist -- By President Leroy M. Garcia.
Dave Feamster -- By President Leroy M. Garcia.
Lillian Bui -- By President Leroy M. Garcia.
Julie Rodriguez -- By President Leroy M. Garcia.
CSU Pueblo Foundation -- By President Leroy M. Garcia.
Christian Home Educators of Colorado -- By Senator Vicki Marble.
Kelly Jone-Wagy -- By Senator Nancy Todd.
Lewis Entz -- By Senator Larry Crowder and Representative Donald Valdez.
Steve Henson -- By President Leroy M. Garcia..
Zach Hillstrom -- By President Leroy M. Garcia.
Blake Fonteney -- By President Leroy M. Garcia.
Jeff Bersch -- By President Leroy M. Garcia.
Jennifer Tate -- By President Leroy M. Garcia.
Joe E. Cervi -- By President Leroy M. Garcia.
Regan Foster -- By President Leroy M. Garcia.
Stephen Swofford -- By President Leroy M. Garcia.
Laura Solano -- By President Leroy M. Garcia.
David & Lucile Packard Foundation & Caring for CO Foundation -- By President Leroy M. Garcia.
Sarah Shaw -- By President Leroy M. Garcia.
Shawn Shelton -- By President Leroy M. Garcia.
Trevor Hadaway -- By President Leroy M. Garcia.
Leon Emerson -- By Senator Angela Williams.
Robert Moody -- By Senator Jerry Sonnenberg.
Hydrocephalus Awareness -- By Senator Angela Williams.
Tony Espinoza -- By Senator Joann Ginal.
Ethan Cranston -- By Senator Tammy Story.
Pat Grant -- By Senator Jerry Sonnenberg.
Haden Ringel -- By President Leroy M. Garcia.
Kiana Harkens -- By President Leroy M. Garcia.
Colorado Farm Bureau -- By President Leroy M. Garcia.
Paula Kirchner -- By President Leroy M. Garcia.
Colleen Nielson -- By President Leroy M. Garcia.
Gail L. Martinez -- By President Leroy M. Garcia.
Heather Brown -- By President Leroy M. Garcia.
Lynn R. Leyba -- By President Leroy M. Garcia.
Melinda McAndrews -- By President Leroy M. Garcia.
Andrew V. Li -- By President Leroy M. Garcia.
Cheryl Farrer -- By President Leroy M. Garcia.
Helen Johnson -- By President Leroy M. Garcia.
Shelby Boitz -- By President Leroy M. Garcia.
Jordan Cruz -- By President Leroy M. Garcia.
Claire Davis -- By President Leroy M. Garcia.
Keely Fisher -- By President Leroy M. Garcia.
Ashley Hatch -- By President Leroy M. Garcia.
Sam Mitchell -- By President Leroy M. Garcia.
Pueblo Veterans Ritual Team -- By President Leroy M. Garcia.
Marilyn Eddins -- By Senator Jessie Danielson.
Nicholas Entin -- By Senator Steve Fenberg.

Gretchen Bleiler -- By Senator Kerry Donovan.
Bill Jenson -- By Senator Kerry Donovan.
Dan Rittenhauer -- By Senator Kerry Danielson.
Mac Smith -- By Senator Kerry Donovan.
Merle Baranczyk -- By Senator Kerry Donovan.
Mike Bowers -- By Senator Kerry Donovan.
Randi Yarnell -- By Senator Kerry Donovan.
Lindsey Von -- By Senator Kerry Donovan.

On motion of Majority Leader Fenberg, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the First Regular Session of the Seventy-Second General Assembly adjourned *sine die* at 5:03 p.m., Friday, May 3, 2019.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

SENATE JOURNAL
Seventy-second 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-second General Assembly.

MESSAGE FROM THE HOUSE

May 3, 2019

Mr. President:

The House has voted to concur in the Senate amendments to HB19-1263, 1236, 1310, 1328, 1159, 1176, 1188, 1212, 1298, 1045, 1032, 1110, and has repassed the bills as so amended.

The House has adopted and returns herewith SJR19-010, 011.

The House has adopted HJR19-1015, as printed in House Journal, May 1, 2019.

The House has postponed indefinitely SB19-237. The bill is returned herewith.

The House failed to act on SB19-217, 257. The bills are returned herewith.

The House has adjourned sine die on May 3, 2019, 6:45 p.m.

MESSAGE FROM THE GOVERNOR

Monday, May 6th, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-106 - Withdraw Peace Officers Local Government Retirement Plan
Approved Monday, May 6th, 2019 at 3:11 o'clock P.M.

SB19-201 - Open Discussions About Adverse Health Care Incidents
Approved Monday, May 6th, 2019 at 3:15 o'clock P.M.

SB19-185 - Protections For Minor Human Trafficking Victims
Approved Monday, May 6th, 2019 at 3:30 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-002, 005, 059, 094, 137, 166, 168, 190, 199, 216, 230, and 246; SJR19-011; HB19-1055, 1127, 1171, 1179, 1262.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, May 7, 2019, at 11:00 a.m.:
SB19-094, 166, 190, 199, and 230.

To the Governor for signature on Tuesday, May 7, 2019, at 11:30 a.m.:
SB19-059 and 137.

To the Governor for signature on Tuesday, May 7, 2019, at 2:27 p.m.:
SB19-002, 005, 168, 216, and 246.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-030, 054, 086, 133, 161, 163, 164, 178, 187. 197, 205, and 229; HB19-1280, 1294.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 8, 2019, at 1:30 p.m.:
SB19-205.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-007, 010, 061, 099, 107, 136, 142, 143, 146, 153, 154, 159, 160, 165, 167, 171, 179, 218, 219, 220, 221, and 231; HB19-1010, 1039, 1095, 1129, 1205, 1211, 1221.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 9, 2019, at 10:00 a.m.:
SB19-030, 054, 086, 133, 161, 163, 164, 178, 187, 197, and 229.

SENATE SERVICES REPORT

Correctly Rerevised: HB19-1005, 1009, 1017, 1032, 1045, 1064, 1073, 1107, 1110, 1124, 1142, 1159, 1162, 1176, 1184, 1188, 1212, 1215, 1223, 1229, 1236, 1263, 1275, 1287, 1297, 1298, 1310, 1320, 1322, 1323, 1324, 1327, 1328, 1329, 1331. 1332, 1334, and 1335.
Correctly Enrolled: SB19-005, 015, 073, 096, 150, 172. 176, 177, 191, 215, 228, 233, 234, 235, 236, 239, 242, 246, 249, 259, 260, 261, 262, and 263; SJR19-009, 010, and 011.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-036, 135, 173, 196, 202, and 223; SJR19-010; HB19-1017, 1024, 1026, 1122, 1131, 1133, 1134, 1147, 1170, 1254, 1265, 1267, 1268, 1282, 1285, 1286, 1288, 1290, 1291, 1305, 1307.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 10, 2019, at 1:20 p.m.:
SB19-007, 010, 061, 099, 107, 136, 142, 143, 146, 153, 154, 159, 160, 165, 167, 171, 179, 218, 219, 220, 221, and 231.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-085, 090, 145, 155, 157, 158, 192, 193, 195, 198, 222, 227, 232, 251, 252, 253, and 255; HB19-1005, 1006, 1051, 1088, 1120, 1138, 1160, 1183, 1187, 1193, 1203, 1222, 1228, 1244, 1247, 1255, 1256, 1259, 1260, 1261, 1269, 1295, 1299, 1301, 1311, 1321.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, May 13, 2019, at 2:00 p.m.:
SB19-090, 145, 155, 157, 158, 192, 193, 198, 222, 227, 232, 251, 252, 253, and 255.

To the Governor for signature on Monday, May 13, 2019, at 2:30 p.m.:
SB19-085, 195, 036, 135, 173, 196, 202, and 223.

MESSAGE FROM THE GOVERNOR

Monday, May 13th, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-010 - Professional Behavioral Health Services For Schools
Approved Friday, May 10, 2019 at 1:30 o'clock P.M.

SB19-059 - Automatic Enrollment In Advanced Course Grant Program
Approved Friday, May 10, 2019 at 10:00 o'clock A.M.

SB19-246 - Public School Finance
Approved Friday, May 10, 2019 at 10:09 o'clock A.M.

SB19-216 - High School Innovative Learning Pilot
Approved Friday, May 10, 2019 at 10:09 o'clock A.M.

SB19-137 - Extend Colorado Student Leaders Institute
Approved Friday, May 10, 2019 at 10:11 o'clock A.M.

SB19-190 - Teacher Preparation Program Support
Approved Friday, May 10, 2019 at 10:13 o'clock A.M.

SB19-199 - READ Act Implementation Measures
Approved Friday, May 10, 2019 at 10:13 o'clock A.M.

SB19-002 - Regulate Student Education Loan Servicers
Approved Monday, May 13, 2019 at 11:18 o'clock A.M.

SB19-168 - Rule Review Bill
Approved Monday, May 13, 2019 at 2:31 o'clock P.M.

SB19-094 - Extend School Finance Interim Committee
Approved Monday, May 13, 2019 at 2:33 o'clock P.M.

SB19-086 - Update Business Entity Laws
Approved Monday, May 13, 2019 at 2:34 o'clock P.M.

SB19-154 - Sunset License Regulate Psychiatric Technicians
Approved Monday, May 13, 2019 at 2:40 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-066, 073, 104, 149, 150, 175, 215, 234, 244, 245, and 258; HB19-1002, 1003, 1013, 1076, 1085, 1132, 1142, 1168, 1174, 1189, 1192, 1202, 1216, 1233, 1236, 1237, 1239, 1240, 1246, 1248, 1253, 1257, 1258, 1266, 1274, 1277, 1279, 1284, 1287, 1306, 1308, 1315, 1319, 1320, 1326, 1331.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, May 14, 2019, at 12:30 p.m.:
SB19-066, 073, 104, 149, 150, 175, 215, 234, 244, 245, and 258.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-008, 013, 015, 020, 077, 169, 180, 186, 188, 204, 260, 261, and 263; HB19-1009, 1283, 1302.

The President has signed: SB19-249, 256, and 259; HB19-1032, 1045, 1064, 1110, 1124, 1162, 1184, 1188, 1229, 1245, 1250, 1263, 1289, 1292, 1297, 1298, 1300, 1310, 1316, 1322, 1324, 1329, 1334, 1335.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 16, 2019, at 9:00 a.m.:
SB19-008, 013, 015, 020, 077, 169, 180, 186, 188, 204, 260, 261, and 263.

To the Governor for signature on Thursday, May 16, 2019, at 1:00 p.m.:
SB19-249, 256, and 259.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-040, 096, 108, 172, 176, 177, 191, 233, 235, 238, 239, 240, 241, 248, 254, and 262; HB19-1073, 1159, 1210, 1231, 1272, 1309, 1318, 1323, 1328, 1332.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 17, 2019, at 2:30 p.m.:
SB19-096, 108, 172, 176, 177, 191, 235, 238, 240, 241, 248, and 254.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB19-1107, 1176, 1215, 1223, 1264, 1275, 1278, 1314.

MESSAGE FROM THE GOVERNOR

Monday, May 20, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-001 - Expand Medication-assisted Treatment Pilot Program
Approved Tuesday, May 14, 2019 at 1:23 o'clock P.M.

SB19-064 - Retain Criminal Justice Programs Funding
Approved Tuesday, May 14, 2019 at 3:26 o'clock P.M.

SB19-065 - Peer Assistance Emergency Medical Service Provider
Approved Tuesday, May 14, 2019 at 1:26 o'clock P.M.

SB19-174 - Dependent Tuition Assistance Program Eligibility
Approved Tuesday, May 14, 2019 at 12:20 o'clock P.M.

SB19-005 - Import Prescription Drugs From Canada
Approved Thursday, May 16, 2019 at 10:06 o'clock A.M.

SB19-073 - Statewide System Of Advance Medical Directives
Approved Thursday, May 16, 2019 at 10:12 o'clock A.M.

SB19-178 - Program To Subsidize Adoption For Children And Youth
Approved Thursday, May 16, 2019 at 8:37 o'clock A.M.

SB19-195 - Child And Youth Behavioral Health System Enhancements
Approved Thursday, May 16, 2019 at 2:48 o'clock P.M.

SB19-234 - Sunset Professional Review Committees
Approved Thursday, May 16, 2019 at 8:41 o'clock A.M.

SB19-004 - Address High-cost Health Insurance Pilot Program
Approved Friday, May 17, 2019 at 1:54 o'clock P.M.

SB19-078 - Open Internet Customer Protection in Colorado
Approved Friday, May 17, 2019 at 2:43 o'clock P.M.

SB19-141 - Entertainment Districts Counties Optional Premises
Approved Friday, May 17, 2019 at 2:40 o'clock P.M.

SB19-159 - Sunset Passenger Tramway Safety Board
Approved Friday, May 17, 2019 at 2:42 o'clock P.M.

SB19-162 - Sunset River Outfitter Advisory Committee
Approved Friday, May 17, 2019 at 5:13 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-156, 228, 236, and 242; HB19-1090, 1212, 1230, 1234, 1242, 1327; HJR19-1012, 1014.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, May 21, 2019, at 2:00 p.m.:
SB19-040, 156, 228, 233, 236, 239, 242, and 262.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB19-224.

MESSAGE FROM THE GOVERNOR

Wednesday, May 22, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-061 - Self-contained Breathing Apparatus Testing And Certification
Approved Monday, May 20, 2019 at 2:13 o'clock P.M.

SB19-136 - Expand Division Youth Services Pilot Program
Approved Monday, May 20, 2019 at 3:33 o'clock P.M.

SB19-145 - Sunset Continue Dialysis Clinic And Technician Regulation
Approved Monday, May 20, 2019 at 2:31 o'clock P.M.

SB19-149 - Sunset Human Trafficking Council
Approved Monday, May 20, 2019 at 5:19 o'clock P.M.

SB19-150 - Sunset Public Livestock Markets'
Approved Monday, May 20, 2019 at 5:44 o'clock P.M.

SB19-155 - Sunset Accountancy Board
Approved Monday, May 20, 2019 at 5:25 o'clock P.M.

SB19-161 - Sunset Council For Parent Involvement In Education
Approved Monday, May 20, 2019 at 2:28 o'clock P.M.

SB19-163 - Sunset Cold Case Task Force
Approved Monday, May 20, 2019 at 2:04 o'clock P.M.

SB19-165 - Increase Parole Board Membership
Approved Monday, May 20, 2019 at 5:44 o'clock P.M.

SB19-167 - Honor Colorado Professional Fire Fighters
Approved Monday, May 20, 2019 at 2:53 o'clock P.M.

SB19-176 - Expanding Concurrent Enrollment Opportunities
Approved Monday, May 20, 2019 at 5:47 o'clock P.M.

SB19-194 - National Guard Tuition Assistance Colorado State University Global
Approved Monday, May 20, 2019 at 2:48 o'clock P.M.

SB19-205 - Honor Service Of Womens' Veterans
Approved Monday, May 20, 2019 at 2:51 o'clock P.M.

SB19-222 - Individuals At Risk Of Institutionalization
Approved Monday, May 20, 2019 at 3:45 o'clock P.M.

SB19-223 - Actions Related To Competency To Proceed
Approved Monday, May 20, 2019 at 3:46 o'clock P.M.

SB19-244 - Management Of Legislative Workplace Conduct
Approved Monday, May 20, 2019 at 5:45 o'clock P.M.

SB19-173 - Colorado Secure Savings Plan Board
Approved Monday, May 20, 2019 at 5:26 o'clock P.M.

SB19-085 - Equal Pay For Equal Work Act
Approved Wednesday, May 22, 2019 at 12:39 o'clock P.M.

SB19-166 - Peace Officers Standards And Training Board Revoke Certification For Untruthful Statement
Approved Wednesday, May 22, 2019 at 1:18 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

Friday, May 24, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-157 - Sunset Fire Suppression Registration And Inspection
Approved Thursday, May 23, 2019 at 10:13 o'clock A.M.

SB19-253 - Exempt CDE Department Of Education From Office Of Information Technology
Approved Thursday, May 23, 2019 at 9:30 o'clock A.M.

SB19-228 - Substance Use Disorders Prevention Measures
Approved Thursday, May 23, 2019 at 4:37 o'clock P.M.

SB19-251 - Requirements Of OIT Office Of Information Technology Based On Evaluation Recommendations
Approved Thursday, May 23, 2019 at 9:43 o'clock A.M.

SB19-252 - State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act Committee Hearings
Approved Thursday, May 23, 2019 at 9:47 o'clock A.M.

SB19-227 - Harm Reduction Substance Use Disorders
Approved Thursday, May 23, 2019 at 4:21 o'clock P.M.

SB19-248 - State Tax System Working Group
Approved Thursday, May 23, 2019 at 1:11 o'clock P.M.

SB19-013 - Medical Marijuana Condition Opiates Prescribed For
Approved Thursday, May 23, 2019 at 5:44 o'clock P.M.

SB19-219 - Sunset Continue Licensing Of Controlled Substances
Approved Thursday, May 23, 2019 at 4:44 o'clock P.M.

SB19-258 - Child Welfare Prevention and Intervention Funding
Approved Thursday, May 23, 2019 at 9:33 o'clock A.M.

SB19-008 - Substance Use Disorder Treatment In Criminal Justice System
Approved Thursday, May 23, 2019 at 4:32 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

May 30, 2019

The Honorable Colorado General Assembly
State Capitol
200 East Colfax Ave.
Denver, Colorado 80203

Members of the General Assembly:

Today I signed into law Senate Bill 19-096, "Concerning the collection of greenhouse gas emissions data to facilitate the implementation of measures that would most cost-effectively allow the state to meet its greenhouse gas emissions reduction goals, and, in connection therewith, making an appropriation."

Senate Bill 19-096 ("SB 19-096") directs the Air Quality Control Commission ("AQCC") to adopt rules requiring greenhouse gas-emitting entities to track and publicly report their emissions to support Colorado's greenhouse gas emission inventory efforts. The bill directs the Air Pollution Control Division (APCD) to update the statewide inventory of greenhouse gas emissions by sector -- as frequently as every year and no less frequently than every two years -- as determined by the AQCC. Ensuring a robust greenhouse gas inventory is foundational to effectively implementing a wide range of policies and programs designed to allow the state to cost-effectively meet its emission reduction goals.

While the primary focus of SB19-096 is to ensure robust tracking of greenhouse gas emissions, the bill also directs the AQCC to propose rules to implement measures that would cost-effectively allow the state to meet its greenhouse gas emission reduction goals. This aspect of SB19-096 overlaps with House Bill 19-1261 (HB19-1261), which directs the AQCC to promulgate rules and regulations to achieve timely progress towards newly enacted goals. The new State goals set forth in HB19-1261 are to achieve a twenty six percent reduction in statewide greenhouse gas pollution by 2025, a fifty percent reduction by 2030, and a ninety-percent reduction by 2050.

While the rulemaking directives articulated in both SB 19-096 and HB19-1261 aren't necessarily in conflict, I want to make clear that I expect implementation of cost effective greenhouse gas emission reduction efforts to be an iterative and multi-faceted process including recommended legislative actions over the upcoming years that will span across numerous State agencies.

Specifically, AQCC plans to move forward with two major greenhouse gas reductions rulemakings over the next year that will likely satisfy the rulemaking requirements set forth in SB 19-096, including: (1) the Zero Emission Vehicle rulemaking as prompted by my Executive Order *B 2019 002*; and (2) a rulemaking to minimize oil and gas emissions, including greenhouse gas emissions, pursuant to SB19-181.

In addition two these two rulemakings, and the potential for additional rulemakings, CDPHE will be closely coordinating with the Energy Office, Department of Transportation, Public Utilities Commission, Department of Natural Resources, Department of Agriculture, Regional Air Quality Council, and other relevant agencies to undertake cost-effective ways of accelerating renewable energy use and reducing greenhouse gas emissions.

We look forward to continued collaboration to achieve a transition to renewable energy and greater emissions reductions in a manner that will improve our air quality and the health of our communities, diversify and strengthen our economy across the state, and ensure the good-paying jobs of the quickly growing green energy economy are created here in Colorado.

Sincerely,
(signed)
Jared Polis
Governor

Friday, May 31, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-015 - Create Statewide Health Care Review Committee
Approved May 30, 2019 at 12:38 o'clock P.M.

SB19-054 - Military Vehicle Motor Vehicle Regulation
Approved May 30, 2019 at 12:29 o'clock P.M.

SB19-066 - High-cost Special Education Trust Fund Grants
Approved May 30, 2019 at 12:53 o'clock P.M.

SB19-096 - Collect Long-term Climate Change Data
Approved May 30, 2019 at 9:53 o'clock A.M.

SB19-153 - Sunset Podiatry Board
Approved May 30, 2019 at 12:56 o'clock P.M.

SB19-164 - Sunset In-home Support Services Program
Approved May 30, 2019 at 1:00 o'clock P.M.

SB19-172 - Protect From Unlawful Abandonment And Confinement
Approved May 30, 2019 at 12:30 o'clock P.M.

SB19-180 - Eviction Legal Defense Fund
Approved May 30, 2019 at 1:04 o'clock P.M.

SB19-187 - Commission on Judicial Performance
Approved May 30, 2019 at 1:12 o'clock P.M.

SB19-188 - FAMLI Family Medical Leave Insurance Program
Approved May 30, 2019 at 8:40 o'clock A.M.

SB19-192 - Front Range Waste Diversion Enterprise Grant Program
Approved May 30, 2019 at 10:58 o'clock A.M.

SB19-229 - Campaign Contributions Dependent Care Expenses
Approved May 30, 2019 at 8:56 o'clock P.M.

SB19-236 - Sunset Public Utilities Commission
Approved May 30, 2019 at 9:47 o'clock A.M.

SB19-261 - Unclaimed Property Trust Fund Transfer
Approved May 30, 2019 at 2:16 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

Friday, May 31, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-030 - Remedying Improper Guilty Pleas
Approved May 28, 2019 at 1:22 o'clock P.M.

SB19-036 - State Court Administrator Reminder Program
Approved May 28, 2019 at 11:33 o'clock A.M.

SB19-108 - Juvenile Justice Reform
Approved May 28, 2019 at 11:34 o'clock A.M.

SB19-139 - More Colorado Road And Community Safety Act Offices
Approved May 28, 2019 at 11:44 o'clock A.M.

SB19-143 - Parole Changes
Approved May 28, 2019 at 10:34 o'clock A.M.

SB19-146 - Sunset Home Care Agencies
Approved May 28, 2019 at 2:14 o'clock P.M.

SB19-170 - Inquiry Into College Applicant Criminal History
Approved May 28, 2019 at 10:29 o'clock A.M.

SB19-171 - Apprenticeships And Vocational Technical Training
Approved May 28, 2019 at 4:14 o'clock P.M.

SB19-177 - Background Checks Persons Who Work With Children
Approved May 28, 2019 at 2:05 o'clock P.M.

SB19-191 - Prompt Pretrial Liberty And Fairness
Approved May 28, 2019 at 10:40 o'clock A.M.

SB19-196 - Colorado Quality Apprenticeship Training Act Of 2019
Approved May 28, 2019 at 4:09 o'clock P.M.

SB19-200 - National Western
Approved May 28, 2019 at 1:41 o'clock P.M.

SB19-230 - Colorado Refugee Services Program
Approved May 28, 2019 at 11:40 o'clock A.M.

SB19-231 - Colorado Second Chance Scholarship
Approved May 28, 2019 at 10:45 o'clock A.M.

SB19-238 - Improve Wages And Accountability Home Care Workers
Approved May 28, 2019 at 4:19 o'clock P.M.

SB19-245 - Time Requirements For Food Stamp Appeals
Approved May 28, 2019 at 1:44 o'clock P.M.

SB19-249 - License Business Selling Its Used Motor Vehicles
Approved May 28, 2019 at 1:47 o'clock P.M.

SB19-256 - Electronic Documents Motor Vehicle Appropriation
Approved May 28, 2019 at 2:07 o'clock P.M.

SI319-259 - Use CSP II To House Inmates In An Emergency
Approved May 28, 2019 at 10:42 o'clock A.M.

Sincerely,
(signed)
Jared Polis
Governor

Friday, May 31, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-224 - Sunset Regulated Marijuana
Approved May 28, 2019 at 3:44 o'clock P.M.

SB19-003 - Educator Loan Forgiveness Program
Approved May 29, 2019 at 12:08 o'clock P.M.

SB19-156 - Sunset State Electrical Board
Approved May 29, 2019 at 4:01 o'clock P.M.

SB19-175 - Serious Bodily Injury Vulnerable Road User Penalties
Approved May 29, 2019 at 11:30 o'clock A.M.

SB19-197 - Continue Complementary Or Alternative Medicine Program
Approved May 29, 2019 at 12:14 o'clock P.M.

SB19-202 - Voting Rights For Voters With Disabilities
Approved May 29, 2019 at 11:16 o'clock A.M.

SB19-215 - Parents Encouraging Parents Conference
Approved May 29, 2019 at 3:39 o'clock P.M.

SB19-218 - Sunset Medical Marijuana Program
Approved May 29, 2019 at 3:45 o'clock P.M.

SB19-220 - Hemp Regulation Alignment With 2018 Federal Farm Bill
Approved May 29, 2019 at 3:41 o'clock P.M.

SB19-232 - Campaign Finance Enforcement
Approved May 29, 2019 at 11:29 o'clock A.M.

SB19-235 - Automatic Voter Registration
Approved May 29, 2019 at 11:26 o'clock A.M.

SB19-240 - Industrial Hemp Products Regulation
Approved May 29, 2019 at 5:41 o'clock P.M.

SB19-254 - Nursing Home Penalty Cash Fund
Approved May 29, 2019 at 12:15 o'clock P.M.

SB19-263 - Delay Referral Of TRANs Transportation Revenue Anticipation Notes Ballot Issue To 2020
Approved May 29, 2019 at 12:08 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

May 31, 2019

The Honorable Colorado State Senate
Colorado State Capitol
200 East Colfax Avenue
Denver, Colorado 80203

Dear Honorable Members of the Colorado State Senate:

Today I vetoed Senate Bill 19-169, "Concerning Project Management Competencies for Certain State Contracts" at 3:31 p.m., May 31, 2019.

Senate Bill 19-169 ("SB 19-169") makes changes to the budget submission requirements for major Information Technology ("IT") projects. It also requires the Governor's Office of Information Technology ("OIT") to assign a project manager for all major IT projects. We have a number of concerns with how this bill affects our ability, and future Governors' abilities, to effectively manage how IT projects are planned, procured, and successfully delivered.

In the past, the General Assembly has collaborated with the Executive Branch to ensure state dollars are used efficiently and effectively when deploying new technologies. Senate Bill 17-304, "concerning the authority of the Joint Technology Committee," placed in statute the requirement for the Governor's Office of State Planning and Budgeting ("OSPB") to collaborate with Joint Technology Committee staff on budget instructions and templates for major IT requests. Furthermore, earlier this month I signed Senate Bill 19-251 ("SB 19-251"), "concerning requirements of OIT based on evaluation recommendations." SB 19-251 provides OIT the flexibility to respond to external assessment recommendations and provides funding to OIT to implement its provisions.

We are committed to changing how IT works in state government and improving results. The new requirements from SB 19-169 will impede our efforts. We have already included the necessity for a change management plan or to assign a project manager to every IT project we deem to be "major" at OIT for projects, and at OSPB in their budget instructions. Further memorializing specific requirements from SB 19-169 will limit our flexibility to respond to the ever-changing technological demands of the state.

We appreciate the General Assembly's continued oversight of Executive Agencies and their IT projects. However, the Executive Branch should possess the flexibility to determine the criteria of funding requests that it recommends to the General Assembly and to explore approaches to IT project management that best meet the needs of state agencies. Signing into law legislation that dictates these criteria erodes and complicates what should be an internal deliberative process.

Therefore, SB 19-169 is disapproved and vetoed.

Sincerely,
(signed)
Jared Polis
Governor

May 31, 2019

The Honorable Colorado State Senate
Colorado State Capitol
200 East Colfax Avenue
Denver, Colorado 80203

Dear Honorable Members of the Colorado State Senate:

Today I vetoed Senate Bill 19-133, "Concerning the regulation of genetic counselors, and, in connection therewith, making an appropriation" at 3:35 p.m., May 31, 2019.

Senate Bill 19-133 ("SB 19-133") requires all genetic counselors in Colorado to be licensed by the Colorado Department of Regulatory Agencies ("Department"). It creates a new process and requirements for licensure, and a new misdemeanor offense for those practicing without a license. A genetic counselor is a healthcare professional, with specialized training in medical genetics and counseling, who evaluates and understands a family's risk of an inherited medical condition. Genetic counseling is a new field, and we must balance quality assurances with consumer access to innovation and affordability.

As we have previously noted, occupational licensing is not always superior to other forms of consumer protection. Too often it is used to protect existing professionals within an occupation against competition from newcomers entering that occupation. Meanwhile, according to the 2019 Current Population Survey, 24 percent of the national workforce is licensed, up from below five percent in the 1950s. Licensing in the United States over the years has at times prevented minorities and the economically disadvantaged from having the ability to access occupations. When the supply of professionals is restricted, the cost of services increases and the poorest among us lose the ability to access these services.

As a general matter, skill certification is best done by guilds, unions, and professional associations. That being said, we do not categorically rule out allowing any regulation of a previously unregulated occupation, or continuing the regulation of a regulated occupation, during my time as Governor. We will consider cases that are compelling for consumer safety and economic reasons. However, we encourage the General Assembly to consider removing existing outdated or counterproductive licenses when considering new or the continuation of occupational licenses. Our hope is that this will allow more people to work, to access various services, and to make sure that licenses protect consumers from harm - not industry insiders from competition.

We feel that before any unregulated occupation is to be regulated, the state should complete its due diligence to ensure that regulation is necessary due to a market failure. Our additional concerns particular to this proposed occupational license include the fact that the Department's Office of Policy, Research, and Regulatory Reform ("OPRRR") has conducted a sunrise report on genetic counselors on three occasions, in 2004, 2013, and as recent as 2017. On each occasion, it has determined that additional regulation by state licensure is not necessary. Furthermore, of the 115 genetic counselors currently practicing in Colorado, at least 98 percent are privately certified. Through the occupation's self regulation and certification obtained by the American Board of Genetic Counselors, counselors periodically complete continuing education to maintain their certification status.

Genetic counselors can be integrated into medical settings, such as hospitals, laboratories, and research facilities. Such sophisticated employers are skilled at setting the qualifications necessary for hiring and retaining staff. Additionally, these facilities themselves already are regulated by the Colorado Department of Public Health & Environment, which can investigate consumer complaints related to the quality of care, conduct inspections, and require facilities to correct any issues. Similarly, genetic counselors often collaborate with physicians or nurses, which are both already regulated by the state through their respective boards and practice acts.

We appreciate the General Assembly's efforts to protect consumers from harmful practices. However, we have concerns about creating a new occupational license to regulate a new occupation, especially when the Department's sunrise report recommended otherwise. We understand this is a growing profession and we will continue to monitor regulatory developments in other states. However, Colorado is best served at this time by siding with access and innovation, and not licensing genetic counselors.

Therefore, SB 19-133 is disapproved and vetoed.

Sincerely,
(signed)
Jared Polis
Governor

May 31, 2019

The Honorable Colorado State Senate
Colorado State Capitol
200 East Colfax Avenue
Denver, Colorado 80203

Dear Honorable Members of the Colorado State Senate:

Today I vetoed Senate Bill 19-099, "Concerning the "Revised Uniform Athlete Agents Act (2015)", and, in connection therewith, making an appropriation" at 3:40 p.m., May 31, 2019.

Senate Bill 19-099 ("SB 19-099") repeals and reenacts the Revised Uniform Athlete Agents Act. It creates a registration program for athlete agents at the Colorado Department of Regulatory Agencies ("DORA or department"), sets requirements for registration and renewal, and requires agents to register with the department every two years.

Before any unregulated occupation is to be regulated, or any regulated occupation is to be continued, the state should complete its due diligence to ensure that regulation will, in fact, ensure consumer safety in a cost-efficient manner. This bill does not meet that threshold.

As we have previously noted, occupational licensing is not always superior to other forms of consumer protection. Too often it is used to protect existing professionals within

an occupation against competition from newcomers entering that occupation. Meanwhile, according to the 2019 Current Population Survey, 24 percent of the national workforce is licensed, up from below five percent in the 1950s. Licensing in the United States over the years has at times prevented minorities and the economically disadvantaged from having the ability to access occupations. When the supply of professionals is restricted, the cost of services increases and the poorest among us lose the ability to access these services.

As a general matter, skill certification is best done by guilds, unions, and professional associations. That being said, we do not categorically rule out allowing any regulation of a previously unregulated occupation, or continuing the regulation of a regulated occupation, during my time as Governor. We will consider cases that are compelling for consumer safety and economic reasons. However, we encourage the General Assembly to consider removing existing outdated or counterproductive licenses when considering new or the continuation of occupational licenses. Our hope is that this will allow more people to work, to access various services, and to make sure that licenses protect consumers from harm - not industry insiders from competition.

We have additional concerns above and beyond the general concern with occupational licensing with regard to this matter and the process undertaken in the drafting of this bill to regulate a previously unregulated occupation. Before any unregulated occupation is to be regulated in Colorado, the state should complete its due diligence to ensure that regulation will, in fact, ensure consumer safety in a cost-efficient manner.

According to Colorado law, any individual or group who "proposes the regulation of any unregulated professional or occupational group" must submit a sunrise application [C.R.S. § 24-34-104.1(2)(a)]. In 2007, the department dismissed a request for a sunrise report for athlete agents. The General Assembly in 2008, having fulfilled the requirement to request a sunrise report, proceeded to pass House Bill 08-1058 that later became law that regulated the occupation. After only two agents were licensed in the two years of the program, it was repealed in 2010 with the passage of House Bill 10-1128 ("HB 10-1128"). Since then, the General Assembly has modified the Sunrise Act, further clarifying the rules that must be followed before a previously unregulated occupational group can be regulated. Before SB 19-099 was introduced during this session, no new request for a sunrise report had been received by the department.

We do not agree with the General Assembly in their interpretation that a sunrise report is unnecessary before SB 19-099 was considered this session. The application from December 2007 does not fulfill the requirement today. Furthermore, the denial of the request for a sunrise report in 2007 by the department cannot carry over to today, as both the Sunrise Act and General Assembly have changed. The General Assembly has set out rules for when and how unregulated occupational groups should be recommended for regulation, and per its rules, it must always begin first with a sunrise report.

Therefore, SB 19-099 is disapproved and vetoed.

Sincerely,
(signed)
Jared Polis
Governor

Monday, June 3, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-020 - Wildland Fire Airspace Patrol System
Approved June 3, 2019 at 2:38 o'clock P.M.

SB19-040 - Establish Colorado Fire Commission
Approved June 3, 2019 at 2:40 o'clock P.M.

SB19-107 - Broadband Infrastructure Installation
Approved June 3, 2019 at 11:50 o'clock A.M.

SB19-142 - Hard Cider Exemption Wine Industry Development Act
Approved June 3, 2019 at 11:40 o'clock A.M.

SB19-160 - Sunset River Outfitters Licensing
Approved June 3, 2019 at 11:00 o'clock A.M.

SB19-179 - Enhance School Safety Incident Response Grant Program
Approved June 3, 2019 at 11:25 o'clock A.M.

SB19-186 - Expand Agricultural Chemical Management Program Protect Surface Water
Approved June 3, 2019 at 11:43 o'clock A.M.

SB19-189 - Sunset Concurrent Enrollment Advisory Board
Approved June 3, 2019 at 11:15 o'clock A.M.

SB19-204 - Public School Local Accountability Systems
Approved June 3, 2019 at 8:55 o'clock A.M.

SB19-221 - CO Water Conservation Board Construction Fund Project
Approved June 3, 2019 at 11:10 o'clock A.M.

SB19-255 - Gallagher Amendment Residential Assessment Rate
Approved June 3, 2019 at 3:14 o'clock P.M.

SB19-260 - Entry Into FPPA Fire and Police Pension Association For Social Security Employers
Approved June 3, 2019 at 2:42 o'clock P.M.

SB19-262 - General Fund Transfer To Highway Users Tax Fund
Approved June 3, 2019 at 3:12 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

Monday, June 3, 2019
Colorado Senate
The 72nd General Assembly
First Regular Session
State Capitol
Denver, Colorado 80203

Honorable Members of the Colorado Senate:

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB19-007 - Prevent Sexual Misconduct At Higher Ed Campuses
Approved May 31, 2019 at 3:30 o'clock P.M.

SB19-077 - Electric Motor Vehicles Public Utility Services
Approved May 31, 2019 at 12:19 o'clock P.M.

SB19-090 - Peer-to-peer Motor Vehicle Sharing Program
Approved May 31, 2019 at 2:15 o'clock P.M.

SB19-104 - Elimination Of Duplicate Regulation Of School Building
Approved May 31, 2019 at 10:48 o'clock A.M.

SB19-135 - State Procurement Disparity Study
Approved May 31, 2019 at 10:30 o'clock A.M.

SB19-158 - Sunset Pet Animal Care And Facilities Act
Approved May 31, 2019 at 4:40 o'clock P.M.

SB19-193 - Sunset Continue Colorado Medical Practice Act
Approved May 31, 2019 at 3:52 o'clock P.M.

SB19-198 - Continued Management Of Waste Tires
Approved May 31, 2019 at 3:32 o'clock P.M.

SB19-233 - Holding Company Income Tax Combined Report
Approved May 31, 2019 at 2:21 o'clock P.M.

SB19-239 - Address Impacts Of Transportation Changes
Approved May 31, 2019 at 12:40 o'clock P.M.

SB19-241 - Revisor's Bill
Approved May 31, 2019 at 2:14 o'clock P.M.

SB19-242 - Emergency Medical Service Providers Licensing
Approved May 31, 2019 at 2:20 o'clock P.M.

Sincerely,
(signed)
Jared Polis
Governor

May 31, 2019

The Honorable Colorado General Assembly
Colorado State Capitol
200 East Colfax Avenue
Denver, Colorado 80203

Dear Honorable Members of the Colorado General Assembly:

Today I signed and filed with the Secretary of State Senate Bill 19-104, "Concerning the Elimination of Duplicate Regulation, of the Property of a School District, District Charter School, or Institute Charter School."

I signed the bill because it is in the public interest to establish a formal process that identifies duplicative state regulations for before- and after-school programs or summer or day camps in order to reduce unnecessary compliance costs and address any confusion and discrepancies in the regulations. My staff and I will closely monitor the work of the Elimination of Duplicate Regulations Commission ("Commission"), newly created by the bill within the Colorado Department of Education ("CDE"), to ensure a fair process and that children's health and safety are prioritized as part of any decisions resulting from this new law.

When children participate in programs before or after school or during the summer, it is critical that the state ensures their health and safety. SB 19-104 includes a wide array of regulations that sometimes differ from school district regulations for the same programs, and we are optimistic that many duplicative regulations can be successfully consolidated by the newly created Commission without putting children in jeopardy.

For program administrators and providers, school district officials, students, parents, and others, these differences in regulations and associated enforcement can be confusing. To alleviate this confusion, the Commission will seek to identify these differences and, where identified, require rulemaking boards of relevant state agencies to update the regulations by applying one regulatory standard. The legislation requires and we are confident that these updates will be "consistent with evidence-based research regarding the health and safety of children."

We are glad that the final version of the bill allows for consideration of legitimate rules that protect children, such as ensuring that children do not go missing, ingest harmful chemicals, or play on unsafe playgrounds.

My administration will monitor the Commission's work and its impacts closely as my highest priority is that the health and safety of children is protected as we eliminate duplicative and confusing regulations governing these programs on school district property.

Sincerely,
(signed)
Jared Polis
Governor

May 31, 2019

The Honorable Colorado General Assembly
Colorado State Capitol
200 East Colfax Avenue
Denver, Colorado 80203

Dear Honorable Members of the Colorado General Assembly:

Today I signed Senate Bill 19-135, "Concerning methods to determine whether disparities involving certain historically underutilized businesses exist within the state procurement process, and, in connection therewith, commissioning a study to make such determination, requiring the department of personnel to track contracts awarded to historically underutilized businesses, and, making an appropriation."

Senate Bill 19-135 ("SB 19-135") directs the Department of Personnel and Administration ("DPA or department") to contract for a disparity study of the Colorado procurement process and to make recommendations to address any discrepancies identified by the study.

We strongly support the goals of SB 19-135, and thank the sponsors for their commitment to this important issue. However, we are concerned that, to be done in a comprehensive manner, a disparity evaluation of this scope may require more resources than appropriated in the bill. The bill includes a total appropriation of $650,000 for fiscal year 2020, and the fiscal note anticipates an additional appropriation of $650,000 for fiscal year 2021.

The bill calls for an evaluation of all prime and subcontractor contracts for construction, architecture, engineering, professional services, brokerage and investment, and goods and services, awarded over the past four years by every division, office, agency or other units within a department. In previous years, the DPA has conducted formal and informal market research on the cost of conducting a disparity study of this scale. Responses from a previous request for information estimated the cost of a study would range between $1.3 and $5.5 million, with costs estimated towards the upper end of the range by the department.

I have noted elsewhere that the General Assembly has provided flexibility to scale the duties of a study to fit funding provided. Unfortunately, such a provision was not included in SB 19-135. We hope that the department will be able to complete this study with the resources provided.

However, because achieving a quality outcome is most critical, I have directed the department to report early next year on whether the current appropriation is adequate to achieve the objectives outlined in SB 19-135 or if the General Assembly should be asked either to provide additional funds or to narrow the scope of the study in the upcoming legislative session.

Sincerely,
(signed)
Jared Polis
Governor