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

1st Legislative Day — Wednesday, January 10, 2018

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

Presentation of Colors — Mile High Honor Guard - Technical Sergeant Scott Chambers, 140th Medical Group; Technical Sergeant Diana Westfall, 140th Force Support Squadron; Airman First Class Jeffrey Harris, 460th Contracting Squadron; and Airman First Class Jordan Kuwada, 566 Intelligence Squadron.

Pledge of Allegiance — By Douglas County Sheriff's Deputy Victor J. Holbert.

Musical Presentation — By Laura, Kayla, Aria, and Alyssa Saunders of Arvada, performing "The Star-Spangled Banner".

Call to Order — The hour of 10:00 a.m. having arrived, the Second Regular Session of the Senate of the Seventy-First 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 Seventy-First General Assembly of the State of Colorado.

Roll Call — Present--35

Quorum — The President announced a quorum present.

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

Oath of Office — The President administered the oath of office to Effie Ameen, Secretary of the Senate.

Temporary Rules — On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the rules of the Senate of the First Regular Session of the Seventy-First General Assembly were made the temporary rules of the Second Regular Session of the Seventy-First General Assembly.

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

On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the President appointed Senators Gardner, Hill, and Garcia 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 declared **adopted**.

On motion of Majority Leader Holbert, and with the unanimous consent of the Senate, the President appointed Senators Coram, Lundberg, and Kerr 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 declared **adopted**.

Senate in recess. Senate reconvened.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR18-001 by Senator(s) Holbert, Grantham, Guzman; also Representative(s) Buckner, Esgar, Saine, McKean--Concerning the officers and employees of the Second Regular Session of the Seventy-first General Assembly.

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

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

Co-sponsors added: Co-sponsor(s) added: Aguilar, Kefalas, and Williams A.

SR18-001 by Senator(s) Holbert, Grantham, Guzman; --Concerning the appointment of officers and employees for the Senate convened in the Second Regular Session of the Seventy-first General Assembly.

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

COMMITTEE APPOINTMENTS

December 1, 2017

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

Mr. Mike Mauer:

Please be advised that I am appointing Senator Andy Kerr replacing Senator John Kefalas to serve on the Business, Labor and Technology Committee effective December 1, 2017.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

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

December 1, 2017

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

Mr. Mike Mauer:

Please be advised that I am appointing Senator John Kefalas replacing Senator Irene Aguilar to serve on the Local Government Committee effective December 1, 2017.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

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

January 5, 2018

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

Mr. Mike Mauer:

Senator Cheri Jahn has changed her party affiliation from Democrat to Independent and therefore making her ineligible to serve as the Democratic Senator on Legislative Audit Committee. I am therefore appointing Senator Nancy Todd to serve on the Legislative Audit Committee effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

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

January 5, 2018

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

Dear Mr. Mauer,

Due to Senator Jahn's decision to unaffiliate, under Senate Rule 21, I am making the following changes to committees effective Wednesday, January 10th, 2018.

The Senate Business, Labor and Technology Committee will be comprised of four Republican, two Democrat, and one Unaffiliated member.

The Senate Finance Committee will be comprised of three Republican, one Democrat, and one Unaffiliated member.

Senator Cheri Jahn will serve as the Unaffiliated member of the Senate Business, Labor and Technology committee, and the Senate Finance Committee.

Thank you for your time and attention to these changes.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader

cc: Senator Cheri Jahn
The Honorable Kevin Grantham, Senate President
The Honorable Lucia Guzman, Senate Minority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS

January 8, 2018

Mr. Mike Mauer
Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Mr. Mauer,

Please be advised that effective Wednesday, Jan 10th, I am appointing Senator Jim Smallwood to the Senate Finance Committee, replacing Senator Owen Hill. Senator Smallwood will serve as Vice Chairman of that committee.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader

cc: President Kevin Grantham
Minority Leader Lucia Guzman
Senator Jim Smallwood
Senator Owen Hill
Effie Ameen, Secretary of the Senate
Susan Liddle, Legislative Council Staff

January 9, 2018

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

Mr. Mike Mauer:

Please be advised that I am removing Senator Daniel Kagan from the Finance Committee due to the realignment of the committee by the Majority Leader effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

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

APPOINTMENTS

Legislative Audit

Pursuant to Section 2-3-101, C.R.S., Minority Leader Guzman appointed Senator Todd as a member of the Legislative Audit Committee, replacing Senator Jahn.

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

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

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 10, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1001 as printed in House Journal, Wednesday, January 10, 2018.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS (cont'd)

HJR18-1001 by Representative(s) Becker K., Duran, Neville P.; also Senator(s) Holbert, Grantham, Guzman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor John Hickenlooper, and appointing a committee to escort the Governor.

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

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

Co-sponsors added: Co-sponsor(s) added: Kefalas.

The President appointed Senators Sonnenberg and Williams to serve on the committee to escort the Governor to the State of the State Address.

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

Senate in recess.

Remarks of President Grantham:

Colleagues, Family, Honored guests….

Today is a day full of pageantry, ceremony, pomp, and circumstance. Today is a day where we accomplish some of the necessary procedures to get our business underway. But most importantly, today is the day where we chart the course for Colorado in this 2nd Regular Session of the 71st General Assembly.

But before we continue charting that course let's remember those who have graced us with their presence and blessed us with their talent to make this such a memorable day. Thank you to the Colorado National Guard Honor Guard, my pastor, David Almanzar, Deputy Victor Holbert, and The Saunders Family for that wonderful performance of our National Anthem. Will you join me in honoring each of them. Thank you all for being here today.

Today each of us also recognizes those near to us who make it possible for us to be here and to serve the people of Colorado. For my part, I would first like to recognize and thank the one who has let me share my life with her for 22 years come this Saturday, and going on 8 years while I have been here in the Senate…and never once changed the locks…yet…my wife, Caroline.

Welcome also to some of our returning friends and colleagues who are sharing this day with us. President Bill Cadman, Majority Leader Mark Scheffel, and Majority Leader Rollie Heath. Welcome Gentlemen! And thank you for your service to this institution and to this great State.

And to each of you who, like me, are experiencing your final opening day in this chamber. We can save all of the gushy comments for Sine Die, but Senator Guzman and Senator Aguilar, it is an honor to have begun my service with each of you and to finish with this year with you both! For the others, Senator Jahn, Senator Kerr, Senator Lundberg, and Senator Lambert, although you each had to endure serving time in that "other" chamber, I am glad you graduated to the upper chamber and I am eternally grateful that I had the opportunity to serve with each of you.

Let us also recognize those with us today and those who could not attend today who make it possible through their sacrifices for us to serve this state, our spouses, family, and significant others! Thank you!

And finally, would you also join me in recognizing our first responders, those who put themselves in harm's way for us, those who have given their lives in service, their families who grieve, and especially Deputy Zack Parrish and his family. Would you all join me and rise for a moment of silence as the Senate chimes ring in honor of his service, his life, and his memory.

Thank you all, and God Bless Deputy Parrish's wife, Gracie, and their two beautiful daughters.

Fellow Senators,

Most citizens of our nation view a darkened horizon ahead. Where divisiveness and partisanship have become the norm, and even your political party can be a label of shame, many find difficulty in seeing a brighter tomorrow for America and for Colorado.

The heart of our nation, civil discourse, is under continual attack. The feelings of community and neighborliness that once was the backbone of our communities is quickly becoming a distant memory, and our willingness to engage one another has diminished.

Today is a moment of deciding for our State. Shall we fall to the partisanship and constant suspension that is Washington D.C. politics, or shall we rise above and prove to the people of this great State that we are working for them, and not for our parties or our own egos?

Today, we decide what sort of legislative body we will be. Colorado has always been different. It's always been a special place, tucked behind the Rockies, untouched by the California smog or the New York corruption. Let's continue that tradition of being different. Let's work together to solve the issues that matter most to Coloradans, and let's cement a legacy together that will carry into future General Assemblies for generations to come.

Let us be the sun splitting that darkened horizon. Let us lead the way for better days to come. We are not bound to follow the path of Washington D.C., nor are we obligated to do so. We can work together to create a flourishing and prosperous Colorado that we can all be proud of.

In 2016 and 2017, despite having a split General Assembly, the majority of the bills that made it to the floor passed both houses, and with bipartisan support. When everyone said we couldn't accomplish construction defects reform -- we did it! When no one believed that we could pass a bill equalizing charter school funding -- we did it! We've done the tough work before - let us recommit ourselves to doing it again. Let us not fall to the temptation of blaming the other side for incomplete work. Our constituents are like our teachers, and as students, excuses can only go so far.

In speaking with many of you and listening to concerned constituents, there are six issues that stand out to me as being a top priority for 2018. Many of these issues aren't black and white. There isn't a Republican or Democrat way to fill a pothole, but I'd argue there is a Colorado way, and that's if we do it together.

Today, let us commit ourselves to maintaining and building the roads of Colorado. These roads, albeit not flashy, and often taken for granted, are Colorado's veins, allowing the lifeblood of our State, our people, and the economy they support, to travel efficiently and affordably.

Between 1991 and 2015, the number of drivers on our roads increased from 3.3 million to 5.4 million, and projections estimate 7.8 million by 2040. Unfortunately, our investment in this vital infrastructure has fallen from $125.70 per person to just $68.94 per person.

This reduction has left many of our roads and highways in disrepair, or woefully inadequate for their volume, and for years we've failed to produce meaningful solutions. This issue is one that greatly affects our lower and middle class residents, as potholes and other road defects that can damage vehicles creates the greatest issue for those that are already having trouble making ends meet.

And let us not forget those who rely on the roads beyond simple a daily commute. The Colorado Motor Carriers Association estimated that nearly 100,000 jobs stem from the trucking industry in Colorado as of 2016. 79% of Colorado communities rely exclusively on trucking to move their goods, and 89% of total manufacturing tonnage is transported via truck. Colorado's roads are their offices. If the flooring was falling apart in your office, wouldn't you fix it?

I applaud the Governor for moving in the right direction with his budget proposal, putting an additional $148 million into our roads. While I personally believe that number should be higher, the fact remains that we are moving in the right direction.

Let's invest in something meaningful, our roads, and benefits will stem from every corner of Colorado, in every neighborhood, and possibly in every household.

To this end, today Senators Cooke and Baumgardner will sponsor Senate Bill 1. This legislation will commit a portion of the forecasted revenue surplus year over year to the tune of approximately $300 million and will refer a measure to the voters of Colorado this November asking their permission to issue bonds on this commitment so that we can finally expand the I-25 gap from Monument to Castle Rock, so that we can finally expand I-25 North, and so that we can finally expand the I-70 West Mountain corridor. With this measure we will be able to finally start on the Tier 1 portion of the massive backlog in CDOT's project list.

Today, let us commit to PERA reform that provides our state employees with the benefits they were promised, and deserve, while ensuring that future generations don't have to foot the bill. This is not a new issue, nor should it be a surprise to any member of this chamber that it's a top priority.

Current and future workers in the public sector have their own hopes and dreams for their careers and their retirement. Retirement security is a big part of those plans.

Protecting only today's retirees is insufficient; we must have our public pension system on sound financial footing so that today's and future employees can also be paid when they retire.

We also must come to terms with the fact that the workforce is changing, and that the solutions of the past may not be what is preferred by some of today's workers.

All public sector employees should have the same opportunities and choice in retirement planning that the State of Colorado employees enjoy; denying that choice is fundamentally not fair.

The magnitude of the problem is larger than many believe - very possibly PERA is underfunded in excess of $55 Billion. This is large enough to affect the credit rating of the State and public institutions - and raise bonding costs for all important public construction projects. This unfunded liability is a debt in excess of $10,000 per man, woman, and child in Colorado. The fact that we don't exactly know how much trouble we're in also shows the need for more transparency in PERA's finances. It will only serve to bolster confidence and give better understanding of the challenges we now face.

Some say that we can put off reform for another year. Doing so will merely increase the debt we are facing by millions of more dollars - and put more financial strain on the pension system.

Several proposals call for additional involvement by taxpayers - beyond the significant payments being made today for debt service. It is only fair then to ask for in return structural changes to PERA that start to deal with long term risk. We have to stop digging the hole at the same time that we are trying to fill it.

If Option A is to do nothing, Option B is to apply a bandaid, and Option C is to do the hard work, I say we pick Option C.

I won't be here ten, twenty, or thirty years from now, and neither will any of you. I surely don't want to hear the Senators that fill our seats saying what a shame it is that the 71st General Assembly couldn't solve this issue back in 2018. I don't want future generations trying to tackle a $100 billion dollar unfunded liability when we could have solved it now.

The choice rests with each of us. If we all, together, commit to solving the PERA question this year, then it isn't a matter of what we're going to get done this session, it's simply a matter of how we're going to get it done. And through the leadership of Senator Tate and others we have an opportunity to accomplish this! An opportunity that we cannot simply let pass by.

Today, let us commit to finding solutions to bring broadband to our rural communities across Colorado. We have an opportunity to advance the education, economic growth, and healthcare systems of Colorado by ensuring that every corner of our State is effectively connected to the internet.

Whether it's the 5th grader in Dove Creek trying to get his homework done or the business owner in Creede wanting to sell his goods online, or a hospital in Hugo researching life-saving solutions for their patient, there are few opportunities that can bring so much benefit to so many Coloradans.

We have a duty to ensure that internet service providers can provide fast internet connections to every household in Colorado. Where our State has neglected to invest previously, we must prioritize, and where our State Government has gotten in the way, we need to reign it in. In fact, as I stand here right now there are potential decisions being made right across the street that could use existing grant dollars to overbuild existing infrastructure. Any legislation that we propose must protect existing providers from government subsidized competition. Any funds that we create here should be used to improve truly unserved areas of the state.

The internet has brought more people together, allowed more economic mobility, and advanced research and technology unlike anything mankind has ever seen before. A true child of the free market, it belongs to no one man or any government, it belongs to the people. It has been around for decades now, and it's time to make sure every Coloradan has access to it.

Senators Coram and Sonnenberg will be leading the effort this year to finally bring a solution to funding and access to rural broadband.

Today, let us commit to reforming our Energy Office and implementing energy policies that embraces all forms of energy for our residents.

Personally, I don't care if it's oil, natural gas, wind, solar, coal, nuclear, hydro, or if they find some way to harness the power of the hot air rising from the Capitol Dome, I am for a diverse energy portfolio in the State of Colorado, and we should all be for that.

As new energy forms emerge, we must also not forget the traditional forms of energy, like oil and gas, that employ approximately 100,000 of our residents and bring around $30 billion in economic activity each and every year. Government shouldn't be in the business of picking winners and losers. Instead, let's open the markets and encourage energy development in all sectors that keeps and brings jobs to Colorado while lowering heating bills to consumers in each and every one of our districts.

I'd like to thank Senator Scott for taking the lead on this issue with a bill that will modernize, repurpose, and redefine the mission of the energy office, focusing on an all-of-the-above energy policy for Colorado.

Last year, Republicans and Democrats in this chamber pushed a bipartisan effort to fund our hospitals, education, and transportation. As part of that legislation was a request for a 2% reduction in spending for every department except for education and transportation.

As we all know, this request was not honored. That is why Senator Sonnenberg will be proposing a reduction in Colorado's income tax rate, proportionate with that 2%. If this government can't live up to its guarantees, than we are better giving the money back to Colorado taxpayers.

A health crisis that has been brewing for years in the United States has unfortunately not ignored our own State. Morphine, hydrocodone, oxycodone, Percocet, Vicodin, cocaine. I'm speaking of opioid abuse. It has claimed the lives of far too many individuals who simply sought pain relief from injuries and medical procedures, and to those it hasn't killed, it has left homeless, unemployed, divorced, and alone. It has personally affected far too many of our families and communities, tearing them apart at the seams, and 2018 will be the year we address it head on.

That's why I am proud to see a package of legislation coming forward this session to help tackle this crisis, and I would like to recognize the Opioid Abuse Study Committee for their great work in the interim on this important issue, in particular, Senators Jahn, Lambert, Moreno, Priola, and Tate. Let us lead the way and tackle what could be the greatest health crisis our nation has faced thus far in the 21st century.

Finally, let us commit to creating a welcoming and respectful workplace environment here in the Capitol building. Many pundits, commentators, lobbyists, and legislators have made their opinions known, and I don't think anybody here is of the belief that the status quo is working, or that action shouldn't be taken. That's why I'm proud to work alongside the leadership in both houses to take steps to ensure that our Capitol remains a safe, welcoming and respectful work environment for all doing business here.

Today, let us commit ourselves to trying our best. That's all we can do. Let us respect one another, not by the R or D next to our names, but by the fact that we're all Coloradans, we're all Americans, and we're all humans. I have no doubt that every single individual serving in this body is passionate about making Colorado a better place to live, a better place to work, a better place to raise a family, a better place to settle down. That is where we can find our common ground.

I look forward to the journey we will share over these 120 days. And when we look back on "Today", we can say "Today, we committed ourselves to a brighter future and a better Colorado. Together".

Thank you all, God bless each of you through this session and God Bless the great State of Colorado.

Remarks of Minority Leader Guzman:

Mr. President
Mr. President Pro Tem
Mr. Majority Leader
Mr. Assistant Minority Leader

Colleagues
Family and friends

I have been honored to serve as the Democratic Leader of the Senate for these years, and my first desire today is to honor and thank those Senators whose last session of service begins today:

Senator Cheri Jahn
Senator Andy Kerr
Senator Irene Aguilar
Senator and President Grantham
Senator Lundberg
Senator Lambert

The graduating class of 2018 has made significant contributions to the State of Colorado and served their constituents with honor and respect.

Please join me in applauding their service.

We know that those of us entering our last legislative session are not yet finished with our work. Each of us joins all of you in making this session of the 71st general assembly one of historic progress for the people of Colorado.

Today, I'm honored to welcome and recognize some special guests.

Every year, each of our 35 Senate Districts selects one student to serve as a member of the Colorado Youth Advisory Council (COYAC). These students play a vital role in advancing the values of civic engagement in our next generation of leaders.

I'm honored to introduce the exceptional young woman chosen to represent my own Senate District in Northwest Denver County: Winta Goyne.

Winta's family came to our country as refugees from Eritrea. A journey that began in a refugee camp at the age of 2 brought her to this moment and her new home in Denver. Now, she's an outstanding 10th grade student at North High School. Both of her parents are hardworking, proud residents who hope to become full citizens of the United States.

I'd also like to welcome our friends from the Bureau of Land Management and the Great Escape Mustang Sanctuary.

From the BLM are Jayson Barangan and John Beck. From the Great Escape Mustang Sanctuary are Michelle Sander, Executive Director and Stephanie Lindsay, Lead Trainer as well as Michelle's two children, Carson and Preston, and three members of the GEMS Board.

Through the efforts of dedicated professionals and volunteers alike, they've made great progress in balancing protecting the wild horse population and the management of our cherished public lands. This cooperative spirit in service of preserving Colorado's unique natural beauty and ecosystems is a wonderful example of what makes our home state so special.

President Theodore Roosevelt once said that "what makes a hero is the romantic notion that they stand above the tawdry give and take of everyday politics, where division gives way to unity, and where the nation regains its lost innocence, and the people share a sense of purpose."

I believe that elected officials must strive to live up to these ideals each and every day. Last year's legislative session has been called one of the best in decades thanks to our collective will to reach across the aisle. When we allow divisions to give way to unity, we pass major bills that improve the lives of the people we're bound to serve.

This spirit of collaboration and unity shows us a better way forward. A way to cross the bridges that divide rural and urban, rich and poor. A way to truly commit to our shared purpose of guaranteeing that a good life is available to all Coloradans. And we must commit to that vision, now more than ever.

Over the past several decades, Colorado families have been hit hard by a brutal economic reality: everything keeps getting more expensive, but people barely make enough money to keep up.

Rent, housing, childcare, healthcare. The cost of living marches to new heights every year, but paychecks stay the same.

Hundreds of thousands of Coloradans work full-time jobs that pay less than what it takes to keep a family of four out of poverty.

Despite having one of the strongest economies in the country, Colorado spends roughly $2,000 less per K-12 public school student than the national average--lagging behind 37 other states.

The obscene cost of healthcare continues to drive families into debilitating debt when a loved one gets sick or injured--even if they have insurance.

These are just a small sample of the challenges we must face together. The question remains whether or not we can summon the collective courage to put partisanship aside and advance an agenda that improves the lives of the working and middle class.

In years past, we've seen far too many bipartisan bills die along party-line votes in Republican-controlled Senate Committees.

A bipartisan affordable housing bill offering relief from obscenely high housing costs in urban and rural Colorado alike--killed.

A badly-needed transportation bill, which saw collaboration from both parties - died in committee.

Effort after effort to finally expand high-speed broadband Internet to our rural and mountain communities--blocked.

Today, I invite us to look past conventional partisan labels, Democrat, Republican, and Independent, and work to advance a policy agenda that truly serves the working class:

Let's work together to make healthcare available for all.

- Let's create a public option that gives every resident of our state the choice to get affordable care through Health First Colorado.

- Let's legally brand pharmaceutical price gouging as what it is--a deceptive trade practice--and create real consequences for companies that maximize their profits at the expense of access to life saving drugs.

- Let's continue our bipartisan work to confront the opioid crisis by expanding access treatment and addiction counseling, stopping the over-prescription of dangerously addictive pain medications, and fight to keep the cost of behavioral health services as low as possible.

Let's work together to join nearly every other nation on earth in providing paid leave for the people of Colorado. Let's stop forcing parents to choose between being present for some of the most precious moments in their children's lives and putting food on the table. Let's stop forcing workers from going to work with the flu because they have no other option.

As state employees, elected officials like us have the opportunity to earn paid time off. How can we continue to deny the people of Colorado the same opportunity?

Let's work together to ensure the long-term health of PERA, our state retirement program that currently serves 500,000 Coloradans. Let's make sure that we create a long-term, automatically adjusting solution that keeps pace with cost of living and provides peace of mind for our retirees.

Let's make sure every Coloradoan has access to high-speed broadband internet--an absolute necessity for modern life and business.

- Far too many rural and mountain communities across Colorado remain isolated from the growing opportunities offered by broadband services.

- Many students in schools across Colorado are falling behind because of the lack of access to reliable Internet.

- Doctors and nurses and physician assistants cannot serve people who live far from their offices through telemedicine without high-speed internet.

- Ranchers, farmers, and exciting startup programs throughout rural Colorado remain at a disadvantage.

- This year, there is a bipartisan bill to usher in a major expansion of broadband Internet access. Our colleagues are ready, the people are ready. Internet service providers must get with the program this year. Let's make it happen.

On these and so many other issues, we have an opportunity to create a Colorado where the building blocks of a good life are available to everyone, not just a privileged few.

A better world is possible--for all.

We've seen what happens when we set Coloradans up to succeed. We see it in the entrepreneurial spirit that drives our states' businesses. In Colorado's craft beer industry. In specialized outdoor companies like Osprey in Cortez, or Melanzana in Leadville.

We see in women like April Archer, a true entrepreneur who's with us here today. April owns Sarabella Fishing, a company launched in 2014 out of frustration with the lack of fishing equipment tailored to women. Today, April's company produces fishing rods with a variety of weights and grips so that women across the country can enjoy one of her favorite pastimes with their families just as she does with hers.

We envision a world where these success stories are not the exception, but the rule.

Finally, I cannot in good conscience let today pass without speaking to this unique moment in political history. In order to be genuine advocates for the working class, we

must be honest about the root causes of one of the most urgent problems plaguing our society: the ever-widening gulf between the ultra-wealthy and the rest of us.

The truth is that the economic struggles of the middle and working class are not the inevitable outcome of economic forces beyond our control. They are a direct result of a broken system where money buys access and influence for powerful interests at the expense of everybody else.

A political system corrupted by money is at the core of almost every major issue we face.

Elected officials who fail to acknowledge this reality are part of the problem. If we want to solve it, we can start by giving a stronger voice back to the people we serve.

While we can't control what happens at the federal level, we can continue to protect state-level politics here in Colorado from the same fate.

Anti-corruption reform will be at the heart of our agenda in 2018 because we must do everything in our power to build a political system that truly works for the people.

This legislative session, we are introducing a bill that will cap the flow of unlimited money into county and school board elections. And we will fight to require transparency from the moneyed interests pouring millions of dollars into our elections.

To borrow one more quote from Theodore Roosevelt: "If we condone political theft, our civilization itself cannot endure."

We will never stop fighting to protect our political system from corruption. A government that truly represents the people--the very foundation of a free society--cannot exist any other way.

Let me tell you about the vision of a political leader--who is a hero of mine--and day by day becoming the hero of his constituent. He is following through on the challenge of rebuilding a dying community, one of many across Colorado whose community is changed because of the end of long-time business investments. Through his hope, hard work, building community and relationships across the isle, the good senator from Montrose is guiding one of his communities towards a business shift.

He has dared to move the promise of hemp production and has plans for developing the business, which include bringing jobs, training, and a new life to an area long lost--hemp, a new agricultural product in places where old ways have gone by.The vision of a political leader, the hope of a community the promise of jobs for the district, for that, I have taken the personal move towards establishing the hemp award. And this award goes to the great senator from Senate District 6. A true hero who has dared greatly, taken risks, and made sacrifices.

When we were kids, we had no toys to speak of. But we did have a tree to climb. The tree was a chinaberry tree. It had small, but hard green berries. We each choose a limb of the tree that we called our own. We took our pocket knife and carved our name in the limb to secure our very own property right.

We would take some old thin limbs from the tree and some old inner tube rubber and make ourselves some slingshots. While we were above the yard, we would shoot at my daddy's chickens. Some didn't survive. And we had to let our dad believe that, for some odd reason, some of his chickens had heart problems and died on the spot from a heart attack. We loved climbing that tree. My brother climbed almost to the top. As high as he could go without losing his balance. I chose the limb closer to the trunk of the tree. It was a strong limb, and I could sit comfortably for a long time. My brother tried his best to coax me up to his highest limb. He would say, "I can see in Charles Black's back yard. I can see the train coming", and he would say, "come on up and you can see".

His limb was high enough to see above the leaves, and he no doubt had a clear view of things I could not see. But to this day, I don't know if he was really seeing what he said he saw or if he was making it up just to get me to climb where i did not want to climb. We would even climb the tree at night, and he said, "I can see the stars, come on up". Or "I can see the Milky Way from here". I always loved the stars, and I wanted so much to believe him. I wanted to experience what I could not see. To believe in the unknown.

One day, when no one else was around. I climbed to my limb, and on up, up to as far as I could go. I secured myself on the spindly limb, looked around, above the tree leaves. And I did not see the train coming down the track, nor could I see in the backyard of Charles Black's yard. But I could see far more than when I sat on my own limb. I could see farther than ever before and did not fall off.

As electeds, we are dared to heed the call to risk the unknown for the promise of greatness. Not for the greatness of oneself. But for the greatness of a people. The greatness of our society.

Those of us who have one last session have one last chance to accomplish something else for colorado.

To those staying and for those preparing to leave. Whether or not we accomplish all of our goals. We must continue to set the stage for daring to be the best that we can be. There will be the urge to consider the unknown. Always calling us to go places we've not been before. My advice--climb up there. So that you can know that you did the best you could to fulfill the promises made to those who elected you--to build an even better Colorado.

Senate reconvened.

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

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM18-001 by Senator(s) Jones and Baumgardner, Cooke, Coram, Merrifield; also Representative(s) Singer and Thurlow, Becker K., Carver, Exum, Hamner--Concerning the need for Congress to fund catastrophic wildfire response costs outside of federal forest management agencies' normal budgets.

Laid over until Tuesday, January 16, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck and Carver, Leonard--Concerning transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2018 general election, which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; would repeal an existing requirement that the state treasurer execute lease-purchase agreements for the purpose of funding transportation projects; and would require ten percent of state sales and use tax net revenue to be credited to the state highway fund for the purpose of repaying any notes issued and funding transportation projects.
Transportation

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.
Business, Labor, & Technology

SB18-003 by Senator(s) Scott, Grantham, Holbert; --Concerning the Colorado energy office.
Agriculture, Natural Resources, & Energy

SB18-004 by Senator(s) Kerr, Donovan, Court, Fenberg, Fields, Jones, Merrifield, Todd, Williams A., Zenzinger; --Concerning increasing the funding for preschool through twelfth grade public education, and, in connection therewith, increasing the funding for full-day kindergarten and requiring the secretary of state to submit a ballot question to authorize the state to retain and spend for preschool through twelfth grade public education any state revenues above the excess state revenues cap approved by the voters in 2005.
State, Veterans, & Military Affairs

SB18-005 by Senator(s) Donovan, Aguilar, Fenberg, Kefalas, Kerr, Moreno, Court, Guzman, Kagan, Merrifield, Todd, Williams A., Zenzinger; also Representative(s) Roberts--Concerning economic assistance for rural communities experiencing certain significant economic events that lead to substantial job loss in those communities, and, in connection therewith, authorizing the department of local affairs to coordinate nonmonetary assistance and award grant money to assist rural communities with job creation or retention.
State, Veterans, & Military Affairs

SB18-006 by Senator(s) Zenzinger, Aguilar, Court, Donovan, Fenberg, Guzman, Kagan, Kefalas, Kerr, Moreno, Todd, Williams A.; also Representative(s) Winter--Concerning the ability of the counties to increase the fee they charge for the recording of real estate documents for the purpose of financing a statewide attainable housing investment fund.
State, Veterans, & Military Affairs

SB18-007 by Senator(s) Tate and Guzman, Court, Fenberg, Fields, Jones, Merrifield, Todd, Zenzinger; also Representative(s) Duran and Becker J.--Concerning the Colorado affordable housing tax credit, and, in connection therewith, renaming the low-income housing tax credit the Colorado affordable housing tax credit and extending the period during which the Colorado housing and finance authority may allocate affordable housing tax credits.
Finance

SB18-008 by Senator(s) Merrifield, Holbert, Aguilar, Court, Donovan, Fenberg, Kefalas, Kerr, Marble, Martinez Humenik, Todd, Zenzinger; --Concerning measures to reward public education entities that provide student access to arts education programs.
Education

SB18-009 by Senator(s) Fenberg and Priola, Cooke, Guzman, Lundberg; --Concerning the right of consumers of electricity to interconnect electricity storage systems for use on their property.
Agriculture, Natural Resources, & Energy

SB18-010 by Senator(s) Martinez Humenik and Williams A., Aguilar, Donovan, Kefalas, Merrifield, Priola, Tate, Court, Fenberg, Fields, Guzman, Kagan, Kerr, Todd, Zenzinger; also Representative(s) Exum, Benavidez, Coleman, Herod, Kennedy, Roberts, Rosenthal, Becker K., Buckner, Singer, Weissman, Lee--Concerning the requirement that a residential landlord provide a tenant with specified documents relevant to the landlord-tenant relationship, and, in connection therewith, specifying rent receipts and copies of any written lease agreement as documents that must be provided.
Local Government

SB18-011 by Senator(s) Holbert and Kerr; also Representative(s) Kraft-Tharp and Lundeen--Concerning treatment of students who are excused by their parents from participating in state assessments.
Education

SB18-012 by Senator(s) Hill; also Representative(s) Pettersen--Concerning including military enlistment as part of the postsecondary and workforce readiness performance indicator for public schools.
Education

SB18-013 by Senator(s) Fields and Gardner, Martinez Humenik, Moreno, Priola; also Representative(s) Michaelson Jenet--Concerning expanding the grades eligible for the child nutrition school lunch protection program.
Education

SB18-014 by Senator(s) Cooke and Fields; also Representative(s) Wist and Herod--Concerning requiring the department of corrections to disclose the location of inmates who are relocated to facilities outside of the state.
Judiciary

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".
Judiciary

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING (cont'd)

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

SB18-016 by Senator(s) Martinez Humenik and Fields; also Representative(s) Singer, Benavidez--Concerning the repeal date for the transfer of money from community corrections to the housing assistance for persons transitioning from the criminal or juvenile justice system cash fund.
Judiciary

SB18-017 by Senator(s) Lundberg; --Concerning granting judicial discretion to sentence a defendant to an indeterminate or determinate sentence for a sexual offense, and, in connection therewith, requiring the criteria and basis for the sentencing decision to be articulated on the public record.
Judiciary

SB18-018 by Senator(s) Kagan; --Concerning requiring the Colorado commission on criminal and juvenile justice to contract for a study of effective criminal sentencing practices.
Judiciary

SB18-019 by Senator(s) Donovan and Coram, Baumgardner, Sonnenberg; also Representative(s) Hansen and Arndt, Esgar--Concerning an expansion of the duration for which the Colorado water resources and power development authority may make a loan under the authority's revolving loan programs.
Agriculture, Natural Resources, & Energy

SB18-020 by Senator(s) Garcia; --Concerning mental health care professionals who are permitted to perform auricular acudetox.
Health & Human Services

SB18-021 by Senator(s) Neville T. and Jahn; also Representative(s) Pabon--Concerning a closed-loop payment processing system pilot project for marijuana-related businesses.
Business, Labor, & Technology

SB18-022 by Senator(s) Tate and Aguilar, Lambert; also Representative(s) Pettersen and Kennedy, Singer--Concerning clinical practice measures for safer opioid prescribing.
Health & Human Services

SB18-023 by Senator(s) Martinez Humenik; also Representative(s) Ginal, Landgraf--Concerning the promotion of the off-label use of pharmaceutical products.
Health & Human Services

SB18-024 by Senator(s) Jahn and Tate, Aguilar, Lambert, Priola; also Representative(s) Singer, Buck, Kennedy, Pettersen--Concerning modifications to the Colorado health service corps program administered by the department of public health and environment to expand the availability of behavioral health care providers in shortage areas in the state.
Health & Human Services

SB18-025 by Senator(s) Priola; also Representative(s) Coleman--Concerning modernization of election procedures for the urban drainage and flood control district to conform with the current requirements of state law.
State, Veterans, & Military Affairs

SB18-026 by Senator(s) Kagan; --Concerning measures to make sex offender registration more effective.
Judiciary

SB18-027 by Senator(s) Smallwood and Todd, Aguilar, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Grantham, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Sonnenberg, Tate, Williams A., Zenzinger; also Representative(s) Kraft-Tharp and McKean, Arndt, Becker J., Becker K., Benavidez, Bridges, Buck, Buckner, Carver, Covarrubias, Duran, Esgar, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Jackson, Kennedy, Landgraf, Lawrence, Lontine, Lundeen, McLachlan, Michaelson Jenet, Pabon, Roberts, Rosenthal, Singer, Thurlow, Valdez, Van Winkle, Winter, Wist, Young--Concerning the enactment of the "Enhanced Nurse Licensure Compact".
Finance
Appropriations

SB18-028 by Senator(s) Scott; also Representative(s) Bridges--Concerning the repeal of certain requirements for where a license plate is mounted on a motor vehicle.
Transportation

SB18-029 by Senator(s) Lambert and Garcia; also Representative(s) Pabon and Willett--Concerning the development of marijuana tracking technology.
Business, Labor, & Technology

SB18-030 by Senator(s) Holbert and Kagan; also Representative(s) Foote and Willett--Concerning the nonsubstantive relocation of laws related to self-propelled vehicles from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB18-031 by Senator(s) Gardner, Kagan; also Representative(s) Foote, Herod--Concerning an extension of the title 12 recodification study being conducted by the office of legislative legal services.
Judiciary

SB18-032 by Senator(s) Gardner and Cooke; also Representative(s) Foote and Herod--Concerning the nonsubstantive relocation of laws from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

SB18-033 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the continuation of the animal feeding operation permit program under the department of public health and environment.
Agriculture, Natural Resources, & Energy

SB18-034 by Senator(s) Cooke and Guzman; also Representative(s) Wist and Lee--Concerning the nonsubstantive relocation of laws related to the regulation of gaming from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.
Judiciary

SB18-035 by Senator(s) Gardner and Cooke; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to gambling payment intercept from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.
Judiciary

SB18-036 by Senator(s) Kagan; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to the regulation of tobacco sales to minors from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.
Judiciary

SB18-037 by Senator(s) Kagan; --Concerning clarification of sentences for habitual criminals.
Judiciary

SB18-038 by Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg; also Representative(s) Esgar and Willett, Arndt, Hansen, Saine--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for industrial hemp cultivation.
Agriculture, Natural Resources, & Energy

SB18-039 by Senator(s) Jones and Cooke, Baumgardner, Coram, Merrifield; also Representative(s) Thurlow and Exum, Becker K., Carver, Hamner, Singer--Concerning the wildfire matters review committee, and, in connection therewith, deferring the date on which the committee is scheduled to repeal.
Agriculture, Natural Resources, & Energy

SB18-040 by Senator(s) Lambert and Jahn, Aguilar, Moreno, Priola, Tate; also Representative(s) Singer, Kennedy, Pettersen--Concerning measures to address the opioid crisis in Colorado, and, in connection therewith, providing immunity for individuals who provide clean syringes through a clean syringe exchange program, creating a supervised injection facility pilot program, allowing school districts to develop policies for the supply and administration of opiate antagonists, and requiring the commission on criminal and juvenile justice to study certain topics related to sentencing for opioid-related offenses.
State, Veterans, & Military Affairs

SB18-041 by Senator(s) Coram and Baumgardner, Donovan, Jones, Sonnenberg; also Representative(s) Saine and Arndt, Esgar, Hansen, Willett--Concerning the ability of operators of sand and gravel mines to use water incidental to sand and gravel mining operations to mitigate the impacts of mining.
Agriculture, Natural Resources, & Energy

SB18-042 by Senator(s) Donovan and Crowder, Sonnenberg; also Representative(s) Catlin and McLachlan, Arndt, Jackson, McKean--Concerning the creation of the agricultural workforce development program.
Agriculture, Natural Resources, & Energy

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.
State, Veterans, & Military Affairs

SB18-044 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning the ability of private employers to give preference to veterans when making certain employment decisions.
State, Veterans, & Military Affairs

SB18-045 by Senator(s) Lundberg, Neville T.; also Representative(s) Ransom--Concerning the repeal of the "Architectural Paint Stewardship Act".
Finance

SB18-046 by Senator(s) Moreno; --Concerning authorization to increase the minimum donation required to be issued a certificate that qualifies a person to be issued a group special license plate.
Finance

SB18-047 by Senator(s) Marble; also Representative(s) Saine--Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2019.
Finance

SB18-048 by Senator(s) Jones; also Representative(s) Foote--Concerning the ability of a local government to exercise land use authority over oil and gas facilities used in oil and gas operations in a manner analogous to the siting of other industrial facilities, and, in connection therewith, enacting the "Protect Act".
State, Veterans, & Military Affairs

SB18-049 by Senator(s) Court; also Representative(s) Melton--Concerning the use of mobile electronic devices while driving.
State, Veterans, & Military Affairs

SB18-050 by Senator(s) Smallwood; --Concerning including staff of free-standing emergency facilities as part of Colorado's safe haven laws.
Health & Human Services

SB18-051 by Senator(s) Merrifield; --Concerning crimes related to multi-burst trigger activators, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

SB18-052 by Senator(s) Hill; also Representative(s) Humphrey and Saine--Concerning the repeal of certain provisions concerning ammunition magazines.
State, Veterans, & Military Affairs

SB18-053 by Senator(s) Court; also Representative(s) Young--Concerning the citation of drivers for the failure of one or more vehicle occupants to wear a safety belt.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

January 10, 2018

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 23 executive orders granting clemency in 2017. These orders were made available to the public at the time they were issued in 2017. I am also attaching 22 letters that accompanied the pardons issued on November 20, 2017.

During 2017, Governor Hickenlooper granted 23 pardons and no commutations of sentence. The following persons were granted pardons during this year:

- Breana Bright, for the 2006 crime of Theft, committed in Douglas County;
- Linda Burch, for the 1991 crime of Possession of Eight or More Ounces of Marijuana, committed in Delta County;
- Robert Busse, for the 1988 crime of First Degree Criminal Trespass, committed in Grand County;
- Jerome Casper, for the 1983 crime of Theft, committed in Montrose County;
- Donald Corkum, for the 1977 crime of Theft, committed in El Paso County;
- Trina Cutcher, for the 1996 crime of Possession or Sale of a Schedule I or II Controlled Substance, committed in El Paso County;
- Matthew Eschenfelder, for the 2004 crime of Theft, committed in Larimer County;
- Donald Haggart, for the 1987 crime of Aggravated Motor Vehicle Theft, committed in El Paso County;
- Roger Harsh, for the 1972 crimes of Marijuana Possession, committed in Adams County;
- Mark Horner, for the 1996 crime of Theft, committed in Adams County;
- Christopher Karr, for the 1994 crime of providing false information to a pawnbroker, committed in El Paso County;
- Travis Leach, for the 2004 crime of Possession of Eight or More Ounces of Marijuana, committed in Jefferson County;
- Rene Lima-Marin, for the 1998 crimes of Second Degree Kidnapping, First Degree Burglary, Aggravated Robbery, and Violent Crime, and Robbery, committed in Arapahoe County;
- Judith Lopez, for the 1981 crimes of second degree forgery, committed in Denver County, and attempted theft, in Adams County, and the 1987 crimes of possession of a controlled substance, committed in Denver County, and theft, committed in Jefferson Country;
- Joe Maestas, for the 1992 crime of possession of a controlled substance, committed in Denver County;
- Louis Mitchell, for the 2000 crime of possession of eight or more ounces of marijuana, committed in El Paso County;
- Charles Pope, for the 1962 crime of Taking Parts Off of a Motor Vehicle, committed in Delta County, and the 1966 crime of Grand Larceny, committed in Montrose County;
- Demetrius Roberts, for the 1995 crime of Possession or Sale of a Schedule I or II Controlled Substance, committed in Denver County;
- Frances Sagel, for the 1994 crimes of Forgery, committed in Morgan County, and Issuance of a Bad Check, committed in Weld County;
- Bounlom Souvannamacho, for the 1994 crimes of Criminal Attempt to Commit Theft of a Person, committed in Adams County, and Aggravated Robbery with Armed Confederate, committed in Jefferson County;
- Wayne Thomas, for the 1997 crime of Aggravated Robbery: Use of a Deadly Weapon, committed in Arapahoe County;
- David Thyfault, for the 1969 crime of Possession of Narcotic Drugs, committed in Weld County; and
- James Wachsman, for the 1972 crime of Selling or Dispensing Marijuana, committed in Routt County.

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

Sincerely,
(signed)
Jacki Cooper Melmed
Chief Legal Counsel

cc: Sen. Kevin Grantham, President, Colorado Senate
Rep. Crisanta Duran, Speaker, Colorado House of Representatives
Sen. Bob Gardner, Chair, Committee on the Judiciary, Colorado Senate
Rep. Pete Lee, Chair, Committee on the Judiciary, Colorado House of Representatives
Ms. Effie Ameen, Secretary, Colorado Senate
Ms. Marilyn Eddins, Chief Clerk, Colorado House of Representatives
Ms. Sharon Eubanks, Director, Office of Legislative Legal Services
Mr. Pat Meyers, Chief of Staff, Governor's Office
Mr. Mark Bolton, Deputy Counsel, Governor's Office
Ms. Katie McLoughlin, Deputy Counsel, Governor's Office
Mr. Kurtis Morrison, Director, Office of Legislative Affairs, Governor's Office
Ms. Lauren Lambert, Senior Deputy Director, Office of Legislative Affairs, Governor's Office
Ms. Mary Kanan, Director of Executive Clemency

TRIBUTES

Honoring:

Frances Evans -- by Senator Rachel Zenzinger.
Dan Cartin -- by President Kevin J. Grantham and Speaker Crisanta Duran.
Cañon City Fire Department -- by President Kevin J. Grantham.
Dena Bradley -- by President Kevin J. Grantham.
Gavin Arneson -- by President Kevin J. Grantham.
Gary and Barbara Sloan -- by Senator Leroy Garcia.
Kyndal Murphy-Sims -- by Senator Leroy Garcia.
Holly Lakin -- by Senator Leroy Garcia.
Tom and Alicia Horner -- by Senator Leroy Garcia.
Ron and Louise Steger -- by Senator Leroy Garcia.
Dan and Judy Juba -- by Senator Leroy Garcia.
Gerald and Elvira Avila -- by Senator Leroy Garcia.
Don and Justine Madrid -- by Senator Leroy Garcia.
Robert and Vivian Monge -- by Senator Leroy Garcia.
Pauline Moreno -- by Senator Leroy Garcia.
Don and Abi Gaylord -- by Senator Leroy Garcia.
The Florence Police Department -- by President Kevin J. Grantham.
Monique Baca -- by Senator Leroy Garcia.
Amber Bunner -- by Senator Leroy Garcia.
Andre Bowser -- by Senator Jerry Sonnenberg.
Kyle Stopplecamp -- by Senator Kevin Lundberg.
Austin Zeuhlke -- by Senator Kevin Lundberg.
Mason Moore -- by Senator Kevin Lundberg.
Jacob Kernc -- by Senator Kevin Lundberg.
Dennis and Netta Shearer -- by Senator Leroy Garcia.
Fiscus Farm and Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Wernsman Family Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Bailey Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Bar 7T Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Blackmore Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Carlson Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Carpenter-Newbanks Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Charles T. Neally Homestead -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
CTL Farm and Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Floyd Shinkel Trust B -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Garvy Brothers Land and Cattle -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Glen Doddridge Farm and Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Hasart Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Hogue Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Hohnholz Ranch LLC -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Kanode Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Redmond Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
KOK Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Long's Garden -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
M&L Oltjenbruns Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
McCracken Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Mill Iron D Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Olsen Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Rocking 7K Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Sunnyside Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Tice Family Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Trautman-Glenn Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Ugolini Farm Dairy -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Darnell Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
McCaw Cattle LLC -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Pearl Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Murray Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Muhme Farm -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Waterfall Ranch -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Fullbright Family Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Fairview Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.

Seger Farms -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Samuel C. and Dola B. Coe Homestead -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Casey and Karen DeCarlo -- by Senator Leroy Garcia.
Kirk Taylor -- by Senator Leroy Garcia.
Dr. Lloyd S. Lewan -- by Senator Kevin Lundberg.
Anthony and Lorraine Fasula -- by Senator Leroy Garcia.
Anna Leota Coil -- by Senator Leroy Garcia.
Ron Dermer, the Ambassador of Israel to the United States -- by President Kevin J. Grantham and Speaker Crisanta Duran.
To Honor the Life of Debbie Haskins -- by President Kevin J. Grantham and Speaker Crisanta Duran.
Esther F. Parker -- by Senator Bob Gardner.
George "Skip" Noe -- by Senator Rhonda Fields.
Cheryl Gould -- by President Kevin J. Grantham.
Marijo Rymer -- by Senator Bob Gardner.
Lisa Surette -- by Senator Leroy Garcia.
Lisa Stabler -- by Senator Leroy Garcia.
Charles and Patricia Dionisio -- by Senator Leroy Garcia.
The Humane Society of Fremont County -- by President Kevin J. Grantham.
Jordan Steel -- by Senator Leroy Garcia.
Arsenio and Lorrine Algien -- by Senator Leroy Garcia.
Ray and Carol Zupancic -- by Senator Leroy Garcia.
Wayne and Amy Bissell -- by Senator Leroy Garcia.
Carolyn and Gary Gray -- by Senator Leroy Garcia.
Donald and Carol Holman -- by Senator Leroy Garcia.
Tarrah Lowry-Schreiner -- by Senator Leroy Garcia.
Dale and Donna Gustafson -- by Senator Kevin Lundberg.
Ronald and Susan Leyh -- by Senator Leroy Garcia.
Gilbert and Diana Ortiz -- by Senator Leroy Garcia.
Cirilo and Lieria Lira -- by Senator Leroy Garcia.
Evan Molnar -- by Senator Jim Smallwood.
Ulysses and Yvonne Parker -- by Senator Rhonda Fields.
Frank and Edith Castro -- by Senator Leroy Garcia.
James Owen Kuemmere -- by Senator Jerry Sonnenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, January 11, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

2nd Legislative Day — Thursday, January 11, 2018

Prayer — By the chaplain, Pastor Steven Holcomb, Cañon Community Baptist Church, Cañon City.

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

Roll Call — Present--34
Excused--1, Martinez Humenik.
Present later--1, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Wednesday, January 10, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 032, 033, 034, 035, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050, 051, 052, 053; SJM18-001; SJR18-001; SR18-001.
Correctly Engrossed: SJR18-001.
Correctly Revised: HJR18-1001.

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-054 by Senator(s) Crowder, Jahn, Lundberg, Neville T.; also Representative(s) Liston--Concerning a limitation on the amount of an increase in fees assessed against assisted living residences by the department of public health and environment.
Health & Human Services

SB18-055 by Senator(s) Neville T.; --Concerning the crimes against children surcharge in cases involving trafficking of children.
Finance

SB18-056 by Senator(s) Jahn; --Concerning monetary amounts in civil actions.
Judiciary

SB18-057 by Senator(s) Kagan; --Concerning consequences of records with respect to housing.
State, Veterans, & Military Affairs

SB18-058 by Senator(s) Fields; also Representative(s) Carver--Concerning making failure to report child abuse a crime in which the statute of limitations begins to run upon discovery of the act.
State, Veterans, & Military Affairs

SB18-059 by Senator(s) Fields; also Representative(s) Pabon--Concerning creation of a public safety information-sharing system.
Judiciary

SB18-060 by Senator(s) Coram; also Representative(s) Hamner--Concerning protective orders in criminal cases.
Judiciary

SB18-061 by Senator(s) Sonnenberg and Grantham; --Concerning a reduction of the state income tax rate.
Finance

SB18-062 by Senator(s) Moreno; --Concerning liability limits in snow and ice removal contracts.
Judiciary

CONSIDERATION OF RESOLUTIONS

SR18-001 by Senator(s) **Holbert**, Grantham, Guzman--Concerning the appointment of officers and employees for the Senate convened in the Second Regular Session of the Seventy-first General Assembly.

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Garcia, Gardner, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Scott, and Todd.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SB18-027** be referred to the Committee on Appropriations with favorable recommendation.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations After consideration on the merits, the Committee recommends that **SB18-027** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 37, after line 10 insert:

"**SECTION 7. Appropriation.** (1) For the 2017-18 state fiscal year, $233,702 is appropriated to the department of public safety for use by the biometric identification and records unit, which amount is based on an assumption that the unit will require an additional 0.5 FTE. This appropriation is from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S. To implement this act, the unit may use this appropriation for criminal history record checks.

(2) For the 2017-18 state fiscal year, $114,000 is appropriated to

the department of regulatory agencies. This appropriation is from the 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) $4,000 for use by the division of professions and occupations for operating expenses; and

(b) $110,000 for the purchase of information technology services.

(3) For the 2017-18 state fiscal year, $110,000 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (2)(b) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of regulatory agencies.

SECTION 8. Appropriation. (1) For the 2018-19 state fiscal year, $336,009 is appropriated to the department of public safety for use by the biometric identification and records unit, which amount is based on an assumption that the unit will require an additional 2.0 FTE. This appropriation is from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S. To implement this act, the unit may use this appropriation for criminal history record checks.

(2) For the 2018-19 state fiscal year, $134,746 is appropriated to the department of regulatory agencies. This appropriation is from the 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) $38,403 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 0.6 FTE;

(b) $2,570 for use by the division of professions and occupations for operating expenses; and

(c) $93,773 for the purchase of legal services.

(3) For the 2018-19 state fiscal year, $93,773 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (2)(c) of this section and is based on an assumption that the department of law will require an additional 0.5 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 102, strike "**COMPACT.**" and substitute "**COMPACT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-002 by Senator(s) Marble and Williams A.; also Representative(s) Buck and Herod--Concerning the commemoration of the birthday of the Reverend Dr. Martin Luther King, Jr.

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

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 14, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for a term expiring December 31, 2018:

Robert Glen Wilson of Mack, Colorado, a Republican and resident of Mesa County, reappointed;

for terms expiring December 31, 2021:

Raymond Lee Anilionis of Parshall, Colorado, a Republican, appointed;

Stephanie Louise Motter of Grand Junction, Colorado, a Democrat and resident of Mesa County, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

Call of the Senate. Call raised.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **SB18-027** was made Special Orders at 2:11 p.m.

Committee of the Whole

The hour of 2:11 p.m. having arrived, Senator Priola moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Priola 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:

SB18-027 by Senator(s) Smallwood and Todd, Aguilar, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Grantham, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Sonnenberg, Tate, Williams A., Zenzinger; also Representative(s) Kraft-Tharp and McKean, Arndt, Becker J., Becker K., Benavidez, Bridges, Buck, Buckner, Carver, Covarrubias, Duran, Esgar, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Jackson, Kennedy, Landgraf, Lawrence, Lontine, Lundeen, McLachlan, Michaelson Jenet, Pabon, Roberts, Rosenthal, Singer, Thurlow, Valdez, Van Winkle, Winter, Wist, Young--Concerning the enactment of the "Enhanced Nurse Licensure Compact".

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, January 11, pages 22-23 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 Priola, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-027 as amended.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, January 12, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

3rd Legislative Day — Friday, January 12, 2018

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

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Thursday, January 11, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-054, 055, 056, 057, 058, 059, 060, 061, and 062; SJR-002.
Correctly Engrossed: SB18-027; SR18-001.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-027 by Senator(s) Smallwood and Todd, Aguilar, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Grantham, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Sonnenberg, Tate, Williams A., Zenzinger; also Representative(s) Kraft-Tharp and McKean, Arndt, Becker J., Becker K., Benavidez, Bridges, Buck, Buckner, Carver, Covarrubias, Duran, Esgar, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Jackson, Kennedy, Landgraf, Lawrence, Lontine, Lundeen, McLachlan, Michaelson Jenet, Pabon, Roberts, Rosenthal, Singer, Thurlow, Valdez, Van Winkle, Winter, Wist, Young--Concerning the enactment of the "Enhanced Nurse Licensure compact", and, in connection therewith, making an appropriation.

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

Third Reading Amendment No. 1(L.001), by Senator Smallwood.

Amend engrossed bill, page 1, line 102, strike "**COMPACT**"," and substitute "**COMPACT**",".

The amendment was **passed** on the following roll call vote:

YES	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	E
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

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

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

Co-sponsor(s) added: Baumgardner, Coram, Garcia, Guzman, Jahn, Jones, and Marble.

CONSIDERATION OF RESOLUTIONS

SJR18-002 by Senator(s) Marble and Williams A; also Representative(s) Buck and Herod--Concerning the commemoration of the birthday of the Reverend Dr. Martin Luther King, Jr.

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

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

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

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR18-001.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 12, 2018

Mr. President:

The House has adopted and returns herewith SJR18-001 and SJR18-002.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-003 by Senator(s) Baumgardner; also Representative(s) Arndt--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.

Laid over until Tuesday, January 16, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

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

SJM18-002 by Senator(s) Jones; also Representative(s) Foote--Memorializing Congress to eliminate subsidies for energy industries.
Agriculture, Natural Resources, & Energy

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-063 by Senator(s) Jones; also Representative(s) Benavidez--Concerning increased requirements for oil and gas operators, and, in connection therewith, adding financial assurance and reclamation requirements.
Agriculture, Natural Resources, & Energy

SB18-064 by Senator(s) Jones, Aguilar, Fenberg, Guzman, Kerr, Moreno; also Representative(s) Foote, Salazar--Concerning an update to the renewable energy standard to require that all electric utilities derive their energy from one hundred percent renewable sources by 2035.
Agriculture, Natural Resources, & Energy

SB18-065 by Senator(s) Gardner, Aguilar; also Representative(s) Kraft-Tharp, Arndt, Coleman, Landgraf, Liston--Concerning modifications to the "Life and Health Insurance Protection Association Act".
Business, Labor, & Technology

SB18-066 by Senator(s) Sonnenberg and Garcia, Baumgardner, Coram, Crowder, Donovan, Fenberg, Guzman, Jahn, Jones, Kefalas, Martinez Humenik, Priola; also Representative(s) Arndt and Wist, Becker K., Carver, Esgar, Gray, Kennedy, Landgraf, Liston, Reyher, Roberts--Concerning an extension of the operation of the state lottery division beyond July 1, 2024.
Agriculture, Natural Resources, & Energy

SB18-067 by Senator(s) Zenzinger and Priola, Cooke, Coram, Donovan, Fenberg, Garcia, Guzman, Holbert, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Smallwood, Tate, Todd, Williams A.; also Representative(s) Kraft-Tharp, Becker J., Benavidez, Bridges, Esgar, Garnett, Ginal, Gray, Hooton, Jackson, Kennedy, Lawrence, Leonard, McKean, McLachlan, Michaelson Jenet, Roberts, Sias, Thurlow, Van Winkle, Winter, Wist--Concerning the ability of certain organizations conducting a special event to auction alcohol beverages in sealed containers for fundraising purposes under specified circumstances.
Business, Labor, & Technology

SB18-068 by Senator(s) Cooke; also Representative(s) Van Winkle--Concerning criminalizing false reports.
Judiciary

SB18-069 by Senator(s) Holbert and Zenzinger; also Representative(s) Garnett and Becker J.--Concerning enforcement of statewide degree transfer agreements.
Education

SB18-070 by Senator(s) Neville T., Crowder, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood; also Representative(s) Leonard and Humphrey, Beckman, Buck, Lewis, Neville P., Sias, Everett, Van Winkle, Williams D.--Concerning the elimination of ownership as a requirement to qualify for the property tax exemption for property that is used solely and exclusively for religious purposes, and, in connection therewith, enacting the "Church Property Tax Fairness Act".
Finance

SB18-071 by Senator(s) Jahn and Crowder, Lambert, Cooke, Garcia, Guzman, Moreno, Priola, Smallwood, Tate, Todd, Williams A.; also Representative(s) Esgar, Kennedy--Concerning an extension of the repeal of the state substance abuse trend and response task force.
Health & Human Services

SB18-072 by Senator(s) Moreno; --Concerning the ability to petition to have conviction records sealed for certain misdemeanor offenses.
Judiciary

SB18-073 by Senator(s) Smallwood; --Concerning reporting to the department of revenue when ownership of a motor vehicle has been transferred.
Finance

SB18-074 by Senator(s) Todd, Court, Holbert, Martinez Humenik, Merrifield, Zenzinger; also Representative(s) Hansen--Concerning adding individuals with Prader-Willi syndrome to the list of persons with intellectual and developmental disabilities who are mandatorily eligible for services and supports.
Health & Human Services

SB18-075 by Senator(s) Merrifield; also Representative(s) Arndt--Concerning the establishment of contribution limits under the "Fair Campaign Practices Act" for candidates for school district director.
State, Veterans, & Military Affairs

SB18-076 by Senator(s) Lundberg; --Concerning a ban on vote trading.
State, Veterans, & Military Affairs

SB18-077 by Senator(s) Crowder; --Concerning a state sales and use tax exemption for used motor vehicles.
Finance

SB18-078 by Senator(s) Baumgardner, Cooke, Coram, Crowder, Gardner, Lundberg, Marble, Neville T., Scott, Smallwood, Sonnenberg; also Representative(s) Becker J.--Concerning an exemption from certain additional charges imposed at the time of vehicle registration for vehicles that are thirty years old or older.
Transportation

SB18-079 by Senator(s) Guzman; --Concerning classifying sake as a vinous liquor for the purposes of the "Colorado Liquor Code".
Business, Labor, & Technology

SB18-080 by Senator(s) Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Williams A., Zenzinger; also Representative(s) Lontine, Benavidez, Buckner, Pabon, Roberts, Salazar, Valdez--Concerning wholesale importation of pharmaceuticals from Canada for resale to Colorado residents.
State, Veterans, & Military Affairs

SB18-081 by Senator(s) Garcia; --Concerning emergency medical service provider licensure, and, in connection therewith, changing references from emergency medical service provider certification to emergency medical service provider licensure and requiring license applicants to make certain disclosures to the director of the division of professions and occupations in the department of regulatory agencies at the time of application.
Business, Labor, & Technology

SB18-082 by Senator(s) Zenzinger, Aguilar, Todd; also Representative(s) Kennedy--Concerning a physician's right to provide continuing care to patients with rare disorders despite a covenant not to compete.
State, Veterans, & Military Affairs

SB18-083 by Senator(s) Lundberg, Neville T., Marble, Gardner, Baumgardner, Cooke, Crowder, Hill, Lambert, Grantham; also Representative(s) Ransom, Everett, Leonard, Saine--Concerning the creation of income tax credits for nonpublic education.
Finance

MESSAGE FROM THE GOVERNOR

Appointment

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

September 21, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2021:

Suzanne Janeen Morgan of Lone Tree, Colorado, to serve as a representative of Colorado municipal employers, reappointed;

Shawn Michael Turner of Denver, Colorado, to serve as an individual from the State's financial or business community experienced in personnel or corporate administration, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

January 9, 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
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for a term expiring September 1, 2021:

Karen Marlman Frame of Greenwood Village, Colorado to serve as an individual from the State's financial or business community experienced in personnel or corporate administration, and occasioned by the resignation of Shawn Michael Turner of Denver, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 1/11/2018
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Tuesday, January 16, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

6th Legislative Day Monday, January 15, 2018

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF MARTIN LUTHER KING, JR., DAY

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

7th Legislative Day — Tuesday, January 16, 2018

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

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

Roll Call — Present--33
Excused--2, Aguilar, Scott.
Present later--2, Aguilar, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Friday, January 12, 2018, was dispensed with and approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075, 076, 077, 078, 079, 080, 081, 082, and 083; SJM18-002; SJR18-003.
Correctly Engrossed: SJR18-002.
Correctly Reengrossed: SB18-027.
Correctly Enrolled: SR18-001.

CONSIDERATION OF RESOLUTIONS

SJR18-003 by Senator(s) Baumgardner; also Representative(s) Arndt--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.

Laid over until Wednesday, January 17, retaining its place on the calendar.

CONSIDERATION OF MEMORIALS

SJM18-001 by Senator(s) Jones and Baumgardner, Cooke, Coram, Merrifield; also Representative(s) Singer and Thurlow, Becker K., Carver, Exum, Hamner--Concerning the need for Congress to fund catastrophic wildfire response costs outside of federal forest management agencies' normal budgets.

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

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

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner,

Grantham, Guzman, Hill, Holbert, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR18-001 and 002.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-084 by Senator(s) Kefalas, Fields, Garcia, Martinez Humenik; also Representative(s) Landgraf and Lundeen--Concerning enhancing protections for minors who are victims of human trafficking.
Health & Human Services

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas.
Education

SB18-086 by Senator(s) Lambert and Williams A.; also Representative(s) Ginal and Rankin--Concerning the use of cyber coding cryptology for state records.
Business, Labor, & Technology

SB18-087 by Senator(s) Fenberg, Aguilar, Court, Fields, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A.; --Concerning in-state tuition at institutions of higher education for certain foreign nationals legally settled in Colorado.
State, Veterans, & Military Affairs

SB18-088 by Senator(s) Gardner, Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Todd, Williams A., Zenzinger; also Representative(s) Becker K., Arndt, Bridges, Buckner, Coleman, Duran, Esgar, Exum, Foote, Garnett, Gray, Hamner, Hansen, Herod, Hooton, Kennedy, Lawrence, Lee, Lontine, Melton, Michaelson Jenet, Pabon, Pettersen, Rankin, Roberts, Rosenthal, Salazar, Singer, Thurlow, Weissman, Young--Concerning clarification that retail marijuana sales are subject to sales taxes levied by certain limited purpose governmental entities.
Finance

SB18-089 by Senator(s) Williams A., Fields, Todd; also Representative(s) Melton, Buckner, Coleman, Exum, Jackson--Concerning the elements of the crime of hazing.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

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

December 14, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2023:

Joseph A. Hoff of Greeley, Colorado, to serve as a farmer or employer whose liability is insured by Pinnacol, reappointed;

William Neish Lindsay III of Denver, Colorado, to serve as an employee of employer whose liability is insured by Pinnacol, appointed;

for terms expiring January 1, 2024:

Brad Robert Busse of Denver, Colorado, to serve as an employee whose liability is insured by Pinnacol, appointed;

Fiona Elizabeth Arnold of Denver, Colorado, to serve as an employer whose liability is insured by Pinnacol, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/5/2018
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

July 17, 2017

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

Ladies and Gentlemen:

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REGULATORY AGENCIES

effective July 24, 2017 for a term expiring at the pleasure of the Governor:

Marguerite Salazar of Alamosa, Colorado, and occasioned by the resignation of Joseph Neguse of Broomfield, Colorado appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

August 21, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2021:

Hollie Jean Velasquez Horvath of Denver, Colorado, a Democrat and resident of the 1st Congressional District, reappointed;

Natalie Jo Rogers of Yuma, Colorado, an Unaffiliated and resident of the 4th Congressional District, reappointed;

Warren Hall Dean of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed;

Linda Jean Strand of Aurora, Colorado, a Democrat and resident of the 6th Congressional District, reappointed;

Jason B. Brinkley of Aurora, Colorado, a Republican and resident of the 6th Congressional District, reappointed;

Karma Giulianelli of Golden, Colorado, a Democrat and resident of the 7th Congressional District, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

October 4, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for a term expiring April 15, 2021:

Julie Thibodeau of Durango, Colorado, a Democrat and resident of the Third Congressional District and West of the Continental Divide, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 6, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2018:

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, and occasioned by the resignation of Joseph James Wolf of Arvada, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

January 2, 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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HEALTH CARE POLICY
AND FINANCING

effective January 8, 2018 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, and occasioned by the resignation of Susan E. Birch of Steamboat Springs, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/5/2018
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

July 17, 2017

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

Ladies and Gentlemen:

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REVENUE

effective July 31, 2017 for a term expiring at the pleasure of the Governor:

Michael Scott Hartman of Denver, Colorado, and occasioned by the resignation of Barbara J. Brohl of Lakewood, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

June 22, 2017

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

Ladies and Gentlemen:

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

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

for terms expiring June 30, 2021:

William Thomas Pound of Castle Pines, Colorado, a Democrat, reappointed;

Dan Jay Wilson of Broomfield, Colorado, a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

July 11, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2020:

Teresa Lea Raiford of Canon City, Colorado, a Democrat, and occasioned by the resignation of Misty Dawn Whitetree of Colorado Springs, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

December 14, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

for a term expiring December 31, 2021:

Ellen S. Roberts of Durango, Colorado, an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, January 17, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

8th Legislative Day — Wednesday, January 17, 2018

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, Kagan.
Present later--1, Kagan.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Tuesday, January 16, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-084, 085, 086, 087, 088, and 089.
Correctly Engrossed: SJM18-001.
Correctly Enrolled: SJR18-001 and 002.

CONSIDERATION OF RESOLUTIONS

SJR18-003 by Senator(s) Baumgardner; also Representative(s) Arndt--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.

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

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

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

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR18-1001.

TRIBUTES

Honoring:

David Reynolds -- by President Kevin J. Grantham.
Matthew Grantham -- by President Kevin J. Grantham.
Ryan Pfeifer -- by Senator Steve Fenberg.
Steven Pfeifer -- by Senator Steve Fenberg.
Karen Lillie -- by Senator Leroy Garcia.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, January 18, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

9th Legislative Day Thursday, January 18, 2018

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

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

Roll Call — Present--33
Absent--1, Aguilar.
Excused--1, Grantham.
Present later--2, Aguilar, Grantham.

Quorum — The President Pro Tempore announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Wednesday, January 17, 2018, 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 **SB18-036** 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 13, strike lines 7 through 16 and substitute:

"**SECTION 7. Act subject to petition - effective date.** This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary — After consideration on the merits, the Committee recommends that **SB18-035** 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 16, strike lines 11 through 20 and substitute:

"**SECTION 8. Act subject to petition - effective date.** This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary After consideration on the merits, the Committee recommends that **SB18-034** 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 145, strike line 27.

Page 146, strike lines 1 through 9 and substitute:

"**SECTION 46. Act subject to petition - effective date.** This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary After consideration on the merits, the Committee recommends that **SB18-032** 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 20, strike lines 3 through 12 and substitute:

"**SECTION 12. Act subject to petition - effective date.** This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary After consideration on the merits, the Committee recommends that **SB18-031** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **SB18-030** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 179, strike lines 19 through 27 and substitute:

"**SECTION 27. Act subject to petition - effective date.** This act takes effect October 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

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 a term expiring December 31, 2018:

Robert Glen Wilson of Mack, Colorado, a Republican and resident of Mesa County, reappointed;

for terms expiring December 31, 2021:

Raymond Lee Anilionis of Parshall, Colorado, a Republican, appointed;

Stephanie Louise Motter of Grand Junction, Colorado, a Democrat and resident of Mesa County, appointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-020** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-050** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 4, strike "**abuse.** (9)" and substitute "**abuse - definition.** (9) (a)".

Page 2, strike line 11 and substitute "or to a ~~hospital~~ staff member".

Page 2, line 12, strike "patients," and substitute "~~patients,~~ PATIENTS AT A HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER, AS DEFINED IN SUBSECTION (9)(b) OF THIS SECTION,".

Page 2, strike lines 13 through 16 and substitute "firefighter is at a fire station, or the ~~hospital staff member is at a hospital~~ STAFF MEMBER IS AT A HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER, AS DEFINED IN SUBSECTION (9)(b) OF THIS SECTION.

(b) "COMMUNITY CLINIC EMERGENCY CENTER" MEANS A COMMUNITY CLINIC LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-3-101 (2)(a)(I)(B) THAT:

(I) DELIVERS EMERGENCY SERVICES;

(II) PROVIDES EMERGENCY CARE TWENTY-FOUR HOURS PER DAY AND SEVEN DAYS A WEEK THROUGHOUT THE YEAR, WITH THE EXCEPTION OF UNUSUAL HOURS OF OPERATION SCHEDULED FOR A HOLIDAY; AND

(III) IS NOT ATTACHED TO, CONTAINED WITHIN, AFFILIATED WITH, OR OWNED OR OPERATED BY A HOSPITAL.".

Page 2, strike line 26 and substitute "~~hospital~~ staff member OF A HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER, AS DEFINED IN SECTION 19-3-304.5 (9), pursuant".

Page 3, line 2, strike "(4.5)" and substitute "(4.5); and **add** (9)".

Page 3, line 5, strike "**children.**" and substitute "**children - definition.**".

Page 3, strike line 6 and substitute "defined in section 18-3-201 (1.5), ~~C.R.S., or a hospital~~".

Page 3, line 7, strike "EMERGENCY FACILITY".

Page 3, line 8, strike "patients," and substitute "~~patients,~~ PATIENTS AT A HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER, AS DEFINED IN SUBSECTION (9) OF THIS SECTION,".

Page 3, strike lines 9 through 11 and substitute "~~hospital~~ staff member is at a hospital OR COMMUNITY CLINIC EMERGENCY CENTER, AS DEFINED IN SUBSECTION (9) OF THIS SECTION, the firefighter or ~~hospital~~ staff member OF THE HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER shall,".

Page 3, strike lines 13 and 14 and substitute:

"(2) If a firefighter or ~~hospital~~ staff member OF A HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER takes temporary physical custody of a child".

Page 3, line 15, strike "hospital OR" and substitute "~~hospital~~".

Page 3, strike line 16 and substitute "staff member shall:".

Page 3, strike line 17 and substitute:

"(3) A firefighter or ~~hospital~~ staff member OF A HOSPITAL OR COMMUNITY CLINIC EMERGENCY CENTER".

Page 3, line 18, strike "FACILITY staff member".

Page 3, strike line 21 and substitute "hospital OR COMMUNITY CLINIC EMERGENCY CENTER staff MEMBER, or A law".

Page 3, after line 24 insert:

"(9) "COMMUNITY CLINIC EMERGENCY CENTER" MEANS A COMMUNITY CLINIC LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-3-101 (2)(a)(1)(B) THAT:

(I) DELIVERS EMERGENCY SERVICES;

(II) PROVIDES EMERGENCY CARE TWENTY-FOUR HOURS PER DAY AND SEVEN DAYS A WEEK THROUGHOUT THE YEAR, WITH THE EXCEPTION OF UNUSUAL HOURS OF OPERATION SCHEDULED FOR A HOLIDAY; AND

(III) IS NOT ATTACHED TO, CONTAINED WITHIN, AFFILIATED WITH, OR OWNED OR OPERATED BY A HOSPITAL.".

Page 3, strike lines 25 through 27.

Page 4, strike lines 1 through 4.

Renumber succeeding section accordingly.

SENATE SERVICES REPORT

Correctly Engrossed: SJR18-003.
Correctly Enrolled: SB18-027.

MESSAGE FROM THE HOUSE

January 17, 2018

Mr. President:

The House has passed on Third Reading and returns herewith SB18-027.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-027.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, January 17, 2018, at 03:30 p.m.: SB18-027.

Senate in recess. Senate reconvened.

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 14, 2017

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

Ladies and Gentlemen:

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

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

for terms expiring December 31, 2021:

Steven Paul Gabel of Eaton, Colorado, to serve as a member who has substantial experience in the production of agriculture, and as a Republican, appointed;

Nancy Rau Tuor of Parker, Colorado, a Democrat, reappointed;

Jane Robbe Rhodes of Pueblo West, a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, January 19, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

10th Legislative Day — Friday, January 19, 2018

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, Aguilar, Lambert, Moreno.
Present later--1, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Musical Presentation — By The Cañon City Marching Band, performing "The Star-Spangled Banner".

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Thursday, January 18, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

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

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-039** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-038** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, strike line 27 and substitute:

"(VI) WHEN NOT USED AS A FOOD CROP, IRRIGATION OF INDUSTRIAL HEMP OR ANOTHER CROP; AND".

Page 5, strike line 1.

Page 6, after line 16 insert:

"(5) USE OF RECLAIMED DOMESTIC WASTEWATER IS ALLOWED ONLY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECREES, CONTRACTS, AND WELL PERMITS APPLICABLE TO THE USE OF THE SOURCE WATER RIGHTS OR SOURCE WATER AND ANY RETURN FLOWS THEREFROM.".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-033** be referred to the Committee on Finance with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-019** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-041** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, lines 7 and 8, strike "34-32-103 (9), ~~C.R.S.,~~" and substitute "~~34-32-103 (9), C.R.S.~~ 34-32.5-103 (15),".

Page 3, line 6, strike "34-32-103 (9), ~~C.R.S.,~~" and substitute "~~34-32-103 (9), C.R.S.~~ 34-32.5-103 (15),".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-003** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 16, strike lines 21 through 27.

Page 17, strike line 1.

Renumber succeeding sections accordingly.

Page 17, line 18, strike "and".

Page 17, line 20, after "~~C.R.S.~~" insert "AND".

Page 17, after line 20 insert:

"(VIII) ENERGY STORAGE SYSTEMS.".

Page 18, line 17, strike "(2)(b); and **add** (1)(a)(IV)" and substitute "(2)(b)".

Page 19, strike lines 10 through 15.

Page 20, line 13, strike "(I)".

Page 21, strike lines 2 through 7.

MESSAGE FROM THE GOVERNOR

January 18, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB18-027: Concerning the enactment of the 'Enhanced Nurse Licensure Compact', and, in connection therewith, making an appropriation.

Approved January 18, 2018 at 4:30 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, January 22, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

13th Legislative Day — Monday, January 22, 2018

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

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Friday, January 19, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

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

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

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

SB18-036 by Senator(s) Kagan; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to the regulation of tobacco sales to minors from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 18, page 45 and placed in members' bill files.)

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

SB18-035 by Senator(s) Gardner and Cooke; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to gambling payment intercept from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 18, page 45 and placed in members' bill files.)

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

SB18-034 by Senator(s) Cooke and Guzman; also Representative(s) Wist and Lee--Concerning the nonsubstantive relocation of laws related to the regulation of gaming from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 18, page 46 and placed in members' bill files.)

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

SB18-032 by Senator(s) Gardner and Cooke; also Representative(s) Foote and Herod--Concerning the nonsubstantive relocation of laws from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 18, page 46 and placed in members' bill files.)

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

SB18-030 by Senator(s) Holbert and Kagan; also Representative(s) Foote and Willett--Concerning the nonsubstantive relocation of laws related to self-propelled vehicles from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 18, page 46 and placed in members' bill files.)

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

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-036 as amended, SB18-035 as amended, SB18-034 as amended, SB18-032 as amended, SB18-030 as amended.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-020 by Senator(s) Garcia; --Concerning mental health care professionals who are permitted to perform auricular acudetox.

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

SB18-050 by Senator(s) Smallwood; also Representative(s) Coleman--Concerning including staff of free-standing emergency facilities as part of Colorado's safe haven laws.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 18, pages 47-48 and placed in members' bill files.)

Amendment No. 2(L.003), by Senators Aguilar and Kefalas.

Amend the Health & Human Services Committee Report, dated January 17, 2018, page 1, line 16, strike "WITH THE EXCEPTION".

Page 1, strike line 17 and substitute "EXCEPT IF LOCATED IN A RURAL OR FRONTIER AREA THAT DOES NOT HAVE THE DEMAND TO SUPPORT TWENTY-FOUR-HOUR SERVICE OR ONLY OPERATES EACH YEAR DURING A SPECIFIED TIME PERIOD DUE TO SEASONAL POPULATION INFLUX; AND".

Page 3, line 3, strike "(I)" and substitute "(a)".

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

Page 3, line 5, strike "WITH THE EXCEPTION".

Page 3, strike line 6 and substitute "EXCEPT IF LOCATED IN A RURAL OR FRONTIER AREA THAT DOES NOT HAVE THE DEMAND TO SUPPORT TWENTY-FOUR-HOUR SERVICE OR ONLY OPERATES EACH YEAR DURING A SPECIFIED TIME PERIOD DUE TO SEASONAL POPULATION INFLUX; AND".

Page 3, line 7, strike "(III)" and substitute "(c)".

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-050 as amended.
Laid over until Tuesday, January 23: SB18-020.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY

for a term expiring December 31, 2018:

Robert Glen Wilson of Mack, Colorado, a Republican and resident of Mesa County, reappointed;

for terms expiring December 31, 2021:

Raymond Lee Anilionis of Parshall, Colorado, a Republican, appointed;

Stephanie Louise Motter of Grand Junction, Colorado, a Democrat and resident of Mesa County, appointed.

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

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 22, 2018

Mr. President:

The House has adopted and returns herewith SJM18-001.

MESSAGE FROM THE GOVERNOR

Appointment

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

December 12, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2021:

Donna Lee Griego of Alamosa, Colorado, to serve as a representative of Alamosa County and as a Democrat, appointed;

Kathleen J. Rogers of Alamosa, Colorado, to serve as a representative of Alamosa County and as an Unaffiliated, reappointed;

Randy Wright of Alamosa, Colorado, to serve as a Republican, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John
W. Hickenlooper is absent from the State.
Rec'd: 1/5/2018
Effie Ameen, Secretary of the Senate

Committee on Education

June 19, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF PAROLE

for terms expiring July 1, 2020:

Denise Katherine Balazic of Aurora, Colorado, to serve as a parole or probation representative, reappointed;

Alfredo Enrique Pena of Denver, Colorado, to serve as a citizen representative, reappointed;

Brandon W. Mathews, DM of Colorado Springs, Colorado, to serve as a citizen representative, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Judiciary

July 7, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2021:

Simon J. Hambidge, MD, PhD of Denver, Colorado, to serve as a Democrat from the First Congressional District, and as a person with knowledge of medical assistance programs, appointed;

Martha Cecile Fraley, MD of Durango, Colorado, to serve as a Democrat from the Third Congressional District, and as a person with knowledge of the delivery of health care, appointed.

Jessica Lynne Kuhns of Loveland, Colorado, to serve as a Democrat from the Second Congressional District and as a person with knowledge of medical assistance programs, reappointed;

Bregitta Hughes of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District and as a person with knowledge of medical assistance programs, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

October 5, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2021:

H. Webster Jones of Steamboat, Colorado, to serve as a representative of the Yampa White Drainage Basin, and planning and development, reappointed;

Roy Ellsworth Heald of Colorado Springs, Colorado, to serve as a representative of the Arkansas Drainage Basin, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 19, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
TRANSPORTATION COMMISSION

for terms expiring July 1, 2021:

Shannon Margaret Gifford, CFA of Denver, Colorado, to serve as a commissioner from the First Transportation District, reappointed;

Louella C. Chavez D'Angelo of Lone Tree, Colorado, to serve as a commissioner from the Third Transportation District, appointed;

Sidny Kay Zink of Durango, Colorado, to serve as a commissioner from the Eighth Transportation District, reappointed;

William Thiebaut, Jr of Pueblo, Colorado, to serve as a commissioner from the Tenth Transportation District, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Transportation

December 20, 2017

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

Ladies and Gentlemen:

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF TRANSPORTATION

effective December 11, 2017 for a term expiring at the Pleasure of the Governor:

Michael Peter Lewis of Denver, Colorado to serve as executive director of the Colorado Department of Transportation, and occasioned by the resignation of Shailen Pravin Bhatt of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Transportation

May 25, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

effective June 30, 2017 for terms expiring June 30, 2021:

Lacey Golonka of Castle Rock, Colorado, an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, appointed;

Bennie Jack Rudder of Alamosa, Colorado, to serve as an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

October 13, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2020:

Norman E. Steen of Woodland Park, 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 resignation of Robert Frances McLaughlin of Colorado Springs, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John
W. Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

May 15, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

effective June 30, 2017 for terms expiring June 30, 2021:

Valerie Schmalz of Gunnison, Colorado, to serve as a non-attorney, appointed;

Christopher Gregory of Fort Collins, Colorado to serve as an attorney, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Judiciary

June 12, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2018:

Rachael Victoria Lovendahl of Westminster, Colorado, to serve as a representative of the Colorado Department of Education, and occasioned by the resignation of Barbara Hickman of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Judiciary

May 18, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY
BOARD OF DIRECTORS

effective June 30, 2017 for terms expiring June 30, 2021:

Randall J. Baum, CFA of Aurora, Colorado, a Republican, reappointed;

Tamara Katherine Vincelette of Denver, Colorado, a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

May 22, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

effective June 30, 2017 for terms expiring June 30, 2020:

Dilaawar "Danny" Jal Mistry, MD, MS, ATC of Grand Junction, Colorado, reappointed;

Rae Dawn Comstock, BS, MS, PhD of Lakewood, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

December 14, 2017

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

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, 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, 2018:

Richard L. Monfort of Greeley, Colorado, a Republican, reappointed;

for a term expiring December 31, 2021:

Christine M. Scanlan of Dillon, Colorado, a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

August 21, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2020:

Elizabeth Dina Aybar Conti of Denver, Colorado, a Democrat who has experience as a public school teacher and as a public school administrator working with charter schools, reappointed;

Kristine Annette Pollard of Grand Junction, Colorado, to serve as a member with board or public service experience and as a Republican, appointed;

Eric Sedric Lerum of Denver, Colorado, to serve as a member with board or public service experience and as a Democrat, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

December 14, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2021:

Richard M. Todd of Centennial, Colorado, a Republican, appointed;

James G. Oates of Gunnison, Colorado, a Republican, reappointed;

Aquino G. Gallegos of San Luis, Colorado, a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/18/2017
Effie Ameen, Secretary of the Senate

Committee on Education

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-090 by Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning modernization of language in statutory sections concerning "rights of married women".
Judiciary

SB18-091 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.
Health & Human Services

SB18-092 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning updating statutory references to "county departments of social services".
Health & Human Services

SB18-093 by Senator(s) Moreno, Martinez Humenik, Zenzinger, Tate; also Representative(s) Arndt, Hooton, Thurlow, McKean--Concerning the repeal of obsolete provisions in the Colorado medical assistance program relating to the inactive home- and community-based services waiver for persons living with AIDS.
Health & Human Services

SB18-094 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning the repeal of a duplicate definitions section in article 60 of title 27, Colorado Revised Statutes.
Judiciary

SB18-095 by Senator(s) Zenzinger and Martinez Humenik, Moreno, Tate; also Representative(s) Hooton and McKean, Arndt, Thurlow--Concerning the removal of statutory references to the marital status of parents of a child.
Judiciary

SB18-096 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning modernizing statutory provisions that refer to terms related to "mental retardation".
Judiciary

SB18-097 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Everett, Humphrey, Leonard, Liston, Lundeen, Neville P., Ransom, Saine, Sandridge, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools.
State, Veterans, & Military Affairs

SB18-098 by Senator(s) Tate and Zenzinger, Martinez Humenik, Moreno; also Representative(s) Hooton and Thurlow, Arndt, McKean--Concerning amending a statutory provision relating to interest on damages that was ruled unconstitutional by the Colorado supreme court.
Judiciary

SB18-099 by Senator(s) Merrifield and Priola, Martinez Humenik; also Representative(s) Pettersen and Wilson, Buckner--Concerning the alignment of early childhood quality improvement programs with the Colorado shines quality rating and improvement system.
Education

SB18-100 by Senator(s) Neville T., Williams A.; also Representative(s) Kraft-Tharp and Van Winkle-Concerning disclosure of additional mandatory charges by motor vehicle rental companies.
Finance

SB18-101 by Senator(s) Holbert and Todd, Gardner, Merrifield, Priola; also Representative(s) Hamner and Van Winkle--Concerning student admission to Colorado state university - global campus.
Education

SB18-102 by Senator(s) Tate and Zenzinger, Martinez Humenik, Moreno; also Representative(s) Hooton and Thurlow, Arndt, McKean--Concerning the requirement for an odometer reading when a motor vehicle's identification number is physically verified.
Transportation

SB18-103 by Senator(s) Smallwood and Todd, Donovan; also Representative(s) Kraft-Tharp and Leonard, Winter--Concerning the issuance of performance-based incentives for film production activities in the state.
Finance

SB18-104 by Senator(s) Donovan, Court, Fenberg, Jones, Kagan, Kerr, Merrifield, Todd, Zenzinger; also Representative(s) Willett, Becker J., Roberts--Concerning a requirement that the broadband deployment board file a petition with the federal communications commission to seek a waiver from the commission's rules prohibiting a state entity from applying for certain federal money earmarked for financing broadband deployment in remote areas of the nation.
Business, Labor, & Technology

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Tuesday, January 23, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

14th Legislative Day — Tuesday, January 23, 2018

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

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Monday, January 22, 2018, 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 **SB18-015** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-018** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, lines 9 and 10, strike "ESTABLISH AN ADVISORY COMMITTEE TO".

Page 2, line 11, strike "TO THE FULL COMMISSION".

Judiciary — After consideration on the merits, the Committee recommends that **SB18-014** 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 7 through 10 and substitute:

"(c) (I) IF THE PROSECUTING ATTORNEY DISAGREES WITH THE EXECUTIVE DIRECTOR'S DETERMINATION THAT A FACTOR APPLIES, THEN THE EXECUTIVE DIRECTOR HAS THIRTY DAYS TO REVIEW THE NOTICE OF DISAGREEMENT. IF, AFTER SUCH REVIEW, THE EXECUTIVE DIRECTOR STILL DETERMINES THAT A FACTOR APPLIES AND THE INMATE'S LOCATION SHOULD NOT BE DISCLOSED, THE DEPARTMENT SHALL NOTIFY THE PROSECUTOR OF SUCH FACT AND NOTIFY ANY REGISTERED VICTIMS THAT THE PROSECUTOR DISAGREES WITH THE EXECUTIVE DIRECTOR'S DETERMINATION.

(II) EITHER THE PROSECUTOR OR ANY REGISTERED VICTIM OF THE INMATE MAY BRING AN ACTION IN THE DISTRICT COURT FROM WHICH THE INMATE'S SENTENCE WAS ISSUED FOR THE COURT TO DETERMINE WHETHER A SUBSTANTIAL BASIS EXISTED AND STILL EXISTS TO SUPPORT THE EXECUTIVE DIRECTOR'S DETERMINATION. IF THE DISTRICT COURT FINDS THAT NO SUBSTANTIAL BASIS EXISTS, THE EXECUTIVE DIRECTOR SHALL DISCLOSE THE INMATE'S LOCATION TO ANY REGISTERED VICTIMS, AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION. ANY HEARING

CONDUCTED FOR THE PURPOSE OF THIS SUBSECTION (4)(c)(II) MUST BE HELD IN CAMERA.

(III) IN AN ACTION BROUGHT PURSUANT TO THIS SUBSECTION (4)(c), THE PARTIES ARE ENTITLED TO FULL DISCOVERY UNDER THE COLORADO RULES OF CIVIL PROCEDURE THAT ARE APPLICABLE TO ACTIONS FOR DECLARATORY JUDGMENT; EXCEPT THAT THE EXECUTIVE DIRECTOR IS NOT REQUIRED TO DISCLOSE THE LOCATION OF THE INMATE PENDING THE RESOLUTION OF THE CIVIL ACTION AND ANY APPEALS. ANY APPEAL OF A JUDGMENT FROM AN ACTION BROUGHT UNDER THIS SUBSECTION (4)(c) MUST BE MADE PURSUANT TO THE RULES OF APPELLATE PROCEDURE.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-025** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 4, strike lines 6 through 27.

Page 5, strike line 1 and substitute:

"(2) IF AN ELECTION IS HELD IN COORDINATION WITH THE CLERK AND RECORDERS OF COUNTIES INCLUDED WITHIN THE DISTRICT, THE DISTRICT SHALL PAY THE DISTRICT'S COSTS OF CONDUCTING A NONPARTISAN ELECTION IN ACCORDANCE WITH SECTION 1-7-116 (2).".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-044** 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: SB18-090, 091, 092, 093, 094, 095, 096, 097, 098, 099, 100, 101, 102, 103, and 104.
Correctly Engrossed: SB18-030, 032, 034, 035, 036, and 050.

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:

SB18-036 by Senator(s) Kagan; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to the regulation of tobacco sales to minors from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

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

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

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

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

SB18-035 by Senator(s) Gardner and Cooke; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to gambling payment intercept from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

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

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

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

Co-sponsor(s) added: Crowder.

SB18-034 by Senator(s) Cooke and Guzman; also Representative(s) Wist and Lee--Concerning the nonsubstantive relocation of laws related to the regulation of gaming from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

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

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

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

Co-sponsor(s) added: Crowder.

SB18-032 by Senator(s) Gardner and Cooke; also Representative(s) Foote and Herod--Concerning the nonsubstantive relocation of laws from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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

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

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

Co-sponsor(s) added: Crowder.

SB18-030 by Senator(s) Holbert and Kagan; also Representative(s) Foote and Willett--Concerning the nonsubstantive relocation of laws related to self-propelled vehicles from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

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

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

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

Co-sponsor(s) added: Crowder.

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:

SB18-050 by Senator(s) Smallwood; also Representative(s) Coleman--Concerning including staff of free-standing emergency facilities as part of Colorado's safe haven laws.

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fields, Gardner, Grantham, Holbert, Jahn, Jones, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Committee of the Whole

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

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

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

SB18-041 by Senator(s) Coram and Baumgardner, Donovan, Jones, Sonnenberg; also Representative(s) Saine and Arndt, Esgar, Hansen, Willett--Concerning the ability of operators of sand and gravel mines to use water incidental to sand and gravel mining operations to mitigate the impacts of mining.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, January 19, page 52 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-041 as amended.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-019 by Senator(s) Donovan and Coram, Baumgardner, Sonnenberg; also Representative(s) Hansen and Arndt, Esgar--Concerning an expansion of the duration for which the Colorado water resources and power development authority may make a loan under the authority's revolving loan programs.

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

SB18-020 by Senator(s) Garcia; also Representative(s) Esgar--Concerning mental health care professionals who are permitted to perform auricular acudetox.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-019, SB18-020.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, January 24, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Max Majors
Assistant Secretary of the Senate

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

15th Legislative Day Wednesday, January 24, 2018

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--31
Absent--1, Kerr.
Excused--3, Hill, Lambert, Smallwood.
Present later--2, Kerr, Smallwood.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Tuesday, January 23, 2018, 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 **SB18-007** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-088** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-033** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-055** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation — After consideration on the merits, the Committee recommends that **SB18-001** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 11, line 22, after "LEAST" insert "ONE PROJECT BEING LOCATED IN EACH OF THE FIVE TRANSPORTATION REGIONS OF THE STATE DESIGNATED BY THE DEPARTMENT AND AT LEAST".

Page 11, line 27, strike "AFFAIRS." and substitute "AFFAIRS; EXCEPT THAT SUCH SALES AND USE TAX NET REVENUE MAY ALSO BE EXPENDED FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM.".

Page 12, after line 5 insert:

"**SECTION 7.** In Colorado Revised Statutes, 43-1-1401, **amend** (2) as follows:

43-1-1401. Legislative declaration. (2) The general assembly intends that this part 14 authorize the department of transportation to enter INTO design-build contracts and to use an adjusted score

design-build selection and procurement process for particular transportation projects regardless of the minimum or maximum cost of such projects, based on the individual needs and merits of such projects, and subject to approval by the transportation commission. The general assembly also intends that the department's use of an adjusted score design-build contract process ~~shall~~ DOES not prohibit use of the low bid process currently used by the department pursuant to part 1 of article 92 of title 24 and part 14 of article 30 of title 24. ~~C.R.S.~~ THE GENERAL ASSEMBLY FURTHER INTENDS THAT WHEN DETERMINING WHETHER TO USE THE LOW BID PROCESS OR THE DESIGN-BUILD PROCESS TO CONTRACT FOR A PROJECT THE DEPARTMENT STRONGLY CONSIDER THE EXTENT TO WHICH USE OF THE DESIGN-BUILD PROCESS IS LIKELY, BY EXCLUDING CONTRACTORS THAT LACK THE CAPABILITY OR SIZE TO DO BOTH THE DESIGN AND CONSTRUCTION WORK FOR THE PROJECT, TO REDUCE COMPETITION IN BIDDING FOR THE CONTRACT, INCREASE THE TOTAL COSTS TO THE STATE OF DESIGNING AND BUILDING THE PROJECT, OR BOTH.".

Renumber succeeding sections accordingly.

Page 14, line 22, strike "MAY" and substitute "SHALL".

Page 14, line 25, after "DOLLARS." insert "THE EXECUTIVE DIRECTOR SHALL ISSUE AT LEAST ONE-THIRD OF THE MAXIMUM AMOUNT OF NOTES TO BE ISSUED NO LATER THAN JUNE 30, 2019, TWO-THIRDS OF THE MAXIMUM AMOUNT OF NOTES TO BE ISSUED NO LATER THAN JUNE 30, 2020, AND ALL REMAINING NOTES TO BE ISSUED BY JUNE 30, 2021.".

Page 15, strike lines 11 and 12 and substitute:

"(III) THE SECRETARY OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF THE".

Page 17, line 18, strike "section 8" and substitute "section 9".

Page 17, line 21, strike "10 and sections 1, 2, 5, 6, 8, and 11" and substitute "11, and sections 1, 2, 5, 6, 7, 9, and 12".

SENATE SERVICES REPORT

Correctly Engrossed: SB18-019, 020, and 041.
Correctly Reengrossed: SB18-030, 032, 034, 035, 036, and 050.

MESSAGE FROM THE HOUSE

January 23, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1002, as printed in House Journal, January 23, 2018.

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:

SB18-041 by Senator(s) Coram and Baumgardner, Donovan, Jones, Sonnenberg; also Representative(s) Saine and Arndt, Esgar, Hansen, Willett--Concerning the ability of operators of sand and gravel mines to use water incidental to sand and gravel mining operations to mitigate the impacts of mining.

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

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

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

Co-sponsor(s) added: Cooke, Court, Crowder, Garcia, Gardner, Grantham, Guzman, Holbert, Kagan, Kefalas, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Tate, 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:

SB18-019 by Senator(s) Donovan and Coram, Baumgardner, Sonnenberg; also Representative(s) Hansen and Arndt, Esgar--Concerning an expansion of the duration for which the Colorado water resources and power development authority may make a loan under the authority's revolving loan programs.

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Cooke, Crowder, Garcia, Grantham, Kagan, Lundberg, Martinez Humenik, Priola, Scott, and Tate.

SB18-020 by Senator(s) Garcia; also Representative(s) Esgar--Concerning mental health care professionals who are permitted to perform auricular acudetox.

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

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

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

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Jahn, Jones, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Tate, Todd, and Williams A.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

January 24, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1038, amended as printed in House Journal, January 23, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1022, 1031, 1116.

MESSAGE FROM THE REVISOR OF STATUTES

January 24, 2018

We herewith transmit:

Without comment, HB18-1022, 18-1031, and 18-1116.
Without comment, as amended, HB18-1038.

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-105 by Senator(s) Baumgardner; also Representative(s) Pabon--Concerning clarifying changes to provisions that were contained in House Bill 17-1367.
Business, Labor, & Technology

HB18-1116 by Representative(s) Rankin, Hamner, Young, Hansen; also Senator(s) Moreno, Lambert, Lundberg--Concerning measures authorizing the broadband deployment board to seek federal money earmarked for financing broadband deployment.
Appropriations

TRIBUTES

Honoring:

Martha Smith -- by Senator Jerry Sonnenberg and Representative Jeni Arndt.
Cañon City High School Marching Band -- by President Kevin J. Grantham and Representative Jim Wilson.
Donna and Dan Barela -- by Senator Steve Fenberg.
Anna Jo Haynes -- by Senator Angela Williams and Representative Jovan Melton.
Reo Leslie -- by Senator Angela Williams and Representative Jovan Melton.
Tammy Garrett-Williams -- by Senator Angela Williams and Representative Jovan Melton.
Sterling Livestock Commission Co. -- by Senator Jerry Sonnenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, January 25, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Max Majors
Assistant Secretary of the Senate

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

16th Legislative Day Thursday, January 25, 2018

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, Lambert.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Wednesday, January 24, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

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

The Senate observed a moment of silence and rang the Senate chimes in memory of Deputy Heath Gumm, Adams County Sheriff's Office.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1116** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-060** 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) introductory portion, (3)(d), and (3)(e); and **add** (3)(f) and (10) as follows:".

Page 3, strike lines 5 through 27 and substitute "HELD BY AN ALLEGED VICTIM OR WITNESS; AND

(f) ANY OTHER ORDER THE COURT DEEMS APPROPRIATE TO PROTECT THE SAFETY OF THE ALLEGED VICTIM OR WITNESS.".

Strike page 4.

Page 5, strike lines 1 through 5.

Page 5, strike lines 9 through 18 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, **add** 18-1-1001.5 as follows:

18-1-1001.5 Protection order against defendant - transfer of wireless telephone service in domestic violence cases - definitions. (1) IN ADDITION TO THE OPTIONS DESCRIBED IN SECTION 18-1-1001 (3),

UPON A DISCRETIONARY MOTION OF THE DISTRICT ATTORNEY OR ON THE COURT'S OWN MOTION FOR THE PROTECTION OF AN ALLEGED VICTIM OR WITNESS IN A CASE INVOLVING DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), AND CASES INVOLVING CRIMES LISTED IN SECTION 24-4.1-302 (1), EXCEPT THOSE LISTED IN SUBSECTIONS (1)(cc.5) AND (1)(cc.6) OF THAT SECTION, THE COURT MAY ENTER AN ORDER DIRECTING A WIRELESS TELEPHONE SERVICE PROVIDER TO TRANSFER THE FINANCIAL RESPONSIBILITY FOR AND RIGHTS TO A WIRELESS TELEPHONE NUMBER OR NUMBERS TO THE ALLEGED VICTIM OR WITNESS IF THE ALLEGED VICTIM OR WITNESS:

(a) IS NOT THE ACCOUNT HOLDER; AND

(b) PROVES BY A PREPONDERANCE OF THE EVIDENCE THAT THE ALLEGED VICTIM OR WITNESS AND ANY MINOR CHILDREN IN HIS OR HER CARE ARE THE PRIMARY USERS OF EACH WIRELESS TELEPHONE NUMBER THAT WILL BE ORDERED TO BE TRANSFERRED BY A COURT PURSUANT TO THIS SECTION.

(2) (a) AN ORDER TRANSFERRING THE FINANCIAL RESPONSIBILITY FOR AND RIGHTS TO A WIRELESS TELEPHONE NUMBER OR NUMBERS TO AN ALLEGED VICTIM OR WITNESS PURSUANT TO THIS SECTION MUST BE A SEPARATE WRITTEN ORDER THAT IS DIRECTED TO THE WIRELESS TELEPHONE SERVICE PROVIDER.

(b) THE ORDER MUST LIST THE NAME AND BILLING TELEPHONE NUMBER OF THE ACCOUNT HOLDER, THE NAME AND CONTACT INFORMATION OF THE ALLEGED VICTIM OR WITNESS TO WHOM THE TELEPHONE NUMBER OR NUMBERS WILL BE TRANSFERRED, AND EACH TELEPHONE NUMBER TO BE TRANSFERRED TO THE ALLEGED VICTIM OR WITNESS.

(c) THE COURT SHALL ENSURE THAT THE ALLEGED VICTIM'S OR WITNESS'S CONTACT INFORMATION IS NOT PROVIDED TO THE ACCOUNT HOLDER IN PROCEEDINGS HELD PURSUANT TO THIS SECTION.

(d) THE ORDER MUST BE SENT OR DELIVERED IN PERSON OR ELECTRONICALLY BY THE PROTECTED PARTY TO THE WIRELESS TELEPHONE SERVICE PROVIDER'S REGISTERED AGENT.

(e) A WIRELESS TELEPHONE SERVICE PROVIDER SHALL TERMINATE THE ACCOUNT HOLDER'S USE OF A TELEPHONE NUMBER THAT THE COURT HAS ORDERED TO BE TRANSFERRED TO THE ALLEGED VICTIM OR WITNESS PURSUANT TO THIS SECTION UNLESS THE WIRELESS TELEPHONE SERVICE PROVIDER NOTIFIES THE ALLEGED VICTIM OR WITNESS AND THE COURT WITHIN FIVE BUSINESS DAYS AFTER THE ISSUANCE OF SUCH ORDER EITHER THAT AN ACCOUNT HOLDER NAMED IN THE ORDER HAS TERMINATED THE ACCOUNT OR THAT THE REQUESTED TRANSFER CANNOT BE EFFECTUATED DUE TO DIFFERENCES IN NETWORK TECHNOLOGY THAT PREVENT FUNCTIONALITY OF A DEVICE ON THE NETWORK OR DUE TO GEOGRAPHIC LIMITATIONS ON NETWORK OR SERVICE AVAILABILITY.

(3) A TRANSFER ORDERED PURSUANT TO THIS SECTION DOES NOT PRECLUDE A WIRELESS TELEPHONE SERVICE PROVIDER FROM APPLYING ANY ROUTINE AND CUSTOMARY REQUIREMENTS FOR ACCOUNT ESTABLISHMENT TO THE ALLEGED VICTIM OR WITNESS AS PART OF THE TRANSFER OF FINANCIAL RESPONSIBILITY FOR A WIRELESS TELEPHONE NUMBER OR NUMBERS AND ANY DEVICES ATTACHED TO THE NUMBER OR NUMBERS, INCLUDING, WITHOUT LIMITATION, IDENTIFICATION, FINANCIAL INFORMATION, AND CUSTOMER PREFERENCES.

(4) A WIRELESS TELEPHONE SERVICE PROVIDER IS IMMUNE FROM CIVIL LIABILITY FOR COMPLYING WITH AN ORDER TO TRANSFER A TELEPHONE NUMBER PURSUANT TO THIS SECTION.

(5) THE ISSUANCE OF A PROTECTION ORDER PURSUANT TO THIS SECTION DOES NOT PRECLUDE A COURT FROM ISSUING A PROTECTIVE ORDER IN A CIVIL PROCEEDING.

(6) FOR PURPOSES OF THIS SECTION:

(a) "ACCOUNT HOLDER" MEANS A DEFENDANT WHO:

(I) IS CHARGED WITH AN OFFENSE, THE UNDERLYING BASIS OF WHICH INCLUDES AN ACT OF DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), OR A CRIME LISTED IN SECTION 24-4.1-302 (1), EXCEPT FOR THOSE CRIMES LISTED IN SUBSECTIONS (1)(cc.5) AND (1)(cc.6) OF THAT SECTION; AND

(II) MAINTAINS AN ACCOUNT WITH A WIRELESS TELEPHONE SERVICE PROVIDER.

(b) "FINANCIAL RESPONSIBILITY" MEANS AN OBLIGATION TO PAY SERVICE FEES AND OTHER COSTS AND CHARGES ASSOCIATED WITH ANY TELEPHONE NUMBER.

(c) "WIRELESS TELEPHONE SERVICE PROVIDER" MEANS A PERSON OR ENTITY THAT PROVIDES OR RESELLS COMMERCIAL MOBILE SERVICE, AS DEFINED IN SECTION 47 U.S.C. SEC. 332 (d)(1).

SECTION 3. In Colorado Revised Statutes, 13-14-104.5, **amend** (7)(a) as follows:

13-14-104.5. Procedure for temporary civil protection order. (7) (a) A temporary civil protection order may be issued if the issuing judge or magistrate finds that an imminent danger exists to the person or persons seeking protection under the civil protection order. In determining whether an imminent danger exists to the life or health of one or more persons, the court shall consider all relevant evidence concerning the safety and protection of the persons seeking the protection order. The court shall not deny a petitioner the relief requested because of the length of time between an act of abuse or threat of harm and the filing of the petition for a protection order. THE COURT SHALL NOT DENY A PETITIONER THE RELIEF REQUESTED BECAUSE A PROTECTION ORDER HAS BEEN ISSUED PURSUANT TO SECTION 18-1-1001 OR 18-1-1001.5.

SECTION 4. In Colorado Revised Statutes, 13-14-106, **amend** (1)(a) as follows:

13-14-106. Procedure for permanent civil protection orders. (1) (a) On the return date of the citation, or on the day to which the hearing has been continued, the judge or magistrate shall examine the record and the evidence. If upon such examination the judge or magistrate finds by a preponderance of the evidence that the respondent has committed acts constituting grounds for issuance of a civil protection order and that unless restrained will continue to commit such acts or acts designed to intimidate or retaliate against the protected person, the judge or magistrate shall order the temporary civil protection order to be made permanent or enter a permanent civil protection order with provisions different from the temporary civil protection order. A finding of imminent danger to the protected person is not a necessary prerequisite to the issuance of a permanent civil protection order. THE COURT SHALL NOT DENY A PETITIONER THE RELIEF REQUESTED BECAUSE A PROTECTION ORDER HAS BEEN ISSUED PURSUANT TO SECTION 18-1-1001 OR 18-1-1001.5. The judge or magistrate shall inform the respondent that a violation of the civil protection order constitutes a criminal offense pursuant to section 18-6-803.5 ~~C.R.S.,~~ or constitutes contempt of court and subjects the respondent to such punishment as may be provided by law. If the respondent fails to appear before the court for the show cause hearing at the time and on the date identified in the citation issued by the court and the court finds that the respondent was properly served with the temporary protection order and such citation, it is not necessary to re-serve the respondent to make the protection order permanent. However, if the court modifies the protection order on the motion of the protected party, the modified protection order must be served upon the respondent.

SECTION 5. Act subject to petition - effective date - applicability. (1) This act takes effect November 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-054** 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 10 and substitute "~~C.R.S.~~ ON OR AFTER AUGUST 1, 2019,".

Page 2, line 11, strike "AS AMENDED,".

Page 2, strike lines 14 and 15 and substitute "PURSUANT TO THIS SECTION THAT IS IN EFFECT ON AUGUST 1, 2019, ONLY IN ACCORDANCE WITH".

Page 2, strike lines 17 through 19 and substitute:

"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-049** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-053** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-081** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB18-105.
Correctly Reengrossed: SB18-019, 020, and 041.

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

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

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

SB18-025 by Senator(s) Priola; also Representative(s) Coleman--Concerning modernization of election procedures for the urban drainage and flood control district to conform with the current requirements of state law.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, January 23, page 70 and placed in members' bill files.)

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

SB18-044 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning the ability of private employers to give preference to veterans when making certain employment decisions.

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

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-025 as amended, SB18-044.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

Amendment No. 1(L.001), by Senator Gardner.

Amend printed bill, page 6, after line 14 insert:

"(3) NOTHING IN THIS SECTION PRECLUDES THE PROSECUTION OF VIOLATIONS UNDER ANY OTHER PROVISION OF LAW.".

Amendment No. 2(L.002), by Senator Gardner.

Amend printed bill, page 6, line 10, after "HAS" insert "MATERIALLY".

Amendment No. 3(L.003), by Senator Gardner.

Amend printed bill, page 4, line 19, strike "(6) AND (7)" and substitute "(5) AND (6)".

Page 5, strike lines 9 through 14.

Renumber succeeding subsections accordingly.

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

SB18-014 by Senator(s) Cooke and Fields; also Representative(s) Wist and Herod--Concerning requiring the department of corrections to disclose the location of inmates who are relocated to facilities outside of the state.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 23, pages 69-70 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 Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-015 as amended, SB18-014 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, **HB18-1116** was made Special Orders at 10:10 a.m.

Committee of the Whole

The hour of 10:10 a.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

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

HB18-1116 by Representative(s) Rankin, Hamner, Young, Hansen; also Senator(s) Moreno, Lambert, Lundberg--Concerning measures authorizing the broadband deployment board to seek federal money earmarked for financing broadband deployment.

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

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

The Committee of the Whole took the following action:

Passed on second reading: HB18-1116.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance — After consideration on the merits, the Committee recommends that **SB18-070** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-045** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-066** be referred to the Committee on Finance with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SJM18-002** be postponed indefinitely.

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2021:

Natalie Jo Rogers of Yuma, Colorado, an Unaffiliated and resident of the 4th Congressional District, reappointed;

Jason B. Brinkley of Aurora, Colorado, a Republican and resident of the 6th Congressional District, reappointed;

Karma Giulianelli of Golden, Colorado, a Democrat and resident of the 7th Congressional District, reappointed;

Julie Thibodeau of Durango, Colorado, a Democrat and resident of the Third Congressional District and West of the Continental Divide, appointed.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, January 26, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

17th Legislative Day — Friday, January 26, 2018

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--30
Excused--5, Court, Lambert, Moreno, Neville, Smallwood.
Present later--4, Court, Moreno, Neville, Smallwood.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Thursday, January 25, 2018, 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 confirmed:

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

for terms expiring December 31, 2021:

Steven Paul Gabel of Eaton, Colorado, to serve as a member who has substantial experience in the production of agriculture, and as a Republican, appointed;

Nancy Rau Tuor of Parker, Colorado, a Democrat, reappointed;

Jane Robbe Rhodes of Pueblo West, a Republican, reappointed.

Education — After consideration on the merits, the Committee recommends that **SB18-013** be referred to the Committee on Appropriations with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB18-008** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB18-069** 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 10 and substitute "~~credit hours of lower-division general education courses. except that the~~".

Page 2, line 16, before "A" insert "CREDIT HOURS IN LOWER DIVISION COURSES TO FILL GENERAL EDUCATION REQUIREMENTS. LOWER-DIVISION COURSES THAT ARE PART OF THE MAJOR, BUT ARE NOT PART OF THE STATEWIDE DEGREE TRANSFER AGREEMENT, MAY BE REQUIRED AS LONG

AS THEY ARE WITHIN THE SIXTY CREDIT HOURS REQUIRED TO COMPLETE THE DEGREE AND DO NOT EXTEND THE TIME TO DEGREE COMPLETION BEYOND THAT REQUIRED FOR NATIVE STUDENTS IN THE SAME DEGREE PROGRAM.".

Page 2, line 17, strike "TO" and substitute "WHO TRANSFERS UNDER A STATEWIDE DEGREE TRANSFER AGREEMENT TO TAKE ADDITIONAL CREDIT HOURS TO COMPLETE THE DEGREE REQUIREMENTS IS RESPONSIBLE FOR THE TOTAL COST OF TUITION,".

Page 2, strike lines 18 and 19.

Page 2, line 22, strike "ONE HUNDRED TWENTY" and substitute "THE REMAINING SIXTY".

SENATE SERVICES REPORT

Correctly Printed: SB18-103.
Correctly Engrossed: SB18-014, 015, 025, and 044.
Correctly Revised: HB18-1116.

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:

SB18-025 by Senator(s) Priola; also Representative(s) Coleman--Concerning modernization of election procedures for the urban drainage and flood control district to conform with the current requirements of state 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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, Fields, Gardner, Grantham, Guzman, Holbert, Jones, Kagan, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Scott, Tate, Todd, Williams A., and Zenzinger.

SB18-044 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning the ability of private employers to give preference to veterans when making certain employment decisions.

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Donovan, Fields, Garcia, Gardner, Grantham, Hill, Holbert, Jahn, Kefalas, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

Laid over until Monday, January 29, retaining its place on the calendar.

SB18-014 by Senator(s) Cooke and Fields; also Representative(s) Wist and Herod--Concerning requiring the department of corrections to disclose the location of inmates who are relocated to facilities outside of the state.

Laid over until Monday, January 29, retaining its place on the calendar.

HB18-1116 by Representative(s) Rankin, Hamner, Young, Hansen; also Senator(s) Moreno, Lambert, Lundberg--Concerning measures authorizing the broadband deployment board to seek federal money earmarked for financing broadband deployment.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Fenberg, Fields, Garcia, Grantham, Guzman, Holbert, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, January 26, was laid over until Monday, January 29, retaining its place on the calendar.

General Orders--Second Reading of Bills--Consent Calendar: SB18-055.
General Orders--Second Reading of Bills: SB18-088.

On motion of Majority Leader Holbert, the Senate adjourned until 10:15 a.m., Monday, January 29, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

20th Legislative Day — Monday, January 29, 2018

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

Call to Order — By the President at 10:15 a.m.

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

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Friday, January 26, 2018, 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 **SB18-024** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, line 15, strike "IN COORDINATION WITH".

Page 6, strike line 16 and substitute "AND CREATE".

Page 6, line 21, strike "PROVIDERS;" and substitute "PROVIDERS. THE PRIMARY CARE OFFICE SHALL COORDINATE WITH THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING IN DEVELOPING THE HEALTH PROFESSIONAL SHORTAGE AREA DESIGNATION METHODOLOGIES AND IN DRAFTING RULES UNDER THIS SUBSECTION (1)(a).".

Page 8, line 15, strike "CLINICAL" and substitute "LICENSED".

Page 8, after line 15 insert:

"(g) A LICENSED PHYSICIAN ASSISTANT WITH SPECIFIC TRAINING IN SUBSTANCE USE DISORDERS;".

Reletter succeeding paragraphs accordingly.

Page 8, line 25, before "PSYCHOLOGIST," insert "LICENSED".

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-071** 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 1, after "**amend**" insert "(6)(a) and".

Page 2, after line 5 insert:

"(a) Meet at least four times each year ~~from the date of the first meeting until January 1, 2018,~~ or more often as directed by the chair of the task force;".

Page 2, after line 10 insert:

"**SECTION 2.** In Colorado Revised Statutes, 18-18.5-105, **amend** (1)(a) as follows:

18-18.5-105. Cash fund - created. (1) (a) All private and public funds received by the task force or the division of criminal justice in the department of public safety, on behalf of the task force, through grants, contributions, and donations pursuant to this ~~article~~ ARTICLE 18.5 shall be transmitted to the state treasurer, who shall credit the same to the substance abuse prevention, intervention, and treatment cash fund, which fund is hereby created and referred to in this section as the "fund". The ~~moneys~~ MONEY in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of this ~~article~~ ARTICLE 18.5. All ~~moneys~~ MONEY in the fund not expended for the purpose of this ~~article~~ ARTICLE 18.5 may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of ~~moneys~~ MONEY in the fund shall be credited to the fund. Any unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund. All unexpended and unencumbered ~~moneys~~ MONEY remaining in the fund as of ~~July 1, 2018~~ SEPTEMBER 1, 2028, shall be transferred to the general fund.".

Renumber succeeding sections accordingly.

SENATE SERVICES REPORT

Correctly Reengrossed: SB18-025 and 044.
Correctly Rerevised: HB18-1116.

MESSAGE FROM THE HOUSE

January 26, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, as printed in House Journal, January 26, 2018.

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

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

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

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

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

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Scott, Smallwood, Sonnenberg, and Tate.

SB18-014 by Senator(s) Cooke and Fields; also Representative(s) Wist and Herod--Concerning requiring the department of corrections to disclose the location of inmates who are relocated to facilities outside of the state.

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

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

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

Co-sponsor(s) added: Court, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

Committee of the Whole

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

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

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

SB18-055 by Senator(s) Neville T.; also Representative(s) Van Winkle--Concerning the crimes against children surcharge in cases involving trafficking of children.

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

SB18-060 by Senator(s) Coram; also Representative(s) Hamner--Concerning protective orders in criminal cases.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, January 25, pages 81-83 and placed in members' bill files.)

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

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-055, SB18-060 as amended.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-054 by Senator(s) Crowder, Jahn, Lundberg, Neville T.; also Representative(s) Liston--Concerning a limitation on the amount of an increase in fees assessed against assisted living residences by the department of public health and environment.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 25, pages 83-84 and placed in members' bill files.)

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

SB18-088 by Senator(s) Gardner, Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Todd, Williams A., Zenzinger; also Representative(s) Becker K., Arndt, Bridges, Buckner, Coleman, Duran, Esgar, Exum, Foote, Garnett, Gray, Hamner, Hansen, Herod, Hooton, Kennedy, Lawrence, Lee, Lontine, Melton, Michaelson Jenet, Pabon, Pettersen, Rankin, Roberts, Rosenthal, Salazar, Singer, Thurlow, Weissman, Young--Concerning clarification that retail marijuana sales are subject to sales taxes levied by certain limited purpose governmental entities.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-054 as amended, SB18-088.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Hooton was added as a House joint prime sponsor with Senator Neville and Representative Van Winkle on SB18-055.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2021:

Natalie Jo Rogers of Yuma, Colorado, an Unaffiliated and resident of the 4th Congressional District, reappointed;

Jason B. Brinkley of Aurora, Colorado, a Republican and resident of the 6th Congressional District, reappointed;

Karma Giulianelli of Golden, Colorado, a Democrat and resident of the 7th Congressional District, reappointed.

Julie Thibodeau of Durango, Colorado, a Democrat and resident of the Third Congressional District and West of the Continental Divide, appointed.

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

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM18-001; HB18-1116.

Senate in recess. Senate reconvened.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Ginal was removed as the House prime sponsor on SB18-023.

MESSAGE FROM THE HOUSE

January 29, 2018

Mr. President:

The House has adopted and returns herewith SJR18-003.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR18-1003 by Representative(s) Lontine and Carver; also Senator(s) Cooke and Kagan--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

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

HJR18-1004 by Representative(s) Esgar and Reyher; also Senator(s) Garcia and Crowder--Concerning the fiftieth anniversary of the capture of the U.S.S. Pueblo by North Korea.

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

HJR18-1005 by Representative(s) Jackson and Ransom; also Senator(s) Williams A. and Crowder--Concerning recognition of African-American veterans.

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

HJR18-1006 by Representative(s) Pabon and Covarrubias; also Senator(s) Martinez Humenik and Aguilar--Concerning recognition of the contributions of Latina/o veterans.

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

HJR18-1007 by Representative(s) Weissman and Sandridge; also Senator(s) Lambert and Todd--Concerning the role of Colorado in space and cyber defense.

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

HJR18-1008 by Representative(s) Lee and Sias; also Senator(s) Hill and Donovan--Concerning recognizing the positive impacts of adaptive sports programs on veterans in Colorado.

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

HJR18-1009 by Representative(s) Liston and Valdez, Neville P., Wilson, Buck, Pabon, Landgraf, Carver, Catlin, Coleman, Hansen, Hooton, Lebsock, McKean, Rankin, Reyher, Roberts, Sias; also Senator(s) Gardner and Garcia--Concerning the designation of the Fillmore Street bridge spanning Interstate 25 in Colorado Springs as the "Donald "Don" Stratton Bridge".

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

HJR18-1010 by Representative(s) Michaelson Jenet and Landgraf; also Senator(s) Coram and Court--Concerning recognition of military personnel from Colorado who have served around the world in the ongoing war against terrorism and honoring those who have died while serving the cause of freedom.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-106 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Thurlow, Arndt, Gray, Hooton, McKean--Concerning obsolete statutory provisions related to a local government's pledging of sales or use tax revenues to pay for revenue bonds issued for the purpose of financing capital improvements.
Local Government

SB18-107 by Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of procedures to fill vacancies in candidate nominations for elections conducted under the "Colorado Municipal Code of 1965".
State, Veterans, & Military Affairs

SB18-108 by Senator(s) Crowder and Coram; also Representative(s) Arndt and Singer--Concerning the issuance of identification documents under the "Colorado Road and Community Safety Act" to persons who are not lawfully present in the United States.
State, Veterans, & Military Affairs

SB18-109 by Senator(s) Gardner, Guzman, Neville T., Sonnenberg, Williams A.; also Representative(s) Garnett and Wist, Hooton, Melton, Michaelson Jenet, Pabon, Rosenthal--Concerning an authorization for notaries public to perform notarial acts using audio-video communication.
Business, Labor, & Technology

SB18-110 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the repeal of the requirement that each state agency annually report the amount of federal money it received in the prior fiscal year.
State, Veterans, & Military Affairs

SB18-111 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the removal of an obsolete date in the law that designates state legal holidays.
State, Veterans, & Military Affairs

SB18-112 by Senator(s) Jahn and Crowder; also Representative(s) Lawrence--Concerning an outdoor activity grant program for mental health therapy for veterans.
State, Veterans, & Military Affairs

SB18-113 by Senator(s) Garcia, Court, Donovan, Fenberg, Fields, Kagan, Kefalas, Kerr, Merrifield, Williams A., Zenzinger; also Representative(s) Esgar--Concerning establishing the circle program for substance use disorders.
State, Veterans, & Military Affairs

SB18-114 by Senator(s) Todd, Coram, Court, Crowder, Garcia, Kerr, Martinez Humenik, Merrifield, Williams A., Zenzinger; also Representative(s) McLachlan and Wilson, Arndt, Buckner, Melton, Michaelson Jenet, Pettersen, Singer--Concerning preventing suicide by strengthening life skills in students.
State, Veterans, & Military Affairs

SB18-115 by Senator(s) Aguilar; also Representative(s) Pettersen--Concerning the prevention of self-dealing in referrals for medical services.
State, Veterans, & Military Affairs

SB18-116 by Senator(s) Cooke; also Representative(s) Williams D. and Van Winkle--Concerning the issuance of capitol identification cards to members of the public to permit them entry to state buildings containing the legislative branch of state government without having to submit to personal security checks.
Finance

SB18-117 by Senator(s) Donovan, Aguilar, Court, Fenberg, Jones, Kefalas, Kerr, Merrifield; also Representative(s) Hansen--Concerning the collection of greenhouse gas emissions data.
State, Veterans, & Military Affairs

SB18-118 by Senator(s) Merrifield, Kagan, Kerr, Todd; also Representative(s) Arndt--Concerning restoring the authority of a school district board of education to approve a charter school.
Education

SB18-119 by Senator(s) Gardner; --Concerning false imprisonment of a minor.
Judiciary

SB18-120 by Senator(s) Williams A. and Priola, Aguilar, Court, Crowder, Fenberg, Garcia, Guzman, Kagan, Kerr, Merrifield, Moreno, Todd; also Representative(s) Jackson and Wilson, Becker K., Buckner, Coleman, Exum, Herod, Melton, Salazar, Weissman--Concerning the time allowed for a tenant to cure a lease violation for unpaid rent.
Business, Labor, & Technology

SB18-121 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning certain expenses allowed to a state employee when the employee is required to change his or her place of residence in connection with a change in job duties.
State, Veterans, & Military Affairs

SB18-122 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Thurlow, Hooton--Concerning clarifying that certain deputy sheriffs may serve without attaining certification from the peace officers standards and training board.
Judiciary

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.
Judiciary

SB18-124 by Senator(s) Hill; also Representative(s) Pabon--Concerning the removal of the thirty-day waiting period related to the sale of imported alcohol beverages.
Business, Labor, & Technology

SB18-125 by Senator(s) Gardner and Kagan; --Concerning fiduciary responsibilities of title insurance entities to protect funds held in conjunction with real estate closing settlement services.
Business, Labor, & Technology

SB18-126 by Senator(s) Grantham and Guzman, Baumgardner, Cooke, Coram, Crowder, Fenberg, Garcia, Gardner, Hill, Holbert, Lundberg, Marble, Priola, Scott, Smallwood, Tate, Williams A.; also Representative(s) Pabon and Van Winkle--Concerning the definition of a traditional large and premium cigar for purposes of the excise tax on tobacco products.
Business, Labor, & Technology

SB18-127 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of the department of revenue's requirement to publish an historical explanation of income tax rate modifications enacted in the state on every income tax return form.
Finance

SB18-128 by Senator(s) Gardner; also Representative(s) Liston--Concerning a restriction on a state agency's authority to increase a fee.
Finance

SB18-129 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the nonsubstantive reorganization of the law exempting from state sales tax certain drugs and medical and therapeutic devices.
Health & Human Services

SB18-130 by Senator(s) Smallwood; --Concerning the repeal of the requirement that health insurance carriers report average reimbursement rates for inpatient care to the division of insurance.
Health & Human Services

SB18-131 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean, Thurlow--Concerning modifications to the "State Employees Group Benefits Act".
Health & Human Services

SB18-132 by Senator(s) Smallwood; also Representative(s) Kennedy--Concerning a waiver of federal law to permit insurance carriers to offer catastrophic health plans to any individual residing in Colorado.
Health & Human Services

SB18-133 by Senator(s) Gardner; also Representative(s) Duran--Concerning performance funding in higher education fee-for-service contracts for awarding certificates.
Education

SB18-134 by Senator(s) Cooke; also Representative(s) Arndt--Concerning the exemption of nonprofit water companies from regulation by the public utilities commission.
Agriculture, Natural Resources, & Energy

SB18-135 by Senator(s) Gardner; --Concerning updates to the Colorado code of military justice.
Judiciary

SB18-136 by Senator(s) Neville T., Lundberg, Smallwood, Tate; also Representative(s) Kraft-Tharp and Sias, Humphrey--Concerning fees for advising clients about the selection of an individual health benefit plan.
Finance

SB18-137 by Senator(s) Scott, Holbert; --Concerning the creation of a grand slam wildlife raffle for hunting big game species in Colorado.
Finance

SB18-138 by Senator(s) Gardner and Kerr; also Representative(s) Gray and Liston--Concerning authorization for retail sellers of alcohol beverages for on-premises consumption to sell remaining inventory to another on-premises retail seller of alcohol beverages with whom there is common ownership when no longer licensed to sell alcohol beverages for on-premises consumption.
Business, Labor, & Technology

SB18-139 by Senator(s) Cooke; also Representative(s) Singer--Concerning statewide regulation of products that contain nicotine.
Business, Labor, & Technology

SB18-140 by Senator(s) Merrifield, Kerr; --Concerning the penalties imposed on the driver of a motor vehicle who causes at least serious physical injuries to a vulnerable road user.
Judiciary

SB18-141 by Senator(s) Court; also Representative(s) Wilson--Concerning voluntary contribution designations on the Colorado individual income tax return form.
Finance

SB18-142 by Senator(s) Crowder and Kefalas, Aguilar; also Representative(s) Melton and Herod--Concerning the creation of a pilot project to facilitate sustainable communities based on affordable housing.
State, Veterans, & Military Affairs

SB18-143 by Senator(s) Fenberg and Coram; also Representative(s) Arndt and Wilson--Concerning measures to increase revenue for the parks and wildlife division, and, in connection therewith, setting certain hunting, fishing, parks, and recreation fees.
Finance

SB18-144 by Senator(s) Kerr; also Representative(s) Willett--Concerning the regulation of bicycles approaching intersections.
State, Veterans, & Military Affairs

SB18-145 by Senator(s) Kefalas; also Representative(s) Ginal, Arndt--Concerning the implementation of employment first advisory partnership recommendations to advance competitive integrated employment for persons with disabilities.
Business, Labor, & Technology

SB18-146 by Senator(s) Kefalas and Smallwood, Martinez Humenik, Aguilar, Coram, Crowder, Donovan, Garcia, Gardner, Jahn, Moreno, Tate, Todd, Williams A.; also Representative(s) Sias and Singer, Hansen, Kennedy--Concerning a requirement that a freestanding emergency department inform a person who is seeking medical treatment about the health care options that are available to the person.
Health & Human Services

SB18-147 by Senator(s) Zenzinger and Coram, Aguilar, Court, Crowder, Donovan, Fenberg, Garcia, Guzman, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd; also Representative(s) McLachlan and Rankin, Lee, Pettersen, Roberts, Wilson--Concerning the educator loan forgiveness program to address educator shortages.
Finance

SB18-148 by Senator(s) Martinez Humenik and Moreno; also Representative(s) Lawrence and Exum-Concerning the continuation of certain benefits through the "State Employee Group Benefits Act" for dependents of a state employee who dies in a work-related death.
Health & Human Services

SB18-149 by Senator(s) Gardner; also Representative(s) Gray and Herod--Concerning records of the board of directors of the Denver health and hospital authority.
Health & Human Services

SB18-150 by Senator(s) Fenberg and Lundberg; --Concerning measures to facilitate voter registration of individuals in the criminal justice system.
State, Veterans, & Military Affairs

SB18-151 by Senator(s) Fields and Priola; also Representative(s) Buckner and Wilson--Concerning department of education research to develop bullying policies.
Education

SB18-152 by Senator(s) Aguilar, Court, Guzman, Jones, Merrifield, Todd, Zenzinger; also Representative(s) Lontine--Concerning a prohibition against price gouging on certain prescription drugs.
State, Veterans, & Military Affairs

SB18-153 by Senator(s) Kefalas; --Concerning the quality of behavioral health care related to suicide, and, in connection therewith, improving care coordination between behavioral health professionals.
State, Veterans, & Military Affairs

SB18-154 by Senator(s) Fields; --Concerning a requirement for a local juvenile services planning committee to devise a plan to manage dually identified crossover youth.
Judiciary

SB18-155 by Senator(s) Aguilar; also Representative(s) Pettersen--Concerning hospital community benefit reporting.
State, Veterans, & Military Affairs

SB18-156 by Senator(s) Cooke; --Concerning the publication of fiscal information by a county.
State, Veterans, & Military Affairs

HB18-1022 by Representative(s) Sias and Kraft-Tharp; also Senator(s) Jahn and Neville T.--Concerning a requirement that the department of revenue issue a request for information for an electronic sales and use tax simplification system.
Finance

HB18-1031 by Representative(s) Melton and Ransom, Exum, Ginal, Valdez; also Senator(s) Cooke and Jones--Concerning employer entry into the fire and police pension association defined benefit system.
Finance

HB18-1038 by Representative(s) Valdez, Kennedy, Liston; also Senator(s) Coram and Donovan--Concerning establishing a continuing education requirement for professional land surveyors.
State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, January 30, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

21st Legislative Day Tuesday, January 30, 2018

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, Aguilar, Hill, Todd.
Present later--2, Aguilar, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Monday, January 29, 2018, 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 **SB18-067** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, line 13, after "PREMISES" insert "OR UNLICENSED PREMISES".

Page 3, line 18, strike "PREMISES." and substitute "PREMISES OR UNLICENSED PREMISES WHERE THE SPECIAL EVENT IS HELD.".

Page 3, line 19, strike "AND A" and substitute "AND, IF THE SPECIAL EVENT IS HELD ON A LICENSED PREMISES, THE LICENSEE ON WHOSE LICENSED PREMISES THE SPECIAL EVENT IS HELD, OR, IF THE SPECIAL EVENT IS HELD ON UNLICENSED PREMISES, THE PERSON ON WHOSE UNLICENSED PREMISES THE SPECIAL EVENT IS HELD,".

Page 3, strike line 20.

Page 3, line 21, strike "THE SPECIAL EVENT".

Page 3, line 23, strike "LICENSED".

Page 3, line 24, strike "LICENSED".

Page 3, line 26, after "HELD" insert "OR THE PERSON ON WHOSE UNLICENSED PREMISES THE SPECIAL EVENT IS HELD, AS APPLICABLE,".

Page 4, line 3, strike "LICENSED".

Page 4, strike lines 13 and 14 and substitute:

"(d) (I) A RETAILER LICENSED UNDER".

Page 4, line 16, strike "SECTION, IS" and substitute "SECTION IS NOT".

Page 4, line 18, strike "LICENSED" and after "PREMISES" insert "WHERE THE SPECIAL EVENT IS HELD".

Page 4, line 19, strike "LICENSEE" and substitute "LICENSED RETAILER THAT DONATED THE ALCOHOL BEVERAGES".

Page 4, after line 22 insert:

"(II) THE STATE AND LOCAL LICENSING AUTHORITIES SHALL CONSIDER MITIGATING FACTORS, INCLUDING A LICENSEE'S LACK OF KNOWLEDGE OF A VIOLATION, IN DETERMINING WHETHER TO HOLD A LICENSEE ON WHOSE LICENSED PREMISES THE SPECIAL EVENT WAS HELD RESPONSIBLE FOR ANY VIOLATION OF SECTION 12-47-901 THAT OCCURRED ON THE LICENSED PREMISES AND THAT WAS COMMITTED BY THE ORGANIZATION HOLDING THE SPECIAL EVENT.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-105** 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 **SB18-068** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-016** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-076** 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 **SB18-048** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB18-106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, and 156.
Correctly Engrossed: SB18-054, 055, 060, and 088.
Correctly Reengrossed: SB18-014 and 015.

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

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

SB18-055 by Senator(s) Neville T.; also Representative(s) Van Winkle and Hooton, Ransom--Concerning the crimes against children surcharge in cases involving trafficking of children.

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fields, Garcia, Gardner, Grantham, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SB18-060 by Senator(s) Coram; also Representative(s) Hamner--Concerning protective orders in criminal cases.

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

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

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Garcia, Gardner, Grantham, Guzman, Kagan, Kefalas, Lambert, Martinez Humenik, Scott, Smallwood, 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:

SB18-054 by Senator(s) Crowder, Jahn, Lundberg, Neville T.; also Representative(s) Liston--Concerning a limitation on the amount of an increase in fees assessed against assisted living residences 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Grantham, Guzman, Jones, Kagan, Kefalas, Lambert, Marble, Martinez Humenik, Smallwood, Sonnenberg, Tate, and Todd.

SB18-088 by Senator(s) Gardner, Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Todd, Williams A., Zenzinger; also Representative(s) Becker K., Arndt, Bridges, Buckner, Coleman, Duran, Esgar, Exum, Foote, Garnett, Gray, Hamner, Hansen, Herod, Hooton, Kennedy, Lawrence, Lee, Lontine, Melton, Michaelson Jenet, Pabon, Pettersen, Rankin, Roberts, Rosenthal, Salazar, Singer, Thurlow, Weissman, Young--Concerning clarification that retail marijuana sales are subject to sales taxes levied by certain limited purpose governmental entities.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	E	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Moreno.

CONSIDERATION OF RESOLUTIONS

HJR18-1003 by Representative(s) Lontine and Carver; also Senator(s) Cooke and Kagan--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

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

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

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

HJR18-1004 by Representative(s) Esgar and Reyher; also Senator(s) Garcia and Crowder--Concerning the fiftieth anniversary of the capture of the U.S.S. Pueblo by North Korea.

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

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

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

HJR18-1005 by Representative(s) Jackson and Ransom; also Senator(s) Williams A. and Crowder--Concerning recognition of African-American veterans.

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

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

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

HJR18-1006 by Representative(s) Pabon and Covarrubias; also Senator(s) Martinez Humenik and Aguilar--Concerning recognition of the contributions of Latina/o veterans.

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

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

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

HJR18-1007 by Representative(s) Weissman and Sandridge; also Senator(s) Lambert and Todd--Concerning the role of Colorado in space and cyber defense.

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

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

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

HJR18-1008 by Representative(s) Lee and Sias; also Senator(s) Hill and Donovan--Concerning recognizing the positive impacts of adaptive sports programs on veterans in Colorado.

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

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

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

HJR18-1009 by Representative(s) Liston and Valdez, Neville P., Wilson, Buck, Pabon, Landgraf, Carver, Catlin, Coleman, Hansen, Hooton, Lebsock, McKean, Rankin, Reyher, Roberts, Sias; also Senator(s) Gardner and Garcia--Concerning the designation of the Fillmore Street bridge spanning Interstate 25 in Colorado Springs as the "Donald "Don" Stratton Bridge".

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

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

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

HJR18-1010 by Representative(s) Michaelson Jenet and Landgraf; also Senator(s) Coram and Court--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 Court, the resolution was **adopted** by the following roll call vote:

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

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

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by a roll call vote:

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

for a term expiring December 31, 2021:

Steven Paul Gabel of Eaton, Colorado, to serve as a member who has substantial experience in the production of agriculture, and as a Republican, appointed.

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

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

for terms expiring December 31, 2021:

Nancy Rau Tuor of Parker, Colorado, a Democrat, reappointed;

Jane Robbe Rhodes of Pueblo West, a Republican, reappointed.

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	E	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, January 30, was laid over until Wednesday, January 31, retaining its place on the calendar.

General Orders--Second Reading of Bills: SB18-069.

MESSAGE FROM THE HOUSE

January 30, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1048, 1023, 1024, 1026, 1027, 1044 amended as printed in House Journal, January 26, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1028, 1068, 1075, 1087.

MESSAGE FROM THE REVISOR OF STATUTES

January 30, 2018

We herewith transmit:

Without comment, HB18-1028, 1068, 1075, and 1087.
Without comment, as amended, HB18-1023, 1024, 1026, 1027, 1044, and 1048.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, January 31, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

22nd Legislative Day — Wednesday, January 31, 2018

Prayer — By the chaplain, Former State Representative Ken Summers, Timberline Church, Fort Collins.

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Tuesday, January 30, 2018, 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 **SB18-100** 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 **SB18-061** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-046** 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 **SB18-066** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 1, strike "**repeal**" and substitute "**amend**".

Page 2, strike lines 4 and 5 and substitute "(1) (a) Unless continued or reestablished by the general assembly acting by bill, the division shall terminate on ~~July 1, 2024~~ JULY 1, 2049.".

Trans-portation — After consideration on the merits, the Committee recommends that **SB18-028** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, strike line 18 and substitute:

"(A) DISPLAYED HORIZONTALLY ON THE FRONT OF A MOTOR VEHICLE IN THE LOCATION DESIGNATED BY THE MOTOR VEHICLE MANUFACTURER;".

SENATE SERVICES REPORT

Correctly Reengrossed: SB18-054, 055, 060, and 088.
Correctly Revised: HJR18-1003, 1004, 1005, 1006, 1007, 1008, 1009, and 1010.
Correctly Enrolled: SJM18-001.

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-157 by Senator(s) Williams A., Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kerr, Merrifield, Todd, Zenzinger; also Representative(s) Danielson, Arndt, Buckner, Coleman, Esgar, Exum, Hooton, Lontine, Melton, Michaelson Jenet, Rosenthal, Salazar, Weissman--Concerning the state women veterans office.
State, Veterans, & Military Affairs

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

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-069 by Senator(s) Holbert and Zenzinger; also Representative(s) Garnett and Becker J.--Concerning enforcement of statewide degree transfer agreements.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, January 26, pages 89-90 and placed in members' bill files.)

Amendment No. 2(L.002), by Senators Holbert and Zenzinger.

Strike the Education Committee Report, dated January 25, 2018, and substitute:

"Amend printed bill, page 2, line 9, strike "may" and substitute "~~may~~ SHALL".

Page 2, strike line 10 and substitute "~~credit hours of lower-division general education courses; except that the~~".

Page 2, line 16, after "~~program.~~" insert "COURSES TO FULFILL GENERAL EDUCATION REQUIREMENTS. A STUDENT WHO TRANSFERS UNDER A STATEWIDE DEGREE TRANSFER AGREEMENT MAY BE REQUIRED TO COMPLETE LOWER-DIVISION COURSES THAT ARE PART OF THE MAJOR, BUT ARE NOT PART OF THE STATEWIDE DEGREE TRANSFER AGREEMENT, IF TAKING THE COURSES DOES NOT REQUIRE THE TRANSFER STUDENT TO TAKE MORE TOTAL CREDIT HOURS TO RECEIVE THE DEGREE THAN A NATIVE STUDENT AND DOES NOT EXTEND THE TOTAL TIME REQUIRED TO RECEIVE THE DEGREE BEYOND THAT REQUIRED FOR A NATIVE STUDENT.".

Page 2, line 17, strike "TO" and substitute "WHO TRANSFERS UNDER A STATEWIDE DEGREE TRANSFER AGREEMENT TO TAKE ANY COURSES BEYOND THE COURSES AUTHORIZED PURSUANT TO THIS SUBSECTION (7)(b)(II) IS RESPONSIBLE FOR THE TOTAL COST OF TUITION,".

Page 2, strike lines 18 and 19.

Strike lines 22 and 23 and substitute "ANY CREDIT HOURS THAT EXCEED THE TOTAL CREDIT HOURS REQUIRED FOR A NATIVE STUDENT OR THAT EXTEND THE TOTAL TIME TO RECEIVE THE DEGREE BEYOND THAT REQUIRED FOR A NATIVE STUDENT.".

Page 2, line 24, strike "BACCALAUREATE DEGREE PROGRAM.".".

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

SB18-071 by Senator(s) Jahn and Crowder, Lambert, Cooke, Garcia, Guzman, Moreno, Priola, Smallwood, Tate, Todd, Williams A.; also Representative(s) Esgar, Kennedy--Concerning an extension of the repeal of the state substance abuse trend and response task force.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-069 as amended.
Referred to Appropriations: SB18-071.

TRIBUTES

Honoring:

Melissa Hart -- by Senator Angela Williams.
Brett Smith -- by Senator Steve Fenberg.
Jake Hansen -- by Senator Steve Fenberg.
Charlie Papazian -- by Senator Steve Fenberg.
Outdoor Retailer Show -- by Senator Kerry Donovan.
Jennifer Bacon -- by Senator Angela Williams.
Joe and Lucy Rodriguez -- by Senator Leroy Garcia.
Deerhammer Distillery Co. -- by Senator Kerry Donovan.
Big B's Delicious Orchards -- by Senator Kerry Donovan.
Ozo Coffee Co. -- by Senator Steve Fenberg.
Colorado 4-H -- by Senator Jerry Sonnenberg and Representative Jessie Danielson.
Elysia Bassett -- by Senator Leroy Garcia.
Hope House of Colorado -- by Senator Rachel Zenzinger.
Sportline Team Sports -- by Senator Rachel Zenzinger.
Ray and Priscilla Marshall -- by Senator Leroy Garcia.
Tom and Nancy Bregar -- by Senator Leroy Garcia.
Mikaela Shiffrin -- by Senator Kevin Priola and Representative Edie Hooton.
Auden Schendler -- by Senator Kerry Donovan.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 1, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

23rd Legislative Day — Thursday, February 1, 2018

Prayer — By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.

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

Roll Call — Present--32
Excused--3, Aguilar, Scott, Zenzinger.
Present later--1, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Wednesday, January 31, 2018, 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 **SB18-101** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2021:

Suzanne Janeen Morgan of Lone Tree, Colorado, to serve as a representative of Colorado municipal employers, reappointed;

Karen Marlman Frame of Greenwood Village, Colorado to serve as an individual from the State's financial or business community experienced in personnel or corporate administration, and occasioned by the resignation of Shawn Michael Turner of Denver, Colorado, appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-002** 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 "(32)(a)" and substitute "(32)(a); and **repeal** (19.3).".

Page 3, strike lines 6 through 9 and substitute "second downstream and one megabit per second upstream ~~or at measurable speeds at least equal to the federal communications commission's definition of high-speed internet access or broadband, whichever is faster,~~ with:".

Page 3, after line 9 insert:

"(19.3) ~~"Nondiscriminatory and competitively neutral basis" means that decisions by the commission concerning the distribution of high cost support mechanism funding to eligible providers shall be made using regulatory principles that are neutral in their effect, that do not favor one class of providers over another, and that do not result in the imposition of regulatory requirements or costs on one class of eligible providers that are not imposed on others.~~".

Page 3, strike lines 14 and 15 and substitute:

"(II) Consists of ONLY A SINGLE AREA OF one or more contiguous census blocks in which:".

Page 3, strike lines 20 and 21 and substitute:

"(B) NO INCUMBENT BROADBAND PROVIDER IS RECEIVING OR HAS BEEN AWARDED FEDERAL BROADBAND SUPPORT, WITH RESPECT TO A PROJECT FOR WHICH CONSTRUCTION HAS NOT YET BEEN COMPLETED, FOR A BROADBAND NETWORK TO SERVE A MAJORITY OF THE HOUSEHOLDS IN EACH INDIVIDUAL CENSUS BLOCK IN THE SAME AREA.".

Page 3, strike line 23 and substitute "(2)(a)(II), (2)(a)(III), and (3)(a); and **add** (2)(a)(IV), (2)(a)(V), (4), (5), and (6) as follows:".

Page 3, strike line 26 and substitute "**- repeal.** (2) (a) (II) The commission shall ensure that no local exchange provider is receiving funds from this or any other source that, together with local exchange service revenues, exceeds the cost of providing local exchange service to the provider's customers. The high cost support mechanism shall be supported and distributed ~~equitably and on a nondiscriminatory, competitively neutral basis~~ through a neutral assessment on all telecommunications providers in Colorado.

(III) The commission ~~at its regularly scheduled meetings~~".

Page 4, line 1, strike "amount" and substitute "~~amount~~ RATE".

Page 4, line 5, strike "AMOUNT" and substitute "SURCHARGE RATE".

Page 4, line 7, strike "HIGH COST SUPPORT MECHANISM" and substitute "SURCHARGE".

Page 4, line 8, strike "BY THE SURCHARGE".

Page 4, after line 23 insert:

"(V) IN ACCORDANCE WITH SUBSECTION (2)(a)(IV) OF THIS SECTION, THE COMMISSION, IN MAKING DISTRIBUTIONS OF HIGH COST SUPPORT MECHANISM MONEY IN THE YEARS 2019 THROUGH 2023, SHALL NEITHER:

(A) MAKE EFFECTIVE COMPETITION DETERMINATIONS; NOR

(B) APPLY ANY SECTION OF THIS ARTICLE 15 THAT REQUIRES AN EFFECTIVE COMPETITION DETERMINATION BE MADE OR THAT IN ANY WAY CONFLICTS WITH SUBSECTION (2)(a)(IV) OF THIS SECTION WITH REGARD TO THE DISTRIBUTIONS.

(3) (a) There is hereby created, in the state treasury, the Colorado high cost administration fund, referred to in this section as the "fund", which shall be used to reimburse the commission and its contractors for reasonable expenses incurred in the administration of the high cost support mechanism, including administrative costs incurred in association with broadband service, as determined by rules of the commission. The general assembly shall appropriate annually the ~~moneys~~ MONEY in the fund that ~~are~~ IS to be used for the direct and indirect administrative costs incurred by the commission and its contractors. At the end of any fiscal year, all unexpended and unencumbered ~~moneys~~ MONEY in the fund ~~remain~~ REMAINS in the fund and shall not be credited or transferred to the general fund or any other fund. ~~Based upon the high cost support mechanism, the balance remaining in the fund, and the~~

~~amount appropriated annually by the general assembly for use by the commission, each year the commission shall determine the nondiscriminatory, competitively neutral assessment on all telecommunications service providers in Colorado that will be necessary to cover the cost of implementing and administering the high cost support mechanism.~~ Only the ~~moneys~~ MONEY ~~from the assessment~~ IN THE HIGH COST SUPPORT MECHANISM THAT IS NECESSARY for administering the high cost support mechanism shall be transmitted to the state treasurer, who shall credit the same to the fund. All interest derived from the deposit and investment of ~~moneys~~ MONEY in the fund ~~remain~~ REMAINS in the fund and ~~do~~ DOES not revert to the general fund.".

Page 5, line 3, strike "SEPTEMBER" and substitute "DECEMBER".

Page 5, after line 4 insert:

"(5) ON OR BEFORE DECEMBER 31, 2018, THE COMMISSION SHALL ESTABLISH A PLAN TO ELIMINATE, ON AN EXCHANGE-AREA-BY-EXCHANGE-AREA BASIS, OBLIGATIONS IMPOSED PURSUANT TO SECTIONS 40-15-401 (1)(b)(IV) AND 40-15-502 (5)(b) AND (6)(a) IN THE SAME PROPORTIONS AND AT THE SAME TIMES THAT HIGH COST SUPPORT MECHANISM DISTRIBUTIONS FOR BASIC SERVICE ARE REDUCED PURSUANT TO SUBSECTION (2)(a)(IV) OF THIS SECTION.".

Renumber succeeding subsection accordingly.

Page 5, line 11, strike lines 11 and 12 and substitute "(5)(a), (5)(b), (5)(c) introductory portion, (5)(c)(III), (5)(c)(IV), (5)(f), (7), (8)(a),(8)(c), (8)(j), (9)(a) introductory portion, and (11); **repeal** (4)(b) and (6); and **add** (5)(g), (8)(c.5), (8.5), (10.5) and (10.7) as follows:".

Page 5, line 14, after "**creation -**" insert "**definitions -**".

Page 5, after line 25 insert:

"(b) The board consists of ~~sixteen~~ SEVENTEEN MEMBERS, SIXTEEN OF WHOM ARE VOTING members. The members of the board shall be selected on the basis of their knowledge of and interest in broadband service and shall serve for four-year terms. ~~except that, of the members first appointed to the board, eight members shall serve for terms of two years and eight members shall serve for terms of four years.~~ A member of the board shall not serve more than two consecutive full four-year terms.

(c) No more than eight VOTING members of any one major political party may serve on the board at the same time. Members of the board are entitled to seventy-five dollars per diem for attendance at official meetings plus actual and necessary expenses incurred in the conduct of official business. Members of the board shall be appointed as follows:

(III) ~~Six~~ EIGHT voting members representing the broadband industry:

(A) One of whom represents a wireless provider, as appointed by the minority leader of the house of representatives;

(B) One of whom represents a wireline provider, as appointed by the minority leader of the senate;

(C) One of whom represents a broadband satellite provider, as appointed by the governor;

(D) One of whom represents a cable provider, as appointed by the president of the senate;

(E) One of whom represents a rural local exchange carrier, as appointed by the governor; ~~and~~

(F) One of whom represents a competitive local exchange carrier, as appointed by the speaker of the house of representatives;

(G) ONE OF WHOM REPRESENTS A CABLE PROVIDER SERVING RURAL AREAS, AS APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(H) ONE OF WHOM REPRESENTS ANY OTHER BROADBAND PROVIDER, AS APPOINTED BY THE SPEAKER OF THE HOUSE OF

REPRESENTATIVES.

(IV) ~~Three~~ TWO voting members of the public:

(A) One of whom resides in an unserved area of the western slope of the state, as appointed by the president of the senate; AND

(B) One of whom resides in an unserved area of the eastern slope of the state, as appointed by the minority leader of the house of representatives. ~~and~~

(C) ~~One of whom resides in an unserved urban area of the state, as appointed by the speaker of the house of representatives.~~".

Page 5, strike lines 26 and 27 and substitute:

"(f) (I) If a board member has a conflict of interest with respect to any matter addressed by the board, including a financial interest in the matter, the member shall recuse himself or herself from any discussion or decisions on the matter.

(II) (A) A BOARD MEMBER APPOINTED PURSUANT TO SUBSECTION (5)(c)(I), (5)(c)(II), OR (5)(c)(IV) OF THIS SECTION IS NOT DEEMED TO HAVE A CONFLICT OF INTEREST MERELY BY VIRTUE OF RESIDING IN OR REPRESENTING AN UNSERVED AREA OR AN AREA THAT IS THE SUBJECT OF AN APPLICATION BEFORE THE BOARD.

(B) A BOARD MEMBER APPOINTED PURSUANT TO SUBSECTION (5)(c)(III) OF THIS SECTION IS DEEMED TO HAVE A CONFLICT OF INTEREST WITH RESPECT TO AN APPLICATION FILED BY AN ENTITY THAT THE BOARD MEMBER REPRESENTS; HOWEVER, IF SUCH APPLICATION IS FILED, THE BOARD MEMBER MAY STILL PARTICIPATE IN DISCUSSIONS ABOUT OTHER APPLICATIONS BEFORE THE BOARD, BUT SHALL NOT VOTE ON THOSE OTHER APPLICATIONS.

(g) IN THE EVENT OF A TIE VOTE OF THE BOARD, THE APPLICATION, APPEAL, PROPOSITION, OR OTHER MATTER BEING VOTED UPON FAILS.

(6) ~~The board's powers and duties commence three months after moneys are first allocated from the HCSM to the fund.~~

(7) ~~For a period of at least six months before accepting applications for proposed projects,~~ The board shall provide notice to and".

Page 6, strike lines 1 through 4.

Page 6, line 5, strike "providers" and substitute "providers, INCUMBENT BROADBAND PROVIDERS,".

Page 6, after line 14 insert:

"(a) Developing a project application process that places the burden on an eligible applicant to demonstrate that its proposed project meets the project eligibility criteria established in this subsection (8), including a requirement that the proposal concern a new project, and not a project already in progress, and a requirement to prove that the area to be served by the proposed project is an unserved area. To prove that the area to be served is an unserved area, the applicant must submit a map demonstrating the insufficient availability of broadband service in the area. The applicant must submit the application and map to the board; the board of county commissioners, city council, or other local entity with authority over the area to be served; and ~~an~~ ALL incumbent ~~provider~~ PROVIDERS OR INCUMBENT BROADBAND PROVIDERS THAT PROVIDE BROADBAND INTERNET SERVICE OR BROADBAND SERVICE IN THE AREA PROPOSED TO BE SERVED IN THE APPLICATION. The board shall establish a notice and comment period of at least sixty days within which the local entity may review and comment on the application.

(c) ~~Minimizing~~ DENYING FUNDING FOR conflicts with, or duplication IN WHOLE OR IN PART of, federal sources of high cost support or federal broadband grants FOR CONSTRUCTION OF A BROADBAND NETWORK so as to maximize the total available state and federal support for rural broadband development;

(c.5) DENYING FUNDING FOR OVERBUILDING, IN WHOLE OR IN PART, OF EXISTING BROADBAND NETWORKS IN AREAS THAT DO NOT MEET THE DEFINITION OF UNSERVED AREA IN ORDER TO MAXIMIZE THE TOTAL

AVAILABLE SUPPORT FOR FINANCING RURAL BROADBAND DEVELOPMENT;".

Page 6, strike lines 19 through 23 and substitute "PROJECT. THE BOARD MAY APPROVE MORE THAN ONE OF THE APPLICANT'S PROJECTS WITHIN A SINGLE YEAR.".

Page 7, strike line 2 and substitute "GRANT APPLICATION, OR BOTH. IF A PROVIDER OF BROADBAND SERVICE OR A BROADBAND NETWORK THAT ALLEGES FUNDING PROVIDED PURSUANT TO THIS SECTION WILL OVERBUILD OR DUPLICATE, IN WHOLE OR IN PART, THE PROVIDER'S BROADBAND NETWORK, THE PROVIDER IS AN AGGRIEVED PARTY WITH STANDING TO APPEAL UNDER THIS SUBSECTION (8)(j)(III).".

Page 7, after line 7 insert:

"(8.5) (a) THE BOARD SHALL DENY AN APPLICATION THAT CONTAINS AN AREA THAT DOES NOT MEET THE DEFINITION OF UNSERVED AREA AND SHALL GRANT AN APPEAL TO AN INCUMBENT BROADBAND PROVIDER THAT DEMONSTRATES, BY A PREPONDERANCE OF THE EVIDENCE, THAT AN AREA COVERED BY AN APPLICATION DOES NOT MEET THE DEFINITION OF UNSERVED AREA.

(b) IF ALL OTHER APPLICATION REQUIREMENTS, INCLUDING CONTIGUITY, REMAIN MET, AN APPLICATION MAY BE AMENDED AT ANY TIME TO REMOVE FROM THE APPLICATION COVERAGE OF AN AREA THAT DOES NOT MEET THE CRITERIA ESTABLISHED PURSUANT TO THIS SECTION.".

Page 7, strike lines 16 through 27 and substitute:

"(10.5) THE BOARD SHALL MAKE EVERY EFFORT TO ENSURE THAT A PROJECT FUNDED PURSUANT TO THIS SECTION DOES NOT DUPLICATE ANOTHER BROADBAND PROJECT OR BROADBAND NETWORK, INCLUDING ANY PROJECT SUPPORTED OR APPROVED BY THE DEPARTMENT OF LOCAL AFFAIRS.".

Page 8, strike lines 1 through 13 and substitute:

"(10.7) AS USED IN THIS SECTION:

(a) "INCUMBENT BROADBAND PROVIDER" MEANS A PROVIDER THAT OFFERS BROADBAND INTERNET SERVICE OVER A BROADBAND NETWORK IN AN AREA COVERED BY AN APPLICATION FILED PURSUANT TO THIS SECTION.

(b) "OVERBUILD" OR "OVERBUILDING" MEANS PROVIDING A BROADBAND NETWORK TO RESIDENTIAL OR BUSINESS ADDRESSES THAT:

(I) AT THE TIME OF APPLICATION, EITHER HAVE ACCESS TO A BROADBAND NETWORK OR HAVE RECEIVED FEDERAL SOURCES OF HIGH COST SUPPORT OR FEDERAL BROADBAND GRANTS TO PROVIDE ACCESS TO A BROADBAND NETWORK; AND

(II) ACCOUNT FOR TEN PERCENT OR MORE OF THE TOTAL RESIDENTIAL AND BUSINESS ADDRESSES TO BE SERVED BY A PROPOSED PROJECT.".

SENATE SERVICES REPORT

Correctly Printed: SB18-157.
Correctly Engrossed: SB18-069.

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

Committee of the Whole

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

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

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

SB18-067 by Senator(s) Zenzinger and Priola, Cooke, Coram, Donovan, Fenberg, Garcia, Guzman, Holbert, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Smallwood, Tate, Todd, Williams A.; also Representative(s) Kraft-Tharp, Becker J., Benavidez, Bridges, Esgar, Garnett, Ginal, Gray, Hooton, Jackson, Kennedy, Lawrence, Leonard, McKean, McLachlan, Michaelson Jenet, Roberts, Sias, Thurlow, Van Winkle, Winter, Wist--Concerning the ability of certain organizations conducting a special event to auction alcohol beverages in sealed containers for fundraising purposes under specified circumstances.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, January 30, pages 105-106 and placed in members' bill files.)

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

SB18-105 by Senator(s) Baumgardner; also Representative(s) Pabon--Concerning clarifying changes to provisions that were contained in House Bill 17-1367.

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

SB18-076 by Senator(s) Lundberg; also Representative(s) Melton--Concerning a ban on vote trading.

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

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-067 as amended, SB18-105, SB18-076.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, February 1, was laid over until Friday, February 2, retaining its place on the calendar.

Third Reading of Bills--Final Passage: SB18-069.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Van Winkle was added as a House joint prime sponsor on SB18-067 with Senators Zenzinger and Priola and Representative Kraft-Tharp.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR18-1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 2, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

24th Legislative Day Friday, February 2, 2018

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

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

Roll Call — Present--32
Excused--3, Aguilar, Grantham, Martinez Humenik.
Present later--1, Grantham.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Thursday, February 1, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-064** be postponed indefinitely.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-063** be postponed indefinitely.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-042** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-093** 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 3, strike "18-____," and substitute "18-093,".

Education — After consideration on the merits, the Committee recommends that **SB18-085** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 11, strike "DISTRICT" and substitute "DISTRICT, CHARTER SCHOOL, INSTITUTE CHARTER SCHOOL,".

Page 5, strike line 16 and substitute "plan; EXCEPT THAT THE STIPENDS MAY ONLY BE USED TO OFFSET COSTS ASSOCIATED WITH AN INSTITUTION OF HIGHER EDUCATION OR AN ALTERNATIVE LICENSURE PROGRAM THAT IS APPROVED BY THE STATE BOARD OF EDUCATION.".

Education After consideration on the merits, the Committee recommends that **SB18-012** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB18-077** 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 3 through 10 and substitute:

"**39-26-719. Motor vehicles - definitions.** (3) (a) THE SALE OF A MOTOR VEHICLE FOR WHICH A CERTIFICATE OF TITLE HAS PREVIOUSLY BEEN ISSUED IN THE STATE IS EXEMPT FROM THE TAX IMPOSED IN ACCORDANCE WITH PART 1 OF THIS ARTICLE 26.

(b) THE STORAGE, USE, AND CONSUMPTION OF A MOTOR VEHICLE THAT IS EXEMPT IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION IS EXEMPT FROM THE TAX IMPOSED IN ACCORDANCE WITH PART 2 OF THIS ARTICLE 26.".

Reletter succeeding paragraphs accordingly.

Finance After consideration on the merits, the Committee recommends that **SB18-073** 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 8, strike "PERSON." and substitute "PERSON IN ACCORDANCE WITH SUBSECTIONS (1) AND (2) OF THIS SECTION.".

Page 2, line 12, strike "SEVENTY-TWO HOURS" and substitute "FIVE BUSINESS DAYS".

Page 2, line 14, after "DATE" insert "AND TIME".

Page 2, strike lines 18 through 22 and substitute "VEHICLE; AND

(IV) AN AFFIDAVIT, SIGNED UNDER PENALTY OF PERJURY, THAT THE REQUIREMENTS FOR THE TRANSFER OF OWNERSHIP IN SUBSECTIONS (1) AND (2) OF THIS SECTION HAVE BEEN SATISFIED.".

Page 3, line 5, strike "AND".

Page 3, line 8, strike "VEHICLE." and substitute "VEHICLE; AND

(V) FORWARD A COPY OF THE REPORT TO EACH LIENHOLDER OF RECORD.".

Page 3, line 9, strike "(d)" and substitute "(d) (I)".

Page 3, line 13, strike "(I)" and substitute "(A)".

Page 3, line 15, strike "(II)" and substitute "(B)".

Page 3, after line 15 insert:

"(II) THIS SUBSECTION (3)(d) DOES NOT APPLY TO A CIVIL OR CRIMINAL ACTION IF THE ACTION IS BROUGHT AGAINST THE OWNER FOR THE OWNER'S:

(A) NEGLIGENCE IN PERMITTING THE PURCHASER TO DRIVE THE MOTOR VEHICLE AT THE TIME OF SALE;

(B) FAILURE TO COMPLY WITH ANY LAW GOVERNING THE SALE OF THE MOTOR VEHICLE;

(C) NEGLIGENCE IN SELLING THE MOTOR VEHICLE;

(D) MATERIAL MISSTATEMENT OR OMISSION ABOUT THE CONDITION OF THE MOTOR VEHICLE; OR

(E) FAILURE TO MAKE ANY DISCLOSURE REQUIRED BY LAW.

(e) A REPORT FILED UNDER THIS SUBSECTION (3) DOES NOT EXTINGUISH OR IMPAIR THE RIGHTS OF ANY LIENHOLDER.".

SENATE SERVICES REPORT

Correctly Engrossed: SB18-067, 076, and 105.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SJR18-004 by Senator(s) Sonnenberg and Fields; also Representative(s) Lawrence--Concerning the designation of February 4 as "Missing Persons Day" in Colorado.

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

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

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

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

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

SB18-067 by Senator(s) Zenzinger and Priola, Cooke, Coram, Donovan, Fenberg, Garcia, Guzman, Holbert, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Smallwood, Tate, Todd, Williams A.; also Representative(s) Kraft-Tharp and Van Winkle, Becker J., Benavidez, Bridges, Esgar, Garnett, Ginal, Gray, Hooton, Jackson, Kennedy, Lawrence, Leonard, McKean, McLachlan, Michaelson Jenet, Roberts, Sias, Thurlow, Winter, Wist--Concerning the ability of certain organizations conducting a special event to auction alcohol beverages in sealed containers for fundraising purposes under specified 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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Court, Crowder, Fields, Grantham, Jones, Lambert, Marble, Neville T., Scott, and Sonnenberg.

SB18-105 by Senator(s) Baumgardner; also Representative(s) Pabon--Concerning clarifying changes to provisions that were contained in House Bill 17-1367.

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

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

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

Co-sponsor(s) added: Crowder, Grantham, Holbert, Marble, and Tate.

SB18-076 by Senator(s) Lundberg; also Representative(s) Melton--Concerning a ban on vote trading.

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

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

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

Co-sponsor(s) added: Cooke, Fenberg, Grantham, Holbert, Kefalas, Kerr, Marble, Neville T., Scott, Smallwood, Sonnenberg, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-069 by Senator(s) Holbert and Zenzinger; also Representative(s) Garnett and Becker J.--Concerning enforcement of statewide degree transfer agreements.

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

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

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

Co-sponsor(s) added: Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

Committee of the Whole

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

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

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

SB18-100 by Senator(s) Neville T., Williams A.; also Representative(s) Kraft-Tharp and Van Winkle- Concerning disclosure of additional mandatory charges by motor vehicle rental companies.

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

SB18-046 by Senator(s) Moreno; --Concerning authorization to increase the minimum donation required to be issued a certificate that qualifies a person to be issued a group special license plate.

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

SB18-028 by Senator(s) Scott; also Representative(s) Bridges--Concerning the repeal of certain requirements for where a license plate is mounted on a motor vehicle.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, January 31, page(s) 115 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 Garcia, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-100, SB18-046, SB18-028 as amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR18-003.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, February 5, 2018.

Approved:

Jerry Sonnenberg
President Pro Tempore
of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

27th Legislative Day — Monday, February 5, 2018

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, Merrifield.

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Maya and Layla Donahue.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Friday, February 2, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR18-004.
Correctly Engrossed: SB18-028, 046, and 100; SJR18-004.
Correctly Reengrossed: SB18-067, 069, 076, and 105.

MESSAGE FROM THE HOUSE

February 2, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1010, 1079, amended as printed in House Journal, February 1, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

February 2, 2018

We herewith transmit:

Without comment, as amended, HB18-1010 and 1079.

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

Senate in recess. Senate reconvened.

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

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

SB18-100 by Senator(s) Neville T., Williams A.; also Representative(s) Kraft-Tharp and Van Winkle-Concerning disclosure of additional mandatory charges by motor vehicle rental companies.

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

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

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

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Gardner, Grantham, Guzman, Holbert, Jones, Kagan, Kefalas, Lundberg, Marble, Martinez Humenik, Moreno, Priola, Scott, Smallwood, Tate, and Todd.

SB18-046 by Senator(s) Moreno; also Representative(s) Michaelson Jenet--Concerning authorization to increase the minimum donation required to be issued a certificate that qualifies a person to be issued a group special license plate.

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

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

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

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

SB18-028 by Senator(s) Scott; also Representative(s) Bridges--Concerning the repeal of certain requirements for where a license plate is mounted on 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Guzman, Holbert, Jones, Kagan, Lundberg, Marble, Smallwood, Tate, Todd, and Zenzinger.

Committee of the Whole

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

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

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

SB18-101 by Senator(s) Holbert and Todd, Gardner, Merrifield, Priola; also Representative(s) Hamner and Van Winkle--Concerning student admission to Colorado state university - global campus.

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-101.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-009** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 4, strike "**distributed electricity**" and substitute "**energy**".

Page 2, line 10, after the semicolon add "AND".

Page 2, line 14, strike "ELECTRICITY" and substitute "ENERGY".

Page 2, strike lines 15 through 21 and substitute "OTHER DISTRIBUTED RESOURCES, AN EFFECTIVE WAY FOR RESIDENTS TO PROVIDE THEIR OWN RELIABLE AND EFFICIENT SUPPLY OF ELECTRICITY.".

Page 2, line 23, strike "REDUCE" and substitute "LIMIT".

Page 3, line 1, strike "ELECTRICITY" and substitute "ENERGY".

Page 3, line 3, strike "ELECTRICITY" and substitute "ENERGY".

Page 3, strike lines 9 through 12 and substitute:

"(a) "ENERGY STORAGE SYSTEM" MEANS ANY COMMERCIALLY AVAILABLE, CUSTOMER-SITED SYSTEM, INCLUDING BATTERIES AND THE BATTERIES PAIRED WITH ON-SITE GENERATION, THAT IS CAPABLE OF RETAINING, STORING, AND DELIVERING ENERGY BY CHEMICAL, THERMAL, MECHANICAL, OR OTHER MEANS.".

Page 3, line 19, strike "DISTRIBUTED ELECTRICITY" and substitute "ENERGY".

Page 3, line 22, strike "REDUCE" and substitute "LIMIT".

Page 3, line 24, strike "ELECTRICITY" and substitute "ENERGY".

Page 3, line 26, strike "DISTRIBUTED ELECTRICITY" and substitute "ENERGY".

Page 4, line 4, strike "DISTRIBUTED ELECTRICITY" and substitute "ENERGY".

Page 4, line 9, strike "DISTRIBUTED ELECTRICITY" and substitute "ENERGY".

Page 4, strike lines 10 through 13 and substitute "SYSTEMS; EXCEPT THAT THE COMMISSION MAY AUTHORIZE THE REQUIREMENT OF METERING FOR CERTAIN LARGE ENERGY STORAGE SYSTEMS, AS DETERMINED BY THE COMMISSION.

(4) NOTHING IN THIS SECTION ALTERS OR SUPERSEDES ANY EXISTING ELECTRICAL PERMIT REQUIREMENTS OR ANY LICENSING OR CERTIFICATION REQUIREMENTS FOR INSTALLERS, MANUFACTURERS, OR EQUIPMENT.".

Page 1, line 102, strike "**ELECTRICITY**" and substitute "**ENERGY**".

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB18-002) of Monday, February 5, was laid over until Wednesday, February 7, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

MEMBERS OF THE
FIRE AND POLICE PENSION ASSOCIATION
BOARD OF DIRECTORS

for terms expiring September 1, 2021:

Suzanne Janeen Morgan of Lone Tree, Colorado, to serve as a representative of Colorado municipal employers, reappointed;

Karen Marlman Frame of Greenwood Village, Colorado to serve as an individual from the State's financial or business community experienced in personnel or corporate administration, and occasioned by the resignation of Shawn Michael Turner of Denver, Colorado, appointed.

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

Senate in recess. Senate reconvened.

COMMITTEE APPOINTMENTS

February 5, 2018

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

Mr. Mike Mauer:

Please be advised that I am appointing Senator Nancy Todd replacing Senator Angela Williams to serve on the Joint Technology Committee effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

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

MESSAGE FROM THE HOUSE

February 5, 2018

Mr. President:

The House has adopted and returns herewith SJR18-004.

INTRODUCTION OF MEMORIALS

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

SJM18-003 by Senator(s) Garcia, Aguilar, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Marble, Merrifield, Moreno, Todd, Williams A., Zenzinger; also Representative(s) Covarrubias and Esgar, Arndt, Benavidez, Buckner, Exum, Garnett, Hamner, Herod, Hooton, Landgraf, Lee, Liston, Lundeen, Melton, Pabon, Pettersen, Reyher, Roberts, Rosenthal, Singer, Valdez, Winter, Young--Concerning memorializing Congress to approve and fund a new Veterans Administration hospital in southern Colorado.

Laid over until Wednesday, February 7, retaining its place on the calendar.

SJM18-004 by Senator(s) Garcia; also Representative(s) Esgar--Memorializing former Congressman Ray Kogovsek.

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

INTRODUCTION OF BILLS -- FIRST READING

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

SB18-158 by Senator(s) Coram and Garcia; also Representative(s) Duran and Catlin--Concerning measures to increase school district access to interoperable communication technology to improve school safety.
Education

SB18-159 by Senator(s) Zenzinger; --Concerning permitting a public school to include operation as a community school in its innovation plan.
Education

SB18-160 by Senator(s) Lambert; also Representative(s) Hamner--Concerning the authority to operate certain teacher development programs, and, in connection therewith, establishing alternative licensure programs and induction programs.
Education

SB18-161 by Senator(s) Smallwood, Aguilar, Gardner, Kefalas, Neville T., Priola, Tate; also Representative(s) Kraft-Tharp and Landgraf--Concerning repeal of the behavioral health transformation council.
Health & Human Services

SB18-162 by Senator(s) Martinez Humenik, Merrifield, Priola; also Representative(s) Buckner and Wilson, Pettersen--Concerning substitute child care providers.
Health & Human Services

SB18-163 by Senator(s) Martinez Humenik and Merrifield, Priola; also Representative(s) Pettersen and Wilson, Buckner--Concerning an extension of the repeal of the early childhood and school readiness legislative commission.
Health & Human Services

SB18-164 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of reporting requirements for certain unfunded programs in the department of human services until such time as funding is received.
Health & Human Services

SB18-165 by Senator(s) Neville T. and Todd, Donovan, Smallwood; also Representative(s) Winter and Saine, Kraft-Tharp--Concerning requirements for public administrators.
Finance

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.
Judiciary

HB18-1010 by Representative(s) Lee and Wilson; also Senator(s) Coram--Concerning youth committed to the department of human services, and, in connection therewith, requiring the department to report certain data and adding members to the youth restraint and seclusion working group.
Judiciary

HB18-1023 by Representative(s) Herod; also Senator(s) Gardner--Concerning the nonsubstantive relocation of laws related to legalized marijuana from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.
Judiciary

HB18-1024 by Representative(s) Lee; also Senator(s) Kagan, Cooke--Concerning the nonsubstantive relocation of laws related to the regulation of racing from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.
Judiciary

HB18-1026 by Representative(s) Herod; also Senator(s) Cooke and Gardner--Concerning the nonsubstantive relocation of the law creating the liquor enforcement division and state licensing authority cash fund from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.
Judiciary

HB18-1027 by Representative(s) Wist; also Senator(s) Kagan--Concerning the nonsubstantive relocation of laws related to the regulation of the lottery from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.
Judiciary

HB18-1028 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Court and Tate--Concerning clarification of the standard required for applications for a court order to require compliance with investigations of deceptive trade practices.
Judiciary

HB18-1044 by Representative(s) Kraft-Tharp; also Senator(s) Priola--Concerning the "Colorado Children's Trust Fund Act".
State, Veterans, & Military Affairs

HB18-1048 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the expenditure of money from the Hesperus account by the board of trustees of Fort Lewis college.
Education

HB18-1075 by Representative(s) Lee and Herod, Foote, Willett, Wist; also Senator(s) Kagan and Cooke, Gardner, Guzman, Holbert--Concerning the enactment of Colorado Revised Statutes 2017 as the positive and statutory law of the state of Colorado.
Judiciary

HB18-1079 by Representative(s) Beckman; also Senator(s) Crowder--Concerning a requirement that the works allocation committee prepare annual recommendations for the use of the Colorado long-term works reserve.
Finance

HB18-1087 by Representative(s) Thurlow, Roberts; also Senator(s) Kagan and Coram--Concerning department of public safety authority to repeal rules relating to defunct boards.
Judiciary

MESSAGE FROM THE GOVERNOR

Appointment

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

May 25, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO CHANNEL AUTHORITY
BOARD OF DIRECTORS

for a term expiring October 6, 2019:

Bart Warren Miller of Centennial, Colorado, an Unaffiliated, to serve as a representative who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Scott Alan Nachtrieb of Highlands Ranch, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

August 15, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO CHANNEL AUTHORITY
BOARD OF DIRECTORS

for a term expiring October 6, 2019:

Megan Alyse Jurgemeyer of Denver, Colorado, a Democrat, who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Timothy Michael Ryan of Aurora, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

October 25, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2021:

Desta Meklit Taye-Channell of Denver, Colorado to serve as a member of the public, and occasioned by the resignation of Dennis Edward Swain of Northglenn, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

November 16, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2018:

Sean C. Wood, CFP, AIF, CAP of Evergreen, Colorado, to serve as a Republican from Congressional District 2, and occasioned by the death of Jeffrey David Moulton of Boulder, Colorado, appointed. appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

June 6, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2020:

Megan Elyse Garvey of Denver, Colorado, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Jeffrey Todd Mitchell of Aspen, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

July 26, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2021:

Timothy David Carlson of Arvada, Colorado, to serve as a member from the Seventh Congressional District, and as a representative of law enforcement and as a Republican, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

July 7, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2021:

Hon. Charles Dennis Maes of Pueblo, Colorado, an attorney admitted to the practice of law in Colorado for not less than five years, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

June 16, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2021:

Pam Oldham Inmann of Castle Rock, Colorado, and a resident of the Fourth Congressional District, who has been engaged in business in a management-level capacity for at least five years, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

August 15, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO BANKING BOARD

for terms expiring July 1, 2021:

Timothy Patrick Daly of Evergreen, Colorado, to serve as a representative of a money transmitter organization licensed pursuant to Article 52 of Title 12, appointed;

Ronald Keith Tilton of Littleton, Colorado, to serve as an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed;

George Timothy Laney of Greenwood Village, Colorado, an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed;

Laura Gene Miller of Littleton, Colorado, to serve as an executive officer of a trust company, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

October 13, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
STATE BOARD OF EQUALIZATION

for a term expiring September 2, 2021:

Barbara Ann Brewer of Grand Junction, Colorado, to serve as a representative with knowledge of property taxation, and occasioned by the resignation of David Claire Steepleton of Highlands Ranch, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

September 1, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF EQUALIZATION

for terms expiring September 2, 2021:

David Claire Steepleton of Highlands Ranch, Colorado, to serve as a representative with knowledge of property taxation, appointed;

Dickey Lee Hullinghorst of Longmont, Colorado, to serve as a representative with knowledge of property taxation, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

August 3, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
HIGHER EDUCATION COMPETITIVE
RESEARCH AUTHORITY BOARD OF DIRECTORS

for a term expiring August 21, 2019:

Kim Hunter Reed, PhD of Denver, Colorado to serve as the Governor's appointee and to fill the vacancy occasioned by the resignation of Joseph A. Garcia of Pueblo, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Education

January 9, 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 reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO SCHOOL OF MINES BOARD OF TRUSTEES

for terms expiring December 31, 2021:

Lucinda McWilliams Sanders of Boulder, Colorado, a Democrat who is not a graduate of the Colorado School of Mines, appointed;

Thomas Eugene Jorden of Cherry Hills Village, Colorado, an Unaffiliated graduate of the Colorado School of Mines, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 1/16/2018
Effie Ameen, Secretary of the Senate

Committee on Education

September 1, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2018:

Jason Lee Wardrip of Aurora, Colorado, to serve as a representative of labor organizations, appointed;

for a term expiring September 1, 2019:

Roger Allen Hays of Aurora, Colorado, to serve as a representative of employers, appointed;

for terms expiring September 1, 2020:

Elsa Martinez Tenreiro, JD of Elizabeth, Colorado, to serve as an attorney who represents injured workers, appointed;

Amy Newton of Westminster, Colorado, to serve as a representative of insurers, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

June 15, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS

for terms expiring June 30, 2021:

Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and as a Republican, reappointed;

John Michael Shaw of Denver, Colorado, to serve as a citizen at large and as an Unaffiliated, reappointed;

Tyler Patrick Karney of Ordway, Colorado, to serve as a person with substantial experience in production agriculture and as a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 30, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for terms expiring July 1, 2020:

Christopher Weld Tetzeli of Denver, Colorado, reappointed;

Marco Antonio Abarca of Denver, Colorado, reappointed;

Rick Pederson of Denver, Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

October 13, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2018:

Carol Pafford of Highlands Ranch, Colorado to serve as a building official from a political subdivision of the state performing electrical inspections, reappointed;

Scott R. Pandy of Fort Collins, Colorado to serve as a general contractor actively engaged in the building industry, reappointed;

for terms expiring July 1, 2020:

Joseph Badaracco of Lakewood, Colorado to serve as a journeyman electrician who is not an electrical contractor, reappointed;

Erik Clarke of Denver, Colorado to serve as a representative of the public at large, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

June 19, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2020:

Steven B. Price of Denver, Colorado, to serve as a member of the public at large, appointed;

Kent Jeffrey Lund, JD, MBA, LLM of Denver, Colorado, to serve as an individual 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)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

_____

July 12, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2018:

Deane Lawrence Davenport of Arvada, Colorado, to serve as an officer or employee of a commercial bank experienced in real estate lending, reappointed;

for terms expiring July 1, 2020:

Richard L. Shields of Centennial, Colorado, to serve as a licensed or certified appraiser, reappointed;

Kristy Ann McFarland of Crested Butte, Colorado, to serve as a county assessor in office, appointed;

Bonnie Deane Roerig of Denver, Colorado, to serve as a licensed or certified appraiser, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

September 12, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE PLUMBING BOARD

for terms expiring July 1, 2021:

Catherine A. Dunihoo of Windsor, Colorado, an Unaffiliated, and a journeyman plumber, appointed;

Glen Ray Ratliff of Arvada, Colorado, a Democrat, and member or employee of a local government agency conducting plumbing inspections, appointed;

Matthew Ray Wagy of Greeley, Colorado, a Republican and a master plumber, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

September 12, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2021:

Richard Michael King of Larkspur, Colorado, to serve as a representative of electrical utilities, appointed;

Gina Maria Cullen of Golden, Colorado, to serve as master electrician who is not an electrical contractor, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

October 5, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2018:

Douglas P. Price of Colorado Springs, Colorado to serve as a representative of the destination marketing industry, and occasioned by the resignation of Jamie Greeman of Alamosa, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

May 18, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for terms expiring June 1, 2021:

Courtney Lee Frazier of Parker, Colorado, to serve as an at large member from tourism-based industries, and from a small community, reappointed;

Barbara Jean Bowman of Grand Junction, Colorado, to serve as a representative of cultural event and facility groups, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

January 9, 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, reappoint, and submit to your consideration, the following:

MEMBER OF THE
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2021:

Daniel Patrick McCarty of Rifle, Colorado, to serve as a representative of the non-confinement cattle industry, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 1/16/2018
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 19, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for a term expiring March 1, 2019:

Rebecca Lynn Larson of Longmont, Colorado, an Unaffiliated, from the Second Agricultural District to serve as a member from the State at-large, and occasioned by the resignation of Susan Kay Petrocco of Brighton, Colorado, appointed.

for terms expiring March 1, 2021:

Marty Joe Gerace of Golden, Colorado, a Republican, from the First Agricultural District to serve as a member from the State at-large, appointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat, from the Second Agricultural District, reappointed;

Steve Dale Young of Holyoke, Colorado, a Republican, from the Second Agricultural District, to serve as a member from the State at-large, reappointed;

Michael Conrad Hirakata of La Junta, Colorado, a Republican, from the Third Agricultural District to serve as a member from the State at-large, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/16/2018
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 26, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for terms expiring August 24, 2021:

Kelly Eugene Arnold of Windsor, Colorado, reappointed;

Daniel Fernandez of Dove Creek, Colorado, reappointed;

Ginette “Gigi” Dennis of Monte Vista, Colorado, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

June 6, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
MINED LAND RECLAMATION BOARD

for a term expiring March 1, 2020:

Lauren Duncan, MS of Littleton, Colorado, to serve as an individual with substantial experience in conservation, and occasioned by the resignation of Randolph Craig Fischer of Fort Collins, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 7, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2018:

Geral Justin Fedinec of Craig, Colorado, to serve a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, reappointed;

for a term expiring July 1, 2021:

Michael Gregg McFarland of Dolores, Colorado, to serve as a coal mine owner, operator, manager, or other mine official actively engaged in underground mining, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

December 13, 2017

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

Ladies and Gentlemen:

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

MEMBER OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2021:

Patricia Dorsey of Bayfield, Colorado, a representative of the Division of Parks and Wildlife who is also a wildlife biologist, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, February 6, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

28th Legislative Day — Tuesday, February 6, 2018

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

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

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Monday, February 5, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

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

The Senate observed a moment of silence in memory of Deputy Micah Flick, El Paso County Sheriff's Office.

COMMITTEE OF REFERENCE REPORTS

Judiciary — After consideration on the merits, the Committee recommends that **SB18-122** 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 **SB18-135** 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 **SB18-004** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-006** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-080** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-082** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-087** 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 **SB18-126** 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 **SB18-124** 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 **SB18-021** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-104** 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 3 insert:

"(b) IF THE FCC DENIES THE BOARD'S PETITION, THE BOARD SHALL NOT FILE A NEW PETITION OR OTHERWISE SUBSEQUENTLY APPLY FOR MONEY FROM THE REMOTE AREAS FUND.".

Reletter succeeding paragraphs accordingly.

SENATE SERVICES REPORT

Correctly Printed: SB18-158, 159, 160, 161, 162, 163, 164, 165, and 166; SJM18-003 and 004.
Correctly Engrossed: SB18-101.
Correctly Reengrossed: SB18-028, 046, and 100.

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

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

SB18-101 by Senator(s) Holbert and Todd, Gardner, Merrifield, Priola; also Representative(s) Hamner and Van Winkle--Concerning student admission to Colorado state university - global campus.

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

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

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

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

Committee of the Whole

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

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

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

SB18-093 by Senator(s) Moreno, Martinez Humenik, Zenzinger, Tate; also Representative(s) Arndt, Hooton, Thurlow, McKean--Concerning the repeal of obsolete provisions in the Colorado medical assistance program relating to the inactive home- and community-based services waiver for persons living with AIDS.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 2, page 127 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 Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-093 as amended.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-073 by Senator(s) Smallwood; also Representative(s) Ransom and Herod, Van Winkle--Concerning reporting to the department of revenue when ownership of a motor vehicle has been transferred.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 2, page 128 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-073 as amended.

CONSIDERATION OF MEMORIALS

SJM18-004 by Senator(s) Garcia; also Representative(s) Esgar--Memorializing former Congressman Ray Kogovsek.

On request of Senator Garcia, the memorial was read at length.

On motion of Senator Garcia, and with a majority of those elected to the Senate having voted in the affirmative, the Senate stood in Recess pursuant to Senate Rule 31 (g) to allow former Senators to address the members of the Senate regarding the memorial.

Senate in recess. Senate reconvened.

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

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

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

MESSAGE FROM THE HOUSE

February 6, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1005 and 1095, amended as printed in House Journal, February 5, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1096, 1032, 1100, 1101, 1039.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR18-004.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 7, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

29th Legislative Day Wednesday, February 7, 2018

Prayer — By the chaplain, Pastor Mark Harper, Impact Rock Church, Erie.

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

Roll Call — Present--32
Excused--3, Gardner, Holbert, Kagan.
Present later--2, Holbert, Kagan.

Quorum — The President announced a quorum present.

Musical Presentation — By Colorado Mesa University's "Rowdy Brass Band", performing "The Star-Spangled Banner" and "Hey Jude".

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Tuesday, February 6, 2018, 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 **SB18-102** 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 "18-____," and substitute "18-102,".

Finance — After consideration on the merits, the Committee recommends that **SB18-127** 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 3, strike "18-___," and substitute "18-127,".

Finance — After consideration on the merits, the Committee recommends that **SB18-083** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-047** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1031** 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 **HB18-1022** 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: SB18-073 and 093; SJM18-004.
Correctly Reengrossed: SB18-101.

MESSAGE FROM THE REVISOR OF STATUTES

February 6, 2018

We herewith transmit:

Without comment, HB18-1032, 1039, 1096, 1100, and 1101.
Without comment, as amended, HB18-1005 and 1095.

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:

SB18-093 by Senator(s) Moreno, Martinez Humenik, Zenzinger, Tate; also Representative(s) Arndt, Hooton, Thurlow, McKean--Concerning the repeal of obsolete provisions in the Colorado medical assistance program relating to the inactive home- and community-based services waiver for persons living with AIDS.

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

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

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

Co-sponsor(s) added: Jones.

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:

SB18-073 by Senator(s) Smallwood; also Representative(s) Ransom and Herod, Van Winkle--Concerning reporting to the department of revenue when ownership of a motor vehicle has been transferred.

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

Third Reading Amendment No. 1(L.005), by Senator Lundberg.

Amend engrossed bill, page 2, line 6, before "PROGRAM" insert "VOLUNTARY".

Page 4, after line 5, insert:

"(f) THIS SUBSECTION (3) DOES NOT REQUIRE THE OWNER WHO TRANSFERS A MOTOR VEHICLE TO ANOTHER PERSON TO REPORT THE SALE TO THE DEPARTMENT IN ACCORDANCE WITH THIS SUBSECTION (3).".

The amendment was **passed** on the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Fields, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Todd, and Zenzinger.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, February 1, pages 119-123 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Guzman.

Amend printed bill, page 4, line 19, strike "TWENTY" and substitute "SIXTY".

Page 4, line 20, strike "FORTY" and substitute "SEVENTY".

Page 4, line 21, strike "SIXTY" and substitute "EIGHTY".

Page 4, line 22, strike "EIGHTY" and substitute "NINETY".

Amendment No. 3(L.019), by Senators Coram and Sonnenberg.

Amend the Business, Labor, and Technology Committee Report, dated January 31, 2018, page 2, line 1, after "NO" insert "INCUMBENT PROVIDER OR".

Page 2 of the report, line 3, strike "HAS NOT YET BEEN" and substitute "WILL BE".

Page 3 of the report, line 35, after "(8)(c)," insert "(8)(d)(I), (8)(e)(II), (8)(h);".

Page 6 of the printed bill, line 14, strike "expanding broadband networks" and substitute "~~expanding broadband networks~~".

Page 6 of the report, strike lines 15 and 16 and substitute:

"(c) ~~Minimizing conflicts with, or duplication of,~~ DENYING FUNDING FOR APPLICATIONS THAT OVERLAP AREAS RECEIVING federal sources of high cost support".

Page 6 of the report, line 23, strike "DEVELOPMENT;"." and substitute "DEVELOPMENT;

(d) Ensuring that a proposed project includes:

(I) Access to ~~a broadband network~~ MEASURABLE SPEEDS OF AT LEAST TEN MEGABITS PER SECOND DOWNSTREAM AND ONE MEGABIT PER SECOND UPSTREAM OR MEASURABLE SPEEDS AT LEAST EQUAL TO THE FCC'S DEFINITION OF HIGH-SPEED INTERNET ACCESS OR BROADBAND, WHICHEVER IS FASTER;

(e) Providing additional consideration for proposed projects that include at least some of the following factors:

(II) Proposed projects that have ~~downstream and upstream~~ speeds ~~in excess of the minimum required under this section~~ OF AT LEAST TEN MEGABITS PER SECOND DOWNSTREAM AND ONE MEGABIT PER SECOND UPSTREAM OR MEASURABLE SPEEDS AT LEAST EQUAL TO THE FCC'S DEFINITION OF HIGH-SPEED INTERNET ACCESS OR BROADBAND, WHICHEVER IS FASTER;

(h) Ensuring that broadband service grant awards are not provided in areas other than unserved areas; EXCEPT THAT, NOTWITHSTANDING SECTION 40-15-102 (32)(a)(II), A GRANT APPLICATION MAY CONTAIN UP TO FIVE NONCONTIGUOUS BLOCKS THAT ARE EACH AN UNSERVED AREA IF:

(I) THE HOUSEHOLDS INCLUDED IN THE APPLICATION ARE ALL WITHIN A TWENTY-MILE RADIUS;

(II) THE APPLICATION DOES NOT INCLUDE ANY CITY OR TOWN WITH MORE THAN FOUR HUNDRED HOUSEHOLDS; AND

(III) THE AREA IS NOT SERVED BY MORE THAN ONE INCUMBENT PROVIDER OR INCUMBENT BROADBAND PROVIDER;".".

Page 7 of the report, line 9, strike "DUPLICATE" and substitute "OVERBUILD".

Amendment No. 4(L.018), by Senators Coram and Sonnenberg.

Amend the Business, Labor, and Technology Committee Report, dated January 31, 2018, page 2, strike lines 6 through 8 and substitute:

"Page 3 of the bill, strike line 23 and substitute "(2)(a) and (3)(a); and **add** (4), (5), and (6) as follows:".

Page 3 of the bill, strike line 26 and substitute "**-repeal.** (2) (a) (I) The commission is hereby authorized to establish a mechanism for the support of universal service, also referred to in this section as the "high cost support mechanism", which must operate in accordance with rules adopted by the commission. The primary purpose of the high cost support mechanism is to provide financial assistance as a support mechanism to:

(A) ~~Local exchange providers in areas without effective competition to~~ Help make basic local exchange service affordable and allow ~~the~~ FOR REASONABLE REIMBURSEMENT TO providers ~~to be fully reimbursed~~ for the difference ~~between the reasonable~~ IN THE costs incurred in making basic service available to their customers within a rural, high cost geographic support area and a reasonable benchmark rate

for basic service, as determined by the commission, after taking into account any amounts that the providers have received under price support mechanisms established by the federal government and by this state, regardless of the classification of basic service under part ~~2,~~ 3 or 4 of this ~~article~~ ARTICLE 15; and

(B) Provide access to broadband service ~~through broadband networks~~ in unserved areas pursuant to THIS SECTION AND section 40-15-509.5 only.

(II) The".".

Page 2 of the report, line 13, strike "and distributed" and substitute "~~and distributed~~".

Page 2 of the report, strike line 18 and substitute:

"Page 4 of the bill, strike line 5 and substitute "~~40-15-509.5 (4):~~ AT THE SURCHARGE RATE ESTABLISHED AS OF JANUARY 1, 2018;".".

Amend the printed bill, page 4, line 9, strike "PER YEAR." and substitute "IN CALENDAR YEAR 2024.".

Page 4 of the bill, line 16, after "TOTAL" insert "YEARLY".

Page 4 of the bill, strike lines 17 through 23 and substitute "SUPPORT MECHANISM MONEY THAT THE NONRURAL INCUMBENT LOCAL EXCHANGE CARRIER WOULD RECEIVE AND REDUCE THE AMOUNT PAID TO THE NONRURAL INCUMBENT LOCAL EXCHANGE CARRIER BY THE SAME PERCENTAGE:

(A) IN 2019, TWENTY PERCENT;

(B) IN 2020, FORTY PERCENT;

(C) IN 2021, SIXTY PERCENT;

(D) IN 2022, EIGHTY PERCENT; AND

(E) IN 2023, ONE HUNDRED PERCENT.

(V) THE COMMISSION SHALL MAKE THE ALLOCATIONS REQUIRED BY SUBSECTION (2)(a)(IV) OF THIS SECTION TO THE HIGH COST SUPPORT MECHANISM ACCOUNT DEDICATED TO BROADBAND DEPLOYMENT EACH QUARTER AND AT THE SAME TIME THAT A PAYMENT IS MADE TO THE NONRURAL INCUMBENT EXCHANGE CARRIER.".

Page 2 of the report, line 23, strike ""(V)" and substitute ""(VI)".

Page 5 of the bill, line 1, after "SUPPORT" insert "ON A QUARTERLY BASIS".

Page 5 of the bill, line 2, strike "AS OF JANUARY 1," and substitute "FOR THE CALENDAR YEAR".

Page 3 of the report, strike lines 30 through 32 and substitute "(6)(a) CONSISTENT WITH THE REDUCTIONS IN THE HIGH COST SUPPORT MECHANISM DISTRIBUTIONS FOR BASIC SERVICE PURSUANT TO SUBSECTION (2)(a)(IV) OF THIS SECTION.".".

Page 5 of the bill, after line 9 insert:

"**SECTION 3.** In Colorado Revised Statutes, 40-15-502, **amend** (5)(a) and (5)(b) as follows:

40-15-502. Expressions of state policy. (5) **Universal service support mechanisms.** (a) In order to accomplish the goals of universal basic service, universal access to advanced service under section 40-15-509.5, and any revision of the definition of basic service under subsection (2) of this section, the commission shall create a system of support mechanisms to assist in the provision of basic service in high-cost areas that are without effective competition for basic service, applying the factors stated in section 40-15-207; except that support provided in a particular geographic support area is not affected until the commission makes a finding applying the factors listed in section 40-15-207. The commission shall fund these support mechanisms ~~equitably and on a nondiscriminatory, competitively neutral basis~~ through assessments, which may include a rate element, on all telecommunications service providers in Colorado, and the commission shall distribute the funds. ~~equitably and on a nondiscriminatory, competitively neutral basis.~~ For purposes of administering the support

mechanisms, the commission shall divide the state into reasonably compact, competitively neutral geographic support areas. A provider's eligibility to receive support under the support mechanisms is conditioned upon the provider's offering basic service throughout an entire support area. The commission shall review the costs of basic service and shall administer the support mechanisms.

(b) A provider that offers basic local exchange service throughout an entire support area through use of its own facilities or on a resale basis may be qualified as a provider of last resort or may be eligible to receive universal service support, as determined by the commission. ~~Resale shall be made available on a nondiscriminatory basis, as determined by the commission.~~".

Renumber succeeding sections accordingly.

Page 3 of the report, line 34, strike ""(5)(a)," and substitute ""(3), (5)(a),".

Page 5 of the bill, strike line 15 and substitute "**repeal.** (3) The commission may allocate the Colorado high cost support mechanism, established under section 40-15-208 and referred to in this section as the "HCSM", for the deployment of broadband service in unserved areas of the state pursuant to this section AND SECTION 40-15-208 only. The commission may fund the deployment of broadband service in unserved areas of the state through use of the HCSM surcharge and surcharge rate in effect on ~~May 10, 2014~~ JANUARY 1, 2018. Pursuant to subsection (4) of this section and consistent with sections 40-15-207 and 40-15-208, the commission shall determine funds available for broadband deployment and the administration of the board ~~only~~ AS PRESCRIBED IN SECTION 40-15-208 OR from the HCSM money that it determines is no longer required by the HCSM to support universal basic service through an effective competition determination. The money available for broadband deployment shall be maintained by the HCSM third-party contractor and held in a separate account from money used for basic voice service. Money held for broadband deployment shall not be disbursed for basic voice service, and money held for basic voice service shall not be disbursed for broadband deployment. The commission shall only disburse money for broadband deployment grants from the HCSM as directed by the board. Nothing in this section increases any surcharge rate charged to help fund the HCSM.

(4) (b) ~~The broadband deployment board shall dedicate two~~".

Amendment No. 5(L.033), by Senators Coram and Sonnenberg.

Amend the Coram and Sonnenberg floor amendment (SB002_L.018), page 2, line 37, strike "~~equitably and on a~~" and substitute "equitably and on a".

Page 3, strike line 1 and substitute "nondiscriminatory, competitively neutral basis through assessments,".

Amendment No. 6(L.032), by Senator Tate.

Amend printed bill, page 4, line 27, strike "2016," and substitute "2017,".

Page 5 of the bill, line 2, strike "2016," and substitute "2017,".

Amendment No. 7(L.035), by Senator Guzman.

Amend printed bill, page 4, line 19, strike "TWENTY" and substitute "SIXTY".

Page 4, line 20, strike "FORTY" and substitute "SEVENTY".

Page 4, line 21, strike "SIXTY" and substitute "EIGHTY".

Page 4, line 22, strike "EIGHTY" and substitute "NINETY".

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.)

SB18-009 by Senator(s) Fenberg and Priola, Cooke, Guzman, Lundberg; --Concerning the right of consumers of electricity to interconnect electricity storage systems for use on their property.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, February 5, pages 135-136 and placed in members' bill files.)

Amendment No. 2(L.013), by Senator Fenberg.

Amend the corrected Agriculture, Natural Resources, and Energy Committee Report, dated February 1, 2018, page 2, strike lines 5 and 6 and substitute:

"Page 3 of the printed bill, strike line 26 and substitute "INSTALL, INTERCONNECT, AND USE ENERGY".".

Page 2 of the report, strike line 15 and substitute:

"(4) NOTHING IN THIS SECTION ALTERS OR SUPERSEDES EITHER:
(a) THE PRINCIPLES OF NET METERING AS DESCRIBED IN SECTION 40-2-124; OR
(b) ANY".

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

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.

Senator Donovan moved to amend the report of the Committee of the Whole to show that the following Donovan floor amendment, (L.026) to SB 18-002, did pass.

Amend the Business, Labor, and Technology Committee Report, dated January 31, 2018, page 3, line 28, after "BASIS," insert "IN A MANNER THAT BEST PROTECTS AREAS WITHOUT EFFECTIVE COMPETITION,".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	E	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-002 as amended, SB18-009 as amended.

CONSIDERATION OF MEMORIALS

SJM18-003 by Senator(s) Garcia, Aguilar, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Marble, Merrifield, Moreno, Todd, Williams A., Zenzinger; also Representative(s) Covarrubias and Esgar, Arndt, Benavidez, Buckner, Exum, Garnett, Hamner, Herod, Hooton, Landgraf, Lee, Liston, Lundeen, Melton, Pabon, Pettersen, Reyher, Roberts, Rosenthal, Singer, Valdez, Winter, Young--Concerning memorializing Congress to approve and fund a new Veterans Administration hospital in southern Colorado.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	E	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, February 7, 2018, at 10:00 a.m.:
SJR18-003.

TRIBUTES

Honoring:

Terrapin Care Station -- By Senator Steve Fenberg.
Black Lab Sports -- By Senator Steve Fenberg.
Scott Green -- By Senator Steve Fenberg.
Sharon Matusik -- By Senator Steve Fenberg.
Doyle Albee -- By Senator Steve Fenberg.
Gary Sobol -- By Senator Steve Fenberg.
Dram Apothecary -- By Senator Kerry Donovan.
The American Heart Association -- By Senator Beth Martinez Humenik.
Siddhartha Rathod -- By Senator Steve Fenberg.
Dr. Lorrie Shepard -- By Senator Steve Fenberg.
Jeff Osterkamp -- By Senator Steve Fenberg.
Robert Davis -- By Senator Steve Fenberg.
Alexander Martin -- By Senator Steve Fenberg.
Aurora Girl Scout Troop 60789 -- By Senator Rhonda Fields.
Pam Kirk -- By Senator Angela Williams.
Taipei Economic and Cultural Office in Denver -- By Senator Owen Hill.
Erin Donahue-Paynter -- By Senate Majority Leader Chris Holbert.
Velma Donahue -- By Senate Majority Leader Chris Holbert.
Advancement Via Individual Determination -- By Senator Nancy Todd.
Tyler and Page Turecek -- By Senator Jerry Sonnenberg.
Zachary Karg -- By Senator Jerry Sonnenberg.
Donald Knight Bain -- By Senator Bob Gardner.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 8, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

30th Legislative Day Thursday, February 8, 2018

Prayer — By the chaplain, Rev. Carl Nelson, Village 7 Presbyterian Church, Colorado Springs.

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

Roll Call — Present--33
Absent--1, Marble.
Excused--1, Grantham.
Present later--2, Grantham, Marble.

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Wednesday, February 7, 2018, 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 **SB18-086** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, line 17, strike "TREATS" and substitute "THREATS".

Page 4, line 20, strike "BLOCKCHAIN TECHNOLOGY IS" and substitute "DISTRIBUTED LEDGER AND BLOCKCHAIN TECHNOLOGIES ARE".

Page 4, line 25, strike "BLOCKCHAIN DISTRIBUTED" and substitute "DISTRIBUTED".

Page 5, line 1, strike "BLOCKCHAIN TECHNOLOGIES" and substitute "DISTRIBUTED LEDGER TECHNOLOGIES, SUCH AS BLOCKCHAINS,".

Page 5, line 7, strike "BLOCKCHAIN" and substitute "DISTRIBUTED LEDGER".

Page 6, line 5, strike "BLOCKCHAIN-ENABLED" and substitute "DISTRIBUTED LEDGER-ENABLED".

Page 6, line 19, after "OF" insert "STATE-OWNED" and after "BLOCKCHAIN" insert "OR DISTRIBUTED LEDGER".

Page 6, line 20, strike "BLOCKCHAIN-ENABLED" and substitute "DISTRIBUTED LEDGER-ENABLED".

Page 9, after line 9 insert:

"(6) A COUNTY OR MUNICIPAL GOVERNMENT SHALL NOT:
(a) IMPOSE A TAX OR FEE ON THE USE OF DISTRIBUTED LEDGER TECHNOLOGIES BY ANY PRIVATE PERSON OR ENTITY; OR
(b) REQUIRE ANY PRIVATE PERSON OR ENTITY TO OBTAIN FROM ANY PUBLIC AGENCY ANY CERTIFICATE, LICENSE, OR PERMIT TO USE DISTRIBUTED LEDGER TECHNOLOGIES.".

Page 13, line 4, strike "A BLOCKCHAIN IMPLEMENTATION" and substitute "DISTRIBUTED LEDGER OR BLOCKCHAIN IMPLEMENTATIONS".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-029** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-091** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 3, strike "18-___," and substitute "18-091,".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-092** 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 3, strike "18-___," and substitute "18-092,".

Judiciary

After consideration on the merits, the Committee recommends that **SB18-119** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-090** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 2, strike "18-___," and substitute "18-090,".

Judiciary

After consideration on the merits, the Committee recommends that **SB18-094** 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 3, strike "18-___," and substitute "18-094,".

Judiciary

After consideration on the merits, the Committee recommends that **SB18-095** 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 3, strike "18-___," and substitute "18-095,".

Judiciary

After consideration on the merits, the Committee recommends that **SB18-096** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 3, strike "18-___," and substitute "18-096,".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-005** 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 and 11 and substitute

"DECLARES THAT A SINGLE STATE DEPARTMENT SHOULD COORDINATE ECONOMIC".

Page 3, strike lines 16 through 20 substitute "WITH ECONOMIC DEVELOPMENT AND REVITALIZATION.".

Page 4, strike lines 13 and 14 and substitute "NONMONETARY ASSISTANCE PURSUANT TO SECTION 24-32-3604.".

Page 5, strike lines 5 through 7 and substitute "OTHER NONMONETARY ASSISTANCE. THE EXECUTIVE DIRECTOR".

Page 5, line 20, after "24-1-125." add "THE EXECUTIVE DIRECTOR AND THE EXECUTIVE DIRECTORS OF THE DEPARTMENT OF LABOR AND EMPLOYMENT AND THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL EACH DETERMINE WHETHER SUCH ASSISTANCE REQUIRES ANY STAFFING SUPPORT.".

Page 6, strike lines 4 through 27.

Strike pages 7 and 8.

Page 9, strike lines 1 through 6.

Renumber succeeding C.R.S. section accordingly.

Page 1, line 106, strike "**AND AWARD GRANT MONEY**".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-043** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-057** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-075** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-110** 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 **SB18-111** 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 **SB18-113** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-121** 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: SB18-002 and 009; SJM18-003.
Correctly Reengrossed: SB18-073 and 093.

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

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Guzman, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Todd, and Williams A.

SB18-009 by Senator(s) Fenberg and Priola, Cooke, Guzman, Lundberg; also Representative(s) Winter--Concerning the right of consumers of electricity to interconnect energy storage systems for use on their property.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fields, Garcia, Grantham, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Marble, Merrifield, Moreno, Tate, Todd, and Williams A.

Committee of the Whole

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

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

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

Majority Leader Holbert clarified a clerical error that inadvertantly listed SB18-112 rather than SB18-122 on the consent calendar for Thursday, February 8, to confirm that SB18-122 is actionable on the consent calendar for Thursday, February 8, and that SB18-112 is still in possession of the Committee on State, Veterans, & Military Affairs.

SB18-122 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Thurlow, Hooton--Concerning clarifying that certain deputy sheriffs may serve without attaining certification from the peace officers standards and training board.

Laid over until Friday, February 9, retaining its place on the calendar.

SB18-135 by Senator(s) Gardner; --Concerning updates to the Colorado code of military justice.

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

SB18-087 by Senator(s) Fenberg, Aguilar, Court, Fields, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A.; --Concerning in-state tuition at institutions of higher education for certain foreign nationals legally settled in Colorado.

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

SB18-126 by Senator(s) Grantham and Guzman, Baumgardner, Cooke, Coram, Crowder, Fenberg, Garcia, Gardner, Hill, Holbert, Lundberg, Marble, Priola, Scott, Smallwood, Tate, Williams A.; also Representative(s) Pabon and Van Winkle--Concerning the definition of a traditional large and premium cigar for purposes of the excise tax on tobacco products.

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

SB18-124 by Senator(s) Hill; also Representative(s) Pabon--Concerning the removal of the thirty-day waiting period related to the sale of imported alcohol beverages.

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-135, SB18-087, SB18-126, SB18-124.
Laid over until Friday, February 9: SB18-122

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-082 by Senator(s) Zenzinger, Aguilar, Todd; also Representative(s) Kennedy--Concerning a physician's right to provide continuing care to patients with rare disorders despite a covenant not to compete.

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

SB18-104 by Senator(s) Donovan, Court, Fenberg, Jones, Kagan, Kerr, Merrifield, Todd, Zenzinger; also Representative(s) Willett, Becker J., Roberts--Concerning a requirement that the broadband deployment board file a petition with the federal communications commission to seek a waiver from the commission's rules prohibiting a state entity from applying for certain federal money earmarked for financing broadband deployment in remote areas of the nation.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 6, page 158 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-082, SB18-104 as amended

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 9, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

31st Legislative Day Friday, February 9, 2018

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

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

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

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Coram, reading of the Journal of Thursday, February 8, 2018, 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 **SB18-103** 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 **HB18-1079** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-134** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, strike lines 7 and 8 and substitute:

"(III) THE LESSER OF:
(A) AT LEAST TWENTY-FIVE CUSTOMERS OR PROSPECTIVE CUSTOMERS OF THE WATER COMPANY COMPLAINED OF; OR
(B) AT LEAST TWENTY-FIVE PERCENT OF THE CURRENT CUSTOMERS OF THE WATER COMPANY COMPLAINED OF.".

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-162** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-164** 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 3, strike "Bill ___," and substitute "Bill 18-164,".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-131** 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 3, strike "18-___," and substitute "18-131,".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-129** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 3, strike "18-____," and substitute "18-129,".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-148** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-022** 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, 12-32-107.5, **add** (3) as follows:

12-32-107.5. Prescriptions - requirement to advise patients - limits on opioid prescriptions - repeal. (3) (a) A PODIATRIST SHALL NOT PRESCRIBE MORE THAN A SEVEN-DAY SUPPLY OF AN OPIOID TO A PATIENT WHO HAS NOT HAD AN OPIOID PRESCRIPTION IN THE LAST TWELVE MONTHS BY THAT PODIATRIST, AND MAY EXERCISE DISCRETION TO INCLUDE A SECOND FILL FOR A SEVEN-DAY SUPPLY, UNLESS, IN THE JUDGMENT OF THE PODIATRIST, THE PATIENT:

(I) HAS CHRONIC PAIN THAT TYPICALLY LASTS LONGER THAN NINETY DAYS OR PAST THE TIME OF NORMAL HEALING, AS DETERMINED BY THE PODIATRIST, OR FOLLOWING TRANSFER OF CARE FROM ANOTHER PODIATRIST WHO PRESCRIBED AN OPIOID TO THE PATIENT;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN; OR

(III) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS.

(b) A PODIATRIST LICENSED PURSUANT TO THIS ARTICLE 32 MAY PRESCRIBE OPIOIDS ELECTRONICALLY.

(c) THIS SUBSECTION (3) DOES NOT CREATE A PRIVATE RIGHT OF ACTION OR SERVE AS THE BASIS OF A CAUSE OF ACTION. A VIOLATION OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE PER SE AND DOES NOT ALONE ESTABLISH A STANDARD OF CARE.

(d) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 2. In Colorado Revised Statutes, **amend** 12-35-114 as follows:

12-35-114. Dentists may prescribe drugs - surgical operations - anesthesia - limits on opioid prescriptions - repeal. (1) A licensed dentist is authorized to prescribe drugs or medicine; perform surgical operations; administer, pursuant to board rules, local anesthesia, analgesia including nitrous oxide/oxygen inhalation, medication prescribed or administered for the relief of anxiety or apprehension, minimal sedation, moderate sedation, deep sedation, or general anesthesia; and use appliances as necessary to the proper practice of dentistry. A dentist shall not prescribe, distribute, or give to any person, including himself or herself, any habit-forming drug or any controlled substance, as defined in section 18-18-102 (5) ~~C.R.S.,~~ or as contained in schedule II of 21 U.S.C. sec. 812, other than in the course of legitimate dental practice and pursuant to the rules promulgated by the board regarding controlled substance record keeping.

(2) (a) A DENTIST SHALL NOT PRESCRIBE MORE THAN A

SEVEN-DAY SUPPLY OF AN OPIOID TO A PATIENT WHO HAS NOT HAD AN OPIOID PRESCRIPTION IN THE LAST TWELVE MONTHS BY THAT DENTIST, AND MAY EXERCISE DISCRETION TO INCLUDE A SECOND FILL FOR A SEVEN-DAY SUPPLY, UNLESS, IN THE JUDGMENT OF THE DENTIST, THE PATIENT:

(I) HAS CHRONIC PAIN THAT TYPICALLY LASTS LONGER THAN NINETY DAYS OR PAST THE TIME OF NORMAL HEALING, AS DETERMINED BY THE DENTIST, OR FOLLOWING TRANSFER OF CARE FROM ANOTHER DENTIST WHO PRESCRIBED AN OPIOID TO THE PATIENT;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN; OR

(III) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS.

(b) A DENTIST LICENSED PURSUANT TO THIS ARTICLE 35 MAY PRESCRIBE OPIOIDS ELECTRONICALLY.

(c) THIS SUBSECTION (2) DOES NOT CREATE A PRIVATE RIGHT OF ACTION OR SERVE AS THE BASIS OF A CAUSE OF ACTION. A VIOLATION OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE PER SE AND DOES NOT ALONE ESTABLISH A STANDARD OF CARE.

(d) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 3. In Colorado Revised Statutes, **add** 12-36-117.6 as follows:

12-36-117.6. Prescribing opiates - limitations - repeal. (1) A PHYSICIAN OR PHYSICIAN ASSISTANT SHALL NOT PRESCRIBE MORE THAN A SEVEN-DAY SUPPLY OF AN OPIOID TO A PATIENT WHO HAS NOT HAD AN OPIOID PRESCRIPTION IN THE LAST TWELVE MONTHS BY THAT PHYSICIAN OR PHYSICIAN ASSISTANT, AND MAY EXERCISE DISCRETION TO INCLUDE A SECOND FILL FOR A SEVEN-DAY SUPPLY, UNLESS, IN THE JUDGMENT OF THE PHYSICIAN OR PHYSICIAN ASSISTANT, THE PATIENT:

(I) HAS CHRONIC PAIN THAT TYPICALLY LASTS LONGER THAN NINETY DAYS OR PAST THE TIME OF NORMAL HEALING, AS DETERMINED BY THE PHYSICIAN OR PHYSICIAN ASSISTANT, OR FOLLOWING TRANSFER OF CARE FROM ANOTHER PHYSICIAN OR PHYSICIAN ASSISTANT WHO PRESCRIBED AN OPIOID TO THE PATIENT;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN;

(III) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS; OR

(IV) IS UNDERGOING PALLIATIVE CARE OR HOSPICE CARE FOCUSED ON PROVIDING THE PATIENT WITH RELIEF FROM SYMPTOMS, PAIN, AND STRESS RESULTING FROM A SERIOUS ILLNESS IN ORDER TO IMPROVE QUALITY OF LIFE.

(2) A PHYSICIAN OR PHYSICIAN ASSISTANT LICENSED PURSUANT TO THIS ARTICLE 36 MAY PRESCRIBE OPIOIDS ELECTRONICALLY.

(3) THIS SECTION DOES NOT CREATE A PRIVATE RIGHT OF ACTION OR SERVE AS THE BASIS OF A CAUSE OF ACTION. A VIOLATION OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE PER SE AND DOES NOT ALONE ESTABLISH A STANDARD OF CARE.

(4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 4. In Colorado Revised Statutes, 12-38-111.6, **add** (7.5) as follows:

12-38-111.6. Prescriptive authority - advanced practice nurses - limits on opioid prescriptions - repeal. (7.5) (a) AN ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY PURSUANT TO THIS SECTION SHALL NOT PRESCRIBE MORE THAN A SEVEN-DAY SUPPLY OF AN OPIOID TO A PATIENT WHO HAS NOT HAD AN OPIOID PRESCRIPTION IN THE LAST TWELVE MONTHS BY THAT ADVANCE PRACTICE NURSE, AND MAY EXERCISE DISCRETION TO INCLUDE A SECOND FILL FOR A SEVEN-DAY SUPPLY, UNLESS, IN THE JUDGMENT OF THE ADVANCE PRACTICE NURSE, THE PATIENT:

(I) HAS CHRONIC PAIN THAT TYPICALLY LASTS LONGER THAN NINETY DAYS OR PAST THE TIME OF NORMAL HEALING, AS DETERMINED BY THE ADVANCE PRACTICE NURSE, OR FOLLOWING TRANSFER OF CARE FROM ANOTHER ADVANCE PRACTICE NURSE WHO PRESCRIBED AN OPIOID TO THE PATIENT;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN;

(III) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS; OR

(IV) IS UNDERGOING PALLIATIVE CARE OR HOSPICE CARE FOCUSED ON PROVIDING THE PATIENT WITH RELIEF FROM SYMPTOMS, PAIN, AND STRESS RESULTING FROM A SERIOUS ILLNESS IN ORDER TO IMPROVE QUALITY OF LIFE.

(b) AN ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY PURSUANT TO THIS SECTION MAY PRESCRIBE OPIOIDS ELECTRONICALLY.

(c) THIS SUBSECTION (7.5) DOES NOT CREATE A PRIVATE RIGHT OF ACTION OR SERVE AS THE BASIS OF A CAUSE OF ACTION. A VIOLATION OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE PER SE AND DOES NOT ALONE ESTABLISH A STANDARD OF CARE.

(d) THIS SUBSECTION (7.5) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 5. In Colorado Revised Statutes, 12-40-109.5, **add** (4) as follows:

12-40-109.5. Use of prescription and nonprescription drugs - limits on opioid prescriptions - repeal. (4) (a) AN OPTOMETRIST SHALL NOT PRESCRIBE MORE THAN A SEVEN-DAY SUPPLY OF AN OPIOID TO A PATIENT WHO HAS NOT HAD AN OPIOID PRESCRIPTION IN THE LAST TWELVE MONTHS BY THAT OPTOMETRIST, AND MAY EXERCISE DISCRETION TO INCLUDE A SECOND FILL FOR A SEVEN-DAY SUPPLY, UNLESS, IN THE JUDGMENT OF THE OPTOMETRIST, THE PATIENT:

(I) HAS CHRONIC PAIN THAT TYPICALLY LASTS LONGER THAN NINETY DAYS OR PAST THE TIME OF NORMAL HEALING, AS DETERMINED BY THE OPTOMETRIST, OR FOLLOWING TRANSFER OF CARE FROM ANOTHER OPTOMETRIST WHO PRESCRIBED AN OPIOID TO THE PATIENT;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN; OR

(III) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS.

(b) AN OPTOMETRIST LICENSED PURSUANT TO THIS ARTICLE 40 MAY PRESCRIBE OPIOIDS ELECTRONICALLY.

(c) THIS SUBSECTION (4) DOES NOT CREATE A PRIVATE RIGHT OF ACTION OR SERVE AS THE BASIS OF A CAUSE OF ACTION. A VIOLATION OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE PER SE AND DOES NOT ALONE ESTABLISH A STANDARD OF CARE.

(d) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 6. In Colorado Revised Statutes, 12-42.5-404, **amend** (3)(b); and **add** (3.6) and (8) as follows:

12-42.5-404. Program operation - access - rules - definitions - repeal. (3) The program is available for query only to the following persons or groups of persons:

(b) Any practitioner with the statutory authority to prescribe controlled substances, or an individual designated by the practitioner to act on his or her behalf in accordance with section 12-42.5-403 (1.5)(b), to the extent the query relates to a current patient of the practitioner. THE PRACTITIONER OR HIS OR HER DESIGNEE SHALL IDENTIFY HIS OR HER AREA OF HEALTH CARE SPECIALTY OR PRACTICE UPON THE INITIAL QUERY OF THE PROGRAM;

(3.6) (a) EACH PRACTITIONER OR HIS OR HER DESIGNEE SHALL QUERY THE PROGRAM PRIOR TO PRESCRIBING THE SECOND FILL FOR AN OPIOID UNLESS THE PERSON RECEIVING THE PRESCRIPTION:

(I) IS RECEIVING THE OPIOID IN A HOSPITAL, SKILLED NURSING FACILITY, RESIDENTIAL FACILITY, OR CORRECTIONAL FACILITY;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN;

(III) IS UNDERGOING PALLIATIVE CARE OR HOSPICE CARE;

(IV) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS;

(V) IS RECEIVING TREATMENT DURING A NATURAL DISASTER OR DURING AN INCIDENT WHERE MASS CASUALTIES HAVE TAKEN PLACE; OR

(VI) HAS RECEIVED ONLY A SINGLE DOSE TO RELIEVE PAIN FOR A SINGLE TEST OR PROCEDURE.

(b) THE PROGRAM MUST USE INDUSTRY STANDARDS TO ALLOW

PROVIDERS OR THEIR DESIGNEES DIRECT ACCESS TO DATA FROM WITHIN AN ELECTRONIC HEALTH RECORD TO THE EXTENT THAT THE QUERY RELATES TO A CURRENT PATIENT OF THE PRACTITIONER.

(c) A PRACTITIONER OR HIS OR HER DESIGNEE COMPLIES WITH THIS SUBSECTION (3.6) IF HE OR SHE ATTEMPTS TO ACCESS THE PROGRAM PRIOR TO PRESCRIBING THE SECOND FILL FOR AN OPIOID, AND THE PROGRAM IS NOT AVAILABLE OR IS INACCESSIBLE DUE TO TECHNICAL FAILURE.

(d) THIS SUBSECTION (3.6) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

(8) REPORTS GENERATED BY THE PROGRAM AND PROVIDED TO PRESCRIBING PRACTITIONERS FOR PURPOSES OF INFORMATION, EDUCATION, AND INTERVENTION TO PREVENT AND REDUCE OCCURRENCES OF CONTROLLED SUBSTANCE MISUSE, ABUSE, AND DIVERSION ARE:

(a) NOT PUBLIC RECORDS UNDER THE "COLORADO OPEN RECORDS ACT," PART 2 OF ARTICLE 72 OF TITLE 24;

(b) PRIVILEGED AND CONFIDENTIAL;

(c) NOT SUBJECT TO CIVIL SUBPOENA; AND

(d) NOT DISCOVERABLE OR ADMISSIBLE IN ANY CIVIL, CRIMINAL, OR ADMINISTRATIVE PROCEEDING AGAINST A PRESCRIBING PRACTITIONER.

SECTION 7. In Colorado Revised Statutes, **add** 12-64-127 as follows:

12-64-127. Prescription of opioids - limitations - repeal. (1) A VETERINARIAN SHALL NOT PRESCRIBE MORE THAN A SEVEN-DAY SUPPLY OF AN OPIOID TO A PATIENT WHO HAS NOT HAD AN OPIOID PRESCRIPTION IN THE LAST TWELVE MONTHS BY THAT VETERINARIAN, AND MAY EXERCISE DISCRETION TO INCLUDE A SECOND FILL FOR A SEVEN-DAY SUPPLY, UNLESS, IN THE JUDGMENT OF THE VETERINARIAN, THE PATIENT:

(I) HAS CHRONIC PAIN THAT TYPICALLY LASTS LONGER THAN NINETY DAYS OR PAST THE TIME OF NORMAL HEALING, AS DETERMINED BY THE VETERINARIAN, OR FOLLOWING TRANSFER OF CARE FROM ANOTHER VETERINARIAN WHO PRESCRIBED AN OPIOID TO THE PATIENT;

(II) HAS BEEN DIAGNOSED WITH CANCER AND IS EXPERIENCING CANCER-RELATED PAIN; OR

(III) IS EXPERIENCING POST-SURGICAL PAIN THAT, BECAUSE OF THE NATURE OF THE PROCEDURE, IS EXPECTED TO LAST MORE THAN FOURTEEN DAYS.

(2) A VETERINARIAN LICENSED PURSUANT TO THIS ARTICLE 64 MAY PRESCRIBE OPIOIDS ELECTRONICALLY.

(3) THIS SECTION DOES NOT CREATE A PRIVATE RIGHT OF ACTION OR SERVE AS THE BASIS OF A CAUSE OF ACTION. A VIOLATION OF THIS SECTION DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE PER SE AND DOES NOT ALONE ESTABLISH A STANDARD OF CARE.

(4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

SECTION 8. In Colorado Revised Statutes, **add** 25-1-129 as follows:

25-1-129. Prescription drug monitoring program integration methods - health care provider report cards - report - repeal. (1) ON OR BEFORE DECEMBER 1, 2019, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY THE FINDINGS FROM STUDIES THE DEPARTMENT CONDUCTED PURSUANT TO THE FEDERAL GRANT TITLED THE "PRESCRIPTION DRUG OVERDOSE PREVENTION FOR STATES COOPERATIVE AGREEMENT" THAT THE DEPARTMENT RECEIVED CONCERNING:

(a) THE PRESCRIPTION DRUG MONITORING PROGRAM INTEGRATION METHODS; AND

(b) HEALTH CARE PROVIDER REPORT CARDS.

(2) THE DEPARTMENT SHALL FORWARD THE FINDINGS FROM STUDIES CONDUCTED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO THE CENTER FOR RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES AT THE UNIVERSITY OF COLORADO HEALTH SCIENCES CENTER, CREATED IN SECTION 27-80-118 (3). THE CENTER SHALL USE THE INFORMATION TO PROVIDE VOLUNTARY TRAINING FOR HEALTH CARE PROVIDERS IN TARGETED AREAS.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

SECTION 9. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

SENATE SERVICES REPORT

Correctly Engrossed: SB18-082, 087, 104, 124, 126, and 135.
Correctly Reengrossed: SB18-002 and 009.
Correctly Enrolled: SJR18-004.

MESSAGE FROM THE HOUSE

February 8, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1066, 1159, 1160, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1173, 1105, 1041.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1171, 1050, 1161, amended as printed in House Journal, February 7, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

February 8, 2018

We herewith transmit:

Without comment, HB18-1041, 1066, 1105, 1159, 1160, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, and 1173.
Without comment, as amended, HB18-1050, 1161, and 1171.

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

RECALL OF SB18-002

Majority Leader Holbert moved for recall of SB18-002 from the House for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**. The bill was ordered recalled.

Upon request of Majority Leader Holbert, **SB18-135** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Friday, February 9, and was placed at the end of the Third Reading of Bills--Final Passage Calendar of Friday, February 9.

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:

SB18-087 by Senator(s) Fenberg, Aguilar, Court, Fields, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A.; also Representative(s) Michaelson Jenet--Concerning in-state tuition at institutions of higher education for certain foreign nationals legally settled in Colorado.

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

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

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Donovan, Garcia, Gardner, Grantham, Hill, Jahn, Lundberg, Marble, Martinez Humenik, Priola, Sonnenberg, Tate, and Zenzinger.

SB18-126 by Senator(s) Grantham and Guzman, Baumgardner, Cooke, Coram, Crowder, Fenberg, Garcia, Gardner, Hill, Holbert, Lundberg, Marble, Priola, Scott, Smallwood, Tate, Williams A.; also Representative(s) Pabon and Van Winkle--Concerning the definition of a traditional large and premium cigar for purposes of the excise tax on tobacco products.

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

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

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

Co-sponsor(s) added: Sonnenberg.

SB18-124 by Senator(s) Hill; also Representative(s) Pabon--Concerning the removal of the thirty-day waiting period related to the sale of imported alcohol beverages.

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

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

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Guzman, Kerr, Marble, Martinez Humenik, Moreno, Neville T., Smallwood, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-082 by Senator(s) Zenzinger, Aguilar, Todd; also Representative(s) Kennedy--Concerning a physician's right to provide continuing care to patients with rare disorders despite a covenant not to compete.

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	E	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Donovan, Fields, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, and Williams A.

SB18-104 by Senator(s) Donovan, Court, Fenberg, Jones, Kagan, Kerr, Merrifield, Todd, Zenzinger; also Representative(s) Willett, Becker J., Roberts--Concerning a requirement that the broadband deployment board file a petition with the federal communications commission to seek a waiver from the commission's rules prohibiting a state entity from applying for certain federal money earmarked for financing broadband deployment in remote areas of the nation.

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

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	E	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Coram, Crowder, Fields, Guzman, Kefalas, Martinez Humenik, Moreno, Priola, Tate, and Williams A.

SB18-135 by Senator(s) Gardner; also Representative(s) Carver--Concerning updates to the Colorado code of military justice.

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.001), by Senator Gardner.

Amend engrossed bill, page 21, strike lines 5 through 12.

Renumber succeeding section accordingly.

The amendment was **passed** on the following roll call vote:

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

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

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

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

Co-sponsor(s) added: Crowder.

Committee of the Whole

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

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

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

SB18-122 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Thurlow, Hooton--Concerning clarifying that certain deputy sheriffs may serve without attaining certification from the peace officers standards and training board.

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

SB18-127 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of the department of revenue's requirement to publish an historical explanation of income tax rate modifications enacted in the state on every income tax return form.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 7, page 163 and placed in members' bill files.)

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

HB18-1031 by Representative(s) Melton and Ransom, Exum, Ginal, Valdez; also Senator(s) Cooke and Jones--Concerning employer entry into the fire and police pension association defined benefit system.

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

HB18-1022 by Representative(s) Sias and Kraft-Tharp; also Senator(s) Jahn and Neville T.--Concerning a requirement that the department of revenue issue a request for information for an electronic sales and use tax simplification 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-122, SB18-127 as amended, HB18-1031, HB18-1022.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-102 by Senator(s) Tate and Zenzinger, Martinez Humenik, Moreno; also Representative(s) Hooton and Thurlow, Arndt, McKean--Concerning the requirement for an odometer reading when a motor vehicle's identification number is physically verified.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, February 7, page 163 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-102 as amended.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Carver was removed as the House prime sponsor on SB18-001.

Upon announcement of President Grantham, Senator Scott was added as the a Senate joint prime sponsor on SB18-005 with Senator Donovan and Representative Roberts.

MESSAGE FROM THE HOUSE

February 9, 2018

Mr. President:

In response to the request of the Senate for the recall of SB18-002, the bill is transmitted herewith.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Reconsideration of the last Senate action, Third Reading of Bills--Final Passage Calendar (SB18-002) of Friday, February 9, was laid over until Monday, February 12, retaining its place on the calendar.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, February 12, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

34th Legislative Day Monday, February 12, 2018

Prayer — By the chaplain, Father William T. Oulvey, S.J., 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 Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Friday, February 9, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-102, 122, and 127.
Correctly Reengrossed: SB18-082, 087, 104, 124, 126, and 135.
Correctly Revised: HB18-1022 and 1031.

MESSAGE FROM THE HOUSE

February 9, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1071, 1139.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1052, 1141, 1144, amended as printed in House Journal, February 8, 2018..

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-088, amended as printed in House Journal, February 8, 2018.

The House has adopted and returns herewith SJM18-004.

MESSAGE FROM THE REVISOR OF STATUTES

February 9, 2018

We herewith transmit:

Without comment, HB18-1071 and 1139.
Without comment, as amended, HB18-1052, 1141, and 1144.
Without comment, as amended, SB18-088.

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

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

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

SB18-122 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) McKean, Arndt, Thurlow, Hooton--Concerning clarifying that certain deputy sheriffs may serve without attaining certification from the peace officers standards and training board.

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

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

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

SB18-127 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of the department of revenue's requirement to publish an historical explanation of income tax rate modifications enacted in the state on every income tax return form.

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

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

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

HB18-1031 by Representative(s) Melton and Ransom, Exum, Ginal, Valdez; also Senator(s) Cooke and Jones--Concerning employer entry into the fire and police pension association defined benefit system.

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

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

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

Co-sponsor(s) added: Fenberg, Fields, Kagan, Kerr, and Todd.

HB18-1022 by Representative(s) Sias and Kraft-Tharp; also Senator(s) Jahn and Neville T.--Concerning a requirement that the department of revenue issue a request for information for an electronic sales and use tax simplification system.

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

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

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

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Fields, Gardner, Grantham, Holbert, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Moreno, Smallwood, Sonnenberg, Tate, Todd, 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:

SB18-102 by Senator(s) Tate and Zenzinger, Martinez Humenik, Moreno; also Representative(s) Hooton and Thurlow, Arndt, McKean--Concerning the requirement for an odometer reading when a motor vehicle's identification number is physically verified.

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

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

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

Co-sponsor(s) added: Court, Crowder, Jones, Kerr, and Todd.

Committee of the Whole

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

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

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

SB18-091 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 8, page 174 and placed in members' bill files.)

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

SB18-092 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning updating statutory references to "county departments of social services".

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 8, page 174 and placed in members' bill files.)

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

SB18-090 by Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning modernization of language in statutory sections concerning "rights of married women".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 8, page 174 and placed in members' bill files.)

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

SB18-094 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning the repeal of a duplicate definitions section in article 60 of title 27, Colorado Revised Statutes.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 8, page 174 and placed in members' bill files.)

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

SB18-095 by Senator(s) Zenzinger and Martinez Humenik, Moreno, Tate; also Representative(s) Hooton and McKean, Arndt, Thurlow--Concerning the removal of statutory references to the marital status of parents of a child.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 8, page 174 and placed in members' bill files.)

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

SB18-096 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning modernizing statutory provisions that refer to terms related to "mental retardation".

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 8, page 174 and placed in members' bill files.)

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

SB18-110 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the repeal of the requirement that each state agency annually report the amount of federal money it received in the prior fiscal year.

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, February 12, and placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, February 12.

SB18-111 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the removal of an obsolete date in the law that designates state legal holidays.

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, February 12, and placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, February 12.

SB18-121 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning certain expenses allowed to a state employee when the employee is required to change his or her place of residence in connection with a change in job duties.

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, February 12, and placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, February 12.

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-091 as amended, SB18-092 as amended, SB18-090 as amended, SB18-094 as amended, SB18-095 as amended, SB18-096 as amended.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Monday, February 12: SB18-110, SB18-111, SB18-121.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-005 by Senator(s) Donovan and Scott, Aguilar, Fenberg, Kefalas, Kerr, Moreno, Court, Guzman, Kagan, Merrifield, Todd, Williams A., Zenzinger; also Representative(s) Roberts-Concerning economic assistance for rural communities experiencing certain significant economic events that lead to substantial job loss in those communities, and, in connection therewith, authorizing the department of local affairs to coordinate nonmonetary assistance and award grant money to assist rural communities with job creation or retention.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, February 8, pages 174-175 and placed in members' bill files.)

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

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Tuesday, February 13, retaining its place on the calendar.

SB18-110 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the repeal of the requirement that each state agency annually report the amount of federal money it received in the prior fiscal year.

Amendment No. 1(L.002), by Senator Tate.

Amend printed bill, page 2, line 3, strike "18-___," and substitute "18-110,".

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

SB18-111 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the removal of an obsolete date in the law that designates state legal holidays.

Amendment No. (L.002), by Senator Tate.

Amend printed bill, page 2, line 3, strike "18-___," and substitute "18-111,".

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

SB18-121 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning certain expenses allowed to a state employee when the employee is required to change his or her place of residence in connection with a change in job duties.

Amendment No. 1(L.002), by Senator Tate.

Amend printed bill, page 2, line 3, strike "18-___," and substitute "18-121,".

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-005 as amended, SB18-110 as amended, SB18-111 as amended, SB18-121 as amended.
Laid over until Tuesday, February 13: SB18-043.

RECONSIDERATION OF SB18-002

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.

Having voted on the prevailing side, Assistant Majority Leader Scott moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB18-002.

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:

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.

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

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Tate.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM18-004.

MESSAGE FROM THE HOUSE

February 12, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1142, 1033 amended as printed in House Journal, February 9, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1086, amended as printed in House Journal, February 9, 2018, and amended on Third Reading as printed in House Journal, February 12, 2018.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

February 12, 2018

We herewith transmit:

Without comment, as amended, HB18-1033, 1086, and 1142.

INTRODUCTION OF RESOLUTIONS

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

SJR18-005 by Senator(s) Gardner, Baumgardner, Cooke, Crowder, Fields, Garcia, Grantham, Hill, Lambert, Martinez Humenik, Priola, Scott, Smallwood, Todd; also Representative(s) Liston, Carver, Catlin, Coleman, Covarrubias, Foote, Humphrey, Landgraf, Lawrence, Lebsock, Neville P., Roberts, Saine, Sandridge, Sias--Concerning the installation of a bronze sculpture and explanatory plaque on the state capitol grounds to honor the men and women who serve aboard the U.S.S. Colorado.

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:

SB18-167 by Senator(s) Scott and Donovan, Martinez Humenik; also Representative(s) Winter and Saine, Becker J.--Concerning increased enforcement of requirements related to the location of underground facilities.
Transportation

HB18-1005 by Representative(s) Pettersen and Becker J.; also Senator(s) Priola--Concerning notice of postsecondary course enrollment options available to high school students.
Education

HB18-1033 by Representative(s) Weissman; also Senator(s) Coram--Concerning the time in which employees are entitled to take leave to participate in elections.
State, Veterans, & Military Affairs

HB18-1039 by Representative(s) Ransom, Coleman; also Senator(s) Gardner--Concerning changing regular special district elections to May of each odd-numbered year, and, in connection therewith, adjusting the length of terms served by directors elected in 2020 and 2022 in order to implement the new election schedule.
State, Veterans, & Military Affairs

HB18-1041 by Representative(s) Catlin; also Senator(s) Coram--Concerning adding certified police working horses to the crime of cruelty to a service animal or a certified police working dog.
Local Government

HB18-1050 by Representative(s) Singer, Benavidez; also Senator(s) Fields, Martinez Humenik--Concerning competency to proceed for juveniles involved in the juvenile justice system.
Judiciary

HB18-1052 by Representative(s) Lundeen and Bridges; also Senator(s) Todd--Concerning local education providers' receipt of concurrent enrollment courses from a two-year institution of higher education outside of the institution's approved service area when the institution approved to serve the local education provider declines to provide concurrent enrollment courses.
Education

HB18-1066 by Representative(s) Willett and Foote; also Senator(s) Cooke--Concerning clarifying that the law enforcement and defense counsel exemption for sexual exploitation of a child crime does not change the discovery procedures for sexually exploitative material.
Judiciary

HB18-1068 by Representative(s) Ginal and Landgraf; also Senator(s) Crowder and Coram, Donovan, Martinez Humenik--Concerning the elimination of "registered" in the title of a naturopathic doctor.
Business, Labor, & Technology

HB18-1071 by Representative(s) Salazar; also Senator(s) Moreno--Concerning the regulation of oil and gas operations in a manner consistent with the protection of public safety.
Agriculture, Natural Resources, & Energy

HB18-1086 by Representative(s) Buckner and Lundeen; also Senator(s) Neville T. and Aguilar--Concerning allowing community colleges to offer a bachelor of science degree in nursing.
Health & Human Services

HB18-1095 by Representative(s) Carver and Arndt; also Senator(s) Gardner and Todd--Concerning educator licenses issued to military spouses.
Education

HB18-1096 by Representative(s) Gray; also Senator(s) Priola--Concerning the eligibility of certain entities to apply for a special event permit to sell alcohol beverages.
Business, Labor, & Technology

HB18-1100 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the continuous appropriation of money in the educator licensure cash fund.
Appropriations

HB18-1101 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning modification of the manner in which gross retail marijuana tax revenue that is transferred from the general fund to the state public school fund as required by current law is appropriated from the state public school fund.
Appropriations

HB18-1105 by Representative(s) Liston and Melton; also Senator(s) Tate--Concerning the unlicensed sale of vehicles.
Business, Labor, & Technology

HB18-1139 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the removal of outdated statutory references to repealed reporting requirements that were previously imposed on the parks and wildlife commission with regard to its rule-making authority to set fees.
Agriculture, Natural Resources, & Energy

HB18-1141 by Representative(s) Hooton, Arndt, Thurlow, McKean; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the removal of outdated references in statute to "early childhood care and education councils".
Judiciary

HB18-1142 by Representative(s) Hooton and Thurlow, Arndt, McKean; also Senator(s) Martinez Humenik and Zenzinger, Moreno--Concerning modernizing language in statutory sections that refer to paupers.
Judiciary

HB18-1144 by Representative(s) Thurlow, Arndt, Hooton, McKean; also Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger--Concerning certain publishing requirements for the department of revenue's "Disclosure of Average Taxes Paid" table.
Finance

HB18-1159 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of education.
Appropriations

HB18-1160 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.
Appropriations

HB18-1161 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of health care policy and financing.
Appropriations

HB18-1162 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of human services.
Appropriations

HB18-1163 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the judicial department.
Appropriations

HB18-1164 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of personnel.
Appropriations

HB18-1165 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of public safety.
Appropriations

HB18-1166 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of regulatory agencies.
Appropriations

HB18-1167 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of revenue.
Appropriations

HB18-1168 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of state.
Appropriations

HB18-1169 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of the treasury.
Appropriations

HB18-1170 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.
Appropriations

HB18-1171 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing an appropriation.
Appropriations

HB18-1173 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental transfer of money from the general fund to the information technology capital account of the capital construction fund for the 2017-18 state fiscal year.
Appropriations

MESSAGE FROM THE GOVERNOR

Appointment

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

February 5, 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, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for terms expiring July 7, 2018:

Darren Louis Spreeuw of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, reappointed;

Christena Estes Faraci of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, reappointed;

Jason Lauvane Hanson of Denver, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/5/2018
Effie Ameen, Secretary of the Senate

Committee on Education

February 6, 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
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2021:

Chris J. Watney of Denver, Colorado, to serve as a member of the public, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/9/2018
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

November 30, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2018:

Charles Emion Myers of Elbert, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, and occasioned by the death of Stephen Douglas Ducoff of Colorado Springs, Colorado, appointed;

for terms expiring December 19, 2020:

Robert Philip Olislagers of Aurora, Colorado, to serve as a representative of the statewide association of airport managers, reappointed;

Ann Beardall of Kiowa, Colorado, to serve as a representative of the statewide association of pilots, reappointed;

Joe Rice of Littleton, Colorado, to serve as a member familiar with and supportive of the state's aviation issues, interests, and concerns, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Transportation

May 18, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
BOARD OF COMMISSIONERS OF
VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2019:

Carolyn Mickey of Brush, Colorado, to serve as a member with expertise in nursing home operations, who is a nursing home administrator at the time of appointment, who is experienced in the financial operations of a nursing home and as a Republican, and occasioned by the resignation of Ruth Eileen Minnema, RN, MA, NHA, RAC-CT of Centennial, Colorado, appointed;

effective July 1, 2017 for terms expiring July 1, 2021:

Kathleen N. Dunemn, PhD., APRN, CNM-BC of Littleton, Colorado, who has expertise in nursing home operations and who has practical clinical experience in nursing homes, and as a Democrat, reappointed;

Cheryl Ann Kruschke, Ed.D, MS, RN, CNE of Wheat Ridge, Colorado, who has expertise in nursing home operations and who has experience in multi-facility management of nursing homes, and as a Democrat, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

May 22, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
STATE PERSONNEL BOARD

effective June 30, 2017 for terms expiring June 30, 2020:

Michelle E. Palmquist, SPHR, SCP of Denver Colorado, reappointed;

Maurice G. Knaizer of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

July 14, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for terms expiring July 1, 2021:

Amber L. Hills of Lakewood, Colorado, to serve as an individual experienced in mortgage banking transactions, appointed;

Paul Eric Washington of Boulder, Colorado, to serve as a public member, reappointed;

Steven Hutt of Denver, Colorado, to serve as a public member, reappointed;

Jody M. Kole of Grand Junction, Colorado, to serve as a public member, reappointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

July 26, 2017

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

Ladies and Gentlemen:

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

MEMBERS OF THE
FINANCIAL SERVICES BOARD

for terms expiring July 1, 2021:

Michael George Hurst of Del Norte, Colorado, an executive officer of a state savings and loan association and a Democrat, reappointed;

Michael L. Williams of Highlands Ranch, Colorado, an executive officer of a state credit union and a Republican, appointed;

H. Merritt Kinsey of Grand Junction, Colorado, to serve as a public member with expertise in finance, and an Unaffiliated, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

On motion of Senator Cooke, the Senate adjourned until 9:00 a.m., Tuesday, February 13, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

35th Legislative Day Tuesday, February 13, 2018

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

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

Roll Call — Present--29
Absent--4, Kagan, Kerr, Merrifield, Williams.
Excused--2, Grantham, Neville.
Present later--6, Grantham, Kagan, Kerr, Merrifield, Neville, Williams.

Quorum — The President Pro Tempore announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Monday, February 12, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REGULATORY AGENCIES

effective July 24, 2017 for a term expiring at the pleasure of the Governor:

Marguerite Salazar of Alamosa, Colorado, and occasioned by the resignation of Joseph Neguse of Broomfield, Colorado appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-138** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 4, strike lines 18 through 20 and substitute:

"(5) THE STATE LICENSING AUTHORITY SHALL NOT PROMULGATE".

Page 5, strike line 5 and substitute "MEANS THAT A PERSON OWNS AT LEAST A TEN PERCENT OWNERSHIP INTEREST AT THE TIME THE LICENSE IS SURRENDERED OR REVOKED IN BOTH THE".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-079** 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 2, strike lines 1 though 9 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 12-47-103, **amend** (39) as follows:

12-47-103. Definitions. As used in this article 47 and article 46 of this title 12, unless the context otherwise requires:

(39) "Vinous liquors" means wine, ~~and~~ fortified wines, AND JAPANESE RICE WINE, LABELED AS SAKE, that:

(a) Contain not less than one-half of one percent and not more

than twenty-one percent alcohol by volume; and

(b) ~~shall be construed to mean an alcohol beverage obtained~~ ARE PRODUCED by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-142** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-107** 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 1 insert:

"**SECTION 3.** In Colorado Revised Statutes, 31-10-302, **amend** (1) as follows:

31-10-302. Nomination of municipal officers. (1) Candidates for municipal offices shall be nominated, without regard to affiliation, by petition on forms supplied by the clerk. A petition of nomination may consist of one or more sheets, but it shall contain the name and address of only one candidate and shall indicate the office to which the candidate is seeking election. ~~The petition may designate one or more persons as a committee to fill a vacancy in the nomination.~~".

Renumber succeeding sections accordingly.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-112** 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 22.

Page 3, strike line 1.

Renumber succeeding subparagraphs accordingly.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1075** 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 **SB18-154** 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 **SB18-037** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-017** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB18-167.
Correctly Engrossed: SB18-005, 090, 091, 092, 094, 095, 096, 110, 111, and 121.
Correctly Reengrossed: SB18-002, 102, 122, and 127.
Correctly Rerevised: HB18-1022 and 1031.
Correctly Enrolled: SJM18-004.

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

CONSIDERATION OF RESOLUTIONS

SJR18-005 by Senator(s) Gardner, Baumgardner, Cooke, Crowder, Fields, Garcia, Grantham, Hill, Lambert, Martinez Humenik, Priola, Scott, Smallwood, Todd; also Representative(s) Liston, Carver, Catlin, Coleman, Covarrubias, Foote, Humphrey, Landgraf, Lawrence, Lebsock, Neville P., Roberts, Saine, Sandridge, Sias--Concerning the installation of a bronze sculpture and explanatory plaque on the state capitol grounds to honor the men and women who serve aboard the U.S.S. Colorado.

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

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

Co-sponsor(s) added: Aguilar, Coram, Court, Donovan, Fenberg, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Merrifield, Moreno, Neville T., Sonnenberg, Tate, Williams A., and Zenzinger.

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

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

SB18-091 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning modernizing terminology in the Colorado Revised Statutes related to behavioral health.

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

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

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

Co-sponsor(s) added: Jahn, Kefalas, and Smallwood.

SB18-092 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning updating statutory references to "county departments of social services".

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

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

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

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

SB18-090 by Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning modernization of language in statutory sections concerning "rights of married women".

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

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

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

Co-sponsor(s) added: Court, Kerr, Priola, and Smallwood.

SB18-094 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Hooton, Arndt, Thurlow, McKean--Concerning the repeal of a duplicate definitions section in article 60 of title 27, Colorado Revised 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Priola and Smallwood.

SB18-095 by Senator(s) Zenzinger and Martinez Humenik, Moreno, Tate; also Representative(s) Hooton and McKean, Arndt, Thurlow--Concerning the removal of statutory references to the marital status of parents of a child.

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

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

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

Co-sponsor(s) added: Kerr, Priola, and Smallwood.

SB18-096 by Senator(s) Martinez Humenik, Moreno, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning modernizing statutory provisions that refer to terms related to "mental retardation".

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

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

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

Co-sponsor(s) added: Aguilar, Court, Crowder, Garcia, Gardner, Guzman, Jahn, Kagan, Kefalas, Kerr, Lambert, Merrifield, Priola, Smallwood, 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:

SB18-005 by Senator(s) Donovan and Scott, Aguilar, Fenberg, Kefalas, Kerr, Moreno, Court, Guzman, Kagan, Merrifield, Todd, Williams A., Zenzinger; also Representative(s) Roberts-Concerning economic assistance for rural communities experiencing certain significant economic events that lead to substantial job loss in those communities, and, in connection therewith, authorizing the department of local affairs to coordinate nonmonetary assistance to assist rural communities with job creation or retention.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Garcia, and Jones.

SB18-110 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the repeal of the requirement that each state agency annually report the amount of federal money it received in the prior fiscal year.

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

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

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

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

SB18-111 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the removal of an obsolete date in the law that designates state legal holidays.

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

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

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

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

SB18-121 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning certain expenses allowed to a state employee when the employee is required to change his or her place of residence in connection with a change in job duties.

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

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

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

Co-sponsor(s) added: Crowder.

Committee of the Whole

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

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

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

SB18-103 by Senator(s) Todd and Smallwood, Donovan; also Representative(s) Kraft-Tharp and Leonard, Winter--Concerning the issuance of performance-based incentives for film production activities in the state.

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

HB18-1079 by Representative(s) Beckman; also Senator(s) Crowder--Concerning a requirement that the works allocation committee prepare annual recommendations for the use of the Colorado long-term works reserve.

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

SB18-134 by Senator(s) Cooke; also Representative(s) Arndt--Concerning the exemption of nonprofit water companies from regulation by the public utilities commission.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, February 9, page 181 and placed in members' bill files.)

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

SB18-164 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of reporting requirements for certain unfunded programs in the department of human services until such time as funding is received.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, page 181 and placed in members' bill files.)

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

SB18-131 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean, Thurlow--Concerning modifications to the "State Employees Group Benefits Act".

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, February 13, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 13.

SB18-129 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the nonsubstantive reorganization of the law exempting from state sales tax certain drugs and medical and therapeutic devices.

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, February 13, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, February 13.

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-103, SB18-134 as amended, SB18-164 as amended, HB18-1079.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Tuesday, February 13: SB18-131, SB18-129.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Wednesday, February 14, retaining its place on the calendar.

SB18-162 by Senator(s) Martinez Humenik, Merrifield, Priola; also Representative(s) Buckner and Wilson, Pettersen--Concerning substitute child care providers.

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

SB18-148 by Senator(s) Martinez Humenik and Moreno; also Representative(s) Lawrence and Exum-Concerning the continuation of certain benefits through the "State Employee Group Benefits Act" for dependents of a state employee who dies in a work-related death.

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

SB18-022 by Senator(s) Tate and Aguilar, Lambert; also Representative(s) Pettersen and Kennedy, Singer--Concerning clinical practice measures for safer opioid prescribing.

Laid over until Wednesday, February 14, retaining its place on the calendar.

SB18-129 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the nonsubstantive reorganization of the law exempting from state sales tax certain drugs and medical and therapeutic devices.

Laid over until Thursday, February 15, retaining its place on the calendar.

SB18-131 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean, Thurlow--Concerning modifications to the "State Employees Group Benefits Act".

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, page 182 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-162, SB18-148, SB18-131 as amended.
Laid over until Wednesday, February 14: SB18-043, SB18-022.
Laid over until Thursday, February 15: SB18-129.

MESSAGE FROM THE HOUSE

February 13, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1045, 1056, 1073 amended as printed in House Journal, February 9, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1117.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-088 by Senator(s) Gardner, Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Todd, Williams A., Zenzinger; also Representative(s) Becker K., Arndt, Bridges, Buckner, Coleman, Duran, Esgar, Exum, Foote, Garnett, Gray, Hamner, Hansen, Herod, Hooton, Kennedy, Lawrence, Lee, Lontine, Melton, Michaelson Jenet, Pabon, Pettersen, Rankin, Roberts, Rosenthal, Salazar, Singer, Thurlow, Weissman, Young--Concerning clarification that retail marijuana sales are subject to sales taxes levied by certain limited purpose governmental entities.

Senator Gardner moved that the Senate concur in House amendments to SB18-088, as printed in House journal, February 6, pages 170-171. The motion was **adopted** by the following roll call vote:

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

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

February 2, 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:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

effective pending confirmation by the Colorado Senate, for a term expiring at the pleasure of the Governor:

Samuel David Walker of Denver, Colorado, to serve as the Executive Director of the Department of Labor and Employment and to fill the vacancy occasioned by the resignation of Ellen J. Golombek of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/5/2018
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

MESSAGE FROM THE REVISOR OF STATUTES

February 13, 2018

We herewith transmit:

Without comment, HB18-1117.
Without comment, as amended, HB18-1045, 1056, and 1073.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 14, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

36th Legislative Day Wednesday, February 14, 2018

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

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

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

Quorum — The President Pro Tempore announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Tuesday, February 13, 2018, 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 **SB18-010** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 22, strike "UPON RECEIVING ANY" and substitute "IF THE LANDLORD RECEIVES A".

Page 3, strike lines 1 and 2 and substitute "PERSON BY THE TENANT WITH CASH OR A MONEY ORDER, IF REQUESTED BY THE TENANT, THE LANDLORD SHALL, WITHIN SEVEN DAYS AFTER THE REQUEST, PROVIDE THE TENANT WITH A RECEIPT".

Local Government — After consideration on the merits, the Committee recommends that **SB18-106** 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 2, line 3, strike "18-___," and substitute "18-106,".

Finance — After consideration on the merits, the Committee recommends that **SB18-165** 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 **SB18-136** 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 **SB18-147** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB18-128** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB18-143** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 9, line 11, strike "Free" and substitute "~~Free~~ ***8.00***".

Page 13, strike line 13 and substitute "not to exceed twenty-five dollars, AS ESTABLISHED BY THE COMMISSION BY".

Page 15, line 9, after "BOTH." add "A NONPROFIT ORGANIZATION GRANTED MONEY PURSUANT TO THIS SUBSECTION (3)(b) SHALL NOT USE THE MONEY FOR LOBBYING OR ANY OTHER POLITICAL PURPOSE.".

Page 16, line 2, strike "TWENTY-SIX" and substitute "TWENTY-TWO".

Page 16, line 19, strike "AND".

Page 16, strike line 23 and substitute "SECTION 2 OF SENATE BILL 18-143, ENACTED IN 2018; AND

(C) A LIST OF NONPROFIT ORGANIZATIONS THAT, IN THE PREVIOUS TWELVE MONTHS, RECEIVED GRANT MONEY FROM THE SALE OF STATE MIGRATORY WATERFOWL STAMPS FOR IMPLEMENTATION OF THE NORTH AMERICAN WATERFOWL MANAGEMENT PLAN PURSUANT TO SECTION 33-4-102.5 (3)(b) AND AN EXPLANATION OF EACH GRANT AWARD MADE.".

Page 20, after line 8 insert:

"**SECTION 17.** In Colorado Revised Statutes, **add** 33-12-106.5 as follows:

33-12-106.5. Alternative means of park entrance - fees -rules. (1) AN INDIVIDUAL ENTERING A STATE PARK OR STATE RECREATION AREA BY MEANS OTHER THAN BY MOTOR VEHICLE MUST PURCHASE A PASS IN ACCORDANCE WITH COMMISSION RULES.

(2) THE COMMISSION, BY RULE, SHALL ESTABLISH FEES FOR DAILY AND ANNUAL PASSES FOR INDIVIDUALS ENTERING A STATE PARK OR STATE RECREATION AREA BY MEANS OTHER THAN BY MOTOR VEHICLE. THE COMMISSION MAY ESTABLISH EXEMPTIONS FROM SUCH FEES.".

Renumber succeeding section accordingly.

Finance After consideration on the merits, the Committee recommends that **SB18-116** 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 "SECURITY" and substitute "ON AND AFTER JANUARY 1, 2019, SECURITY".

Page 3, line 25, after "VALID." add "THE AMOUNT OF THE FEE MUST BE SET AT A LEVEL THAT INCLUDES THE ACTUAL COSTS INCURRED BY THE COLORADO BUREAU OF INVESTIGATION IN COMPLETING THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK REQUIRED BY SUBSECTION (4) OF THIS SECTION.".

Page 4, strike lines 17 and 18 and substitute "FINGERPRINTS, THE COLORADO BUREAU OF INVESTIGATION SHALL CONDUCT A".

Page 4, line 27, after "FELONY." add "AN APPLICANT WHO FAILS HIS OR HER CRIMINAL HISTORY RECORD CHECK IS NOT ENTITLED TO A REFUND OF ANY MONEY THE APPLICANT HAS PAID TO COMPLETE THE RECORD CHECK.".

Page 8, after line 25 insert:

"(c) THE COLORADO BUREAU OF INVESTIGATION SHALL BILL THE LEGISLATIVE COUNCIL STAFF ON A MONTHLY BASIS FOR REIMBURSEMENT OF THE COSTS THE BUREAU INCURS IN COMPLETING THE

FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK REQUIRED BY SUBSECTION (4) OF THIS SECTION, WHICH COSTS ARE INCLUDED IN THE FEE CHARGED EACH APPLICANT FOR ISSUANCE OF THE CARD IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-117** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-144** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SJR18-005.
Correctly Engrossed: SB18-103, 131, 134, 148, 162, and 164; SJR18-005.
Correctly Reengrossed: SB18-005, 090, 091, 092, 094, 095, 096, 110, 111, and 121.
Correctly Revised: HB18-1079.
Correctly Enrolled: SB18-088.

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:

SB18-103 by Senator(s) Todd and Smallwood, Donovan; also Representative(s) Kraft-Tharp and Leonard, Winter--Concerning the issuance of performance-based incentives for film production activities in 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Crowder, Fields, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, and Tate.

HB18-1079 by Representative(s) Beckman; also Senator(s) Crowder--Concerning a requirement that the works allocation committee prepare annual recommendations for the use of the Colorado long-term works 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kefalas.

SB18-134 by Senator(s) Cooke; also Representative(s) Arndt--Concerning the exemption of nonprofit water companies from regulation by the public utilities commission.

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

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

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

Co-sponsor(s) added: Baumgardner, Crowder, Donovan, Fenberg, Fields, Guzman, Lambert, Lundberg, Marble, Neville T., Sonnenberg, and Tate.

SB18-164 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of reporting requirements for certain unfunded programs in the department of human services until such time as funding is received.

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

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

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

Co-sponsor(s) added: Kefalas.

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:

SB18-162 by Senator(s) Martinez Humenik, Merrifield, Priola; also Representative(s) Buckner and Wilson, Pettersen--Concerning substitute child care providers.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Gardner, Kefalas, Moreno, and Todd.

SB18-148 by Senator(s) Martinez Humenik and Moreno; also Representative(s) Lawrence and Exum-Concerning the continuation of certain benefits through the "State Employee Group Benefits Act" for dependents of a state employee who dies in a work-related death.

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

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

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

Co-sponsors added: Aguilar, Baumgardner, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Merrifield, Neville T., Priola, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

SB18-131 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Hooton, Arndt, McKean, Thurlow--Concerning modifications to the "State Employees Group Benefits Act".

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

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

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

Co-sponsors added: Crowder, Garcia, Guzman, Jones, Kagan, Merrifield, Priola, and Todd.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, SB18-043 from the General Orders--Second Reading of Bills Calendar of Wednesday, February 14, was laid over until Tuesday, February 20, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, SB18-022 from the General Orders--Second Reading of Bills Calendar of Wednesday, February 14, was laid over until Friday, February 16, retaining its place on the calendar.

MESSAGE FROM THE GOVERNOR

February 13th, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SJR 18-003: CONCERNING APPROVAL OF WATER PROJECT REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY

Approved February 13th, 2018 at 9:29am.

Sincerely,
(signed)
John W. Hickenlooper
Governor

COMMITTEE APPOINTMENTS

February 13, 2018

Mr. Mike Mauer
Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Mr. Mauer,

Please be advised that Senator Randy Baumgardner has voluntarily stepped down as Chairman of the Senate Transportation Committee.

As a result, and effective immediately, I have appointed Senator John Cooke to serve as Chairman and Senator Ray Scott to serve as Vice Chairman.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader

Cc: President Kevin Grantham
Minority Leader Lucia Guzman
Senator Randy Baumgardner
Senator John Cooke
Senator Ray Scott
Sharon Eubanks, Director, Legislative Legal Services
Effie Ameen, Secretary of the Senate
Susan Liddle, Legislative Council Staff

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **SB18-003** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-007** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-033** 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 23 insert:

"**SECTION 2. Appropriation - adjustments to 2018 long bill.** To implement this act, the cash funds appropriation from the animal feeding operations fund created in section 25-8-502 (1.6), C.R.S., made in the annual general appropriation act for the 2018-19 state fiscal year to the department of public health and environment for use by the division of environmental health and sustainability for the animal feeding operations program is increased by $14,323.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**ENVIRONMENT.**" and substitute "**ENVIRONMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations — After consideration on the merits, the Committee recommends that **SB18-045** 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 3 insert:

"**SECTION 2. Appropriation - adjustments to 2018 long bill.** To implement this act, the cash funds appropriation from the paint stewardship program cash fund created in section 25-17-408, C.R.S., made in the annual general appropriation act for the 2018-19 state fiscal year to the department of public health and environment for use by the hazardous materials and waste managment division for program costs is decreased by $110,000 and the related FTE is decreased by 0.9 FTE.".

Renumber succeeding section accordingly.

Page 1, line 102 strike "**ACT**"." and substitute "**ACT", AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

Appropriations — After consideration on the merits, the Committee recommends that **SB18-066** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1159** 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 **HB18-1160** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1161** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1162** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1163** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1164** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1165** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 9, line 8, in the ITEM & SUBTOTAL column strike "11,453,033" and substitute "~~11,453,033~~" and in the CASH FUNDS column strike "10,655,404[b]" and substitute "~~10,655,404~~[b]".

Page 9, after line 8, in the ITEM & SUBTOTAL column insert "11,833,033" and in the CASH FUNDS column insert "11,035,404[b]".

Page 12, line 3, in the TOTAL column strike "156,160,276" and substitute "156,540,276".

Page 12, line 6, strike "$74,649,311" and substitute "~~$74,649,311~~ $75,029,311".

Page 32, line 9, in the TOTAL column strike "$420,350,532" and substitute "$420,730,532" and in the CASH FUNDS column strike "$199,183,139[b]" and substitute "$199,563,139[b]".

Adjust affected totals accordingly.

Page 32, line 12, strike "$147,698,582" and substitute "$148,078,582".

PURPOSE: Adds $380,000 cash funds from the Highway Users Tax Fund to the Department of **Public Safety** for the purchase of body armor and safety equipment for the Colorado State Patrol.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Public Safety	$0	$380,000	$0	$0	$380,000	0.0

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1166** 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 **HB18-1167** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1168** 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 **HB18-1169** 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 **HB18-1170** 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 **HB18-1171** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, lines 16 and 17, strike "total program funding" and substitute "the average amount of funding distributed per pupil on a statewide basis".

Page 3, strike lines 22 and 23 and substitute "HUNDRED TWENTY-SEVEN MILLION SEVEN HUNDRED TWENTY-FOUR THOUSAND NINE HUNDRED SIXTY-FIVE DOLLARS ($6,627,724,965); except that the".

Page 4, after line 7 insert:

"**SECTION 3.** In Colorado Revised Statutes, 22-54-114, **add** (7) as follows:

22-54-114. State public school fund - repeal. (7) FOR THE 2017-18 BUDGET YEAR, THE STATE TREASURER, BEFORE JUNE 30, 2018, SHALL TRANSFER FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND THIRTY MILLION SEVEN HUNDRED TWENTY-THREE THOUSAND SEVEN HUNDRED NINETY-ONE DOLLARS.".

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, 2017. In Session Laws of Colorado 2017, section 2 of chapter 421, (SB 17-254), **amend** Part III (2)(A), the affected totals, and footnote 6, as the affected totals are amended by HB18-1159, as follows:

Section 2. **Appropriation.**

PART III

DEPARTMENT OF EDUCATION

(2) ASSISTANCE TO PUBLIC SCHOOLS						
(A) Public School Finance						
Administration	1,764,489				143,286[a]	1,621,203[b]
					(0.9 FTE)	(17.0 FTE)
State Share of Districts'						
Total Program Funding[5,6]	~~4,225,007,024~~		~~3,000,088,997~~	923,068,333[c]	~~301,849,694~~[d]	
	4,121,072,695		2,969,365,206		228,639,156[d]	

		ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
		$	$	$	$	$	$	$
1	Hold-harmless Full-day							
2	Kindergarten Funding	~~8,183,726~~				~~8,183,726~~[c]		
3		8,179,097				8,179,097[e]		
4	District Per Pupil							
5	Reimbursements for							
6	Juveniles Held in Jail	10,000				10,000[e]		
7	At-risk Supplemental Aid	5,094,358				5,094,358[f]		
8	At-risk Per Pupil							
9	Additional Funding	5,000,000				5,000,000[f]		
10		~~4,245,059,597~~						
11		4,141,120,639						
12								

13 [a] Of this amount, $83,329 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution and $59,957 shall be from the Public Education
14 Fund created in Section 39-22-4203 (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
15 limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[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.

[c] This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

[d] ~~Of this amount, $228,639,156~~ THIS AMOUNT shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. ~~and $73,210,538 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, $64,813,020 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., 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.~~

[e] 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.

[f] 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.

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
1	**TOTALS PART III**						
2	**(EDUCATION)**	~~$5,596,320,354~~	~~$3,179,084,807~~	$923,068,333[a]	~~$811,003,279~~[b]	$34,930,424[c]	$648,233,511[d]
3		$5,492,381,396	$3,148,361,016		$737,788,112		
4							

[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, $3,927,869 contains an (I) notation.

[c] Of this amount, $20,100,000 contains an (I) notation.

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
$	$	$	$	$	$	$

[d] This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

6 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 2017-18. It is the General Assembly's intent that the Department of Education be authorized to utilize up to ~~$4,210,800~~ $4,213,200 of this appropriation to fund qualified students designated as ASCENT Program participants. This amount is calculated based on an estimated 600 FTE participants funded at a rate of ~~$7,018~~ $7,022 per FTE pursuant to Section 22-54-104 (4.7), C.R.S.".

Renumber succeeding section accordingly.

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1173** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

February 14, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1051, 1137 amended as printed in House Journal, February 9, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1140, 1107.

The House has passed on Third Reading and returns herewith SB18-030, 032, 035.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-034, amended as printed in House Journal, February 13, 2018.

The House has adopted and returns herewith SJM18-003.

MESSAGE FROM THE REVISOR OF STATUTES

February 14, 2018

We herewith transmit:

Without comment, HB18-1107 and 1140.
Without comment, as amended, HB18-1051 and 1137.
Without comment, as amended, SB18-034.

TRIBUTES

Honoring:

Andy and Kate Manz -- By Senator Steve Fenberg.
Syl Morgan-Smith -- By Senator Rhonda Fields.
United Airlines -- By Senator Rhonda Fields.
Stew Pappenfort -- By Senator Kerry Donovan.
Gabe Paznokas -- By Senator Steve Fenberg.
South High School Football Team -- By Senator Leroy Garcia.
Ryan Garbars -- By Senator Leroy Garcia.
Ray Goddard -- By Senator Leroy Garcia.
Aubrey Richards -- By Senator Jerry Sonnenberg and Representative Jon Becker.
Breann Shaffer -- By Senator Jerry Sonnenberg and Representative Jon Becker.
Engineers Week -- By Senator Jack Tate.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 15, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

37th Legislative Day Thursday, February 15, 2018

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 Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Wednesday, February 14, 2018, 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 **SB18-146** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 5, after line 15 insert:

"THIS IS AN EMERGENCY MEDICAL FACILITY THAT TREATS EMERGENCY MEDICAL CONDITIONS.".

Page 5, strike lines 26 and 27 and substitute:

"THIS IS NOT A COMPLETE STATEMENT OF PATIENT'S RIGHTS. YOU WILL RECEIVE A MORE COMPREHENSIVE STATEMENT OF PATIENT'S RIGHTS UPON ADMISSION.".

Page 6, line 5, strike "SECTION:" and substitute "SECTION, IMMEDIATELY FOLLOWING THE SENTENCE THAT READS "THIS IS AN EMERGENCY MEDICAL FACILITY THAT TREATS EMERGENCY MEDICAL CONDITIONS.":".

Page 6, line 12, strike "SECTION:" and substitute "SECTION, IMMEDIATELY FOLLOWING THE SENTENCE THAT READS "THIS IS AN EMERGENCY MEDICAL FACILITY THAT TREATS EMERGENCY MEDICAL CONDITIONS.":".

Page 7, line 3, strike "THAT:" and substitute "THAT STATES:

THIS IS AN EMERGENCY MEDICAL FACILITY THAT TREATS EMERGENCY MEDICAL CONDITIONS.

(b) (I) IF THE FREESTANDING EMERGENCY DEPARTMENT DOES NOT HAVE OR INCLUDE WITHIN ITS FACILITY AN URGENT CARE CENTER OR CLINIC, THE FREESTANDING EMERGENCY DEPARTMENT SHALL INCLUDE THE FOLLOWING STATEMENT ON THE SIGN REQUIRED BY THIS SUBSECTION (2), IMMEDIATELY FOLLOWING THE STATEMENT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION:

THIS IS NOT AN URGENT CARE CENTER OR PRIMARY CARE PROVIDER.

(II) IF THE FREESTANDING EMERGENCY DEPARTMENT HAS OR INCLUDES WITHIN ITS FACILITY AN URGENT CARE CENTER OR CLINIC, THE FREESTANDING EMERGENCY DEPARTMENT SHALL INCLUDE THE FOLLOWING STATEMENT ON THE SIGN REQUIRED BY THIS SUBSECTION (2), IMMEDIATELY FOLLOWING THE STATEMENT SPECIFIED IN SUBSECTION

(2)(a) OF THIS SECTION:

THIS FACILITY ALSO CONTAINS AN URGENT CARE CENTER THAT OPERATES FROM (INSERT TIME URGENT CARE CENTER OPENS) TO (INSERT TIME URGENT CARE CENTER CLOSES) AND PROVIDES PRIMARY CARE SERVICES (AND INSERT, IF APPLICABLE, THAT THE URGENT CARE CENTER OFFERS PRIMARY CARE SERVICES BY APPOINTMENT).".

Page 7, strike lines 4 through 27.

Page 8, strike lines 5 through 7 and substitute "THAT:

(I) SPECIFIES WHETHER THE FREESTANDING EMERGENCY DEPARTMENT ACCEPTS PATIENTS WHO ARE ENROLLED IN: THE STATE MEDICAL ASSISTANCE PROGRAM UNDER ARTICLES 4, 5, AND 6 OF TITLE 25.5; MEDICARE, AS AUTHORIZED IN TITLE XVIII OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED; THE CHILDREN'S BASIC HEALTH PLAN ESTABLISHED UNDER ARTICLE 8 OF TITLE 25.5; OR A HEALTH PLAN AUTHORIZED UNDER 10 U.S.C. SEC. 1071 ET SEQ.;

(II) LISTS THE SPECIFIC HEALTH INSURANCE PROVIDER NETWORKS AND CARRIERS WITH WHICH THE FREESTANDING EMERGENCY DEPARTMENT PARTICIPATES OR STATES THAT THE FREESTANDING EMERGENCY DEPARTMENT IS NOT A PARTICIPATING PROVIDER IN ANY HEALTH INSURANCE PROVIDER NETWORKS;

(III) SPECIFIES THE CHARGEMASTER OR FEE SCHEDULE PRICE FOR THE TWENTY-FIVE MOST COMMON HEALTH CARE SERVICES PROVIDED BY THE FREESTANDING EMERGENCY DEPARTMENT;".

Renumber succeeding subparagraphs accordingly.

Page 8, line 12, strike "(2)(a)(III)" and substitute "(3)(a)(III)".

Page 8, line 14, strike "A" and substitute "CONTAINS A".

Page 8, line 21, strike "THE" and substitute "CONTAINS THE".

Page 9, line 9, strike "INFORMATION" and substitute "CONTAINS INFORMATION".

Page 9, line 13, strike "THE" and substitute "INCLUDES THE".

Page 10, line 14, after "(b)" insert "(I)".

Page 10, strike line 15 and substitute "FACILITY THAT OFFERS EMERGENCY CARE, THAT MAY OFFER PRIMARY AND URGENT CARE".

Page 10, line 16, after "SERVICES," insert "THAT".

Page 10, strike line 17 and substitute "25-1.5-103, AND THAT IS EITHER:".

Page 10, line 18, strike "(I)" and substitute "(A)".

Page 10, line 21, strike "(II)" and substitute "(B)".

Page 10, after line 24 insert:

"(II) "FREESTANDING EMERGENCY DEPARTMENT" DOES NOT INCLUDE A HEALTH FACILITY DESCRIBED IN SUBSECTION (8)(b)(I) OF THIS SECTION THAT WAS LICENSED BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103 AS A COMMUNITY CLINIC PRIOR TO JULY 1, 2010, IF THE FACILITY IS SERVING A RURAL COMMUNITY OR A SKI AREA, AS DEFINED IN STATE BOARD RULES.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-149** 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 **SB18-163** be referred to the Committee on Appropriations with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-130** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB18-160** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB18-151** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 1, strike line 102, and substitute "**BULLYING PREVENTION POLICIES.**".

Education — After consideration on the merits, the Committee recommends that **SB18-011** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike lines 6 through 20 and substitute:

"(d) IF THE DEPARTMENT OF EDUCATION OR THE STATE BOARD RECEIVES A COMPLAINT FROM A PARENT CONCERNING A LOCAL EDUCATION PROVIDER'S IMPLEMENTATION OF THIS SUBSECTION (8), THE DEPARTMENT SHALL NOTIFY THE LOCAL EDUCATION PROVIDER OF THE NATURE OF THE COMPLAINT.".

Education — After consideration on the merits, the Committee recommends that **SB18-099** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, line 20, before "THE" insert "AND SUPPORT".

Page 9, strike line 27 and substitute "OR THAT ARE LICENSED PROGRAMS WITH A DEMONSTRATED HARDSHIP THAT ARE ACTIVELY WORKING TOWARD ACHIEVING A COLORADO SHINES SYSTEM LEVEL TWO RATING. THE EARLY CHILDHOOD COUNCIL MUST TARGET AND RECRUIT PROGRAMS TO INCREASE THE ACCESS AND AVAILABILITY OF QUALITY CHILD CARE FOR CHILDREN PARTICIPATING IN THE COLORADO CHILD CARE".

Page 12, line 10, strike "AND".

Page 12, line 13, strike "EDUCATION." and substitute "EDUCATION; AND".

Page 12, after line 13 insert:

"(V) PROFESSIONAL DEVELOPMENT ACTIVITIES.".

Page 17, line 1, strike "TWO" and substitute "TWO, OR ARE LICENSED PROGRAMS WITH A DEMONSTRATED HARDSHIP THAT ARE ACTIVELY WORKING TOWARD ACHIEVING A COLORADO SHINES SYSTEM LEVEL TWO RATING,".

Education — After consideration on the merits, the Committee recommends that **SB18-158** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 3, strike "32" and substitute "33.5".

Page 2, line 7, strike "**24-32-3601.**" and substitute "**24-33.5-2101.**".

Page 3, line 2, strike "**24-32-3602.**" and substitute "**24-33.5-2102.**".

Page 3, strike line 20 and substitute "PUBLIC SAFETY RADIOS SYSTEM SERVING THE REGION, INCLUDING BUT NOT LIMITED TO THE STATE'S DIGITAL TRUNKED NETWORK, WHICH IS A".

Page 4, line 15, strike "**24-32-3603.**" and substitute "**24-33.5-2103.**".

Page 4, line 19, strike "LOCAL AFFAIRS." and substitute "PUBLIC SAFETY.".

Page 4, line 20, strike "LOCAL".

Page 4, strike line 21, and substitute "HOMELAND SECURITY AND EMERGENCY MANAGEMENT CREATED IN SECTION 24-33.5-1603.".

Page 5, line 24, strike "**24-32-3604.**" and substitute "**24-33.5-2104.**".

Page 5, line 26, strike "LOCAL GOVERNMENT" and substitute "HOMELAND SECURITY AND EMERGENCY MANAGEMENT".

Page 7, line 3, strike "LOCAL GOVERNMENT" and substitute "HOMELAND SECURITY AND EMERGENCY MANAGEMENT".

Page 7, line 7, strike "24-32-3607." and substitute "24-33.5-2107.".

Page 7, line 17, strike "**24-32-3605.**" and substitute "**24-33.5-2105.**".

Page 7, line 18, after "(1)" insert "A SCHOOL IS REQUIRED TO HAVE A MEMORANDUM OF UNDERSTANDING WITH ITS REGIONAL PUBLIC SAFETY 911 ANSWERING POINT FOR RADIO INTEROPERABILITY TO BE ELIGIBLE TO APPLY FOR A GRANT.".

Page 7, line 19, strike "LOCAL GOVERNMENT" and substitute "HOMELAND SECURITY AND EMERGENCY MANAGEMENT".

Page 8, line 11, after "22-30.5-503.5;" insert "AND".

Page 8, strike lines 12 through 14.

Reletter succeeding paragraph accordingly.

Page 8, line 19, strike "NOVEMBER 1, 2018," and substitute "DECEMBER 31, 2018,".

Page 8, line 25, strike "**24-32-3606.**" and substitute "**24-33.5-2106.**".

Page 9, line 20, strike "24-32-3608." and substitute "24-33.5-2108.".

Page 9, line 21, strike "**24-32-3607.**" and substitute "**24-33.5-2107.**".

Page 10, line 1, strike "2023," and substitute "2022,".

Page 10, line 15, strike "24-32-3608." and substitute "24-33.5-2108.".

Page 10, line 16, strike "**24-32-3608.**" and substitute "**24-33.5-2108.**".

Page 10, line 17, strike "2024." and substitute "2023.".

Page 10, line 26, strike "32" and substitute "33.5".

Strike "36" and substitute "21" on: **Page 2,** lines 2, 4, and 7; **Page 4,** lines 8, 15, and 25; **Page 7,** lines 5, 9, and 12; **Page 8,** line 22; **Page 10,** lines 9, 16, and 25.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-125** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 4, strike "**entities**" and substitute "**companies and title insurance agents**".

Page 2, strike lines 6 and 7 and substitute "TITLE INSURANCE COMPANY OR TITLE INSURANCE AGENT IN POSSESSION OF FIDUCIARY FUNDS".

Page 2, strike lines 11 through 13 and substitute "TO:

(a) REQUIRE THE SEGREGATION AND ACCOUNTING OF FIDUCIARY FUNDS;

(b) REQUIRE NOTICE TO THE COMMISSIONER BY TITLE INSURANCE COMPANIES WHO ARE AWARE OF A VIOLATION OF THE FIDUCIARY FUND SEGREGATION AND ACCOUNTING RULES, AND THE APPOINTMENT, SUSPENSION, OR DISMISSAL OF TITLE INSURANCE AGENTS; AND

(c) PROVIDE FOR THE ADMINISTRATION OF THIS SECTION.

(3) A KNOWING VIOLATION OF A RULE REQUIRING NOTICE".

Page 2, strike lines 17 to 23 and substitute "MEANS ANY MONEY RECEIVED IN CONJUNCTION WITH CLOSING AND SETTLEMENT SERVICES OTHER THAN A FEE CHARGED BY THE TITLE INSURANCE COMPANY OR TITLE INSURANCE AGENT TO PERFORM THE CLOSING AND SETTLEMENT SERVICES FOR A REAL ESTATE TRANSACTION.".

Page 3, strike lines 5 or 6 and substitute:

"(ss) A KNOWING FAILURE TO COMPLY WITH RULES REGARDING NOTICE PROMULGATED IN ACCORDANCE WITH SECTION 10-11-127.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-120** be postponed indefinitely.

Judiciary

The Committee on Judiciary 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 PAROLE

for terms expiring July 1, 2020:

Denise Katherine Balazic of Aurora, Colorado, to serve as a parole or probation representative, reappointed;

Brandon W. Mathews, DM of Colorado Springs, Colorado, to serve as a citizen representative, reappointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-140** be postponed indefinitely.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-026** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, lines 8 through 10, strike "~~is, was, has been, or would be required to register if he or she resided in the state or jurisdiction of conviction, or for which such person~~" and substitute "is ~~was, has been, or would be~~ required to register if he or she resided in the state or jurisdiction of conviction, or for which such person".

Page 3, line 6, after the period add "SUCH PERSON MAY PETITION THE

COURT FOR AN ORDER THAT DISCOENTINUES THE REQUIREMENT FOR REGISTRATION IN THIS STATE FOR OFFENSE CLASSIFICATIONS THAT SUCH PERSON WOULD NOT BE REQUIRED TO REGISTER FOR IF CONVICTED IN COLORADO.".

Page 3, line 23, before "PHYSICAL" insert "CHRONIC".

Page 3, line 24, strike "ONE OR MORE" and substitute "THE PERSON'S ABILITY TO FUNCTION INDEPENDENTLY AND PARTICIPATE IN".

Page 3, line 26, strike "RECORD OF SUCH IMPAIRMENT." and substitute "MEDICAL RECORD OF SUCH DISABILITY.".

Page 4, line 2, strike "PERSON, HIS" and substitute "PERSON AND AT LEAST ONE OTHER RELIABLE SOURCE WHICH MAY INCLUDE: HIS".

Page 4, line 4, strike "OTHER" and substitute "ANOTHER".

Page 4, line 11, after "WAIVER." insert "IF THE LAW ENFORCEMENT AGENCY ISSUES A WAIVER OR REAUTHORIZES THE WAIVER, THE LAW ENFORCEMENT AGENCY SHALL ALSO NOTIFY THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER IS REQUIRED TO REGISTER, IF THE VICTIM OF THE OFFENSE HAS REQUESTED NOTICE AND PROVIDED CONTACT INFORMATION.".

Page 5, line 13, strike "portion, (3)(b)(I), and (3)(c);" and substitute "portion and (3)(b)(I);".

Page 6, line 3, after the period add "THE SUPPORTING DOCUMENTS MUST INCLUDE RECORDS DOCUMENTING THE COMPLETION OF TREATMENT IF ORDERED BY THE COURT, WHEN SUCH RECORDS ARE AVAILABLE.".

Page 6, line 6, strike "THE DISTRICT".

Page 6, strike lines 7 through 9 and substitute "THE COURT SHALL ALSO NOTIFY THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER WAS REQUIRED TO REGISTER, IF THE VICTIM OF THE OFFENSE HAS REQUESTED NOTICE AND PROVIDED CONTACT INFORMATION.".

Page 6, line 14, strike "ATTORNEY," and substitute "ATTORNEY OR MADE BY THE VICTIM,".

Page 6, line 21, strike "AND".

Page 6, line 22, strike "EXPIRED." and substitute "EXPIRED, AND THE PETITIONER IS NOT LIKELY TO COMMIT A SUBSEQUENT OFFENSE OF OR INVOLVING UNLAWFUL SEXUAL BEHAVIOR. IN DETERMINING WHETHER TO GRANT THE PETITION, THE COURT SHALL CONSIDER ANY TREATMENT RECORDS PROVIDED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, ANY WRITTEN OR ORAL STATEMENT OF THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER WAS REQUIRED TO REGISTER, AND ANY OTHER RELEVANT INFORMATION PRESENTED BY THE PETITIONER OR DISTRICT ATTORNEY.".

Page 6, line 23, strike "PETITION," and substitute "PETITION BY THE DISTRICT ATTORNEY OR VICTIM,".

Page 6, line 24, strike "PETITION. IF THE COURT FINDS" and substitute "PETITION. THE COURT MAY GRANT THE PETITION IF THE COURT FINDS".

Page 7, line 2, strike "AND".

Page 7, strike lines 3 through 6 and substitute "OF THIS SECTION HAS EXPIRED, AND THE PETITIONER IS NOT LIKELY TO COMMIT A SUBSEQUENT OFFENSE OF OR INVOLVING UNLAWFUL SEXUAL BEHAVIOR. IN DETERMINING WHETHER TO GRANT THE PETITION, THE COURT SHALL CONSIDER ANY TREATMENT RECORDS PROVIDED PURSUANT TO

SUBSECTION (2)(b) OF THIS SECTION, ANY WRITTEN OR ORAL STATEMENT OF THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER WAS REQUIRED TO REGISTER, AND ANY OTHER RELEVANT INFORMATION PRESENTED BY THE PETITIONER OR DISTRICT ATTORNEY.".

Page 7, line 10, strike "DISTRICT ATTORNEY SHALL" and substitute "COURT SHALL ALSO".

Page 7, strike line 11 and substitute "VICTIM, IF THE VICTIM OF THE OFFENSE HAS REQUESTED NOTICE AND PROVIDED CURRENT CONTACT INFORMATION.".

Page 7, line 23, after "SEVERE" insert "PHYSICAL OR INTELLECTUAL".

Page 7, line 24, before "INCAPACITATED" insert "PERMANENTLY" and strike "UNACCEPTABLE" and substitute "UNREASONABLE".

Page 8, line 12, after the period, add "THE SUPPORTING DOCUMENTS MUST INCLUDE RECORDS DOCUMENTING THE COMPLETION OF TREATMENT IF ORDERED BY THE COURT, WHEN SUCH RECORDS ARE AVAILABLE.".

Page 8, line 15 strike "THE DISTRICT".

Page 8, strike lines 16 through 18 and substitute "THE COURT SHALL ALSO NOTIFY THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER WAS REQUIRED TO REGISTER, IF THE VICTIM OF THE OFFENSE HAS REQUESTED NOTICE AND PROVIDED CONTACT INFORMATION.".

Page 8, line 23, strike "ATTORNEY," and substitute "ATTORNEY OR MADE BY THE VICTIM,".

Page 8, line 25, strike "IS" and substitute "SUFFERS FROM A SEVERE PHYSICAL OR INTELLECTUAL DISABILITY TO THE EXTENT THAT THE PETITIONER IS PERMANENTLY".

Page 8, line 26, strike "UNACCEPTABLE" and substitute "UNREASONABLE".

Page 9, line 1, after the period add "IN DETERMINING WHETHER TO GRANT THE PETITION, THE COURT SHALL CONSIDER ANY TREATMENT RECORDS PROVIDED PURSUANT TO SUBSECTION (2.5)(c) OF THIS SECTION, ANY WRITTEN OR ORAL STATEMENT OF THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER WAS REQUIRED TO REGISTER, AND ANY OTHER RELEVANT INFORMATION PRESENTED BY THE PETITIONER OR DISTRICT ATTORNEY.".

Page 9, line 2, strike "PETITION," and substitute "PETITION BY THE DISTRICT ATTORNEY OR VICTIM,".

Page 9, line 3, strike "SHALL" and substitute "MAY".

Page 9, line 4, strike "IS" and substitute "SUFFERS FROM A SEVERE PHYSICAL OR INTELLECTUAL DISABILITY TO THE EXTENT THAT THE PETITIONER IS PERMANENTLY".

Page 9, line 5, strike "UNACCEPTABLE" and substitute "UNREASONABLE".

Page 9, line 7, after the period add "IN DETERMINING WHETHER TO GRANT THE PETITION, THE COURT SHALL CONSIDER ANY TREATMENT RECORDS PROVIDED PURSUANT TO SUBSECTION (2.5)(c) OF THIS SECTION, ANY WRITTEN OR ORAL STATEMENT OF THE VICTIM OF THE OFFENSE FOR WHICH THE PETITIONER WAS REQUIRED TO REGISTER, AND ANY OTHER RELEVANT INFORMATION PRESENTED BY THE PETITIONER OR DISTRICT ATTORNEY.".

Page 9, line 11, strike "DISTRICT ATTORNEY SHALL" and substitute "COURT SHALL ALSO".

Page 9, strike line 12 and substitute "VICTIM, IF THE VICTIM OF THE

OFFENSE HAS REQUESTED NOTICE AND PROVIDED CONTACT INFORMATION.".

Page 9, line 27, strike "FELONY sexual" and substitute "Sexual".

Page 10, strike line 5 through 9.

SENATE SERVICES REPORT

Correctly Reengrossed: SB18-103, 131, 134, 148, 162, and 164.
Correctly Rerevised: HB18-1079.
Correctly Enrolled: SB18-030, 032, and 035.

Committee of the Whole

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

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

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

SB18-138 by Senator(s) Gardner and Kerr; also Representative(s) Gray and Liston--Concerning authorization for retail sellers of alcohol beverages for on-premises consumption to sell remaining inventory to another on-premises retail seller of alcohol beverages with whom there is common ownership when no longer licensed to sell alcohol beverages for on-premises consumption.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 13, page 209 and placed in members' bill files.)

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

SB18-079 by Senator(s) Guzman; also Representative(s) Pabon--Concerning classifying sake as a vinous liquor for the purposes of the "Colorado Liquor Code".

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 13, pages 209-210 and placed in members' bill files.)

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

SB18-107 by Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate; also Representative(s) Thurlow, Arndt, Hooton, McKean--Concerning the repeal of procedures to fill vacancies in candidate nominations for elections conducted under the "Colorado Municipal Code of 1965".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 13, page 210 and placed in members' bill files.)

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

HB18-1075 by Representative(s) Lee and Herod, Foote, Willett, Wist; also Senator(s) Kagan and Cooke, Gardner, Guzman, Holbert--Concerning the enactment of Colorado Revised Statutes 2017 as the positive and statutory law of the state of Colorado .

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

SB18-154 by Senator(s) Fields; also Representative(s) Salazar--Concerning a requirement for a local juvenile services planning committee to devise a plan to manage dually identified crossover youth.

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

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-138 as amended, SB18-079 as amended, SB18-107 as amended, SB18-154, HB18-1075.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-129 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the nonsubstantive reorganization of the law exempting from state sales tax certain drugs and medical and therapeutic devices.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, page 182 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Moreno.

Amend printed bill, page 3, strike lines 7 and 8.

Reletter succeeding paragraphs accordingly.

Page 3, after line 26 insert:

"(c) "PRACTITIONER" HAS THE SAME MEANING AS SET FORTH IN SECTION 12-42.5-102.

(d) "PRESCRIPTION" HAS THE SAME MEANING AS SET FORTH IN SECTION 12-42.5-102.".

Reletter succeeding paragraph accordingly.

Page 3, line 27, strike "(1)(c)(I)," and substitute "(1)(b)(I),".

Page 4, strike lines 1 through 11 and substitute "(2)(h), AND (2)(i) OF THIS SECTION, "PRESCRIPTION ORDER" MEANS ANY ORDER FOR A PRESCRIPTION THAT:

(I) (A) IS IN WRITING, DATED, AND SIGNED BY A PRACTITIONER; OR

(B) IS GIVEN ORALLY BY A PRACTITIONER AND IMMEDIATELY REDUCED TO WRITING BY THE PHARMACIST OR PHARMACY INTERN, OR BY A REPRESENTATIVE OF A BUSINESS LICENSED TO SELL ITEMS DESCRIBED IN SUBSECTION (2)(g), (2)(h), (2)(i), OR (2)(j) OF THIS SECTION SO LONG AS SUCH PRESCRIPTION ORDER IS ALSO FOLLOWED BY AN ELECTRONIC SUBMISSION OF THE PRESCRIPTION ORDER TO THE BUSINESS; AND".

Page 4, lines 13 and 14, strike "(1)(a)(I), (1)(c)(I), (2)(g), (2)(h), OR (2)(i) OF THIS SECTION IS ORDERED" and substitute "(2)(g), (2)(h), (2)(i), OR (2)(j) OF THIS SECTION IS PRESCRIBED".

Strike "LICENSED PROVIDER" and substitute "PRACTITIONER" on: **Page 4**, lines 19, 20, and 23; and **Page 5**, line 17.

Strike "PRESCRIPTION" and substitute "PRESCRIPTION ORDER" on: **Page 2**, line 16; **Page 3**, line 11; and **Page 5**, lines 6, 10, and 13.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-129 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-034 by Senator(s) Cooke and Guzman; also Representative(s) Wist and Lee--Concerning the nonsubstantive relocation of laws related to the regulation of gaming from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Senator Guzman moved that the Senate concur in House amendments to SB18-034, as printed in House journal, February 9, page 217. The motion was **adopted** by the following roll call vote:

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

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

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

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

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

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

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REGULATORY AGENCIES

effective July 24, 2017 for a term expiring at the pleasure of the Governor:

Marguerite Salazar of Alamosa, Colorado, and occasioned by the resignation of Joseph Neguse of Broomfield, Colorado appointed.

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

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

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-010, SB18-106, SB18-033, HB18-1159, HB18-1165, HB18-1166, HB18-1168, HB18-1169, HB18-1170, and HB18-1173 were made Special Orders--Consent Calendar at 9:34 a.m.

Committee of the Whole

The hour of 9:34 a.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

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

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

SB18-010 by Senator(s) Martinez Humenik and Williams A., Aguilar, Donovan, Kefalas, Merrifield, Priola, Tate, Court, Fenberg, Fields, Guzman, Kagan, Kerr, Todd, Zenzinger; also Representative(s) Exum, Benavidez, Coleman, Herod, Kennedy, Roberts, Rosenthal, Becker K., Buckner, Singer, Weissman, Lee--Concerning the requirement that a residential landlord provide a tenant with specified documents relevant to the landlord-tenant relationship, and, in connection therewith, specifying rent receipts and copies of any written lease agreement as documents that must be provided.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 14, page 221 and placed in members' bill files.)

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

SB18-106 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Thurlow, Arndt, Gray, Hooton, McKean--Concerning obsolete statutory provisions related to a local government's pledging of sales or use tax revenues to pay for revenue bonds issued for the purpose of financing capital improvements.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, February 14, page 221 and placed in members' bill files.)

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

SB18-033 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the continuation of the animal feeding operation permit program under the department of public health and environment, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 14, page 227 and placed in members' bill files.)

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

HB18-1159 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of education.

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

HB18-1165 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of public safety.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 14, page 228 and placed in members' bill files.)

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

HB18-1166 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of regulatory agencies.

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

HB18-1168 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of state.

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

HB18-1169 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of the treasury.

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

HB18-1170 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.

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

HB18-1173 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental transfer of money from the general fund to the information technology capital account of the capital construction fund for the 2017-18 state fiscal year.

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

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

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-010 as amended, SB18-106 as amended, SB18-033 as amended, HB18-1159, HB18-1165 as amended, HB18-1166, HB18-1168, HB18-1169, HB18-1170, HB18-1173.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1160, HB18-1161, HB18-1162, HB18-1163, HB18-1164, and HB18-1167 were made Special Orders at 9:42 a.m.

Committee of the Whole

The hour of 9:42 a.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

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

HB18-1160 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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

HB18-1161 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of health care policy and financing.

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

HB18-1162 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of human services.

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

HB18-1163 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the judicial department.

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

HB18-1164 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of personnel.

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

HB18-1167 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of revenue.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: HB18-1160, HB18-1161, HB18-1162, HB18-1163, HB18-1164, HB18-1167.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-156** 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 14, strike "~~Such~~".

Page 2, strike lines 15 and 16 and substitute "Such reports shall be published at least monthly within thirty days following the end of the period for which made. PRIOR TO".

Page 2, line 24, after "ONE" insert "LEGAL".

Page 4, line 12, strike "SOME" and substitute "AT LEAST ONE".

Page 4, line 18, strike "SOME" and substitute "AT LEAST ONE".

Page 4, strike lines 19 through 21.

Page 4, lines 23, after "THE STATEMENTS" insert "OR LINKS".

Page 4, line 25, strike "report" and substitute "~~report~~ STATEMENT".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-155** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-153** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-152** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-150** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, lines 22 and 23, strike "THE COMMUNITY PAROLE OFFICER ASSIGNED TO AN INDIVIDUAL ON PAROLE" and substitute "ON AND AFTER JULY 1, 2019, THE DIVISION OF ADULT PAROLE".

Page 3, line 26, strike "RELEASED" and substitute "DISCHARGED".

Page 3, line 27, strike "COMMUNITY PAROLE OFFICER RELEASING THE INDIVIDUAL" and substitute "DIVISION OF ADULT PAROLE".

Page 4, line 8, strike "THE DIVISION OF ADULT PAROLE" and substitute "ON AND AFTER JULY 1, 2019, THE DEPARTMENT".

Page 4, strike lines 24 through 27 and substitute:

"**SECTION 5. Act subject to petition - effective date.** Sections 1 and 2 of this act take effect July 1, 2019, 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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor; except that sections 1 and 2 of this act take effect July 1, 2019.".

Page 5, strike lines 1 through 4.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-115** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-114** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-108** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 6, strike line 3 and substitute "resident of this state, OTHER THAN A RESIDENT WHO HAD BEEN ISSUED A LICENSE UNDER PART 5 OF THIS ARTICLE 2, is temporarily residing in a foreign country, in which".

Page 7, line 22, strike "(1)." and substitute "(1) OR ON THE TWENTY-FIRST BIRTHDAY OF THE APPLICANT AS SET BY RULE OF THE DEPARTMENT.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-097** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-089** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-058** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-040** be postponed indefinitely.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJM18-003.

The Senate observed a moment of silence and rang the Senate chimes in memory of the victims at Stoneman Douglas High School in Parkland, Florida.

MESSAGE FROM THE HOUSE

February 15, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1012, 1233 amended as printed in House Journal, February 14, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

February 15, 2018

We herewith transmit:

Without comment, as amended, HB18-1012 and 1233.

On motion of Majority Leader Holbert, the Senate adjourned until 10:15 a.m., Friday, February 16, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

38th Legislative Day Friday, February 16, 2018

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

Call to Order — By the President at 10:15 a.m.

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

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Court, reading of the Journal of Thursday, February 15, 2018, 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 **SB18-141** 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 4, strike lines 24 through 27 and substitute:

"**- effective date.** (1) (a) THE EXECUTIVE DIRECTOR SHALL ENSURE THAT THE COLORADO STATE INDIVIDUAL INCOME TAX RETURN FORM CONTAINS A LINE FOR THE DONATE TO A COLORADO NONPROFIT FUND IN THE FIRST INCOME TAX YEAR:

(I) IN WHICH THE DEPARTMENT HAS RECEIVED, ON OR BEFORE AUGUST 15, SUFFICIENT FUNDS TO IMPLEMENT THIS PART 50 FROM GIFTS, GRANTS, AND DONATIONS, PURSUANT TO SECTION 39-22-5005;

(II) THAT BEGINS ON OR AFTER JANUARY 1, 2019; AND

(III) THAT BEGINS AFTER THE YEAR IN WHICH THE EXECUTIVE DIRECTOR FILES WRITTEN CERTIFICATION WITH THE REVISOR OF STATUTES AS SPECIFIED IN SECTION 39-22-1001 (8) THAT A LINE ON THE INCOME TAX RETURN FORM HAS BECOME AVAILABLE AND THE DONATE TO A COLORADO NONPROFIT FUND, CREATED IN SECTION 39-22-5004, IS NEXT IN THE QUEUE ESTABLISHED PURSUANT TO SECTION 39-22-1001 (8).".

Page 5, strike lines 1 through 13 and substitute:

"(b) THE EXECUTIVE DIRECTOR SHALL ENSURE THAT THE LINE FOR THE DONATE TO A COLORADO NONPROFIT FUND APPEARS ON THE FORM IN EACH TAX YEAR AFTER THE YEAR IT IS ADDED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION. THE LINE MUST ALLOW EACH INDIVIDUAL TAXPAYER TO DESIGNATE THE AMOUNT OF THE CONTRIBUTION, IF ANY, AND THE NAME AND SUCH IDENTIFYING INFORMATION AS THE DEPARTMENT OF REVENUE MAY REQUIRE OF A SINGLE CHARITABLE ORGANIZATION FROM THE LIST OF ELIGIBLE CHARITABLE ORGANIZATIONS PROVIDED UNDER SECTION 39-22-5003 TO RECEIVE THE CONTRIBUTION.".

Page 5, lines 14 and 15, strike "THE EXECUTIVE DIRECTOR SHALL NOT INCLUDE A LINE FOR THE DONATE TO A COLORADO NONPROFIT FUND BEFORE JANUARY 1, 2020.".

Page 5, line 17, strike "JANUARY 1, 2020," and substitute "THE

REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION ARE MET,".

Page 5, line 22, strike "JANUARY 1, 2020." and substitute "THE REQUIREMENTS OF SUBSECTION (1)(a) OF THIS SECTION ARE MET.".

Page 5, strike lines 25 through 27.

Page 6, strike line 1.

Page 6, line 7, strike the first "OCTOBER" and substitute "SEPTEMBER" and strike the second "OCTOBER" and substitute "SEPTEMBER".

Page 8, strike lines 18 through 27 and substitute:

"(4) THE DEPARTMENT IS NOT LIABLE TO A TAXPAYER OR TO AN ELIGIBLE CHARITABLE ORGANIZATION FOR ANY ERROR IN DISTRIBUTING A CONTRIBUTION UNDER THIS PART 50.".

Page 9, strike lines 1 through 3.

Page 9, line 9, after the period add "THE DEPARTMENT SHALL TRANSMIT ALL MONEY RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE MONEY TO THE DONATE TO A COLORADO NONPROFIT FUND CREATED IN SECTION 39-22-5004 (1).".

Page 9, strike lines 10 through 17 and substitute:

"(2) THIS PART 50 IS REPEALED IF THE DEPARTMENT OF REVENUE DOES NOT RECEIVE SUFFICIENT FUNDING TO IMPLEMENT THE DONATE TO A COLORADO NONPROFIT FUND FROM GIFTS, GRANTS, AND DONATIONS AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION ON OR BEFORE SEPTEMBER 30, 2020. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING IF THE DEPARTMENT HAS NOT RECEIVED THE AMOUNTS REQUIRED BY THIS SUBSECTION (2) ON OR BEFORE SEPTEMBER 30, 2020, BY E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. THIS PART 50 IS REPEALED, EFFECTIVE UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.".

Page 11, strike lines 2 through 12.

Renumber succeeding section accordingly.

Finance — After consideration on the merits, the Committee recommends that **HB18-1144** 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 **SB18-062** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-023** be postponed indefinitely.

Health & Human Services — After consideration on the merits, the Committee recommends that **SB18-161** 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 **SB18-084** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

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

(a) Human trafficking is a serious problem in Colorado and across the nation;

(b) Among the diverse populations affected by human trafficking, children and youth, especially homeless and runaway youth, are particularly at risk of being trafficked for sex and involuntary labor;

(c) Children and youth who are forced into involuntary servitude and commercial sexual activity are more properly identified as victims and not as criminals; and

(d) Human trafficking in all forms creates a cycle of violence and impacts victims, families, and communities.

(2) The general assembly further finds and declares that:

(a) As a result of the diverse systems that touch these children's and youth's lives, professionals in the child welfare, law enforcement, treatment, nonprofit, and faith-based communities must collaborate to develop a multidisciplinary approach to protect children and youth who are victims of human trafficking. This multidisciplinary approach needs to emphasize prevention, protection, prosecution, and partnerships.

(b) Protecting children and youth who are victims of human trafficking from further trauma by recognizing them as victims rather than criminals is beneficial for the children and youth involved and therefore in the public interest.

(3) It is therefore the intent of the general assembly to:

(a) Offer pathways that direct victimized children and youth away from juvenile delinquency by making available to those children and youth appropriate and comprehensive rehabilitative services;

(b) Offer protection and provide consistency in the treatment, care, and support of children and youth who are victims of human trafficking so they may continue to heal from the traumatic environment of being trafficked in a restorative justice manner; and

(c) Help create a safe haven for children and youth who are victims of human trafficking to come forward without fear and identify their traffickers and perpetrators.

(4) Now, therefore, the general assembly joins the federal government and other states around the nation in passing legislation to further combat human trafficking and protect children and youth who are victims of human trafficking.

SECTION 2. In Colorado Revised Statutes, 19-1-103, **amend** (1)(a) introductory portion, (1)(a)(VIII), and (71); and **add** (62.5) and (62.6) as follows:

19-1-103. Definitions. As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(1) (a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this ~~title~~ TITLE 19, means an act or omission in one of the following categories that threatens the health or welfare of a child:

(VIII) Any case in which a child is subjected to HUMAN TRAFFICKING OF A MINOR FOR INVOLUNTARY SERVITUDE, AS DESCRIBED IN SECTION 18-3-503, OR human trafficking of a minor for sexual servitude, as described in ~~section 18-3-504, C.R.S.~~ SECTION 18-3-504 (2).

(62.5) "HUMAN TRAFFICKING OF A MINOR FOR INVOLUNTARY SERVITUDE" MEANS AN ACT AS DESCRIBED IN SECTION 18-3-503.

(62.6) "HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE" MEANS AN ACT AS DESCRIBED IN SECTION 18-3-504 (2).

(71) (a) "Juvenile delinquent", as used in article 2 of this ~~title~~ TITLE 19, means a juvenile who has been found guilty of a delinquent act.

(b) "JUVENILE DELINQUENT" DOES NOT INCLUDE A JUVENILE WHO IS ALLEGED TO HAVE COMMITTED A DELINQUENT ACT, AS DEFINED IN SUBSECTION (71)(c) OF THIS SECTION, WHILE A VICTIM OF:

(I) SEXUAL EXPLOITATION OF A CHILD, AS DESCRIBED IN SECTION 18-6-403 (3);

(II) HUMAN TRAFFICKING OF A MINOR FOR INVOLUNTARY SERVITUDE, AS DESCRIBED IN SECTION 18-3-503; OR

(III) HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN SECTION 18-3-504 (2).

(c) FOR THE PURPOSES OF SUBSECTION (71)(b) OF THIS SECTION ONLY, "DELINQUENT ACT" INCLUDES:

(I) ANY MISDEMEANOR OR DRUG MISDEMEANOR OFFENSE IF THE MISDEMEANOR OFFENSE IS NOT A CRIME DEFINED IN SECTION 24-4.1-302 (1); OR

(II) ANY PETTY OR DRUG PETTY OFFENSE; OR

(III) ANY COMPARABLE MUNICIPAL ORDINANCE VIOLATION.

SECTION 3. In Colorado Revised Statutes, 18-3-504, **amend** (1)(a) and (2)(a); and **add** (2.7) as follows:

18-3-504. Human trafficking for sexual servitude - human trafficking of a minor for sexual servitude - affirmative defense - immunity - definition. (1) (a) A person ~~who~~ COMMITS HUMAN TRAFFICKING FOR SEXUAL SERVITUDE IF HE OR SHE knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, or obtains by any means another person for the purpose of coercing the person to engage in commercial sexual activity. ~~commits human trafficking for sexual servitude.~~

(2) (a) A person ~~who~~ COMMITS HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE IF HE OR SHE:

(I) Knowingly sells, recruits, harbors, transports, transfers, isolates, entices, provides, receives, obtains by any means, maintains, or makes available a minor for the purpose of commercial sexual activity; ~~commits human trafficking of a minor for sexual servitude.~~ OR

(II) ~~A person who~~ Knowingly advertises, offers to sell, or sells travel services that facilitate an activity prohibited pursuant to subsection (2)(a)(I) of this section. ~~commits human trafficking of a minor for sexual servitude.~~

(2.7) (a) A MINOR WHO IS ALLEGED TO HAVE COMMITTED CERTAIN DELINQUENT ACTS, AS DEFINED IN SUBSECTION (2.7)(b) OF THIS SECTION, IS IMMUNE FROM CRIMINAL LIABILITY OR ANY DELINQUENCY PROCEEDING FOR SUCH DELINQUENT ACT IF THE ALLEGED DELINQUENT ACT OCCURRED WHILE THE MINOR WAS A VICTIM OF:

(I) SEXUAL EXPLOITATION OF A CHILD, AS DESCRIBED IN SECTION 18-6-403 (3);

(II) HUMAN TRAFFICKING OF A MINOR FOR INVOLUNTARY SERVITUDE, AS DESCRIBED IN SECTION 18-3-503; OR

(III) HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE, AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

(b) FOR THE PURPOSES OF THIS SUBSECTION (2.7) ONLY, "DELINQUENT ACT" INCLUDES:

(I) ANY MISDEMEANOR OR DRUG MISDEMEANOR OFFENSE IF THE MISDEMEANOR OFFENSE IS NOT A CRIME DEFINED IN SECTION 24-4.1-302 (1); OR

(II) ANY PETTY OR DRUG PETTY OFFENSE; OR

(III) ANY COMPARABLE MUNICIPAL ORDINANCE VIOLATION.

(c) FOR A DELINQUENT ACT OR ACTS FOR WHICH A MINOR IS GRANTED IMMUNITY PURSUANT TO THIS SUBSECTION (2.7), THE PROSECUTOR SHALL REFRAIN FROM FILING DELINQUENCY OR ANY OTHER CRIMINAL PROCEEDINGS AGAINST THE MINOR WHEN IT IS DETERMINED BY THE PROSECUTION, BY A PREPONDERANCE OF THE EVIDENCE, THAT THE ALLEGED DELINQUENT ACT OR ACTS OCCURRED WHILE THE MINOR WAS A VICTIM OF ANY CRIME ENUMERATED IN SUBSECTIONS (2.7)(a)(I) TO (2.7)(a)(III) OF THIS SECTION.

(d) IF A MINOR IS CHARGED IN DELINQUENCY OR OTHER CRIMINAL PROCEEDINGS, THE MINOR MAY ASSERT, AT ANY TIME PRIOR TO TRIAL, THAT HE OR SHE IS ENTITLED TO IMMUNITY PURSUANT TO THE PROVISIONS OF SUBSECTION (2.7)(a) OF THIS SECTION. THE MINOR SHALL DEMONSTRATE BY A PREPONDERANCE OF THE EVIDENCE THAT HE OR SHE ENGAGED IN THE CONDUCT ALLEGED IN THE DELINQUENCY OR OTHER CRIMINAL PROCEEDING WHILE HE OR SHE WAS A VICTIM OF ANY CRIME ENUMERATED IN SUBSECTIONS (2.7)(a)(I) TO (2.7)(a)(III) OF THIS SECTION. THE MINOR IS ENTITLED TO A PRETRIAL DETERMINATION OF STATUTORY IMMUNITY WITHIN THIRTY DAYS OF THE FILING OF THE

MOTION. IF DENIED BY THE COURT, THE MINOR MAY RAISE AN IMMUNITY DEFENSE OR AN AFFIRMATIVE DEFENSE.

SECTION 4. In Colorado Revised Statutes, 18-7-201, **amend** (1) as follows:

18-7-201. Prostitution prohibited. (1) Any person, EIGHTEEN YEARS OF AGE OR OLDER, who performs or offers or agrees to perform any act of sexual intercourse, fellatio, cunnilingus, masturbation, or anal intercourse with any person not his OR HER spouse in exchange for money or other thing of value commits prostitution.

SECTION 5. In Colorado Revised Statutes, 18-7-202, **amend** (1) introductory portion as follows:

18-7-202. Soliciting for prostitution. (1) ~~A person~~ ANY PERSON, EIGHTEEN YEARS OF AGE OR OLDER, commits soliciting for prostitution if he OR SHE:

SECTION 6. In Colorado Revised Statutes, **amend** 18-7-207 as follows:

18-7-207. Prostitute making display. Any person, EIGHTEEN YEARS OF AGE OR OLDER, who by word, gesture, or action endeavors to further the practice of prostitution in any public place or within public view commits a class 1 petty offense.

SECTION 7. In Colorado Revised Statutes, **add** 18-7-201.4 as follows:

18-7-201.4. Presumption of victim of human trafficking of a minor for sexual servitude - provision of services - reporting. (1) ANY PERSON LESS THAN EIGHTEEN YEARS OF AGE WHO ENGAGES IN CONDUCT THAT WOULD CONSTITUTE AN OFFENSE PURSUANT TO SECTION 18-7-201, 18-7-202, 18-7-207, OR 18-3-504 IF SUCH PERSON WERE AN ADULT MUST BE REFERRED TO THE APPROPRIATE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES OR THE CHILD WELFARE HOTLINE CREATED PURSUANT TO SECTION 26-5-111.

(2) IF A LAW ENFORCEMENT OFFICER ENCOUNTERS A PERSON WHO IS LESS THAN EIGHTEEN YEARS OF AGE WHO IS ALLEGED TO HAVE COMMITTED ANY DELINQUENCY OFFENSE AND THERE IS PROBABLE CAUSE TO BELIEVE THAT SUCH PERSON IS A VICTIM OF HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE PURSUANT TO SECTION 18-3-504 (2), THE LAW ENFORCEMENT OFFICER OR COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL:

(a) IMMEDIATELY REPORT A SUSPECTED VIOLATION OF HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE TO THE APPROPRIATE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES OR THE CHILD WELFARE HOTLINE CREATED PURSUANT TO SECTION 26-5-111. THE COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL SUBSEQUENTLY FOLLOW THE REPORTING REQUIREMENTS SET FORTH IN SECTION 19-3-308 (4)(c).

(b) WITHIN A REASONABLE TIME FRAME, CONTACT OR CAUSE TO BE CONTACTED, IN WRITING:

(I) THE PERSON'S GUARDIAN AD LITEM, AS DEFINED IN SECTION 13-91-103 (4), IF A GUARDIAN AD LITEM HAS BEEN APPOINTED BY THE COURT;

(II) A COURT-APPOINTED SPECIAL ADVOCATE, AS DEFINED IN SECTION 13-91-103 (3), IF ONE HAS BEEN APPOINTED BY THE COURT; OR

(III) A SPECIALIZED VICTIM'S ADVOCATE, AS DEFINED IN SECTION 13-90-107 (1)(k)(II) OR OTHER CHILD ADVOCATE PROVIDED BY THE JURISDICTION; AND

(c) IMMEDIATELY IMPOSE THE PRESUMPTION THAT THE PERSON IS A VICTIM OF HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE AS SET FORTH IN SUBSECTION (1) OF THIS SECTION AND NOTIFY THE PERSON'S ATTORNEY, IN WRITING, IF ANY, THAT HE OR SHE MAY BE A VICTIM OF HUMAN TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE.

SECTION 8. Act subject to petition - effective date. This act takes effect January 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 2018 and, in such case, will take

effect on January 1, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-132** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike line 6 and substitute:

"(1) (a) THE COMMISSIONER SHALL CONDUCT AN ACTUARIAL ANALYSIS TO DETERMINE IF THE SALE OF CATASTROPHIC HEALTH PLANS TO PERSONS THIRTY YEARS OF AGE AND OLDER WHO DO NOT MEET A HARDSHIP REQUIREMENT WOULD RESULT IN A REDUCTION IN THE TOTAL AMOUNT OF ADVANCED PREMIUM TAX CREDITS RECEIVED BY COLORADO RESIDENTS OR WOULD INCREASE THE AVERAGE PREMIUMS OF INDIVIDUAL HEALTH PLANS IN COLORADO. IF THE ACTUARIAL ANALYSIS DEMONSTRATES THAT THE TOTAL AMOUNT OF ADVANCED PREMIUM TAX CREDITS RECEIVED BY COLORADO RESIDENTS WILL NOT DECLINE AND THE AVERAGE PREMIUMS OF INDIVIDUAL HEALTH PLANS IN COLORADO WILL NOT INCREASE, THEN THE COMMISSIONER SHALL APPLY TO THE SECRETARY FOR A".

Page 3, strike line 13 and substitute "THAT:

(I) OFFERING CATASTROPHIC HEALTH PLANS TO INDIVIDUALS THIRTY".

Page 3, strike line 16 and substitute "REQUEST;

(II) HEALTH BENEFIT PLANS ISSUED IN ACCORDANCE WITH THE WAIVER MAY ONLY BE OFFERED AND SOLD THROUGH THE HEALTH BENEFIT EXCHANGE; AND

(III) HEALTH BENEFIT PLANS ISSUED IN ACCORDANCE WITH THE WAIVER ARE NOT ELIGIBLE FOR ADVANCED PREMIUM TAX CREDITS.".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-074** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 8, strike "(4) (a)" and substitute "(4)".

Page 2, line 10, strike "(I)" and substitute "(a)".

Page 2, line 14, strike "(II)" and substitute "(b)".

Page 2, line 16, strike "NO" and substitute "NOT CURRENTLY A".

Page 2, line 18, strike "(III)" and substitute "(c)".

Page 2, line 20, strike "(IV)" and substitute "(d)".

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

Page 3, strike lines 6 through 27 and substitute "DISABILITY.".

Page 4, strike lines 1 through 20.

Renumber succeeding sections accordingly.

Page 4, strike lines 22 and 23 and substitute "(1), (3.3)(a), and (3.3)(c)(II) as follows:".

Page 5, strike lines 2 through 11.

Page 6, strike lines 1 through 15.

Page 1, strike lines 103 and 104 and substitute "**DEVELOPMENTAL DISABILITIES.**".

SENATE SERVICES REPORT

Correctly Engrossed: SB18-010, 033, 079, 106, 107, 129, 138, and 154.
Correctly Revised: HB18-1075, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, and 1173.

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

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

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

SB18-138 by Senator(s) Gardner and Kerr; also Representative(s) Gray and Liston--Concerning authorization for retail sellers of alcohol beverages for on-premises consumption to sell remaining inventory to another on-premises retail seller of alcohol beverages with whom there is common ownership when no longer licensed to sell alcohol beverages for on-premises consumption.

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

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

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

Co-sponsor(s) added: Fields, Grantham, Marble, Moreno, Neville T., Smallwood, Tate, Todd, and Zenzinger.

SB18-079 by Senator(s) Guzman; also Representative(s) Pabon--Concerning classifying sake as a vinous liquor for the purposes of 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Fenberg, Fields, Grantham, Marble, Merrifield, Moreno, Neville T., Smallwood, and Tate.

SB18-107 by Senators Zenzinger, Martinez Humenik, Moreno, Tate; also Representatives Thurlow, Arndt, Hooton, McKean--Concerning the repeal of procedures to fill vacancies in candidate nominations for elections conducted under the "Colorado Municipal Code of 1965".

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

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

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

Co-sponsor(s) added: Fields.

HB18-1075 by Representative(s) Lee and Herod, Foote, Willett, Wist; also Senator(s) Kagan and Cooke, Gardner, Guzman, Holbert--Concerning the enactment of Colorado Revised Statutes 2017 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Tate.

SB18-154 by Senator(s) Fields; also Representative(s) Salazar--Concerning a requirement for a local juvenile services planning committee to devise a plan to manage dually identified crossover youth.

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

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

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

Co-sponsor(s) added: Aguilar, Court, Donovan, Garcia, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

SB18-010 by Senator(s) Martinez Humenik and Williams A., Aguilar, Donovan, Kefalas, Merrifield, Priola, Tate, Court, Fenberg, Fields, Guzman, Kagan, Kerr, Todd, Zenzinger; also Representative(s) Exum, Benavidez, Coleman, Herod, Kennedy, Roberts, Rosenthal, Becker K., Buckner, Singer, Weissman, Lee--Concerning the requirement that a residential landlord provide a tenant with specified documents relevant to the landlord-tenant relationship, and, in connection therewith, specifying rent receipts and copies of any written lease agreement as documents that must be provided.

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

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Jones and Moreno.

SB18-106 by Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger; also Representative(s) Thurlow, Arndt, Gray, Hooton, McKean--Concerning obsolete statutory provisions related to a local government's pledging of sales or use tax revenues to pay for revenue bonds issued for the purpose of financing capital improvements.

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

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

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

Co-sponsor(s) added: Kefalas.

SB18-033 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the continuation of the animal feeding operation permit program under 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	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Coram, Crowder, Garcia, Grantham, Guzman, Jahn, Merrifield, and Moreno.

HB18-1159 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of education.

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

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

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

Co-sponsor(s) added: Aguilar, Crowder, Fields, Garcia, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, Williams A., and Zenzinger.

HB18-1165 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Todd.

HB18-1166 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

HB18-1168 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of state.

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

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

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

HB18-1169 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

HB18-1170 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Garcia, Jones, Kefalas, Todd, and Zenzinger.

HB18-1173 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental transfer of money from the general fund to the information technology capital account of the capital construction fund for the 2017-18 state fiscal year.

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

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: 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:

SB18-129 by Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger; also Representative(s) Arndt, Hooton, McKean, Thurlow--Concerning the nonsubstantive reorganization of the law exempting from state sales tax certain drugs and medical and therapeutic devices.

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

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

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

Co-sponsor(s) added: Crowder, Fields, Jones, Kefalas, Lundberg, Marble, Merrifield, and Todd.

HB18-1160 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Jones, Zenzinger.

HB18-1161 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Garcia, Kagan, and Zenzinger.

HB18-1162 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Fields, Garcia, Kefalas, Merrifield, Todd, and Zenzinger.

HB18-1163 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Kagan.

HB18-1164 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

HB18-1167 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Upon request of Majority Leader Holbert, **SB18-165** and **SB18-136** were removed from the General Orders--Second Reading of Bills--Consent Calendar of Friday, February 16, and were placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, February 16.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Friday, February 16 was laid over until Tuesday, February 20, retaining its place on the calendar.

General Orders--Second Reading of Bills: SB18-022, SB18-128, SB18-144, SB18-003, SB18-007, SB18-045, SB18-066, HB18-1171, SB18-165, SB18-136.

MESSAGE FROM THE HOUSE

February 16, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1130, amended as printed in House Journal, February 15, 2018.

The House has passed on Third Reading and returns herewith SB18-019, 041.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Tuesday, February 20, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

41st Legislative Day Monday, February 19, 2018

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF PRESIDENTS' DAY

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

42nd Legislative Day Tuesday, February 20, 2018

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

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

Roll Call — Present--33
Excused--2, Court, Jones.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Friday, February 16, 2018, 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 **SB18-065** be postponed indefinitely.

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

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2021:

Donna Lee Griego of Alamosa, Colorado, to serve as a representative of Alamosa County and as a Democrat, appointed;

Kathleen J. Rogers of Alamosa, Colorado, to serve as a representative of Alamosa County and as an Unaffiliated, reappointed;

Randy Wright of Alamosa, Colorado, to serve as a Republican, reappointed.

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

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

for a term expiring December 31, 2018:

Richard L. Monfort of Greeley, Colorado, a Republican, reappointed;

for a term expiring December 31, 2021:

Christine M. Scanlan of Dillon, Colorado, a Democrat, reappointed.

SENATE SERVICES REPORT

Correctly Reengrossed: SB18-010, 033, 079, 106, 107, 129, 138, and 154.
Correctly Rerevised: HB18-1075, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, and 1173.
Correctly Enrolled: SB18-019, 034, and 041; SJM18-003.

MESSAGE FROM THE HOUSE

February 16, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1011, as printed in House Journal, February 16, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

February 16, 2018

We herewith transmit:

With comment, as amended, HB18-1130.

Committee of the Whole

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

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

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

SB18-149 by Senator(s) Gardner; also Representative(s) Gray and Herod--Concerning records of the board of directors of the Denver health and hospital authority.

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-149.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, SB18-043, SB18-022, SB18-007, HB18-1171, SB18-125, from the General Orders--Second Reading of Bills Calendar of Tuesday, February 20, were laid over until Wednesday, February 21, retaining their place on the calendar.

Committee of the Whole

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-128 by Senator(s) Gardner; also Representative(s) Liston--Concerning a restriction on a state agency's authority to increase a fee.

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

SB18-144 by Senator(s) Kerr; also Representative(s) Willett--Concerning the regulation of bicycles approaching intersections.

Amendment No. 1(L.001), by Senator Kerr.

Amend printed bill, page 2, strike lines 8 and 9.

Reletter succeeding paragraphs accordingly.

Page 2, strike line 11 and substitute "BOTH THE STATE AND LOCAL LEVELS, WITH MUNICIPAL STREETS AND COUNTY ROADS UNDER LOCAL JURISDICTION AND STATE HIGHWAYS UNDER STATE CONTROL;".

Page 2, line 14, strike "HAS" and substitute "MAY HAVE".

Amendment No. 2(L.002), by Senator Gardner.

Amend printed bill, page 2, line 17, after "SECTION." insert "AN ORDINANCE OR RESOLUTION ADOPTED PURSUANT TO THIS SECTION SHALL NOT APPLY TO ANY PORTION OF THE STATE HIGHWAY SYSTEM AS DEFINED IN SECTION 43-2-101 (1).".

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

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-003, SB18-045, SB18-066, SB18-165, SB18-136, SB18-130, SB18-160, SB18-151, SB18-099, SB18-026, SB18-156) of Tuesday, February 20, was laid over until Wednesday, February 21, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-128, SB18-144 as amended.
Laid over until Wednesday, February 21: SB18-003, SB18-045, SB18-066, SB18-165, SB18-136, SB18-130, SB18-160, SB18-151, SB18-099, SB18-026, SB18-156.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
STATE BOARD OF PAROLE

for terms expiring July 1, 2020:

Denise Katherine Balazic of Aurora, Colorado, to serve as a parole or probation representative, reappointed;

Brandon W. Mathews, DM of Colorado Springs, Colorado, to serve as a citizen representative, reappointed.

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

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 21, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

43rd Legislative Day Wednesday, February 21, 2018

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--28
Absent--1, Todd.
Excused--6, Court, Hill, Kagan, Martinez Humenik, Smallwood, Tate.
Present later--5, Hill, Martinez Humenik, Smallwood, Tate, Todd.

Quorum — The President announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Tuesday, February 20, 2018, 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 **SB18-146** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-128, 144, and 149.

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:

SB18-149 by Senator(s) Gardner; also Representative(s) Gray and Herod--Concerning records of the board of directors of the Denver health and hospital authority.

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

YES	30	NO	0	EXCUSED	5	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	E
Court	E	Holbert	Y	Martinez Humenik	E	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Jahn, Lambert, and Moreno.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders--Second Reading of Bills--Consent Calendar.

Committee of the Whole

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

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

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

SB18-141 by Senator(s) Court; also Representative(s) Wilson--Concerning voluntary contribution designations on the Colorado individual income tax return form.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 16, pages 255-256 and placed in members' bill files.)

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

HB18-1144 by Representative(s) Thurlow, Arndt, Hooton, McKean; also Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger--Concerning certain publishing requirements for the department of revenue's "Disclosure of Average Taxes Paid" table.

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

SB18-161 by Senator(s) Smallwood, Aguilar, Gardner, Kefalas, Neville T., Priola, Tate; also Representative(s) Kraft-Tharp and Landgraf--Concerning repeal of the behavioral health transformation council.

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

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

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	E	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-141 as amended, SB18-161, HB18-1144.

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:

SB18-128 by Senator(s) Gardner; also Representative(s) Liston--Concerning a restriction on a state agency's authority to increase a fee.

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

YES	26	NO	7	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	E	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	N	Jones	Y	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	E	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Hill, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, Sonnenberg, and Tate.

SB18-144 by Senator(s) Kerr; also Representative(s) Willett--Concerning the regulation of bicycles approaching intersections.

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

YES	18	NO	15	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	E	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsors added: Aguilar, Fenberg, Guzman, Hill, Kefalas, Merrifield, and Williams A.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Local Government

After consideration on the merits, the Committee recommends that **HB18-1041** 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 Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB18-022 by Senator(s) Tate and Aguilar, Lambert; also Representative(s) Pettersen and Kennedy, Singer--Concerning clinical practice measures for safer opioid prescribing.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 9, pages 182-185 and placed in members' bill files.)

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

SB18-007 by Senator(s) Tate and Guzman, Court, Fenberg, Fields, Jones, Merrifield, Todd, Zenzinger; also Representative(s) Duran and Becker J.--Concerning the Colorado affordable housing tax credit, and, in connection therewith, renaming the low-income housing tax credit the Colorado affordable housing tax credit and extending the period during which the Colorado housing and finance authority may allocate affordable housing tax credits.

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

HB18-1171 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 14, pages 229-235 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.)

SB18-125 by Senator(s) Gardner and Kagan; --Concerning fiduciary responsibilities of title insurance entities to protect funds held in conjunction with real estate closing settlement services.

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

SB18-066 by Senator(s) Sonnenberg and Garcia, Baumgardner, Coram, Crowder, Donovan, Fenberg, Guzman, Jahn, Jones, Kefalas, Martinez Humenik, Priola; also Representative(s) Arndt and Wist, Becker K., Carver, Esgar, Gray, Kennedy, Landgraf, Liston, Reyher, Roberts--Concerning an extension of the operation of the state lottery division beyond July 1, 2024.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, January 31, page 115 and placed in members' bill files.)

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

SB18-165 by Senator(s) Neville T. and Todd, Donovan, Smallwood; also Representative(s) Winter and Saine, Kraft-Tharp--Concerning requirements for public administrators.

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

SB18-136 by Senator(s) Neville T., Lundberg, Smallwood, Tate; also Representative(s) Kraft-Tharp and Sias, Humphrey--Concerning fees for advising clients about the selection of an individual health benefit plan.

Amendment No. 1(L.002), by Senator Neville.

Amend printed bill, page 2, line 21, strike "DISCLOSES TO THE CLIENT WHETHER" and substitute "PROVIDES A WRITTEN DISCLOSURE TO THE CLIENT IF".

Page 2, line 25, after "(5)." add "THE RULES SHALL INCLUDE A PROHIBITION ON AN INSURANCE PRODUCER CHARGING A FEE TO ASSIST A CLIENT TO ENROLL IN MEDICAID, AS DEFINED IN SECTION 10-22-103 (8), OR THE CHILDREN'S BASIC HEALTH PLAN, AS DEFINED IN SECTION 25.5-8-103 (8).".

Page 3, line 27, strike "DISCLOSES TO THE CLIENT WHETHER" and substitute "PROVIDES A WRITTEN DISCLOSURE TO THE CLIENT IF".

Page 4, line 4, after "(3)." add "THE RULES SHALL INCLUDE A PROHIBITION ON A BROKER CHARGING A FEE TO ASSIST A CLIENT TO ENROLL IN MEDICAID OR THE CHILDREN'S BASIC HEALTH PLAN, AS DEFINED IN SECTION 25.5-8-103 (2).".

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

SB18-130 by Senator(s) Smallwood; also Representative(s) McKean--Concerning the repeal of the requirement that health insurance carriers report average reimbursement rates for inpatient care to the division of insurance.

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

SB18-160 by Senator(s) Lambert; also Representative(s) Hamner--Concerning the authority to operate certain teacher development programs, and, in connection therewith, establishing alternative licensure programs and induction programs.

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

SB18-151 by Senator(s) Fields and Priola; also Representative(s) Buckner and Wilson--Concerning department of education research to develop bullying policies.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 15, page 239 and placed in members' bill files.)

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

SB18-099 by Senator(s) Merrifield and Priola, Martinez Humenik; also Representative(s) Pettersen and Wilson, Buckner--Concerning the alignment of early childhood quality improvement programs with the Colorado shines quality rating and improvement system.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 15, page 239 and placed in members' bill files.)

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

SB18-003 by Senator(s) Scott, Grantham, Holbert; also Representative(s) Hansen and Becker J.--Concerning the Colorado energy office.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, January 19, page 52 and placed in members' bill files.)

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

Amend printed bill, page 17, line 15, after "coal," insert "PROPANE,".

Page 43, strike lines 17 through 27 and substitute:

"**SECTION 12.** In Colorado Revised Statutes, 38-35.7-106, **amend** (2) and (4); and **repeal** (3) and (5) as follows:

38-35.7-106. Solar prewire option - solar consultation. (2) Every person that builds a new single-family detached residence for sale, whether or not the residence has been prewired for a photovoltaic solar generation system, shall provide to every buyer under contract a list of businesses in the area that offer residential solar installation services so that the buyer, if he or she so desires, can obtain expert help in assessing whether the residence is a good candidate for solar installation and how much of a cost savings a residential photovoltaic solar generation system could provide. The list of businesses shall be derived from a master list of Colorado solar installers maintained by the ~~Colorado energy office~~ COLORADO SOLAR ENERGY INDUSTRIES ASSOCIATION, OR A SUCCESSOR ORGANIZATION.".

Page 44, strike lines 1 and 2.

Page 44, strike lines 9 through 13 and substitute:

"(4) Providing the master list of solar installers prepared by the ~~Colorado energy office~~ COLORADO SOLAR ENERGY INDUSTRIES ASSOCIATION, OR A SUCCESSOR ORGANIZATION, to a buyer under contract shall not constitute an endorsement of any installer or contractor listed. A person that builds a new single-family detached residence shall not be liable for any advice, labor, or materials provided to the buyer by a third-party solar installer.".

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.)

SB18-045 by Senator(s) Lundberg, Neville T.; also Representative(s) Ransom--Concerning the repeal of the "Architectural Paint Stewardship Act".

Amendment No. 1, Appropriations Committee Amendment. (Printed in Senate Journal, February 14, page 227 and placed in members' bill files.)

As amended, **lost** on second reading.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-026, SB18-156, SB18-062, SB18-043) of Wednesday, February 21, was laid over until Thursday, February 22, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB18-1171 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing an appropriation.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.004) to HB 18-1171, did pass.

Strike the Appropriations Committee Report, dated February 14, 2018.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	14	NO	19	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	E	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB18-003 by Senator(s) Scott, Grantham, Holbert; also Representative(s) Hansen and Becker J.--Concerning the Colorado energy office.

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.004) to SB 18-003, did pass.

Amend the Agriculture, Natural Resources, & Energy Committee Report, dated January 18, 2018, page 1, after line 3 insert:

"Page 17, line 6, after "(a)" insert "(I)".

Page 17, line 8, strike "(I)" and substitute "(A)".

Page 17, line 10, strike "(II)" and substitute "(B)".

Page 17, line 12, strike "(III)" and substitute "(C)".

Page 17, line 14, strike "(IV)" and substitute "(D)".

Page 17, line 16, strike "(V)" and substitute "(E)".

Page 17, line 17, strike "(VI)" and substitute "(F)".

Page 17, line 19, strike "(VII)" and substitute "(G)".".

Page 1 of the committee report, strike line 7 and substitute:

""(H) ENERGY STORAGE SYSTEMS.

(II) IN PROMOTING TRADITIONAL ENERGY SOURCES, THE OFFICE SHALL NOT PROMOTE ACTIVITIES THAT COULD NEGATIVELY IMPACT THE HEALTH AND SAFETY OF COLORADANS.".".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	14	NO	19	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	E	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	E	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: SB18-022 as amended, SB18-007, SB18-066 as amended, SB18-165, SB18-136 as amended, SB18-130, SB18-160, SB18-151 as amended, SB18-099 as amended, SB18-003 as amended, HB18-1171 as amended.
Lost on second reading: SB18-045 as amended.
Laid over until Thursday, February 22: SB18-125, SB18-026, SB18-156, SB18-062, SB18-043.

MESSAGE FROM THE HOUSE

February 21, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1091, 1183, 1134, 1210.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1227, 1047, 1103, 1138, amended as printed in House Journal, February 20, 2018.

The House has passed on Third Reading and returns herewith SB18-054, 025, 067.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-050, amended as printed in House Journal, February 20, 2018.

The House has voted to concur in the Senate amendments to HB18-1165 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

February 21, 2018

We herewith transmit:

Without comment, HB18-1091, 1134, 1183, and 1210.
Without comment, as amended, HB18-1047, 1103, and 1227.
Without comment, as amended, SB18-050.
With comment, as amended, HB18-1138.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1022, 1031.

Senate in recess. Senate reconvened.

LETTERS OF APPOINTMENT

Appointment A letter of designation and appointment was read and assigned to committee as follows:

February 12, 2018

The Honorable Kevin J. Grantham
President of the Colorado State Senate
Colorado State Capitol
200 East Colfax, Room 346
Denver, Colorado 80203

Dear President Grantham:

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 5th Congressional District: Philip Lane, for a term effective June 1, 2017 and continuing until May 31, 2021 (or until his successor is appointed by the Board of Regents). This will be Mr. Lane's first term on the Hospital Authority Board of Directors.

This appointment was approved by the Board of Regents at the June 16, 2017 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: 2/12/2018
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR18-1011 by Representative(s) Exum and Landgraf; also Senator(s) Merrifield--Concerning the designation of U.S. Highway 85-87 from Interstate 25 to Comanche Village Drive as the "Reverend James H. McMearn 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:

SB18-168 by Senator(s) Tate; --Concerning payment reform in the medical assistance program to provide access to medication-assisted treatment for the prevention of relapse for persons suffering from substance use disorders.
Business, Labor, & Technology

SB18-169 by Senator(s) Gardner; also Representative(s) Carver--Concerning offenses against witnesses in noncriminal proceedings.
Judiciary

SB18-170 by Senator(s) Sonnenberg; also Representative(s) Hansen and McKean--Concerning a water court process by which an owner of a storage water right allowing water to be stored in new reservoir capacity may release water into an identified stream reach in a manner that protects the water releases while complying with mitigation measures identified in a fish and wildlife mitigation plan approved by the Colorado water conservation board.
Agriculture, Natural Resources, & Energy

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.
Business, Labor, & Technology

SB18-172 by Senator(s) Gardner; also Representative(s) Lee--Concerning testing of horse racing licensees for the presence of prohibited substances.
Agriculture, Natural Resources, & Energy

SB18-173 by Senator(s) Gardner, Fenberg; also Representative(s) Herod--Concerning the ability of certain establishments licensed to sell alcohol beverages for on-premises consumption that serve food to allow a customer to remove one opened container of partially consumed vinous liquor from the licensed premises.
Business, Labor, & Technology

SB18-174 by Senator(s) Gardner; --Concerning liability of entities that provide services to persons with developmental disabilities in residential settings.
Local Government

SB18-175 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning the prohibition against paid union activities by public employees.
Business, Labor, & Technology

SB18-176 by Senator(s) Coram; also Representative(s) McLachlan and Catlin--Concerning changes to the requirements for meeting dates for the board of the southwestern water conservation district.
Agriculture, Natural Resources, & Energy

SB18-177 by Senator(s) Priola and Todd; --Concerning procedures when certain private schools cease operations.
Education

SB18-178 by Senator(s) Smallwood; also Representative(s) Kraft-Tharp--Concerning the definition of similar coverage for workers' compensation for certain operators of commercial vehicles.
Business, Labor, & Technology

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Lontine, Melton, Rosenthal, Sias, Williams D.--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.
Finance

SB18-180 by Senator(s) Gardner; also Representative(s) Wist and Gray--Concerning the Colorado trust code.
Judiciary

HB18-1012 by Representative(s) Becker J. and Lontine, Gray, Singer, Valdez; also Senator(s) Lundberg and Aguilar, Crowder, Kefalas, Sonnenberg--Concerning vision care plans for eye care services.
Health & Human Services

HB18-1032 by Representative(s) Kennedy and Thurlow; also Senator(s) Fields and Tate--Concerning access to medical records from the department of public health and environment's EMS agency patient care database by health information organization networks.
Health & Human Services

HB18-1045 by Representative(s) Singer; also Senator(s) Tate--Concerning the application of silver diamine fluoride to dental patients.
Business, Labor, & Technology

HB18-1047 by Representative(s) Lontine; also Senator(s) Gardner--Concerning technical modifications to the "Fair Campaign Practices Act" to facilitate its administration.
State, Veterans, & Military Affairs

HB18-1051 by Representative(s) Hamner and Carver, Becker K., Exum, Singer, Thurlow; also Senator(s) Coram and Merrifield, Cooke, Jones--Concerning statutory provisions enacted to promote the extinguishment of unattended fires.
Agriculture, Natural Resources, & Energy

HB18-1056 by Representative(s) Van Winkle and Williams D., Ginal, Ransom; also Senator(s) Cooke--Concerning the statewide standard health history form that members of the fire and police pension association complete when commencing employment.
Business, Labor, & Technology

HB18-1073 by Representative(s) Gray; also Senator(s) Gardner--Concerning water districts' ability to enter into contracts regarding their water-related assets.
Agriculture, Natural Resources, & Energy

HB18-1091 by Representative(s) Beckman and Ginal; also Senator(s) Smallwood--Concerning dementia diseases, and, in connection therewith, updating statutory references to dementia diseases and related disabilities.
Health & Human Services

HB18-1103 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the ability of a local government to require a driver to meet safety standards for the use of an off-highway vehicle.
Transportation

HB18-1107 by Representative(s) Weissman; also Senator(s) Priola--Concerning a requirement that builders of new residences offer buyers the option to accommodate electric vehicle charging systems.
Transportation

HB18-1117 by Representative(s) Van Winkle and Coleman; also Senator(s) Tate--Concerning liens that attach to personal property that is stored at a self-service storage facility.
Business, Labor, & Technology

HB18-1130 by Representative(s) Williams D. and Arndt, Humphrey, Van Winkle, Leonard, Lundeen, Lewis, Beckman, Neville P., McKean, Buck, Saine, Everett, Liston, Covarrubias, Ransom, Reyher; also Senator(s) Gardner--Concerning increasing the availability of qualified personnel who are licensed in another state to teach in public schools.
Education

HB18-1137 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the scheduled repeal of reports to the general assembly, and, in connection therewith, continuing the requirements for reports by the department of transportation and the department of public safety.
Transportation

HB18-1138 by Representative(s) Arndt, Hooton, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning standardizing public official oaths of office, and, in connection therewith, providing a uniform oath text and establishing requirements for taking, subscribing, administering, and filing public oaths of office.
State, Veterans, & Military Affairs

HB18-1140 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger--Concerning public official personal surety bonds, and, in connection therewith, repealing obsolete provisions and authorizing the purchase of insurance in lieu of public official personal surety bonds.
State, Veterans, & Military Affairs

HB18-1183 by Representative(s) Hooton and Ransom, Beckman, Michaelson Jenet, Singer; also Senator(s) Baumgardner--Concerning the continuation of the regulation of home food service plans pursuant to the "Sale of Meat Act", and, in connection therewith, implementing the department of regulatory agencies' sunset review recommendation to repeal the act.
Agriculture, Natural Resources, & Energy

HB18-1210 by Representative(s) Foote; also Senator(s) Cooke--Concerning peace officer status for the administrator of judicial security in the Colorado judicial department.
Judiciary

HB18-1227 by Representative(s) Herod and Wist; also Senator(s) Cooke--Concerning the authority of the real estate commission to issue licenses for an initial period of less than three years.
Business, Labor, & Technology

HB18-1233 by Representative(s) Duran and Lawrence, Ransom; also Senator(s) Fenberg and Gardner--Concerning a consumer reporting agency's placement of a security freeze on the consumer report of a consumer who is under the charge of a representative at the request of the consumer's representative.
Judiciary

TRIBUTES

Honoring:

Students of Arvada K-8 -- By Senator Rachel Zenzinger.
Casey Andringa -- By Senator Steve Fenberg.
Ceal Barry -- By Senator Steve Fenberg.
Gunnison Nordic Club -- By Senator Kerry Donovan.
Human Trafficking Legislative Day -- By Senator John Kefalas.
Mary Lou Chapman -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Harry Charles Talbott -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Thomas Kourlis -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Dr. Lee Sommers -- By Senator Jerry Sonnenberg and Representative Jeni Arndt.
Gerald and Geraldine Lane -- By Senator Leroy Garcia.
William and Cynthia Bernal -- By Senator Leroy Garcia.
Denver Chinese School -- By Senator Irene Aguilar.
Cancer Screen Week -- Senator Beth Martinez Humenik and Senator Nancy Todd.
Sherry and Gary Antweiler -- By Senator Steve Fenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, February 22, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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

44th Legislative Day Thursday, February 22, 2018

Prayer — By the chaplain, Pastor Doug Toller, Winter Park Christian Church, Tabernash.

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

Roll Call — Present--32
Absent--1, Hill.
Excused--2, Grantham, Scott.
Present later--3, Grantham, Hill, Scott.

Quorum — The President Pro Tempore announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Wednesday, February 21, 2018, 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
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2023:

Joseph A. Hoff of Greeley, Colorado, to serve as a farmer or employer whose liability is insured by Pinnacol, reappointed; and

William Neish Lindsay III of Denver, Colorado, to serve as an employee of employer whose liability is insured by Pinnacol, appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1105** 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 **SB18-139** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-098** 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 3, strike "18-___," and substitute "18-098,".

Page 2, lines 6 and 7, strike "13-21-101, **amend** (1) as follows:" and

substitute "**amend** 13-21-101 as follows:".

Page 3, strike lines 6 through 8 and substitute "forth in subsections (3) and (4) of this section from the date ~~the action accrued and shall~~ OF JUDGMENT THROUGH THE DATE OF SATISFYING THE JUDGMENT AND MUST include compounding of interest annually. ~~from the date such suit was filed.~~

(2) (a) If a judgment for money in an action brought to recover damages for personal injuries is appealed by a judgment debtor and the judgment is affirmed, POSTJUDGMENT interest, as set out in subsections (3) and (4) of this section, ~~shall be~~ IS payable from the date ~~the action accrued until satisfaction of the judgment~~ OF JUDGMENT THROUGH THE DATE OF SATISFYING THE JUDGMENT.

(b) If a judgment for money in an action to recover damages for personal injuries is appealed by a judgment debtor and the judgment is modified or reversed with a direction that a judgment for money be entered in the trial court, POSTJUDGMENT interest, as set out in subsections (3) and (4) of this section, ~~shall be~~ IS payable from the date ~~the action accrued until the judgment is satisfied~~ OF JUDGMENT THROUGH THE DATE OF SATISFYING THE JUDGMENT. This POSTJUDGMENT interest ~~shall be~~ IS payable on the amount of the final judgment.

(3) The rate of POSTJUDGMENT interest ~~shall~~ MUST be certified on each January 1 by the secretary of state to be two percentage points above the discount rate, which discount rate ~~shall~~ MUST be the rate of interest a commercial bank pays to the federal reserve bank of Kansas City using a government bond or other eligible paper as security, and ~~shall be~~ rounded to the nearest full percent. Such annual rate of interest ~~shall be so~~ MUST BE established as of December 31, 1982, to become effective January 1, 1983. Thereafter, as of December 31 of each year, the annual rate of interest ~~shall~~ MUST be established in the same manner, ~~to become~~ effective on January 1 of the following year.

(4) The rate at which POSTJUDGMENT interest ~~shall accrue~~ ACCRUES during each year ~~shall be~~ IS the rate which the secretary of state has certified as the annual interest rate ~~under~~ PURSUANT TO subsection (3) of this section.".

Judiciary After consideration on the merits, the Committee recommends that **SB18-166** 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 11, strike "(1)(d)" and substitute "(1)(d); and **add** (1)(a.5) and (1)(d.5)".

Page 3, after line 9 insert:

"(a.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(a) OF THIS SECTION, THE MAXIMUM SENTENCE FOR A CLASS 2 MISDEMEANOR SHALL BE TWELVE MONTHS FOR:

(I) CRIMES AGAINST A PERSON, INCLUDING BUT NOT LIMITED TO FALSE IMPRISONMENT AS DESCRIBED IN SECTION 18-3-303 (2);

(II) CRIMES INVOLVING FAMILY RELATIONS COMMITTED AGAINST A CHILD, INCLUDING BUT NOT LIMITED TO CHILD ABUSE AS DESCRIBED IN SECTION 18-6-401; AND

(III) CRIMES INVOLVING FAMILY RELATIONS THAT INVOLVE DANGER TO A PERSON, INCLUDING BUT NOT LIMITED TO VIOLATION OF A PROTECTION ORDER AS DESCRIBED IN SECTION 18-6-803.5.".

Page 3, after line 27 insert:

"(d.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(d) OF THIS SECTION, THE MAXIMUM SENTENCE FOR A CLASS 2 DRUG MISDEMEANOR SHALL BE TWELVE MONTHS FOR CRIMES INVOLVING CONTROLLED SUBSTANCES, INCLUDING BUT NOT LIMITED TO UNLAWFUL USE OF A CONTROLLED SUBSTANCE AS DESCRIBED IN SECTION 18-18-404 (1)(a).".

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1010** 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 **HB18-1023** 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 23, line 14, strike "(2.5)(a)(I)" and substitute "~~(2.5)(a)(I)~~ (3)(a)(I)".

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1024** 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 **HB18-1026** 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 **HB18-1027** 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 **HB18-1039** 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 **HB18-1086** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **SB18-118** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB18-168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, and 180.
Correctly Engrossed: SB18-003, 007, 022, 066, 099, 130, 136, 141, 151, 160, 161, and 165.
Correctly Reengrossed: SB18-128, 144, and 149.
Correctly Revised: HB18-1144 and 1171.
Correctly Enrolled: SB18-025, 054, and 067.

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

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

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

SB18-141 by Senator(s) Court; also Representative(s) Wilson--Concerning voluntary contribution designations on the Colorado individual income tax return form.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kerr, Lundberg, Martinez Humenik, Merrifield, Tate, Todd, Williams A., and Zenzinger.

HB18-1144 by Representative(s) Thurlow, Arndt, Hooton, McKean; also Senator(s) Tate, Martinez Humenik, Moreno, Zenzinger--Concerning certain publishing requirements for the department of revenue's "Disclosure of Average Taxes Paid" table.

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

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

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

SB18-161 by Senator(s) Smallwood, Aguilar, Gardner, Kefalas, Neville T., Priola, Tate; also Representative(s) Kraft-Tharp and Landgraf--Concerning repeal of the behavioral health transformation 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Crowder, Martinez Humenik, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB18-022 by Senator(s) Tate and Aguilar, Lambert; also Representative(s) Pettersen and Kennedy, Singer--Concerning clinical practice measures for safer opioid prescribing.

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, Williams A., and Zenzinger.

SB18-007 by Senator(s) Tate and Guzman, Court, Fenberg, Fields, Jones, Merrifield, Todd, Zenzinger; also Representative(s) Duran and Becker J.--Concerning the Colorado affordable housing tax credit, and, in connection therewith, renaming the low-income housing tax credit the Colorado affordable housing tax credit and extending the period during which the Colorado housing and finance authority may allocate affordable housing tax credits.

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

YES	25	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	*	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

* Abstaining from voting under Senate Rule 17(c)--Majority Leader Holbert.

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

Co-sponsor(s) added: Aguilar, Donovan, Garcia, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, and Williams A.

HB18-1171 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing an appropriation.

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

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Holbert, Sonnenberg, and Tate.

SB18-066 by Senator(s) Sonnenberg and Garcia, Baumgardner, Coram, Crowder, Donovan, Fenberg, Guzman, Jahn, Jones, Kefalas, Martinez Humenik, Priola; also Representative(s) Arndt and Wist, Becker K., Carver, Esgar, Gray, Kennedy, Landgraf, Liston, Reyher, Roberts--Concerning an extension of the operation of the state lottery division beyond July 1, 2024.

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

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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

Co-sponsor(s) added: Aguilar, Court, Kerr, Merrifield, Moreno, and Zenzinger.

SB18-165 by Senator(s) Neville T. and Todd, Donovan, Smallwood; also Representative(s) Winter and Saine, Kraft-Tharp--Concerning requirements for public administrators.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Marble, Martinez Humenik, and Tate.

SB18-136 by Senator(s) Neville T., Lundberg, Smallwood, Tate; also Representative(s) Kraft-Tharp and Sias, Humphrey--Concerning fees for advising clients about the selection of an individual health benefit plan.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Garcia, Guzman, Holbert, Jahn, Kefalas, Marble, Martinez Humenik, Merrifield, Scott, and Todd.

SB18-130 by Senator(s) Smallwood; also Representative(s) McKean--Concerning the repeal of the requirement that health insurance carriers report average reimbursement rates for inpatient care to the division of insurance.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Hill, Holbert, Lambert, Martinez Humenik, Neville T., Scott, and Tate.

SB18-160 by Senator(s) Lambert; also Representative(s) Hamner--Concerning the authority to operate certain teacher development programs, and, in connection therewith, establishing alternative licensure programs and induction programs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Gardner, Grantham, Hill, Jahn, Kefalas, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SB18-151 by Senator(s) Fields and Priola; also Representative(s) Buckner and Wilson--Concerning department of education research to develop bullying prevention policies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Garcia, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

SB18-099 by Senator(s) Merrifield and Priola, Martinez Humenik; also Representative(s) Pettersen and Wilson, Buckner--Concerning the alignment of early childhood quality improvement programs with the Colorado shines quality rating and improvement system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Fenberg, Garcia, Guzman, Jones, Todd, and Zenzinger.

SB18-003 by Senator(s) Scott, Grantham, Holbert; also Representative(s) Hansen and Becker J.--Concerning the Colorado energy office.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Hill, Jahn, Lambert, Lundberg, Marble, Neville T., Priola, Sonnenberg, and Tate.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-125 by Senator(s) Gardner and Kagan; --Concerning fiduciary responsibilities of title insurance entities to protect funds held in conjunction with real estate closing settlement services.

Laid over until Friday, February 23, retaining its place on the calendar.

SB18-026 by Senator(s) Kagan; --Concerning measures to make sex offender registration more effective.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 15, pages 241-244 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Kagan.

> Amend the Judiciary Committee Report, dated February 14, 2018, page 1, line 7, strike "DISCOENTINUES" and substitute "DISCONTINUES".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-156 by Senator(s) Cooke; also Representative(s) Kennedy--Concerning the publication of fiscal information by a county.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, February 15, page 251 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-062 by Senator(s) Moreno; also Representative(s) Melton--Concerning liability limits in snow and ice removal contracts.

Laid over until Tuesday, February 27, retaining its place on the calendar.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Tuesday, February 27, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-026 as amended, SB18-156 as amended.
Laid over until Friday, February 23: SB18-125.
Laid over until Tuesday, February 27: SB18-062, SB18-043.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (HJR18-1011) of Thursday, February 22, was laid over until Friday, February 23, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-050 by Senator(s) Smallwood; also Representative(s) Coleman and Catlin--Concerning including staff of free-standing emergency facilities as part of Colorado's safe haven laws.

Senator Smallwood moved that the Senate concur in House amendments to SB18-050, as printed in House journal, February 16, pages 287-288. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

for terms expiring December 31, 2021:

Donna Lee Griego of Alamosa, Colorado, to serve as a representative of Alamosa County and as a Democrat, appointed;

Kathleen J. Rogers of Alamosa, Colorado, to serve as a representative of Alamosa County and as an Unaffiliated, reappointed;

Randy Wright of Alamosa, Colorado, to serve as a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

for a term expiring December 31, 2018:

Richard L. Monfort of Greeley, Colorado, a Republican, reappointed;

for a term expiring December 31, 2021:

Christine M. Scanlan of Dillon, Colorado, a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-032, 035, and 088; HB18-1075 and 1079.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, February 21, 2018, at 2:45 p.m.: SB18-032, 035, and 088.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, February 23, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

45th Legislative Day Friday, February 23, 2018

Prayer — By the President Pro Tempore, Senator Jerry Sonnenberg.

Call to Order — By the President Pro Tempore at 9:00 a.m.

Roll Call — Present--34
Excused--1, Grantham.

Quorum — The President Pro Tempore announced a quorum present.

Pledge — By Senator Priola.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Thursday, February 22, 2018, 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 **SB18-167** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, line 3, strike "(6.2),".

Page 3, line 17, strike "DENTING, PENETRATION," and substitute "PENETRATION".

Page 4, line 16, strike "CLEARING;" and substitute "CLEARING IF THE ACTIVITY DOES NOT INVOLVE DEEP RIPPING OR ROOT REMOVAL;".

Page 4, line 17, strike "IRRIGATION FACILITIES" and substitute "AN EXISTING IRRIGATION FACILITY IF THE FACILITY HAS BEEN SUBJECTED TO MAINTENANCE IN THE PREVIOUS TWENTY-FOUR MONTHS".

Page 4, strike lines 26 and 27.

Page 5, strike line 1.

Page 5, after line 11 insert:

"(b) THE PROJECT INVOLVES PRIMARILY HORIZONTAL CONSTRUCTION;".

Reletter succeeding paragraphs accordingly.

Page 5, strike lines 12 through 14 and substitute:

"(c) (I) THE PROJECT:
(A) HAS AN ANTICIPATED EXCAVATION FOOTPRINT THAT EXCEEDS TWO FEET IN DEPTH AND THAT IS A CONTIGUOUS ONE THOUSAND SQUARE FEET; OR
(B) INVOLVES UTILITY BORING.
(II) FOR PURPOSES OF THIS SUBSECTION (6.8)(c), THE TERM "TWO FEET IN DEPTH" DOES NOT".

Page 6, line 2, strike "EXCAVATION".

Page 7, line 1, strike "BEST".

Page 7, line 7, strike "BEST".

Page 7, line 11, after "employee" insert "OR AN EMPLOYER'S CONTRACTOR".

Page 7, line 21, after "EMPLOYEE" insert "OR AN EMPLOYER'S CONTRACTOR".

Page 14, line 14, strike "PHMSA-REGULATED".

Page 14, line 15, after "TO" insert "THE OWNER AND OPERATOR AND THE".

Page 14, line 22, strike "JANUARY 1, 2020," and substitute "THE EFFECTIVE DATE OF THIS SUBSECTION (10)".

Page 15, line 23, strike "WORKER AND".

Page 16, line 11, strike "CIVIL".

Page 16, line 12, strike "CORRECTIVE" and substitute "REMEDIAL".

Page 16, line 26, strike "A" and substitute "ITS OWN".

Page 17, strike lines 1 through 3 and substitute:

"(II) A WAIVER THAT DELEGATES ITS DAMAGE PREVENTION SAFETY PROGRAM TO THE SAFETY COMMISSION.".

Page 17, line 4, strike "THIRTEEN" and substitute "FIFTEEN".

Page 17, strike lines 8 through 23 and substitute:

"(I) ONE INDIVIDUAL NOMINATED BY COLORADO COUNTIES, INC., TO REPRESENT COUNTIES;

(II) ONE INDIVIDUAL NOMINATED BY THE COLORADO MUNICIPAL LEAGUE TO REPRESENT MUNICIPALITIES;

(III) ONE INDIVIDUAL NOMINATED BY THE SPECIAL DISTRICT ASSOCIATION OF COLORADO TO REPRESENT SPECIAL DISTRICTS;

(IV) ONE INDIVIDUAL NOMINATED BY COLORADO'S ENERGY INDUSTRY TO REPRESENT ENERGY PRODUCERS;

(V) ONE INDIVIDUAL NOMINATED BY THE COLORADO CONTRACTORS ASSOCIATION TO REPRESENT CONTRACTORS;

(VI) TWO INDIVIDUALS NOMINATED BY THE EXCAVATOR MEMBERS OF THE NOTIFICATION ASSOCIATION TO REPRESENT EXCAVATORS;

(VII) ONE INDIVIDUAL NOMINATED BY THE AMERICAN COUNCIL OF ENGINEERING COMPANIES OF COLORADO TO REPRESENT ENGINEERS;

(VIII) ONE INDIVIDUAL NOMINATED BY INVESTOR-OWNER UTILITIES TO REPRESENT INVESTOR-OWNER UTILITIES;

(IX) ONE INDIVIDUAL NOMINATED BY THE COLORADO RURAL ELECTRIC ASSOCIATION TO REPRESENT RURAL ELECTRIC COOPERATIVES;

(X) ONE INDIVIDUAL NOMINATED BY THE COLORADO PIPELINE ASSOCIATION TO REPRESENT PIPELINE COMPANIES;

(XI) ONE INDIVIDUAL NOMINATED BY THE COLORADO TELECOMMUNICATIONS ASSOCIATION TO REPRESENT TELECOMMUNICATIONS COMPANIES;

(XII) ONE INDIVIDUAL NOMINATED BY THE COLORADO WATER UTILITY COUNCIL TO REPRESENT WATER UTILITIES;

(XIII) ONE INDIVIDUAL NOMINATED BY THE DEPARTMENT OF TRANSPORTATION TO REPRESENT TRANSPORTATION; AND

(XIV) ONE INDIVIDUAL NOMINATED BY THE CHIEF EXECUTIVE OFFICER OF THE NOTIFICATION ASSOCIATION.".

Page 18, strike lines 1 through 4 and substitute:

"(I) SUBSECTIONS (2)(a)(I) TO (2)(a)(V) OF THIS SECTION IS ONE YEAR; AND

(II) SUBSECTIONS (2)(a)(VI) TO (2)(a)(X) OF THIS SECTION IS TWO YEARS.".

Page 20, line 13, after the period add "THE DECISION OF THE SAFETY COMMISSION IS FINAL AGENCY ACTION SUBJECT TO REVIEW BY THE DISTRICT COURT PURSUANT TO SECTION 24-4-106.".

Page 21, strike lines 7 through 22.

Page 22, line 11, strike "AND".

Page 22, line 14, strike "MONTHS." and substitute "MONTHS; AND".

Page 22, after line 14 insert:

"(c) IN CONSIDERING THE APPROPRIATE REMEDIAL ACTION, THE SAFETY COMMISSION MAY CONSIDER THE NUMBER OF VIOLATIONS RELATIVE TO THE NUMBER OF NOTIFICATIONS RECEIVED.".

Page 26, line 24, after "PROVIDE" insert "GENERAL INFORMATION REGARDING".

Page 26, line 25, strike "OPERATES" and substitute "OPERATES, FOR EXCAVATION NOTIFICATION PURPOSES ONLY,".

Education

The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

for a term expiring December 31, 2021:

Ellen S. Roberts of Durango, Colorado, an Unaffiliated, appointed.

Education

After consideration on the merits, the Committee recommends that **HB18-1048** 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: SB18-026 and 156.
Correctly Reengrossed: SB18-003, 007, 022, 066, 099, 130, 136, 141, 151, 160, 161, and 165.
Correctly Rerevised: HB18-1144 and 1171.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-026 by Senator(s) Kagan; --Concerning measures to make sex offender registration more effective.

Laid over until Tuesday, February 27, retaining its place on the calendar.

SB18-156 by Senator(s) Cooke; also Representative(s) Kennedy--Concerning the publication of fiscal information by a county.

Laid over until Tuesday, February 27, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1041 by Representative(s) Catlin; also Senator(s) Coram--Concerning adding certified police working horses to the crime of cruelty to a service animal or a certified police working dog.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1041.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-125 by Senator(s) Gardner and Kagan; --Concerning fiduciary responsibilities of title insurance entities to protect funds held in conjunction with real estate closing settlement services.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, February 15, page 241 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Gardner.

Amend the Business, Labor, and Technology Committee Report, dated February 14, 2018, page 1, strike lines 1 through 5 and substitute:

"Page 2 of the printed bill, before line 2, insert:

"**SECTION 1.** In Colorado Revised Statutes, 10-11-102, **amend** the introductory portion; and **add** (9.5) and (11) as follows:

10-11-102. Definitions. As used in this article ***11***, unless the context otherwise requires:

(9.5) "TITLE INSURANCE AGENCY" MEANS A CORPORATION, PARTNERSHIP, FOREIGN ENTITY, OR DOMESTIC ENTITY AS THOSE TERMS ARE DEFINED IN SECTION 7-90-102, OR ASSOCIATION OR OTHER LEGAL ENTITY THAT TRANSACTS THE BUSINESS OF TITLE INSURANCE.

(11) "TITLE INSURANCE ENTITY" MEANS A TITLE INSURANCE AGENT, TITLE INSURANCE AGENCY, OR TITLE INSURANCE COMPANY.".

Renumber succeeding sections accordingly.

Page 2 of the bill, lines 6 and 7 strike "COMPANY, TITLE INSURANCE AGENT, AND THEIR AUTHORIZED AGENTS AND AFFILIATES" and substitute "ENTITY AND ITS AFFILIATES OR SUBSIDIARIES".

Page 2 of the bill, strike lines 10 through 15 and substitute:

"(2) THE COMMISSIONER SHALL PROMULGATE REASONABLE RULES THAT ARE CONSISTENT WITH THIS SECTION AND ARE NECESSARY OR PROPER TO:".".

Page 1 of the committee report, line 12, before "ADMINISTRATION" insert "IMPLEMENTATION AND".

Page 1 of the committee report, strike line 13.

Page 1 of the committee report, line 14, strike "23" and substitute "25".

Page 1 of the committee report, strike line 19 and substitute:

"Page 3 of the bill, strike lines 1 through 6.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-125 as amended.

CONSIDERATION OF RESOLUTIONS

HJR18-1011 by Representative(s) Exum and Landgraf; also Senator(s) Merrifield--Concerning the designation of U.S. Highway 85-87 from Interstate 25 to Comanche Village Drive as the "Reverend James H. McMearn Memorial Highway".

On motion of Senator Merrifield, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	E
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-019, 030, and 041.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, February 26, 2018.

Approved:

Jerry Sonnenberg
President *pro tem* of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

48th Legislative Day — Monday, February 26, 2018

Prayer — By the chaplain, Father William T. Oulvey, Regis University Jesuit Community, Denver.

Call to Order — By the President Pro Tempore at 10:00 a.m.

Roll Call — Present--33
Excused--2, Crowder, Tate.

Quorum — The President Pro Tempore announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Friday, February 23, 2018, 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 HEALTH CARE POLICY
AND FINANCING

effective January 8, 2018 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, and occasioned by the resignation of Susan E. Birch of Steamboat Springs, Colorado, appointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-125.
Correctly Revised: HB18-1041; HJR18-1011.
Correctly Enrolled: SB18-050 and 105.

MESSAGE FROM THE HOUSE

February 23, 2018

Mr. President:

The House has passed on Third Reading and returns herewith SB18-105.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1097, 1158.

MESSAGE FROM THE REVISOR OF STATUTES

February 23, 2018

We herewith transmit:

Without comment, HB18-1097 and 1158.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-181 by Senator(s) Cooke and Holbert; --Concerning moderation of the motor vehicle emissions inspection program.
Transportation

SB18-182 by Senator(s) Coram and Guzman; also Representative(s) Catlin and Arndt--Concerning the authority to allocate a portion of the source market fee to statutorily authorized purse funds.
Agriculture, Natural Resources, & Energy

SB18-183 by Senator(s) Tate; also Representative(s) Arndt and Liston--Concerning authorizing agents of insurers to access the electronic system that insurers access for owner and lienholder information of a motor vehicle.
Business, Labor, & Technology

HB18-1134 by Representative(s) Pettersen and Wilson, Buckner; also Senator(s) Merrifield and Martinez Humenik, Priola--Concerning eligibility of kindergarten students funded through early childhood at-risk enhancement positions.
Education

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:

HB18-1041 by Representative(s) Catlin; also Senator(s) Coram--Concerning adding certified police working horses to the crime of cruelty to a service animal or a certified police working dog.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	E
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Jahn, Kefalas, Lambert, Lundberg, Martinez Humenik, Merrifield, Priola, and Sonnenberg.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-125 by Senator(s) Gardner and Kagan; also Representative(s) Lee--Concerning fiduciary responsibilities of title insurance entities to protect funds held in conjunction with real estate closing settlement services.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Gardner.

Amend engrossed bill, page 3, strike lines 11 and 12.

The amendment was **passed** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	E
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	E
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Priola, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Priola was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1105 by Representative(s) Liston and Melton; also Senator(s) Tate--Concerning the unlicensed sale of vehicles.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-098 by Senator(s) Tate and Zenzinger, Martinez Humenik, Moreno; also Representative(s) Hooton and Thurlow, Arndt, McKean--Concerning amending a statutory provision relating to interest on damages that was ruled unconstitutional by the Colorado supreme court.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 22, pages 291-292 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, February 26, and placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, February 26.

HB18-1010 by Representative(s) Lee and Wilson; also Senator(s) Coram--Concerning youth committed to the department of human services, and, in connection therewith, requiring the department to report certain data and adding members to the youth restraint and seclusion working group.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1023 by Representative(s) Herod; also Senator(s) Gardner--Concerning the nonsubstantive relocation of laws related to legalized marijuana from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 22, page 293 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1024 by Representative(s) Lee; also Senator(s) Kagan, Cooke--Concerning the nonsubstantive relocation of laws related to the regulation of racing from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1026 by Representative(s) Herod; also Senator(s) Cooke and Gardner--Concerning the nonsubstantive relocation of the law creating the liquor enforcement division and state licensing authority cash fund from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1027 by Representative(s) Wist; also Senator(s) Kagan--Concerning the nonsubstantive relocation of laws related to the regulation of the lottery from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1039 by Representative(s) Ransom, Coleman; also Senator(s) Gardner--Concerning changing regular special district elections to May of each odd-numbered year, and, in connection therewith, adjusting the length of terms served by directors elected in 2020 and 2022 in order to implement the new election schedule.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Priola, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	E
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-098 as amended, HB18-1105, HB18-1010, HB18-1023 as amended, HB18-1024, HB18-1026, HB18-1027, HB18-1039.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Monday, February 26: SB18-166.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (HB18-1086, SB18-166) of Monday, February 26, was laid over until Tuesday, February 27, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2023:

Joseph A. Hoff of Greeley, Colorado, to serve as a farmer or employer whose liability is insured by Pinnacol, reappointed;

William Neish Lindsay III of Denver, Colorado, to serve as an employee of employer whose liability is insured by Pinnacol, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	E
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, February 23, 2018, at 10:30 a.m.:
SB18-019, 030, and 041.

MESSAGE FROM THE GOVERNOR

February 22nd, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that this bill has been approved and I will file following Acts with the Secretary of State:

SB 18-088: CONCERNING CLARIFICATION THAT RETAIL MARIJUANA SALES ARE SUBJECT TO SALES TAXES LEVIED BY CERTAIN LIMITED PURPOSE GOVERNMENTAL ENTITIES.

Approved February 22nd, 2018 at 4:04pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

September 15, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for a term expiring July 1, 2021:

Jennifer Glau Lopez of Durango, Colorado, to serve as a person experienced in real estate transactions, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

June 30, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2018:

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;

for a term expiring July 1, 2021:

Debra Ann Baumbach of Littleton, Colorado, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, February 27, 2018.

Approved:

Jerry Sonnenberg
President *pro tem* of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

49th Legislative Day Tuesday, February 27, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Aguilar.

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Monday, February 26, 2018, 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 **HB18-1087** 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 **HB18-1028** 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 10, strike "INVESTIGATE, terminate, or prevent" and substitute "~~terminate or prevent~~ INVESTIGATE".

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

effective June 30, 2017 for terms expiring June 30, 2021:

Lacey Golonka of Castle Rock, Colorado, an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, appointed;

Bennie Jack Rudder of Alamosa, Colorado, to serve as an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, reappointed.

for a term expiring June 30, 2020:

Norman E. Steen of Woodland Park, 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 resignation of Robert Frances McLaughlin of Colorado Springs, Colorado, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-157** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1140** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 5, line 13, strike "MALFEASANCE, MISFEASANCE, OR NONFEASANCE" and substitute "DISHONESTY, THEFT, OR FRAUD".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1044** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-173** 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 **HB18-1096** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2024:

Brad Robert Busse of Denver, Colorado, to serve as an employee whose liability is insured by Pinnacol, appointed; and

Fiona Elizabeth Arnold of Denver, Colorado, to serve as an employer whose liability is insured by Pinnacol, 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:

MEMBER OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2020:

Megan Elyse Garvey of Denver, Colorado, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Jeffrey Todd Mitchell of Aspen, 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 confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

effective pending confirmation by the Colorado Senate, for a term expiring at the pleasure of the Governor:

Samuel David Walker of Denver, Colorado, to serve as the Executive Director of the Department of Labor and Employment and to fill the vacancy occasioned by the resignation of Ellen J. Golombek of Denver, Colorado, appointed.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-146** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 10, before line 25 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $34,725 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 health facilities general licensure cash fund created in section 25-3-103.1 (1), C.R.S., 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 administration and operations.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**PERSON.**" and substitute "**PERSON, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-132** 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 12 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $9,200 is appropriated to the department of regulatory agencies for use by the division of insurance. This appropriation is from the division of insurance cash fund created in section 10-1-103 (3), C.R.S. To implement this act, the division may use this appropriation for personal services.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**COLORADO.**" and substitute "**COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-097** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 19 insert:

"**SECTION 3. Appropriation - adjustments to 2018 long bill.** (1) To implement this act, appropriations made in the annual general appropriation act for the 2018-19 state fiscal year to the department of public safety for use by the Colorado bureau of investigation are adjusted as follows:

(a) The cash funds appropriation from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S., for personal services in the biometric identification and records

unit is decreased by $53,445, and the related FTE is decreased by 1.0 FTE;

(b) The cash funds appropriation from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S., for operating expenses in the biometric identification and records unit is decreased by $74,982;

(c) The cash funds appropriation from the instant criminal background check cash fund created in section 24-33.5-424 (3.5)(b), C.R.S., for personal services in the state point of contant - national instant criminal background check program is decreased by $48,330, and the related FTE is decreased by 1.0 FTE; and

(d) The cash funds appropriation from the instant criminal background check cash fund created in section 24-33.5-424 (3.5)(b), C.R.S., for operating expenses in the state point of contant - national instant criminal background check program is decreased by $950.".

Renumber succeeding sections accordingly.

Page 1, line 105, strike "**SCHOOLS.**" and substitute "**SCHOOLS AND REDUCING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-074** 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 **SB18-071** 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 14 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $3,000 is appropriated to the department of public safety for use by the division of criminal justice. This appropriation is from the substance abuse prevention, intervention, and treatment cash fund created in section 18-18.5-105 (1)(a), C.R.S. To implement this act, the department may use this appropriation for the substance abuse trend and response task force.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**FORCE.**" and substitute "**FORCE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-070** 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 16 insert:

"**SECTION 4. Appropriation.** For the 2018-19 state fiscal year, $100,926 is appropriated to the department of local affairs. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.7 FTE. To implement this act, the department may use this appropriation for the division of property taxation.".

Renumber succeeding section accordingly.

Page 1, line 105, strike "**ACT".**" and substitute "**ACT" AND MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-068** 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, strike lines 3 through 10 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, **add** 17-18-124 as follows:

17-18-124. Appropriation to comply with section 2-2-703 - SB 18-068 - repeal. (1) PURSUANT TO SECTION 2-2-703, THE FOLLOWING STATUTORY APPROPRIATIONS ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 18-068, ENACTED IN 2018:

(a) FOR THE 2019-20 STATE FISCAL YEAR, SIXTEEN THOUSAND FIVE HUNDRED SEVENTEEN DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND;

(b) FOR THE 2020-21 STATE FISCAL YEAR, SIXTEEN THOUSAND FIVE HUNDRED SEVENTEEN DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND;

(c) FOR THE 2021-22 STATE FISCAL YEAR, SIXTEEN THOUSAND FIVE HUNDRED SEVENTEEN DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND; AND

(d) FOR THE 2022-23 STATE FISCAL YEAR, SIXTEEN THOUSAND FIVE HUNDRED SEVENTEEN DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.".

Page 1, line 101, strike "**REPORTS.**" and substitute "**REPORTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1101** 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 **HB18-1100** 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: SB18-181, 182, and 183.
Correctly Engrossed: SB18-098.
Correctly Reengrossed: SB18-125.
Correctly Revised: HB18-1010, 1023, 1024, 1026, 1027, 1039, and 1105.
Correctly Rerevised: HB18-1041.

MESSAGE FROM THE HOUSE

February 26, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1127, 1198, 1148, amended as printed in House Journal, February 23, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

February 26, 2018

We herewith transmit:

Without comment, as amended, HB18-1127, 1148, and 1198.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-006 by Senator(s) Garcia and Hill; also Representative(s) Exum and Pabon--Concerning the commemoration of the one-hundred-year anniversary of the International Association of Fire Fighters.

Laid over one day under Senate Rule 30(b).

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Herod replaced Representative Lee as the House joint prime sponsor on SB18-026 with Senator Kagan and Representative Willett.

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:

HB18-1105 by Representative(s) Liston and Melton; also Senator(s) Tate--Concerning the unlicensed sale of vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Holbert, Jones, Kerr, and Neville T.

SB18-098 by Senator(s) Tate and Zenzinger, Martinez Humenik, Moreno; also Representative(s) Hooton and Thurlow, Arndt, McKean--Concerning amending a statutory provision relating to interest on damages that was ruled unconstitutional by the Colorado supreme court.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1010 by Representative(s) Lee and Wilson; also Senator(s) Coram--Concerning youth committed to the department of human services, and, in connection therewith, requiring the department to report certain data and adding members to the youth restraint and seclusion working group.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31		NO	3		EXCUSED	1		ABSENT	0	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		N
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		N	Tate		Y
Court		Y	Holbert		N	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fenberg, Fields, Jahn, Kefalas, Merrifield, Moreno, Todd, and Williams A.

HB18-1023 by Representative(s) Herod; also Senator(s) Gardner--Concerning the nonsubstantive relocation of laws related to legalized marijuana from title 12, Colorado Revised Statutes, as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34		NO	0		EXCUSED	1		ABSENT	0	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1024 by Representative(s) Lee; also Senator(s) Kagan, Cooke--Concerning the nonsubstantive relocation of laws related to the regulation of racing from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34		NO	0		EXCUSED	1		ABSENT	0	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB18-1026 by Representative(s) Herod; also Senator(s) Cooke and Gardner--Concerning the nonsubstantive relocation of the law creating the liquor enforcement division and state licensing authority cash fund from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Hill and Tate.

HB18-1027 by Representative(s) Wist; also Senator(s) Kagan--Concerning the nonsubstantive relocation of laws related to the regulation of the lottery from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Martinez Humenik, and Tate.

HB18-1039 by Representative(s) Ransom, Coleman; also Senator(s) Gardner--Concerning changing regular special district elections to May of each odd-numbered year, and, in connection therewith, adjusting the length of terms served by directors elected in 2020 and 2022 in order to implement the new election schedule.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Grantham, Holbert, Marble, Neville T., 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:

SB18-026 by Senator(s) Kagan; also Representative(s) Herod and Willett--Concerning measures to make sex offender registration more effective.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Guzman, Martinez Humenik, and Merrifield.

SB18-156 by Senator(s) Cooke; also Representative(s) Kennedy--Concerning the publication of fiscal information by a county.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, and Tate.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1048 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the expenditure of money from the Hesperus account by the board of trustees of Fort Lewis college.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1048.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-062 by Senator(s) Moreno; also Representative(s) Melton--Concerning liability limits in snow and ice removal contracts.

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.)

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Monday, March 5, retaining its place on the calendar.

HB18-1086 by Representative(s) Buckner and Lundeen; also Senator(s) Neville T. and Aguilar--Concerning allowing community colleges to offer a bachelor of science degree in nursing.

Laid over until Thursday, March 1, retaining its place on the calendar.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Thursday, March 1, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-062 by Senator(s) Moreno; also Representative(s) Melton--Concerning liability limits in snow and ice removal contracts.

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 18-062, did pass.

Amend printed bill, page 2, strike lines 9 and 10.

Renumber succeeding paragraphs accordingly.

Page 2, line 22, strike "(2)(d)(I) OR (2)(d)(II)" and substitute "(2)(c)(I) OR (2)(c)(II)".

Page 3, strike line 27 and insert:

"(4) THIS SECTION DOES NOT APPLY TO AN INSURANCE POLICY, AS SURETY BOND, OR WORKERS' COMPENSATION.".

Page 4, strike lines 1 through 6.

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
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-062.
Laid over until Thursday, March 1: HB18-1086, SB18-166.
Laid over until Monday, March 5: SB18-043.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE

for a term expiring December 31, 2021:

Ellen S. Roberts of Durango, Colorado, an Unaffiliated, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1165, 1173.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, February 28, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

50th Legislative Day Wednesday, February 28, 2018

Prayer — By the chaplain, Pastor Jason Walker, Broomfield Baptist Church.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Excused--3, Aguilar, Fields, Holbert.
Present later--1, Holbert.

Quorum — The President announced a quorum present.

Presentation of Colors — By the Honor Guard of the Colorado Professional Fire Fighters. Members participating include Mike Eason, Adams County Fire Rescue, Michael Freyta, Longmont Fire, Joe Chinburg, Arvada Fire, and Bryan Hanson, Poudre Fire Authority.

On motion of Assistant Majority Leader Scott, 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 Erin Bargman.

On the request of Senator Garcia, the Senate observed a moment of silence and rang the Senate chimes in memory of Fallen Firefighters.

Musical Presentation — By the Colorado Emerald Society Pipe Band, performing "Amazing Grace".

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Tuesday, February 27, 2018, 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 **SB18-179** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-137** be postponed indefinitely.

Local Government — After consideration on the merits, the Committee recommends that **SB18-174** 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: SJR18-006.
Correctly Engrossed: SB18-062.
Correctly Reengrossed: SB18-026, 098, and 156.
Correctly Revised: HB18-1048.
Correctly Rerevised: HB18-1010, 1023, 1024, 1026, 1027, 1039, and 1105.
Correctly Enrolled: SB18-124 and 148.

MESSAGE FROM THE HOUSE

February 27, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1180, 1196, 1008, 1017, 1025, 1049, 1145, 1029, 1191, 1018, amended as printed in House Journal, February 26, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1146, 1112, 1228, 1046.

The House has passed on Third Reading and returns herewith SB18-148, 124.

The House has adopted and returns herewith SJR18-005.

MESSAGE FROM THE REVISOR OF STATUTES

February 27, 2018

We herewith transmit:

Without comment, HB18-1046, 1112, 1146, and 1228.
Without comment, as amended, HB18-1008, 1017, 1018, 1025, 1029, 1049, 1145, 1180, 1191, and 1196.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for 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:

HB18-1048 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the expenditure of money from the Hesperus account by the board of trustees of Fort Lewis college.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Jones, Kefalas, Martinez Humenik, Merrifield, Tate, and Todd.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB18-062) of Wednesday, February 28, was laid over until Thursday, March 1, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SJR18-006 by Senator(s) Garcia and Hill; also Representative(s) Exum and Pabon--Concerning the commemoration of the one-hundred-year anniversary of the International Association of Fire Fighters.

On motion of Senator Garcia, the resolution was read at length and **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Gardner, Grantham, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments--Consent Calendar (Executive Director of the Department of Health Care Policy and Financing) of Wednesday, February 28, was laid over until Thursday, March 1, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-025, 034, 054, and 067; SJR18-005; HB18-1144, 1159, 1160, 1161, 1162, 1163, 1164, 1166, 1167, 1168, 1169, and 1170; HJR18-1011.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, February 27, 2018, at 3:00 p.m.:
SB18-025, 034, 054, and 067.

TRIBUTES

Honoring:

Anders Hill -- By Senator Steve Fenberg.
Intellectual and Developmental Disabilities -- Senator Jim Smallwood and Senator Irene Aguilar.
Buffalo Soldiers -- Senator Angela Williams.
Daniel Morgan-- By Senator Steve Fenberg.
Judge Gary M. Jackson -- Senator Rhonda Fields.
Buffalo Soldier Motorcycle Club Mile High Chapter -- Senator Angela Williams.
Thelma L. Jackson -- Senator Angela Williams.
Addison Kleinhans -- Senator Vicki Marble.
International Brotherhood of Electrical Workers Local 12 -- By Senator Leroy Garcia.
CASA in Colorado -- By Senator Owen Hill.
PFLAG Boulder County -- By Senator Steve Fenberg.
Jacob Cornwell -- By President Kevin J. Grantham.
Michale Lorimor -- By Senator Leroy Garcia.
Harold Christian Honsbehn -- By Senator Leroy Garcia.
Brianna Martinez -- By Senator Leroy Garcia.
Lymphatic Education & Research Network -- By Senator Irene Aguilar.
Rose Bayless -- By Senator Kerry Donovan.
Mark Fuller -- By Senator Kerry Donovan.
Rachel Glade -- By Senator Steve Fenberg.

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Thursday, March 1, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

51st Legislative Day — Thursday, March 1, 2018

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--35

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Wednesday, February 28, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-176** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-170** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, strike line 11 and substitute:

"(II) UNLESS THE OWNER IS IN COMPLIANCE WITH:".

Page 14, line 15, strike the second "OR" and substitute "AND".

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-172** 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 27, after "shall" insert "AT ITS OWN EXPENSE".

Page 4, line 9, after "MAY" insert "AT ITS OWN EXPENSE".

Health & Human Services — After consideration on the merits, the Committee recommends that **HB18-1091** 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 **HB18-1068** be postponed indefinitely.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-175** 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 5, strike "EMPLOYEES." and substitute "EMPLOYEES; EXCEPT THAT "PUBLIC EMPLOYER" DOES NOT INCLUDE HOME RULE MUNICIPALITIES.".

Page 4, strike lines 12 through 14 and substitute:

"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-171** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 6, strike "IF THE" and substitute "IF:
(I) THE".

Page 2, line 8, strike "PLATFORM, WHICH" and substitute "PLATFORM THAT STATES THAT".

Page 2, strike line 9.

Page 2, line 10, strike "(I) THAT".

Page 2, line 11, after "EMPLOYEE;" insert "AND
(II) THE FOLLOWING CONDITIONS ARE SATISFIED:".

Page 2, line 12, strike "(II) THAT ALL" and substitute "(A) ALL".

Page 2, line 15, strike "(III) THAT THE" and substitute "(B) THE".

Page 2, lines 20 and 21, strike "(IV) THAT THE MARKETPLACE PLATFORM SHALL NOT RESTRICT THE ABILITY OF THE" and substitute "(C) THE".

Page 2, line 21, after "CONTRACTOR" insert "IS ABLE".

Page 2, line 23, strike "(V) THAT THE" and substitute "(D) THE" and strike "SHALL" and substitute "DOES".

Page 3, line 1, strike "(VI) THAT THE" and substitute "(E) THE" and strike "SHALL" and substitute "DOES".

Page 3, line 3, strike "(VII) THAT THE" and substitute "(F) THE".

Page 3, line 6, strike "(VIII) THAT THE" and substitute "(G) THE" and strike "SHALL" and substitute "DOES".

Page 3, line 9, strike "(IX) THAT THE" and substitute "(H) THE".

Page 3, line 11, strike "THAT".

Page 4, line 17, strike "IF THE" and substitute "IF:
(I) THE".

Page 4, strike line 20 and substitute "PLATFORM THAT STATES THAT".

Page 4, line 21, strike "(a) THAT".

Page 4, line 22, after "EMPLOYEE;" insert "AND
(b) THE FOLLOWING CONDITIONS ARE SATISFIED:".

Page 4, line 23, strike "(b) THAT ALL" and substitute "(I) ALL".

Page 4, line 26, strike "(c) THAT THE" and substitute "(II) THE".

Page 5, lines 4 and 5, strike "(d) THAT THE MARKETPLACE PLATFORM SHALL NOT RESTRICT THE ABILITY OF THE" and substitute "(III) THE".

Page 5, line 5, after "CONTRACTOR" insert "IS ABLE".

Page 5, line 7, strike "(e) THAT THE" and substitute "(IV) THE" and strike "SHALL" and substitute "DOES".

Page 5, line 10, strike "(f) THAT THE" and substitute "(V) THE" and strike "SHALL" and substitute "DOES".

Page 5, line 12, strike "(g) THAT THE" and substitute "(VI) THE".

Page 5, line 15, strike "(h) THAT THE" and substitute "(VII) THE" and strike "SHALL" and substitute "DOES".

Page 5, line 18, strike "(i) THAT THE" and substitute "(VIII) THE".

Page 5, line 20, strike "THAT".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-145** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 17, after "(III.5)" insert "(A)" and strike "RULES," and substitute "RULES IN CONJUNCTION WITH THE STATE MEDICAL SERVICES BOARD," and strike "DECEMBER 31, 2018," and substitute "JULY 1, 2019,".

Page 4, line 18, strike "PROVIDERS" and substitute "VENDORS".

Page 4, strike lines 19 through 27 and substitute "INCLUDING SUPPORTED EMPLOYMENT PROFESSIONALS WHO PROVIDE INDIVIDUAL COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES, AND EXCLUDING THOSE PROFESSIONALS EXCLUSIVELY PROVIDING GROUP OR OTHER CONGREGATE SERVICES, TO OBTAIN A NATIONALLY RECOGNIZED SUPPORTED EMPLOYMENT TRAINING CERTIFICATE OR NATIONALLY RECOGNIZED SUPPORTED EMPLOYMENT CERTIFICATION. THE DEPARTMENT'S RULES MUST INCLUDE TIME FRAMES FOR COMPLIANCE WITH THE TRAINING OR CERTIFICATION REQUIREMENT FOR EXISTING STAFF AND FOR NEWLY HIRED STAFF AND REQUIREMENTS FOR SUPERVISION OF NEWLY HIRED STAFF UNTIL THE STAFF MEMBER HAS COMPLETED THE TRAINING OR CERTIFICATION.
(B) THE TRAINING OR CERTIFICATION REQUIREMENT IN SUBSECTION (3)(b)(III.5)(A) OF THIS SECTION IS CONTINGENT UPON APPROPRIATIONS TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FOR REIMBURSEMENT TO VENDORS OF SUPPORTED EMPLOYMENT SERVICES FOR THE COST OF TRAINING AND CERTIFICATION PURSUANT TO SECTION 25.5-10-204.".

Page 5, strike lines 1 through 6.

Page 5, strike lines 20 and 21 and substitute "REPORTED BY COUNTY, FOR INDIVIDUALS ELIGIBLE FOR SUPPORTED EMPLOYMENT SERVICES, INCLUDING BUT NOT LIMITED TO HOME- AND COMMUNITY-BASED WAIVER SERVICES:".

Page 5, line 22, after "EMPLOYMENT," insert "THE SECTOR OF EMPLOYMENT,".

Page 5, line 26, after "~~wages~~" insert "THE SECTOR OF EMPLOYMENT,".

Page 6, line 2, after "SERVICES," insert "THE SECTOR OF EMPLOYMENT,".

Page 6, line 11, strike "MODEL AND" and substitute "MODEL, THE SECTOR OF EMPLOYMENT, AND".

Page 6, line 12, strike "AND".

Page 6, after line 12 insert:

"(G) THE NUMBER OF INDIVIDUALS ELIGIBLE FOR EMPLOYMENT SERVICES, REGARDLESS OF WHETHER THE INDIVIDUAL IS UTILIZING EMPLOYMENT SERVICES; AND".

Reletter succeeding sub-subparagraph accordingly.

Page 6, strike lines 19 through 27 and substitute:

"(k) (I) NO LATER THAN JULY 1, 2019, THE STATE BOARD, IN CONJUNCTION WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT, SHALL REQUIRE A NATIONALLY RECOGNIZED SUPPORTED EMPLOYMENT TRAINING CERTIFICATE OR NATIONALLY RECOGNIZED SUPPORTED EMPLOYMENT CERTIFICATION FOR ALL VENDORS OF SUPPORTED EMPLOYMENT SERVICES, INCLUDING SUPPORTED EMPLOYMENT PROFESSIONALS WHO PROVIDE INDIVIDUAL COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES, AND EXCLUDING THOSE PROFESSIONALS EXCLUSIVELY PROVIDING GROUP OR OTHER CONGREGATE SERVICES. THE STATE BOARD'S RULES MUST INCLUDE TIME FRAMES FOR COMPLIANCE WITH THE TRAINING OR CERTIFICATION REQUIREMENT FOR EXISTING STAFF AND FOR NEWLY HIRED STAFF AND REQUIREMENTS FOR SUPERVISION OF NEWLY HIRED STAFF UNTIL THE STAFF MEMBER HAS COMPLETED THE TRAINING OR CERTIFICATION.

(II) THE TRAINING OR CERTIFICATION REQUIREMENT IN SUBSECTION (2)(k)(I) OF THIS SECTION IS CONTINGENT UPON APPROPRIATIONS TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING FOR REIMBURSEMENT TO VENDORS OF SUPPORTED EMPLOYMENT SERVICES FOR THE COST OF TRAINING AND CERTIFICATION. THE STATE BOARD SHALL ADOPT RULES FOR ADMINISTERING THE REIMBURSEMENT TO VENDORS, WHICH REIMBURSEMENT MUST BE THREE HUNDRED DOLLARS FOR EACH CERTIFICATION EXAM AND TWELVE HUNDRED DOLLARS FOR EACH TRAINING PROGRAM CERTIFICATE, WHICH INCLUDES REIMBURSEMENT FOR BOTH THE COST OF THE TRAINING AND WAGES PAID TO EMPLOYEES DURING TRAINING. THE STATE BOARD MAY INCREASE THE FIXED REIMBURSEMENT AMOUNT OVER TIME BASED ON INCREASES IN THE COST OF THE EXAM AND EMPLOYEE WAGES.".

Strike page 7.

Renumber succeeding sections accordingly.

Page 8, strike lines 1 through 16.

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 CHANNEL AUTHORITY
BOARD OF DIRECTORS

for a term expiring October 6, 2019:

Bart Warren Miller of Centennial, Colorado, an Unaffiliated, to serve as a representative who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Scott Alan Nachtrieb of Highlands Ranch, 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 appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO CHANNEL AUTHORITY
BOARD OF DIRECTORS

for a term expiring October 6, 2019:

Megan Alyse Jurgemeyer of Denver, Colorado, a Democrat, who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Timothy Michael Ryan of Aurora, Colorado, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1033** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1038** 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:

MEMBER OF THE
STATE BOARD OF PAROLE

for a term expiring July 1, 2020:

Alfredo Enrique Pena of Denver, Colorado, to serve as a citizen representative, reappointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-169** 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 **SB18-123** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-056** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 3, strike "(1)" and substitute "(1) (a)".

Page 2, after line 12 insert:

"(b) WHEN THE DEBT, DAMAGE, OR VALUE OF THE PERSONAL PROPERTY CLAIMED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION IS FIFTEEN THOUSAND DOLLARS OR LESS, EXCLUSIVE OF ATTORNEY FEES, THE MONETARY AMOUNTS IN SUBSECTION (1)(a) OF THIS SECTION DO NOT INCLUDE ATTORNEY FEES, REGARDLESS OF WHETHER THE ATTORNEY FEES ARE TREATED AS COSTS OR DAMAGES. WHEN THE DEBT, DAMAGE, OR VALUE OF THE PERSONAL PROPERTY CLAIMED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION IS MORE THAN FIFTEEN THOUSAND DOLLARS, EXCLUSIVE OF ATTORNEY FEES, THE MONETARY AMOUNTS IN SUBSECTION (1)(a) OF THIS SECTION INCLUDE ALL ELEMENTS OF DAMAGES AVAILABLE PURSUANT TO STATUTE OR COMMON LAW, AND ATTORNEY FEES, REGARDLESS OF WHETHER THE ATTORNEY FEES ARE TREATED AS COSTS

OR DAMAGES, BUT DO NOT INCLUDE INTEREST OR ORDINARY COURT COSTS.".

Page 3, strike line 23 and substitute "(1)(d), (5)(o) introductory portion, and (5)(o)(II); **repeal** (1)(c)(III) introductory portion, (1)(c)(III)(A), (1)(c)(III)(B), (5)(g), and (5)(h); and **add** (1)(c)(III.5), (5)(g.5), and (5)(h.5)".

Page 4, strike lines 6 through 19 and substitute:

"(c) ~~(III) Except as provided in subparagraph (IV) of this paragraph (c):~~

(A) ~~On and after July 1, 2010, by each plaintiff, petitioner, third-party plaintiff, and party filing a cross claim or counterclaim, when a money judgment sought is fifteen thousand dollars or less and such action is commenced in a court of record of appropriate limited jurisdiction, a fee in the amount of ninety-seven dollars.~~

(B) ~~On and after July 1, 2010, by each defendant, respondent, third-party defendant, or other party in such court not filing a cross claim or counterclaim, when a money judgment sought is fifteen thousand dollars or less and such action is commenced in a court of record of appropriate limited jurisdiction, a fee in the amount of ninety-two dollars.~~

(III.5) EXCEPT AS PROVIDED IN SUBSECTION (1)(c)(IV) OF THIS SECTION:

(A) ON OR AFTER JANUARY 1, 2019, BY EACH PLAINTIFF, PETITIONER, THIRD-PARTY PLAINTIFF, AND PARTY FILING A CROSS CLAIM OR COUNTERCLAIM, WHEN A MONEY JUDGMENT SOUGHT IS LESS THAN ONE THOUSAND DOLLARS AND SUCH ACTION IS COMMENCED IN A COURT OF RECORD OF APPROPRIATE LIMITED JURISDICTION, A FEE IN THE AMOUNT OF EIGHTY-FIVE DOLLARS.

(B) ON OR AFTER JANUARY 1, 2019, BY EACH DEFENDANT, RESPONDENT, THIRD-PARTY DEFENDANT, OR OTHER PARTY IN SUCH COURT NOT FILING A CROSS CLAIM OR COUNTERCLAIM, WHEN A MONEY JUDGMENT SOUGHT IS LESS THAN ONE THOUSAND DOLLARS AND SUCH ACTION IS COMMENCED IN A COURT OF RECORD OF APPROPRIATE LIMITED JURISDICTION, A FEE IN THE AMOUNT OF EIGHTY DOLLARS.

(C) ON OR AFTER JANUARY 1, 2019, BY EACH PLAINTIFF, PETITIONER, THIRD-PARTY PLAINTIFF, AND PARTY FILING A CROSS CLAIM OR COUNTERCLAIM, WHEN A MONEY JUDGMENT SOUGHT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN FIFTEEN THOUSAND DOLLARS AND SUCH ACTION IS COMMENCED IN A COURT OF RECORD OF APPROPRIATE LIMITED JURISDICTION, A FEE IN THE AMOUNT OF ONE HUNDRED FIVE DOLLARS.

(D) ON OR AFTER JANUARY 1, 2019, BY EACH DEFENDANT, RESPONDENT, THIRD-PARTY DEFENDANT, OR OTHER PARTY IN SUCH COURT NOT FILING A CROSS CLAIM OR COUNTERCLAIM, WHEN A MONEY JUDGMENT SOUGHT IS ONE THOUSAND DOLLARS OR MORE BUT LESS THAN FIFTEEN THOUSAND DOLLARS AND SUCH ACTION IS COMMENCED IN A COURT OF RECORD OF APPROPRIATE LIMITED JURISDICTION, A FEE IN THE AMOUNT OF ONE HUNDRED DOLLARS.

(E) ON OR AFTER JANUARY 1, 2019, BY EACH PLAINTIFF, PETITIONER, THIRD-PARTY PLAINTIFF, AND PARTY FILING A CROSS CLAIM OR COUNTERCLAIM, WHEN A MONEY JUDGMENT SOUGHT IS FIFTEEN THOUSAND DOLLARS OR MORE BUT DOES NOT EXCEED THIRTY-FIVE THOUSAND DOLLARS AND SUCH ACTION IS COMMENCED IN A COURT OF RECORD OF APPROPRIATE LIMITED JURISDICTION, A FEE IN THE AMOUNT OF ONE HUNDRED FORTY DOLLARS.

(F) ON OR AFTER JANUARY 1, 2019, BY EACH DEFENDANT, RESPONDENT, THIRD-PARTY DEFENDANT, OR OTHER PARTY IN SUCH COURT NOT FILING A CROSS CLAIM OR COUNTERCLAIM, WHEN A MONEY JUDGMENT SOUGHT IS FIFTEEN THOUSAND DOLLARS OR MORE BUT DOES NOT EXCEED THIRTY-FIVE THOUSAND DOLLARS AND SUCH ACTION IS COMMENCED IN A COURT OF RECORD OF APPROPRIATE LIMITED JURISDICTION, A FEE IN THE AMOUNT OF ONE HUNDRED THIRTY-FIVE DOLLARS.".

Page 4, line 23, strike "THIRTY" and substitute "FORTY-NINE".

Page 4, after line 23 insert:

"(5) (g) ~~Each fee collected pursuant to sub-subparagraph (A) of~~

~~subparagraph (III) of paragraph (c) of subsection (1) of this section shall be transmitted to the state treasurer and fifty-four dollars shall be deposited in the judicial stabilization cash fund created in subsection (6) of this section, five dollars shall be deposited in the court security cash fund established pursuant to section 13-1-204, thirty-seven dollars shall be deposited in the justice center cash fund created in paragraph (a) of subsection (7) of this section, and one dollar shall be deposited in the general fund pursuant to section 2-5-119. C.R.S.~~

(g.5) EACH FEE COLLECTED PURSUANT TO SUBSECTION (1)(c)(III.5)(A), (1)(c)(III.5)(C), OR (1)(c)(III.5)(E) OF THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER AND FIVE DOLLARS SHALL BE DEPOSITED IN THE COURT SECURITY CASH FUND ESTABLISHED PURSUANT TO SECTION 13-1-204, THIRTY-SEVEN DOLLARS SHALL BE DEPOSITED IN THE JUSTICE CENTER CASH FUND CREATED IN SUBSECTION (7)(a) OF THIS SECTION, AND ONE DOLLAR SHALL BE DEPOSITED IN THE GENERAL FUND PURSUANT TO SECTION 2-5-119. THE REMAINING BALANCE SHALL BE DEPOSITED IN THE JUDICIAL STABILIZATION CASH FUND CREATED IN SUBSECTION (6) OF THIS SECTION.

(h) ~~Each fee collected pursuant to sub-subparagraph (B) of subparagraph (III) of paragraph (c) of subsection (1) of this section shall be transmitted to the state treasurer and fifty dollars shall be deposited in the judicial stabilization cash fund created in subsection (6) of this section, five dollars shall be deposited in the court security cash fund established pursuant to section 13-1-204, and thirty-seven dollars shall be deposited in the justice center cash fund created in paragraph (a) of subsection (7) of this section.~~

(h.5) EACH FEE COLLECTED PURSUANT TO SUBSECTION (1)(c)(III.5)(B), (1)(c)(III.5)(D), OR (1)(c)(III.5)(F) OF THIS SECTION SHALL BE TRANSMITTED TO THE STATE TREASURER AND FIVE DOLLARS SHALL BE DEPOSITED IN THE COURT SECURITY CASH FUND ESTABLISHED PURSUANT TO SECTION 13-1-204, AND THIRTY-SEVEN DOLLARS SHALL BE DEPOSITED IN THE JUSTICE CENTER CASH FUND CREATED IN SUBSECTION (7)(a) OF THIS SECTION. THE REMAINING BALANCE SHALL BE DEPOSITED IN THE JUDICIAL STABILIZATION CASH FUND CREATED IN SUBSECTION (6) OF THIS SECTION.

(o) Each fee collected pursuant to ~~paragraph (d) of subsection (1)~~ SUBSECTION (1)(d) of this section shall be transmitted to the state treasurer and divided as follows:

(II) On and after ~~July 1, 2010~~ JANUARY 1, 2019, one hundred ~~fifty~~ SEVENTY-FIVE dollars shall be deposited in the judicial stabilization cash fund created in subsection (6) of this section, five dollars shall be deposited in the court security cash fund established pursuant to section 13-1-204, sixty-eight dollars shall be deposited in the justice center cash fund created in ~~paragraph (a) of subsection (7)~~ SUBSECTION (7)(a) of this section, and one dollar shall be deposited in the general fund pursuant to section 2-5-119. ~~C.R.S.~~".

Judiciary After consideration on the merits, the Committee recommends that **HB18-1142** 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 **HB18-1141** 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: SJR18-006.
Correctly Rerevised: HB18-1048.

MESSAGE FROM THE HOUSE

February 28, 2018

Mr. President:

The House has adopted and returns herewith SJR18-006.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-007 by Senator(s) Zenzinger and Lambert; also Representative(s) Carver and Pettersen--Concerning the designation of March 2, 2018, as National Speech and Debate Education Day in Colorado.

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:

SB18-184 by Senator(s) Coram; also Representative(s) McKean and Esgar--Concerning a new permit for the short-term extraction of construction materials.
Agriculture, Natural Resources, & Energy

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-062 by Senator(s) Moreno; also Representative(s) Melton--Concerning liability limits in snow and ice removal contracts.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES 27		NO 8		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar and Priola.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1087 by Representative(s) Thurlow, Roberts; also Senator(s) Kagan and Coram--Concerning department of public safety authority to repeal rules relating to defunct boards.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1028 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Court and Tate--Concerning clarification of the standard required for applications for a court order to require compliance with investigations of deceptive trade practices.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 27, page 317 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1140 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger--Concerning public official personal surety bonds, and, in connection therewith, repealing obsolete provisions and authorizing the purchase of insurance in lieu of public official personal surety bonds.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 27, page 318 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-173 by Senator(s) Gardner, Fenberg; also Representative(s) Herod--Concerning the ability of certain establishments licensed to sell alcohol beverages for on-premises consumption that serve food to allow a customer to remove one opened container of partially consumed vinous liquor from the licensed premises.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1096 by Representative(s) Gray; also Senator(s) Priola--Concerning the eligibility of certain entities to apply for a special event permit to sell alcohol beverages.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-074 by Senator(s) Todd, Court, Holbert, Martinez Humenik, Merrifield, Zenzinger; also Representative(s) Hansen--Concerning adding individuals with Prader-Willi syndrome to the list of persons with intellectual and developmental disabilities who are mandatorily eligible for services and supports.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 16, page 260 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-068 by Senator(s) Cooke; also Representative(s) Van Winkle--Concerning criminalizing false reports.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, pages 320-321 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1101 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning modification of the manner in which gross retail marijuana tax revenue that is transferred from the general fund to the state public school fund as required by current law is appropriated from the state public school fund.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1100 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the continuous appropriation of money in the educator licensure cash fund.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-173, SB18-074 as amended, SB18-068 as amended, HB18-1087, HB18-1028 as amended, HB18-1140 as amended, HB18-1096, HB18-1101, HB18-1100.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1086 by Representative(s) Buckner and Lundeen; also Senator(s) Neville T. and Aguilar--Concerning allowing community colleges to offer a bachelor of science degree in nursing.

Amendment No. 1(L.022), by Senator Neville.

Amend reengrossed bill, page 2, line 10, strike "SECTION 23-1-113.7,"

and substitute "SECTIONS 23-1-113.7 AND 23-1-107,".

Page 2, line 21, after "REQUIREMENTS." insert "THE BOARD SHALL PROVIDE SUCH INFORMATION TO THE COLORADO COMMISSION ON HIGHER EDUCATION AND SOLICIT THE COMMISSION'S INPUT IN A JOINT MEETING OF THE BOARD AND THE COMMISSION.".

Page 3, line 1, after "TO" insert "THE COLORADO COMMISSION ON HIGHER EDUCATION AND".

Amendment No. 2(L.024), by Senator Neville.

Amend reengrossed bill, page 2, before line 1 insert:

"**SECTION 1. Legislative declaration.** It is the intent of the general assembly to add to the role and mission of the state's community colleges the creation of a bachelor of science in nursing completion program that results in the awarding of a bachelor of science in nursing degree to successful candidates. It is the further intent of the general assembly that the state's community colleges comply with the requirements for degree programs set forth in section 23-1-107.

SECTION 2. In Colorado Revised Statutes, **amend** 23-60-201 as follows:

23-60-201. State system of community and technical colleges established - local district colleges - role and mission. There is ~~hereby~~ established a state system of community and technical colleges ~~which shall be~~ THAT IS under the management and jurisdiction of the state board for community colleges and occupational education. The mission of the community colleges ~~shall be~~ IS to serve Colorado residents who reside in their service areas by offering a broad range of general, personal, career, and technical education programs, AS WELL AS BACHELOR OF SCIENCE IN NURSING COMPLETION PROGRAMS THAT RESULT IN THE AWARDING OF A BACHELOR OF SCIENCE IN NURSING DEGREE TO SUCCESSFUL CANDIDATES PURSUANT TO SECTION 23-60-211 (5). Except as provided in section 23-60-211, each college ~~shall~~ MUST be a two-year college. Each community college may offer two-year degree programs with or without academic designation, and, upon approval of the board pursuant to section 23-60-211, may offer technical, career, and workforce development bachelor of applied science degree programs. ~~No~~ A COMMUNITY college shall NOT impose admission requirements upon any student. ADMISSION TO A COMMUNITY COLLEGE DOES NOT GUARANTEE ENROLLMENT IN A SPECIFIC PROGRAM THAT HAS PREREQUISITES. The objects of the community and technical colleges ~~shall be~~ ARE to provide educational programs to fill the occupational needs of youth and adults in career and technical fields, two-year transfer educational programs to qualify students for admission to the junior year at other colleges and universities, basic skills, workforce development, and a broad range of personal and career education for adults, and technical, career, and workforce development bachelor of applied science degree programs established pursuant to section 23-60-211, that address the needs of the community within each community college service area.".

Renumber succeeding sections accordingly.

Page 2, line 17, strike "OR TECHNICAL".

Page 2, line 21, strike "OR TECHNICAL".

Page 2, line 27, strike "OR TECHNICAL".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Monday, March 5, retaining its place on the calendar.

SB18-146 by Senator(s) Kefalas and Smallwood, Martinez Humenik, Aguilar, Coram, Crowder, Donovan, Garcia, Gardner, Jahn, Moreno, Tate, Todd, Williams A.; also Representative(s) Sias and Singer, Hansen, Kennedy--Concerning a requirement that a freestanding emergency department inform a person who is seeking medical treatment about the health care options that are available to the person.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 15, pages 237-238 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, page 319 and placed in members' bill files.)

Amendment No. 3(L.006), by Senators Kefalas and Smallwood.

Amend the Health and Human Services Committee Report, dated February 14, 2018, page 1, line 5, strike "PATIENT'S" and substitute "PATIENT INFORMATION OR".

Page 1 of the report, line 7, strike "ADMISSION."." and substitute "THE COMPLETION OF A MEDICAL SCREENING EXAMINATION THAT DOES NOT REVEAL AN EMERGENCY MEDICAL CONDITION OR AFTER TREATMENT HAS BEEN PROVIDED TO STABILIZE AN EMERGENCY MEDICAL CONDITION.".".

Amend printed bill, page 5, line 15, strike "STATEMENT OF PATIENT'S RIGHTS" and substitute "PATIENT INFORMATION".

Page 6 of the bill, after line 27 insert:

"(c) AS NECESSARY, THE STATE BOARD OF HEALTH, BY RULE, MAY UPDATE THE INFORMATION REQUIRED TO BE INCLUDED IN THE WRITTEN NOTICE OF PATIENT INFORMATION SET FORTH IN THIS SUBSECTION (1).".

Page 8 of the bill, line 3, strike "EMERGENT MEDICAL CONDITION," and substitute "EMERGENCY MEDICAL CONDITION OR AFTER TREATMENT HAS BEEN PROVIDED TO STABILIZE AN EMERGENCY MEDICAL CONDITION,".

Page 8 of the bill, line 27, strike "NONEMERGENCY".

Page 9 of the bill, line 7, strike "NONEMERGENCY".

Page 10 of the bill, after line 13 insert:

"(b) "EMERGENCY MEDICAL CONDITION" HAS THE SAME MEANING AS SET FORTH IN 42 U.S.C. SEC. 1395dd (e)(1).".

Releter succeeding paragraph accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-132, SB18-071, SB18-070, SB18-097) of Thursday, March 1, was laid over until Monday, March 5, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-146 as amended, HB18-1086 as amended.
Laid over until Monday, March 5: SB18-166, SB18-132, SB18-071, SB18-070, SB18-097.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments--Consent Calendar confirmation of the Executive Director of the Department of Health Care Policy and Financing, was laid over until Monday, March 5, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS

for a term expiring June 30, 2020:

Norman E. Steen of Woodland Park, 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 resignation of Robert Frances McLaughlin of Colorado Springs, Colorado, appointed;

effective June 30, 2017 for terms expiring June 30, 2021:

Lacey Golonka of Castle Rock, Colorado, an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, appointed;

Bennie Jack Rudder of Alamosa, Colorado, to serve as an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
PINNACOL ASSURANCE BOARD OF DIRECTORS

for terms expiring January 1, 2024:

Brad Robert Busse of Denver, Colorado, to serve as an employee whose liability is insured by Pinnacol, appointed;

Fiona Elizabeth Arnold of Denver, Colorado, to serve as an employer whose liability is insured by Pinnacol, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
AIR QUALITY CONTROL COMMISSION

for a term expiring January 31, 2020:

Megan Elyse Garvey of Denver, Colorado, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Jeffrey Todd Mitchell of Aspen, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Tate, the following Governor's appointment was confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT

effective pending confirmation by the Colorado Senate, for a term expiring at the pleasure of the Governor:

Samuel David Walker of Denver, Colorado, to serve as the Executive Director of the Department of Labor and Employment and to fill the vacancy occasioned by the resignation of Ellen J. Golombek of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-050 and 105; SJR18-006.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 2, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

52nd Legislative Day Friday, March 2, 2018

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, Kerr, Priola, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Williams.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Thursday, March 1, 2018, 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 **SB18-167** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Transportation Committee Report, dated February 22, 2018, page 3, strike lines 22 through 24 and substitute:

"(XI) ONE INDIVIDUAL NOMINATED BY THE COLORADO TELECOMMUNICATIONS AND BROADBAND INDUSTRY TO REPRESENT TELECOMMUNICATIONS AND BROADBAND COMPANIES;".

Amend printed bill, page 4, line 2, after "THE" insert "DENTING OR".

Page 5, line 24, strike "(11), and (12)" and substitute "and (11)".

Page 11, line 7, strike "SECTION." and substitute "SECTION; EXCEPT THAT, IF AN EXCAVATION NOTICE IS LIMITED TO ONLY ANNUAL ROAD MAINTENANCE THAT DOES NOT EXCEED SIX INCHES IN DEPTH CONDUCTED BY A GOVERNMENTAL AGENCY ON AN EXISTING UNPAVED ROAD, THE MARKING SHALL BE CONSIDERED VALID FOR UP TO ONE HUNDRED EIGHTY DAYS. UPON RECEIPT OF THE NOTIFICATION, AN OWNER OR OPERATOR HAS TEN BUSINESS DAYS TO COORDINATE THE EXCAVATION ACTIVITY WITH THE GOVERNMENTAL AGENCY.".

Page 11, line 8, strike "thirty-day" and substitute "~~thirty-day~~ APPLICABLE".

Page 11, line 11, strike "THE thirty-day" and substitute "~~thirty-day~~ THE APPLICABLE".

Page 14, line 13, after "ANY" insert "INTERSTATE OR INTRASTATE".

Page 14, line 15, after "EXCAVATOR" insert "OR PERSON THAT CAUSED THE DAMAGE".

Page 15, strike lines 2 through 9.

Page 15, line 22, strike "AND".

Page 15, after line 26 insert:

"(C) POLICIES AND BEST PRACTICES TO IMPROVE EFFICIENCY AND COST SAVINGS TO THE 811 PROGRAM, INCLUDING THE REVIEW, ESTABLISHMENT, AND PERIODIC UPDATING OF INDUSTRY BEST STANDARDS, TO ENSURE THE HIGHEST LEVEL OF PRODUCTIVITY AND SERVICE FOR THE BENEFIT OF BOTH EXCAVATORS AND OWNERS AND OPERATORS; AND".

Page 16, line 6, after the period add "THE MEMORANDUM OF UNDERSTANDING MUST INCLUDE PROVISIONS OUTLINING THE ROLES AND RESPONSIBILITIES OF THE SAFETY COMMISSION REGARDING STATEWIDE ENFORCEMENT AND THE ROLES AND RESPONSIBILITIES OF THE NOTIFICATION ASSOCIATION IN ADMINISTERING THE NOTIFICATION ASSOCIATION AS OUTLINED IN SECTION 9-1.5-105.".

Page 23, line 23, after the semicolon add "AND".

Page 23, strike lines 24 and 25.

Reletter succeeding paragraph accordingly.

Page 24, after line 27 insert:

"**SECTION 5.** In Colorado Revised Statutes, 9-1.5-104.5, **amend** (3)(c) as follows:

9-1.5-104.5. Civil penalties - applicability. (3) (c) The penalties AND REMEDIES provided in this article ***1.5*** are in addition to any other remedy at law or equity available to an excavator or to the owner or operator of a damaged underground facility, AND SECTIONS 9-1.5-104.2 AND 9-1.5-104.4, REGARDING THE SAFETY COMMISSION'S ENFORCEMENT AUTHORITY, DO NOT LIMIT OR RESTRICT ANY OTHER REMEDY AT LAW OR EQUITY AVAILABLE TO AN EXCAVATOR OR TO THE OWNER OR OPERATOR OF A DAMAGED UNDERGROUND FACILITY.".

Renumber succeeding sections accordingly.

Finance

After consideration on the merits, the Committee recommends that **SB18-001** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2021:

H. Webster Jones of Steamboat, Colorado, to serve as a representative of the Yampa White Drainage Basin, and planning and development, reappointed;

Roy Ellsworth Heald of Colorado Springs, Colorado, to serve as a representative of the Arkansas Drainage Basin, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for a term expiring March 1, 2019:

Rebecca Lynn Larson of Longmont, Colorado, an Unaffiliated, from the Second Agricultural District to serve as a member from the State at-large, and occasioned by the resignation of Susan Kay Petrocco of Brighton, Colorado, appointed.

for terms expiring March 1, 2021:

Marty Joe Gerace of Golden, Colorado, a Republican, from the First Agricultural District to serve as a member from the State at-large, appointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat, from the Second Agricultural District, reappointed;

Steve Dale Young of Holyoke, Colorado, a Republican, from the Second Agricultural District, to serve as a member from the State at-large, reappointed;

Michael Conrad Hirakata of La Junta, Colorado, a Republican, from the Third Agricultural District to serve as a member from the State at-large, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2021:

Daniel Patrick McCarty of Rifle, Colorado, to serve as a representative of the non-confinement cattle industry, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2021:

Kelly Eugene Arnold of Windsor, Colorado, reappointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1183** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1073** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1051** 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 **HB18-1005** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB18-1052** 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 **HB18-1095** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB18-1032** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB18-184; SJR18-007.
Correctly Engrossed: SB18-068, 074, 146, and 173.
Correctly Reengrossed: SB18-062.
Correctly Revised: HB18-1028, 1086, 1087, 1096, 1100, 1101, and 1140.
Correctly Enrolled: SJR18-006.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB18-1158 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of corrections.
Appropriations

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (HB18-1087, HB18-1028, HB18-1140, SB18-173, HB18-1096, SB18-074, SB18-068, HB18-1101, HB18-1100) of Friday, March 2, was laid over until Monday, March 5, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (HB18-1086, SB18-146) of Friday, March 2, was laid over until Monday, March 5, retaining its place on the calendar.

Committee of the Whole — On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-174 by Senator(s) Gardner; --Concerning liability of entities that provide services to persons with developmental disabilities in residential settings.

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 Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The Committee of the Whole took the following action:

Passed on second reading: SB18-174.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Lontine, Melton, Rosenthal, Sias, Williams D.--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

Amendment No. 1(L.002), by Senator Williams.

Amend printed bill, page 2, after line 5 insert:

"**SECTION 2.** In Colorado Revised Statutes, 39-28.5-105, **amend** (1) and (3) as follows:

39-28.5-105. Books and records to be preserved. (1) Every distributor shall keep at each licensed place of business complete and accurate records for that place of business, including itemized invoices of tobacco products held, purchased, manufactured, brought in or caused to be brought in from without the state, or shipped or transported to retailers in this state, and of all sales of tobacco products made, except sales to the ultimate consumer WITHIN THE STATE.

(3) When a licensed distributor sells tobacco products exclusively to the ultimate consumer WITHIN THE STATE at the address given in the license, no invoice of those sales shall be required, but itemized invoices shall be made of all tobacco products transferred to other retail outlets owned or controlled by that licensed distributor. All books, records, and other papers and documents required by this section to be kept shall be preserved for a period of at least three years after the date of the documents, unless the department, in writing, authorizes their destruction or disposal at an earlier date.".

Renumber succeeding sections 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

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The Committee of the Whole took the following action:

Passed on second reading: SB18-179 as amended.

CONSIDERATION OF RESOLUTIONS

SJR18-007 by Senator(s) Zenzinger and Lambert; also Representative(s) Carver and Pettersen--Concerning the designation of March 2, 2018, as National Speech and Debate Education Day in Colorado.

On motion of Senator Zenzinger, the resolution was read at length and **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Smallwood, Sonnenberg, Tate, Todd, and Williams A.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-124 and 148; HB18-1041.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 2, 2018, at 8:40 a.m.:
SB18-050, 105, 124, and 148.

SELECT COMMITTEE APPOINTMENTS

February 28, 2018

Mr. Mike Mauer
Executive Director
Legislative Council
200 East Colfax Avenue
Denver, Colorado 80203

Dear Mr. Mauer:

Pursuant to Senate Rule 22(c), I hereby create a 5-member Select Committee on Energy and the Environment. I hereby appoint the following Senators:

Senator Ray Scott, chair
Senator John Cooke, vice chair
Senator Kevin Priola

Pursuant to Senate Rule 22(c), the Minority Leader of the Senate shall appoint two members no later than March 15, 2018.

The Select Committee will hold at least three public hearings. The chair shall be responsible for establishing the agenda and the schedule for any meeting of the Select Committee.

The purpose of the Select Committee on Energy and the Environment is to hold hearings on a wide range of energy and environmental issues facing Colorado including: supporting energy jobs and revenues while also protecting the natural places that make Colorado special; the changing regulatory landscape; and pursuing an all-of-the-above approach to energy development in Colorado.

Sincerely,
(signed)
Kevin J. Grantham
Senate President
Colorado Senate

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 5, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

55th Legislative Day — Monday, March 5, 2018

Prayer — By the chaplain, Father William T. Oulvey, 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.

Presentation of Colors — By the Boy Scouts of America. Members participating include Max Anna Locket, STEM Scout, and Elliot Graham, Troop 461.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Christian Joya, Venture Crew 201.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Friday, March 2, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-174 and 179; SJR-007.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1087 by Representative(s) Thurlow, Roberts; also Senator(s) Kagan and Coram--Concerning department of public safety authority to repeal rules relating to defunct boards.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Garcia, Gardner, Martinez Humenik, Moreno, Tate, and Todd.

HB18-1028 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Court and Tate--Concerning clarification of the standard required for applications for a court order to require compliance with investigations of deceptive trade practices.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fenberg, Fields, Gardner, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, and Williams A.

HB18-1140 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Moreno, Martinez Humenik, Tate, Zenzinger--Concerning public official personal surety bonds, and, in connection therewith, repealing obsolete provisions and authorizing the purchase of insurance in lieu of public official personal surety bonds.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB18-173 by Senator(s) Gardner, Fenberg; also Representative(s) Herod--Concerning the ability of certain establishments licensed to sell alcohol beverages for on-premises consumption that serve food to allow a customer to remove one opened container of partially consumed vinous liquor from the licensed premises.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Fields, Marble, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

HB18-1096 by Representative(s) Gray; also Senator(s) Priola--Concerning the eligibility of certain entities to apply for a special event permit to sell alcohol beverages.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Jones, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SB18-074 by Senator(s) Todd, Court, Holbert, Martinez Humenik, Merrifield, Zenzinger; also Representative(s) Hansen--Concerning adding individuals with Prader-Willi syndrome to the list of persons with intellectual and developmental disabilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Gardner, Guzman, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Moreno, Neville T., Tate, and Williams A.

SB18-068 by Senator(s) Cooke; also Representative(s) Van Winkle--Concerning criminalizing false reports, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Sonnenberg, and Tate.

HB18-1101 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning modification of the manner in which gross retail marijuana tax revenue that is transferred from the general fund to the state public school fund as required by current law is appropriated from the state public school fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr, Martinez Humenik, and Tate.

HB18-1100 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the continuous appropriation of money in the educator licensure 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fields, Jones, Kerr, Martinez Humenik, Merrifield, Tate, Todd, and Zenzinger.

SB18-174 by Senator(s) Gardner; --Concerning liability of entities that provide services to persons with developmental disabilities in residential settings.

Laid over until Tuesday, March 6, 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:

HB18-1086 by Representative(s) Buckner and Lundeen; also Senator(s) Neville T. and Aguilar--Concerning allowing community colleges to offer a bachelor of science degree in nursing.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	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, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Lambert, Marble, Moreno, Scott, Smallwood, Sonnenberg, Todd, and Williams A.

SB18-146 by Senator(s) Kefalas and Smallwood, Martinez Humenik, Aguilar, Coram, Crowder, Donovan, Garcia, Gardner, Jahn, Moreno, Tate, Todd, Williams A.; also Representative(s) Sias and Singer, Hansen, Kennedy--Concerning a requirement that a freestanding emergency department inform a person who is seeking medical treatment about the health care options that are available to the person, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman, Jones, Kagan, Kerr, Lambert, Lundberg, Merrifield, and Neville T.

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Lontine, Melton, Rosenthal, Sias, Williams D.--Concerning the extension of the credit for tobacco products that a distributor ships or transports to an out-of-state consumer.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-176 by Senator(s) Coram; also Representative(s) McLachlan and Catlin--Concerning changes to the requirements for meeting dates for the board of the southwestern water conservation district.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1091 by Representative(s) Beckman and Ginal; also Senator(s) Smallwood--Concerning dementia diseases, and, in connection therewith, updating statutory references to dementia diseases and related disabilities.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-169 by Senator(s) Gardner; also Representative(s) Carver--Concerning offenses against witnesses in noncriminal proceedings.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1142 by Representative(s) Hooton and Thurlow, Arndt, McKean; also Senator(s) Martinez Humenik and Zenzinger, Moreno--Concerning modernizing language in statutory sections that refer to paupers.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1141 by Representative(s) Hooton, Arndt, Thurlow, McKean; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the removal of outdated references in statute to "early childhood care and education councils".

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-176, SB18-169, HB18-1091, HB18-1142, HB18-1141.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Todd was added as a Senate joint prime sponsor on HB18-1091 with Senator Smallwood and Representatives Beckman and Ginal.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Thursday, March 8, retaining its place on the calendar.

SB18-132 by Senator(s) Smallwood; also Representative(s) Kennedy--Concerning a waiver of federal law to permit insurance carriers to offer catastrophic health plans to any individual residing in Colorado.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, February 16, page 260 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, page 319 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-071 by Senator(s) Jahn and Crowder, Lambert, Cooke, Garcia, Guzman, Moreno, Priola, Smallwood, Tate, Todd, Williams A.; also Representative(s) Esgar, Kennedy--Concerning an extension of the repeal of the state substance abuse trend and response task force.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 29, pages 93-94 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, page 320 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-070 by Senator(s) Neville T., Crowder, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood; also Representative(s) Leonard and Humphrey, Beckman, Buck, Lewis, Neville P., Sias, Everett, Van Winkle, Williams D.--Concerning the elimination of ownership as a requirement to qualify for the property tax exemption for property that is used solely and exclusively for religious purposes, and, in connection therewith, enacting the "Church Property Tax Fairness Act".

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, page 320 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-097 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Everett, Humphrey, Leonard, Liston, Lundeen, Neville P., Ransom, Saine, Sandridge, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, February 27, pages 319-320 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.)

SB18-170 by Senator(s) Sonnenberg; also Representative(s) Hansen and McKean--Concerning a water court process by which an owner of a storage water right allowing water to be stored in new reservoir capacity may release water into an identified stream reach in a manner that protects the water releases while complying with mitigation measures identified in a fish and wildlife mitigation plan approved by the Colorado water conservation board.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, March 1, page 333 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-172 by Senator(s) Gardner; also Representative(s) Lee--Concerning testing of horse racing licensees for the presence of prohibited substances.

Laid over until Thursday, March 8, retaining its place on the calendar.

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.

Laid over until Tuesday, March 6, retaining its place on the calendar.

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

Laid over until Thursday, March 8, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-043, SB18-175) of Monday, March 5, was laid over until Tuesday, March 6, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-097 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Everett, Humphrey, Leonard, Liston, Lundeen, Neville P., Ransom, Saine, Sandridge, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools.

Senator Kagan moved to amend the Report of the Committee of the Whole to show that Amendment L.001 to SB 18-097 did pass.

Amend printed bill, page 2, line 21, after "HANDGUN." add "A PERSON WHO CARRIES A CONCEALED HANDGUN WITHOUT A PERMIT PURSUANT TO THIS SECTION SHALL ALSO CARRY A WRITTEN DOCUMENT THAT:

(I) STATES THAT THE PERSON CERTIFIES UNDER PENALTY OF

PERJURY THAT HE OR SHE HAS NOT BEEN CONVICTED OF ANY CRIMINAL OFFENSE THAT DISQUALIFIES HIM OR HER FROM LEGALLY POSSESSING A FIREARM UNDER STATE OR FEDERAL LAW; AND

(II) IS SIGNED AND DATED BY THE PERSON.".

Page 3, line 19, after "HANDGUN." add "A PERSON WHO CARRIES A CONCEALED HANDGUN WITHOUT A PERMIT PURSUANT TO THIS SECTION SHALL ALSO CARRY A WRITTEN DOCUMENT THAT:

(I) STATES THAT THE PERSON CERTIFIES UNDER PENALTY OF PERJURY THAT HE OR SHE HAS NOT BEEN CONVICTED OF ANY CRIMINAL OFFENSE THAT DISQUALIFIES HIM OR HER FROM LEGALLY POSSESSING A FIREARM UNDER STATE OR FEDERAL LAW; AND

(II) IS SIGNED AND DATED BY THE PERSON.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-132 as amended, SB18-071 as amended, SB18-070 as amended, SB18-097 as amended, SB18-170 as amended.
Laid over until Tuesday, March 6: SB18-171, SB18-043, SB18-175.
Laid over until Thursday, March 8: SB18-166, SB18-172, SB18-123.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments--Consent Calendar confirmation of the Executive Director of the Department of Health Care Policy and Financing, was laid over until Tuesday, March 6, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO CHANNEL AUTHORITY
BOARD OF DIRECTORS

for terms expiring October 6, 2019:

Bart Warren Miller of Centennial, Colorado, an Unaffiliated, to serve as a representative who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Scott Alan Nachtrieb of Highlands Ranch, Colorado, appointed;

Megan Alyse Jurgemeyer of Denver, Colorado, a Democrat, who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Timothy Michael Ryan of Aurora, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE BOARD OF PAROLE

for a term expiring July 1, 2020:

Alfredo Enrique Pena of Denver, Colorado, to serve as a citizen representative, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

March 1st, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-019: CONCERNING AN EXPANSION OF THE DURATION FOR WHICH THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY MAY MAKE A LOAN UNDER THE AUTHORITY'S REVOLVING LOAN PROGRAMS.

Approved March 1st, 2018 at 3:01 pm.

SB 18-067: CONCERNING THE ABILITY OF CERTAIN ORGANIZATIONS CONDUCTING A SPECIAL EVENT TO AUCTION ALCOHOL BEVERAGES IN SEALED CONTAINERS FOR FUNDRAISING PURPOSES UNDER SPECIFIED CIRCUMSTANCES.

Approved March 1st, 2018 at 2:56 pm.

SB 18-030: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO SELF-PROPELLED VEHICLES FROM TITLE 12, COLORADO REVISED STATUTES, AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved March 1st, 2018 at 3:04 pm.

SB 18-032: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS FROM TITLE 12, COLORADO REVISED STATUTES, AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved March 1st, 2018 at 3:22 pm.

SB 18-041: CONCERNING THE ABILITY OF OPERATORS OF SAND AND GRAVEL MINES TO USE WATER INCIDENTAL TO SAND AND GRAVEL MINING OPERATIONS TO MITIGATE THE IMPACTS OF MINING.

Approved March 1st, 2018 at 3:22 pm.

SB 18-035: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO GAMBLING PAYMENT INTERCEPT FROM TITLE 24, COLORADO REVISED STATUTES, TO A NEW TITLE 44 AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved March 1st, 2018 at 3:27 pm.

SB 18-034: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO THE REGULATION OF GAMING FROM TITLE 12, COLORADO REVISED STATUTES, TO A NEW TITLE 44 AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12.

Approved March 1st, 2018 at 3:27 pm.

SB 18-054: CONCERNING A LIMITATION ON THE AMOUNT OF AN INCREASE IN FEES ASSESSED AGAINST ASSISTED LIVING RESIDENCES BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

Approved March 1st, 2018 at 3:27 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

MESSAGE FROM THE HOUSE

March 5, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1237, 1239.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1078, 1042, 1188, 1093, 1016, amended as printed in House Journal, February 28, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1193, amended as printed in House Journal, February 28, 2018, and amended on Third Reading as printed in House Journal, March 5, 2018.

The House has passed on Third Reading and returns herewith SB18-009.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-036, amended as printed in House Journal, February 28, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

March 5, 2018

We herewith transmit:

Without comment, HB18-1237 and 1239.
Without comment, as amended, HB18-1016, 1042, 1078, 1093, 1188, and 1193.
Without comment, as amended, SB18-036.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-185 by Senator(s) Smallwood; --Concerning the use of deadly physical force against a person who has made an illegal entry into a place of business.
Judiciary

SB18-186 by Senator(s) Marble; --Concerning removing the prohibition on selling consumable products in a retail marijuana store.
Business, Labor, & Technology

SB18-187 by Senator(s) Marble and Tate; --Concerning transferring marijuana fibrous waste for the purpose of producing industrial fiber products.
Business, Labor, & Technology

SB18-188 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning agricultural commodities, and, in connection therewith, adding millet to the definition of an agricultural commodity and allowing the commissioner of agriculture to determine marketing order public announcement requirements.
Agriculture, Natural Resources, & Energy

SB18-189 by Senator(s) Zenzinger and Priola; --Concerning the ability of certain organizations conducting a special event to sell alcohol beverages for fundraising purposes under specified circumstances.
Business, Labor, & Technology

SB18-190 by Senator(s) Gardner; --Concerning the ability of the boards of county commissioners to delegate certain land use determinations.
Local Government

SB18-191 by Senator(s) Gardner; also Representative(s) Carver--Concerning the local government limited gaming impact fund.
Finance

SB18-192 by Senator(s) Marble; also Representative(s) Buck--Concerning a requirement that a local government that interferes with oil and gas operations compensate persons damaged by the interference.
Agriculture, Natural Resources, & Energy

SB18-193 by Senator(s) Coram, Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg; --Concerning additional limitations on state agency occupational regulations.
Business, Labor, & Technology

SB18-194 by Senator(s) Coram; also Representative(s) Roberts and Willett--Concerning contributions to the Colorado natural resources foundation fund.
Finance

SB18-195 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning a requirement that the money in the healthcare affordability and sustainability fee cash fund be appropriated annually rather than continuously appropriated.
Appropriations

SB18-196 by Senator(s) Neville T. and Lundberg, Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Buck, Everett, Humphrey, Leonard, Lewis, Liston, Neville P., Saine, Sandridge, Van Winkle, Williams D.--Concerning the repeal of the late vehicle registration fee.
Finance

SB18-197 by Senator(s) Sonnenberg and Crowder; --Concerning an exception to the requirement that a motor vehicle clear a port of entry for vehicles transporting agricultural commodities.
Agriculture, Natural Resources, & Energy

HB18-1008 by Representative(s) Esgar and Arndt, Hansen, Willett; also Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg--Concerning the financing of the division of parks and wildlife's aquatic nuisance species program, and, in connection therewith, creating an aquatic nuisance species stamp for the operation of motorboats and sailboats in waters of the state, increasing penalties related to the introduction of aquatic nuisance species into the waters of the state, and combining two separate funds related to the aquatic nuisance species program into one fund.
Finance

HB18-1017 by Representative(s) Michaelson Jenet, Landgraf; also Senator(s) Gardner and Fenberg--Concerning the adoption of an interstate compact to allow a person authorized to practice psychology in a compact state in which the person is not licensed, and, in connection therewith, making an appropriation.
Finance

HB18-1025 by Representative(s) Herod; also Senator(s) Cooke and Gardner--Concerning the nonsubstantive relocation of laws related to the regulation of alcohol beverages from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12, and, in connection therewith, making an appropriation.
Judiciary

HB18-1029 by Representative(s) Weissman; also Senator(s) Lundberg--Concerning lowering the period of mandatory parole from five years to three years for certain felony offenses.
Judiciary

HB18-1046 by Representative(s) Esgar; also Senator(s) Moreno--Concerning the issuance of a new birth certificate with a gender designation that differs from the gender designated on the person's original birth certificate.
State, Veterans, & Military Affairs

HB18-1049 by Representative(s) Thurlow; also Senator(s) Scott--Concerning the department of human services' authority to continue to lease portions of the Grand Junction regional center campus to third-party behavioral health providers.
Finance

HB18-1112 by Representative(s) Becker J. and Esgar; also Senator(s) Crowder--Concerning covered health care services provided by a pharmacist.
Business, Labor, & Technology

HB18-1127 by Representative(s) Jackson and Kennedy, Weissman; also Senator(s) Fenberg--Concerning the rental application process for prospective tenants.
State, Veterans, & Military Affairs
Business, Labor, & Technology
Finance

HB18-1145 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning the repeal of laws regulating ballot issue petition circulators that have been permanently enjoined from enforcement.
State, Veterans, & Military Affairs

HB18-1146 by Representative(s) Melton; also Senator(s) Coram--Concerning the continuation under the sunset law of the measurement standards law.
Agriculture, Natural Resources, & Energy

HB18-1148 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the prohibition against a carrier requiring step therapy for covered persons with stage four advanced metastatic cancer.
Health & Human Services

HB18-1180 by Representative(s) Melton; also Senator(s) Smallwood--Concerning access by a mental health professional to the files of a regulatory board regarding a dismissed complaint filed against the mental health professional.
Health & Human Services

HB18-1191 by Representative(s) Winter; also Senator(s) Martinez Humenik and Kefalas--Concerning a local authority's ability to alter speed limits within the local authority's jurisdiction.
Local Government

HB18-1196 by Representative(s) Exum; also Senator(s) Todd and Martinez Humenik--Concerning authorization to verify the disability of an applicant to the aid to the needy disabled program.
Health & Human Services

HB18-1198 by Representative(s) Saine and Kraft-Tharp, Leonard, Winter; also Senator(s) Donovan and Smallwood, Neville T., Todd--Concerning the establishment of best practices for state boards and commissions.
State, Veterans, & Military Affairs

HB18-1228 by Representative(s) Everett and Michaelson Jenet, Lundeen, Lewis, Neville P., Saine, Van Winkle, Becker J., Beckman, Bridges, McKean, Melton, Pettersen, Ransom, Sandridge; also Senator(s) Garcia, Hill--Concerning increasing transparency in higher education statutes relating to military service.
Education

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 6, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

56th Legislative Day Tuesday, March 6, 2018

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, Crowder, Scott, Smallwood.
Present later--1, Smallwood.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Monday, March 5, 2018, 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 **SB18-109** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 7, strike line 26 and substitute:

"(II) REMOTE PRESENTATION AND CREDENTIAL ANALYSIS OF A GOVERNMENT-ISSUED IDENTIFICATION CREDENTIAL THAT CONTAINS THE SIGNATURE AND A PHOTOGRAPH OF THE PERSON AND THE DATA CONTAINED ON THE CREDENTIAL, AND AT LEAST ONE OF THE FOLLOWING:".

Page 8, line 4, after the semicolon add "OR".

Page 8, strike lines 7 through 9.

Page 11, line 25, after "(I)" insert "A NOTARY PUBLIC SHALL CREATE AN AUDIO-VIDEO RECORDING OF THE PERFORMANCE OF THE REMOTE NOTARIZATION.".

Page 12, line 11, strike "ALLOWED" and substitute "REQUIRED".

Page 13, line 14, strike "ALLOWED" and substitute "REQUIRED".

Page 13, after line 19 insert:

"**SECTION 4.** In Colorado Revised Statutes, 24-21-515, **amend as it will become effective July 1, 2018,** (4) as follows:

24-21-515. Certificate of notarial act. (4) By executing a certificate of a notarial act, a notarial officer certifies that the officer has complied with the requirements and made the determinations specified in sections 24-21-504, 24-21-505, and 24-21-506 AND, IF APPLICABLE, SECTION 24-21-514.5.".

Renumber succeeding sections accordingly.

Page 14, strike lines 13 through 16 and substitute:

"(c) AS PERMITTED BY APPLICABLE FEDERAL OR STATE LAW;".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1045** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1117** be referred to the Committee of the Whole with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-059** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares that:

(a) Colorado's law enforcement, public safety, and criminal justice personnel operate at an information disadvantage that diminishes their safety and increases the likelihood that community members will be engaged improperly;

(b) Law enforcement personnel interact daily with a wide variety of people, from law-abiding citizens to frequent offenders, all without reliable information to determine who presents a risk and who does not;

(c) Law enforcement's information disadvantage can erode public trust when incomplete information leads to improper policing actions. For example, a lack of information can result in an unnecessarily large volume of contacts during an investigation. Also, a lack of information can lead to misinformation that spawns inaccurate BOLO "Be on the Lookout" notices, formerly known as "All Point Bulletins" or APBs.

(d) This information disadvantage presents issues for law enforcement personnel who are entrusted to uphold public safety while protecting the individual liberties of all people; and

(e) A major contributing factor to this lack of information is that each agency often has its own independent records-management system.

(2) Therefore, the general assembly declares that it is necessary to create a statewide information-sharing system for law enforcement, public safety, and criminal justice agencies.

SECTION 2. In Colorado Revised Statutes, **add** 24-33.5-1617 as follows:

24-33.5-1617. Law enforcement, public safety, and criminal justice information-sharing grant program - rules - fund created - repeal. (1) THE LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE INFORMATION-SHARING GRANT PROGRAM, REFERRED TO WITHIN THIS SECTION AS THE "GRANT PROGRAM", IS CREATED WITHIN THE DIVISION. DURING THE 2018-19 FISCAL YEAR, THE GRANT PROGRAM SHALL AWARD GRANTS, AT THE DISCRETION OF THE DIVISION, FROM THE FUND CREATED IN SUBSECTION (11) OF THIS SECTION TO ANY STATE GOVERNMENTAL ENTITY, STATE QUASI-GOVERNMENTAL ENTITY, OR SEPARATE LEGAL ENTITY FORMED BY AN INTERGOVERNMENTAL AGREEMENT PURSUANT TO SECTION 29-1-203, 20-1-110, OR 20-1-111.

(2) (a) EACH GRANTEE SHALL USE MONEY RECEIVED THROUGH THE GRANT PROGRAM FOR ONE OR MORE OF THE FOLLOWING:

(I) ENHANCING, MAINTAINING, OPERATING, OR IMPROVING ANY EXISTING STATEWIDE LAW ENFORCEMENT, PUBLIC SAFETY, OR CRIMINAL JUSTICE INFORMATION-SHARING SYSTEM;

(II) ASSISTING LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE AGENCIES IN GAINING ACCESS TO THE INFORMATION-SHARING SYSTEM; OR

(III) INCREASING COMMUNICATION, INTEROPERABILITY, OR DATA SHARING AMONG LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE AGENCIES.

(b) IN ADDITION TO ANY ONE OF THE PURPOSES DESCRIBED IN

SUBSECTION (2)(a) OF THIS SECTION, A GRANTEE MAY USE MONEY RECEIVED THROUGH THE GRANT PROGRAM TO PROVIDE GRANTS TO LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE AGENCIES THAT WANT TO PARTICIPATE IN THE INFORMATION-SHARING SYSTEM.

(3) NOT LATER THAN NINE MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE DIVISION SHALL ADMINISTER THE GRANT PROGRAM PURSUANT TO RULES PROMULGATED PURSUANT TO SUBSECTION (4) OF THIS SECTION, AND, SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL AWARD GRANTS AS PROVIDED IN SUBSECTION (9) OF THIS SECTION.

(4) NOT LATER THAN SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL PROMULGATE SUCH RULES AS ARE REQUIRED FOR THE ADMINISTRATION OF THE GRANT PROGRAM. AT A MINIMUM, THE RULES MUST SPECIFY THE TIME FRAMES FOR APPLYING FOR GRANTS, THE FORM OF THE GRANT PROGRAM APPLICATION, AND THE TIME FRAMES FOR DISTRIBUTING GRANT MONEY.

(5) ANY PERSON WHO IS EMPLOYED BY THE DEPARTMENT AND WHO IS AFFILIATED IN ANY WAY WITH A GRANT APPLICANT IS PROHIBITED FROM PARTICIPATING IN THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING BUT NOT LIMITED TO THE EVALUATION OF GRANT APPLICATIONS AND THE AWARDING OF GRANTS.

(6) (a) FOR THE PURPOSES OF SUBSECTION (2)(a) OF THIS SECTION, ANY GRANT APPLICANT INTENDING TO CONTRACT WITH AN INDEPENDENT CONTRACTOR OR VENDOR AS PART OF A GRANT APPLICATION FOR A GRANT OF FIFTY THOUSAND DOLLARS OR MORE MUST FIRST FACILITATE AN OPEN-BID PROCESS THAT INCLUDES:

(I) A PUBLIC NOTICE OR ANNOUNCEMENT FOR SOLICITATION OF PROPOSALS;

(II) THE CRITERIA FOR THE SELECTION OF ANY SUCH CONTRACTOR OR VENDOR; AND

(III) AMPLE TIME FOR ALL INTERESTED PARTIES TO SUBMIT PROPOSALS.

(b) (I) THE DEPARTMENT SHALL ANNOUNCE ON ITS PUBLIC WEBSITE THE AWARDING OF ANY GRANT WITHIN ONE BUSINESS DAY AFTER SUCH AWARD. ANY PARTY MAY CONTEST ANY SUCH AWARD WITHIN FIFTEEN DAYS AFTER THE AWARD ANNOUNCEMENT OR WITHIN FIFTEEN DAYS AFTER THE GRANTEE'S SELECTION OF A CONTRACTOR OR VENDOR, WHICHEVER OCCURS LATER, ON THE GROUNDS THAT THE GRANT APPLICANT'S SELECTION OF A CONTRACTOR OR VENDOR IS ARBITRARY OR CAPRICIOUS BASED UPON THE GRANT APPLICANT'S CRITERIA FOR SELECTING A CONTRACTOR OR VENDOR, AS SUCH CRITERIA APPEARS IN THE GRANT APPLICANT'S GRANT APPLICATION.

(II) THE DEPARTMENT SHALL REVIEW ANY GRANT AWARD THAT IS CONTESTED, AND THE DEPARTMENT SHALL REVOKE THE GRANT IF THE DEPARTMENT FINDS THAT THE GRANT APPLICANT'S SELECTION OF A CONTRACTOR OR VENDOR IS ARBITRARY OR CAPRICIOUS BASED UPON THE GRANT APPLICANT'S CRITERIA FOR SELECTING A CONTRACTOR OR VENDOR, AS SUCH CRITERIA APPEARS IN THE GRANT APPLICANT'S GRANT APPLICATION.

(7) NOTHING IN THIS SECTION INTERFERES WITH OR IMPAIRS ANY CONTRACTUAL OBLIGATIONS TO DEVELOP OR MAINTAIN A STATEWIDE INFORMATION-SHARING SYSTEM, WHICH CONTRACTUAL OBLIGATIONS ARE EXISTING ON THE EFFECTIVE DATE OF THIS SECTION.

(8) TO RECEIVE A GRANT, AN APPLICANT MUST SUBMIT AN APPLICATION TO THE DIVISION IN ACCORDANCE WITH THE RULES PROMULGATED PURSUANT TO SUBSECTION (4) OF THIS SECTION. THE DIVISION SHALL REVIEW ANY APPLICATIONS RECEIVED PURSUANT TO THIS SUBSECTION (8).

(9) IN DETERMINING TO WHICH APPLICANTS TO AWARD GRANTS, THE DIVISION SHALL CONSIDER:

(a) EACH APPLICANT'S CAPACITY TO SERVE LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE AGENCIES STATEWIDE; AND

(b) EACH APPLICANT'S ABILITY TO OPERATE AND MAINTAIN A LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE INFORMATION-SHARING SYSTEM. FOR THE PURPOSE OF THIS SUBSECTION (9)(b), EACH APPLICANT FOR A GRANT SHALL SUBMIT PROOF THAT THE APPLICANT CAN PROVIDE A COHESIVE, COMPREHENSIVE, AND

SUSTAINABLE SYSTEM TO SUPPORT THE CURRENT LAW ENFORCEMENT INFRASTRUCTURE.

(10) EACH GRANTEE SHALL AGREE TO:

(a) SUBMIT TO AN AUDIT BY THE STATE AUDITOR OF ANY USE OF GRANT MONEY RECEIVED FROM THE GRANT PROGRAM IF SUCH AN AUDIT IS REQUESTED BY THE GENERAL ASSEMBLY FOR THE PURPOSE OF ENSURING TRANSPARENCY AND ACCOUNTABILITY; AND

(b) REPORT ANNUALLY TO THE DIVISION TO FACILITATE THE DEPARTMENT'S ANNUAL REPORT TO THE COMMITTEES OF REFERENCE, PURSUANT TO SECTION 2-3-703, AND THE DEPARTMENT'S COMMUNICATIONS WITH THE JOINT BUDGET COMMITTEE CONCERNING GRANT MONEY.

(11) (a) THE LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE INFORMATION-SHARING GRANT PROGRAM FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY APPROPRIATED TO THE FUND PURSUANT TO SUBSECTION (11)(e) OF THIS SECTION 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) ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF A FISCAL YEAR REMAINS IN THE FUND AND IS NOT CREDITED TO THE GENERAL FUND.

(d) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON JULY 1, 2021, TO THE GENERAL FUND.

(e) FOR THE 2018-19 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE MILLION NINE HUNDRED THOUSAND DOLLARS TO THE FUND FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501. THE DIVISION MAY EXPEND MONEY FROM THE FUND FOR THE PURPOSE DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

(12) EACH RECIPIENT OF A GRANT FROM THE GRANT PROGRAM IS PROHIBITED FROM SELLING ANY DATA TO ANY PRIVATE PARTY.

(13) NOTHING IN THIS SECTION ALTERS ANY PROVISION OF ARTICLE 72 OF THIS TITLE 24.

(14) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 3. In Colorado Revised Statutes, 39-28.8-501, **amend** (2)(b)(IV)(M) and (2)(b)(IV)(N); and **add** (2)(b)(IV)(O) as follows:

39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration - repeal. (2) (b) (IV) Subject to the limitation in subsection (5) of this section, the general assembly may annually appropriate any money in the fund for any fiscal year following the fiscal year in which it was received by the state for the following purposes:

(M) For the expenses of the department of education and the department of public health and environment in developing and maintaining the resource bank for educational materials on marijuana and providing technical assistance as required in section 22-2-127.7; ~~and~~

(N) For housing, rental assistance, and supportive services, including reentry services, pursuant to section 24-32-721; AND

(O) TO FUND GRANTS FROM THE LAW ENFORCEMENT, PUBLIC SAFETY, AND CRIMINAL JUSTICE INFORMATION-SHARING GRANT PROGRAM CREATED IN SECTION 24-33.5-1617 FOR THE 2018-19 FISCAL YEAR, BASED ON RECOMMENDATIONS OF THE JOINT BUDGET COMMITTEE OR THE LEGISLATIVE AUDIT COMMITTEE. THIS SUBSECTION (2)(b)(IV)(O) IS REPEALED, EFFECTIVE JULY 1, 2021.

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.".

Judiciary

After consideration on the merits, the Committee recommends that **HB18-1210** 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 **HB18-1050** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1233** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 8, line 5, strike "PARTIALLY LIFT," and substitute "TEMPORARILY LIFT FOR A SPECIFIC PARTY,".

Appropriations — After consideration on the merits, the Committee recommends that **SB18-011** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-116** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 2, strike "**- creation of capitol identification card enterprise**".

Page 3, line 24, strike "TWO HUNDRED FIFTY" and substitute "ONE HUNDRED".

Page 4, line 6, after "PURPOSE" insert "PROMOTING SECURITY OF THE CAPITOL COMPLEX".

Page 7, strike lines 14 through 27.

Page 8, strike lines 1 through 11.

Page 8, line 12, strike "(10)" and substitute "(9)".

Page 8, line 22, strike "(10)(a)" and substitute "(9)(a)".

Appropriations — After consideration on the merits, the Committee recommends that **SB18-143** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1158** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB18-185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, and 197.
Correctly Engrossed: SB18-070, 071, 097, 132, 169, 170, and 176.
Correctly Reengrossed: SB18-068, 074, 146, 173, and 179.
Correctly Revised: HB18-1091, 1141, and 1142.
Correctly Rerevised: HB18-1028, 1086, 1087, 1096, 1100, 1101, and 1140.
Correctly Enrolled: SB18-009; SJR18-005.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (SB18-174, SB18-176, HB18-1091, SB18-169, HB18-1142, HB18-1141) of Tuesday, March 6, was laid over until Thursday, March 8, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB18-132, SB18-071, SB18-070, SB18-097, SB18-170) of Tuesday, March 6, was laid over until Thursday, March 8, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1183 by Representative(s) Hooton and Ransom, Beckman, Michaelson Jenet, Singer; also Senator(s) Baumgardner--Concerning the continuation of the regulation of home food service plans pursuant to the "Sale of Meat Act", and, in connection therewith, implementing the department of regulatory agencies' sunset review recommendation to repeal the act.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1073 by Representative(s) Gray; also Senator(s) Gardner--Concerning water districts' ability to enter into contracts regarding their water-related assets.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1051 by Representative(s) Hamner and Carver, Becker K., Exum, Singer, Thurlow; also Senator(s) Coram and Merrifield, Cooke, Jones--Concerning statutory provisions enacted to promote the extinguishment of unattended fires.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1052 by Representative(s) Lundeen and Bridges; also Senator(s) Todd--Concerning local education providers' receipt of concurrent enrollment courses from a two-year institution of higher education outside of the institution's approved service area when the institution approved to serve the local education provider declines to provide concurrent enrollment courses.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1183, HB18-1073, HB18-1051, HB18-1052.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.

Laid over until Thursday, March 8, retaining its place on the calendar.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Thursday, March 8, retaining its place on the calendar.

SB18-175 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning the prohibition against paid union activities by public employees.

Laid over until Thursday, March 8, retaining its place on the calendar.

HB18-1005 by Representative(s) Pettersen and Becker J.; also Senator(s) Priola--Concerning notice of postsecondary course enrollment options available to high school students.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1095 by Representative(s) Carver and Arndt; also Senator(s) Gardner and Todd--Concerning educator licenses issued to military spouses.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1032 by Representative(s) Kennedy and Thurlow; also Senator(s) Fields and Tate--Concerning access to medical records from the department of public health and environment's EMS agency patient care database by health information organization networks.

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 Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1005, HB18-1095, HB18-1032.
Laid over until Thursday, March 8: SB18-171, SB18-043, SB18-175.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-036 by Senator(s) Kagan; also Representative(s) Wist--Concerning the nonsubstantive relocation of laws related to the regulation of tobacco sales to minors from title 24, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12, and, in connection therewith, making an appropriation.

Senator Kagan moved that the Senate concur in House amendments to SB18-036, as printed in House journal, February 23, page 335. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF HEALTH CARE POLICY
AND FINANCING

effective January 8, 2018 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, and occasioned by the resignation of Susan E. Birch of Steamboat Springs, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO WATER RESOURCES
AND POWER DEVELOPMENT AUTHORITY

for terms expiring October 1, 2021:

H. Webster Jones of Steamboat, Colorado, to serve as a representative of the Yampa White Drainage Basin, and planning and development, reappointed;

Roy Ellsworth Heald of Colorado Springs, Colorado, to serve as a representative of the Arkansas Drainage Basin, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE AGRICULTURAL COMMISSION

for a term expiring March 1, 2019:

Rebecca Lynn Larson of Longmont, Colorado, an Unaffiliated, from the Second Agricultural District to serve as a member from the State at-large, and occasioned by the resignation of Susan Kay Petrocco of Brighton, Colorado, appointed.

for terms expiring March 1, 2021:

Marty Joe Gerace of Golden, Colorado, a Republican, from the First Agricultural District to serve as a member from the State at-large, appointed;

Brett Brand Rutledge of Yuma, Colorado, a Democrat, from the Second Agricultural District, reappointed;

Steve Dale Young of Holyoke, Colorado, a Republican, from the Second Agricultural District, to serve as a member from the State at-large, reappointed;

Michael Conrad Hirakata of La Junta, Colorado, a Republican, from the Third Agricultural District to serve as a member from the State at-large, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2021:

Daniel Patrick McCarty of Rifle, Colorado, to serve as a representative of the non-confinement cattle industry, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for a term expiring August 24, 2021:

Kelly Eugene Arnold of Windsor, Colorado, reappointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE GOVERNOR

March 5, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-105: Concerning clarifying changes to provisions that were contained in House Bill 17-1367.

Approved March 5, 2018 at 3:04 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Holbert, the Senate adjourned until 11:00 a.m., Wednesday, March 7, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

57th Legislative Day — Wednesday, March 7, 2018

Prayer — By the chaplain, Pastor Vern Rempel, Beloved Community Mennonite Church, Englewood.

Call to Order — By the President at 11:00 a.m.

Roll Call — Present--34
Excused--1, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Tuesday, March 6, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Lundberg, Chair, Lambert, and Moreno were appointed as Senate conferees on the first conference committee on **HB18-1171**.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **SB18-001** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 17, after line 13 insert:

"**SECTION 10. Appropriation.** For the 2017-18 state fiscal year, $13,930 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 sections accordingly.

Page 2, line 105, strike "**PROJECTS.**" and substitute "**PROJECTS; AND MAKING AN APPROPRIATION.**".

SENATE SERVICES REPORT

Correctly Revised: HB18-1005, 1032, 1051, 1052, 1073, 1095, and 1183.
Correctly Enrolled: SB18-020, 036, 046, 091, 092, 093, 094, 096, 100, 101, 103, and 164.

MESSAGE FROM THE HOUSE

March 6, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1238,1099.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1151, 1199, 1253 amended as printed in House Journal, March 5, 2018.

The House has passed on Third Reading and returns herewith SB18-103, 020, 091, 092, 093, 094, 096, 164, 101, 100, 046.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-060, 069 amended as printed in House Journal, March 5, 2018.

The House has voted to concur in the Senate amendments to HB18-1023, 1028, 1086 1140 and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB18-1171 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hamner, chairman, Young, and Rankin as House conferees on the First Conference Committee on HB18-1171. The bill is transmitted herewith.

MESSAGE FROM THE REVISOR OF STATUTES

March 6, 2018

We herewith transmit:

Without comment, HB18-1099 and 1238.
Without comment, as amended, HB18-1151, 1199, and 1253.
Without comment, as amended, SB18-060 and 069.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SR18-002 by Senator(s) Holbert and Guzman--Concerning changes to the Senate Rules regarding the delivery of committee of reference reports to the Secretary of the Senate and the deadline for the introduction of resolutions.

Laid over until Monday, March 12, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (HB18-1183, HB18-1073, HB18-1051, HB18-1052) of Wednesday, March 7, was laid over until Thursday, March 8, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (HB18-1005, HB18-1095, HB18-1032) of Wednesday, March 7, was laid over until Thursday, March 8, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1010, 1024, 1026, 1048, 1105.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB18-1071** be postponed indefinitely.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-198 by Senator(s) Scott; --Concerning the ability of certain fermented malt beverage retailers to sell malt liquors at retail for off-premises consumption.
State, Veterans, & Military Affairs

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.
Finance

TRIBUTES

Honoring:

Rachel Glade -- By Senator Steve Fenberg.
Brian Hansen -- By Senator Steve Fenberg.
Arielle Gold -- By Senator Steve Fenberg.
Petra Hyncicova -- By Senator Steve Fenberg.
Joanne Reid -- By Senator Steve Fenberg.
Kendall Wesenberg -- By Senator Steve Fenberg.
Steve Bosley -- By Senator Steve Fenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 8, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

58th Legislative Day — Thursday, March 8, 2018

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 Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Wednesday, March 7, 2018, 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 **SB18-072** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1066** 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 **SB18-180** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 5, after "**Colorado**" insert "**Uniform**".

Page 2, line 9, after "COLORADO" insert "UNIFORM".

Page 2, strike lines 15 through 21 and substitute "NOT APPLY TO A BUSINESS TRUST, A SECURITY ARRANGEMENT, A TRUST CREATED BY A DEPOSIT ARRANGEMENT IN A FINANCIAL INSTITUTION, OR ANY ARRANGEMENT".

Page 6, line 24, after "QUESTION," insert "AND ACTING IN A REASONABLY PRUDENT MANNER GIVEN THE PERSON'S EXPERIENCE AND EXPERTISE,".

Page 9, line 8, strike "**equity.**" and substitute "**equity - other statutes.**".

Page 73, line 20, strike "EXERCISE." and substitute "EXERCISE AND, IN THE ABSENCE OF CONTRARY KNOWLEDGE, MAY ASSUME THE EXISTENCE AND PROPER USE OF THE POWER BEING EXERCISED.".

Page 82, line 10, after "COLORADO" insert "UNIFORM".

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
STATE PERSONNEL BOARD

effective June 30, 2017 for terms expiring June 30, 2020:

Michelle E. Palmquist, SPHR, SCP of Denver Colorado, reappointed;

Maurice G. Knaizer of Denver, Colorado, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1138** 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 6, strike ""SWEAR BY THE EVERLIVING GOD"" and substitute "SWEAR".

Page 3, line 7, strike ""AFFIRM"" and substitute "AFFIRM".

Page 3, strike lines 13 and 14 and substitute "IT IS LAWFUL FOR A PERSON ELECTING TO SWEAR AN OATH TO "SWEAR BY THE EVERLIVING GOD" IF THAT PERSON SO CHOOSES.".

Page 5, line 3, strike "BODY;" and substitute "BODY, OR ANY OFFICER THEREOF;".

Page 16, strike line 8 and substitute "24-12-101. ~~a bond, with surety, for the faithful discharge of their~~".

Page 16, line 9, strike "duties." and substitute "~~duties.~~".

Page 17, line 2, strike "he OR SHE" and substitute "~~he~~ THE PERSON".

Page 17, strike line 3 and substitute "~~his~~ THE PERSON'S appointment or election, and it shall proceed to appoint ~~his~~ THE PERSON'S".

Page 17, line 4, strike "HER".

SENATE SERVICES REPORT

Correctly Printed: SB18-198 and 200; SR18-002.

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:

SB18-174 by Senator(s) Gardner; --Concerning liability of entities that provide services to persons with developmental disabilities in residential settings.

Laid over until Friday, March 9, retaining its place on the calendar.

SB18-176 by Senator(s) Coram; also Representative(s) McLachlan and Catlin--Concerning changes to the requirements for meeting dates for the board of the southwestern water conservation district.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Jahn, Martinez Humenik, Moreno, Priola, Scott, and Sonnenberg.

HB18-1091 by Representative(s) Beckman and Ginal; also Senator(s) Smallwood and Todd--Concerning dementia diseases, and, in connection therewith, updating statutory references to dementia diseases and related disabilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fields, Garcia, Gardner, Hill, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Tate, and Williams A.

SB18-169 by Senator(s) Gardner; also Representative(s) Carver--Concerning offenses against witnesses in noncriminal proceedings.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Garcia, Grantham, Jahn, Kefalas, Martinez Humenik, Moreno, Priola, and Tate.

HB18-1142 by Representative(s) Hooton and Thurlow, Arndt, McKean; also Senator(s) Martinez Humenik and Zenzinger, Moreno--Concerning modernizing language in statutory sections that refer to paupers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Kefalas, Kerr, Merrifield, and Todd.

HB18-1141 by Representative(s) Hooton, Arndt, Thurlow, McKean; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the removal of outdated references in statute to "early childhood care and education councils".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Guzman, Kefalas, Kerr, Merrifield, Todd, and Williams A.

HB18-1183 by Representative(s) Hooton and Ransom, Beckman, Michaelson Jenet, Singer; also Senator(s) Baumgardner--Concerning the continuation of the regulation of home food service plans pursuant to the "Sale of Meat Act", and, in connection therewith, implementing the department of regulatory agencies' sunset review recommendation to repeal the act.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Grantham, Jahn, Marble, Martinez Humenik, Sonnenberg, and Tate.

HB18-1073 by Representative(s) Gray; also Senator(s) Gardner--Concerning water districts' ability to enter into contracts regarding their water-related assets.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Jahn, Marble, Martinez Humenik, Priola, Scott, Sonnenberg, and Tate.

HB18-1051 by Representative(s) Hamner and Carver, Becker K., Exum, Singer, Thurlow; also Senator(s) Coram and Merrifield, Cooke, Jones--Concerning statutory provisions enacted to promote the extinguishment of unattended fires.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Garcia, Guzman, Jahn, Kefalas, Kerr, Marble, Martinez Humenik, Neville T., Priola, Scott, Tate, Todd, and Williams A.

HB18-1052 by Representative(s) Lundeen and Bridges; also Senator(s) Todd--Concerning local education providers' receipt of concurrent enrollment courses from a two-year institution of higher education outside of the institution's approved service area when the institution approved to serve the local education provider declines to provide concurrent enrollment courses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Hill, Jahn, Jones, Kefalas, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Sonnenberg, Tate, 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:

SB18-132 by Senator(s) Smallwood; also Representative(s) Kennedy--Concerning a waiver of federal law to permit insurance carriers to offer catastrophic health plans to any individual residing in Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Sonnenberg, and Tate.

SB18-071 by Senator(s) Jahn and Crowder, Lambert, Cooke, Garcia, Guzman, Moreno, Priola, Smallwood, Tate, Todd, Williams A.; also Representative(s) Esgar, Kennedy--Concerning an extension of the repeal of the state substance abuse trend and response task force, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Fenberg, Kefalas, Kerr, Merrifield, and Zenzinger.

SB18-070 by Senator(s) Neville T., Crowder, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood; also Representative(s) Leonard and Humphrey, Beckman, Buck, Lewis, Neville P., Sias, Everett, Van Winkle, Williams D.--Concerning the elimination of ownership as a requirement to qualify for the property tax exemption for property that is used solely and exclusively for religious purposes, and, in connection therewith, enacting the "Church Property Tax Fairness Act" and 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
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Priola, Sonnenberg, and Tate.

SB18-097 by Senator(s) Neville T., Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Van Winkle, Buck, Everett, Humphrey, Leonard, Liston, Lundeen, Neville P., Ransom, Saine, Sandridge, Sias, Williams D.--Concerning allowing a law-abiding person to carry a concealed handgun without a permit, and, in connection therewith, preserving current laws restricting the carrying of concealed handguns on certain property including public schools and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram and Gardner.

SB18-170 by Senator(s) Sonnenberg; also Representative(s) Hansen and McKean--Concerning a water court process by which an owner of a storage water right allowing water to be stored in new reservoir capacity may release water into an identified stream reach in a manner that protects the water releases while complying with mitigation measures identified in a fish and wildlife mitigation plan approved by the Colorado water conservation board.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, and Tate.

HB18-1005 by Representative(s) Pettersen and Becker J.; also Senator(s) Priola--Concerning notice of postsecondary course enrollment options available to high school students.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Fields, Garcia, Guzman, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, and Williams A.

HB18-1095 by Representative(s) Carver and Arndt; also Senator(s) Gardner and Todd--Concerning educator licenses issued to military spouses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Grantham, Guzman, Hill, Jahn, Kagan, Kefalas, Martinez Humenik, Merrifield, Moreno, Priola, Sonnenberg, Williams A., and Zenzinger.

HB18-1032 by Representative(s) Kennedy and Thurlow; also Senator(s) Fields and Tate--Concerning access to medical records from the department of public health and environment's EMS agency patient care database by health information organization networks.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Garcia, Jones, Kefalas, Martinez Humenik, Merrifield, Priola, Todd, and Zenzinger.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1210 by Representative(s) Foote; also Senator(s) Cooke--Concerning peace officer status for the administrator of judicial security in the Colorado judicial department.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1050 by Representative(s) Singer, Benavidez; also Senator(s) Fields, Martinez Humenik--Concerning competency to proceed for juveniles involved in the juvenile justice system.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1233 by Representative(s) Duran and Lawrence, Ransom; also Senator(s) Fenberg and Gardner--Concerning a consumer reporting agency's placement of a security freeze on the consumer report of a consumer who is under the charge of a representative at the request of the consumer's representative.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 6, page 375 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1210, HB18-1050, HB18-1233 as amended.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Thursday, March 15, retaining its place on the calendar.

SB18-172 by Senator(s) Gardner; also Representative(s) Lee--Concerning testing of horse racing licensees for the presence of prohibited substances.

Laid over until Monday, March 12, retaining its place on the calendar.

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

Amendment No. 1(L.002), by Senator Garcia.

Amend printed bill, page 8, line 24, strike "THE" and substitute "(1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, THE".

Page 8, after line 26 insert:

"(2) THE REQUIREMENTS OF THIS PART 14 DO NOT APPLY IF THE COURT FINDS FROM THE PLEADINGS THAT THE PLAINTIFF IS A LIVING, NATURAL PERSON AND MAY BE FACING A PREMATURE DEATH FROM EXPOSURE TO ASBESTOS THAT OCCURRED WHILE HE OR SHE WAS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES.".

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.)

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate journal, March 1, pages 334-335, was **lost**.)

Amendment No. 2(L.009), by Senator Holbert.

Amend printed bill, page 2, line 6, strike "IF THE" and substitute "IF ALL OF THE FOLLOWING CONDITIONS ARE SATISFIED:

(I) THE".

Page 2, line 7, before "CONTRACTOR" insert "MARKETPLACE".

Page 2, line 8, strike "PLATFORM, WHICH" and substitute "PLATFORM THAT STATES THAT".

Page 2, strike line 9.

Page 2, line 10, strike "(I) THAT".

Page 2, line 12, strike "THAT ALL" and substitute "ALL".

Page 2, strike lines 13 and 14 and substitute "THE MARKETPLACE CONTRACTOR FOR SERVICES RENDERED IS BASED ON A FIXED OR CONTRACT RATE;".

Page 2, line 15, strike "THAT THE" and substitute "THE"

Page 2, after line 19 insert:

"(IV) THE MARKETPLACE CONTRACTOR IS NOT REQUIRED TO ACCEPT A MINIMUM NUMBER OF SERVICE REQUESTS;".

Renumber succeeding subparagraphs accordingly.

Page 2, lines 20 and 21, strike "THAT THE MARKETPLACE PLATFORM SHALL NOT RESTRICT THE ABILITY OF THE" and substitute "THE".

Page 2, line 21, after "CONTRACTOR" insert "IS ABLE".

Page 2, line 23, strike "THAT THE" and substitute "THE" and strike "SHALL" and substitute "DOES".

Page 3, line 1, strike "THAT THE" and substitute "THE" and strike "SHALL" and substitute "DOES".

Page 3,line 2, strike "TRAINING;" and substitute "TRAINING OR ATTEND MANDATORY MEETINGS;".
Page 3, line 3, strike "THAT THE" and substitute "THE".

Page 3, line 6, strike "THAT THE" and substitute "THE" and strike "SHALL" and substitute "DOES".

Page 3, line 8, strike "SERVICES; AND" and substitute "SERVICES, OTHER THAN THE MARKETPLACE PLATFORM'S ONLINE-ENABLED APPLICATION, SOFTWARE, WEBSITE, OR SYSTEM;

(X) THE MARKETPLACE CONTRACTOR DOES NOT PERFORM SERVICE REQUESTS AT OR FROM A PHYSICAL BUSINESS LOCATION THAT IS OPERATED BY THE MARKETPLACE PLATFORM;

(XI) THE MARKETPLACE PLATFORM DOES NOT REQUIRE THE MARKETPLACE CONTRACTOR TO WEAR A UNIFORM;

(XII) THE WRITTEN CONTRACT BETWEEN THE MARKETPLACE PLATFORM AND THE MARKETPLACE CONTRACTOR STATES WHETHER THE MARKETPLACE CONTRACTOR MAY HIRE, LEASE, OR CONTRACT OUT PART OR ALL OF THE WORK, AND IF THE WRITTEN CONTRACT ALLOWS THE MARKETPLACE CONTRACTOR TO HIRE, LEASE, OR CONTRACT OUT PART OR ALL OF THE WORK, THE WRITTEN CONTRACT ALSO STATES THAT BEFORE STARTING THE WORK, THE MARKETPLACE CONTRACTOR MUST COMPLY WITH SECTION 8-41-401, IF APPLICABLE; AND".

Renumber succeeding subparagraph accordingly.

Page 3, line 9, strike "THAT" and substitute "THE WRITTEN CONTRACT BETWEEN THE MARKETPLACE PLATFORM AND THE MARKETPLACE CONTRACTOR STATES, IN A CONSPICUOUS MANNER, THAT".

Page 3, after line 13 insert:

"(b) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (10), AN INDIVIDUAL MARKETPLACE CONTRACTOR THAT PERFORMS SERVICES FOR PAY FOR A MARKETPLACE PLATFORM SHALL BE DEEMED TO BE AN EMPLOYEE, REGARDLESS OF WHETHER THE COMMON-LAW RELATIONSHIP OF MASTER AND SERVANT EXISTS, UNLESS:

(A) THE INDIVIDUAL IS FREE FROM CONTROL AND DIRECTION IN THE PERFORMANCE OF THE SERVICE, BOTH UNDER THE TERMS OF THE CONTRACT FOR PERFORMANCE OF SERVICE AND IN FACT; AND

(B) THE INDIVIDUAL IS CUSTOMARILY ENGAGED IN AN INDEPENDENT TRADE, OCCUPATION, PROFESSION, OR BUSINESS RELATED TO THE SERVICE PERFORMED.

(II) FOR PURPOSES OF THIS SUBSECTION (10)(b), THE DEGREE OF CONTROL EXERCISED BY THE MARKETPLACE PLATFORM FOR WHOM THE SERVICE IS PERFORMED OVER THE PERFORMANCE OF THE SERVICE OR OVER THE INDIVIDUAL PERFORMING THE SERVICE MUST NOT BE CONSIDERED IF THE CONTROL IS EXERCISED PURSUANT TO THE REQUIREMENTS OF ANY STATE OR FEDERAL STATUTE, RULE, OR REGULATION.

(c) COMPLIANCE BY THE PARTIES WITH THE CONDITIONS SPECIFIED IN SUBSECTION (10)(a) OF THIS SECTION CREATES A REBUTTABLE PRESUMPTION OF AN INDEPENDENT CONTRACTOR RELATIONSHIP BETWEEN THE MARKETPLACE PLATFORM AND THE MARKETPLACE CONTRACTOR THAT MAY BE OVERCOME ONLY BY CLEAR AND CONVINCING EVIDENCE.".

Reletter succeeding paragraphs accordingly.

Page 3, line 16, strike "LAW" and substitute "LAW.".

Page 3, strike lines 17 and 18.

Page 3, line 21, strike "THAT: ENTERS" and substitute "THAT ENTERS".

Page 3, strike lines 25 through 27 and substitute "BY THE CONTRACTOR.".

Page 4, after line 12 insert:

"**SECTION 2.** In Colorado Revised Statutes, 8-40-202, **amend** (2)(b)(IV) as follows:

8-40-202. Employee. (2) (b) (IV) If the parties use a written document pursuant to this ~~paragraph (b), such~~ SUBSECTION (2)(b), THE document must be signed by both parties and may be the contract for performance of service or a separate document. ~~Such~~ THE document ~~shall create~~ CREATES a rebuttable presumption of an independent contractor relationship between the parties, WHICH PRESUMPTION MAY BE OVERCOME ONLY BY CLEAR AND CONVINCING EVIDENCE, where ~~such~~ THE document contains a disclosure, in type ~~which~~ THAT is larger than the other provisions in the document or in bold-faced or underlined type, that the independent contractor is not entitled to workers' compensation benefits and that the independent contractor is obligated to pay federal and state income tax on any moneys earned pursuant to the contract relationship. All signatures on ~~any such~~ THE document must be duly notarized.

SECTION 3. In Colorado Revised Statutes, 8-41-401, **amend** (7) as follows:

8-41-401. Lessor contractor-out deemed employer - liability - recovery. (7) This section ~~shall~~ DOES not apply to any person excluded from the definition of "employee" pursuant to section 8-40-301 (5), ~~or~~ (7), OR (10).".

Renumber succeeding sections accordingly.

Page 4, line 17, strike "IF THE" and substitute "IF THE FOLLOWING CONDITIONS ARE SATISFIED:

(a) THE".

Page 4, strike line 20 and substitute "PLATFORM THAT STATES THAT".

Page 4, line 21, strike "(a) THAT".

Page 4, line 23, strike "THAT ALL" and substitute "ALL".

Page 4, line 26, strike "THAT THE" and substitute "THE".

Page 5, lines 4 and 5, strike "THAT THE MARKETPLACE PLATFORM SHALL NOT RESTRICT THE ABILITY OF THE" and substitute "THE".

Page 5, line 5, after "CONTRACTOR" insert "IS ABLE".

Page 5, line 7, strike "THAT THE" and substitute "THE" and strike "SHALL" and substitute "DOES".

Page 5, line 10, strike "THAT THE" and substitute "THE" and strike "SHALL" and substitute "DOES".

Page 5, line 12, strike "THAT THE" and substitute "THE".

Page 5, line 15, strike "THAT THE" and substitute "THE" and strike "SHALL" and substitute "DOES".

Page 5, line 17, strike "SERVICES; AND" and substitute "SERVICES, OTHER THAN THE MARKETPLACE PLATFORM'S ONLINE-ENABLED APPLICATION, SOFTWARE, WEBSITE, OR SYSTEM;

(i) THE MARKETPLACE CONTRACTOR DOES NOT PERFORM SERVICE REQUESTS AT OR FROM A PHYSICAL BUSINESS LOCATION THAT IS OPERATED BY THE MARKETPLACE PLATFORM; AND".

Reletter succeeding paragraph accordingly.

Page 5, line 18, strike "THAT" and substitute "THE WRITTEN CONTRACT BETWEEN THE MARKETPLACE PLATFORM AND THE MARKETPLACE CONTRACTOR STATES, IN A CONSPICUOUS MANNER, THAT".

Page 6, line 3, strike "THAT: ENTERS" and substitute "THAT ENTERS".

Page 6, strike lines 7 through 9 and substitute "BY THE CONTRACTOR.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Monday, March 12, retaining its place on the calendar.

HB18-1045 by Representative(s) Singer; also Senator(s) Tate--Concerning the application of silver diamine fluoride to dental patients.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1117 by Representative(s) Van Winkle and Coleman; also Senator(s) Tate--Concerning liens that attach to personal property that is stored at a self-service storage facility.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-011 by Senator(s) Holbert and Kerr; also Representative(s) Kraft-Tharp and Lundeen--Concerning treatment of students who are excused by their parents from participating in state assessments.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 15, page 239 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Kerr.

Amend printed bill, page 3, line 5, strike "WHO PARTICIPATE" and substitute "FOR PARTICIPATING".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-116 by Senator(s) Cooke; also Representative(s) Williams D. and Van Winkle--Concerning the issuance of capitol identification cards to members of the public to permit them entry to state buildings containing the legislative branch of state government without having to submit to personal security checks.

Laid over until Monday, March 12, retaining its place on the calendar.

SB18-143 by Senator(s) Fenberg and Coram; also Representative(s) Arndt and Wilson--Concerning measures to increase revenue for the parks and wildlife division, and, in connection therewith, setting certain hunting, fishing, parks, and recreation fees.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 14, page 222 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1158 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of corrections.

Laid over until Tuesday, March 13, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-175) of Thursday, March 8, was laid over until Monday, March 12, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.001) to SB 18-123, did pass.

Amend printed bill, page 8, line 24, strike "THE" and substitute "(1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, THE".

Page 8, after line 26 insert:

"(2) THE REQUIREMENTS OF THIS PART 14 DO NOT APPLY IF THE COURT FINDS FROM THE PLEADINGS THAT THE PLAINTIFF IS A LIVING, NATURAL PERSON WHO MAY BE FACING A PREMATURE DEATH FROM EXPOSURE TO ASBESTOS WITHIN ONE YEAR AFTER THE ACTION IS COMMENCED.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-123 as amended, SB18-171 as amended, SB18-011 as amended, SB18-143 as amended, HB18-1045, HB18-1117.
Laid over until Monday, March 12: SB18-172, SB18-043, SB18-116, SB18-175.
Laid over until Tuesday, March 13: HB18-1158.
Laid over until Thursday, March 15: SB18-166.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-060 by Senator(s) Coram; also Representative(s) Hamner--Concerning protective orders in criminal cases.

Senator Coram moved that the Senate concur in House amendments to SB18-060, as printed in House journal, February 28, page 393. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-069 by Senator(s) Holbert and Zenzinger; also Representative(s) Garnett and Becker J.--Concerning enforcement of statewide degree transfer agreements.

Senator Zenzinger moved that the Senate concur in House amendments to SB18-069, as printed in House journal, February 27, pages 377-378. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE GOVERNOR

March 7, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-148: CONCERNING THE CONTINUATION OF CERTAIN BENEFITS THROUGH THE "STATE EMPLOYEE GROUP BENEFITS ACT" FOR DEPENDENTS OF A STATE EMPLOYEE WHO DIES IN A WORK-RELATED DEATH.

Approved March 7, 2018 at 3:20 pm.

SB 18-050: CONCERNING INCLUDING STAFF OF FREE-STANDING EMERGENCY FACILITIES AS PART OF COLORADO'S SAFE HAVEN LAWS.

Approved March 7, 2018 at 3:17 pm.

SB 18-025: CONCERNING MODERNIZATION OF ELECTION PROCEDURES FOR THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT TO CONFORM WITH THE CURRENT REQUIREMENTS OF STATE LAW.

Approved March 7, 2018 at 3:25 pm.

SB 18-124: CONCERNING THE REMOVAL OF THE THIRTY-DAY WAITING PERIOD RELATED TO THE SALE OF IMPORTED ALCOHOL BEVERAGES.

Approved March 7, 2018 at 3:26 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 9, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

59th Legislative Day Friday, March 9, 2018

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, Coram, Hill, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Zenzinger.

Reading of the Journal — On motion of Senator Kagan, reading of the Journal of Thursday, March 8, 2018, 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 **HB18-1008** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 13 through 18 and substitute:

"(2) (a) FOR ANY MOTORBOAT OR SAILBOAT REGISTERED IN COLORADO PURSUANT TO SECTION 33-13-103 FOR THE YEAR 2019 AND THEREAFTER, A PERSON SHALL PURCHASE A SEPARATE AQUATIC NUISANCE SPECIES STAMP FROM THE DIVISION AT A COST OF TWENTY-FIVE DOLLARS TO OPERATE OR USE THE MOTORBOAT OR SAILBOAT ON THE WATERS OF THIS STATE OR TO POSSESS THE MOTORBOAT OR SAILBOAT AT A VESSEL STAGING AREA.".

Page 7, strike lines 2 through 4 and substitute "THIS SECTION.
(c) A PERSON WHO PAYS FOR AN AQUATIC NUISANCE SPECIES STAMP FOR A MOTORBOAT OR SAILBOAT SHALL, WHEN OPERATING THE MOTORBOAT OR SAILBOAT, RETAIN".

Page 12, line 23, strike "registered" and substitute "operated in Colorado".

Finance — After consideration on the merits, the Committee recommends that **SB18-056** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, lines 3 and 4, strike "January 1, 1991," and substitute "~~January 1, 1991~~ JANUARY 1, 2019,".

Finance — After consideration on the merits, the Committee recommends that **SB18-109** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2021:

Hollie Jean Velasquez Horvath of Denver, Colorado, a Democrat and resident of the 1st Congressional District, reappointed;

Linda Jean Strand of Aurora, Colorado, a Democrat and resident of the 6th Congressional District, reappointed;

Warren Hall Dean of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2021:

Pam Oldham Inmann of Castle Rock, Colorado, and a resident of the Fourth Congressional District, who has been engaged in business in a management-level capacity for at least five years, reappointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-182** 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 19, strike the second "THE" and substitute "ANY".

Page 2, lines 19 and 20, strike "BREEDERS' AND OWNERS' AWARDS AND SUPPLEMENTAL".

Page 2, line 20, strike "FUND" and substitute "TRUST ACCOUNT".

Page 2, line 20, after "ESTABLISHED IN" insert "ACCORDANCE WITH".

Page 2, line 21, strike "12-60-704" and substitute "12-60-702 (1)(f)".

Page 3, strike lines 3 through 6 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 12-60-702, **add** (1)(f)(III) as follows:

12-60-702. Unlawful to wager - exception - excess - taxes - special provisions for simulcast races. (1) (f) A licensee or operator shall retain horse purse funds, including funds established in section 12-60-704, payable by the licensee or operator under this section in a trust account in a commercial bank located in Colorado until the purse funds are paid to the horse owners or to the host track for payment to the horse owners; except that:

(III) MONEY".

Page 3, line 7, strike "THE FUND" and substitute "A HORSE PURSE TRUST ACCOUNT".

Page 3, strike lines 11 through 20 and substitute:

"**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1139** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-184** 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 **HB18-1012** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 24 through 27 and substitute "**applicability**. (1) This act takes effect January 1, 2019; except that, if a referendum petition is filed pursuant to section 1".

Page 5, line 2, strike "such period," and substitute "the ninety-day period after final adjournment of the general assembly,".

Page 5, line 4, after "effect" insert "on January 1, 2019, or".

Page 5, line 5, strike "governor." and substitute "governor, whichever is later.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1196** 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 13, strike "OR CERTIFIED".

Trans-portation

After consideration on the merits, the Committee recommends that **HB18-1103** 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 3, strike "VEHICLE;" and substitute "VEHICLE, WHICH EYE PROTECTION MUST CONFORM TO SECTION 42-4-232 (1) UNLESS THE EYE PROTECTION IS A WINDSHIELD;".

Page 4, line 5, strike "AGE; OR" and substitute "AGE, IN ACCORDANCE WITH SECTION 42-4-1502 (4.5); OR".

Page 4, strike lines 6 through 9 and substitute:

"(G) LIMIT THE NUMBER OF OCCUPANTS TO THE GREATER OF THE NUMBER OF OCCUPANTS THAT THE OFF-HIGHWAY VEHICLE WAS DESIGNED BY THE MANUFACTURER TO HOLD OR THE NUMBER OF OCCUPANTS THAT THE VEHICLE WAS DESIGNED TO HOLD PLUS ONE OCCUPANT IN AN AFTERMARKET SEAT IF THE AFTERMARKET SEAT IS INSTALLED IN ACCORDANCE WITH THE INSTRUCTIONS OF THE AFTERMARKET SEAT MANUFACTURER AND DOES NOT EXTEND OUTSIDE THE ROLL CAGE; BUT IF THE OFF-HIGHWAY VEHICLE IS AN ALL-TERRAIN VEHICLE OR MOTORCYCLE, LIMIT THE NUMBER OF OCCUPANTS TO TWO.".

Trans-portation

After consideration on the merits, the Committee recommends that **HB18-1137** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-011, 123, 143, and 171.
Correctly Reengrossed: SB18-070, 071, 097, 132, 169, 170, and 176.
Correctly Revised: HB18-1045, 1050, 1117, 1210, and 1233.
Correctly Rerevised: HB18-1005, 1032, 1051, 1052, 1073, 1091, 1095, 1141, 1142, and 1183.
Correctly Enrolled: SB18-060 and 069.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (SB18-174, HB18-1210, HB18-1050, HB18-1233) of Friday, March 9, was laid over until Monday, March 12, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, SB18-123 from the Third Reading of Bills--Final Passage Calendar of Friday, March 9, was laid over until Thursday, March 15, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB18-171, HB18-1045, HB18-1117, SB18-011, SB18-143) of Friday, March 9, was laid over until Monday, March 12, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB18-001) of Friday, March 9, was laid over until Monday, March 12, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1027, 1039, 1087, 1096.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB18-1171 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing an appropriation.

Senator Lundberg moved that the Senate conferees on the first conference committee on HB18-1171 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**.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 12, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

62nd Legislative Day Monday, March 12, 2018

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--32
Excused--3, Guzman, Hill, Williams.
Present later--1, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Friday, March 9, 2018, 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:

MEMBER OF THE
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2021:

Desta Meklit Taye-Channell of Denver, Colorado to serve as a member of the public, and occasioned by the resignation of Dennis Edward Swain of Northglenn, 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
STATE BOARD OF HUMAN SERVICES

for a term expiring March 1, 2021:

Chris J. Watney of Denver, Colorado, to serve as a member of the public, 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
HIGHER EDUCATION COMPETITIVE RESEARCH AUTHORITY
BOARD OF DIRECTORS

for a term expiring August 21, 2019:

Kim Hunter Reed, PhD of Denver, Colorado to serve as the Governor's appointee and to fill the vacancy occasioned by the resignation of Joseph A. Garcia of Pueblo, Colorado, Colorado, appointed.

Education After consideration on the merits, the Committee recommends that **SB18-177** be referred to the Committee of the Whole with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **HB18-1130** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Enrolled: SB18-005 and 010.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1171

****
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 HB18-1171, concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing 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 amendment be recommended:

Amend rerevised bill, page 4, line 9, after "(7)" insert "and (8)".

Page 4, after line 15 insert:

"(8) THE GENERAL ASSEMBLY SHALL APPROPRIATE FROM THE STATE PUBLIC SCHOOL FUND FOR PURPOSES OF SCHOOL SAFETY SEVEN MILLION THIRTY-THREE THOUSAND EIGHT HUNDRED EIGHTY-THREE DOLLARS, WHICH AMOUNT RESULTS FROM THE REDUCTION IN DISTRICT TOTAL PROGRAM FUNDING FOR THE 2017-18 BUDGET YEAR AS DESCRIBED IN HOUSE BILL 18-1171.".

Respectfully submitted,

House Committee:	Senate Committee:
(signed)	(signed)
Millie Hamner, Chairman	Kevin Lundberg, Chairman
Dave Young	Kent Lambert
Bob Rankin	Dominick Moreno

MESSAGE FROM THE HOUSE

March 9, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1098, 1172, 1246.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1021, amended as printed in House Journal, March 8, 2018.

The House has passed on Third Reading and returns herewith SB18-005, 010.

The House has adopted and returns herewith SJR18-007.

The House has voted to grant the House conferees on the First Conference Committee on HB18-1171 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR OF STATUTES

March 9, 2018

We herewith transmit:

Without comment, HB18-1098, 1172, and 1246.
Without comment, as amended, HB18-1021.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (SB18-174, HB18-1210, HB18-1050, HB18-1233) of Monday, March 12, was laid over until Tuesday, March 13, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB18-171, HB18-1045, HB18-1117, SB18-011, SB18-143) of Monday, March 12, was laid over until Tuesday, March 13, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1066 by Representative(s) Willett and Foote; also Senator(s) Cooke--Concerning clarifying that the law enforcement and defense counsel exemption for sexual exploitation of a child crime does not change the discovery procedures for sexually exploitative material.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-180 by Senator(s) Gardner; also Representative(s) Wist and Gray--Concerning the Colorado trust code.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 8, page 387 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-180 as amended, HB18-1066.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-172 by Senator(s) Gardner; also Representative(s) Lee--Concerning testing of horse racing licensees for the presence of prohibited substances.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, March 1, page 333 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Sonnenberg.

Amend printed bill, page 2, line 19, strike "SOME PERSONS".

Page 2, strike lines 20 and 21 and substitute "RECENT DRUG TESTING OF HORSE RACING LICENSEES HAS SHOWN INSTANCES OF ILLEGAL DRUG USE AND CONSUMPTION OF ALCOHOL IN EXCESS OF STATUTORY LIMITATIONS, WHICH COULD, THEREFORE, ENDANGER BOTH HUMAN AND EQUINE PARTICIPANTS. THE MOST EFFECTIVE METHOD OF".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Tuesday, March 13, retaining its place on the calendar.

SB18-116 by Senator(s) Cooke; also Representative(s) Williams D. and Van Winkle--Concerning the issuance of capitol identification cards to members of the public to permit them entry to state buildings containing the legislative branch of state government without having to submit to personal security checks.

Laid over until Tuesday, March 13, retaining its place on the calendar.

SB18-175 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning the prohibition against paid union activities by public employees.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 1, page 334 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.)

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2018 general election, which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; would repeal an existing requirement that the state treasurer execute lease-purchase agreements for the purpose of funding transportation projects; and would require ten percent of state sales and use tax net revenue to be credited to the state highway fund for the purpose of repaying any notes issued and funding transportation projects.

Laid over until Wednesday, March 14, retaining its place on the calendar.

HB18-1138 by Representative(s) Arndt, Hooton, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning standardizing public official oaths of office, and, in connection therewith, providing a uniform oath text and establishing requirements for taking, subscribing, administering, and filing public oaths of office.

Laid over until Tuesday, March 13, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-175 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning the prohibition against paid union activities by public employees.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that SB18-175, 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	15	NO	18	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	E	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-172 as amended, SB18-175 as amended.
Laid over until Tuesday, March 13: SB18-043, SB18-116, HB18-1138.
Laid over until Wednesday, March 14: SB18-001.

CONSIDERATION OF RESOLUTIONS

SR18-002 by Senator(s) Holbert and Guzman--Concerning changes to the Senate Rules regarding the delivery of committee of reference reports to the Secretary of the Senate and the deadline for the introduction of resolutions.

Laid over until Tuesday, March 13, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE PERSONNEL BOARD

effective June 30, 2017 for terms expiring June 30, 2020:

Michelle E. Palmquist, SPHR, SCP of Denver, Colorado, reappointed;

Maurice G. Knaizer of Denver, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-009, 020, 036, 046, 091, 092, 093, 094, 096, 100, 101, 103, and 164; SJR18-007.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1171 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning adjustments in the amount of total program funding for public schools for the 2017-18 budget year, and, in connection therewith, making and reducing an appropriation.

Senator Lundberg moved for the adoption of the first report of the first conference committee on HB18-1171, as printed in Senate journal, March 12, page 408. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	E
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Jahn, Jones, Kerr, Martinez Humenik, Merrifield, Todd, and Zenzinger.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-008 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning a change to Rule 24A of the Joint Rules of the Senate and House of Representatives to permit electronic participation in committee meetings during the legislative interim.

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:

SB18-199 by Senator(s) Priola and Martinez Humenik; --Concerning increasing the penalty for assault on a peace officer.
Judiciary

SB18-201 by Senator(s) Priola; --Concerning exempting religious organizations from child care licensing requirements for the time period during which church services are being offered.
Business, Labor, & Technology

SB18-202 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the exemption of the Colorado firefighting air corps fund from the maximum reserve.
Appropriations

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts.
Judiciary

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.
Finance

SB18-205 by Senator(s) Marble and Coram, Cooke, Fenberg, Fields, Garcia, Scott; also Representative(s) Catlin and McLachlan--Concerning the regulation of industrial hemp as an agricultural product, and, in connection therewith, identifying the unprocessed seeds of industrial hemp as a commodity under the "Commodity Handler Act" and industrial hemp as a farm product under the "Farm Products Act".
Agriculture, Natural Resources, & Energy

HB18-1016 by Representative(s) Danielson; also Senator(s) Fields--Concerning the creation of a Seabees license plate to honor the Seabees tradition, and, in connection therewith, making an appropriation.
Finance

HB18-1018 by Representative(s) Carver and Jackson, Bridges, Esgar, Ginal, Hansen, Hooton, Lawrence, McLachlan; also Senator(s) Zenzinger and Cooke, Court, Scott--Concerning a requirement that education to prevent human trafficking be included in the training to obtain a commercial driver's license.
State, Veterans, & Military Affairs

HB18-1021 by Representative(s) Hooton and Landgraf; also Senator(s) Kefalas--Concerning addressing the issue of youth who are experiencing homelessness in Colorado, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1042 by Representative(s) Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence; also Senator(s) Scott and Zenzinger, Baumgardner, Cooke--Concerning the creation of a program to authorize private providers to register commercial vehicles as Class A personal property, and, in connection therewith, making and reducing an appropriation.
Transportation

HB18-1078 by Representative(s) Landgraf and Exum; also Senator(s) Gardner--Concerning court programs for defendants who have served in the armed forces.
Judiciary

HB18-1093 by Representative(s) Arndt, Thurlow, Bridges; also Senator(s) Coram, Guzman--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for food crops and making an appropriation.
Agriculture, Natural Resources, & Energy

HB18-1097 by Representative(s) Catlin and Danielson; also Senator(s) Coram and Todd--Concerning the ability of a person eligible for prescription drug benefits to choose the pharmacy at which to fill a prescription drug order.
Business, Labor, & Technology

HB18-1098 by Representative(s) Saine and Gray, Hansen, Neville P., Wist; also Senator(s) Marble--Concerning the expanded ability of the Colorado oil and gas conservation commission to finance the remediation of oil and gas locations.
Agriculture, Natural Resources, & Energy

HB18-1099 by Representative(s) Catlin and McLachlan; also Senator(s) Coram--Concerning criteria that the broadband deployment board is required to develop with regard to an incumbent telecommunications provider's exercise of a right to implement a broadband deployment project in an unserved area of the state upon a nonincumbent provider's application to the broadband deployment board to implement a proposed broadband deployment project in the unserved area.
Business, Labor, & Technology

HB18-1151 by Representative(s) Arndt and Catlin; also Senator(s) Crowder--Concerning the authorization of deficit irrigation pilot projects approved by the Colorado water conservation board.
State, Veterans, & Military Affairs

HB18-1188 by Representative(s) Jackson, Winter, Bridges, Coleman, Ginal, Melton, Roberts, Salazar; also Senator(s) Hill, Zenzinger--Concerning authorization for the Colorado department of transportation to use location information from an electronic device.
Transportation

HB18-1193 by Representative(s) Wilson and McLachlan; also Senator(s) Scott and Zenzinger--Concerning the advanced placement incentives pilot program, and, in connection therewith, making an appropriation.
Education

HB18-1199 by Representative(s) Catlin and McLachlan, Covarrubias, Arndt, Becker J.; also Senator(s) Coram--Concerning a process for the ground water commission to use for approving aquifer storage-and-recovery plans, and, in connection therewith, requiring that the ground water commission promulgate rules governing its implementation of the process.
Agriculture, Natural Resources, & Energy

HB18-1237 by Representative(s) Kraft-Tharp and Van Winkle, Arndt, Coleman, Garnett, Gray, Liston, Rosenthal, Sandridge, Sias, Thurlow, Williams D.; also Senator(s) Neville T.--Concerning the continuation of the requirements regarding the preparation of a cost-benefit analysis as administered by the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the 2017 sunset report by the department of regulatory agencies.
Business, Labor, & Technology

HB18-1238 by Representative(s) Jackson and Catlin; also Senator(s) Marble--Concerning the continuation of the wildland-urban interface training advisory board, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.
Agriculture, Natural Resources, & Energy

HB18-1239 by Representative(s) Landgraf; also Senator(s) Scott--Concerning continuation under the sunset law of the environmental management system permit program, and, in connection therewith, implementing the recommendations of the sunset report by the department of regulatory agencies by allowing the program to repeal.
Agriculture, Natural Resources, & Energy

HB18-1246 by Representative(s) Danielson; also Senator(s) Coram--Concerning updates to the "Colorado Nursery Act", and, in connection therewith, modernizing the act and protecting agriculture from pests, diseases, and noxious weeds.
Agriculture, Natural Resources, & Energy

HB18-1253 by Representative(s) Lee and Herod, Foote, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules of state agencies.
Judiciary

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

March 6, 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
BOARD OF ASSESSMENT APPEALS

for a term expiring July 1, 2019:

Cherice Kjosness of Thornton, Colorado, and occasioned by the resignation of James R. Meurer of Golden, Colorado, appointed.

Sincerely,

John W. Hickenlooper
Governor
Rec'd: 3/6/2018
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

October 26, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2021:

Susan Grace Murphy of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as a Democrat, reappointed.

Sincerely,

John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Finance

November 16, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint, and submit to your consideration, the following:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2020:

Deborah J. Kenny, PhD, RN, FAAN of Larkspur, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed;

Heather Ann Meyer of Fort Collins, Colorado, to serve as a parent representative, appointed.

Sincerely,

John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 13, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

63rd Legislative Day Tuesday, March 13, 2018

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, Fields, Martinez Humenik.
Present later--2, Fields, Martinez Humenik.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Monday, March 12, 2018, 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 **SB18-183** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Business, Labor, & Technology — The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2020:

Steven B. Price of Denver, Colorado, to serve as a member of the public at large, appointed;

Kent Jeffrey Lund, JD, MBA, LLM of Denver, Colorado, to serve as an individual who is licensed by the state supreme court to practice law in the state of Colorado and who is conversant in securities law, appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-187** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 4, strike lines 5 through 7 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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

SENATE SERVICES REPORT

Correctly Printed: SB18-199, 201, 202, 203, 204, and 205; SJR18-008.
Correctly Engrossed: SB18-172, 175, and 180.
Correctly Revised: HB18-1066.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-174 by Senator(s) Gardner; also Representative(s) Sias--Concerning liability of entities that provide services to persons with developmental disabilities in residential settings.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fields, Garcia, Grantham, Jahn, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Priola, Tate, Todd, Williams A., and Zenzinger.

HB18-1210 by Representative(s) Foote; also Senator(s) Cooke--Concerning peace officer status for the administrator of judicial security in the Colorado judicial department.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kagan, Martinez Humenik, Moreno, Scott, Tate, and Todd.

HB18-1050 by Representative(s) Singer, Benavidez; also Senator(s) Fields, Martinez Humenik--Concerning competency to proceed for juveniles involved in the juvenile justice system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Kagan, Kefalas, Moreno, Todd, and Williams A.

HB18-1233 by Representative(s) Duran and Lawrence, Ransom; also Senator(s) Fenberg and Gardner--Concerning a consumer reporting agency's placement of a security freeze on the consumer report of a consumer who is under the charge of a representative at the request of the consumer's representative.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Guzman, Jahn, Jones, Kefalas, Martinez Humenik, Merrifield, Moreno, and Tate.

HB18-1066 by Representative(s) Willett and Foote; also Senator(s) Cooke--Concerning clarifying that the law enforcement and defense counsel exemption for sexual exploitation of a child crime does not change the discovery procedures for sexually exploitative material.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Garcia, Jahn, Kagan, Kefalas, Martinez Humenik, Moreno, Scott, and Todd.

SB18-180 by Senator(s) Gardner; also Representative(s) Wist and Gray--Concerning the Colorado trust code.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Kagan, Martinez Humenik, and Tate.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Crowder, Donovan, Garcia, Gardner, Grantham, Hill, Kefalas, Kerr, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, Tate, and Todd.

(For further action, see reconsideration on pages 424-425.)

HB18-1045 by Representative(s) Singer; also Senator(s) Tate--Concerning the application of silver diamine fluoride to dental patients.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Crowder, Hill, Jahn, Marble, Moreno, Neville T., Priola, Scott, Smallwood, and Todd.

HB18-1117 by Representative(s) Van Winkle and Coleman; also Senator(s) Tate--Concerning liens that attach to personal property that is stored at a self-service storage facility.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB18-011 by Senator(s) Holbert and Kerr; also Representative(s) Kraft-Tharp and Lundeen--Concerning treatment of students who are excused by their parents from participating in state assessments.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Court, Crowder, Fields, Garcia, Gardner, Guzman, Jahn, Jones, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

SB18-143 by Senator(s) Fenberg and Coram; also Representative(s) Arndt and Wilson--Concerning measures to increase revenue for the parks and wildlife division, and, in connection therewith, setting certain hunting, fishing, parks, and recreation fees.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Guzman, Jahn, Jones, Kerr, Merrifield, and Todd.

SB18-172 by Senator(s) Gardner; also Representative(s) Lee--Concerning testing of horse racing licensees for the presence of prohibited substances.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Guzman, Tate, and Todd.

SB18-175 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning the prohibition against paid union activities by public employees.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Coram, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Sonnenberg, and Tate.

RECONSIDERATION OF SB18-171

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB18-171.

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:

SB18-171 by Senator(s) Holbert and Williams A., Jahn; also Representative(s) Pabon and Sias, Hansen--Concerning the creation of a test to determine whether a marketplace contractor that provides services on a marketplace platform is covered under certain employment-related laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES 31		NO 4		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-056 by Senator(s) Jahn; also Representative(s) Lee and Willett--Concerning monetary amounts in civil actions.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 1, pages 337-339 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, March 9, page 403 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-182 by Senator(s) Coram and Guzman; also Representative(s) Catlin and Arndt--Concerning the authority to allocate a portion of the source market fee to statutorily authorized purse funds.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, March 9, pages 404-405 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1139 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the removal of outdated statutory references to repealed reporting requirements that were previously imposed on the parks and wildlife commission with regard to its rule-making authority to set fees.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-184 by Senator(s) Coram; also Representative(s) McKean and Esgar--Concerning a new permit for the short-term extraction of construction materials.

Ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, March 13, and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, March 13.

HB18-1137 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the scheduled repeal of reports to the general assembly, and, in connection therewith, continuing the requirements for reports by the department of transportation and the department of public safety.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-056 as amended, SB18-182 as amended, HB18-1139, HB18-1137.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Tuesday, March 13: SB18-184.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1158 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning a supplemental appropriation to the department of corrections.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Monday, March 19, retaining its place on the calendar.

SB18-116 by Senator(s) Cooke; also Representative(s) Williams D. and Van Winkle--Concerning the issuance of capitol identification cards to members of the public to permit them entry to state buildings containing the legislative branch of state government without having to submit to personal security checks.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 14, pages 222-223 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 6, page 375 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Cooke.

Amend printed bill, page 5, line 4, after "VALID." add "THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK DESCRIBED IN SUBSECTION (4) OF THIS SECTION MUST BE CONDUCTED EACH YEAR FOR WHICH A CAPITOL IDENTIFICATION CARD HAS BEEN ISSUED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION. THE APPLICANT IS RESPONSIBLE FOR PAYMENT COVERING THE COSTS OF THE RECORD CHECK FOR EACH YEAR IN WHICH THE RECORD CHECK IS CONDUCTED.".

Page 5, strike lines 18 through 21 and substitute "IN THIS SECTION FOR THE INITIAL ISSUANCE OF SUCH CARD.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1138 by Representative(s) Arndt, Hooton, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning standardizing public official oaths of office, and, in connection therewith, providing a uniform oath text and establishing requirements for taking, subscribing, administering, and filing public oaths of office.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 8, page 388 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1012 by Representative(s) Becker J. and Lontine, Gray, Singer, Valdez; also Senator(s) Lundberg and Aguilar, Crowder, Kefalas, Sonnenberg--Concerning vision care plans for eye care services.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 9, page 405 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1196 by Representative(s) Exum; also Senator(s) Todd and Martinez Humenik--Concerning authorization to verify the disability of an applicant to the aid to the needy disabled program.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, March 9, page 405 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1103 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the ability of a local government to require a driver to meet safety standards for the use of an off-highway vehicle.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 9, page 405 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-184 by Senator(s) Coram; also Representative(s) McKean and Esgar--Concerning a new permit for the short-term extraction of construction materials.

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

SB18-184 by Senator(s) Coram; also Representative(s) McKean and Esgar--Concerning a new permit for the short-term extraction of construction materials.

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.001) to SB 18-184, did pass.

> Amend printed bill, page 2, line 18, after the period add "THE APPLICANT SHALL POST ON THE EXTRACTION SITE NOTICES, IN THE NUMBER AND FORMAT ESTABLISHED BY THE BOARD BY RULE, THAT WILL INFORM ADJOINING LANDOWNERS OF THE APPLICATION AND THEIR ABILITY TO SUBMIT WRITTEN COMMENTS TO THE BOARD BY A SPECIFIED DEADLINE CONCERNING THE BOARD'S CONSIDERATION OF THE APPLICATION.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-116 as amended, SB18-184, HB18-1158, HB18-1138 as amended, HB18-1012 as amended, HB18-1196 as amended, HB18-1103 as amended.
Laid over until Monday, March 19: SB18-043.

CONSIDERATION OF RESOLUTIONS

SR18-002 by Senator(s) Holbert and Guzman--Concerning changes to the Senate Rules regarding the delivery of committee of reference reports to the Secretary of the Senate and the deadline for the introduction of resolutions.

Amendment No. 1(L.002), by Senator Aguilar.

Amend printed resolution, page 3, line 9, after "(g)." insert "ANY RESOLUTION CONCERNING ACTION AGAINST A SENATOR MUST BE INTRODUCED AND REFERRED TO A COMMITTEE OF REFERENCE OR BROUGHT BEFORE THE SENATE FOR DEBATE NOT LATER THAN THE CLOSE OF ACTUAL SESSION ON THE THIRD CALENDAR DAY FOLLOWING DEPOSIT OF THE RESOLUTION WITH THE SENATE SECRETARY.".

The amendment was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SJR18-008 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning a change to Rule 24A of the Joint Rules of the Senate and House of Representatives to permit electronic participation in committee meetings during the legislative interim.

On motion of Majority Leader Holbert, and with less than two-thirds of all members elected to the Senate having voted in the affirmative, the resolution was **lost** by the following roll call vote:

YES	13	NO	22	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE BOARD OF THE
GREAT OUTDOORS COLORADO TRUST FUND

for terms expiring April 15, 2021:

Hollie Jean Velasquez Horvath of Denver, Colorado, a Democrat and resident of the 1st Congressional District, reappointed;

Linda Jean Strand of Aurora, Colorado, a Democrat and resident of the 6th Congressional District, reappointed;

Warren Hall Dean of Colorado Springs, Colorado, a Democrat and resident of the 5th Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO RACING COMMISSION

for a term expiring July 1, 2021:

Pam Oldham Inmann of Castle Rock, Colorado, and a resident of the Fourth Congressional District, who has been engaged in business in a management-level capacity for at least five years, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 12, 2018, at 4:15 p.m.:
SB18-009, 020, 036, 046, 091, 092, 093, 094, 096, 100, 101, 103, and 164.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-195** 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 **SB18-119** 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 20 insert:

"**SECTION 2.** In Colorado Revised Statutes, **add** 17-18-124 as follows:

17-18-124. Appropriation to comply with section 2-2-703 - SB 18-119 - repeal. (1) PURSUANT TO SECTION 2-2-703, THE FOLLOWING STATUTORY APPROPRIATIONS ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 18-119, ENACTED IN 2018:

(a) FOR THE 2018-19 STATE FISCAL YEAR, TWENTY-TWO THOUSAND SEVENTY-TWO DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND;

(b) FOR THE 2019-20 STATE FISCAL YEAR, THIRTY-FOUR THOUSAND SIX HUNDRED SEVENTY-SEVEN DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND;

(c) FOR THE 2020-21 STATE FISCAL YEAR, THIRTY-NINE THOUSAND THREE HUNDRED THIRTY-FOUR DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND;

(d) FOR THE 2021-22 STATE FISCAL YEAR, THIRTY-NINE THOUSAND THREE HUNDRED THIRTY-FOUR DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND; AND

(E) FOR THE 2022-23 STATE FISCAL YEAR, THIRTY-NINE THOUSAND THREE HUNDRED THIRTY-FOUR DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**MINOR.**" and substitute "**MINOR, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-047** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 13, after line 23 insert:

"**SECTION 6. Appropriation.** (1) For the 2018-19 state fiscal year, $16,000 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $10,000 for tax administration IT system (GenTax) support; and

(b) $6,000 for the purchase of document management services.

(2) For the 2018-19 state fiscal year, $6,000 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(b) of this section. To implement this act, the department of personnel may use this appropriation to provide document management services for the department of revenue.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**2019.**" and substitute "**2019, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

MESSAGE FROM THE HOUSE

March 13, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1242, 1240.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1154, amended as printed in House Journal, March 12, 2018.

The House has passed on Third Reading and returns herewith SB18-028.

The House has adopted the First Report of the First Conference Committee on HB1-1171, as printed in House Journal, March 9, 2018, and has repassed the bill as amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 13, 2018

We herewith transmit:

Without comment, HB18-1240 and 1242.
Without comment, as amended, HB18-1154.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1028, 1086, 1100, 1101, and 1140.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, March 14, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

64th Legislative Day Wednesday, March 14, 2018

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--33
Excused--2, Fields, Priola.
Present later--2, Fields, Priola.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Tuesday, March 13, 2018, 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 **HB18-1191** be referred to the Committee of the Whole with favorable recommendation.

Finance — The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2021:

Timothy David Carlson of Arvada, Colorado, to serve as a member from the Seventh Congressional District, and as a representative of law enforcement and as a Republican, 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
STATE BOARD OF EQUALIZATION

for a term expiring September 2, 2021:

Barbara Ann Brewer of Grand Junction, Colorado, to serve as a representative with knowledge of property taxation, and occasioned by the resignation of David Claire Steepleton of Highlands Ranch, Colorado, appointed.

Finance — The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
STATE BOARD OF EQUALIZATION

for a term expiring September 2, 2021:

Dickey Lee Hullinghorst of Longmont, Colorado, to serve as a representative with knowledge of property taxation, appointed.

Finance After consideration on the merits, the Committee recommends that **SB18-196** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB18-191** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 14, strike "12-47.1-1601." and substitute "12-47.1-1601, PLUS AN AMOUNT EQUAL TO THE PROJECTED DIRECT AND INDIRECT COSTS TO ADMINISTER THE LOCAL GOVERNMENT LIMITED GAMING IMPACT GRANT PROGRAM SET FORTH IN SECTION 12-47.1-1601 (4)(a)(I) FOR THE UPCOMING FISCAL YEAR; EXCEPT THAT SUCH TRANSFER SHALL BE MADE AT THE BEGINNING OF THE STATE FISCAL YEAR, AND ANY UNSPENT MONEY FROM SUCH TRANSFER REVERTS TO THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND.".

Page 3, strike lines 18 and 19 and substitute "result of GAMBLING AND limited gaming permitted in the counties of Gilpin and Teller and on Indian lands.".

Finance After consideration on the merits, the Committee recommends that **SB18-194** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-056, 116, 182, and 184; SR18-002.
Correctly Reengrossed: SB18-011, 143, 171, 172, 174, 175, and 180.
Correctly Revised: HB18-1012, 1103, 1137, 1138, 1139, 1158, and 1196.
Correctly Rerevised: HB18-1045, 1050, 1066, 1117, 1210, and 1233.
Correctly Enrolled: SB18-028; SJR18-007.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-056 by Senator(s) Jahn; also Representative(s) Lee and Willett--Concerning monetary amounts in civil actions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Garcia, Gardner, Guzman, Kefalas, Martinez Humenik, Merrifield, Moreno, Priola, Smallwood, and Tate.

SB18-182 by Senator(s) Coram and Guzman; also Representative(s) Catlin and Arndt--Concerning the authority to allocate a portion of the source market fee to statutorily authorized purse funds.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Merrifield, Priola, and Tate.

HB18-1139 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the removal of outdated statutory references to repealed reporting requirements that were previously imposed on the parks and wildlife commission with regard to its rule-making authority to set fees.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Guzman, Jones, Kerr, Merrifield, Priola, and Todd.

HB18-1137 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning the scheduled repeal of reports to the general assembly, and, in connection therewith, continuing the requirements for reports by the department of transportation and the department of public safety.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia.

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:

HB18-1158 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham and Tate.

SB18-116 by Senator(s) Cooke; also Representative(s) Williams D. and Van Winkle--Concerning the issuance of capitol identification cards to members of the public to permit them entry to state buildings containing the legislative branch of state government without having to submit to personal security checks.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	15	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	E	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Crowder, Gardner, Hill, Holbert, Lundberg, Marble, Neville T., and Tate.

HB18-1138 by Representative(s) Arndt, Hooton, McKean, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno, Tate--Concerning standardizing public official oaths of office, and, in connection therewith, providing a uniform oath text and establishing requirements for taking, subscribing, administering, and filing public oaths of office.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1012 by Representative(s) Becker J. and Lontine, Gray, Singer, Valdez; also Senator(s) Lundberg and Aguilar, Crowder, Kefalas, Sonnenberg--Concerning vision care plans for eye care services.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Garcia, Grantham, Guzman, Hill, Jahn, Jones, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, and Williams A.

HB18-1196 by Representative(s) Exum; also Senator(s) Todd and Martinez Humenik--Concerning authorization to verify the disability of an applicant to the aid to the needy disabled 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Garcia, Guzman, Jones, Kagan, Kefalas, Merrifield, Moreno, Smallwood, Tate, and Williams A.

HB18-1103 by Representative(s) McLachlan; also Senator(s) Coram--Concerning the ability of a local government to require a driver to meet safety standards for the use of an off-highway vehicle.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Guzman, Kerr, Merrifield, and Moreno.

SB18-184 by Senator(s) Coram; also Representative(s) McKean and Esgar--Concerning a new permit for the short-term extraction of construction materials.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Gardner, Grantham, Guzman, Jahn, Kefalas, Marble, Martinez Humenik, Neville T., Scott, and Tate.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-177 by Senator(s) Priola and Todd; also Representative(s) Bridges and Sias--Concerning procedures when certain private schools cease operations.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1130 by Representative(s) Williams D. and Arndt, Humphrey, Van Winkle, Leonard, Lundeen, Lewis, Beckman, Neville P., McKean, Buck, Saine, Everett, Liston, Covarrubias, Ransom, Reyher; also Senator(s) Gardner--Concerning increasing the availability of qualified personnel who are licensed in another state to teach in public schools.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2018 general election, which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; would repeal an existing requirement that the state treasurer execute lease-purchase agreements for the purpose of funding transportation projects; and would require ten percent of state sales and use tax net revenue to be credited to the state highway fund for the purpose of repaying any notes issued and funding transportation projects.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, January 24, pages 75-76 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 7, page 383 and placed in members' bill files.)

Amendment No. 3(L.008), by Senators Baumgardner and Cooke.

Amend the Transportation Committee Report, dated January 23, 2018, page 1, before line 1 insert:

"Amend printed bill, page 5, line 17, after "to" insert "reduce the use of lease-purchase agreements to finance federal aid transportation projects and".

Page 5 of the bill, line 18, strike "instead of lease-purchase agreements".

Page 5 of the bill, line 19, strike "federal aid transportation" and substitute "such".

Page 6 of the bill, line 1, strike "in lieu of the execution" and substitute "reduced use".

Page 6 of the bill, strike lines 7 through 20.

Renumber succeeding sections accordingly.

Page 6 of the bill, line 22, strike "(2)(d), (3)(a), and (4);" and substitute "and (2)(d)(II);".

Page 7 of the bill, strike lines 5 through 12 and substitute:

"(2) (a) Notwithstanding the provisions of sections 24-82-102 (1)(b) and 24-82-801, and pursuant to section 24-36-121, no sooner than July 1, 2018, the state, acting by and through the state treasurer, shall execute lease-purchase agreements, each for no more than twenty years of annual payments, for the projects described in subsection (4) of this section. The state shall execute the lease-purchase agreements ~~only in accordance with the following schedule:~~ DURING THE 2018-19 STATE FISCAL YEAR IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS.".

Page 8 of the bill, line 1, strike "NINE million" and substitute "~~million~~ THIRTY-SEVEN MILLION FIVE HUNDRED THOUSAND".

Page 8 of the bill, strike lines 2 through 27.

Strike page 9 of the bill.

Page 10 of the bill, strike lines 1 through 6 and substitute:

"(d) Any lease-purchase agreement executed as required by subsection (2)(a) of this section shall provide that all of the obligations of the state under the agreement are subject to the action of the general assembly in annually making money available for all payments thereunder. Payments under any lease-purchase agreement must be made,

subject to annual allocation pursuant to section 43-1-113 by the transportation commission created in section 43-1-106 (1) or subject to annual appropriation by the general assembly, as applicable, from the following sources of money:

(II) Next, ~~fifty~~ TEN million ONE HUNDRED THOUSAND dollars annually, or any lesser amount that is sufficient to make each full payment due, shall be paid from any legally available money under the control of the transportation commission solely for the purpose of allowing the construction, supervision, and maintenance of state highways to be funded with the proceeds of lease-purchase agreements as specified in subsection (4)(b) of this section and section 43-4-206 (1)(b)(V); and".".

Page 1 of the report, line 1, strike "Amend printed bill, page" and substitute "Page".

Page 1 of the report, line 8, strike "**7.**" and substitute "**6.**".

Page 2 of the report, after line 7 insert:

"Page 12 of the bill, line 7, strike "(1)(b)(V),".

Page 12 of the bill, strike lines 16 through 27.

Page 13 of the bill, strike lines 1 through 11.

Page 13 of the bill, lines 20 and 21, strike "~~lease-purchase agreements executed as required by section 24-82-1303 (2)(a)~~" and substitute "lease-purchase agreements executed as required by section 24-82-1303 (2)(a) AND".

Page 13 of the bill, lines 22 and 23, strike "~~section 24-82-1303 (4)(b)~~" and substitute "section 24-82-1303 (4)(b) OR".

Page 14 of the bill, line 3, after "~~section~~" insert "SECTION 24-82-1303 (4)(b),".

Page 14 of the bill, line 7, after "~~section~~" insert "SECTION 24-82-1303 (4)(b),".".

Page 2 of the report, after line 16 insert:

"Page 15 of the bill, line 21, strike "AN EXISTING".

Page 15 of the bill, strike lines 22 through 24 and substitute "THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED FOR THE PURPOSE OF FINANCING TRANSPORTATION PROJECTS BE REDUCED?"".".

Page 2 of the report, strike lines 17 through 19 and substitute:

"Page 17 of the bill, strike line 21 and substitute "This section 11 and sections 1, 2, 4, 5, 6, 8, and 12 of this act".

Page 1 of the bill, line 102, after "**THEREWITH,**" insert "**REQUIRING TEN PERCENT OF STATE SALES AND USE TAX REVENUE TO BE CREDITED TO THE STATE HIGHWAY FUND;**".

Page 1 of the bill, strike lines 112 and 113 and substitute "**LIMITS; AND WOULD REDUCE THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED**".

Page 2 of the bill, line 101, strike "**FUNDING**" and substitute "**FINANCING**".

Page 2 of the bill, strike lines 102 through 105 and substitute "**AND MAKING AN APPROPRIATION.**".".

Amendment No. 4(L.023), by Senator Baumgardner.

Amend printed bill, page 15, line 16, after "$5,000,000,000," insert "WITH NO INCREASE IN ANY TAXES OR FEES,".

Page 1, line 106, strike "**TAXES,**" and substitute "**TAXES OR FEES,**".

Amendment No. 5(L.027), by Senator Jahn.

Amend the Transportation Committee Report, dated January 23, 2018, page 1, strike lines 1 through 3.

As amended, laid over until Thursday, March 15, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Sonnenberg, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	E	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-177, HB18-1130.
Laid over until Thursday, March 15: SB18-001 as amended.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE BOARD OF HUMAN SERVICES

for terms expiring March 1, 2021:

Chris J. Watney of Denver, Colorado, to serve as a member of the public, appointed;

Desta Meklit Taye-Channell of Denver, Colorado to serve as a member of the public, and occasioned by the resignation of Dennis Edward Swain of Northglenn, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
HIGHER EDUCATION COMPETITIVE RESEARCH AUTHORITY
BOARD OF DIRECTORS

for a term expiring August 21, 2019:

Kim Hunter Reed, PhD of Denver, Colorado to serve as the Governor's appointee and to fill the vacancy occasioned by the resignation of Joseph A. Garcia of Pueblo, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

RECONSIDERATION OF SJR18-018

SJR18-008 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning a change to Rule 24A of the Joint Rules of the Senate and House of Representatives to permit electronic participation in committee meetings during the legislative interim.

Having voted on the prevailing side, Senator Sonnenberg moved for reconsideration of the last Senate action, Consideration of Resolutions, on SJR18-008.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF RESOLUTIONS

SJR18-008 by Senator(s) Holbert and Guzman, Grantham; also Representative(s) Becker K. and Neville P., Duran--Concerning a change to Rule 24A of the Joint Rules of the Senate and House of Representatives to permit electronic participation in committee meetings during the legislative interim.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, the resolution was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Priola, Scott, and Tate.

MESSAGE FROM THE HOUSE

March 14, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1207.

The House has passed on Third Reading and returns herewith SB18-125, 111, 121, 073, 102.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-138, amended as printed in House Journal, March 13, 2018.

The House has voted to concur in the Senate amendments to HB18-1233 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 14, 2018

We herewith transmit:

Without comment, HB18-1207.
Without comment, as amended, SB18-138.

TRIBUTES

Honoring:

Maura Derr -- By Senator Steve Fenberg.
George King -- By Senator Steve Fenberg.
Dr. Emily Haynes -- By Senator Steve Fenberg.
Lee Pollard -- By Senator Leroy Garcia.
Colorado Arson Dog Program -- By Senator John Cooke.
Colorado Primary Care Clinic, Inc. -- By Senator Rhonda Fields.
Single Parents Day -- By Senator Vicki Marble and Representative Leslie Herod.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 15, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

65th Legislative Day Thursday, March 15, 2018

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--32
Absent--1, Williams.
Excused--2, Aguilar, Gardner.
Present later--2, Gardner, Williams.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Wednesday, March 14, 2018, 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 **HB18-1198** 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.** (1) The general assembly hereby finds and declares that:

(a) Statutorily created boards and commissions play a vital role in the success of state government by providing subject matter expertise in their advisory responsibilities and oversight of state programs;

(b) Most statutorily created boards and commissions are made up of citizen-volunteers, who are hardworking, professional, and talented individuals;

(c) Searching for qualified citizen-volunteers needed for the over three hundred state boards and commissions that oversee a large variety of subjects and make a wide range of decisions affecting the day-to-day lives of Coloradans is a great responsibility, and the governor established the governor's office of boards and commissions in order to help with that responsibility; and

(d) The governor's office of boards and commissions already establishes best practices for the state's boards and commissions and should be able to help state agencies meet the requirements set forth in House Bill 18-1198 within its existing resources.".

Renumber succeeding sections accordingly.

Page 2, line 8, strike "IMPLEMENT" and substitute "IMPLEMENT, WITHIN EXISTING RESOURCES,".

Page 3, line 15, strike "ENSURE" and substitute "ENSURE, WITHIN EXISTING RESOURCES,".

Page 3, after line 17 insert:

"**SECTION 3. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.".

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1127** be postponed indefinitely.

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 HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Marco Antonio Abarca of Denver, Colorado, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-189** be postponed indefinitely.

Judiciary

After consideration on the merits, the Committee recommends that **HB18-1029** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 3, strike "(1)(a)(V)(A); and **add** (1)(a)(V.5)" and substitute "(1)(a)(V); and **add** (1)(a)(V)(A.1)".

Page 2, line 24, strike "(V.5)" and substitute "(A.1)".

Page 3, after line 27 insert:

"(B) Any person who is paroled pursuant to section 17-22.5-403, ~~C.R.S.,~~ or any person who is not paroled and is discharged pursuant to law, shall be subject to the mandatory period of parole established pursuant to ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION. Such mandatory period of parole may not be waived by the offender or waived or suspended by the court and shall be subject to the provisions of section 17-22.5-403 (6), ~~C.R.S.,~~ which permits the state board of parole to discharge the offender at any time during the term of parole upon a determination that the offender has been sufficiently rehabilitated and reintegrated into society and can no longer benefit from parole supervision.

(C) Notwithstanding ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION, the mandatory period of parole for a person convicted of a felony offense committed prior to July 1, 1996, pursuant to part 4 of article 3 of this ~~title~~ TITLE 18, or part 3 of article 6 of this ~~title~~ TITLE 18, shall be five years. Notwithstanding ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION, and except as otherwise provided in ~~sub-subparagraph (C.5) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(C.5), the period of parole for a person convicted of a felony offense committed on or after July 1, 1996, but prior to July 1, 2002, pursuant to part 4 of article 3 of this title, or part 3 of article 6 of this title, shall be set by the state board of parole pursuant to section 17-2-201 (5)(a.5), ~~C.R.S.,~~ but in no event shall the term of parole exceed the

maximum sentence imposed upon the inmate by the court.

(C.5) Notwithstanding the provisions of ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION, any person sentenced for a sex offense, as defined in section 18-1.3-1003 (5), committed on or after November 1, 1998, shall be sentenced pursuant to the provisions of part 10 of this ~~article~~ ARTICLE 1.3.

(C.7) Any person sentenced for a felony committed on or after July 1, 2002, involving unlawful sexual behavior, as defined in section 16-22-102 (9), ~~C.R.S.,~~ or for a felony, committed on or after July 1, 2002, the underlying factual basis of which involved unlawful sexual behavior, and who is not subject to the provisions of part 10 of this ~~article~~ ARTICLE 1.3, shall be subject to the mandatory period of parole specified in ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION.

(D) The mandatory period of parole imposed pursuant to ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION shall commence immediately upon the discharge of an offender from imprisonment in the custody of the department of corrections. If the offender has been granted release to parole supervision by the state board of parole, the offender shall be deemed to have discharged the offender's sentence to imprisonment provided for in ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION in the same manner as if such sentence were discharged pursuant to law; except that the sentence to imprisonment for any person sentenced as a sex offender pursuant to part 10 of this ~~article~~ ARTICLE 1.3 shall not be deemed discharged on release of said person on parole. When an offender is released by the state board of parole or released because the offender's sentence was discharged pursuant to law, the mandatory period of parole shall be served by such offender. An offender sentenced for nonviolent felony offenses, as defined in section 17-22.5-405 (5), ~~C.R.S.,~~ may receive earned time pursuant to section 17-22.5-405, ~~C.R.S.,~~ while serving a mandatory parole period in accordance with this section, but not while such offender is reincarcerated after a revocation of the mandatory period of parole. An offender who is sentenced for a felony committed on or after July 1, 1993, and paroled on or after January 1, 2009, shall be eligible to receive any earned time while on parole or after reparole following a parole revocation. The offender shall not be eligible for earned time while the offender is reincarcerated after revocation of the mandatory period of parole pursuant to this ~~subparagraph (V)~~ SUBSECTION (1)(a)(V).

(E) If an offender is sentenced consecutively for the commission of two or more felony offenses pursuant to ~~sub-subparagraph (A) of this subparagraph (V)~~ SUBSECTION (1)(a)(V)(A) OR SUBSECTION (1)(a)(V)(A.1) OF THIS SECTION, the mandatory period of parole for such offender shall be the mandatory period of parole established for the highest class felony of which such offender has been convicted.

SECTION 2. In Colorado Revised Statutes, 17-2-201, **amend** (5)(a.3)(I) and (5)(a.6) as follows:

17-2-201. State board of parole - duties - definitions. (5) (a.3) (I) Any person sentenced as a habitual criminal pursuant to section 18-1.3-801 (1.5) or (2) ~~C.R.S.,~~ for an offense committed on or after July 1, 2003, shall be subject to the mandatory parole set forth in section 18-1.3-401 (1)(a)(V)(A), ***18-1.3-401 (1)(a)(V)(A.1)***, or 18-1.3-401.5 ~~C.R.S.,~~ for the class or level of felony of which the person is convicted.

(a.6) As to any person who is sentenced for conviction of an offense committed on or after July 1, 2002, involving unlawful sexual behavior, as defined in section 16-22-102 (9), ~~C.R.S.,~~ or for conviction of an offense committed on or after July 1, 2002, the underlying factual basis of which involved unlawful sexual behavior, and who is not subject to the provisions of part 10 of article 1.3 of title 18, ~~C.R.S.,~~ such person shall be subject to the mandatory period of parole set forth in section 18-1.3-401 (1)(a)(V)(A) OR ***18-1.3-401 (1)(a)(V)(A.1)***~~., C.R.S.~~

SECTION 3. In Colorado Revised Statutes, 18-1.3-406, **amend** (1)(b) as follows:

18-1.3-406. Mandatory sentences for violent crimes - definitions. (1) (b) Notwithstanding the provisions of ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION, any person convicted of a sex offense, as defined in section 18-1.3-1003 (5), committed on or after November 1, 1998, that constitutes a crime of violence shall be sentenced to the department of corrections for an indeterminate term of incarceration of at least the midpoint in the presumptive range specified in section 18-1.3-401 (1)(a)(V)(A) OR ***18-1.3-401 (1)(a)(V)(A.1)*** up to a maximum of the person's natural life, as provided in section 18-1.3-1004 (1).".

Renumber succeeding section accordingly.

Judiciary After consideration on the merits, the Committee recommends that **HB18-1025** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-177; SJR18-008.
Correctly Reengrossed: SB18-056, 116, 182, and 184.
Correctly Revised: HB18-1130.
Correctly Rerevised: HB18-1012, 1103, 1137, 1138, 1139, 1158, and 1196.
Correctly Enrolled: SB18-073, 102, 111, 121, and 125.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

Laid over until Thursday, March 22, retaining its place on the calendar.

SB18-177 by Senator(s) Priola and Todd; also Representative(s) Bridges and Sias--Concerning procedures when certain private schools cease operations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Kagan, Kefalas, Martinez Humenik, Merrifield, Scott, Tate, and Zenzinger.

HB18-1130 by Representative(s) Williams D. and Arndt, Humphrey, Van Winkle, Leonard, Lundeen, Lewis, Beckman, Neville P., McKean, Buck, Saine, Everett, Liston, Covarrubias, Ransom, Reyher; also Senator(s) Gardner--Concerning increasing the availability of qualified personnel who are licensed in another state to teach in public schools.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Garcia, Grantham, Hill, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, and Tate.

Committee of the Whole

On motion of Senator Gardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Gardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-183 by Senator(s) Tate; also Representative(s) Arndt and Liston--Concerning authorizing agents of insurers to access the electronic system that insurers access for owner and lienholder information of a motor vehicle.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-187 by Senator(s) Marble and Tate; --Concerning transferring marijuana fibrous waste for the purpose of producing industrial fiber products.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 13, page 419 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-195 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning a requirement that the money in the healthcare affordability and sustainability fee cash fund be appropriated annually rather than continuously appropriated.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-119 by Senator(s) Gardner; --Concerning false imprisonment of a minor.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 13, page 431 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Gardner, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-183, SB18-187 as amended, SB18-195, SB18-119 as amended.

Committee of the Whole

On motion of Senator Gardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Gardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2018 general election, which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; would repeal an existing requirement that the state treasurer execute lease-purchase agreements for the purpose of funding transportation projects; and would require ten percent of state sales and use tax net revenue to be credited to the state highway fund for the purpose of repaying any notes issued and funding transportation projects.

(Amended in general orders as printed in Senate journal, March 14, pages 439-441.)

Amendment No. 6(L.028), by Senator Jahn.

> Amend printed bill, page 12, line 5, strike "IMPROVEMENTS." and substitute "IMPROVEMENTS, INCLUDING SOUND WALLS ALONG INTERSTATE HIGHWAYS.".

As amended, laid over until Tuesday, March 20, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-166, SB18-047) of Thursday, March 15, was laid over until Tuesday, March 20, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Gardner, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Tuesday, March 20: SB18-001 as amended, SB18-166, SB18-047.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-138 by Senator(s) Gardner and Kerr; also Representative(s) Gray and Liston--Concerning authorization for retail sellers of alcohol beverages for on-premises consumption to sell remaining inventory to another on-premises retail seller of alcohol beverages with whom there is common ownership when no longer licensed to sell alcohol beverages for on-premises consumption.

Senator Kerr moved that the Senate concur in House amendments to SB18-138, as printed in House journal, March 9, pages 486-487, and March 13, page 504. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
SECURITIES BOARD

for terms expiring July 1, 2020:

Steven B. Price of Denver, Colorado, to serve as a member of the public at large, appointed;

Kent Jeffrey Lund, JD, MBA, LLM of Denver, Colorado, to serve as an individual 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-005; HB18-1005, 1023, 1032, 1051, 1052, 1073, 1095, 1141, 1142, 1183.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, March 14, 2018, at 2:35 p.m.: SB18-005.

SELECT COMMITTEE APPOINTMENTS

March 14, 2018

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that, pursuant to Senate Rule 22(c), I am appointing Senator Lucia Guzman and Senator Leroy Garcia to serve on the Select Committee on Energy and the Environment effective immediately.

Sincerely,
(signed)
Lucia Guzman
Senate Minority Leader

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB18-1172 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning money allocated from an appropriation from the marijuana tax cash fund to a designated managed service organization to implement its community action plan.
Appropriations

MESSAGE FROM THE HOUSE

March 15, 2018

Mr. President:

The House has postponed indefinitely SB18-128. The bill is returned herewith.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, March 16, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

66th Legislative Day Friday, March 16, 2018

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--31
Excused--4, Aguilar, Crowder, Gardner, Scott.

Quorum — The President announced a quorum present.

Pledge — By Senator Fenberg.

Reading of the Journal — On motion of Senator Moreno, reading of the Journal of Thursday, March 15, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS

for terms expiring June 30, 2021:

Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and as a Republican, reappointed;

John Michael Shaw of Denver, Colorado, to serve as a citizen at large and as an Unaffiliated, reappointed;

Tyler Patrick Karney of Ordway, Colorado, to serve as a person with substantial experience in production agriculture and as a Republican, appointed.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB18-1146** be referred to the Committee on Finance with favorable recommendation.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-188** 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 **SB18-200** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 19, line 11, strike "11.15%" and substitute "10.15%".

Page 19, line 13, strike "13.85%" and substitute "12.85%".

Page 19, line 14, strike "11.15%" and substitute "10.15%".

Page 19, line 16, strike "11.0%" and substitute "10.0%".

Page 19, line 17, strike "14.66%" and substitute "13.66%".

Page 19, line 18, strike "11.15%" and substitute "10.15%".

Page 20, line 1, strike "11.15%" and substitute "10.15%".

Page 20, line 3, strike "13.85%" and substitute "12.85%".

Page 20, line 4, strike "11.15%" and substitute "10.15%".

Page 20, line 6, strike "11.0%" and substitute "10.0%".

Page 20, line 7, strike "14.66%" and substitute "13.66%".

Page 20, line 8, strike "11.15%" and substitute "10.15%".

Page 20, line 17, strike "12.15%" and substitute "10.15%".

Page 20, line 19, strike "14.85%" and substitute "12.85%".

Page 20, line 20, strike "12.15%" and substitute "10.15%".

Page 20, line 22, strike "12.0%" and substitute "10.0%".

Page 20, line 23, strike "15.66%" and substitute "13.66%".

Page 20, line 24, strike "12.15%" and substitute "10.15%".

Page 21, line 7, strike "12.15%" and substitute "10.15%".

Page 21, line 9, strike "14.85%" and substitute "12.85%".

Page 21, line 10, strike "12.15%" and substitute "10.15%".

Page 21, line 12, strike "12.0%" and substitute "10.0%".

Page 21, line 13, strike "15.66%" and substitute "13.66%".

Page 21, line 14, strike "12.15%" and substitute "10.15%".

Page 22, line 27, strike "EMPLOYER CONTRIBUTION RATES, MEMBER CONTRIBUTION RATES," and substitute "MEMBER CONTRIBUTION RATES".

Page 23, line 11, after "(1.5);" add "AND".

Page 23, strike lines 12 through 16.

Reletter succeeding paragraph accordingly.

Page 23, strike line 24 and substitute "BETWEEN THE ANNUAL INCREASES AND".

Page 24, line 7, strike "(3)(a), (3)(b), AND (3)(c)" and substitute "(3)(a) AND (3)(b)".

Page 24, line 9, strike "ANY ONE OF THE THREE" and substitute "EITHER OF THE TWO".

Page 24, line 13, strike "TWO COMPONENTS" and substitute "COMPONENT".

Page 25, line 2, after "24-51-1009.5;" add "AND".

Page 25, strike lines 3 through 6.

Releter succeeding paragraph accordingly.

Page 25, strike line 13 and substitute "BETWEEN THE ANNUAL INCREASES AND".

Page 25, line 23, strike "(6)(a), (6)(b), AND (6)(c)" and substitute "(6)(a) AND (6)(b)".

Page 51, line 22, strike "SIX" and substitute "FOUR".

Page 51, line 23, after "FOUR" insert "NONVOTING, NONLEGISLATIVE".

Page 52, line 1, strike "THREE" and substitute "TWO".

Finance — After consideration on the merits, the Committee recommends that **HB18-1017** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-119, 183, 187, and 195.
Correctly Reengrossed: SB18-123 and 177.
Correctly Rerevised: HB18-1130.
Correctly Enrolled: SB18-138.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage--Consent Calendar (SB18-183, SB18-187, SB18-195, SB18-119) of Friday, March 16, was laid over until Monday, March 19, retaining its place on the calendar.

Committee of the Whole — On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1191 by Representative(s) Winter; also Senator(s) Martinez Humenik and Kefalas--Concerning a local authority's ability to alter speed limits within the local authority's jurisdiction.

Laid over until Tuesday, March 20, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-196) of Friday, March 16, was laid over until Monday, March 19, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Monday, March 19: SB18-196.
Laid over until Tuesday, March 20: HB18-1191.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2021:

Timothy David Carlson of Arvada, Colorado, to serve as a member from the Seventh Congressional District, and as a representative of law enforcement and as a Republican, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE BOARD OF EQUALIZATION

for terms expiring September 2, 2021:

Barbara Ann Brewer of Grand Junction, Colorado, to serve as a representative with knowledge of property taxation, and occasioned by the resignation of David Claire Steepleton of Highlands Ranch, Colorado, appointed;

Dickey Lee Hullinghorst of Longmont, Colorado, to serve as a representative with knowledge of property taxation, appointed.

YES	31	NO	0	EXCUSED	4	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	E
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	E	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-010, 060, and 069; SR18-002.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, March 16, 2018, at 8:55 a.m.:
SB18-010, 060, and 069.

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 15, 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, appoint and submit to your consideration, the following:

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2021:

Heidi Jeanne Hess of Clifton, Colorado, to serve as a public member not employed by the State of Colorado, and occasioned by the resignation of Chantel M. Schoneboom of Centennial, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/15/2018
Effie Ameen, Secretary of the Senate

Committee on Judiciary

March 15, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-094: CONCERNING THE REPEAL OF A DUPLICATE DEFINITIONS SECTION IN ARTICLE 60 OF TITLE 27, COLORADO REVISED STATUTES.

Approved March 15, 2018 at 9:13 am.

SB 18-100: CONCERNING DISCLOSURE OF ADDITIONAL MANDATORY CHARGES BY MOTOR VEHICLE RENTAL COMPANIES.

Approved March 15, 2018 at 9:14 am.

SB 18-091: CONCERNING MODERNIZING TERMINOLOGY IN THE COLORADO REVISED STATUTES RELATED TO BEHAVIORAL HEALTH.

Approved March 15, 2018 at 9:14 am.

SB 18-164: CONCERNING THE REPEAL OF REPORTING REQUIREMENTS FOR CERTAIN UNFUNDED PROGRAMS IN THE DEPARTMENT OF HUMAN SERVICES UNTIL SUCH TIME AS FUNDING IS RECEIVED.

Approved March 15, 2018 at 9:14 am.

SB 18-036: CONCERNING THE NONSUBSTANTIVE RELOCATION OF LAWS RELATED TO THE REGULATION OF TOBACCO SALES TO MINORS FROM TITLE 24, COLORADO REVISED STATUTES, TO A NEW TITLE 44 AS PART OF THE ORGANIZATIONAL RECODIFICATION OF TITLE 12, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved March 15, 2018 at 9:14 am.

SB 18-103: CONCERNING THE ISSUANCE OF PERFORMANCE-BASED INCENTIVES FOR FILM PRODUCTION ACTIVITIES IN THE STATE.

Approved March 15, 2018 at 9:15 am.

SB 18-092: CONCERNING UPDATING STATUTORY REFERENCES TO "COUNTY DEPARTMENTS OF SOCIAL SERVICES".

Approved March 15, 2018 at 9:15 am.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Call of the Senate. Call raised.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 19, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

69th Legislative Day Monday, March 19, 2018

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
Absent--1, Aguilar.
Excused--1, Merrifield.
Present later--2, Aguilar, Merrifield.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Tate, reading of the Journal of Friday, March 16, 2018, 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 appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2018:

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, and occasioned by the resignation of Joseph James Wolf of Arvada, Colorado, appointed.

Education — After consideration on the merits, the Committee recommends that **HB18-1228** 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: SB18-074, 134, and 165; SR18-002.

MESSAGE FROM THE HOUSE

March 16, 2018

Mr. President:

The House has passed on Third Reading and returns herewith SB18-074, 134, 165.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-002, amended as printed in House Journal, March 15, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1254, amended as printed in House Journal, March 15, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

March 16, 2018

We herewith transmit:

Without comment, as amended, HB18-1254.
Without comment, as amended, SB18-002.

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:

SB18-183 by Senator(s) Tate; also Representative(s) Arndt and Liston--Concerning authorizing agents of insurers to access the electronic system that insurers access for owner and lienholder information of 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno.

SB18-187 by Senator(s) Marble and Tate; also Representative(s) Arndt--Concerning transferring marijuana fibrous waste for the purpose of producing industrial fiber products.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Fenberg, Fields, Garcia, Jahn, Kefalas, Kerr, Martinez Humenik, Moreno, Neville T., and Todd.

SB18-195 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning a requirement that the money in the healthcare affordability and sustainability fee cash fund be appropriated annually rather than continuously appropriated.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, and Tate.

SB18-119 by Senator(s) Gardner; also Representative(s) Carver--Concerning false imprisonment of a minor, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Garcia, Jahn, Kefalas, Lambert, Martinez Humenik, Tate, and Todd.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1025 by Representative(s) Herod; also Senator(s) Cooke and Gardner--Concerning the nonsubstantive relocation of laws related to the regulation of alcohol beverages from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12, 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 -- CONSENT CALENDAR

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1025.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Monday, March 26, retaining its place on the calendar.

SB18-196 by Senator(s) Neville T. and Lundberg, Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Buck, Everett, Humphrey, Leonard, Lewis, Liston, Neville P., Saine, Sandridge, Van Winkle, Williams D.--Concerning the repeal of the late vehicle registration fee.

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.)

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-196.
Laid over until Monday, March 26: SB18-043.

RECONSIDERATION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Majority Leader Holbert moved for reconsideration of the last Senate action, Adoption of the Report of the Committee of the Whole.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

Call of the Senate. Call raised.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-196 by Senator(s) Neville T. and Lundberg, Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Buck, Everett, Humphrey, Leonard, Lewis, Liston, Neville P., Saine, Sandridge, Van Winkle, Williams D.--Concerning the repeal of the late vehicle registration fee.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.001) to SB 18-196, did pass.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In 42-3-112, **amend** (3) introductory portion; and **add** (3)(d) as follows:

42-3-112. Failure to pay tax - penalty - rules. (3) The late fee described in subsection (1) of this section shall not be imposed on a vehicle subject to taxation under this ~~article~~ ARTICLE 3 if:

(d) THE INDIVIDUAL REGISTERING THE VEHICLE HAS A FEDERAL ADJUSTED GROSS INCOME FOR THE MOST RECENT FEDERAL INCOME TAX YEAR OF FIFTY THOUSAND DOLLARS OR LESS. THE DEPARTMENT MAY, IN RULES PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, REQUIRE SUCH PROOF OF INCOME AS IS REASONABLY NECESSARY TO VERIFY THE INCOME OF AN INDIVIDUAL SEEKING THE EXEMPTION FROM THE LATE FEE ALLOWED BY THIS SUBSECTION (3)(d).

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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to late vehicle fees that accrue on or after the applicable effective date of this act.".

Page 1, strike line 101 and substitute:

"**CONCERNING AN EXEMPTION FROM THE LATE VEHICLE REGISTRATION FEE FOR AN INDIVIDUAL WHOSE INCOME IS BELOW A SPECIFIED AMOUNT.**".

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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

READOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **readopted** on the following roll call vote:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	N
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-196.
Laid over until Monday, March 26: SB18-043.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Marco Antonio Abarca of Denver, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

March 19, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1259, 1249 amended as printed in House Journal, March 16, 2018.

The House has passed on Third Reading and returns herewith SB18-173, 131, 090, 098.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-082, 095, 135 amended as printed in House Journal, March 16, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

March 19, 2018

We herewith transmit:

Without comment, as amended, HB18-1249 and 1259.
Without comment, as amended, SB18-082, 095, and 135.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-028.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-206 by Senator(s) Priola and Kerr, Garcia, Holbert, Todd, Guzman, Martinez Humenik, Neville T.; also Representative(s) Arndt and Wist, Becker K., Bridges, Buckner, Coleman, Exum, Hooton, Liston, Lundeen, Michaelson Jenet, Pettersen, Reyher, Van Winkle--Concerning ensuring affordability at public research universities in Colorado.
Education

SB18-207 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning authority for the department of human services to retain amounts from certain cash funds for its indirect costs.
Appropriations

SB18-208 by Senator(s) Baumgardner and Kefalas, Sonnenberg; also Representative(s) Esgar and Hansen, Becker J.--Concerning the creation of the governor's mansion maintenance fund.
Finance

SB18-209 by Senator(s) Todd and Martinez Humenik, Tate; also Representative(s) Pabon and Thurlow, Singer--Concerning modifications to the government data advisory board created in the office of information technology.
Business, Labor, & Technology

SB18-210 by Senator(s) Tate; --Concerning the regulation of real estate appraisal management companies, and, in connection therewith, aligning state law with current federal law and regulations.
Business, Labor, & Technology

SB18-211 by Senator(s) Marble, Fenberg, Neville T.; also Representative(s) Melton--Concerning licensing marijuana consumption clubs.
Business, Labor, & Technology

SB18-212 by Senator(s) Martinez Humenik, Todd; --Concerning an increase in the amount of compensation to jurors.
Judiciary

SB18-213 by Senator(s) Martinez Humenik; also Representative(s) Herod--Concerning requiring local school districts to recognize academic credits earned by students in the custody of the division of youth services.
Education

SB18-214 by Senator(s) Crowder; also Representative(s) Beckman--Concerning a waiver from the federal government to implement self-sufficiency provisions in the Colorado medical assistance program.
Health & Human Services

SB18-215 by Senator(s) Crowder and Coram; also Representative(s) Reyher and Valdez--Concerning additional funding for rural schools for the 2018-19 budget year.
Education

SB18-216 by Senator(s) Priola and Williams A., Coram, Court, Fenberg, Martinez Humenik; --Concerning measures that affect the development of infrastructure used by alternative fuel motor vehicles, and, in connection therewith, establishing a process at the Colorado public utilities commission whereby a public utility may undertake implementation of an alternative fuel motor vehicle infrastructure program within the area covered by the utility's certificate of public convenience and necessity.
Transportation

HB18-1154 by Representative(s) Hooton and Van Winkle; also Senator(s) Jahn--Concerning consumer protections relating to a solicitation to provide a copy of a public record for a fee.
State, Veterans, & Military Affairs

HB18-1240 by Representative(s) Bridges and Becker J., Carver, Esgar, Ginal, Hansen, Jackson, Lewis, McLachlan, Roberts, Winter; also Senator(s) Cooke--Concerning the continuation of a grant program to prevent motor vehicle theft, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.
Judiciary

HB18-1242 by Representative(s) Becker K. and Valdez; also Senator(s) Crowder--Concerning the salary categorization of locally elected officers in specified counties.
Finance

HB18-1249 by Representative(s) Rankin and Hamner, Young; also Senator(s) Lundberg, Lambert, Moreno--Concerning the requirement that the state treasurer distribute any federal funds related to the naval oil shale reserve land to specified counties or their federal mineral lease districts.
Appropriations

HB18-1254 by Representative(s) Van Winkle; also Senator(s) Smallwood--Concerning the modification of the foreclosure process on property that is encumbered by a deed of trust.
Finance

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 6, 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
BOARD OF MORTGAGE LOAN ORIGINATORS

for a term expiring August 10, 2020:

Dena Marie Falbo of Westminster, Colorado, to serve as a member of the public at large, and occasioned by the removal of Miriam Pena Garcia of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/7/2018
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-073, 111, and 121.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, March 20, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

70th Legislative Day Tuesday, March 20, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Monday, March 19, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for terms expiring August 24, 2021:

Daniel Fernandez, of Dove Creek, Colorado, reappointed;

Ginnett "Gigi" Dennis of Monte Vista, Colorado, appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1099** 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 **HB18-1097** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1056** 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 "and (2)(a)(IV)" and substitute "(2)(a)(IV), and (2)(c)(II)".

Page 4, after line 2 insert:

"(c) (II) The surviving spouse and dependent children of any member shall be ineligible for an award of survivor benefits in the event the member's death is the proximate consequence or ~~results~~ RESULT of a PRE-EXISTING AND PERMANENT medical condition. ~~disclosed by such member on the statewide standard health history form.~~".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-186** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1112** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1253** be referred to the Committee on Legal Services with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1078** 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 16, strike "13-5-144," and substitute "13-5-144 IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL,".

Page 4, line 10, strike "13-5-144," and substitute "13-5-144 IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL,".

Page 5, line 2, after "(1)(d)(V)" insert "and (1)(e)(V)".

Page 5, line 7, strike "13-5-144," and substitute "13-5-144 IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL,".

Page 5, line 9, after "PURSUANT TO" insert "SUBSECTIONS (1)(d)(II) TO (1)(d)(IV) OF".

Page 5, strike lines 11 through 27 and substitute:

"(e) (V) IF THE PERSON IN INTEREST HAS SUCCESSFULLY COMPLETED A VETERANS TREATMENT PROGRAM ESTABLISHED PURSUANT TO SECTION 13-5-144 IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL, THE COURT SHALL CONSIDER SUCH FACTOR FAVORABLY IN DETERMINING WHETHER TO ISSUE AN ORDER TO SEAL RECORDS PURSUANT TO SUBSECTIONS (1)(e)(II) TO (1)(e)(IV) OF THIS SECTION.".

Page 6, strike line 1.

Renumber succeeding sections accordingly.

Page 6, line 7, strike "13-5-144," and substitute "13-5-144 IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL,".

Page 6, line 17, strike "13-5-144," and substitute "13-5-144 IN THE CASE THAT IS THE SUBJECT OF THE PETITION TO SEAL,".

Judiciary — After consideration on the merits, the Committee recommends that **SB18-185** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-052** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-051** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB18-206, 207, 208, 209, 210, 211, 212, 213, 214, 215, and 216.
Correctly Engrossed: SB18-196.
Correctly Reengrossed: SB18-119, 183, 187, and 195.
Correctly Revised: HB18-1025.
Correctly Enrolled: SB18-090, 098, 131, and 173.

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:

HB18-1025 by Representative(s) Herod; also Senator(s) Cooke and Gardner--Concerning the nonsubstantive relocation of laws related to the regulation of alcohol beverages from title 12, Colorado Revised Statutes, to a new title 44 as part of the organizational recodification of title 12, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan.

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:

SB18-196 by Senator(s) Neville T. and Lundberg, Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Buck, Everett, Humphrey, Leonard, Lewis, Liston, Neville P., Saine, Sandridge, Van Winkle, Williams D.--Concerning the repeal of the late vehicle registration fee.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of House Amendments to Senate Bills.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-002 by Senator(s) Coram and Sonnenberg, Baumgardner, Cooke, Grantham, Holbert; also Representative(s) Becker K. and Duran--Concerning the financing of broadband deployment.

Senator Sonnenberg moved that the Senate concur in House amendments to SB18-002, as printed in House journal, March 13, pages 507-511, and March 15, pages 548-549. The motion was **adopted** by the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-082 by Senator(s) Zenzinger, Aguilar, Todd; also Representative(s) Kennedy--Concerning a physician's right to provide continuing care to patients with rare disorders despite a covenant not to compete.

Senator Zenzinger moved that the Senate concur in House amendments to SB18-082, as printed in House journal, March 16, page 569. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-095 by Senator(s) Zenzinger and Martinez Humenik, Moreno, Tate; also Representative(s) Hooton and McKean, Arndt, Thurlow--Concerning the removal of statutory references to the marital status of parents of a child.

Senator Martinez Humenik moved that the Senate concur in House amendments to SB18-095, as printed in House journal, March 14, page 527. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-135 by Senator(s) Gardner; also Representative(s) Carver and Lee--Concerning updates to the Colorado code of military justice.

Senator Gardner moved that the Senate concur in House amendments to SB18-135, as printed in House journal, March 14, pages 527-528, and March 16, pages 570-571. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Kagan and Lambert.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations — After consideration on the merits, the Committee recommends that **HB18-1249** 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 **HB18-1172** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations — After consideration on the merits, the Committee recommends that **SB18-202** 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 **SB18-200** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 57, after line 10 insert:

"**SECTION 28. Appropriation.** For the 2018-19 state fiscal year, $200,000 is appropriated to the legislative department for use by the legislative council. This appropriation is from the general fund. To implement this act, the legislative council may use this appropriation for independent review of PERA assumptions pursuant to section 24-51.5-102 (3)(h), C.R.S.".

Renumber succeeding section accordingly.

Page 1, line 105, strike "**YEARS.**" and substitute "**YEARS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-109** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 15, after line 9 insert:

"**SECTION 7. Appropriation.** (1) For the 2018-19 state fiscal year, $42,895 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3)(b), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $16,128 for use by information technology services for personal services;

(b) $21,589 for use by the business and licensing division for personal services, which amount is based on an assumption that the division will require an additional 0.5 FTE; and

(c) $5,178 for use by the business and licensing division for operating expenses.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**COMMUNICATION.**" and substitute "**COMMUNICATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-108** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, before line 23 insert:

"**SECTION 8. Appropriation.** (1) For the 2018-19 state fiscal year, $108,992 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 department may use this appropriation as follows:

(a) $44,446 for personal services related to driver services, which amount is based on an assumption that the department will require an additional 1.2 FTE; and

(b) $64,546 for operating expenses related to driver services.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**STATES.**" and susbstitute "**STATES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-109, SB18-202, and HB18-1249 were made Special Orders--Consent Calendar at 9:39 a.m.

Committee of the Whole

The hour of 9:39 a.m. having arrived, Senator Hill moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-109 by Senator(s) Gardner, Guzman, Neville T., Sonnenberg, Williams A.; also Representative(s) Garnett and Wist, Hooton, Melton, Michaelson Jenet, Pabon, Rosenthal--Concerning an authorization for notaries public to perform notarial acts using audio-video communication.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 6, pages 371-372 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 20, page 479 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-202 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the exemption of the Colorado firefighting air corps fund from the maximum reserve.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1249 by Representative(s) Rankin and Hamner, Young; also Senator(s) Lundberg, Lambert, Moreno--Concerning the requirement that the state treasurer distribute any federal funds related to the naval oil shale reserve land to specified counties or their federal mineral lease districts.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-109 as amended, SB18-202, HB18-1249.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-188 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning agricultural commodities, and, in connection therewith, adding millet to the definition of an agricultural commodity and allowing the commissioner of agriculture to determine marketing order public announcement requirements.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-188.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB18-001 as amended, SB18-166, SB18-047, HB18-1191) of Tuesday, March 20, was laid over until Wednesday, March 21, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE BOARD OF LAND COMMISSIONERS

for terms expiring June 30, 2021:

Gary A. Butterworth of Colorado Springs, Colorado, a person with substantial experience in natural resource conservation and as a Republican, reappointed;

John Michael Shaw of Denver, Colorado, to serve as a citizen at large and as an Unaffiliated, reappointed;

Tyler Patrick Karney of Ordway, Colorado, to serve as a person with substantial experience in production agriculture and as a Republican, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1045, 1050, 1066, 1091, 1117, and 1210.

MESSAGE FROM THE HOUSE

March 20, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1293, 1156, 1104, amended as printed in House Journal, March 19, 2018.

The House has passed on Third Reading and returns herewith SB18-099, 160.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

March 20, 2018

We herewith transmit:

Without comment, as amended, HB18-1104, 1156, and 1293.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB18-1293 by Representative(s) Duran and Neville P.; also Senator(s) Grantham and Guzman--Concerning payment of expenses of the legislative department.
Appropriations

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, March 20, 2018, at 02:45 p.m.:
SB18-028, 073, 111, and 121.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, March 21, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

71st Legislative Day — Wednesday, March 21, 2018

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--30
Excused--5, Baumgardner, Jones, Kefalas, Moreno, Sonnenberg.
Present later--5, Baumgardner, Jones, Kefalas, Moreno, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Tuesday, March 20, 2018, 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 **HB18-1151** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1016** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB18-204** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1049** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation — After consideration on the merits, the Committee recommends that **HB18-1042** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation — After consideration on the merits, the Committee recommends that **HB18-1107** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-109, 188, and 202.
Correctly Reengrossed: SB18-196.
Correctly Revised: HB18-1249.
Correctly Rerevised: HB18-1025.
Correctly Enrolled: SB18-002, 082, 095, 098, 135, and 160.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-188 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning agricultural commodities, and, in connection therewith, adding millet to the definition of an agricultural commodity and allowing the commissioner of agriculture to determine marketing order public announcement requirements.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Garcia, Grantham, Guzman, Jones, Marble, Martinez Humenik, Merrifield, Neville T., Priola, and Tate.

SB18-109 by Senator(s) Gardner, Guzman, Neville T., Sonnenberg, Williams A.; also Representative(s) Garnett and Wist, Hooton, Melton, Michaelson Jenet, Pabon, Rosenthal--Concerning an authorization for notaries public to perform notarial acts using audio-video communication, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Hill, Holbert, Kagan, Lambert, Lundberg, Marble, Priola, Scott, Smallwood, and Tate.

SB18-202 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the exemption of the Colorado firefighting air corps fund from the maximum 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Garcia, Gardner, Grantham, Guzman, Jahn, Kefalas, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Tate, Todd, and Williams A.

HB18-1249 by Representative(s) Rankin and Hamner, Young; also Senator(s) Lundberg, Lambert, Moreno--Concerning the requirement that the state treasurer distribute any federal funds related to the naval oil shale reserve land to specified counties or their federal mineral lease districts.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Garcia, Gardner, Grantham, Marble, Martinez Humenik, Neville T., Scott, Sonnenberg, and Tate.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1228 by Representative(s) Everett and Michaelson Jenet, Lundeen, Lewis, Neville P., Saine, Van Winkle, Becker J., Beckman, Bridges, McKean, Melton, Pettersen, Ransom, Sandridge; also Senator(s) Garcia, Hill--Concerning increasing transparency in higher education statutes relating to military service.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1228.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Friday, March 23, retaining its place on the calendar.

SB18-047 by Senator(s) Marble; also Representative(s) Saine--Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2019.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 13, page(s) 431 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1191 by Representative(s) Winter; also Senator(s) Martinez Humenik and Kefalas--Concerning a local authority's ability to alter speed limits within the local authority's jurisdiction.

Amendment No. 1(L.003), by Senator Martinez Humenik.

Amend reengrossed bill, page 2, line 3, strike "(2)" and substitute "(2); and **add** (9)".

Page 2, line 6, strike "AND AFTER" and substitute "AND, FOR RESIDENTIAL NEIGHBORHOODS, AFTER ADDITIONAL".

Page 2, after line 23 insert:

"(9) FOR PURPOSES OF THIS SECTION, "RESIDENTIAL NEIGHBORHOOD" HAS THE SAME MEANING AS SET FORTH IN SECTION 42-4-110.5 (2)(g)(II).".

As amended, ordered revised and placed on the calendar for third reading and final passage.

Majority Leader Holbert moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 5:00 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.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2018:

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, and occasioned by the resignation of Joseph James Wolf of Arvada, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-102, 125, 134, and 138; HB18-1012, 1103, 1130, 1137, 1139, 1158, 1171, 1196, and 1233.

MESSAGE FROM THE HOUSE

March 21, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1147.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1040, 1069, 1118, 1256, amended as printed in House Journal, March 20, 2018.

The House has passed on Third Reading and returns herewith SB18-104.

MESSAGE FROM THE REVISOR OF STATUTES

March 21, 2018

We herewith transmit:

Without comment, HB18-1147.
Without comment, as amended, HB18-1040, 1069, 1118, and 1256.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Committee of the Whole

The hour of 5:00 p.m. having arrived, on motion of Senator Tate, the Senate reresolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

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:

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2018 general election, which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; would repeal an existing requirement that the state treasurer execute lease-purchase agreements for the purpose of funding transportation projects; and would require ten percent of state sales and use tax net revenue to be credited to the state highway fund for the purpose of repaying any notes issued and funding transportation projects.

(Amended in general orders as printed in Senate journal, March 14, pages 439-441, and March 15, page 450.)

Amendment No. 7(L.041), by Senator Zenzinger.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Short title.** The short title of this act is the "Fix Colorado Roads Act".

SECTION 2. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Colorado's population is expected to increase to over six million nine hundred thousand by 2030;

(b) Population growth has significantly increased traffic and congestion and will continue to do so in the future, causing longer travel times, increasing air pollution, decreasing Coloradans' access to recreational opportunities, and accelerating the deterioration of Colorado's transportation infrastructure;

(c) The growth of the economy of the state has prompted new and ever-increasing uses of public highways, roads, and other transportation infrastructure, and the existing transportation infrastructure of the state cannot accommodate such greatly increased uses;

(d) In order to preserve and improve Colorado's economic prosperity and quality of life, it is necessary to develop and maintain a modern, efficient, and cost-effective multimodal transportation system that can move people, goods, and information without undue delays or environmental consequences;

(e) One of the major concerns of the citizens of the state is the ability of the state and local governments to address the long-term transportation infrastructure needs of the state that are critical to the continued growth of the state's economy and the maintenance of citizens' quality of life;

(f) The state has significantly decreased its contribution of general state revenues available in recent years to fund critical priority transportation infrastructure needs, and current transportation funding mechanisms do not provide adequate revenue to keep pace with the

increasing demands on transportation infrastructure statewide;

(g) State and regional economically significant transportation corridors, and their related congestion relief projects, remain unfunded or underfunded while construction costs escalate and congestion worsens;

(h) In 1999, the general assembly and the voters of the state approved Referendum A, which authorized the state to issue transportation revenue anticipation notes to accelerate the funding and completion of twenty-eight strategic transportation projects in significant corridors, including the T-REX project, the highly successful expansion and congestion mitigation project for the Interstate 25 corridor in the Denver metropolitan area;

(i) The success of the 1999 transportation revenue anticipation notes program shows that leveraging existing revenue is a prudent and cost-effective means to accelerate and deliver large-scale and economically significant transportation projects throughout the state;

(j) In 2017, the general assembly enacted Senate Bill 17-267, which:

(I) Requires the state to enter into lease-purchase agreements for state facilities in the amount of three hundred eighty million dollars during the 2018-19 fiscal year and five hundred million dollars during each of the 2019-20, 2020-21, and 2021-22 state fiscal years in order to accelerate the funding of high-priority transportation projects throughout the state; and

(II) Significantly increases the amount of money that the state may retain and spend under its fiscal year spending limit;

(k) While the lease-purchase agreements required by Senate Bill 17-267 will provide some increased funding for transportation, such agreements leverage state capital assets, rather than state revenue, and, to the extent currently authorized, provide less total funding than transportation revenue anticipation notes can;

(l) If the state enters into all of the lease-purchase agreements required by Senate Bill 17-267, the state will be required to spend approximately one hundred fifty million dollars per year, including one hundred million dollars per year from the state general fund and fifty million dollars per year from money under the control of the transportation commission, to repay the lease-purchase agreements;

(m) It is necessary, in order to avoid delaying critical transportation projects that are expected to be funded in part with proceeds of lease-purchase agreements to be issued during the 2018-19 state fiscal year, for the state to enter into lease-purchase agreements as required by Senate Bill 17-267 during the 2018-19 state fiscal year;

(n) It is also necessary, appropriate, and in the best interest of the state to:

(I) Repeal the requirement that the state enter into additional lease-purchase agreements during the 2019-20, 2020-21, and 2021-22 state fiscal years;

(II) If required statewide voter approval can be obtained either at the November 2018 general election for a citizen-initiated ballot measure that authorizes the state to issue transportation revenue notes or at the November 2019 statewide election for a ballot issue submitted by the state that authorizes the state to issue transportation revenue anticipation notes as specified in this act, use transportation revenue anticipation notes instead of lease-purchase agreements to finance federal aid transportation projects because doing so will generate a larger amount of up-front revenue for the projects and will enable the state to design and construct the projects more efficiently; and

(III) Use the money that will no longer be needed to repay lease-purchase agreements, as well as a portion of the additional general fund money that the state may retain and spend under its fiscal year spending limit due to the enactment of Senate Bill 17-267, to repay the transportation revenue anticipation notes and provide additional funding for transportation infrastructure projects and maintenance; and

(o) The issuance of new transportation revenue anticipation notes in lieu of the execution of lease-purchase agreements will accelerate the funding and efficient completion of a greater number of specific and designated projects throughout the state that the Colorado department of transportation and the transportation planning regions of the state have determined to be of highest priority and economically significant to the state and the regions in which they will be built.

(2) The general assembly further finds and declares that:

(a) This act does not increase taxes or fees or refer a ballot issue

to the voters of the state seeking their approval to raise taxes or fees;

(b) Private citizens have proposed ballot measures by initiative, one or more of which may be placed on the ballot for the November 2018 general election, which, if approved by the voters of the state, will authorize the state to issue transportation revenue anticipation notes to provide additional funding for transportation infrastructure projects; and

(c) If such a citizen-initiated ballot measure is not placed on the ballot for the November 2018 general election or if the voters reject every such ballot measure that is placed on that ballot, it is necessary and appropriate for the state to refer a ballot issue that authorizes the state to issue transportation revenue anticipation notes to the voters of the state at the November 2019 statewide election as specified in this act.

SECTION 3. In Colorado Revised Statutes, 24-75-219, **add** (1)(g) and (5) as follows:

24-75-219. Transfers - transportation - capital construction - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(g) "STATE HIGHWAY FUND" MEANS THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219.

(5) (a) ON JUNE 30, 2019, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND FOR EXPENDITURE IN ACCORDANCE WITH SECTION 43-1-220.5.

(b) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5)(b)(II) OF THIS SECTION, ON JUNE 30, 2020, AND ON EACH SUCCEEDING JUNE 30 THROUGH JUNE 30, 2039, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED FIFTY MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND FOR EXPENDITURE IN ACCORDANCE WITH SECTION 43-1-220.5.

(II) (A) THIS SUBSECTION (5)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF EITHER A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS NOT SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) OR SUCH A BALLOT ISSUE IS SUBMITTED AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(B) THIS SUBSECTION (5)(b)(II) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

SECTION 4. In Colorado Revised Statutes, 24-82-1303, **amend** (2)(a), (2)(b), and (2)(d)(II); and **repeal** (1) as follows:

24-82-1303. Lease-purchase agreements for capital construction and transportation projects. (1) ~~On or before December 31, 2017, the state architect, the director of the office of state planning and budgeting or his or her designee, and the state institutions of higher education shall identify and prepare a collaborative list of eligible state facilities that can be collateralized as part of the lease-purchase agreements for capital construction and transportation projects authorized in this part 13. The total current replacement value of the identified buildings must equal at least two billion dollars.~~

(2) (a) Notwithstanding the provisions of sections 24-82-102 (1)(b) and 24-82-801, and pursuant to section 24-36-121, no sooner than July 1, 2018, the state, acting by and through the state treasurer, shall execute lease-purchase agreements, each for no more than twenty years of annual payments, for the projects described in subsection (4) of this section. The state shall execute the lease-purchase agreements ~~only in accordance with the following schedule:~~ DURING THE 2018-19 STATE FISCAL YEAR IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS.

~~(I) During the 2018-19 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars;~~

~~(II) During the 2019-20 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars;~~

~~(III) During the 2020-21 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars; and~~

~~(IV) During the 2021-22 fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars.~~

(b) The anticipated annual state-funded payments for the principal and interest components of the amount payable under all lease-purchase agreements entered into pursuant to subsection (2)(a) of this section shall not exceed ~~one hundred fifty~~ THIRTY-SEVEN million FIVE HUNDRED THOUSAND dollars.

(d) Any lease-purchase agreement executed as required by subsection (2)(a) of this section shall provide that all of the obligations of the state under the agreement are subject to the action of the general assembly in annually making money available for all payments thereunder. Payments under any lease-purchase agreement must be made, subject to annual allocation pursuant to section 43-1-113 by the transportation commission created in section 43-1-106 (1) or subject to annual appropriation by the general assembly, as applicable, from the following sources of money:

(II) Next, ~~fifty~~ TEN million ONE HUNDRED THOUSAND dollars annually, or any lesser amount that is sufficient to make each full payment due, shall be paid from any legally available money under the control of the transportation commission solely for the purpose of allowing the construction, supervision, and maintenance of state highways to be funded with the proceeds of lease-purchase agreements as specified in subsection (4)(b) of this section and section 43-4-206 (1)(b)(V); and

SECTION 5. In Colorado Revised Statutes, **add** 43-1-220.5 as follows:

43-1-220.5. State highway fund - use of money transferred from general fund - repayment of transportation revenue anticipation notes - repeal. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) ONLY FOR QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE GENERAL FUND MONEY BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS; EXCEPT THAT SUCH GENERAL FUND MONEY MAY ALSO BE EXPENDED FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM. NO MORE THAN NINETY PERCENT OF THE GENERAL FUND MONEY SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE GENERAL FUND MONEY SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS

(2) (a) IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR", THE DEPARTMENT SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) FIRST, TO THE EXTENT NEEDED, FOR MAINTENANCE OF THE TRANSPORTATION INFRASTRUCTURE PROJECTS FINANCED BY THE NOTES AND THEREAFTER EXCLUSIVELY FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM.

(b) (I) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF EITHER:

(A) A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES TO FINANCE THE CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE PROJECTS IS NOT SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION; OR

(B) SUCH A BALLOT ISSUE IS SUBMITTED AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT

AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

(3) (a) IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR", THE DEPARTMENT SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) FIRST, TO THE EXTENT NEEDED, TO MAKE THE FULL AMOUNT OF PAYMENTS DUE ON THE NOTES AND THEREAFTER EXCLUSIVELY FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM.

(b) (I) THIS SUBSECTION (3) IS REPEALED:

(A) EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR";

(B) EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

SECTION 6. In Colorado Revised Statutes, 43-1-1401, **amend** (2) as follows:

43-1-1401. Legislative declaration. (2) The general assembly intends that this part 14 ~~authorize~~ AUTHORIZES the department of transportation to enter INTO design-build contracts and to use an adjusted score design-build selection and procurement process for particular transportation projects regardless of the minimum or maximum cost of such projects, based on the individual needs and merits of such projects, and subject to approval by the transportation commission. The general assembly also intends that the department's use of an adjusted score design-build contract process ~~shall~~ DOES not prohibit use of the low bid process currently used by the department pursuant to part 1 of article 92 of title 24 and part 14 of article 30 of title 24. ~~C.R.S.~~ THE GENERAL ASSEMBLY FURTHER INTENDS THAT WHEN DETERMINING WHETHER TO USE THE LOW BID PROCESS OR THE DESIGN-BUILD PROCESS TO CONTRACT FOR A PROJECT, THE DEPARTMENT STRONGLY CONSIDER THE EXTENT TO WHICH USE OF THE DESIGN-BUILD PROCESS IS LIKELY, BY EXCLUDING CONTRACTORS THAT LACK THE CAPABILITY OR SIZE TO DO BOTH THE DESIGN AND CONSTRUCTION WORK FOR THE PROJECT, TO REDUCE COMPETITION IN BIDDING FOR THE CONTRACT, INCREASE THE TOTAL COSTS TO THE STATE OF DESIGNING AND BUILDING THE PROJECT, OR BOTH.

SECTION 7. In Colorado Revised Statutes, 43-4-206, **amend** (1) introductory portion, (2)(b) introductory portion, (2)(b)(III), and (2)(b)(IV) as follows:

43-4-206. State allocation. (1) Except as otherwise provided in ~~subsections (1)(a)(V),~~ SUBSECTIONS (1)(b)(V), (2), and (3) of this section, after paying the costs of the Colorado state patrol and any other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, that are appropriated by the general assembly, money in the highway users tax fund shall be paid to the state highway fund and expended for the following purposes:

(2) (b) Beginning in 1998, the department of transportation shall report annually to the transportation committee of the senate and the transportation and energy committee of the house of representatives concerning the revenue expended by the department pursuant to

subsection (2)(a) of this section and, beginning in ~~2018~~ 2019, any STATE GENERAL FUND MONEY THAT IS CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) AND EXPENDED BY THE DEPARTMENT PURSUANT TO SECTION 43-1-220.5, AND ANY NET proceeds of lease-purchase agreements executed as required by section 24-82-1303 (2)(a) that are credited to the state highway fund pursuant to section 24-82-1303 (4)(b) and expended by the department pursuant to subsection (1)(b)(V) of this section. The department shall present the report at the joint meeting required under section 43-1-113 (9)(a), and the report shall describe for each fiscal year, if applicable:

(III) The projected amounts of revenue and net proceeds that the department expects to receive under this subsection (2), ~~and subsection (1)(b)(V) of this section~~ SECTION 24-75-219 (5), AND SECTION 24-82-1303 (4)(b) during the fiscal year;

(IV) The amount of revenue and net proceeds that the department has already received under this subsection (2), ~~and subsection (1)(b)(V) of this section~~ SECTION 24-75-219 (5), AND SECTION 24-82-1303 (4)(b) during the fiscal year; and

SECTION 8. In Colorado Revised Statutes, 43-4-702, **repeal** (7); and **add** (9) as follows:

43-4-702. Definitions. As used in this part 7, unless the context otherwise requires:

(7) ~~"Revenue anticipation notes" or "notes" means revenue anticipation notes authorized by and issued in accordance with this part 7.~~

(9) "TRANSPORTATION REVENUE ANTICIPATION NOTES", "REVENUE ANTICIPATION NOTES", OR "NOTES" MEANS REVENUE ANTICIPATION NOTES AUTHORIZED BY AND ISSUED IN ACCORDANCE WITH THIS PART 7.

SECTION 9. In Colorado Revised Statutes, 43-4-705, **amend** (13) as follows:

43-4-705. Revenue anticipation notes - repeal. (13) (a) Notwithstanding any other provision of this part 7 to the contrary, the executive director shall have the authority to issue revenue anticipation notes pursuant to this part 7 only if voters statewide approve the ballot question submitted at the November 1999 statewide election pursuant to section 43-4-703 (1) and only then to the extent allowed under the maximum amounts of debt and repayment cost so approved.

(b) (I) SUBJECT TO VOTER APPROVAL OF THE BALLOT ISSUE SUBMITTED AT THE NOVEMBER 2019 GENERAL ELECTION PURSUANT TO SUBSECTION (13)(b)(III) OF THIS SECTION AND THE REPAYMENT FUNDING COMMITMENT REQUIREMENT SPECIFIED IN SUBSECTION (13)(b)(II) OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL ISSUE ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES IN A MAXIMUM AMOUNT OF THREE BILLION FIVE HUNDRED MILLION DOLLARS AND WITH A MAXIMUM REPAYMENT COST OF FIVE BILLION DOLLARS. THE MAXIMUM REPAYMENT TERM FOR ANY NOTES ISSUED PURSUANT TO THIS SUBSECTION (13)(b) IS TWENTY YEARS, AND THE CERTIFICATE, TRUST INDENTURE, OR OTHER INSTRUMENT AUTHORIZING THEIR ISSUANCE SHALL PROVIDE THAT THE STATE MAY PAY THE NOTES IN FULL BEFORE THE END OF THE SPECIFIED PAYMENT TERM WITHOUT PENALTY.

(II) NOTWITHSTANDING SECTION 43-1-113 (19) AND SUBSECTION (12)(a) OF THIS SECTION, BEFORE ISSUING ANY REVENUE ANTICIPATION NOTES AS AUTHORIZED BY SUBSECTION (13)(b)(I) OF THIS SECTION, THE TRANSPORTATION COMMISSION SHALL ADOPT A RESOLUTION PLEDGING TO ANNUALLY ALLOCATE FROM LEGALLY AVAILABLE MONEY UNDER ITS CONTROL ANY AMOUNT NEEDED FOR PAYMENT OF THE NOTES UNTIL THE NOTES ARE FULLY REPAID.

(III) THE SECRETARY OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION THE FOLLOWING BALLOT ISSUE: "SHALL STATE OF COLORADO DEBT BE INCREASED UP TO $3,500,000,000, WITH A MAXIMUM REPAYMENT COST OF $5,000,000,000, THROUGH THE ISSUANCE OF TRANSPORTATION REVENUE ANTICIPATION NOTES FOR THE PURPOSE OF ADDRESSING CRITICAL PRIORITY TRANSPORTATION NEEDS IN THE STATE BY FINANCING TRANSPORTATION PROJECTS, SHALL NOTE PROCEEDS AND INVESTMENT EARNINGS ON NOTE PROCEEDS BE EXCLUDED FROM STATE FISCAL YEAR SPENDING LIMITS, AND SHALL THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED FOR THE PURPOSE OF FINANCING TRANSPORTATION PROJECTS BE REDUCED?"

(IV) WITHIN FORTY-FIVE DAYS OF THE EFFECTIVE DATE OF THIS

SUBSECTION (13)(b)(IV), THE DEPARTMENT SHALL PROVIDE TO THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL THE MOST RECENT AVAILABLE LIST OF QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS, INCLUDING MULTIMODAL CAPITAL PROJECTS, THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S 2019 DEVELOPMENT PROGRAM PROJECT LIST AND THAT THE DEPARTMENT WILL FUND WITH PROCEEDS OF ANY TRANSPORTATION REVENUE ANTICIPATION NOTES ISSUED AS AUTHORIZED BY THIS SUBSECTION (13)(b). IN ORDER TO FULLY INFORM THE VOTERS OF THE STATE CONCERNING THE PROJECTS TO BE FUNDED WITH PROCEEDS OF ANY SUCH ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES BEFORE THE VOTERS VOTE ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (13)(b)(III) OF THIS SECTION, THE DIRECTOR OF RESEARCH SHALL PUBLISH THE LIST, INCLUDING ANY SUBSEQUENT UPDATES TO THE LIST MADE BEFORE FINAL APPROVAL BY THE LEGISLATIVE COUNCIL OF THE 2018 BALLOT INFORMATION BOOKLET PREPARED PURSUANT TO SECTION 1-40-124.5, WHICH UPDATES THE DEPARTMENT SHALL EXPEDITIOUSLY PROVIDE TO THE DIRECTOR OF RESEARCH, IN THE BALLOT INFORMATION BOOKLET.

(V) (A) THIS SUBSECTION (13)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

(B) THIS SUBSECTION (13)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE IN SUBSECTION (13)(b)(III) OF THIS SECTION VOTE "NO/AGAINST".

(C) THIS SUBSECTION (13)(b)(V) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE IN SUBSECTION (13)(b)(III) OF THIS SECTION VOTE "YES/FOR".

SECTION 10. In Colorado Revised Statutes, **amend** 43-4-714 as follows:

43-4-714. Priority of strategic transportation project investment program - additional contract award process requirements -use of note proceeds - repeal. (1) If the executive director issues any revenue anticipation notes in accordance with ~~the provisions of~~ this part 7, the proceeds from the sale of such notes that are not otherwise pledged for the payment of such notes shall be used for the qualified federal aid transportation projects included in the strategic transportation project investment program of the department of transportation.

(2) (a) IN ADDITION TO THE REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS SECTION, NET PROCEEDS FROM THE SALE OF ANY TRANSPORTATION REVENUE ANTICIPATION NOTES THAT THE EXECUTIVE DIRECTOR ISSUES PURSUANT TO SECTION 43-4-705 (13)(b) THAT ARE NOT OTHERWISE PLEDGED FOR THE PAYMENT OF THE NOTES SHALL BE CREDITED TO THE STATE HIGHWAY FUND AND EXPENDED BY THE DEPARTMENT ONLY FOR QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE NET PROCEEDS OF TRANSPORTATION REVENUE ANTICIPATION NOTES BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS. NO MORE THAN NINETY PERCENT OF THE NET PROCEEDS OF TRANSPORTATION REVENUE ANTICIPATION NOTES SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE NET PROCEEDS SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS, INCLUDING SOUND WALLS ALONG INTERSTATE HIGHWAYS.

(b) (I) THIS SUBSECTION (2) IS REPEALED:

(A) EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION

AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

(B) EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

SECTION 11. Effective date - applicability. (1) Except as otherwise provided in subsection (2) of this section, this act takes effect upon passage.

(2) Section 4 of this act takes effect only if either:

(a) A ballot issue initiated by private citizens that authorizes the state to issue transportation revenue anticipation notes is submitted to the registered electors of the state for their approval or rejection at the November 2018 general election and a majority of the electors voting on the ballot issue vote "Yes/For", and, in such case, section 4 of this act takes effect on the date of the official declaration of the vote thereon by the governor; or

(b) A ballot issue that authorizes the state to issue transportation revenue anticipation notes is submitted to the registered electors of the state for their approval or rejection at the November 2019 statewide election pursuant to section 43-4-705 (13)(b), Colorado Revised Statutes, enacted in section 9 of this act, and a majority of the electors voting on the ballot issue vote "Yes/For", and, in such case, section 4 of this act takes effect on the date of the official declaration of the vote thereon by the governor.

SECTION 12. 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 "**FUNDING, AND, IN**".

Page 1, strike lines 102 through 113.

Page 2, strike lines 101 through 105 and substitute "**FUNDING.**".

Amendment No. 8(L.047), by Senator Scott.

Amend the Zenzinger floor amendment (SB001_L.041), page 6, line 1, strike "EXCEPT" and substitute "THE DEPARTMENT OF TRANSPORTATION SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5)(a) ONLY FOR NEW HIGHWAY CONSTRUCTION PROJECTS".

Page 6, lines 4 and 5, strike "SECTION 24-75-219 (5)" and substitute "SECTION 24-75-219 (5)(b)".

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

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding, and, in connection therewith, requiring the transportation commission to submit a ballot question to the voters of the state at the November 2018 general election, which, if approved, would authorize the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; would repeal an existing requirement that the state treasurer execute lease-purchase agreements for the purpose of funding transportation projects; and would require ten percent of state sales and use tax net revenue to be credited to the state highway fund for the purpose of repaying any notes issued and funding transportation projects.

Senator Neville moved to amend the Report of the Committee of the Whole to show that the following Zenzinger floor amendment, (L.041) to SB 18-001, did not pass.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Short title.** The short title of this act is the "Fix Colorado Roads Act".

SECTION 2. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Colorado's population is expected to increase to over six million nine hundred thousand by 2030;

(b) Population growth has significantly increased traffic and congestion and will continue to do so in the future, causing longer travel times, increasing air pollution, decreasing Coloradans' access to recreational opportunities, and accelerating the deterioration of Colorado's transportation infrastructure;

(c) The growth of the economy of the state has prompted new and ever-increasing uses of public highways, roads, and other transportation infrastructure, and the existing transportation infrastructure of the state cannot accommodate such greatly increased uses;

(d) In order to preserve and improve Colorado's economic prosperity and quality of life, it is necessary to develop and maintain a modern, efficient, and cost-effective multimodal transportation system that can move people, goods, and information without undue delays or environmental consequences;

(e) One of the major concerns of the citizens of the state is the ability of the state and local governments to address the long-term transportation infrastructure needs of the state that are critical to the continued growth of the state's economy and the maintenance of citizens' quality of life;

(f) The state has significantly decreased its contribution of general state revenues available in recent years to fund critical priority transportation infrastructure needs, and current transportation funding mechanisms do not provide adequate revenue to keep pace with the increasing demands on transportation infrastructure statewide;

(g) State and regional economically significant transportation corridors, and their related congestion relief projects, remain unfunded or underfunded while construction costs escalate and congestion worsens;

(h) In 1999, the general assembly and the voters of the state approved Referendum A, which authorized the state to issue transportation revenue anticipation notes to accelerate the funding and completion of twenty-eight strategic transportation projects in significant corridors, including the T-REX project, the highly successful expansion and congestion mitigation project for the Interstate 25 corridor in the Denver metropolitan area;

(i) The success of the 1999 transportation revenue anticipation notes program shows that leveraging existing revenue is a prudent and cost-effective means to accelerate and deliver large-scale and economically significant transportation projects throughout the state;

(j) In 2017, the general assembly enacted Senate Bill 17-267, which:

(I) Requires the state to enter into lease-purchase agreements for state facilities in the amount of three hundred eighty million dollars during the 2018-19 fiscal year and five hundred million dollars during each of the 2019-20, 2020-21, and 2021-22 state fiscal years in order to

accelerate the funding of high-priority transportation projects throughout the state; and

(II) Significantly increases the amount of money that the state may retain and spend under its fiscal year spending limit;

(k) While the lease-purchase agreements required by Senate Bill 17-267 will provide some increased funding for transportation, such agreements leverage state capital assets, rather than state revenue, and, to the extent currently authorized, provide less total funding than transportation revenue anticipation notes can;

(l) If the state enters into all of the lease-purchase agreements required by Senate Bill 17-267, the state will be required to spend approximately one hundred fifty million dollars per year, including one hundred million dollars per year from the state general fund and fifty million dollars per year from money under the control of the transportation commission, to repay the lease-purchase agreements;

(m) It is necessary, in order to avoid delaying critical transportation projects that are expected to be funded in part with proceeds of lease-purchase agreements to be issued during the 2018-19 state fiscal year, for the state to enter into lease-purchase agreements as required by Senate Bill 17-267 during the 2018-19 state fiscal year;

(n) It is also necessary, appropriate, and in the best interest of the state to:

(I) Repeal the requirement that the state enter into additional lease-purchase agreements during the 2019-20, 2020-21, and 2021-22 state fiscal years;

(II) If required statewide voter approval can be obtained either at the November 2018 general election for a citizen-initiated ballot measure that authorizes the state to issue transportation revenue notes or at the November 2019 statewide election for a ballot issue submitted by the state that authorizes the state to issue transportation revenue anticipation notes as specified in this act, use transportation revenue anticipation notes instead of lease-purchase agreements to finance federal aid transportation projects because doing so will generate a larger amount of up-front revenue for the projects and will enable the state to design and construct the projects more efficiently; and

(III) Use the money that will no longer be needed to repay lease-purchase agreements, as well as a portion of the additional general fund money that the state may retain and spend under its fiscal year spending limit due to the enactment of Senate Bill 17-267, to repay the transportation revenue anticipation notes and provide additional funding for transportation infrastructure projects and maintenance; and

(o) The issuance of new transportation revenue anticipation notes in lieu of the execution of lease-purchase agreements will accelerate the funding and efficient completion of a greater number of specific and designated projects throughout the state that the Colorado department of transportation and the transportation planning regions of the state have determined to be of highest priority and economically significant to the state and the regions in which they will be built.

(2) The general assembly further finds and declares that:

(a) This act does not increase taxes or fees or refer a ballot issue to the voters of the state seeking their approval to raise taxes or fees;

(b) Private citizens have proposed ballot measures by initiative, one or more of which may be placed on the ballot for the November 2018 general election, which, if approved by the voters of the state, will authorize the state to issue transportation revenue anticipation notes to provide additional funding for transportation infrastructure projects; and

(c) If such a citizen-initiated ballot measure is not placed on the ballot for the November 2018 general election or if the voters reject every such ballot measure that is placed on that ballot, it is necessary and appropriate for the state to refer a ballot issue that authorizes the state to issue transportation revenue anticipation notes to the voters of the state at the November 2019 statewide election as specified in this act.

SECTION 3. In Colorado Revised Statutes, 24-75-219, **add** (1)(g) and (5) as follows:

24-75-219. Transfers - transportation - capital construction - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(g) "STATE HIGHWAY FUND" MEANS THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219.

(5) (a) ON JUNE 30, 2019, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND FOR EXPENDITURE IN ACCORDANCE WITH

SECTION 43-1-220.5.

(b) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (5)(b)(II) OF THIS SECTION, ON JUNE 30, 2020, AND ON EACH SUCCEEDING JUNE 30 THROUGH JUNE 30, 2039, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED FIFTY MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND FOR EXPENDITURE IN ACCORDANCE WITH SECTION 43-1-220.5.

(II) (A) THIS SUBSECTION (5)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF EITHER A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS NOT SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) OR SUCH A BALLOT ISSUE IS SUBMITTED AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(B) THIS SUBSECTION (5)(b)(II) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

SECTION 4. In Colorado Revised Statutes, 24-82-1303, **amend** (2)(a), (2)(b), and (2)(d)(II); and **repeal** (1) as follows:

24-82-1303. Lease-purchase agreements for capital construction and transportation projects. (1) ~~On or before December 31, 2017, the state architect, the director of the office of state planning and budgeting or his or her designee, and the state institutions of higher education shall identify and prepare a collaborative list of eligible state facilities that can be collateralized as part of the lease-purchase agreements for capital construction and transportation projects authorized in this part 13. The total current replacement value of the identified buildings must equal at least two billion dollars.~~

(2) (a) Notwithstanding the provisions of sections 24-82-102 (1)(b) and 24-82-801, and pursuant to section 24-36-121, no sooner than July 1, 2018, the state, acting by and through the state treasurer, shall execute lease-purchase agreements, each for no more than twenty years of annual payments, for the projects described in subsection (4) of this section. The state shall execute the lease-purchase agreements ~~only in accordance with the following schedule:~~ DURING THE 2018-19 STATE FISCAL YEAR IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS.

~~(I) During the 2018-19 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars;~~

~~(II) During the 2019-20 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars;~~

~~(III) During the 2020-21 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars; and~~

~~(IV) During the 2021-22 fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars.~~

(b) The anticipated annual state-funded payments for the principal and interest components of the amount payable under all lease-purchase agreements entered into pursuant to subsection (2)(a) of this section shall not exceed ~~one hundred fifty~~ THIRTY-SEVEN million FIVE HUNDRED THOUSAND dollars.

(d) Any lease-purchase agreement executed as required by subsection (2)(a) of this section shall provide that all of the obligations of the state under the agreement are subject to the action of the general assembly in annually making money available for all payments thereunder. Payments under any lease-purchase agreement must be made, subject to annual allocation pursuant to section 43-1-113 by the transportation commission created in section 43-1-106 (1) or subject to annual appropriation by the general assembly, as applicable, from the following sources of money:

(II) Next, ~~fifty~~ TEN million ONE HUNDRED THOUSAND dollars annually, or any lesser amount that is sufficient to make each full payment due, shall be paid from any legally available money under the control of the transportation commission solely for the purpose of allowing the construction, supervision, and maintenance of state

highways to be funded with the proceeds of lease-purchase agreements as specified in subsection (4)(b) of this section and section 43-4-206 (1)(b)(V); and

SECTION 5. In Colorado Revised Statutes, **add** 43-1-220.5 as follows:

43-1-220.5. State highway fund - use of money transferred from general fund - repayment of transportation revenue anticipation notes - repeal. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTIONS (2) AND (3) OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) ONLY FOR QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE GENERAL FUND MONEY BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS; EXCEPT THAT SUCH GENERAL FUND MONEY MAY ALSO BE EXPENDED FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM. NO MORE THAN NINETY PERCENT OF THE GENERAL FUND MONEY SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE GENERAL FUND MONEY SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS

(2) (a) IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR", THE DEPARTMENT SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) FIRST, TO THE EXTENT NEEDED, FOR MAINTENANCE OF THE TRANSPORTATION INFRASTRUCTURE PROJECTS FINANCED BY THE NOTES AND THEREAFTER EXCLUSIVELY FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM.

(b) (I) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF EITHER:

(A) A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES TO FINANCE THE CONSTRUCTION OF TRANSPORTATION INFRASTRUCTURE PROJECTS IS NOT SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION; OR

(B) SUCH A BALLOT ISSUE IS SUBMITTED AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

(3) (a) IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR", THE DEPARTMENT SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) FIRST, TO THE EXTENT NEEDED, TO MAKE THE FULL AMOUNT OF PAYMENTS DUE ON THE NOTES AND THEREAFTER EXCLUSIVELY FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM.

(b) (I) THIS SUBSECTION (3) IS REPEALED:

(A) EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE

ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR";

(B) EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(II) THIS SUBSECTION (3)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

SECTION 6. In Colorado Revised Statutes, 43-1-1401, **amend** (2) as follows:

43-1-1401. Legislative declaration. (2) The general assembly intends that this part 14 ~~authorize~~ AUTHORIZES the department of transportation to enter INTO design-build contracts and to use an adjusted score design-build selection and procurement process for particular transportation projects regardless of the minimum or maximum cost of such projects, based on the individual needs and merits of such projects, and subject to approval by the transportation commission. The general assembly also intends that the department's use of an adjusted score design-build contract process ~~shall~~ DOES not prohibit use of the low bid process currently used by the department pursuant to part 1 of article 92 of title 24 and part 14 of article 30 of title 24. ~~C.R.S.~~ THE GENERAL ASSEMBLY FURTHER INTENDS THAT WHEN DETERMINING WHETHER TO USE THE LOW BID PROCESS OR THE DESIGN-BUILD PROCESS TO CONTRACT FOR A PROJECT, THE DEPARTMENT STRONGLY CONSIDER THE EXTENT TO WHICH USE OF THE DESIGN-BUILD PROCESS IS LIKELY, BY EXCLUDING CONTRACTORS THAT LACK THE CAPABILITY OR SIZE TO DO BOTH THE DESIGN AND CONSTRUCTION WORK FOR THE PROJECT, TO REDUCE COMPETITION IN BIDDING FOR THE CONTRACT, INCREASE THE TOTAL COSTS TO THE STATE OF DESIGNING AND BUILDING THE PROJECT, OR BOTH.

SECTION 7. In Colorado Revised Statutes, 43-4-206, **amend** (1) introductory portion, (2)(b) introductory portion, (2)(b)(III), and (2)(b)(IV) as follows:

43-4-206. State allocation. (1) Except as otherwise provided in ~~subsections (1)(a)(V),~~ SUBSECTIONS (1)(b)(V), (2), and (3) of this section, after paying the costs of the Colorado state patrol and any other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, that are appropriated by the general assembly, money in the highway users tax fund shall be paid to the state highway fund and expended for the following purposes:

(2) (b) Beginning in 1998, the department of transportation shall report annually to the transportation committee of the senate and the transportation and energy committee of the house of representatives concerning the revenue expended by the department pursuant to subsection (2)(a) of this section and, beginning in ~~2018~~ 2019, any STATE GENERAL FUND MONEY THAT IS CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) AND EXPENDED BY THE DEPARTMENT PURSUANT TO SECTION 43-1-220.5, AND ANY NET proceeds of lease-purchase agreements executed as required by section 24-82-1303 (2)(a) that are credited to the state highway fund pursuant to section 24-82-1303 (4)(b) and expended by the department pursuant to subsection (1)(b)(V) of this section. The department shall present the report at the joint meeting required under section 43-1-113 (9)(a), and the report shall describe for each fiscal year, if applicable:

(III) The projected amounts of revenue and net proceeds that the department expects to receive under this subsection (2), ~~and subsection (1)(b)(V) of this section~~ SECTION 24-75-219 (5), AND SECTION 24-82-1303 (4)(b) during the fiscal year;

(IV) The amount of revenue and net proceeds that the department has already received under this subsection (2), ~~and subsection (1)(b)(V) of this section~~ SECTION 24-75-219 (5), AND SECTION 24-82-1303 (4)(b) during the fiscal year; and

SECTION 8. In Colorado Revised Statutes, 43-4-702, **repeal** (7); and **add** (9) as follows:

43-4-702. Definitions. As used in this part 7, unless the context otherwise requires:

~~(7) "Revenue anticipation notes" or "notes" means revenue anticipation notes authorized by and issued in accordance with this part 7.~~

(9) "TRANSPORTATION REVENUE ANTICIPATION NOTES", "REVENUE ANTICIPATION NOTES", OR "NOTES" MEANS REVENUE ANTICIPATION NOTES AUTHORIZED BY AND ISSUED IN ACCORDANCE WITH THIS PART 7.

SECTION 9. In Colorado Revised Statutes, 43-4-705, **amend** (13) as follows:

43-4-705. Revenue anticipation notes - repeal. (13) (a) Notwithstanding any other provision of this part 7 to the contrary, the executive director shall have the authority to issue revenue anticipation notes pursuant to this part 7 only if voters statewide approve the ballot question submitted at the November 1999 statewide election pursuant to section 43-4-703 (1) and only then to the extent allowed under the maximum amounts of debt and repayment cost so approved.

(b) (I) SUBJECT TO VOTER APPROVAL OF THE BALLOT ISSUE SUBMITTED AT THE NOVEMBER 2019 GENERAL ELECTION PURSUANT TO SUBSECTION (13)(b)(III) OF THIS SECTION AND THE REPAYMENT FUNDING COMMITMENT REQUIREMENT SPECIFIED IN SUBSECTION (13)(b)(II) OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL ISSUE ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES IN A MAXIMUM AMOUNT OF THREE BILLION FIVE HUNDRED MILLION DOLLARS AND WITH A MAXIMUM REPAYMENT COST OF FIVE BILLION DOLLARS. THE MAXIMUM REPAYMENT TERM FOR ANY NOTES ISSUED PURSUANT TO THIS SUBSECTION (13)(b) IS TWENTY YEARS, AND THE CERTIFICATE, TRUST INDENTURE, OR OTHER INSTRUMENT AUTHORIZING THEIR ISSUANCE SHALL PROVIDE THAT THE STATE MAY PAY THE NOTES IN FULL BEFORE THE END OF THE SPECIFIED PAYMENT TERM WITHOUT PENALTY.

(II) NOTWITHSTANDING SECTION 43-1-113 (19) AND SUBSECTION (12)(a) OF THIS SECTION, BEFORE ISSUING ANY REVENUE ANTICIPATION NOTES AS AUTHORIZED BY SUBSECTION (13)(b)(I) OF THIS SECTION, THE TRANSPORTATION COMMISSION SHALL ADOPT A RESOLUTION PLEDGING TO ANNUALLY ALLOCATE FROM LEGALLY AVAILABLE MONEY UNDER ITS CONTROL ANY AMOUNT NEEDED FOR PAYMENT OF THE NOTES UNTIL THE NOTES ARE FULLY REPAID.

(III) THE SECRETARY OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION THE FOLLOWING BALLOT ISSUE: "SHALL STATE OF COLORADO DEBT BE INCREASED UP TO $3,500,000,000, WITH A MAXIMUM REPAYMENT COST OF $5,000,000,000, THROUGH THE ISSUANCE OF TRANSPORTATION REVENUE ANTICIPATION NOTES FOR THE PURPOSE OF ADDRESSING CRITICAL PRIORITY TRANSPORTATION NEEDS IN THE STATE BY FINANCING TRANSPORTATION PROJECTS, SHALL NOTE PROCEEDS AND INVESTMENT EARNINGS ON NOTE PROCEEDS BE EXCLUDED FROM STATE FISCAL YEAR SPENDING LIMITS, AND SHALL THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED FOR THE PURPOSE OF FINANCING TRANSPORTATION PROJECTS BE REDUCED?"

(IV) WITHIN FORTY-FIVE DAYS OF THE EFFECTIVE DATE OF THIS SUBSECTION (13)(b)(IV), THE DEPARTMENT SHALL PROVIDE TO THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL THE MOST RECENT AVAILABLE LIST OF QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS, INCLUDING MULTIMODAL CAPITAL PROJECTS, THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S 2019 DEVELOPMENT PROGRAM PROJECT LIST AND THAT THE DEPARTMENT WILL FUND WITH PROCEEDS OF ANY TRANSPORTATION REVENUE ANTICIPATION NOTES ISSUED AS AUTHORIZED BY THIS SUBSECTION (13)(b). IN ORDER TO FULLY INFORM THE VOTERS OF THE STATE CONCERNING THE PROJECTS TO BE FUNDED WITH PROCEEDS OF ANY SUCH ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES BEFORE THE VOTERS VOTE ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (13)(b)(III) OF THIS SECTION, THE DIRECTOR OF RESEARCH SHALL PUBLISH THE LIST, INCLUDING ANY SUBSEQUENT UPDATES TO THE LIST MADE BEFORE FINAL APPROVAL BY THE LEGISLATIVE COUNCIL OF THE 2018 BALLOT INFORMATION BOOKLET PREPARED PURSUANT TO SECTION 1-40-124.5, WHICH UPDATES THE DEPARTMENT SHALL EXPEDITIOUSLY PROVIDE TO THE DIRECTOR OF RESEARCH, IN THE BALLOT INFORMATION BOOKLET.

(V) (A) THIS SUBSECTION (13)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE

ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

(B) THIS SUBSECTION (13)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE IN SUBSECTION (13)(b)(III) OF THIS SECTION VOTE "NO/AGAINST".

(C) THIS SUBSECTION (13)(b)(V) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE IN SUBSECTION (13)(b)(III) OF THIS SECTION VOTE "YES/FOR".

SECTION 10. In Colorado Revised Statutes, **amend** 43-4-714 as follows:

43-4-714. Priority of strategic transportation project investment program - additional contract award process requirements -use of note proceeds - repeal. (1) If the executive director issues any revenue anticipation notes in accordance with ~~the provisions of~~ this part 7, the proceeds from the sale of such notes that are not otherwise pledged for the payment of such notes shall be used for the qualified federal aid transportation projects included in the strategic transportation project investment program of the department of transportation.

(2) (a) IN ADDITION TO THE REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS SECTION, NET PROCEEDS FROM THE SALE OF ANY TRANSPORTATION REVENUE ANTICIPATION NOTES THAT THE EXECUTIVE DIRECTOR ISSUES PURSUANT TO SECTION 43-4-705 (13)(b) THAT ARE NOT OTHERWISE PLEDGED FOR THE PAYMENT OF THE NOTES SHALL BE CREDITED TO THE STATE HIGHWAY FUND AND EXPENDED BY THE DEPARTMENT ONLY FOR QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE NET PROCEEDS OF TRANSPORTATION REVENUE ANTICIPATION NOTES BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS. NO MORE THAN NINETY PERCENT OF THE NET PROCEEDS OF TRANSPORTATION REVENUE ANTICIPATION NOTES SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE NET PROCEEDS SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS, INCLUDING SOUND WALLS ALONG INTERSTATE HIGHWAYS.

(b) (I) THIS SUBSECTION (2) IS REPEALED:

(A) EFFECTIVE JANUARY 1, 2019, IF A BALLOT ISSUE INITIATED BY PRIVATE CITIZENS THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

(B) EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST".

(II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2020, IF A BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2019 STATEWIDE ELECTION PURSUANT TO SECTION 43-4-705 (13)(b) AND A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "YES/FOR".

SECTION 11. Effective date - applicability. (1) Except as otherwise provided in subsection (2) of this section, this act takes effect upon passage.

(2) Section 4 of this act takes effect only if either:

(a) A ballot issue initiated by private citizens that authorizes the state to issue transportation revenue anticipation notes is submitted to the

registered electors of the state for their approval or rejection at the November 2018 general election and a majority of the electors voting on the ballot issue vote "Yes/For", and, in such case, section 4 of this act takes effect on the date of the official declaration of the vote thereon by the governor; or

(b) A ballot issue that authorizes the state to issue transportation revenue anticipation notes is submitted to the registered electors of the state for their approval or rejection at the November 2019 statewide election pursuant to section 43-4-705 (13)(b), Colorado Revised Statutes, enacted in section 9 of this act, and a majority of the electors voting on the ballot issue vote "Yes/For", and, in such case, section 4 of this act takes effect on the date of the official declaration of the vote thereon by the governor.

SECTION 12. 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 "**FUNDING, AND, IN**".

Page 1, strike lines 102 through 113.

Page 2, strike lines 101 through 105 and substitute "**FUNDING.**".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.045) to SB 18-001, did pass.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1. Short title.** The short title of this act is the "Fix Colorado Roads Act".

SECTION 2. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Colorado's population is expected to increase to over six million nine hundred thousand by 2030;

(b) Population growth has significantly increased traffic and congestion and will continue to do so in the future, causing longer travel times, increasing air pollution, decreasing Coloradans' access to recreational opportunities, and accelerating the deterioration of Colorado's transportation infrastructure;

(c) The growth of the economy of the state has prompted new and ever-increasing uses of public highways, roads, and other transportation infrastructure, and the existing transportation infrastructure of the state cannot accommodate such greatly increased uses;

(d) In order to preserve and improve Colorado's economic prosperity and quality of life, it is necessary to develop and maintain a modern, efficient, and cost-effective multimodal transportation system that can move people, goods, and information without undue delays or environmental consequences;

(e) One of the major concerns of the citizens of the state is the ability of the state and local governments to address the long-term transportation infrastructure needs of the state that are critical to the continued growth of the state's economy and the maintenance of citizens' quality of life;

(f) The state has significantly decreased its contribution of general state revenues available in recent years to fund critical priority

transportation infrastructure needs, and current transportation funding mechanisms do not provide adequate revenue to keep pace with the increasing demands on transportation infrastructure statewide;

(g) State and regional economically significant transportation corridors, and their related congestion relief projects, remain unfunded or underfunded while construction costs escalate and congestion worsens;

(h) In 1999, the general assembly and the voters of the state approved Referendum A, which authorized the state to issue transportation revenue anticipation notes to accelerate the funding and completion of twenty-eight strategic transportation projects in significant corridors, including the T-REX project, the highly successful expansion and congestion mitigation project for the Interstate 25 corridor in the Denver metropolitan area;

(i) The success of the 1999 transportation revenue anticipation notes program shows that leveraging existing revenue is a prudent and cost-effective means to accelerate and deliver large-scale and economically significant transportation projects throughout the state;

(j) In 2017, the general assembly enacted Senate Bill 17-267, which:

(I) Requires the state to enter into lease-purchase agreements for state facilities in the amount of three hundred eighty million dollars during the 2018-19 fiscal year and five hundred million dollars during each of the 2019-20, 2020-21, and 2021-22 state fiscal years in order to accelerate the funding of high-priority transportation projects throughout the state; and

(II) Significantly increases the amount of money that the state may retain and spend under its fiscal year spending limit;

(k) While the lease-purchase agreements required by Senate Bill 17-267 will provide some increased funding for transportation, such agreements leverage state capital assets, rather than state revenue, and, to the extent currently authorized, provide less total funding than transportation revenue anticipation notes can;

(l) If the state enters into all of the lease-purchase agreements required by Senate Bill 17-267, the state will be required to spend approximately one hundred fifty million dollars per year, including one hundred million dollars per year from the state general fund and fifty million dollars per year from money under the control of the transportation commission, to repay the lease-purchase agreements;

(m) It is necessary, in order to avoid delaying critical transportation projects that are expected to be funded in part with proceeds of lease-purchase agreements to be issued during the 2018-19 state fiscal year, for the state to enter into lease-purchase agreements as required by Senate Bill 17-267 during the 2018-19 state fiscal year;

(n) It is also necessary, appropriate, and in the best interest of the state to:

(I) Repeal the requirement that the state enter into additional lease-purchase agreements during the 2019-20, 2020-21, and 2021-22 state fiscal years;

(II) If required statewide voter approval can be obtained at the November 2018 general election for the ballot issue submitted by the state that authorizes the state to issue transportation revenue anticipation notes as specified in this act, use transportation revenue anticipation notes instead of lease-purchase agreements to finance federal aid transportation projects because doing so will generate a larger amount of up-front revenue for the projects and will enable the state to design and construct the projects more efficiently; and

(III) Use the money that will no longer be needed to repay lease-purchase agreements, as well as a portion of the additional general fund money that the state may retain and spend under its fiscal year spending limit due to the enactment of Senate Bill 17-267, to repay the transportation revenue anticipation notes and provide additional funding for transportation infrastructure projects and maintenance; and

(o) The issuance of new transportation revenue anticipation notes in lieu of the execution of lease-purchase agreements will accelerate the funding and efficient completion of a greater number of specific and designated projects throughout the state that the Colorado department of transportation and the transportation planning regions of the state have determined to be of highest priority and economically significant to the state and the regions in which they will be built.

SECTION 3. In Colorado Revised Statutes, 24-75-219, **add** (1)(g) and (5) as follows:

24-75-219. Transfers - transportation - capital construction - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(g) "STATE HIGHWAY FUND" MEANS THE STATE HIGHWAY FUND CREATED IN SECTION 43-1-219.

(5) (a) ON JUNE 30, 2019, THE STATE TREASURER SHALL TRANSFER FIVE HUNDRED MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND FOR EXPENDITURE IN ACCORDANCE WITH SECTION 43-1-220.5.

(b) ON EACH SUCCEEDING JUNE 30 THROUGH JUNE 30, 2039, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED FIFTY MILLION DOLLARS FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND FOR EXPENDITURE IN ACCORDANCE WITH SECTION 43-1-220.5.

SECTION 4. In Colorado Revised Statutes, 24-82-1303, **amend** (2)(a), (2)(b), and (2)(d)(II); and **repeal** (1) as follows:

24-82-1303. Lease-purchase agreements for capital construction and transportation projects. (1) ~~On or before December 31, 2017, the state architect, the director of the office of state planning and budgeting or his or her designee, and the state institutions of higher education shall identify and prepare a collaborative list of eligible state facilities that can be collateralized as part of the lease-purchase agreements for capital construction and transportation projects authorized in this part 13. The total current replacement value of the identified buildings must equal at least two billion dollars.~~

(2) (a) Notwithstanding the provisions of sections 24-82-102 (1)(b) and 24-82-801, and pursuant to section 24-36-121, no sooner than July 1, 2018, the state, acting by and through the state treasurer, shall execute lease-purchase agreements, each for no more than twenty years of annual payments, for the projects described in subsection (4) of this section. The state shall execute the lease-purchase agreements ~~only in accordance with the following schedule:~~ DURING THE 2018-19 STATE FISCAL YEAR IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS.

~~(I) During the 2018-19 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars;~~

~~(II) During the 2019-20 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars;~~

~~(III) During the 2020-21 state fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars; and~~

~~(IV) During the 2021-22 fiscal year, the state shall execute lease-purchase agreements in an amount up to five hundred million dollars.~~

(b) The anticipated annual state-funded payments for the principal and interest components of the amount payable under all lease-purchase agreements entered into pursuant to subsection (2)(a) of this section shall not exceed ~~one hundred fifty~~ THIRTY-SEVEN million FIVE HUNDRED THOUSAND dollars.

(d) Any lease-purchase agreement executed as required by subsection (2)(a) of this section shall provide that all of the obligations of the state under the agreement are subject to the action of the general assembly in annually making money available for all payments thereunder. Payments under any lease-purchase agreement must be made, subject to annual allocation pursuant to section 43-1-113 by the transportation commission created in section 43-1-106 (1) or subject to annual appropriation by the general assembly, as applicable, from the following sources of money:

(II) Next, ~~fifty~~ TEN million ONE HUNDRED THOUSAND dollars annually, or any lesser amount that is sufficient to make each full payment due, shall be paid from any legally available money under the control of the transportation commission solely for the purpose of allowing the construction, supervision, and maintenance of state highways to be funded with the proceeds of lease-purchase agreements as specified in subsection (4)(b) of this section and section 43-4-206 (1)(b)(V); and

SECTION 5. In Colorado Revised Statutes, **add** 43-1-220.5 as follows:

43-1-220.5. State highway fund - use of money transferred from general fund - repayment of transportation revenue anticipation notes - repeal. (1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, THE DEPARTMENT OF TRANSPORTATION

SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) ONLY FOR QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE GENERAL FUND MONEY BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS; EXCEPT THAT SUCH GENERAL FUND MONEY MAY ALSO BE EXPENDED FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM. NO MORE THAN NINETY PERCENT OF THE GENERAL FUND MONEY SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE GENERAL FUND MONEY SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS

(2) (a) IF A MAJORITY OF THE REGISTERED ELECTORS OF THE STATE VOTING ON THE BALLOT ISSUE VOTE "YES/FOR" ON THE BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES THAT IS SUBMITTED FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SECTION 43-4-705 (13)(b), THE DEPARTMENT SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) FIRST, TO THE EXTENT NEEDED, TO MAKE THE FULL AMOUNT OF PAYMENTS DUE ON THE NOTES AND THEREAFTER EXCLUSIVELY FOR MAINTENANCE OF THE STATE HIGHWAY SYSTEM.

(b) (I) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A MAJORITY OF THE REGISTERED ELECTORS OF THE STATE VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST" ON THE BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES THAT IS SUBMITTED FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SECTION 43-4-705 (13)(b).

(II) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A MAJORITY OF THE REGISTERED ELECTORS OF THE STATE VOTING ON THE BALLOT ISSUE VOTE "YES/FOR" ON THE BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES THAT IS SUBMITTED FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SECTION 43-4-705 (13)(b).

SECTION 6. In Colorado Revised Statutes, 43-1-1401, **amend** (2) as follows:

43-1-1401. Legislative declaration. (2) The general assembly intends that this part 14 ~~authorize~~ AUTHORIZES the department of transportation to enter INTO design-build contracts and to use an adjusted score design-build selection and procurement process for particular transportation projects regardless of the minimum or maximum cost of such projects, based on the individual needs and merits of such projects, and subject to approval by the transportation commission. The general assembly also intends that the department's use of an adjusted score design-build contract process ~~shall~~ DOES not prohibit use of the low bid process currently used by the department pursuant to part 1 of article 92 of title 24 and part 14 of article 30 of title 24. ~~C.R.S.~~ THE GENERAL ASSEMBLY FURTHER INTENDS THAT WHEN DETERMINING WHETHER TO USE THE LOW BID PROCESS OR THE DESIGN-BUILD PROCESS TO CONTRACT FOR A PROJECT, THE DEPARTMENT STRONGLY CONSIDER THE EXTENT TO WHICH USE OF THE DESIGN-BUILD PROCESS IS LIKELY, BY EXCLUDING CONTRACTORS THAT LACK THE CAPABILITY OR SIZE TO DO BOTH THE DESIGN AND CONSTRUCTION WORK FOR THE PROJECT, TO REDUCE COMPETITION IN BIDDING FOR THE CONTRACT, INCREASE THE TOTAL COSTS TO THE STATE OF DESIGNING AND BUILDING THE PROJECT, OR BOTH.

SECTION 7. In Colorado Revised Statutes, 43-4-206, **amend** (1) introductory portion, (2)(b) introductory portion, (2)(b)(III), and (2)(b)(IV) as follows:

43-4-206. State allocation. (1) Except as otherwise provided in ~~subsections (1)(a)(V),~~ SUBSECTIONS (1)(b)(V), (2), and (3) of this section, after paying the costs of the Colorado state patrol and any other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, that are appropriated by the

general assembly, money in the highway users tax fund shall be paid to the state highway fund and expended for the following purposes:

(2) (b) Beginning in 1998, the department of transportation shall report annually to the transportation committee of the senate and the transportation and energy committee of the house of representatives concerning the revenue expended by the department pursuant to subsection (2)(a) of this section and, beginning in ~~2018~~ 2019, any STATE GENERAL FUND MONEY THAT IS CREDITED TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5) AND EXPENDED BY THE DEPARTMENT PURSUANT TO SECTION 43-1-220.5, AND ANY NET proceeds of lease-purchase agreements executed as required by section 24-82-1303 (2)(a) that are credited to the state highway fund pursuant to section 24-82-1303 (4)(b) and expended by the department pursuant to subsection (1)(b)(V) of this section. The department shall present the report at the joint meeting required under section 43-1-113 (9)(a), and the report shall describe for each fiscal year, if applicable:

(III) The projected amounts of revenue and net proceeds that the department expects to receive under this subsection (2), ~~and subsection (1)(b)(V) of this section~~ SECTION 24-75-219 (5), AND SECTION 24-82-1303 (4)(b) during the fiscal year;

(IV) The amount of revenue and net proceeds that the department has already received under this subsection (2), ~~and subsection (1)(b)(V) of this section~~ SECTION 24-75-219 (5), AND SECTION 24-82-1303 (4)(b) during the fiscal year; and

SECTION 8. In Colorado Revised Statutes, 43-4-702, **repeal** (7); and **add** (9) as follows:

43-4-702. Definitions. As used in this part 7, unless the context otherwise requires:

(7) ~~"Revenue anticipation notes" or "notes" means revenue anticipation notes authorized by and issued in accordance with this part 7.~~

(9) "TRANSPORTATION REVENUE ANTICIPATION NOTES", "REVENUE ANTICIPATION NOTES", OR "NOTES" MEANS REVENUE ANTICIPATION NOTES AUTHORIZED BY AND ISSUED IN ACCORDANCE WITH THIS PART 7.

SECTION 9. In Colorado Revised Statutes, 43-4-705, **amend** (13) as follows:

43-4-705. Revenue anticipation notes - repeal. (13) (a) Notwithstanding any other provision of this part 7 to the contrary, the executive director shall have the authority to issue revenue anticipation notes pursuant to this part 7 only if voters statewide approve the ballot question submitted at the November 1999 statewide election pursuant to section 43-4-703 (1) and only then to the extent allowed under the maximum amounts of debt and repayment cost so approved.

(b) (I) SUBJECT TO VOTER APPROVAL OF THE BALLOT ISSUE SUBMITTED AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SUBSECTION (13)(b)(III) OF THIS SECTION AND THE REPAYMENT FUNDING COMMITMENT REQUIREMENT SPECIFIED IN SUBSECTION (13)(b)(II) OF THIS SECTION, THE EXECUTIVE DIRECTOR SHALL ISSUE ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES IN A MAXIMUM AMOUNT OF THREE BILLION FIVE HUNDRED MILLION DOLLARS AND WITH A MAXIMUM REPAYMENT COST OF FIVE BILLION DOLLARS. THE MAXIMUM REPAYMENT TERM FOR ANY NOTES ISSUED PURSUANT TO THIS SUBSECTION (13)(b) IS TWENTY YEARS, AND THE CERTIFICATE, TRUST INDENTURE, OR OTHER INSTRUMENT AUTHORIZING THEIR ISSUANCE SHALL PROVIDE THAT THE STATE MAY PAY THE NOTES IN FULL BEFORE THE END OF THE SPECIFIED PAYMENT TERM WITHOUT PENALTY.

(II) NOTWITHSTANDING SECTION 43-1-113 (19) AND SUBSECTION (12)(a) OF THIS SECTION, BEFORE ISSUING ANY REVENUE ANTICIPATION NOTES AS AUTHORIZED BY SUBSECTION (13)(b)(I) OF THIS SECTION, THE TRANSPORTATION COMMISSION SHALL ADOPT A RESOLUTION PLEDGING TO ANNUALLY ALLOCATE FROM LEGALLY AVAILABLE MONEY UNDER ITS CONTROL ANY AMOUNT NEEDED FOR PAYMENT OF THE NOTES UNTIL THE NOTES ARE FULLY REPAID.

(III) THE SECRETARY OF STATE SHALL SUBMIT TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION THE FOLLOWING BALLOT ISSUE: "SHALL STATE OF COLORADO DEBT BE INCREASED UP TO $3,500,000,000, WITH A MAXIMUM REPAYMENT COST OF $5,000,000,000, THROUGH THE ISSUANCE OF TRANSPORTATION REVENUE ANTICIPATION NOTES FOR THE PURPOSE OF ADDRESSING CRITICAL PRIORITY TRANSPORTATION NEEDS IN THE STATE BY FINANCING TRANSPORTATION PROJECTS, SHALL NOTE

PROCEEDS AND INVESTMENT EARNINGS ON NOTE PROCEEDS BE EXCLUDED FROM STATE FISCAL YEAR SPENDING LIMITS, AND SHALL THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED FOR THE PURPOSE OF FINANCING TRANSPORTATION PROJECTS BE REDUCED?"

(IV) WITHIN FORTY-FIVE DAYS OF THE EFFECTIVE DATE OF THIS SUBSECTION (13)(b)(IV), THE DEPARTMENT SHALL PROVIDE TO THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL THE MOST RECENT AVAILABLE LIST OF QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS, INCLUDING MULTIMODAL CAPITAL PROJECTS, THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S 2019 DEVELOPMENT PROGRAM PROJECT LIST AND THAT THE DEPARTMENT WILL FUND WITH PROCEEDS OF ANY TRANSPORTATION REVENUE ANTICIPATION NOTES ISSUED AS AUTHORIZED BY THIS SUBSECTION (13)(b). IN ORDER TO FULLY INFORM THE VOTERS OF THE STATE CONCERNING THE PROJECTS TO BE FUNDED WITH PROCEEDS OF ANY SUCH ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES BEFORE THE VOTERS VOTE ON THE BALLOT QUESTION SPECIFIED IN SUBSECTION (13)(b)(III) OF THIS SECTION, THE DIRECTOR OF RESEARCH SHALL PUBLISH THE LIST, INCLUDING ANY SUBSEQUENT UPDATES TO THE LIST MADE BEFORE FINAL APPROVAL BY THE LEGISLATIVE COUNCIL OF THE 2018 BALLOT INFORMATION BOOKLET PREPARED PURSUANT TO SECTION 1-40-124.5, WHICH UPDATES THE DEPARTMENT SHALL EXPEDITIOUSLY PROVIDE TO THE DIRECTOR OF RESEARCH, IN THE BALLOT INFORMATION BOOKLET.

(V) (A) THIS SUBSECTION (13)(b) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A MAJORITY OF THE REGISTERED ELECTORS OF THE STATE VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST" ON THE BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES THAT IS SUBMITTED FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SUBSECTION (13)(b)(III) OF THIS SECTION.

(B) THIS SUBSECTION (13)(b)(V) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES THAT IS SUBMITTED FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SUBSECTION (13)(b)(III) OF THIS SECTION VOTE "YES/FOR".

SECTION 10. In Colorado Revised Statutes, **amend** 43-4-714 as follows:

43-4-714. Priority of strategic transportation project investment program - additional contract award process requirements -use of note proceeds - repeal. (1) If the executive director issues any revenue anticipation notes in accordance with ~~the provisions of~~ this part 7, the proceeds from the sale of such notes that are not otherwise pledged for the payment of such notes shall be used for the qualified federal aid transportation projects included in the strategic transportation project investment program of the department of transportation.

(2) (a) IN ADDITION TO THE REQUIREMENT SPECIFIED IN SUBSECTION (1) OF THIS SECTION, NET PROCEEDS FROM THE SALE OF ANY TRANSPORTATION REVENUE ANTICIPATION NOTES THAT THE EXECUTIVE DIRECTOR ISSUES PURSUANT TO SECTION 43-4-705 (13)(b) THAT ARE NOT OTHERWISE PLEDGED FOR THE PAYMENT OF THE NOTES SHALL BE CREDITED TO THE STATE HIGHWAY FUND AND EXPENDED BY THE DEPARTMENT ONLY FOR QUALIFIED FEDERAL AID TRANSPORTATION PROJECTS THAT ARE INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT'S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE NET PROCEEDS OF TRANSPORTATION REVENUE ANTICIPATION NOTES BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS. NO MORE THAN NINETY PERCENT OF THE NET PROCEEDS OF TRANSPORTATION REVENUE ANTICIPATION NOTES SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE NET PROCEEDS SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS, INCLUDING SOUND WALLS ALONG INTERSTATE HIGHWAYS.

(b) (I) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1, 2019, IF A MAJORITY OF THE ELECTORS VOTING ON THE BALLOT ISSUE VOTE "NO/AGAINST" ON THE BALLOT ISSUE THAT AUTHORIZES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES THAT IS SUBMITTED TO THE REGISTERED ELECTORS OF THE STATE FOR THEIR APPROVAL OR REJECTION AT THE NOVEMBER 2018 GENERAL ELECTION PURSUANT TO SECTION 43-4-705 (13)(b).

SECTION 11. Effective date - applicability. (1) Except as otherwise provided in subsection (2) of this section, this act takes effect upon passage.

(2) Section 4 of this act takes effect only if majority of the registered electors voting vote "Yes/For" on the ballot issue that authorizes the state to issue transportation revenue anticipation notes that is submitted for their approval or rejection at the November 2018 general election pursuant to section 43-4-705 (13)(b), Colorado Revised Statutes, enacted in section 9 of this act, and a vote "Yes/For", and, in such case, section 4 of this act takes effect on the date of the official declaration of the vote thereon by the governor.

SECTION 12. 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 "**FUNDING, AND, IN**".

Page 1, strike lines 102 through 113.

Page 2, strike lines 101 through 105 and substitute "**FUNDING.**".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (L.047) to SB 18-001, did not pass.

Amend the Zenzinger floor amendment (SB001_L.041), page 6, line 1, strike "EXCEPT" and substitute "THE DEPARTMENT OF TRANSPORTATION SHALL EXPEND MONEY TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 24-75-219 (5)(a) ONLY FOR NEW HIGHWAY CONSTRUCTION PROJECTS".

Page 6, lines 4 and 5, strike "SECTION 24-75-219 (5)" and substitute "SECTION 24-75-219 (5)(b)".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.042) to SB 18-001, did pass.

Amend the Zenzinger floor amendment (SB001_L.041), page 5, after line 37 insert:

"**SECTION 5.** In Colorado Revised Statutes, **add** 43-1-125 as follows:

43-1-125. Restriction on tolled and managed lanes - absence of feasible alternatives required - definition. (1) AS USED IN THIS SECTION, "MANAGED LANE" MEANS A TOLL LANE, A HIGH-OCCUPANCY TOLL LANE, OR A HIGH-OCCUPANCY VEHICLE LANE.

(2) NEITHER THE DEPARTMENT NOR ANY ENTERPRISE OF THE DEPARTMENT SHALL CONSTRUCT OR DESIGNATE A MANAGED LANE ON A STATE HIGHWAY OR ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP THAT INCLUDES THE CONSTRUCTION OR DESIGNATION OF A MANAGED LANE ON A STATE HIGHWAY UNLESS:

(a) THE DEPARTMENT OR ENTERPRISE, TAKING SAFETY CONSIDERATIONS INTO ACCOUNT BUT BALANCING ANY SAFETY IMPACTS AGAINST THE BENEFITS OF CAPACITY EXPANSION AND CONGESTION RELIEF, HAS THOROUGHLY EVALUATED ALTERNATIVE MEANS OF INCREASING THE CAPACITY OF AND REDUCING TRAFFIC CONGESTION ON THE STATE HIGHWAY INCLUDING:

(I) NARROWING LANES OR SHOULDERS ON THE EXISTING ROADWAY IN ORDER TO INCREASE THE NUMBER OF LANES AVAILABLE;

(II) CONVERTING ONE OR MORE EXISTING LANES, OR ONE OR MORE NEW LANES RESULTING FROM LANE OR SHOULDER NARROWING, INTO REVERSIBLE LANES; AND

(III) OPTIMIZING TRAFFIC FLOW THROUGH OTHER CONFIGURATIONAL OR OPERATIONAL CHANGES TO THE STATE HIGHWAY SUCH AS:

(A) WEAVING SECTION IMPROVEMENTS;

(B) INTERCHANGE MODIFICATION AND, IF APPLICABLE, OTHER ACCESS POINT MODIFICATIONS;

(C) ONE OR MORE DEDICATED BUS OR TRUCK LANES; AND

(D) IF THE STATE HIGHWAY INCLUDES TRAFFIC SIGNALS, OPTIMIZATION OF TRAFFIC FLOW THROUGH TRAFFIC SIGNAL COORDINATION OR USE OF ADAPTIVE TRAFFIC SIGNALS; AND

(b) THE DEPARTMENT OR ENTERPRISE HAS PUBLISHED DETAILED WRITTEN DATA-BASED FINDINGS THAT CLEARLY ESTABLISH THAT WHEN COMPARED TO THE ADDITION OF ONE OR MORE MANAGED LANES, ALL OF THE ALTERNATIVES EVALUATED ARE UNFEASIBLE TO IMPLEMENT OR TOO UNSAFE TO BE IMPLEMENTED OR WOULD NOT PROVIDE ADEQUATE CAPACITY EXPANSION AND CONGESTION RELIEF.".

Renumber succeeding sections 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	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	N
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-047 as amended, SB18-001 as amended, HB18-1191 as amended.
Laid over until Friday, March 23: SB18-166.

COMMITTEE OF REFERENCE REPORTS (cont'd)

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:

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2021:

Hon. Charles Dennis Maes of Pueblo, Colorado, an attorney admitted to the practice of law in Colorado for not less than five years, reappointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1180** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1148** be referred to the Committee of the Whole with favorable recommendation.

TRIBUTES

Honoring:

Dr. Kenneth P. Wright Jr. -- By Senator Steve Fenberg.
Dr. Monique LeBourgeois -- By Senator Steve Fenberg.
Dr. Lameese Akacem -- By Senator Steve Fenberg.
The Farm -- By Senator Steve Fenberg.
Republic Cycles -- By Senator Steve Fenberg.
Anthony Quintana -- By Senator Kerry Donovan.
Aspen High School Ski Team -- By Senator Kerry Donovan.
Camryn Pedzinski -- By President Kevin J. Grantham.
Officer Sterling Jenkins -- By President Kevin J. Grantham.
Kelly Mitchell -- By Senator Angela Williams.
James Ortega -- By Senator Leroy Garcia.
The Colorado Aerospace Industry -- By Senator Nancy Todd and Senator Randy Baumgardner.
The Tuskegee Airmen and Lieutenant Colonel James H. Harvey III -- By Senator Angela Williams.
Robert and Joanna Sakata -- By Senator Kevin Priola.
Dr. Rhonda Coleman -- By Senator Rhonda Fields.
Southern Ute Indian Tribe and Ute Mountain Ute Tribe -- By Senator Don Coram.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 22, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

72nd Legislative Day Thursday, March 22, 2018

Prayer — By the chaplain, Rabbi Adam Morris, Temple Micah, Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Holbert.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Wednesday, March 21, 2018, 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
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2018:

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;

for a term expiring July 1, 2021:

Debra Ann Baumbach of Littleton, Colorado, 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
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Rick Pederson of Denver, Colorado, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1237** 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 10 and 11 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, 24-4-103, **amend** (2.5)(a) and (2.5)(b); **repeal** (2.5)(f); and **add** (2.5)(g), (2.5)(h), and (2.5)(i) as follows:".

Page 2, strike line 13 and substitute "**citation correction - reporting -repeal.** (2.5) (a) (I) At the time of filing a notice of proposed rule-making with the secretary of state as the secretary may require, an agency shall submit a draft of the proposed rule or the proposed amendment to an existing rule and a statement, in plain language, concerning the subject matter or purpose of the proposed rule or amendment to ~~the office of~~ the executive director in the department of regulatory agencies. The executive director, or his or her designee, shall distribute the proposed rule or amendment, the agency's statement concerning the subject matter or purpose of the proposed rule or amendment, and any cost-benefit analysis prepared pursuant to this section to all persons who have submitted a request to receive notices from the department of regulatory agencies about proposed rule-making.

(II) WITHIN FIVE DAYS AFTER RECEIVING A DRAFT OF AN AGENCY'S PROPOSED RULE OR PROPOSED AMENDMENT PURSUANT TO SUBSECTION (2.5)(a)(I) OF THIS SECTION, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL REVIEW THE PROPOSED RULE OR PROPOSED AMENDMENT TO DETERMINE IF ANY PORTION OF IT CONSTITUTES A SIGNIFICANT REGULATORY ACTION. IF THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE DETERMINES THAT ANY PORTION OF THE PROPOSED RULE OR PROPOSED AMENDMENT CONSTITUTES A SIGNIFICANT REGULATORY ACTION, HE OR SHE SHALL SEND A COPY OF THE PROPOSED RULE OR PROPOSED AMENDMENT, ALONG WITH AN EXPLANATION WHY IT CONSTITUTES A SIGNIFICANT REGULATORY ACTION, TO THE OFFICE. AT LEAST TEN BUSINESS DAYS BEFORE THE AGENCY'S HEARING ON THE PROPOSED RULE OR PROPOSED AMENDMENT, THE DIRECTOR OF THE OFFICE OR THE DIRECTOR'S DESIGNEE, IN COLLABORATION WITH THE AGENCY, SHALL CONDUCT A COST-BENEFIT ANALYSIS OF THE PROPOSED RULE OR PROPOSED AMENDMENT PURSUANT TO SUBSECTION (2.5)(a)(V) OF THIS SECTION AND SHALL SEND THE COST-BENEFIT ANALYSIS TO THE EXECUTIVE DIRECTOR AND TO THE AGENCY. THE AGENCY SHALL MAKE THE COST-BENEFIT ANALYSIS AVAILABLE TO THE PUBLIC BY POSTING IT ON THE AGENCY'S OFFICIAL WEBSITE. THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, SHALL POST THE ANALYSIS ON THE DEPARTMENT OF REGULATORY AGENCIES' OFFICIAL WEBSITE.

(III) Any person may, within five BUSINESS days after publication of the notice of proposed rule-making in the Colorado register, request that the department of regulatory agencies require the agency submitting the proposed rule or amendment to prepare a cost-benefit analysis. ~~The executive director, or his or her designee, shall determine, after consultation with the agency proposing the rule or amendment, whether to require the agency to prepare a cost-benefit analysis. If the executive director, or his or her designee, determines that a cost-benefit analysis is required,~~ THE DEPARTMENT SHALL REQUIRE the agency ~~shall~~ TO complete a cost-benefit analysis at least ten BUSINESS days before the hearing on the rule or amendment, ~~shall~~ make the analysis available to the public by posting the analysis on the agency's official website, and ~~shall~~ submit a copy to the executive director OF THE DEPARTMENT or his or her designee. The executive director, or his or her designee, shall post the analysis on the department of regulatory agencies' official website.

(IV) By filing an additional notice published in the Colorado register, the agency may postpone the hearing on the rule or amendment to comply with the requirement ~~to complete the~~ THAT ANY cost-benefit analysis REQUIRED PURSUANT TO SUBSECTION (2)(a)(II) OR (2)(a)(III) OF THIS SECTION BE COMPLETED at least ten days before the hearing. ~~Failure to complete a requested~~ IF A cost-benefit analysis IS REQUIRED FOR A PROPOSED RULE OR AMENDMENT pursuant to this subsection (2.5), ~~shall preclude the adoption of such~~ THE AGENCY SHALL NOT ADOPT THE rule or amendment ~~Such~~ UNTIL THE COST-BENEFIT ANALYSIS HAS BEEN COMPLETED.

(V) A cost-benefit analysis, ~~shall~~ WHETHER CONDUCTED BY THE OFFICE IN COLLABORATION WITH AN AGENCY, OR SOLELY BY THE AGENCY, MUST include the following:

~~(I)~~ (A) The reason for the rule or amendment;

~~(II)~~ (B) The anticipated economic benefits of the rule or amendment, ~~which shall include~~ INCLUDING economic growth, the creation of new jobs, and increased economic competitiveness;

~~(III)~~ (C) The anticipated costs of the rule or amendment, ~~which shall include~~ INCLUDING the direct costs to the government to administer the rule or amendment and the direct and indirect costs to business and other entities required to comply with the rule or amendment;

~~(IV)~~ (D) Any adverse effects on the economy, consumers, private markets, small businesses, job creation, and economic competitiveness; and

~~(V)~~ (E) At least two alternatives to the proposed rule or amendment that can be identified by the submitting agency, THE OFFICE, or a member of the public, including the costs and benefits of pursuing each of the alternatives identified.

(b) The executive director OF THE DEPARTMENT OF REGULATORY AGENCIES, or his or her designee, OR, FOR A COST-BENEFIT ANALYSIS CONDUCTED PURSUANT TO SUBSECTION (2.5)(a)(II), THE DIRECTOR OR THE DIRECTOR'S DESIGNEE, shall study the cost-benefit analysis and may urge the agency to revise the rule or amendment to eliminate or reduce the negative economic impact. The executive director, or his or her designee, may inform the public about the negative impact of the proposed rule or the proposed amendment to an existing rule.

(f) ~~(I) This subsection (2.5) is~~".

Page 3, after line 7 insert:

"(h) (I) NOTWITHSTANDING SECTION 24-1-136 (11), THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL, ON AN ANNUAL BASIS, PREPARE A REPORT SUMMARIZING THE COST-BENEFIT ANALYSES CONDUCTED IN THE PREVIOUS TWELVE-MONTH PERIOD, INCLUDING:

(A) THE NUMBER OF COST-BENEFIT ANALYSES PREPARED;

(B) THE AGENCIES FOR WHICH ONE OR MORE COST-BENEFIT ANALYSES WERE PREPARED;

(C) A SUMMARY OF ANY PROPOSED RULE OR PROPOSED AMENDMENT TO AN EXISTING RULE THAT WAS MODIFIED IN RESPONSE TO A COST-BENEFIT ANALYSIS CONDUCTED AND THE MANNER IN WHICH IT WAS MODIFIED; AND

(D) FOR COST-BENEFIT ANALYSES THAT WERE PREPARED AS A RESULT OF A DETERMINATION THAT THE PROPOSED RULE OR PROPOSED AMENDMENT TO AN EXISTING RULE CONSTITUTED A SIGNIFICANT REGULATORY ACTION, THE BASIS FOR THE SIGNIFICANT REGULATORY ACTION DETERMINATION.

(II) ON OR BEFORE OCTOBER 31, 2019, AND ON OR BEFORE OCTOBER 31 OF EACH YEAR THEREAFTER, THE EXECUTIVE DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SEND COPIES OF THE REPORT TO THE BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE IN THE SENATE, THE BUSINESS AFFAIRS AND LABOR COMMITTEE IN THE HOUSE OF REPRESENTATIVES, AND THE LEGISLATIVE AUDIT COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

(i) AS USED IN THIS SUBSECTION (2.5):

(I) "OFFICE" MEANS THE OFFICE OF STATE PLANNING AND BUDGETING CREATED IN SECTION 24-37-102.

(II) "SIGNIFICANT REGULATORY ACTION" MEANS A PROPOSED RULE THAT, IF ADOPTED, IS LIKELY TO RESULT IN ONE OR MORE OF THE FOLLOWING:

(A) A COST OF TEN MILLION DOLLARS OR MORE OVER A FIVE-YEAR PERIOD TO THE REGULATED INDUSTRY OR OTHER PRIVATE ENTITIES TO COMPLY WITH THE RULE; OR

(B) A SERIOUS INCONSISTENCY OR OTHER FORM OF INTERFERENCE WITH AN ACTION TAKEN OR PLANNED BY ANOTHER AGENCY.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-178** 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 2, line 3, strike "(5)(a.5) and (5)(d)" and substitute "(5)(a.5), (5)(d), and (5)(e)".

Page 2, line 4, strike "**definitions.**" and substitute "**definitions - rules.**".

Page 3, line 20, strike "SET" and substitute "SET, BY RULE,".

Page 3, after line 26, insert:

"(e) THE COMMISSIONER OF INSURANCE IN THE DIVISION OF INSURANCE IN THE DEPARTMENT OF REGULATORY AGENCIES SHALL PROMULGATE RULES ESTABLISHING THE MINIMUM COVERAGES FOR BENEFITS UNDER AN OCCUPATIONAL ACCIDENT POLICY UNDER THIS SUBSECTION (5).".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1227** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, line 1, strike "**add** (1)(d); and **repeal** (4)" and substitute "and **add** (1)(d)".

Page 4, strike lines 20 through 22.

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
BOARD OF COMMISSIONERS OF
VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2019:

Carolyn Mickey of Brush, Colorado, to serve as a member with expertise in nursing home operations, who is a nursing home administrator at the time of appointment, who is experienced in the financial operations of a nursing home and as a Republican, and occasioned by the resignation of Ruth Eileen Minnema, RN, MA, NHA, RAC-CT of Centennial, Colorado, appointed;

effective July 1, 2017 for terms expiring July 1, 2021:

Kathleen N. Dunemn, PhD., APRN, CNM-BC of Littleton, Colorado, who has expertise in nursing home operations and who has practical clinical experience in nursing homes, and as a Democrat, reappointed;

Cheryl Ann Kruschke, Ed.D, MS, RN, CNE of Wheat Ridge, Colorado, who has expertise in nursing home operations and who has experience in multi-facility management of nursing homes, and as a Democrat, reappointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1018** 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 6 and substitute:

"(6) THE DEPARTMENT SHALL REQUIRE".

Page 2, strike lines 14 through 17.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1021** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1047** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 14, after line 10 insert:

"**SECTION 10. Applicability.** This act applies to violations committed on or after the effective date of this act or to written complaints alleging violations of the campaign finance laws of the state filed with the secretary of state on or after the effective date of this act, whichever is applicable.".

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1145** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-001 and 047.
Correctly Reengrossed: SB18-109, 188, and 202.
Correctly Revised: HB18-1191 and 1228.
Correctly Rerevised: HB18-1249.
Correctly Enrolled: SB18-104.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1228 by Representative(s) Everett and Michaelson Jenet, Lundeen, Lewis, Neville P., Saine, Van Winkle, Becker J., Beckman, Bridges, McKean, Melton, Pettersen, Ransom, Sandridge; also Senator(s) Garcia, Hill--Concerning increasing transparency in higher education statutes relating to military service.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	E	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Jones, Kagan, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB18-123, SB18-047, HB18-1191, SB18-001) of Thursday, March 22, was laid over until Friday, March 23, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1099 by Representative(s) Catlin and McLachlan; also Senator(s) Coram--Concerning criteria that the broadband deployment board is required to develop with regard to an incumbent telecommunications provider's exercise of a right to implement a broadband deployment project in an unserved area of the state upon a nonincumbent provider's application to the broadband deployment board to implement a proposed broadband deployment project in the unserved area.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1056 by Representative(s) Van Winkle and Williams D., Ginal, Ransom; also Senator(s) Cooke--Concerning the statewide standard health history form that members of the fire and police pension association complete when commencing employment.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 20, page 473 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1078 by Representative(s) Landgraf and Exum; also Senator(s) Gardner--Concerning court programs for defendants who have served in the armed forces.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 20, page 474 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	E	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1099, HB18-1056 as amended, HB18-1078 as amended.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1112 by Representative(s) Becker J. and Esgar; also Senator(s) Crowder--Concerning covered health care services provided by a pharmacist.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-185 by Senator(s) Smallwood; --Concerning the use of deadly physical force against a person who has made an illegal entry into a place of business.

Laid over until Friday, March 23, retaining its place on the calendar.

SB18-052 by Senator(s) Hill; also Representative(s) Humphrey and Saine--Concerning the repeal of certain provisions concerning ammunition magazines.

Laid over until Friday, March 23, retaining its place on the calendar.

HB18-1172 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning money allocated from an appropriation from the marijuana tax cash fund to a designated managed service organization to implement its community action plan.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

Laid over until Friday, March 23, retaining its place on the calendar.

SB18-108 by Senator(s) Crowder and Coram; also Representative(s) Arndt and Singer--Concerning the issuance of identification documents under the "Colorado Road and Community Safety Act" to persons who are not lawfully present in the United States.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 15, page 252 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 20, page 479 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	E	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-108 as amended, HB18-1112, HB18-1172.
Laid over until Friday, March 23: SB18-185, SB18-052, SB18-200.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Assistant Majority Leader Scott, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
ENERGY IMPACT ASSISTANCE ADVISORY COMMITTEE

for terms expiring August 24, 2021:

Daniel Fernandez, of Dove Creek, Colorado, reappointed;

Ginnett "Gigi" Dennis of Monte Vista, Colorado, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	E	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-074 and 165.

MESSAGE FROM THE HOUSE

March 22, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1092, amended as printed in House Journal, March 21, 2018.

The House has postponed indefinitely SB18-097. The bill is returned herewith.

MESSAGE FROM THE GOVERNOR

March 21, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Act:

SB 18-096: CONCERNING MODERNIZING STATUTORY PROVISIONS THAT REFER TO TERMS RELATED TO "MENTAL RETARDATION".

Approved March 21, 2018 at 3:40 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Friday, March 23, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

73rd Legislative Day Friday, March 23, 2018

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, Lambert, Lundberg, Moreno.
Present later--3, Lambert, Lundberg, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Smallwood.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Thursday, March 22, 2018, 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 **HB18-1254** 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 **HB18-1146** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 3 strike "(34)" and substitute "(29)(a)(III)".

Page 2, strike lines 11 through 13 and substitute:

"(29)(a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2028:
(III) THE ISSUANCE OF LICENSES AND CERTIFICATES RELATED TO".

Page 2, strike lines 17 and 18.

Page 2, line 24, strike "2033." and substitute "2028.".

Finance — After consideration on the merits, the Committee recommends that **HB18-1242** 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 4 and 5 and substitute "(1.5)(a)(V)(D), (1.5)(a)(VI)(A), and (1.5)(a)(VI)(B); and **repeal** (1.5)(a)(IV)(D) as follows:".

Page 2, strike line 21 and substitute:

"(VI) (A) ~~Category VI-B~~ CATEGORY VI-C counties consist of the ~~county~~ COUNTIES of JACKSON AND Sedgwick;".

Page 3, strike line 1.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-192** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-197** 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 1 and 2 and substitute:

"(B) ANY OWNER OR OPERATOR UTILIZING A TRAILER SUCH AS A HOPPER BOTTOM, FLAT BED, LIVE BOTTOM, LIVESTOCK, OR ANY TRAILER PRIMARILY USED IN THE TRANSPORT OF AGRICULTURE COMMODITIES OR LIVESTOCK.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-205** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1098** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1238** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
MINED LAND RECLAMATION BOARD

for a term expiring March 1, 2020:

Lauren Duncan, MS of Littleton, Colorado, to serve as an individual with substantial experience in conservation, and occasioned by the resignation of Randolph Craig Fischer of Fort Collins, Colorado, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1199** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1093** be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1239** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1246** be referred to the Committee of the Whole with favorable recommendation.

Education

The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2021:

Richard M. Todd of Centennial, Colorado, a Republican, appointed;

James G. Oates of Gunnison, Colorado, a Republican, reappointed;

Aquino G. Gallegos of San Luis, Colorado, 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 confirmed:

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2020:

Elizabeth Dina Aybar Conti of Denver, Colorado, a Democrat who has experience as a public school teacher and as a public school administrator working with charter schools, reappointed;

Kristine Annette Pollard of Grand Junction, Colorado, to serve as a member with board or public service experience and as a Republican, appointed;

Eric Sedric Lerum of Denver, Colorado, to serve as a member with board or public service experience and as a Democrat, appointed.

Education

After consideration on the merits, the Committee recommends that **SB18-159** be postponed indefinitely.

Education

After consideration on the merits, the Committee recommends that **HB18-1134** be referred to the Committee of the Whole with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB18-1193** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation

The Committee on Transportation 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
TRANSPORTATION COMMISSION

for terms expiring July 1, 2021:

Shannon Margaret Gifford, CFA of Denver, Colorado, to serve as a commissioner from the First Transportation District, reappointed;

Louella C. Chavez D'Angelo of Lone Tree, Colorado, to serve as a commissioner from the Third Transportation District, appointed;

Sidny Kay Zink of Durango, Colorado, to serve as a commissioner from the Eighth Transportation District, reappointed;

William Thiebaut, Jr of Pueblo, Colorado, to serve as a commissioner from the Tenth Transportation District, reappointed.

Trans-portation

The Committee on Transportation 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 AERONAUTICAL BOARD

for a term expiring December 19, 2018:

Charles Emion Myers of Elbert, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, and occasioned by the death of Stephen Douglas Ducoff of Colorado Springs, Colorado, appointed;

for terms expiring December 19, 2020:

Robert Philip Olislagers of Aurora, Colorado, to serve as a representative of the statewide association of airport managers, reappointed;

Ann Beardall of Kiowa, Colorado, to serve as a representative of the statewide association of pilots, reappointed;

Joe Rice of Littleton, Colorado, to serve as a member familiar with and supportive of the state's aviation issues, interests, and concerns, reappointed.

Trans-portation

The Committee on Transportation has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF TRANSPORTATION

effective December 11, 2017 for a term expiring at the pleasure of the Governor:

Michael Peter Lewis of Denver, Colorado to serve as executive director of the Colorado Department of Transportation, and occasioned by the resignation of Shailen Pravin Bhatt of Denver, Colorado, appointed.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-108.
Correctly Revised: HB18-1056, 1078, 1099, 1112, and 1172.
Correctly Rerevised: HB18-1228.

MESSAGE FROM THE REVISOR OF STATUTES

March 22, 2018

We herewith transmit:

Without comment, as amended, HB18-1092.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Senate in recess. Senate reconvened.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1099 by Representative(s) Catlin and McLachlan; also Senator(s) Coram--Concerning criteria that the broadband deployment board is required to develop with regard to an incumbent telecommunications provider's exercise of a right to implement a broadband deployment project in an unserved area of the state upon a nonincumbent provider's application to the broadband deployment board to implement a proposed broadband deployment project in the unserved area.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, Tate, Todd, and Zenzinger.

HB18-1056 by Representative(s) Van Winkle and Williams D., Ginal, Ransom; also Senator(s) Cooke--Concerning the statewide standard health history form that members of the fire and police pension association complete when commencing employment.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik, Priola, Scott, Smallwood, and Tate.

HB18-1078 by Representative(s) Landgraf and Exum; also Senator(s) Gardner--Concerning court programs for defendants who have served in the armed forces.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Garcia, Grantham, Jones, Kagan, Kefalas, Lambert, Martinez Humenik, Moreno, Priola, Scott, Tate, Todd, and Williams A.

IMMEDIATE RECONSIDERATION OF HB18-1078

HB18-1078 by Representative(s) Landgraf and Exum; also Senator(s) Gardner--Concerning court programs for defendants who have served in the armed forces.

Having voted on the prevailing side, Assistant Majority Leader Scott moved for immediate reconsideration of the last Senate action, Third Reading of Bills--Final Passage--Consent Calendar, on HB18-1078.

A majority of all members elected to the Senate having voted in the affirmative, immediate reconsideration was granted.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR (cont'd)

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1078 by Representative(s) Landgraf and Exum; also Senator(s) Gardner--Concerning court programs for defendants who have served in the armed forces.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

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:

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

On motion of Assistant Majority Leader Scott, and with a majority of all members elected to the Senate having voted in the affirmative, the bill was rereferred to the Committee of the Whole.

SB18-047 by Senator(s) Marble; also Representative(s) Saine--Concerning the repeal of income tax credits for innovative motor vehicles for purchases and leases entered into on or after January 1, 2019, 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	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	*		

* 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**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Neville T., Smallwood, Sonnenberg, and Tate.

HB18-1191 by Representative(s) Winter; also Senator(s) Martinez Humenik and Kefalas--Concerning a local authority's ability to alter speed limits within the local authority's jurisdiction.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding.

Laid over until Tuesday, March 27, retaining its place on the calendar.

HB18-1112 by Representative(s) Becker J. and Esgar; also Senator(s) Crowder--Concerning covered health care services provided by a pharmacist.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Donovan, Fields, Garcia, Grantham, Jahn, Jones, Kagan, Kefalas, Merrifield, Moreno, Sonnenberg, Todd, and Williams A.

HB18-1172 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning money allocated from an appropriation from the marijuana tax cash fund to a designated managed service organization to implement its community action plan.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder and Martinez Humenik.

SB18-108 by Senator(s) Crowder and Coram; also Representative(s) Arndt and Singer--Concerning the issuance of identification documents under the "Colorado Road and Community Safety Act" to persons who are not lawfully present in the United States, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

Committee of the Whole

On motion of Majority Leader Holbert, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Majority Leader Holbert 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:

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 16, pages 455-457 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 20, pages 478-479 and placed in members' bill files.)

As amended, laid over until Monday, March 26, retaining its place on the calendar.

On motion of Assistant Majority Leader Scott, 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 (SB18-185, SB18-052, SB18-166, SB18-204, HB18-1148) of Friday, March 23, was laid over until Monday, March 26, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Majority Leader Holbert, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Monday, March 26: SB18-200 as amended, SB18-185, SB18-052, SB18-166, SB18-204, HB18-1148.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Assistant Majority Leader Scott, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2021:

Hon. Charles Dennis Maes of Pueblo, Colorado, an attorney admitted to the practice of law in Colorado for not less than five years, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-090, 095, 098, 131, and 173; HB18-1138 and 1249.

MESSAGE FROM THE HOUSE

March 23, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1175.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1155, 1262, 1186, 1235, amended as printed in House Journal, March 21, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

March 23, 2018

We herewith transmit:

Without comment, HB18-1175.
Without comment, as amended, HB18-1155, 1186, 1235, and 1262.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 22, 2018, at 04:00 p.m.:
SB18-074, 102, 125, 134, 138, and 165.

MESSAGE FROM THE GOVERNOR

March 22, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-009: CONCERNING THE RIGHT OF CONSUMERS OF ELECTRICITY TO INTERCONNECT ENERGY STORAGE SYSTEMS FOR USE ON THEIR PROPERTY.

Approved March 22, 2018 at 2:41 pm.

SB 18-020: CONCERNING MENTAL HEALTH CARE PROFESSIONALS WHO ARE PERMITTED TO PERFORM AURICULAR ACUDETOX.

Approved March 22, 2018 at 3:06 pm.

SB 18-046: CONCERNING AUTHORIZATION TO INCREASE THE MINIMUM DONATION REQUIRED TO BE ISSUED A CERTIFICATE THAT QUALIFIES A PERSON TO BE ISSUED A GROUP SPECIAL LICENSE PLATE.

Approved March 22, 2018 at 2:45 pm.

SB 18-093: CONCERNING THE REPEAL OF OBSOLETE PROVISIONS IN THE COLORADO MEDICAL ASSISTANCE PROGRAM RELATING TO THE INACTIVE HOME- AND COMMUNITY-BASED SERVICES WAIVER FOR PERSONS LIVING WITH AIDS.

Approved March 22, 2018 at 3:20 pm.

SB 18-101: CONCERNING STUDENT ADMISSION TO COLORADO STATE UNIVERSITY - GLOBAL CAMPUS.

Approved March 22, 2018 at 2:56 pm.

SB 18-005: CONCERNING ECONOMIC ASSISTANCE FOR RURAL COMMUNITIES EXPERIENCING CERTAIN SIGNIFICANT ECONOMIC EVENTS THAT LEAD TO SUBSTANTIAL JOB LOSS IN THOSE COMMUNITIES, AND, IN CONNECTION THEREWITH, AUTHORIZING THE DEPARTMENT OF LOCAL AFFAIRS TO COORDINATE NONMONETARY ASSISTANCE TO ASSIST RURAL COMMUNITIES WITH JOB CREATION OR RETENTION.

Approved March 22, 2018 at 3:09 pm.

SB 18-010: CONCERNING THE REQUIREMENT THAT A RESIDENTIAL LANDLORD PROVIDE A TENANT WITH SPECIFIED DOCUMENTS RELEVANT TO THE LANDLORD-TENANT RELATIONSHIP, AND, IN CONNECTION THEREWITH, SPECIFYING RENT RECEIPTS AND COPIES OF ANY WRITTEN LEASE AGREEMENT AS DOCUMENTS THAT MUST BE PROVIDED.

Approved March 22, 2018 at 3:20 pm.

SB 18-060: CONCERNING PROTECTIVE ORDERS IN CRIMINAL CASES.

Approved March 22, 2018 at 3:00 pm.

SB 18-069: CONCERNING ENFORCEMENT OF STATEWIDE DEGREE TRANSFER AGREEMENTS.

Approved March 22, 2018 at 2:21 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, March 26, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

76th Legislative Day Monday, March 26, 2018

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, Priola.
Present later--1, Priola.

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Friday, March 23, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB18-047 and 108.
Correctly Rerevised: HB18-1056, 1078, 1099, 1112, 1172, and 1191.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Committee of the Whole — On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-178 by Senator(s) Smallwood; also Representative(s) Kraft-Tharp--Concerning the definition of similar coverage for workers' compensation for certain operators of commercial vehicles.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 22, page 518 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1227 by Representative(s) Herod and Wist; also Senator(s) Cooke--Concerning the authority of the real estate commission to issue licenses for an initial period of less than three years.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 22, page 518 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1047 by Representative(s) Lontine; also Senator(s) Gardner--Concerning technical modifications to the "Fair Campaign Practices Act" to facilitate its administration.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 22, page 519 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1145 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning the repeal of laws regulating ballot issue petition circulators that have been permanently enjoined from enforcement.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

The Committee of the Whole took the following action:

Passed on second reading: SB18-178 as amended, HB18-1227 as amended, HB18-1047 as amended, HB18-1145.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Thursday, March 29, retaining its place on the calendar.

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

(Amended in general orders as printed in Senate journal, March 23, page 533.)

Amendment No. 3(L.024), by Senator Tate.

Amend printed bill, page 26, line 6, strike "2022," and substitute "2021,".

Page 26, line 18, strike "2020." and substitute "2019.".

Page 48, line 5, strike "2020," and substitute "2019,".

Page 48, line 16, strike "2020," and substitute "2019,".

Amendment No. 4(L.019), by Senator Jahn.

Amend printed bill, page 29, line 7, strike "(1.9), (2.3), and (6)" and substitute "(1.9) and (2.3)".

Page 32, strike lines 7 through 17.

Page 33, strike lines 23 through 27.

Page 34, strike lines 1 through 5.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

(For further action, see amendments to the report of the Committee of the Whole.)

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-185, SB18-052, SB18-166, SB18-204, HB18-1148, HB18-1237, HB18-1018, SB18-123 as amended) of Monday, March 26, was laid over until Tuesday, March 27, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield floor amendment, (L.016) to SB 18-200, did pass.

Amend printed bill, page 19, line 11, strike "8.5%" and substitute "8.75%".

Page 19, line 13, strike "10.5%" and substitute "10.75%".

Page 19, line 14, strike "8.5%" and substitute "8.75%".

Page 19, line 16, strike "8.5%" and substitute "8.75%".

Page 19, line 17, strike "8.5%" and substitute "8.75%".

Page 19, line 18, strike "8.5%" and substitute "8.75%".

Page 20, line 1, strike "9.0%" and substitute "8.75%".

Page 20, line 3, strike "11.0%" and substitute "10.75%".

Page 20, line 4, strike "9.0%" and substitute "8.75%".

Page 20, line 6, strike "9.0%" and substitute "8.75%".

Page 20, line 7, strike "9.0%" and substitute "8.75%".

Page 20, line 8, strike "9.0%" and substitute "8.75%".

Page 20, line 17, strike "10.0%" and substitute "9.5%".

Page 20, line 19, strike "12.0%" and substitute "11.5%".

Page 20, line 20, strike "10.0%" and substitute "9.5%".

Page 20, line 22, strike "10.0%" and substitute "9.5%".

Page 20, line 23, strike "10.0%" and substitute "9.5%".

Page 20, line 24, strike "10.0%" and substitute "9.5%".

Page 21, line 7, strike "11.0%" and substitute "9.5%".

Page 21, line 9, strike "13.0%" and substitute "11.5%".

Page 21, line 10, strike "11.0%" and substitute "9.5%".

Page 21, line 12, strike "11.0%" and substitute "9.5%".

Page 21, line 13, strike "11.0%" and substitute "9.5%".

Page 21, line 14, strike "11.0%" and substitute "9.5%".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.017) to SB 18-200, did pass.

Amend printed bill, page 22, line 6, strike "and".

Page 22, line 7, strike "24-51-414".

Page 26, strike lines 5 through 18.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.013) to SB 18-200, did pass.

Amend printed bill, strike everything below the enacting clause and substitute:

SECTION 1. In Colorado Revised Statutes, 24-51-101, **amend** the introductory portion, (25)(a), (25)(b)(V), (42)(a), and (42)(b); and **add** (25)(b)(VI) and (25)(b)(VII) as follows:

24-51-101. Definitions. As used in this ~~article~~ ARTICLE 51, unless the context otherwise requires and except as otherwise defined in part 17 of this ~~article~~ ARTICLE 51:

(25) (a) "Highest average salary" means:

(I) (A) FOR A MEMBER OR INACTIVE MEMBER WHO HAS FIVE YEARS OF SERVICE CREDIT ON DECEMBER 31, 2019, OR A RETIREE WHO WAS RETIRED ON DECEMBER 31, 2019, one-twelfth of the average of the highest annual salaries upon which contributions were paid, whether earned from one or more employers, that are associated with three periods of twelve consecutive months of service credit;

(B) FOR A MEMBER OR INACTIVE MEMBER WHO DOES NOT HAVE FIVE YEARS OF SERVICE CREDIT ON DECEMBER 31, 2019, OR A MEMBER WHO WAS NOT A MEMBER, INACTIVE MEMBER, OR RETIREE ON DECEMBER 31, 2019, ONE-TWELFTH OF THE AVERAGE OF THE HIGHEST ANNUAL SALARIES UPON WHICH CONTRIBUTIONS WERE PAID, WHETHER EARNED FROM ONE OR MORE EMPLOYERS, THAT ARE ASSOCIATED WITH FIVE PERIODS OF TWELVE CONSECUTIVE MONTHS OF SERVICE CREDIT;

(II) For a member who does not have the requisite ~~three~~ years of service credit, one-twelfth of the average of the total annual salaries earned during membership upon which contributions were paid;

(III) For benefits ~~which~~ THAT become effective on or after January 1, 1982, where the individual earned less than one year of service credit after December 31, 1980, one-twelfth of the average of the highest annual salaries upon which contributions were paid which were associated with five consecutive years of service credit; ~~or~~

(IV) Notwithstanding any other provision of this ~~paragraph (a)~~ SUBSECTION (25)(a) to the contrary, for members of the judicial division WHO HAVE FIVE YEARS OF SERVICE CREDIT ON DECEMBER 31, 2019, retiring on or after July 1, 1997, one-twelfth of the highest annual salary upon which contributions were paid for twelve consecutive months; OR

(V) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (25)(a) TO THE CONTRARY, FOR MEMBERS OF THE JUDICIAL DIVISION WHO DO NOT HAVE FIVE YEARS OF SERVICE CREDIT ON DECEMBER 31, 2019, OR FOR MEMBERS OF THE JUDICIAL DIVISION WHO WERE NOT MEMBERS, INACTIVE MEMBERS, OR RETIREES ON DECEMBER 31, 2019, ONE-TWELFTH OF THE AVERAGE OF THE HIGHEST ANNUAL SALARIES UPON WHICH CONTRIBUTIONS WERE PAID THAT ARE ASSOCIATED WITH THREE PERIODS OF TWELVE CONSECUTIVE MONTHS OF SERVICE CREDIT.

(b) (V) Notwithstanding any other provision of this ~~paragraph (b)~~ SUBSECTION (25)(b), in calculating highest average salary for a member or inactive member not eligible for service or reduced service retirement on January 1, 2011, AND WHO WAS A MEMBER OR INACTIVE MEMBER WITH FIVE YEARS OF SERVICE CREDIT ON DECEMBER 31, 2019, OR A RETIREE ON DECEMBER 31, 2019, the association shall determine the highest annual salaries associated with four periods of twelve consecutive months of service credit. The lowest of such annual salaries shall be the base salary. The first annual salary to be used in the highest average salary calculation shall be the actual salary reported up to one hundred eight percent of the base salary. The second annual salary to be used in the highest average salary calculation shall be the actual salary reported up to one hundred eight percent of the first annual salary used in the highest average salary calculation. The third annual salary to be used in the highest average salary calculation shall be the actual salary reported up to one hundred eight percent of the second annual salary used in the highest average salary calculation. This ~~subparagraph (V)~~ SUBSECTION (25)(b)(V) shall not apply to members of the judicial division, except for DPS members of the judicial division who have exercised portability pursuant to section 24-51-1747 and selected the Denver public schools benefit structure. This ~~subparagraph (V)~~ SUBSECTION (25)(b)(V) shall apply to DPS members in accordance with section 24-51-1702 (17).

(VI) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (25)(b), IN CALCULATING HIGHEST AVERAGE SALARY FOR A MEMBER OR INACTIVE MEMBER WHO DOES NOT HAVE FIVE YEARS OF

SERVICE CREDIT ON DECEMBER 31, 2019, OR WHO WAS NOT A MEMBER, INACTIVE MEMBER, OR RETIREE ON DECEMBER 31, 2019, THE ASSOCIATION SHALL DETERMINE THE HIGHEST ANNUAL SALARIES ASSOCIATED WITH SIX PERIODS OF TWELVE CONSECUTIVE MONTHS OF SERVICE CREDIT. THE LOWEST OF SUCH ANNUAL SALARIES SHALL BE THE BASE SALARY. THE FIRST ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE BASE SALARY. THE SECOND ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE FIRST ANNUAL SALARY USED IN THE HIGHEST AVERAGE SALARY CALCULATION. THE THIRD ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE SECOND ANNUAL SALARY USED IN THE HIGHEST AVERAGE SALARY CALCULATION. THE FOURTH ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE THIRD ANNUAL SALARY USED IN THE HIGHEST AVERAGE SALARY CALCULATION. THE FIFTH ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE FOURTH ANNUAL SALARY USED IN THE HIGHEST AVERAGE SALARY CALCULATION. THIS SUBSECTION (25)(b)(VI) DOES NOT APPLY TO MEMBERS OF THE JUDICIAL DIVISION, EXCEPT FOR DPS MEMBERS OF THE JUDICIAL DIVISION WHO HAVE EXERCISED PORTABILITY PURSUANT TO SECTION 24-51-1747 AND SELECTED THE DPS BENEFIT STRUCTURE. THIS SUBSECTION (25)(b)(VI) APPLIES TO DPS MEMBERS IN ACCORDANCE WITH SECTION 24-51-1702 (17).

(VII) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (25)(b), FOR MEMBERS OF THE JUDICIAL DIVISION WHO DO NOT HAVE FIVE YEARS OF SERVICE CREDIT ON DECEMBER 31, 2019, OR FOR MEMBERS OF THE JUDICIAL DIVISION WHO WERE NOT MEMBERS, INACTIVE MEMBERS, OR RETIREES ON DECEMBER 31, 2019, THE ASSOCIATION SHALL DETERMINE THE HIGHEST ANNUAL SALARIES ASSOCIATED WITH FOUR PERIODS OF TWELVE CONSECUTIVE MONTHS OF SERVICE CREDIT. THE LOWEST OF SUCH ANNUAL SALARIES SHALL BE THE BASE SALARY. THE FIRST ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE BASE SALARY. THE SECOND ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE FIRST ANNUAL SALARY USED IN THE HIGHEST AVERAGE SALARY CALCULATION. THE THIRD ANNUAL SALARY TO BE USED IN THE HIGHEST AVERAGE SALARY CALCULATION SHALL BE THE ACTUAL SALARY REPORTED UP TO ONE HUNDRED EIGHT PERCENT OF THE SECOND ANNUAL SALARY USED IN THE HIGHEST AVERAGE SALARY CALCULATION.

(42) (a) "Salary" means compensation for services rendered to an employer and includes: Regular salary or pay; any pay for administrative, sabbatical, annual, sick, vacation, or personal leave AND COMPENSATION FOR UNUSED LEAVE CONVERTED TO CASH PAYMENTS; pay for compensatory time or holidays; payments by an employer from grants; amounts deducted from pay pursuant to tax-sheltered savings or retirement programs; amounts deducted from pay for a health savings account as defined in 26 U.S.C. sec. 223, as amended, or any other type of retirement health savings account program; performance or merit payments, if approved by the board; special pay for work-related injuries paid by the employer prior to termination of membership; and retroactive salary payments pursuant to court orders, arbitration awards, or litigation and grievance settlements.

(b) "Salary" does not include: Commissions; ~~compensation for unused sick leave converted at any time to cash payments;~~ compensation for unused sick, annual, vacation, administrative, or other accumulated paid leave contributed to a health savings account as defined in 26 U.S.C. sec. 223, as amended, or a retirement health savings program; housing allowances; uniform allowances; automobile usage; insurance premiums; dependent care assistance; reimbursement for expenses incurred; tuition or any other fringe benefits, regardless of federal taxation; bonuses for services not actually rendered, including, but not limited to, early retirement inducements, Christmas bonuses, cash awards, honorariums and severance pay, damages, except for retroactive salary payments paid pursuant to court orders or arbitration awards or litigation and grievance

settlements, or payments beyond the date of a member's death.

SECTION 2. In Colorado Revised Statutes, 24-51-313, **amend** (1) as follows:

24-51-313. Termination of affiliation - employer assigned to local government division - requirements. (1) Any political subdivision within the state of Colorado or any public agency created by such a political subdivision that is an employer affiliated with the association pursuant to ~~the provisions of~~ section 24-51-309 and that is assigned to the local government division may make application to the board to terminate the affiliation of the employer with the association. The application shall be made by submitting to the board an ordinance or resolution that has been adopted by the governing body of the employer and that has been approved by at least sixty-five percent of the employees of the employer who are members. Such employee members of the employer shall be notified in writing of the provisions of section 24-51-321 prior to a vote on an ordinance or resolution to terminate the affiliation of the employer with the association. NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION (1), ANY SUCH EMPLOYER THAT CEASES OPERATIONS OR CEASES TO PARTICIPATE IN THE ASSOCIATION FOR ANY REASON SHALL BE DEEMED TO HAVE TERMINATED ITS AFFILIATION WITH THE ASSOCIATION AND MUST COMPLY WITH THE PROVISIONS OF SECTIONS 24-51-315 THROUGH 24-51-319.

SECTION 3. In Colorado Revised Statutes, 24-51-315, **amend** (1) and (2); and **add** (5) and (6) as follows:

24-51-315. Termination of affiliation - reserves requirement. (1) The board ~~shall~~ HAS THE AUTHORITY TO determine the amount of reserves required as of the effective date of termination of affiliation to:

(a) Maintain current benefits payable by the association to benefit recipients and to preserve the vested rights of inactive members; ~~The amount of reserves shall be determined by the board utilizing certified actuarial reports prepared by the actuary. The actuarial report shall also certify that the termination of affiliation shall not have an adverse financial impact on the actuarial soundness of the local government division trust fund. If the actuary determines, in accordance with accepted actuarial principles, that the termination of affiliation shall have an adverse financial impact on the actuarial soundness of the local government division trust fund, the applicant shall not be permitted to terminate affiliation.~~ AND

(b) FULLY FUND THE LIABILITY FOR BENEFITS PAYABLE BY THE ASSOCIATION FROM THE HEALTH CARE TRUST FUND CREATED BY SECTION 24-51-1201(1) TO CURRENT AND FUTURE BENEFIT RECIPIENTS PURSUANT TO PART 12 OF THIS ARTICLE 51.

(2) THE AMOUNT OF RESERVES REQUIRED UNDER SUBSECTIONS (1)(a) AND (1)(b) OF THIS SECTION SHALL BE DETERMINED BY THE BOARD UTILIZING CERTIFIED ACTUARIAL REPORTS PREPARED BY THE ACTUARY. THE ACTUARIAL STUDY SHALL BE CONDUCTED USING ASSUMPTIONS APPROVED BY THE BOARD. THE ACTUARIAL REPORT SHALL ALSO CERTIFY THAT THE TERMINATION OF AFFILIATION SHALL NOT HAVE AN ADVERSE FINANCIAL IMPACT ON THE ACTUARIAL SOUNDNESS OF THE LOCAL GOVERNMENT DIVISION TRUST FUND. IF THE ACTUARY DETERMINES, IN ACCORDANCE WITH ACCEPTED ACTUARIAL PRINCIPLES, THAT THE TERMINATION OF AFFILIATION SHALL HAVE AN ADVERSE FINANCIAL IMPACT ON THE ACTUARIAL SOUNDNESS OF THE LOCAL GOVERNMENT DIVISION TRUST FUND, THE APPLICANT SHALL NOT BE PERMITTED TO TERMINATE AFFILIATION. On the effective date of termination of affiliation, the actuarial reports prepared pursuant to ~~the provisions of subsection (1) of this section~~ THIS SUBSECTION (2) shall be updated to finalize the amount of reserves required for the purposes specified in ~~subsection (1) of this section~~ THIS SUBSECTION (2). The employer making the application and the employees of such employer who are members shall not be required to make any contributions to the association subsequent to the effective date of termination.

(5) THE DISCOUNT RATE USED FOR DETERMINING THE AMOUNT OF RESERVES IN SUBSECTION (1) OF THIS SECTION SHALL BE THE ACTUARIAL INVESTMENT ASSUMPTION RATE AS SET BY THE BOARD PURSUANT TO SECTIONS 24-51-101 (2) AND 24-51-204 (5) MINUS TWO HUNDRED BASIS POINTS.

(6) DETERMINATIONS MADE BY THE BOARD IN THIS SECTION AND SECTIONS 24-51-313 AND 24-51-316, SHALL BE APPEALED THROUGH THE ADMINISTRATIVE REVIEW PROCEDURES SET FORTH IN THE BOARD RULES. SUCH FINAL DECISION BY THE BOARD SHALL BE SUBJECT ONLY TO REVIEW BY PROPER COURT ACTION.

SECTION 4. In Colorado Revised Statutes, **amend** 24-51-316 as follows:

24-51-316. Inadequate reserves - excess reserves - nonpayment. (1) (a) In the event that the amount of the reserves required pursuant to ~~the provisions of section 24-51-315~~ SECTION 24-51-315 (1)(a), exceeds the amount of the employer's share of the employer contribution reserve in the local government division trust fund as calculated by the actuary, then the employer shall make an additional payment as of the effective date of termination of affiliation in an amount equal to the difference between the amount of reserves required and the amount of reserves on deposit.

(b) IN THE EVENT THAT THE RESERVES REQUIRED PURSUANT TO SECTION 24-51-315 (1)(b) FOR THE HEALTH CARE TRUST FUND CREATED BY SECTION 24-51-1201 (1) EXCEEDS THE MARKET VALUE OF ASSETS ATTRIBUTABLE TO THE EMPLOYER IN THE HEALTH CARE TRUST FUND, THE EMPLOYER SHALL MAKE AN ADDITIONAL PAYMENT AS OF THE EFFECTIVE DATE OF TERMINATION OF AFFILIATION IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT OF RESERVES REQUIRED AND THE AMOUNT OF RESERVES ON DEPOSIT.

(c) IF THE ACTUARY DETERMINES, IN ACCORDANCE WITH ACCEPTED ACTUARIAL PRINCIPLES, THAT THE TERMINATION OF AFFILIATION OF THE EMPLOYER SHALL HAVE AN ADVERSE FINANCIAL IMPACT ON THE FUNDING OF THE HEALTH CARE TRUST FUND CREATED BY SECTION 24-51-1201 (1), THE EMPLOYER SHALL MAKE ANY ADDITIONAL PAYMENT NECESSARY TO ENSURE THAT THE IMPACT ON THE FUNDING OF THE HEALTH CARE TRUST FUND REMAINS UNCHANGED UPON THE EMPLOYER'S TERMINATION OF AFFILIATION.

(2) In the event that the amount of the reserves on deposit in the local government division trust fund as calculated by the actuary for the employer requesting termination of affiliation exceeds the amount of reserves required pursuant to ~~the provisions of section 24-51-315~~ SECTION 24-51-315 (1), such excess amount and the amount required for the transfer of member contributions as provided in section 24-51-317 shall be transferred by a direct trustee-to-trustee transfer to the alternate pension plan or system required by section 24-51-319 as of the effective date of termination of affiliation.

(3) If any payment required pursuant to ~~the provisions of~~ subsection (1) or (2) of this section is not made, interest shall be assessed on the amount due at the rate specified for employers in section 24-51-101 (28). INTEREST SHALL BE CALCULATED FROM THE EFFECTIVE DATE OF TERMINATION until such amount is paid in full.

SECTION 5. In Colorado Revised Statutes, **amend** 24-51-317 as follows:

24-51-317. Termination of affiliation - member contributions. ~~(1)~~ Members who ~~have less than five years of service credit and~~ are employees of an employer ~~which~~ THAT has terminated its affiliation with the association shall BECOME INACTIVE MEMBERS AS OF THE EFFECTIVE DATE OF TERMINATION OF AFFILIATION. SUCH MEMBERS MAY ELECT TO have their member contributions credited to the alternative pension plan or system required by section 24-51-319. IN THE ABSENCE OF SUCH AN ELECTION, MEMBER CONTRIBUTIONS WILL REMAIN WITH THE ASSOCIATION UNLESS THE MEMBER OTHERWISE ELECTS TO REFUND SUCH CONTRIBUTIONS IN ACCORDANCE WITH SECTION 24-51-405.

~~(2) Members who have five or more years of service credit and are employees of an employer which has terminated its affiliation with the association may elect that their accounts remain with the association by giving written notice to the association prior to the effective date of termination of affiliation. Members who make such an election shall become inactive members entitled to vested benefits as of the effective date of termination of affiliation. Members who do not make such an election shall have their member contributions credited to the alternative pension plan or system required by section 24-51-319.~~

SECTION 6. In Colorado Revised Statutes, **amend** 24-51-319 as follows:

24-51-319. Retirement plan - creation and use. An employer ~~which~~ THAT terminates its affiliation with the association shall utilize an existing, or shall establish an alternative, pension plan or system established pursuant to the provisions of article 54 of this ~~title~~ TITLE 24. FAILURE TO UTILIZE OR ESTABLISH AN ALTERNATIVE PENSION PLAN OR SYSTEM DOES NOT EXCUSE THE EMPLOYER FROM THE ADHERENCE TO THE REMAINDER OF THE TERMINATION OF AFFILIATION PROVISIONS OF THIS PART 3.

SECTION 7. In Colorado Revised Statutes, 24-51-401, **amend** (1.7)(a); and **repeal** (1.7)(f) as follows:

24-51-401. Employer and member contributions. (1.7) (a) (I) Employers shall deliver a contribution report and the full amount of employer contributions, member contributions, and working retiree contributions to the association within five days after the date members and retirees are paid. Except as provided in ~~paragraph (f) of this subsection (1.7)~~ THIS SUBSECTION (1.7)(a), subsection (7) of this section, and section 24-51-408.5, such contributions shall be based upon the rates for the appropriate division as set forth in the following table multiplied by the salary, as defined in section 24-51-101 (42), paid to members and retirees for the payroll period:

TABLE A
CONTRIBUTION RATES

Division	Membership	Employer Rate	Member Rate
State	All Members Except State Troopers	10.15% / 12.85%	8.0% / 10.0%
School	All Members	10.15%	8.0%
Local Government	All Members	10.0%	8.0%
Judicial	All Members	13.66%	8.0%
DPS	All Members	10.15%	8.0%

(II) EFFECTIVE JULY 1, 2018, SUBJECT TO SECTION 24-51-413, THE EMPLOYER AND MEMBER CONTRIBUTION RATES SHALL BE BASED UPON THE RATES FOR THE APPROPRIATE DIVISION AS SET FORTH IN THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE PAYROLL PERIOD:

TABLE B
CONTRIBUTION RATES

DIVISION	MEMBERSHIP	EMPLOYER RATE	MEMBER RATE
STATE	ALL MEMBERS EXCEPT STATE TROOPERS	10.9% / 13.6%	8.75% / 10.75%
SCHOOL	ALL MEMBERS	10.9%	8.75%
LOCAL GOVERNMENT	ALL MEMBERS	10.75%	8.75%
JUDICIAL	ALL MEMBERS	14.41%	8.75%
DPS	ALL MEMBERS	10.9%	8.75%

(III) EFFECTIVE JULY 1, 2019, SUBJECT TO SECTION 24-51-413, THE EMPLOYER AND MEMBER CONTRIBUTION RATES SHALL BE BASED UPON THE RATES FOR THE APPROPRIATE DIVISION AS SET FORTH IN THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE PAYROLL PERIOD:

TABLE C
CONTRIBUTION RATES

DIVISION	MEMBERSHIP	EMPLOYER RATE	MEMBER RATE
STATE	ALL MEMBERS EXCEPT STATE TROOPERS	11.65% / 14.35%	9.5% / 11.5%
SCHOOL	ALL MEMBERS	11.65%	9.5%
LOCAL GOVERNMENT	ALL MEMBERS	11.5%	9.5%
JUDICIAL	ALL MEMBERS	15.16%	9.5%
DPS	ALL MEMBERS	11.65%	9.5%

(f) ~~(I) For the 2010-11 and 2011-12 state fiscal years, except as provided in subsection (7) of this section and section 24-51-408.5, the amount of employer and member contributions for employers and members in the state and judicial divisions of the association shall be based upon the rates for the appropriate division as set forth in the following table multiplied by the salary, as defined in section 24-51-101 (42), paid to members and retirees for the payroll period:~~

~~**TABLE A.5**~~
~~**CONTRIBUTION RATES**~~

~~Division~~	~~Membership~~	~~Employer Rate~~	~~Member Rate~~
~~State~~	~~All Members Except State Troopers~~	~~7.65% / 10.35%~~	~~10.5% / 12.5%~~
~~Judicial~~	~~All Members~~	~~11.16%~~	~~10.5%~~

~~(II) For the 2010-11 and 2011-12 state fiscal years, the employer~~

~~and member contribution rates for employers and members in the school, local government, and Denver public schools divisions of the association shall be calculated pursuant to paragraph (a) of this subsection (1.7).~~

SECTION 8. In Colorado Revised Statutes, **add** 24-51-413 as follows:

24-51-413. Contribution and annual increase amount changes - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "BLENDED TOTAL CONTRIBUTION AMOUNT" MEANS THE WEIGHTED AVERAGE OF THE TOTAL AMOUNTS PAID BY THE EMPLOYER AND THE MEMBER TO THE ASSOCIATION FOR EACH OF THE FIVE DIVISIONS PURSUANT TO SECTIONS 24-51-401 (1.7) AND 24-51-411, BUT SHALL NOT INCLUDE THE PORTION OF THE EMPLOYER CONTRIBUTION REMITTED TO THE HEALTH CARE TRUST FUND PURSUANT TO SECTION 24-51-208 (1)(f) AND (1)(f.5) AND THE PORTION OF THE EMPLOYER CONTRIBUTION REMITTED TO THE ANNUAL INCREASE RESERVE.

(b) "BLENDED TOTAL REQUIRED CONTRIBUTION" MEANS THE WEIGHTED AVERAGE OF THE TOTAL OF THE ASSOCIATION'S REPORTED ACTUARIALLY DETERMINED CONTRIBUTION RATES AND MEMBER CONTRIBUTION RATES OF THE FIVE DIVISION TRUST FUNDS.

(c) "WEIGHTED AVERAGE" MEANS THE PROPORTION OF UNFUNDED ACTUARIAL ACCRUED LIABILITY ATTRIBUTABLE TO EACH DIVISION REPORTED AS OF THE MOST RECENT VALUATION DATE.

(2) BEGINNING JANUARY 1, 2020, AND EVERY YEAR THEREAFTER, EMPLOYER CONTRIBUTION RATES, MEMBER CONTRIBUTION RATES, AND ANNUAL INCREASE AMOUNTS SHALL REMAIN UNCHANGED UNTIL SUCH TIME AS CHANGES ARE REQUIRED PURSUANT TO THIS SECTION.

(3) FOR THE 2020 CALENDAR YEAR, IF THE BLENDED TOTAL CONTRIBUTION AMOUNT IS LESS THAN ONE HUNDRED PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION, AND FOR EACH CALENDAR YEAR THEREAFTER, IF THE BLENDED TOTAL CONTRIBUTION AMOUNT IS LESS THAN NINETY-EIGHT PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION, THEN THE FOLLOWING ADJUSTMENT SHALL OCCUR:

(a) THE ANNUAL INCREASE PERCENTAGE DETERMINED PURSUANT TO SECTIONS 24-51-1002 AND 24-51-1009 (4)(a) SHALL BE REDUCED BY UP TO ONE-QUARTER OF ONE PERCENT, BUT AT NO TIME WILL THE ANNUAL INCREASE PERCENTAGE BE REDUCED TO EQUAL LESS THAN ONE-HALF OF ONE PERCENT, EXCEPT AS PROVIDED IN SECTIONS 24-51-1002 (1.5) AND 24-51-1009 (1.5);

(b) THE EMPLOYER CONTRIBUTION RATE WILL BE INCREASED BY UP TO ONE-HALF OF ONE PERCENT, BUT AT NO TIME WILL THE EMPLOYER CONTRIBUTION RATE BE INCREASED TO EXCEED THE EMPLOYER CONTRIBUTION RATES UNDER SECTION 24-51-401 (1.7)(a)(III), PLUS TWO PERCENT; AND

(c) THE MEMBER CONTRIBUTION RATE WILL BE INCREASED BY UP TO ONE-HALF OF ONE PERCENT, BUT AT NO TIME WILL THE MEMBER CONTRIBUTION RATE BE INCREASED TO EXCEED THE MEMBER CONTRIBUTION RATES UNDER SECTION 24-51-401 (1.7)(a)(III), PLUS TWO PERCENT.

(4) THE ADJUSTMENT IN SUBSECTION (3) OF THIS SECTION SHALL BE DETERMINED BY THE ASSOCIATION, SHALL BE EQUALLY APPORTIONED AMONG THE ANNUAL INCREASES, THE EMPLOYER CONTRIBUTIONS, AND THE MEMBER CONTRIBUTIONS, AND SHALL BE THE MAXIMUM YEARLY ADJUSTMENT ALLOWED UNLESS AN ADJUSTMENT LESS THAN THE MAXIMUM ADJUSTMENT IS SUFFICIENT TO BRING THE BLENDED TOTAL CONTRIBUTION AMOUNT TO ONE HUNDRED AND THREE PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION. IN NO EVENT SHALL A YEARLY ADJUSTMENT CAUSE THE BLENDED TOTAL CONTRIBUTION AMOUNT TO EXCEED ONE HUNDRED AND THREE PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION. THE ADJUSTMENT SHALL BE MADE ONCE IN ANY CALENDAR YEAR AND SHALL NOT EXCEED THE MAXIMUM YEARLY AMOUNTS INDICATED IN SUBSECTIONS (3)(a), (3)(b), AND (3)(c) OF THIS SECTION.

(5) IN THE EVENT ANY ONE OF THE THREE COMPONENT PARTS OF THE ADJUSTMENT AS OUTLINED IN SUBSECTION (3) OF THIS SECTION HAS REACHED ITS TOTAL MAXIMUM, THEN NO FURTHER ADJUSTMENT SHALL BE MADE UNDER SUBSECTIONS (3) AND (4) OF THIS SECTION. IN THIS CASE, ADJUSTMENTS TO THE OTHER TWO COMPONENTS WILL NOT BE FURTHER ALTERED TO COMPLETE THE FULL ADJUSTMENT, BUT RATHER BE ADJUSTED IN EQUIVALENT MEASURE TO THE LIMITED COMPONENT TO ENSURE THAT THE ADJUSTMENT IS EQUALLY APPORTIONED, EVEN IF THE FULLY REQUIRED ADJUSTMENT TO BRING THE BLENDED TOTAL

CONTRIBUTION AMOUNT TO ONE HUNDRED AND THREE PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION IS NOT ACHIEVED.

(6) IF THE BLENDED TOTAL CONTRIBUTION AMOUNT IS GREATER THAN OR EQUAL TO ONE HUNDRED AND TEN PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION, THEN THE FOLLOWING ADJUSTMENT SHALL OCCUR:

(a) SUBJECT TO SECTIONS 24-51-1002 (1.5) AND 24-51-1009 (1.5), THE ANNUAL INCREASE PERCENTAGE DETERMINED PURSUANT TO SECTIONS 24-51-1002 AND 24-51-1009 (4)(a), SHALL BE INCREASED BY UP TO ONE-QUARTER OF ONE PERCENT, BUT AT NO TIME WILL THE ANNUAL INCREASE PERCENTAGE BE GREATER THAN TWO PERCENT, EXCEPT AS PROVIDED IN SECTION 24-51-1009.5;

(b) THE EMPLOYER CONTRIBUTION RATE WILL BE REDUCED BY UP TO ONE-HALF OF ONE PERCENT, BUT AT NO TIME WILL THE EMPLOYER CONTRIBUTION RATE BE LESS THAN THE EMPLOYER CONTRIBUTION RATES UNDER SECTION 24-51-401 (1.7)(a)(I); AND

(c) THE MEMBER CONTRIBUTION RATE WILL BE REDUCED BY UP TO ONE-HALF OF ONE PERCENT, BUT AT NO TIME WILL THE MEMBER CONTRIBUTION RATE BE LESS THAN THE MEMBER CONTRIBUTION RATES UNDER SECTION 24-51-401 (1.7)(a)(I).

(7) THE ADJUSTMENT IN SUBSECTION (6) OF THIS SECTION SHALL BE DETERMINED BY THE ASSOCIATION, SHALL BE EQUALLY APPORTIONED AMONG THE ANNUAL INCREASES, THE EMPLOYER CONTRIBUTIONS, AND THE MEMBER CONTRIBUTIONS, AND SHALL BE THE MAXIMUM YEARLY ADJUSTMENT ALLOWED UNLESS AN AMOUNT LOWER THAN THE MAXIMUM ADJUSTMENT IS NECESSARY TO KEEP THE BLENDED TOTAL CONTRIBUTION AMOUNT EQUAL TO ONE HUNDRED AND THREE PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION. IN NO EVENT SHALL A YEARLY ADJUSTMENT CAUSE THE BLENDED TOTAL CONTRIBUTION AMOUNT TO FALL BELOW ONE HUNDRED AND THREE PERCENT OF THE BLENDED TOTAL REQUIRED CONTRIBUTION. THE ADJUSTMENT SHALL BE MADE ONCE IN ANY CALENDAR YEAR AND SHALL NOT EXCEED THE MAXIMUM YEARLY AMOUNTS SPECIFIED IN SUBSECTIONS (6)(a), (6)(b), AND (6)(c) OF THIS SECTION.

(8) THE ADJUSTMENTS PURSUANT TO THIS SECTION SHALL BE DETERMINED BASED ON THE BLENDED TOTAL CONTRIBUTION AMOUNT AND BLENDED TOTAL REQUIRED CONTRIBUTION AS REPORTED IN THE ANNUAL ACTUARIAL VALUATION REPORT REQUIRED UNDER SECTION 24-51-204 (7), AND SHALL BE EFFECTIVE JULY 1 OF THE NEXT CALENDAR YEAR FOR CONTRIBUTIONS AND JULY 1 OF THE NEXT CALENDAR YEAR FOR ANNUAL INCREASES.

SECTION 9. In Colorado Revised Statutes, 24-51-504, **amend** (2) as follows:

24-51-504. Purchase of service credit relating to a paid sabbatical leave. (2) Such member contributions made pursuant to the provisions of subsection (1) of this section may be made concurrently with member contributions on the partial salary paid for such sabbatical leave or after the sabbatical leave has ended at the ~~current~~ APPLICABLE rate of member contributions PURSUANT TO SECTION 24-51-401 (1.7), plus interest from the date the sabbatical leave began until such purchase is complete.

SECTION 10. In Colorado Revised Statutes, **amend** 24-51-1001 as follows:

24-51-1001. Types of benefit increases. (1) For benefit recipients whose benefits are based on the account of a member who was a member, inactive member, or retiree on December 31, 2006, or for benefit recipients whose benefits are based on the account of a DPS member or DPS retiree, annual increases in retirement benefits and survivor benefits shall be effective with the July benefit. Such increases in benefits shall be calculated in accordance with ~~the provisions of~~ sections 24-51-1002 and 24-51-1003, SUBJECT TO SECTION 24-51-413, and shall be paid from the retirement benefits reserve or the survivor benefits reserve, as appropriate, so long as the following requirements are satisfied:

(a) For benefit recipients whose benefit is based on a retiree or DPS retiree whose effective date of retirement is prior to January 1, 2011, or whose survivor benefits are based on a date of death that occurred prior to January 1, 2011, the benefits have been paid to the benefit recipient for at least seven months preceding July 1.

(b) For benefit recipients whose benefit is based on a retiree or DPS retiree whose effective date of retirement is on or after January 1, 2011, or whose survivor benefits are based on a date of death that is on

or after January 1, 2011, AND AN ANNUAL INCREASE HAS BEEN APPLIED TO THE BENEFIT ON OR BEFORE MAY 1, 2018, the benefits have been paid to the benefit recipient for the twelve months prior to July 1, and for benefit recipients whose benefit is based upon a retiree or DPS retiree who was not eligible to retire as of January 1, 2011, THE BENEFITS HAVE BEEN PAID TO THE BENEFIT RECIPIENT FOR THE TWELVE MONTHS PRIOR TO JULY 1 AND AN ANNUAL INCREASE HAS BEEN APPLIED TO THE BENEFIT ON OR BEFORE MAY 1, 2018, the retiree met the following requirements:

(I) For DPS members with five or more years of service credit as of January 1, 2011, and for members WHO ARE NOT STATE TROOPERS who began membership prior to July 1, 2005, and have five or more years of service credit as of January 1, 2011, the retiree retired with a service retirement benefit pursuant to section 24-51-602 or 24-51-1713, whichever is applicable, or retired with a reduced service retirement benefit pursuant to section 24-51-604 or 24-51-1714, whichever is applicable, but has, as of January 1, attained the age and service credit years that when combined total at least eighty years, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty;

(II) For members WHO ARE NOT STATE TROOPERS who began membership on or after July 1, 2005, but prior to January 1, 2007, the retiree retired with a service retirement benefit pursuant to section 24-51-602, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age and service credit years that when combined total at least eighty-five years, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty; ~~or~~

(III) For DPS members with less than five years of service credit as of January 1, 2011, and for members whose membership began prior to January 1, 2007, with less than five years of service credit as of January 1, 2011, the retiree retired with a service retirement benefit pursuant to section 24-51-602, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age and service credit years that when combined total at least eighty-five years, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty; OR

(IV) FOR MEMBERS WHO ARE STATE TROOPERS AND WHO WERE MEMBERS, INACTIVE MEMBERS, OR RETIREES ON DECEMBER 31, 2006, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602 OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604, BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS, WHEN WEIGHTED WITH NON-STATE TROOPER SERVICE CREDIT, THAT COMBINED TOTAL AT LEAST SEVENTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF FIFTY-FIVE.

(b.5) FOR BENEFIT RECIPIENTS WHOSE BENEFIT IS BASED ON A RETIREE OR DPS RETIREE WHOSE EFFECTIVE DATE OF RETIREMENT IS ON OR AFTER JANUARY 1, 2011, OR WHOSE SURVIVOR BENEFITS ARE BASED ON A DATE OF DEATH THAT IS ON OR AFTER JANUARY 1, 2011, AND AN ANNUAL INCREASE HAS NOT BEEN APPLIED TO THE RETIREMENT OR SURVIVOR BENEFIT ON OR BEFORE MAY 1, 2018, THE BENEFITS HAVE BEEN PAID TO THE BENEFIT RECIPIENT FOR THIRTY-SIX MONTHS TOTAL BEFORE JULY 1, AND BENEFITS HAVE BEEN PAID TO THE BENEFIT RECIPIENT FOR THE TWELVE MONTHS PRIOR TO JULY 1, AND FOR BENEFIT RECIPIENTS WHOSE BENEFIT IS BASED UPON A RETIREE OR DPS RETIREE WHO WAS NOT ELIGIBLE TO RETIRE AS OF JANUARY 1, 2011, THE RETIREE MET THE FOLLOWING REQUIREMENTS:

(I) FOR DPS MEMBERS WITH FIVE OR MORE YEARS OF SERVICE CREDIT AS OF JANUARY 1, 2011, AND FOR MEMBERS WHO ARE NOT STATE TROOPERS WHO BEGAN MEMBERSHIP PRIOR TO JULY 1, 2005, AND HAVE FIVE OR MORE YEARS OF SERVICE CREDIT AS OF JANUARY 1, 2011, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602 OR 24-51-1713, WHICHEVER IS APPLICABLE, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 OR 24-51-1714, WHICHEVER IS APPLICABLE, BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS THAT WHEN COMBINED TOTAL AT LEAST EIGHTY YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY;

(II) FOR MEMBERS WHO ARE NOT STATE TROOPERS WHO BEGAN

MEMBERSHIP ON OR AFTER JULY 1, 2005, BUT PRIOR TO JANUARY 1, 2007, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS THAT WHEN COMBINED TOTAL AT LEAST EIGHTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY;

(III) FOR DPS MEMBERS WITH LESS THAN FIVE YEARS OF SERVICE CREDIT AS OF JANUARY 1, 2011, AND FOR MEMBERS WHOSE MEMBERSHIP BEGAN PRIOR TO JANUARY 1, 2007, WITH LESS THAN FIVE YEARS OF SERVICE CREDIT AS OF JANUARY 1, 2011, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS THAT WHEN COMBINED TOTAL AT LEAST EIGHTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY; OR

(IV) FOR MEMBERS WHO ARE STATE TROOPERS AND WHO WERE MEMBERS, INACTIVE MEMBERS, OR RETIREES ON DECEMBER 31, 2006, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602 OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604, BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS, WHEN WEIGHTED WITH NON-STATE TROOPER SERVICE CREDIT, THAT COMBINED TOTAL AT LEAST SEVENTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF FIFTY-FIVE.

(c) No minimum age or service credit requirement shall apply to disability retirees or survivor benefit recipients.

(1.5) and (2) (Deleted by amendment, L. 93, p. 478, § 6, effective March 1, 1994.)

(3) For benefit recipients whose benefits are based on the account of a member who was not a member, inactive member, or retiree on December 31, 2006, annual increases in retirement benefits and survivor benefits, if any, shall be effective with the July benefit in accordance with ~~the provisions of~~ section 24-51-1009, SUBJECT TO SECTION 24-51-413, and shall be paid from the retirement benefits reserve or the survivor benefits reserve, as appropriate, so long as the following requirements are satisfied:

(a) The benefits have been paid to the benefit recipient for the full preceding calendar year AND AN ANNUAL INCREASE HAS BEEN APPLIED TO THE RETIREMENT OR SURVIVOR BENEFIT ON OR BEFORE MAY 1, 2018; and

(b) (I) For members WHO ARE NOT STATE TROOPERS whose membership began on or after January 1, 2007, but prior to January 1, 2011, the retiree retired with a service retirement benefit pursuant to section 24-51-602, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age and service credit years that when combined total at least eighty-five years, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty;

(II) For members WHO ARE NOT STATE TROOPERS whose membership began on or after January 1, 2011, but prior to January 1, 2017, the retiree retired with a service retirement benefit pursuant to section 24-51-602, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age and service credit years that when combined total at least eighty-eight years, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty;

(III) Subject to ~~the provisions of subparagraph (IV) of this paragraph (b)~~ SUBSECTION (3)(b)(IV) OF THIS SECTION, for members WHO ARE NOT STATE TROOPERS whose membership began on or after January 1, 2017, the retiree retired with a service retirement benefit pursuant to section 24-51-602, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age and service credit years that when combined total at least ninety years, or retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty; ~~or~~

(IV) For members whose membership began on or after January 1, 2017, the retiree retired from the school or Denver public schools divisions with a reduced service retirement benefit pursuant to section

24-51-604 and the retiree's most recent ten years of service credit was earned in the school or Denver public schools divisions, but, as of January 1, the retiree's age and total service credit total at least eighty-eight years, or the retiree retired with a reduced service retirement benefit pursuant to section 24-51-604 but has, as of January 1, attained the age of sixty; OR

(V) FOR MEMBERS WHO ARE STATE TROOPERS WHO WERE NOT MEMBERS, INACTIVE MEMBERS, OR RETIREES ON DECEMBER 31, 2006, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602 OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604, BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS, WHEN WEIGHTED WITH NON-STATE TROOPER SERVICE CREDIT, THAT COMBINED TOTAL AT LEAST SEVENTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF FIFTY-FIVE.

(c) No minimum age or service credit requirement shall apply to disability retirees or survivor benefit recipients.

(3.5) FOR BENEFIT RECIPIENTS WHOSE BENEFITS ARE BASED ON THE ACCOUNT OF A MEMBER WHO WAS NOT A MEMBER, INACTIVE MEMBER, OR RETIREE ON DECEMBER 31, 2006, ANNUAL INCREASES IN RETIREMENT BENEFITS AND SURVIVOR BENEFITS, IF ANY, ARE EFFECTIVE WITH THE JULY BENEFIT IN ACCORDANCE WITH SECTION 24-51-1009, SUBJECT TO SECTION 24-51-413, AND SHALL BE PAID FROM THE RETIREMENT BENEFITS RESERVE OR THE SURVIVOR BENEFITS RESERVE, AS APPROPRIATE, SO LONG AS THE FOLLOWING REQUIREMENTS ARE SATISFIED:

(a) THE BENEFITS HAVE BEEN PAID TO THE BENEFIT RECIPIENT FOR THIRTY-SIX MONTHS TOTAL, AND BENEFITS HAVE BEEN PAID TO THE BENEFIT RECIPIENT FOR THE FULL PRECEDING CALENDAR YEAR, AND AN ANNUAL INCREASE HAS NOT BEEN APPLIED TO THE RETIREMENT OR SURVIVOR BENEFIT ON OR BEFORE MAY 1, 2018; AND

(b) (I) FOR MEMBERS WHO ARE NOT STATE TROOPERS WHOSE MEMBERSHIP BEGAN ON OR AFTER JANUARY 1, 2007, BUT PRIOR TO JANUARY 1, 2011, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS THAT WHEN COMBINED TOTAL AT LEAST EIGHTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY;

(II) FOR MEMBERS WHO ARE NOT STATE TROOPERS WHOSE MEMBERSHIP BEGAN ON OR AFTER JANUARY 1, 2011, BUT PRIOR TO JANUARY 1, 2017, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS THAT WHEN COMBINED TOTAL AT LEAST EIGHTY-EIGHT YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY;

(III) SUBJECT TO SUBSECTION (3.5)(b)(IV) OF THIS SECTION, FOR MEMBERS WHO ARE NOT STATE TROOPERS WHOSE MEMBERSHIP BEGAN ON OR AFTER JANUARY 1, 2017, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24- 51-602, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS THAT WHEN COMBINED TOTAL AT LEAST NINETY YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY;

(IV) FOR MEMBERS WHOSE MEMBERSHIP BEGAN ON OR AFTER JANUARY 1, 2017, THE RETIREE RETIRED FROM THE SCHOOL OR DENVER PUBLIC SCHOOLS DIVISIONS WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 AND THE RETIREE'S MOST RECENT TEN YEARS OF SERVICE CREDIT WAS EARNED IN THE SCHOOL OR DENVER PUBLIC SCHOOLS DIVISIONS, BUT, AS OF JANUARY 1, THE RETIREE'S AGE AND TOTAL SERVICE CREDIT TOTAL AT LEAST EIGHTY-EIGHT YEARS, OR THE RETIREE RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY;

(V) FOR MEMBERS WHO ARE STATE TROOPERS WHO WERE NOT

MEMBERS, INACTIVE MEMBERS, OR RETIREES ON DECEMBER 31, 2006, BUT BEFORE DECEMBER 31, 2020, THE RETIREE RETIRED WITH A SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-602 OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604, BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS, WHEN WEIGHTED WITH NON-STATE TROOPER SERVICE CREDIT, THAT COMBINED TOTAL AT LEAST SEVENTY-FIVE YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF FIFTY-FIVE;

(VI) FOR MEMBERS WHO ARE NOT STATE TROOPERS WHOSE MEMBERSHIP BEGAN ON OR AFTER JANUARY 1, 2020, THE RETIREE RETIRED FROM THE SCHOOL OR DENVER PUBLIC SCHOOLS DIVISIONS WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604, BUT, AS OF JANUARY 1, THE RETIREE RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY-FIVE; OR

(VII) FOR MEMBERS WHO ARE STATE TROOPERS WHOSE MEMBERSHIP BEGAN ON OR AFTER JANUARY 1, 2020, THE RETIREE RETIRED FROM THE SCHOOL OR DENVER PUBLIC SCHOOLS DIVISIONS WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604, BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE AND SERVICE CREDIT YEARS, WHEN WEIGHTED WITH NON-STATE TROOPER SERVICE CREDIT, THAT COMBINED TOTAL AT LEAST EIGHTY YEARS, OR RETIRED WITH A REDUCED SERVICE RETIREMENT BENEFIT PURSUANT TO SECTION 24-51-604 BUT HAS, AS OF JANUARY 1, ATTAINED THE AGE OF SIXTY.

(c) NO MINIMUM AGE OR SERVICE CREDIT REQUIREMENT SHALL APPLY TO DISABILITY RETIREES OR SURVIVOR BENEFIT RECIPIENTS.

(4) Benefits that are calculated pursuant to part 17 of this ~~article~~ ARTICLE 51 shall be governed by the benefit increase provisions of such part 17.

SECTION 11. In Colorado Revised Statutes, 24-51-1002, **amend** (2); and **add** (1.5) as follows:

24-51-1002. Annual percentages to be used. (1.5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, FOR THE YEARS 2018 AND 2019, THE ANNUAL INCREASE AWARDED SHALL BE ZERO PERCENT.

(2) Beginning ~~in the year 2011~~ ON THE EFFECTIVE DATE OF THIS SUBSECTION (2), AS AMENDED, subject to ~~the provisions of~~ section 24-51-1009.5, for benefit recipients whose benefits are based on the account of a member who was a member, inactive member, or retiree on December 31, 2006, or for benefit recipients whose benefits are based on the account of a DPS member or DPS retiree, the increase applied to benefits paid shall be ~~the lesser of two percent or the average of the annual increases determined for each month, to the nearest one-tenth of a percent, as calculated by the United States department of labor, in the national consumer price index for urban wage earners and clerical workers during the calendar year preceding the increase in the benefit. Notwithstanding the provisions of this subsection (2), the increase shall be the maximum permitted under this subsection (2) and section 24-51-1009.5 unless the association's annual audited return on investments is negative for the preceding calendar year, at which point the annual increase for the subsequent three years shall be the lesser of two percent or the average of the annual increases determined for each month, to the nearest one-tenth of a percent, as calculated by the United States department of labor, in the national consumer price index for urban wage earners and clerical workers during the calendar year preceding the increase in the benefit~~ ONE AND THREE-QUARTERS PERCENT UNLESS ADJUSTED PURSUANT TO SECTION 24-51-413. The increase applied to such benefits shall be recalculated annually as of July 1 and shall be the compounded annual percentage of the annual increases applied to such benefits. In the first year that the benefit recipient is eligible to receive an annual increase pursuant to section 24-51-1001, the annual increase shall be prorated.

SECTION 12. In Colorado Revised Statutes, 24-51-1009, **amend** (4) introductory portion and (4)(a); and **add** (1.5) as follows:

24-51-1009. Annual increase reserve - creation. (1.5) FOR THE YEARS 2018 AND 2019, THE ANNUAL INCREASE AWARDED SHALL BE ZERO PERCENT.

(4) An actuarial valuation shall be conducted each year for the annual increase reserve of each division for the purposes of this section.

The actuarial valuation shall include a determination of the total market value of the assets in the reserve and a calculation of the net present value of the actuarial liabilities associated with providing each of the annual increases described in ~~paragraphs (a), (b), and (c) of this subsection (4)~~ SUBSECTIONS (4)(a), (4)(b), AND (4)(c) OF THIS SECTION. Subject to section 24-51-1009.5, the maximum annual increase awarded by the board shall be the lesser of the following calculations:

(a) SUBJECT TO THE MAXIMUM ANNUAL INCREASE AS ADJUSTED PURSUANT TO SECTION 24-51-413, a permanent increase equal to ~~two percent~~ ONE AND THREE-QUARTERS PERCENT of current benefits payable to benefit recipients then eligible for an annual increase in accordance with section 24-51-1001 (3);

SECTION 13. In Colorado Revised Statutes, **amend** 24-51-1009.5 as follows:

24-51-1009.5. Annual increase amount changes. When the actuarial funded ratio of the association, based on the actuarial value of assets, is at or above one hundred three percent as determined in the annual actuarial study of the association, the upper limit of the annual increase shall be increased by one-quarter of one percent. ~~If the actuarial funded ratio of the association, based on the actuarial value of assets, reaches one hundred three percent and subsequently any annual actuarial study reflects the actuarial funded ratio of the association, based on the actuarial value of assets, is below ninety percent, the upper limit of the annual increase shall be decreased by one-quarter of one percent. At no time shall the upper limit of the annual increase fall below two percent.~~

SECTION 14. In Colorado Revised Statutes, 24-51-1702, **amend** (17) as follows:

24-51-1702. Definitions. As used in this part 17, unless the context otherwise requires:

(17) "Highest average salary" means the average monthly compensation of the thirty-six months of accredited service having the highest rates, multiplied by twelve, or the "career average salary", whichever is greater, and shall be applied to benefits, except for benefits under sections 24-51-1727 to 24-51-1731, attributable to retirement or death on or after July 1, 1994. For benefits under sections 24-51-1727 to 24-51-1731, "highest average salary" applies to cases where termination of service occurs on or after July 1, 1994. This subsection (17) shall apply only to DPS members eligible for a retirement benefit as of January 1, 2011. For DPS members not eligible for a retirement benefit as of January 1, 2011, the definition of "highest average salary" specified in ~~section 24-51-101 (25)(b)(V)~~ SECTION 24-51-101 (25)(b)(V) AND (25)(b)(VI), shall apply.

SECTION 15. 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	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-200 as amended.
Laid over until Tuesday, March 27: SB18-185, SB18-052, SB18-166, SB18-204, HB18-1148, HB18-1237, HB18-1018, SB18-123 as amended.
Laid over until Thursday, March 29: SB18-043.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2018:

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;

for a term expiring July 1, 2021:

Debra Ann Baumbach of Littleton, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Rick Pederson of Denver, Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF COMMISSIONERS OF
VETERANS COMMUNITY LIVING CENTERS

for a term expiring July 1, 2019:

Carolyn Mickey of Brush, Colorado, to serve as a member with expertise in nursing home operations, who is a nursing home administrator at the time of appointment, who is experienced in the financial operations of a nursing home and as a Republican, and occasioned by the resignation of Ruth Eileen Minnema, RN, MA, NHA, RAC-CT of Centennial, Colorado, appointed;

effective July 1, 2017 for terms expiring July 1, 2021:

Kathleen N. Dunemn, PhD., APRN, CNM-BC of Littleton, Colorado, who has expertise in nursing home operations and who has practical clinical experience in nursing homes, and as a Democrat, reappointed;

Cheryl Ann Kruschke, Ed.D, MS, RN, CNE of Wheat Ridge, Colorado, who has expertise in nursing home operations and who has experience in multi-facility management of nursing homes, and as a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-082 and 135.

MESSAGE FROM THE HOUSE

March 26, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1243, 1275, 1282.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1132, 1149, 1234, 1250, 1065, 1109, 1211, 1261, amended as printed in House Journal, March 23, 2018.

The House has passed on Third Reading and returns herewith SB18-107.

MESSAGE FROM THE REVISOR OF STATUTES

March 26, 2018

We herewith transmit:

Without comment, HB18-1243, 1275, and 1282.
Without comment, as amended, HB18-1065, 1109, 1132, 1149, 1211, 1234, 1250, and 1261.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-009 by Senator(s) Cooke and Baumgardner, Holbert; also Representative(s) Sandridge and Sias- Concerning declaring the week of May 13-19, 2018, as Police Week, and, in connection therewith, declaring May 15, 2018, as Peace Officers' Memorial Day.

Laid over until Wednesday, March 28, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-217 by Senator(s) Jahn and Sonnenberg; --Concerning the creation of an off-site service permit for certain licensees currently licensed to sell alcohol beverages.
Business, Labor, & Technology

SB18-218 by Senator(s) Coram; also Representative(s) Arndt--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.
Agriculture, Natural Resources, & Energy

SB18-219 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the rates a motor vehicle dealer charges a motor vehicle manufacturer for work performed by the dealer in accordance with a warranty obligation.
Business, Labor, & Technology

SB18-220 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Neville P., Reyher, Saine, Van Winkle, Williams D., Wist--Concerning a prohibition on sanctuary policies.
State, Veterans, & Military Affairs

SB18-221 by Senator(s) Coram, Fields, Grantham, Jahn, Lundberg, Martinez Humenik, Neville T., Priola, Smallwood, Sonnenberg, Tate; also Representative(s) Catlin, Becker J., Buck, Carver, Covarrubias, Everett, Humphrey, Landgraf, Lawrence, Lundeen, McKean, Neville P., Ransom, Reyher, Saine, Sias, Thurlow, Van Winkle, Williams D., Wilson, Wist--Concerning the election of a county commissioner in a county with a population of less than seventy thousand by the voters residing in the district from which the commissioner runs for election.
Local Government

SB18-222 by Senator(s) Cooke and Gardner; also Representative(s) Wist--Concerning reimbursing prosecuting attorneys for costs associated with litigating rule 35 of the Colorado criminal procedure motions.
Judiciary

HB18-1040 by Representative(s) Benavidez, Singer; also Senator(s) Fields--Concerning incentives for provision of sex offender services in the department of corrections.
Judiciary

HB18-1065 by Representative(s) Beckman and Buckner; also Senator(s) Lambert--Concerning discipline of a department of human services employee when the employee is found to have mistreated a vulnerable person.
Judiciary

HB18-1069 by Representative(s) Arndt and Thurlow; also Senator(s) Coram--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for toilet flushing and making an appropriation.
Agriculture, Natural Resources, & Energy

HB18-1092 by Representative(s) Melton and Singer, Herod, Rosenthal, Coleman, Hooton, Salazar; also Senator(s) Neville T.--Concerning a pilot program for marijuana delivery, and, in connection therewith, making an appropriation.
Judiciary

HB18-1104 by Representative(s) Danielson; also Senator(s) Moreno and Lambert--Concerning family preservation safeguards for parents with disabilities.
Health & Human Services

HB18-1109 by Representative(s) Weissman; also Senator(s) Cooke--Concerning discretionary parole of special needs offenders.
Judiciary

HB18-1118 by Representative(s) Ginal and Beckman, Covarrubias, Gray, Hooton, Jackson, Kennedy, Liston, Lontine, McLachlan, Michaelson Jenet, Roberts, Singer; also Senator(s) Aguilar and Crowder--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.
State, Veterans, & Military Affairs

HB18-1132 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the amount that the department of corrections is required to reimburse a county or city and county for the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility.
Judiciary

HB18-1147 by Representative(s) Ginal and Ransom, Esgar, Roberts; also Senator(s) Coram--Concerning the continuation of the regulation of people who modify the weather, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.
Agriculture, Natural Resources, & Energy

HB18-1149 by Representative(s) Kennedy, Esgar, Ginal, Lontine; also Senator(s) Neville T.--Concerning continuation of the consumer insurance council.
Business, Labor, & Technology

HB18-1155 by Representative(s) Singer and Liston, Catlin, Ginal, Hooton; also Senator(s) Martinez Humenik--Concerning the continuation of the physical therapy board, and, in connection therewith, implementing the recommendations contained in the 2017 sunset review and report by the department of regulatory agencies.
Health & Human Services

HB18-1156 by Representative(s) Lee, Lundeen; also Senator(s) Holbert--Concerning limitations on penalties for truancy.
Judiciary

HB18-1175 by Representative(s) Kraft-Tharp and Thurlow; also Senator(s) Gardner--Concerning the continuation under the sunset law of the regulation of community association managers by the director of the division of real estate, and, in connection therewith, implementing the recommendations contained in the 2017 sunset report of the department of regulatory agencies.
Finance

HB18-1186 by Representative(s) Wilson and Reyher, Bridges, Buckner, Exum, Lee, McLachlan, Pettersen; also Senator(s) Marble--Concerning the continuation of the Colorado youth advisory council, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies and making an appropriation.
State, Veterans, & Military Affairs

HB18-1211 by Representative(s) Wist and Foote; also Senator(s) Smallwood and Aguilar--Concerning controlling medicaid fraud.
Health & Human Services

HB18-1234 by Representative(s) Becker K. and Lundeen, Buckner, Carver, Coleman, Gray, Hansen, Jackson, Kraft-Tharp, Landgraf, McKean, Roberts, Rosenthal, Singer, Valdez, Van Winkle, Williams D.; also Senator(s) Gardner, Guzman, Aguilar, Cooke, Fenberg, Kagan, Kerr, Merrifield, Priola, Todd--Concerning clarification of the laws governing simulated gambling activity.
Business, Labor, & Technology

HB18-1235 by Representative(s) Hansen and McKean; also Senator(s) Scott--Concerning the continuation of the regulation of custom meat processors, and, in connection therewith, implementing the recommendations of the 2017 sunset report of the department of regulatory agencies.
Finance

HB18-1243 by Representative(s) Foote and Wist; also Senator(s) Coram and Fields, Cooke--Concerning enactment of a civil rape shield law.
Judiciary

HB18-1250 by Representative(s) Kraft-Tharp and Sias; also Senator(s) Priola--Concerning an analysis to improve compliance with departmental rules by regulated businesses.
Business, Labor, & Technology

HB18-1256 by Representative(s) Duran and Herod, Benavidez, Foote, Lee, Melton, Salazar, Weissman; also Senator(s) Gardner--Concerning continuation of the regulation of civil rights issues, and, in connection therewith, implementing the recommendation in the department of regulatory agencies' 2017 sunset review and report on the Colorado civil rights division and the Colorado civil rights commission to continue the division and commission and making an appropriation.
Judiciary

HB18-1259 by Representative(s) Gray; also Senator(s) Marble--Concerning providing marijuana samples to employees for business purposes.
Business, Labor, & Technology

HB18-1261 by Representative(s) Weissman; also Senator(s) Kagan--Concerning the "Colorado Arbitration Fairness Act".
State, Veterans, & Military Affairs
Judiciary
Finance

HB18-1262 by Representative(s) Jackson and Roberts; also Senator(s) Kagan--Concerning the "Arbitration Services Provider Transparency Act".
State, Veterans, & Military Affairs
Judiciary
Finance

HB18-1275 by Representative(s) Bridges, Winter; also Senator(s) Kagan, Martinez Humenik--Concerning the repeal of the Craig hospital license plate donation requirement.
Transportation

HB18-1282 by Representative(s) Lontine and Sias; also Senator(s) Smallwood and Kefalas--
Concerning a requirement that a health care provider include certain identifying information on all claims for reimbursement for health care services.
Health & Human Services

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 15, 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
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Charles Fredrick Garcia of Denver, Colorado, a Democrat and member of the community at large, and occasioned by the resignation of Heidi Jeanne Hess of Clifton, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/15/2018
Effie Ameen, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 26, 2018, at 12:34 p.m.:
SB18-090, 095, 098, 131, and 173.

On motion of Senator Gardner, the Senate adjourned until 9:00 a.m., Tuesday, March 27, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

77th Legislative Day Tuesday, March 27, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Monday, March 26, 2018, 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
BOARD OF ASSESSMENT APPEALS

for a term expiring July 1, 2018:

Amy J. Williams, MAI of Hayden, Colorado, a member engaged in agriculture, reappointed;

for a term expiring July 1, 2019:

Cherice Kjosness of Thornton, Colorado, and occasioned by the resignation of James R. Meurer of Golden, Colorado, appointed.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1240** be referred to the Committee on Finance with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1154** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB18-217, 218, 219, 220, 221, and 222; SJR18-009.
Correctly Engrossed: SB18-178 and 200.
Correctly Revised: HB18-1047, 1145, and 1227.
Correctly Enrolled: SB18-107.

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:

SB18-178 by Senator(s) Smallwood; also Representative(s) Kraft-Tharp--Concerning the definition of similar coverage for workers' compensation for certain operators of commercial vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Coram, Crowder, Grantham, Holbert, Jahn, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Sonnenberg, Tate, and Williams A.

HB18-1227 by Representative(s) Herod and Wist; also Senator(s) Cooke--Concerning the authority of the real estate commission to issue licenses for an initial period of less than three years.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner.

HB18-1047 by Representative(s) Lontine; also Senator(s) Gardner--Concerning technical modifications to the "Fair Campaign Practices Act" to facilitate its administration.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fenberg, Fields, Grantham, Hill, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, and Zenzinger.

HB18-1145 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning the repeal of laws regulating ballot issue petition circulators that have been permanently enjoined from enforcement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner.

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:

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding.

Laid over until Wednesday, March 28, retaining its place on the calendar.

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years, 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
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, and Neville T.

Committee of the Whole

On motion of Majority Leader Holbert, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Majority Leader Holbert 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:

HB18-1254 by Representative(s) Van Winkle; also Senator(s) Smallwood--Concerning the modification of the foreclosure process on property that is encumbered by a deed of trust.

Upon request of Assistant Majority Leader Scott, ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, March 27, and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, March 27.

SB18-205 by Senator(s) Marble and Coram, Cooke, Fenberg, Fields, Garcia, Scott; also Representative(s) Catlin and McLachlan--Concerning the regulation of industrial hemp as an agricultural product, and, in connection therewith, identifying the unprocessed seeds of industrial hemp as a commodity under the "Commodity Handler Act" and industrial hemp as a farm product under the "Farm Products Act".

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1098 by Representative(s) Saine and Gray, Hansen, Neville P., Wist; also Senator(s) Marble--Concerning the expanded ability of the Colorado oil and gas conservation commission to finance the remediation of oil and gas locations.

Upon request of Assistant Majority Leader Scott, ordered removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, March 27, and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, March 27.

HB18-1238 by Representative(s) Jackson and Catlin; also Senator(s) Marble--Concerning the continuation of the wildland-urban interface training advisory board, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1239 by Representative(s) Landgraf; also Senator(s) Scott--Concerning continuation under the sunset law of the environmental management system permit program, and, in connection therewith, implementing the recommendations of the sunset report by the department of regulatory agencies by allowing the program to repeal.

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 Majority Leader Holbert, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-205, HB18-1238, HB18-1239.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Tuesday, March 27: HB18-1254, HB18-1098.

Committee of the Whole

On motion of Majority Leader Holbert, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Majority Leader Holbert 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:

SB18-185 by Senator(s) Smallwood; also Representative(s) Everett--Concerning the use of deadly physical force against a person who has made an illegal entry into a place of business.

Laid over until Wednesday, March 28, retaining its place on the calendar.

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.

Laid over until Monday, April 9, retaining its place on the calendar.

HB18-1237 by Representative(s) Kraft-Tharp and Van Winkle, Arndt, Coleman, Garnett, Gray, Liston, Rosenthal, Sandridge, Sias, Thurlow, Williams D.; also Senator(s) Neville T.--Concerning the continuation of the requirements regarding the preparation of a cost-benefit analysis as administered by the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the 2017 sunset report by the department of regulatory agencies.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

On motion of Assistant Majority Leader Scott, 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 (SB18-052, SB18-166, HB18-1148, HB18-1018, SB18-123 as amended, HB18-1242, SB18-192, SB18-197, HB18-1199, HB18-1246, HB18-1134, HB18-1254, HB18-1098) of Tuesday, March 27, was laid over until Wednesday, March 28, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Majority Leader Holbert, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Wednesday, March 28: SB18-185, SB18-052, SB18-166, HB18-1148, HB18-1018, SB18-123 as amended, HB18-1242, SB18-192, SB18-197, HB18-1199, HB18-1246, HB18-1134, HB18-1254, HB18-1098.
Laid over until Monday, April 9: SB18-204.
Referred to Committee on Appropriations: HB18-1237.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Assistant Majority Leader Scott, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
MINED LAND RECLAMATION BOARD

for a term expiring March 1, 2020:

Lauren Duncan, MS of Littleton, Colorado, to serve as an individual with substantial experience in conservation, and occasioned by the resignation of Randolph Craig Fischer of Fort Collins, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF TRUSTEES FOR
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2021:

Richard M. Todd of Centennial, Colorado, a Republican, appointed;

James G. Oates of Gunnison, Colorado, a Republican, reappointed;

Aquino G. Gallegos of San Luis, Colorado, a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
TRANSPORTATION COMMISSION

for terms expiring July 1, 2021:

Shannon Margaret Gifford, CFA of Denver, Colorado, to serve as a commissioner from the First Transportation District, reappointed;

Louella C. Chavez D'Angelo of Lone Tree, Colorado, to serve as a commissioner from the Third Transportation District, appointed;

Sidny Kay Zink of Durango, Colorado, to serve as a commissioner from the Eighth Transportation District, reappointed;

William Thiebaut, Jr of Pueblo, Colorado, to serve as a commissioner from the Tenth Transportation District, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO AERONAUTICAL BOARD

for a term expiring December 19, 2018:

Charles Emion Myers of Elbert, Colorado, to serve as a member from the eastern slope and who represents local governments which operate airports, and occasioned by the death of Stephen Douglas Ducoff of Colorado Springs, Colorado, appointed;

for terms expiring December 19, 2020:

Robert Philip Olislagers of Aurora, Colorado, to serve as a representative of the statewide association of airport managers, reappointed;

Ann Beardall of Kiowa, Colorado, to serve as a representative of the statewide association of pilots, reappointed;

Joe Rice of Littleton, Colorado, to serve as a member familiar with and supportive of the state's aviation issues, interests, and concerns, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF TRANSPORTATION

effective December 11, 2017 for a term expiring at the Pleasure of the Governor:

Michael Peter Lewis of Denver, Colorado to serve as executive director of the Colorado Department of Transportation, and occasioned by the resignation of Shailen Pravin Bhatt of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Hill, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2020:

Elizabeth Dina Aybar Conti of Denver, Colorado, a Democrat who has experience as a public school teacher and as a public school administrator working with charter schools, reappointed;

Kristine Annette Pollard of Grand Junction, Colorado, to serve as a member with board or public service experience and as a Republican, appointed;

Eric Sedric Lerum of Denver, Colorado, to serve as a member with board or public service experience and as a Democrat, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1293** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1008** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1017** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1029** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1042** 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 **HB18-1049** 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 **HB18-1198** 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 **SB18-207** be referred to the Committee of the Whole with favorable recommendation.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-002, 099, and 104.

RECONSIDERATION OF GOVERNOR'S APPOINTMENTS

Having voted on the prevailing side, Assistant Majority Leader Scott moved for reconsideration of the last Senate action, Consideration of Governor's Appointments, on **Members of the Charter School Institute Board**.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS (cont'd)

On motion of Senator Hill, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
CHARTER SCHOOL INSTITUTE BOARD

for terms expiring July 1, 2020:

Elizabeth Dina Aybar Conti of Denver, Colorado, a Democrat who has experience as a public school teacher and as a public school administrator working with charter schools, reappointed;

Kristine Annette Pollard of Grand Junction, Colorado, to serve as a member with board or public service experience and as a Republican, appointed;

Eric Sedric Lerum of Denver, Colorado, to serve as a member with board or public service experience and as a Democrat, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Wednesday, March 28, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

78th Legislative Day — Wednesday, March 28, 2018

Prayer — By Robert Swales, El Paso County Sheriff's Office Patrol Chaplain, Colorado Springs.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Aguilar.
Present later--1, Aguilar.

Quorum — The President announced a quorum present.

Presentation of Colors — By the Douglas County Sheriff's Office Honor Guard: Deputies Jay Carnes, Gage Walpole, Scott Bird, and David Stark.

Musical Presentation — By Deputy Tim Lambert, Adams County Sheriff's Office, performing "Amazing Grace" on the bagpipes.

Pledge — By Senator Coram.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Tuesday, March 27, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR18-009 by Senator(s) Cooke and Baumgardner, Holbert; also Representative(s) Sandridge and Sias- Concerning declaring the week of May 13-19, 2018, as Police Week, and, in connection therewith, declaring May 15, 2018, as Peace Officers' Memorial Day.

On motion of Senator Cooke, portions of the resolution were read at length and the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Twenty-One Gun Salute — By the Weld County Sheriff's Office Honor Guard: Sergeant Matt Turner, Corporal Francisco Saucedo, and Deputies Leon Delafuente, Raul Barron, Crystal Moore, Joe Martinez Jr., Manuel Vanjur, Guery Martinez-Demorizi, and Spencer Rougier.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
FINANCIAL SERVICES BOARD

for terms expiring July 1, 2021:

Michael George Hurst of Del Norte, Colorado, an executive officer of a state savings and loan association and a Democrat, reappointed;

Michael L. Williams of Highlands Ranch, Colorado, an executive officer of a state credit union and a Republican, appointed;

H. Merritt Kinsey of Grand Junction, Colorado, to serve as a public member with expertise in finance, and an Unaffiliated, appointed.

Finance

After consideration on the merits, the Committee recommends that **SB18-208** be referred to the Committee on Appropriations with favorable recommendation.

Trans-portation

After consideration on the merits, the Committee recommends that **SB18-216** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-205.
Correctly Reengrossed: SB18-178 and 200.
Correctly Revised: HB18-1238 and 1239.
Correctly Rerevised: HB18-1047, 1145, and 1227.

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:

SB18-205 by Senator(s) Marble and Coram, Cooke, Fenberg, Fields, Garcia, Scott; also Representative(s) Catlin and McLachlan--Concerning the regulation of industrial hemp as an agricultural product, and, in connection therewith, identifying the unprocessed seeds of industrial hemp as a commodity under the "Commodity Handler Act" and industrial hemp as a farm product under the "Farm Products Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Court, Crowder, Donovan, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Sonnenberg, Tate, Todd, and Williams A.

HB18-1238 by Representative(s) Jackson and Catlin; also Senator(s) Marble--Concerning the continuation of the wildland-urban interface training advisory board, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Court, Kagan, Kerr, Martinez Humenik, Merrifield, Neville T., Priola, Tate, and Todd.

HB18-1239 by Representative(s) Landgraf; also Senator(s) Scott--Concerning continuation under the sunset law of the environmental management system permit program, and, in connection therewith, implementing the recommendations of the sunset report by the department of regulatory agencies by allowing the program to repeal.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik, 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:

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Sonnenberg, Tate; also Representative(s) Buck, Leonard--Concerning transportation infrastructure funding.

A majority of those elected to the Senate having voted in the affirmative, Senator Cooke was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.053), by Senator Cooke.

Amend engrossed bill, page 3, line 25, strike "revenues" and substitute "revenue".

Page 4, line 20, after "2018-19" insert "state".

Page 6, strike line 8 and substitute "for maintenance of the state highway system; and".

Page 7, strike lines 14 and 15 and substitute:
"(b) ON JUNE 30, 2020, AND ON EACH SUCCEEDING JUNE 30".

Page 7, strike lines 20 through 27.

Page 8, strike lines 1 through 7.

Page 11, line 24, strike "PROJECTS AS OTHERWISE PROVIDED IN".

Page 11, strike lines 25 through 27.

Page 12, strike lines 1 through 16 and substitute "PROJECTS.".

Page 17, line 15, strike "GENERAL" and substitute "STATEWIDE".

Page 19, line 9, strike "2018" and substitute "2019".

Page 22, line 16, strike "9" and substitute "10".

Page 1, line 101, strike "**FUNDING.**" and substitute "**FUNDING, AND, IN CONNECTION THEREWITH, REQUIRING SPECIFIED AMOUNTS OF GENERAL FUND MONEY TO BE TRANSFERRED TO THE STATE HIGHWAY FUND DURING STATE FISCAL YEAR 2018-19 FOR THE PURPOSE OF FUNDING NEW HIGHWAY CONSTRUCTION PROJECTS AND ANNUALLY DURING STATE FISCAL YEARS 2019-20 THROUGH 2038-39 FOR THE PURPOSES OF MAINTAINING THE STATE HIGHWAY SYSTEM AND REPAYING ANY TRANSPORTATION REVENUE ANTICIPATION NOTES THAT MAY BE ISSUED AS SPECIFIED IN THE BILL AND, IF NO CITIZEN-INITIATED BALLOT MEASURE THAT REQUIRES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS APPROVED BY THE VOTERS OF THE STATE AT THE NOVEMBER 2018 GENERAL ELECTION, REQUIRING THE SECRETARY OF STATE TO SUBMIT A BALLOT QUESTION TO THE VOTERS OF THE STATE AT THE NOVEMBER 2019 STATEWIDE ELECTION, WHICH, IF APPROVED, WOULD REQUIRE THE STATE, WITH NO INCREASE IN ANY TAXES OR FEES, TO ISSUE ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES FOR THE PURPOSE OF ADDRESSING CRITICAL PRIORITY TRANSPORTATION NEEDS IN THE STATE BY FUNDING TRANSPORTATION PROJECTS; WOULD EXCLUDE NOTE PROCEEDS AND INVESTMENT EARNINGS ON NOTE PROCEEDS FROM STATE FISCAL YEAR SPENDING LIMITS; AND WOULD REDUCE THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED FOR THE PURPOSE OF FUNDING TRANSPORTATION PROJECTS.**".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Court, Fields, Garcia, Jahn, Kefalas, Martinez Humenik, Merrifield, Priola, Todd, Williams A., and Zenzinger.

Senator Neville requested his name be removed as sponsor on SB18-001.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1148 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the prohibition against a carrier requiring step therapy for covered persons with stage four advanced metastatic cancer.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1018 by Representative(s) Carver and Jackson, Bridges, Esgar, Ginal, Hansen, Hooton, Lawrence, McLachlan; also Senator(s) Zenzinger and Cooke, Court, Scott--Concerning a requirement that education to prevent human trafficking be included in the training to obtain a commercial driver's license.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, March 22, page 519 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1242 by Representative(s) Becker K. and Valdez; also Senator(s) Crowder--Concerning the salary categorization of locally elected officers in specified counties.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 23, page 525 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1199 by Representative(s) Catlin and McLachlan, Covarrubias, Arndt, Becker J.; also Senator(s) Coram--Concerning a process for the ground water commission to use for approving aquifer storage-and-recovery plans, and, in connection therewith, requiring that the ground water commission promulgate rules governing its implementation of the process.

Ordered revised and placed on the calendar for third reading and final passage.

Majority Leader Holbert moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 5:00 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.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, March 27, 2018, at 08:30 a.m.:
SB18-082 and 135.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Minority Leader Garcia, 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)

Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that **HB18-1069** be referred to the Committee on Appropriations with favorable recommendation.
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that **HB18-1147** be referred to the Committee on Appropriations with favorable recommendation.
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that **SB18-218** be referred to the Committee on Appropriations with favorable recommendation.
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that **SB18-193** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-210** be referred to the Committee on Finance with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-199** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 5, strike "OFFICER," and substitute "OFFICER AND THE PERSON WHO COMMITTED THE ASSAULT IN THE FIRST DEGREE KNEW OR REASONABLY SHOULD HAVE KNOWN THE PERSON IS A PEACE OFFICER,".

Page 2, line 18, strike "OFFICER," and substitute "OFFICER AND THE PERSON WHO COMMITTED THE ASSAULT IN THE SECOND DEGREE KNEW OR REASONABLY SHOULD HAVE KNOWN THE PERSON IS A PEACE OFFICER,".

Page 3, line 8, strike "OFFICER," and substitute "OFFICER AND THE PERSON WHO COMMITTED THE ASSAULT IN THE THIRD DEGREE KNEW OR REASONABLY SHOULD HAVE KNOWN THE PERSON IS A PEACE OFFICER,".

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-160.

Committee of the Whole — The hour of 5:00 p.m. having arrived, on motion of Senator Hill, the Senate reresolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

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:

SB18-197 by Senator(s) Sonnenberg and Crowder; also Representative(s) Lewis--Concerning an exception to the requirement that a motor vehicle clear a port of entry for vehicles transporting agricultural commodities.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, March 23, page 526 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1246 by Representative(s) Danielson; also Senator(s) Coram--Concerning updates to the "Colorado Nursery Act", and, in connection therewith, modernizing the act and protecting agriculture from pests, diseases, and noxious weeds.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1134 by Representative(s) Pettersen and Wilson, Buckner; also Senator(s) Merrifield and Martinez Humenik, Priola--Concerning eligibility of kindergarten students funded through early childhood at-risk enhancement positions.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

(Amended in general orders as printed in Senate journal, March 8, page 396.)

Amendment No. 2(L.004), by Senator Sonnenberg.

Amend the engrossed bill, page 8, strike lines 24 and 25 and substitute:

"**13-21-1408. Application.** THE PROVISIONS OF THIS PART 14 APPLY".

Page 9, strike lines 1 through 5.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

(For further action, see amendments to the report of the Committee of the Whole.)

SB18-192 by Senator(s) Marble; also Representative(s) Buck--Concerning a requirement that a local government that interferes with oil and gas operations compensate persons damaged by the interference.

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.)

HB18-1254 by Representative(s) Van Winkle; also Senator(s) Smallwood--Concerning the modification of the foreclosure process on property that is encumbered by a deed of trust.

Amendment No. 1(L.005), by Senator Sonnenberg.

Amend reengrossed bill, page 9, strike lines 8 though 10 and substitute "THE EVIDENCE OF DEBT IS ONLY REQUIRED TO PAY THE EXCESS OF THE AMOUNT BID OVER THE AMOUNT DUE THE HOLDER OF THE EVIDENCE OF DEBT, AS SHOWN ON THE BID SUBMITTED PURSUANT TO SUBSECTION (2) OF THIS SECTION.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1098 by Representative(s) Saine and Gray, Hansen, Neville P., Wist; also Senator(s) Marble--Concerning the expanded ability of the Colorado oil and gas conservation commission to finance the remediation of oil and gas locations.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-185 by Senator(s) Smallwood; also Representative(s) Everett--Concerning the use of deadly physical force against a person who has made an illegal entry into a place of business.

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.)

SB18-052 by Senator(s) Hill; also Representative(s) Humphrey and Saine--Concerning the repeal of certain provisions concerning ammunition magazines.

Ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Assistant Majority Leader Scott, 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 (SB18-166) of Wednesday, March 28, was laid over to the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 29.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

Senator Garcia moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (L.004) to SB 18-123, did not pass.

Amend the engrossed bill, page 8, strike lines 24 and 25 and substitute:

"**13-21-1408. Application.** THE PROVISIONS OF THIS PART 14 APPLY".

Page 9, strike lines 1 through 5.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB18-192 by Senator(s) Marble; also Representative(s) Buck--Concerning a requirement that a local government that interferes with oil and gas operations compensate persons damaged by the interference.

Senator Donovan moved to amend the Report of the Committee of the Whole to show that the following Donovan floor amendment, (L.002) to SB 18-192, did pass.

Amend printed bill, page 2, line 5, after "**moratorium.**" insert "(1)".

Page 2, after line 20 insert:

"(2) NOTHING IN THIS SECTION APPLIES TO A PROHIBITION OR MORATORIUM THAT WAS ADOPTED TO PROTECT PUBLIC HEALTH OR 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	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB18-192 by Senator(s) Marble; also Representative(s) Buck--Concerning a requirement that a local government that interferes with oil and gas operations compensate persons damaged by the interference.

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg floor amendment, (L.001) to SB 18-192, did pass.

Amend printed bill, page 2, line 5, after "**moratorium.**" insert "(1)".

Page 2, after line 20 insert:

"(2) NOTHING IN THIS SECTION APPLIES TO A PROHIBITION OR MORATORIUM THAT WAS ADOPTED BY A VOTE OF THE RESIDENTS OF A LOCAL GOVERNMENT.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB18-185 by Senator(s) Smallwood; also Representative(s) Everett--Concerning the use of deadly physical force against a person who has made an illegal entry into a place of business.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.005) to SB 18-185, did pass.

Amend printed bill, page 2, strike lines 1 and 2 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **amend** 18-1-704.5 as follows:".

Page 2, strike line 24 and substitute "force; EXCEPT THAT, SUCH IMMUNITY DOES NOT APPLY IF:

(a) THE OWNER, MANAGER, OR EMPLOYEE USED A DEADLY WEAPON TO APPLY DEADLY PHYSICAL FORCE; AND

(b) THE OWNER, MANAGER, OR EMPLOYEE OBTAINED THE DEADLY WEAPON ILLEGALLY.".

Page 3, after line 2 insert:

"(5) As used in this section, unless the context otherwise requires:

(a) "Dwelling" does not include any place of habitation in a detention facility, as defined in section 18-8-211 (4).

(b) "PLACE OF BUSINESS" DOES NOT INCLUDE AN ILLEGAL BUSINESS OR A LOCATION AT WHICH ANY OF THE FOLLOWING ACTIVITIES OCCUR:

(a) PROSTITUTION, AS DESCRIBED IN PART 2 OF ARTICLE 7 OF THIS TITLE 18;

(b) GAMBLING, AS DEFINED IN SECTION 18-10-102 (2);

(c) UNLAWFUL DISTRIBUTION, MANUFACTURING, DISPENSING, OR SALE OF A CONTROLLED SUBSTANCE, AS DESCRIBED IN SECTION 18-18-405;

(d) UNLAWFUL SALE OR MANUFACTURING OF ONE OR MORE DEADLY WEAPONS, AS DEFINED IN SECTION 18-1-901 (3)(e); OR

(e) CHOP SHOP ACTIVITY, AS DESCRIBED IN SECTION 18-4-420.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-197 as amended, SB18-123 as amended, SB18-192, SB18-185, SB18-052, HB18-1148, HB18-1018 as amended, HB18-1242 as amended, HB18-1199, HB18-1246, HB18-1134, HB18-1254 as amended, HB18-1098.
Laid over to the end of the General Orders--Second Reading of Bills Calendar, Thursday, March 29: SB18-166.

TRIBUTES

Honoring:

Jay Elowsky -- By Senator Steve Fenberg.
Bob Africa -- By Senator Steve Fenberg.
Clark Hodge -- By Senator Steve Fenberg.
Aaron Blunck -- By Senator Kerry Donovan.
Alex Ferreira -- By Senator Kerry Donovan.
David Chodounsky -- By Senator Kerry Donovan.
Jake Pates -- By Senator Kerry Donovan.
Lindsey Vonn -- By Senator Kerry Donovan.
Meghan Tierney -- By Senator Kerry Donovan.
Mikaela Shiffrin -- By Senator Kerry Donovan.
Noah Hoffman -- By Senator Kerry Donovan.
Simi Hamilton -- By Senator Kerry Donovan.
Tess Johnson -- By Senator Kerry Donovan.
Wiley Maple -- By Senator Kerry Donovan.
Torin Yater -- By Senator Kerry Donovan.
Conflict Resolution Month in Colorado -- By Senator John Kefalas.
Sender Films -- By Senator Steve Fenberg.
The Women of True Light Baptist Church -- By Senator Angela Williams.
Felipe and Jessie Flores -- By Senator Leroy Garcia.
William and Leona Hrutky -- By Senator Leroy Garcia.
Steve and Anita Alcala -- By Senator Leroy Garcia.
Education and Sharing Day and Rabbi Menachem M. Schneerson -- By President Kevin J. Grantham and Representative Dafna Michaelson Jenet.
Flipside Pillows -- By Senator Daniel Kagan.
Benjamin J. Walder -- By Senator Jerry Sonnenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, March 29, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

79th Legislative Day Thursday, March 29, 2018

Prayer — By Majority Leader Chris Holbert.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--35
Excused--1, Martinez Humenik.
Present later--1, Martinez Humenik.

Quorum — The President announced a quorum present.

On motion of Senator Court, 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 Boy Scout Troop 48, Golden.

Reading of the Journal — On motion of Senator Williams, reading of the Journal of Wednesday, March 28, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

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
JUVENILE PAROLE BOARD

for a term expiring November 15, 2018:

Rachael Victoria Lovendahl of Westminster, Colorado, to serve as a representative of the Colorado Department of Education, and occasioned by the resignation of Barbara Hickman of Denver, 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:

MEMBER OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2021:

Heidi Jeanne Hess of Clifton, Colorado, to serve as a public member not employed by the State of Colorado, and occasioned by the resignation of Chantel M. Schoneboom of Centennial, Colorado, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-203** 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 "**independent**".

Page 2, line 6, strike "INDEPENDENT".

Page 2, strike lines 8 through 14 and substitute "WHICH THERE IS A POSSIBLE SENTENCE OF INCARCERATION.".

Page 3, strike lines 1 through 12 and substitute:
"(b) IN SATISFYING THE REQUIREMENT DESCRIBED IN SUBSECTION".

Page 3, strike lines 15 through 22 and substitute "DEFENDANTS SHALL:
(I) ENSURE THAT THE PROCESS TO SELECT INDIGENT DEFENSE ATTORNEYS IS TRANSPARENT AND BASED ON MERIT; AND
(II) EVALUATE EACH NEWLY HIRED DEFENSE ATTORNEY AS SOON AS".

Page 3, strike lines 25 through 27 and substitute "ATTORNEY AT LEAST EVERY THREE YEARS. TO SATISFY THE REQUIREMENT DESCRIBED IN THIS SUBSECTION (3)(b)(II), A MUNICIPALITY MAY ESTABLISH A LOCAL INDIGENT DEFENSE COMMISSION OR COORDINATE WITH OTHER MUNICIPALITIES TO ESTABLISH A REGIONAL INDIGENT DEFENSE COMMISSION, AS DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION.".

Page 4, strike lines 1 through 15 and substitute:
"(c) (I) TO ENSURE THE QUALITY OF INDIGENT DEFENSE COUNSEL, A MUNICIPALITY MAY ESTABLISH A LOCAL INDIGENT DEFENSE COMMISSION OR COORDINATE WITH ONE".

Page 4, line 16, strike "INDEPENDENT".

Page 4, line 17, strike "INDEPENDENT".

Page 4, line 19, strike "(3)(d)" and substitute "(3)(c)".

Page 4, line 21, strike "INDEPENDENT".

Page 4, strike lines 22 through 24 and substitute "COMMISSION MUST INCLUDE AT LEAST THREE MEMBERS.".

Page 4, line 26, strike "INDEPENDENT".

Page 5, line 1, strike "INDEPENDENT".

Page 5, line 2, strike "INDEPENDENT".

Page 5, line 3, strike "(3)(d)" and substitute "(3)(c)".

Page 5, line 6, strike "INDEPENDENT".

Page 5, line 9, strike "INDEPENDENT".

Page 5, line 22, strike "INDEPENDENT".

Page 5, line 26, strike "INDEPENDENT".

Page 6, line 4, strike "INDEPENDENT".

Page 6, line 6, strike "INDEPENDENT".

Page 6, line 8, strike "INDEPENDENT".

Page 6, lines 12 and 13, strike "(1); and **add** (5)" and substitute "(1)".

Page 7, strike lines 10 through 16.

Page 7, strike lines 20 through 27 and substitute "**municipal courts - fund created.** (1) A MUNICIPALITY THAT WANTS TO UTILIZE THE OFFICE OF".

Page 8, strike lines 1 through 16.

Renumber succeeding subsections accordingly.

Page 8, strike line 18 and substitute "INDIGENT DEFENDANTS".

Page 8, line 25, strike "(5)" and substitute "(1)".

Page 9, line 6, strike "(6)" and substitute "(2)".

Page 9, line 9, strike "(8)" and substitute "(4)".

Page 9, strike lines 20 through 26.

Renumber succeeding section accordingly.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-212** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1046** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-052, 123, 185, 192, and 197; SJR18-009.
Correctly Reengrossed: SB18-001 and 205.
Correctly Revised: HB18-1018, 1098, 1148, 1199, 1134, 1242, 1246, and 1254.
Correctly Rerevised: HB18-1238 and 1239.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Baumgardner was added as a joint prime sponsor on HB18-1242 with Senator Crowder and Representative Becker K. and Representative Valdez.

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:

HB18-1148 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the prohibition against a carrier requiring step therapy for covered persons with stage four advanced metastatic cancer.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Coram, Court, Fenberg, Fields, Garcia, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HB18-1018 by Representative(s) Carver and Jackson, Bridges, Esgar, Ginal, Hansen, Hooton, Lawrence, McLachlan; also Senator(s) Zenzinger and Cooke, Court, Scott--Concerning a requirement that education to prevent human trafficking be included in the training to obtain a commercial driver's license.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Fenberg, Fields, Garcia, Guzman, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Todd, and Williams A.

HB18-1242 by Representative(s) Becker K. and Valdez; also Senator(s) Crowder and Baumgardner--Concerning the salary categorization of locally elected officers in specified counties.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1199 by Representative(s) Catlin and McLachlan, Covarrubias, Arndt, Becker J.; also Senator(s) Coram--Concerning a process for the ground water commission to use for approving aquifer storage-and-recovery plans, and, in connection therewith, requiring that the ground water commission promulgate rules governing its implementation of the process.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Donovan, Fenberg, Jahn, Kerr, Merrifield, Priola, Sonnenberg, and Tate.

SB18-197 by Senator(s) Sonnenberg and Crowder; also Representative(s) Lewis--Concerning an exception to the requirement that a motor vehicle clear a port of entry for vehicles transporting agricultural commodities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Garcia, Gardner, Grantham, Guzman, Hill, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, and Tate.

HB18-1246 by Representative(s) Danielson; also Senator(s) Coram--Concerning updates to the "Colorado Nursery Act", and, in connection therewith, modernizing the act and protecting agriculture from pests, diseases, and noxious weeds.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fields, Kerr, Merrifield, Priola, Scott, Todd, and Williams A.

HB18-1134 by Representative(s) Pettersen and Wilson, Buckner; also Senator(s) Merrifield and Martinez Humenik, Priola--Concerning eligibility of kindergarten students funded through early childhood at-risk enhancement positions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Jahn, Jones, Kagan, Kefalas, Kerr, Moreno, Todd, Williams A., and Zenzinger.

SB18-123 by Senator(s) Sonnenberg; also Representative(s) Liston--Concerning asbestos trust claim transparency.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Lambert, Marble, Scott, and Tate.

SB18-192 by Senator(s) Marble; also Representative(s) Buck--Concerning a requirement that a local government that interferes with oil and gas operations compensate persons damaged by the interference.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Neville T., Scott, Sonnenberg, and Tate.

HB18-1254 by Representative(s) Van Winkle; also Senator(s) Smallwood--Concerning the modification of the foreclosure process on property that is encumbered by a deed of trust.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Gardner, Grantham, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, and Tate.

HB18-1098 by Representative(s) Saine and Gray, Hansen, Neville P., Wist; also Senator(s) Marble--Concerning the expanded ability of the Colorado oil and gas conservation commission to finance the remediation of oil and gas locations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Donovan, Gardner, Holbert, Jahn, Kefalas, Kerr, Lambert, Martinez Humenik, Moreno, Neville T., Scott, Smallwood, Tate, and Todd.

SB18-185 by Senator(s) Smallwood; also Representative(s) Everett--Concerning the use of deadly physical force against a person who has made an illegal entry into a place of business.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Hill, Holbert, Jahn, Lambert, Lundberg, Marble, Neville T., Priola, Scott, and Sonnenberg.

SB18-052 by Senator(s) Hill; also Representative(s) Humphrey and Saine--Concerning the repeal of certain provisions concerning ammunition magazines.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, March 29, was laid over until Monday, April 2, retaining its place on the calendar.

General Orders--Second Reading of Bills--Consent Calendar: HB18-1042, HB18-1049, and HB18-1198.
General Orders--Second Reading of Bills: SB18-043, HB18-1154, HB18-1293, HB18-1008, HB18-1017, HB18-1029, SB18-207, and SB18-166.
Consideration of Governor's Appointments--Consent Calendar:
Members of the Board of Assessment Appeals.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 2, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

80th Legislative Day Friday, March 30, 2018

THE SENATE DID NOT CONVENE ON THIS DAY

DUE TO OBSERVANCE OF GOOD FRIDAY

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

83rd Legislative Day — Monday, April 2, 2018

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Thursday, March 29, 2018, 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 **SB18-210** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **SB18-199** be postponed indefinitely.

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

effective June 30, 2017 for terms expiring June 30, 2020:

Dilaawar "Danny" Jal Mistry, MD, MS, ATC of Grand Junction, Colorado, reappointed;

Rae Dawn Comstock, BS, MS, PhD of Lakewood, 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 COMMISSION ON THE AGING

for a term expiring July 1, 2018:

Sean C. Wood, CFP, AIF, CAP of Evergreen, Colorado, to serve as a Republican from Congressional District 2, and occasioned by the death of Jeffrey David Moulton of Boulder, Colorado, appointed.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB18-1104** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB18-1211** 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 **SB18-214** be postponed indefinitely.

Health & Human Services — After consideration on the merits, the Committee recommends that **HB18-1282** 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 16, strike "2016, there were 37" and substitute "2014, there were 15".

Page 2, line 17, strike "Colorado." and substitute "Colorado, and, as of 2018, there are 50 freestanding emergency departments operating in Colorado.".

Page 3, line 27, strike "2019," and substitute "2020,".

Page 7, line 13, strike "2019," and substitute "2020,".

Education — The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2021:

William Thomas Pound of Castle Pines, Colorado, a Democrat, reappointed;

Dan Jay Wilson of Broomfield, 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
COLORADO SCHOOL OF MINES BOARD OF TRUSTEES

for terms expiring December 31, 2021:

Lucinda McWilliams Sanders of Boulder, Colorado, a Democrat who is not a graduate of the Colorado School of Mines, appointed;

Thomas Eugene Jorden of Cherry Hills Village, Colorado, an Unaffiliated graduate of the Colorado School of Mines, reappointed.

Education — After consideration on the merits, the Committee recommends that **SB18-133** be postponed indefinitely.

Education — After consideration on the merits, the Committee recommends that **SB18-206** 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 **SB18-213** 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 Reengrossed: SB18-052, 123, 185, 192, and 197.
Correctly Rerevised: HB18-1018, 1098, 1134, 1148, 1199, 1242, 1246, and 1254.
Correctly Enrolled: SB18-170.

MESSAGE FROM THE HOUSE

March 28, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1323, 1324, 1326, 1327, 1329, 1330, 1334, 1336.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1089, 1322, 1340, 1325, 1328, 1331, 1332, 1333, 1337, 1338, 1339, amended as printed in House Journal, March 28, 2018.

The House has passed on Third Reading and returns herewith SB18-170.

MESSAGE FROM THE REVISOR OF STATUTES

March 28, 2018

We herewith transmit:

Without comment, HB18-1323, 1324, 1326, 1327, 1329, 1330, 1334, and 1336.
Without comment, as amended, HB18-1089, 1322, 1325, 1328, 1331, 1332, 1333, 1337, 1338, 1339, and 1340.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.
Appropriations

HB18-1323 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning transfers of money to a newly created office of state planning and budgeting youth pay for success initiatives account within the pay for success contracts fund, and, in connection therewith, making an appropriation.
Appropriations

HB18-1324 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the continuation of the governor's commission on community service, and, in connection therewith, making an appropriation.
Appropriations

HB18-1325 by Representative(s) Hamner and Rankin, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning measures to address coverage gaps in the statewide digital trunked radio system, and, in connection therewith, making an appropriation.
Appropriations

HB18-1326 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning support for persons interested in transitioning from an institutional setting, and, in connection therewith, making and reducing appropriations.
Appropriations

HB18-1327 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning the all-payer health claims database, and, in connection therewith, making an appropriation.
Appropriations

HB18-1328 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert and Moreno, Lundberg--Concerning the children's habilitation residential waiver program, and, in connection therewith, making and reducing an appropriation.
Appropriations

HB18-1329 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning a supplemental state payment to qualified providers of durable medical equipment who experienced a decrease in reimbursement in the 2017-18 state fiscal year as a result of the implementation of the federal "21st Century Cures Act", and, in connection therewith, making an appropriation.
Appropriations

HB18-1330 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning a supplemental state payment relating to certain office-administered oncology-related drugs for qualified providers under the medical assistance program who experienced a reduction in reimbursement payments in the 2017-18 state fiscal year as a result of the implementation of the federal final rules for covered outpatient drugs, and, in connection therewith, making an appropriation.
Appropriations

HB18-1331 by Representative(s) Young and Rankin, Hamner; also Senator(s) Lundberg, Lambert, Moreno--Concerning expanding the use of open educational resources at public institutions of higher education, and, in connection therewith, creating the Colorado open educational resources council, creating a grant program to support the creation and use of open educational resources, and making an appropriation.
Appropriations

HB18-1332 by Representative(s) Hamner and Rankin, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning creation of a grant program to support collaborative educator preparation initiatives to address the teacher shortage in Colorado, and, in connection therewith, making an appropriation.
Appropriations

HB18-1333 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning part C child find responsibilities of state departments, and, in connection therewith, making an appropriation.
Appropriations

HB18-1334 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning an extension of the transitional jobs program, and, in connection therewith, making an appropriation.
Appropriations

HB18-1336 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the repeal of the local government retail marijuana impact grant program.
Appropriations

HB18-1337 by Representative(s) Hamner and Rankin, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a veterans one-stop center in Grand Junction, and, in connection therewith, making an appropriation.
Appropriations

HB18-1338 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers to address the reduction of revenues in the severance tax operational fund.
Appropriations

HB18-1339 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a requirement for fingerprint-based criminal history record checks for individuals with access to federal tax information, and, in connection therewith, making an appropriation.
Appropriations

HB18-1340 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers of money to be used for the state's infrastructure.
Appropriations

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1042 by Representative(s) Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence; also Senator(s) Scott and Zenzinger, Baumgardner, Cooke--Concerning the creation of a program to authorize private providers to register commercial vehicles as Class A personal property, and, in connection therewith, making and reducing an appropriation.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, HB18-1042 was removed from the General Orders--Second Reading of Bills Consent Calendar of Monday, April 2, and placed after SB18-043 on the General Orders--Second Reading of Bills Calendar of Monday, April 2.

HB18-1049 by Representative(s) Thurlow; also Senator(s) Scott--Concerning the department of human services' authority to continue to lease portions of the Grand Junction regional center campus to third-party behavioral health providers.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1198 by Representative(s) Saine and Kraft-Tharp, Leonard, Winter; also Senator(s) Donovan and Smallwood, Neville T., Todd--Concerning the establishment of best practices for state boards and commissions.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 15, pages 445-446 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1049, HB18-1198 as amended.
Laid over to follow SB18-043 on the General Orders--Second Reading of Bills calendar, Monday, April 2: HB18-1042.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1042 by Representative(s) Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence; also Senator(s) Scott and Zenzinger, Baumgardner, Cooke--Concerning the creation of a program to authorize private providers to register commercial vehicles as Class A personal property, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1(J.002), by Senator Scott.

Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute "To implement this act, the general fund appropriation made in the".

Page 5, line 10, strike "licensing".

Page 5, strike line 11 and substitute "general fund and is based".

Page 5, line 16, strike "Colorado".

Page 5, strike lines 17 and 18 and substitute "general fund. To implement this act, the".

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.)

HB18-1154 by Representative(s) Hooton and Van Winkle; also Senator(s) Jahn--Concerning consumer protections relating to a solicitation to provide a copy of a public record for a fee.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1293 by Representative(s) Duran and Neville P.; also Senator(s) Grantham and Guzman--Concerning payment of expenses of the legislative department.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1008 by Representative(s) Esgar and Arndt, Hansen, Willett; also Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg--Concerning the financing of the division of parks and wildlife's aquatic nuisance species program, and, in connection therewith, creating an aquatic nuisance species stamp for the operation of motorboats and sailboats in waters of the state, increasing penalties related to the introduction of aquatic nuisance species into the waters of the state, and combining two separate funds related to the aquatic nuisance species program into one fund.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 9, page 403 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1017 by Representative(s) Michaelson Jenet, Landgraf; also Senator(s) Gardner and Fenberg--Concerning the adoption of an interstate compact to allow a person authorized to practice psychology in a compact state in which the person is not licensed, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1029 by Representative(s) Weissman; also Senator(s) Lundberg--Concerning lowering the period of mandatory parole from five years to three years for certain felony offenses.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 15, pages 446-448 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-207 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning authority for the department of human services to retain amounts from certain cash funds for its indirect costs.

Ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-043, SB18-166) of Monday, April 2, was laid over until Tuesday, April 3, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB18-1042 by Representative(s) Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence; also Senator(s) Scott and Zenzinger, Baumgardner, Cooke--Concerning the creation of a program to authorize private providers to register commercial vehicles as Class A personal property, and, in connection therewith, making and reducing an appropriation.

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that the following Scott floor amendment, (J.002) to HB 18-1042, did not pass and that the bill was referred to the Appropriations Committee.

> Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute "To implement this act, the general fund appropriation made in the".
>
> Page 5, line 10, strike "licensing".
>
> Page 5, strike line 11 and substitute "general fund and is based".
>
> Page 5, line 16, strike "Colorado".
>
> Page 5, strike lines 17 and 18 and substitute "general fund. To implement this act, the".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-207, HB18-1154, HB18-1293, HB18-1008 as amended, HB18-1017, HB18-1029 as amended.
Laid over until Tuesday, April 3: SB18-043, SB18-166.
Referred to the Committee on Appropriations: HB18-1042 as amended.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
BOARD OF ASSESSMENT APPEALS

for a term expiring July 1, 2018:

Amy J. Williams, MAI of Hayden, Colorado, a member engaged in agriculture, reappointed;

for a term expiring July 1, 2019:

Cherice Kjosness of Thornton, Colorado, and occasioned by the resignation of James R. Meurer of Golden, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
FINANCIAL SERVICES BOARD

for terms expiring July 1, 2021:

Michael George Hurst of Del Norte, Colorado, an executive officer of a state savings and loan association and a Democrat, reappointed;

Michael L. Williams of Highlands Ranch, Colorado, an executive officer of a state credit union and a Republican, appointed;

H. Merritt Kinsey of Grand Junction, Colorado, to serve as a public member with expertise in finance, and an Unaffiliated, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Members of the Juvenile Parole Board were made Special Orders--Consideration of Governor's Appointments--Consent Calendar at 11:27 a.m.

SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
JUVENILE PAROLE BOARD

for a term expiring November 15, 2018:

Rachael Victoria Lovendahl of Westminster, Colorado, to serve as a representative of the Colorado Department of Education, and occasioned by the resignation of Barbara Hickman of Denver, Colorado, appointed;

for a term expiring November 15, 2021:

Heidi Jeanne Hess of Clifton, Colorado, to serve as a public member not employed by the State of Colorado, and occasioned by the resignation of Chantel M. Schoneboom of Centennial, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 29, 2018, at 02:40 p.m.:
SB18-002, 099, 104, and 160.

MESSAGE FROM THE GOVERNOR

March 29, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-090: CONCERNING MODERNIZATION OF LANGUAGE IN STATUTORY SECTIONS CONCERNING "RIGHTS OF MARRIED WOMEN".

Approved March 29, 2018 at 2:35pm

SB 18-125: CONCERNING FIDUCIARY RESPONSIBILITIES OF TITLE INSURANCE ENTITIES TO PROTECT FUNDS HELD IN CONJUNCTION WITH REAL ESTATE CLOSING SETTLEMENT SERVICES.

Approved March 29, 2018 at 2:39pm

SB 18-028: CONCERNING THE REPEAL OF CERTAIN REQUIREMENTS FOR WHERE A LICENSE PLATE IS MOUNTED ON A MOTOR VEHICLE.

Approved March 29, 2018 at 2:57pm

SB 18-073: CONCERNING REPORTING TO THE DEPARTMENT OF REVENUE WHEN OWNERSHIP OF A MOTOR VEHICLE HAS BEEN TRANSFERRED.

Approved March 29, 2018 at 2:56pm

SB 18-111: CONCERNING THE REMOVAL OF AN OBSOLETE DATE IN THE LAW THAT DESIGNATES STATE LEGAL HOLIDAYS.

Approved March 29, 2018 at 2:57pm

SB 18-121: CONCERNING CERTAIN EXPENSES ALLOWED TO A STATE EMPLOYEE WHEN THE EMPLOYEE IS REQUIRED TO CHANGE HIS OR HER PLACE OF RESIDENCE IN CONNECTION WITH A CHANGE IN JOB DUTIES.

Approved March 29, 2018 at 2:55pm

SB 18-102: CONCERNING THE REQUIREMENT FOR AN ODOMETER READING WHEN A MOTOR VEHICLE'S IDENTIFICATION NUMBER IS PHYSICALLY VERIFIED.

Approved March 29, 2018 at 2:55

Sincerely,
(signed)
John W. Hickenlooper
Governor

MESSAGE FROM THE HOUSE

April 2, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1252, 1278 amended as printed in House Journal, March 29, 2018.

The House has passed on Third Reading and returns herewith SB18-176, 182, 087, 162.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-151, 079, amended as printed in House Journal, March 29, 2018.

The House has adopted and returns herewith SJR18-008.

MESSAGE FROM THE REVISOR OF STATUTES

April 2, 2018

We herewith transmit:

Without comment, as amended, SB18-079 and 151.
With comment, HB18-1252 and 1278.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1186** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1118** be postponed indefinitely.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-223 by Senator(s) Gardner, Coram, Fenberg, Fields; also Representative(s) Gray and Carver, Benavidez--Concerning the circumstances under which an autopsy report prepared in connection with the death of a minor may be released to certain parties.
Judiciary

SB18-224 by Senator(s) Smallwood; --Concerning the subsidization of adoption of children and youth in Colorado who have special needs.
Health & Human Services

SB18-225 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the definition of an early college for purposes of the "Concurrent Enrollment Programs Act".
Appropriations

SB18-226 by Senator(s) Lundberg and Cooke; --Concerning a prohibition on Colorado's involvement in a state-level climate collaboration that attempts to reduce carbon dioxide emissions.
Agriculture, Natural Resources, & Energy

SB18-227 by Senator(s) Martinez Humenik; --Concerning the continuation of the "Pet Animal Care and Facilities Act".
Agriculture, Natural Resources, & Energy

SB18-228 by Senator(s) Hill; also Representative(s) Van Winkle--Concerning improving school choice in traditional schools of a school district.
Education

SB18-229 by Senator(s) Martinez Humenik; also Representative(s) Ransom and McLachlan--Concerning criminal history record checks for educator preparation program students seeking field experiences in schools.
Education

HB18-1089 by Representative(s) Benavidez; also Senator(s) Fields--Concerning reform of pretrial criminal procedures, and, in connection therewith, prohibiting the use of monetary bonding except for certain defendants and requiring courts to conduct timely hearings to reconsider monetary conditions of bond under certain circumstances.
State, Veterans, & Military Affairs

HB18-1252 by Representative(s) Roberts and Wilson; also Senator(s) Priola--Concerning unlawful sale of academic materials for submission to an institution of higher education.
Education

HB18-1278 by Representative(s) Benavidez; also Senator(s) Moreno--Concerning a requirement that contractors for public projects over five hundred thousand dollars that are not funded using federal money use apprentices for the parts of the project that are performed by workers in an apprenticeable occupation.
State, Veterans, & Military Affairs

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 9, 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
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2020:

Timothy Guerrero of Erie, Colorado, to serve as a representative of a private occupational school, and occasioned by the death of Robert Earl Martin of Wheat Ridge, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 3/26/2018
Effie Ameen, Secretary of the Senate

Committee on Education

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-107; HB18-1099, 1112, and 1228.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

SR18-003 by Senator(s) Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams A., Zenzinger--Concerning the expulsion of Senator Randy L. Baumgardner for sexual harassment of a legislative employee.

On motion of Senator Aguilar, the resolution was read at length.

Less than a two-thirds majority of those elected to the Senate having voted in the affirmative, the resolution was **lost** by the following roll call vote:

YES	17	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	*	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

* Abstaining from voting under Senate Rule 17(c) -- Senator Baumgardner.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 3, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

84th Legislative Day Tuesday, April 3, 2018

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, Fields, Guzman, Kefalas.
Present later--2, Fields, Kefalas.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Monday, April 2, 2018, 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 **SB18-201** 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 13, strike "ANY LENGTH OF TIME" and substitute "SIX HOURS OR LESS".

Page 2, line 16, strike "LOCATION;" and substitute "LOCATION. THIS SUBSECTION (1)(c.5) IN NO WAY EXEMPTS A FACILITY OPERATED IN CONNECTION WITH A CHURCH FROM MEETING REQUIREMENTS OF THE ENTITY THAT PROVIDES INSURANCE TO THE FACILITY FOR ITS WORK WITH CHILDREN OR YOUTH, INCLUDING, BUT NOT LIMITED TO, SCREENING AND BACKGROUND CHECKS OF EMPLOYEES AND VOLUNTEERS; COMPREHENSIVE TRAINING FOR STAFF AND VOLUNTEERS CONCERNING SEXUAL ABUSE AND CHILD ABUSE OR NEGLECT; AND CLEARLY DEFINED REPORTING PROCEDURES FOR ALLEGATIONS OF SEXUAL ABUSE OR CHILD ABUSE OR NEGLECT.".

Page 2, strike lines 17 through 19 and substitute:
"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Page 1, strike lines 101 through 103 and substitute "**CONCERNING THE APPLICATION OF CHILD CARE LICENSING REQUIREMENTS FOR THE TIME PERIOD DURING WHICH CHURCH SERVICES ARE BEING OFFERED.**".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1259** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, line 8, after the period add "AN OPTIONAL PREMISES CULTIVATION LICENSEE MAY DESIGNATE NO MORE THAN FIVE MANAGERS PER CALENDAR MONTH AS RECIPIENTS OF QUALITY CONTROL AND PRODUCT DEVELOPMENT SAMPLES AUTHORIZED PURSUANT TO THIS SUBSECTION (4)(a).".

Page 2, line 17, strike "AUTHORITY." and substitute "AUTHORITY; EXCEPT THAT THE LIMIT IS ONE-HALF GRAM OF MEDICAL MARIJUANA CONCENTRATE IF THE INTENDED USE OF THE FINAL PRODUCT IS TO BE USED IN A DEVICE THAT CAN BE USED TO DELIVER MEDICAL MARIJUANA CONCENTRATE IN A VAPORIZED FORM TO THE PERSON INHALING FROM THE DEVICE.".

Page 4, line 3, after the period add "THE OPTIONAL PREMISES CULTIVATION LICENSEE SHALL MAINTAIN THE INFORMATION REQUIRED BY THIS SUBSECTION (4)(i) ON THE LICENSED PREMISES FOR INSPECTION BY THE STATE AND LOCAL LICENSING AUTHORITIES.".

Page 4, line 16, after the period add "A MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURING LICENSEE MAY DESIGNATE NO MORE THAN FIVE MANAGERS PER CALENDAR MONTH AS RECIPIENTS OF QUALITY CONTROL AND PRODUCT DEVELOPMENT SAMPLES AUTHORIZED PURSUANT TO THIS SUBSECTION (12)(a).".

Page 4, strike lines 20 through 27 and substitute:

"(c) A SAMPLE AUTHORIZED PURSUANT TO SUBSECTION (12)(a) OF THIS SECTION IS LIMITED TO ONE SERVING SIZE OF EDIBLE MEDICAL MARIJUANA-INFUSED PRODUCT AND ITS APPLICABLE EQUIVALENT SERVING SIZE OF NONEDIBLE MEDICAL MARIJUANA-INFUSED PRODUCT PER BATCH AS DEFINED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY AND ONE-QUARTER GRAM OF MEDICAL MARIJUANA CONCENTRATE PER BATCH AS DEFINED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY; EXCEPT THAT THE LIMIT IS ONE-HALF GRAM OF MEDICAL MARIJUANA CONCENTRATE IF THE INTENDED USE OF THE FINAL PRODUCT IS TO BE USED IN A DEVICE THAT CAN BE USED TO DELIVER MEDICAL MARIJUANA CONCENTRATE IN A VAPORIZED FORM TO THE PERSON INHALING FROM THE DEVICE.".

Page 6, line 12, after the period add "THE MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURING LICENSEE SHALL MAINTAIN THE INFORMATION REQUIRED BY THIS SUBSECTION (12)(i) ON THE LICENSED PREMISES FOR INSPECTION BY THE STATE AND LOCAL LICENSING AUTHORITIES.".

Page 6, line 24, after the period add "A RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE MAY DESIGNATE NO MORE THAN FIVE MANAGERS PER CALENDAR MONTH AS RECIPIENTS OF QUALITY CONTROL AND PRODUCT DEVELOPMENT SAMPLES AUTHORIZED PURSUANT TO THIS SUBSECTION (7)(a).".

Page 7, line 7, strike "AUTHORITY." and substitute "AUTHORITY; EXCEPT THAT THE LIMIT IS ONE-HALF GRAM OF RETAIL MARIJUANA CONCENTRATE IF THE INTENDED USE OF THE FINAL PRODUCT IS TO BE USED IN A DEVICE THAT CAN BE USED TO DELIVER RETAIL MARIJUANA CONCENTRATE IN A VAPORIZED FORM TO THE PERSON INHALING FROM THE DEVICE.".

Page 8, line 16, after the period add "THE RETAIL MARIJUANA CULTIVATION FACILITY LICENSEE SHALL MAINTAIN THE INFORMATION REQUIRED BY THIS SUBSECTION (7)(i) ON THE LICENSED PREMISES FOR INSPECTION BY THE STATE AND LOCAL LICENSING AUTHORITIES.".

Page 9, line 2, after the period add "A RETAIL MARIJUANA PRODUCTS MANUFACTURING LICENSEE MAY DESIGNATE NO MORE THAN FIVE MANAGERS PER CALENDAR MONTH AS RECIPIENTS OF QUALITY CONTROL AND PRODUCT DEVELOPMENT SAMPLES AUTHORIZED PURSUANT TO THIS SUBSECTION (10)(a)".

Page 9, strike lines 3 through 10 and substitute:

"(b) A SAMPLE AUTHORIZED PURSUANT TO SUBSECTION (10)(a) OF THIS SECTION IS LIMITED TO ONE SERVING SIZE OF AN EDIBLE RETAIL MARIJUANA PRODUCT NOT EXCEEDING TEN MILLIGRAMS OF THC AND ITS APPLICABLE EQUIVALENT SERVING SIZE OF NONEDIBLE RETAIL MARIJUANA PRODUCT PER BATCH AS DEFINED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY AND ONE-QUARTER GRAM OF RETAIL MARIJUANA CONCENTRATE PER BATCH AS DEFINED IN RULES PROMULGATED BY THE STATE LICENSING AUTHORITY; EXCEPT THAT THE LIMIT IS ONE-HALF GRAM OF RETAIL MARIJUANA CONCENTRATE IF THE INTENDED USE OF THE FINAL PRODUCT IS TO BE USED IN A DEVICE THAT CAN BE USED TO DELIVER RETAIL MARIJUANA CONCENTRATE IN A VAPORIZED FORM TO THE PERSON INHALING FROM THE DEVICE.".

Page 10, line 22, after the period add "THE RETAIL MARIJUANA PRODUCTS MANUFACTURING LICENSEE SHALL MAINTAIN THE INFORMATION REQUIRED BY THIS SUBSECTION (10)(h) ON THE LICENSED PREMISES FOR INSPECTION BY THE STATE AND LOCAL LICENSING AUTHORITIES.".

Strike "MAY" and substitute "SHALL" on: **Page 3**, line 16; **Page 5**, line 23; **Page 8,** line 1; and **Page 10**, line 6.

After "TO" insert "NO MORE THAN FIVE" on: **Page 2**, line 7; **Page 4**, line 15; **Page 6**, line 23; and **Page 8**, line 27.

Strike "ONE-HALF" and substitute "ONE-QUARTER" on: **Page 2,** line 15 and **Page 7,** line 5.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-211** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1109** 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 **HB18-1243** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1065** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1132** 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: SB18-223, 224, 225, 226, 227, 228, and 229; SR18-003.
Correctly Engrossed: SB18-207.
Correctly Revised: HB18-1008, 1017, 1029, 1049, 1154, 1198, and 1293.
Correctly Enrolled: SB18-087, 162, 176, and 182.

Upon request of Majority Leader Holbert, **HB18-1198** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Tuesday, April 3, and was placed at the end of the Third Reading of Bills--Final Passage Calendar of Tuesday, April 3.

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:

HB18-1049 by Representative(s) Thurlow; also Senator(s) Scott--Concerning the department of human services' authority to continue to lease portions of the Grand Junction regional center campus to third-party behavioral health providers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Jahn, Kefalas, Lambert, Merrifield, Tate, and Todd.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1154 by Representative(s) Hooton and Van Winkle; also Senator(s) Jahn--Concerning consumer protections relating to a solicitation to provide a copy of a public record for a fee.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	E	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fenberg, Fields, Garcia, Kefalas, Merrifield, Moreno, Todd, and Williams A.

HB18-1293 by Representative(s) Duran and Neville P.; also Senator(s) Grantham and Guzman--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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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, Holbert, Kefalas, Martinez Humenik, Merrifield, Moreno, Tate, Todd, and Williams A.

HB18-1008 by Representative(s) Esgar and Arndt, Hansen, Willett; also Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg--Concerning the financing of the division of parks and wildlife's aquatic nuisance species program, and, in connection therewith, creating an aquatic nuisance species stamp for the operation of motorboats and sailboats in waters of the state, increasing penalties related to the introduction of aquatic nuisance species into the waters of the state, and combining two separate funds related to the aquatic nuisance species program into one fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	E	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fenberg, Hill, Kagan, Merrifield, and Todd.

Senators Baumgardner and Sonnenberg requested their names be removed as sponsors on HB18-1008.

HB18-1017 by Representative(s) Michaelson Jenet, Landgraf; also Senator(s) Gardner and Fenberg--Concerning the adoption of an interstate compact to allow a person authorized to practice psychology in a compact state in which the person is not licensed, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Garcia, Hill, Jahn, Jones, Kefalas, Martinez Humenik, Tate, and Todd.

HB18-1029 by Representative(s) Weissman; also Senator(s) Lundberg--Concerning lowering the period of mandatory parole from five years to three years for certain felony offenses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Kagan, Kerr, Lambert, Martinez Humenik, Moreno, Neville T., Tate, Todd, and Williams A.

SB18-207 by Senator(s) Moreno, Lambert, Lundberg; also Representative(s) Rankin, Hamner, Young--Concerning authority for the department of human services to retain amounts from certain cash funds for its indirect costs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	E	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1198 by Representative(s) Saine and Kraft-Tharp, Leonard, Winter; also Senator(s) Donovan and Smallwood, Neville T., Todd--Concerning the establishment of best practices for state boards and commissions.

A majority of those elected to the Senate having voted in the affirmative, Senator Smallwood was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Smallwood.

Amend revised bill, page 2, strike lines 2 through 19.

Renumber succeeding sections accordingly.

Page 3, lines 1 and 2, strike "WITHIN EXISTING RESOURCES,".

Page 4, lines 7 and 8, strike "WITHIN EXISTING RESOURCES,".

Page 4, strike lines 11 through 14.

Renumber succeeding section accordingly.

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Court, Martinez Humenik, Moreno, and Tate.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB18-043, SB18-166) of Tuesday, April 3, was laid over until Wednesday, April 4, retaining its place on the calendar.

SENATE ADHERENCE ON SB18-151

SB18-151 by Senator(s) Fields and Priola; also Representative(s) Buckner and Wilson--Concerning department of education research to develop bullying prevention policies.

Senator Fields moved that the Senate adhere to its position on SB18-151. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-079 by Senator(s) Guzman; also Representative(s) Pabon--Concerning classifying sake as a vinous liquor for the purposes of the "Colorado Liquor Code".

Laid over until Wednesday, April 4, retaining its place on the calendar.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **SB18-084** be referred to the Committee on Judiciary with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-086** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 10, strike line 21 and substitute "(2)(l), and (4) as follows:".

Page 11, after line 22 insert:

"(4) THE DEPARTMENT OF HIGHER EDUCATION SHALL ALLOCATE TO THE GOVERNING BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION PARTICIPATING IN ACTIVITIES RELATED TO CYBERSECURITY AND DISTRIBUTED LEDGER TECHNOLOGIES, SUCH AS BLOCKCHAINS, MONEY APPROPRIATED TO THE DEPARTMENT OF HIGHER EDUCATION BY THE GENERAL ASSEMBLY FOR FISCAL YEAR 2018-19 AND FOR EACH FISCAL YEAR THEREAFTER.".

Page 13, after line 8 insert:

"**SECTION 7.** In Colorado Revised Statutes, 23-18-308, **amend** (1) as follows:

23-18-308. Fee-for-service contracts - limited purpose. (1) Subject to available appropriations, the department shall enter into ~~a~~ fee-for-service ~~contract~~ CONTRACTS for the following ~~purpose~~ PURPOSES:

(a) The creation of career pathways for students pursuant to sections 23-60-109 and 24-46.3-104; ~~C.R.S; and~~

(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.

SECTION 8. Appropriation. For the 2018-19 state fiscal year, $5,000,000 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from the general fund and is based on an assumption that the office of information technology will require an additional 1.0 FTE. To implement this act, the office of information technology may use this appropriation for security governance.

(2) For the 2018-19 state fiscal year, $4,800,000 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.

(3) For the 2018-19 state fiscal year, $4,800,000 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 (2) of this section. To implement this act, the department may use this appropriation as follows:

Governing Boards	
Trustees of Colorado Mesa university	$300,000
Trustees of Western state Colorado university	$200,000
Board of governors of the Colorado state university system	$1,200,000
Regents of the university of Colorado	$2,800,000
State board for community colleges and occupational education state system community colleges	$300,000.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**RECORDS.**" and substitute "**RECORDS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

Appropriations

After consideration on the merits, the Committee recommends that **SB18-158** 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 14, 2018, page 2, strike line 18 and substitute:

"Page 10 of the printed bill, line 1, strike "SEVEN" and substitute "FIVE".

Page 10 of the bill, line 2, strike "GENERAL FUND." and substitute "STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114.".".

Page 2 of the report, strike line 21.

Page 11 of the bill, after line 14 insert:

"**SECTION 3. Appropriation.** (1) For the 2018-19 state fiscal year, $5,000,000 is appropriated to the department of public safety for use by the division of homeland security and emergency management. This appropriation is from the school access for emergency response grant program cash fund created in section 24-32-3607 (1)(a), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) $126,352 for personal services, which amount is based on an assumption that the division will require an additional 2.3 FTE;

(b) $16,294 for operating expenses; and

(c) $4,857,354 for the school access for emergency response grant program.".

Renumber succeeding section accordingly.

Page 1 of the bill, line 103, strike "**SAFETY.**" and substitute "**SAFETY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-208** 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 **HB18-1093** 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 **HB18-1237** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, before line 8 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $30,000 is appropriated to the governor's office for use by the office of state planning and budgeting. This appropriation is from the general fund. To implement this act, the office may use this appropriation for personal services.".

Renumber succeeding section accordingly.

Page 1, line 106, strike "**AGENCIES.**" and substitute "**AGENCIES AND MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1322** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 34, line 4, in the ITEM & SUBTOTAL column strike "2,747,885" and substitute "2,247,885" and in the GENERAL FUND column strike "2,747,885" and substitute "2,247,885".

Adjust affected totals accordingly.

Page 69, line 14, in the ITEM & SUBTOTAL column strike "81,000,000" and substitute "75,000,000" and in the CASH FUNDS column strike "81,000,000[f]" and substitute "75,000,000[f]".

Adjust affected totals accordingly.

Page 91, line 14, strike "Media[8a]" and substitute "Media".

Page 103, strike lines 1 through 3.

Page 91, line 14, in the ITEM & SUBTOTAL column strike "519,525" and substitute "1,269,525" and in the GENERAL FUND column insert "750,000".

Adjust affected totals accordingly.

Page 437, strike lines 4 through 7.

Adjust affected totals accordingly.

Page 99, line 14, in the ITEM & SUBTOTAL column strike "3,166,128" and substitute "3,142,303" and in the REAPPROPRIATED FUNDS column strike "1,214,176[b]" and substitute "1,190,351[b]".

Adjust affected totals accordingly.

Page 314, strike lines 1 through 5.

Adjust affected total accordingly.

Page 315, strike line 7.

Page 116, line 7, strike "Individuals[14, 14a, 14b]" and substitute "Individuals[14,14b]", in the TOTAL column strike "7,643,775,557" and substitute "7,637,349,586", in the GENERAL FUND column strike "1,324,882,663(M)" and substitute "1,321,706,305(M)", in the CASH FUNDS column strike "940,263,783[b]" and substitute "940,227,155[b]", and in the FEDERAL FUNDS column strike "4,508,143,437" and substitute "4,504,930,452".

Adjust affected totals accordingly.

Page 117, line 1, strike "$692,761,412" and substitute "$692,724,784".

Page 132, strike lines 12 through 14.

Page 116, line 7, strike "Individuals[14, 14a, 14b]" and substitute "Individuals[14,14b]", in the TOTAL column strike "7,643,775,557" and substitute "7,642,975,557", in the GENERAL FUND column strike "1,324,882,663(M)" and substitute "1,324,482,663(M)", and in the FEDERAL FUNDS column strike "4,508,143,437" and substitute "4,507,743,437".

Adjust affected totals accordingly.

Page 132, strike lines 16 through 17.

Page 157, line 2, in the ITEM & SUBTOTAL column strike

"12,311,435" and substitute "11,132,553" and in the GENERAL FUND column strike "4,219,590" and substitute "3,040,708".

Adjust affected totals accordingly.

Page 232, line 10, in the GENERAL FUND column strike "11,922,975" and substitute "13,101,857" and in the CASH FUNDS column strike "3,227,199[d]" and substitute "2,048,317[d]".

Adjust affected totals accordingly.

Page 170, line 8, in the ITEM & SUBTOTAL column strike "46,704,272" and substitute "46,196,933" and in the GENERAL FUND column strike "33,413,551" and substitute "32,906,212".

Page 170, line 9, in the ITEM & SUBTOTAL column strike "473,000" and substitute "459,518" and in the GENERAL FUND column strike "330,992" and substitute "317,510".

Page 170, line 11, in the ITEM & SUBTOTAL column strike "14,272,038" and substitute "13,917,254" and in the GENERAL FUND column strike "9,956,150" and substitute "9,601,366".

Page 170, line 14, in the ITEM & SUBTOTAL column strike "14,272,038" and substitute "13,917,254" and in the GENERAL FUND column strike "9,956,807" and substitute "9,602,023".

Page 171, line 1, in the ITEM & SUBTOTAL column strike "7,296,296" and substitute "7,013,324" and in the GENERAL FUND column strike "4,386,994" and substitute "4,104,022".

Adjust affected totals accordingly.

Page 211, line 11, in the ITEM & SUBTOTAL column strike "21,635,525" and substitute "19,233,820".

Page 212, line 2, in the ITEM & SUBTOTAL column strike "24,966,854" and substitute "22,565,149" and in the GENERAL FUND column strike "22,855,826" and substitute "20,454,121".

Adjust affected totals accordingly.

Page 212, line 10, in the ITEM & SUBTOTAL column strike "82,442,971" and substitute "76,925,890".

Page 213, line 3, in the ITEM & SUBTOTAL column strike "95,957,107" and substitute "90,440,026" and in the GENERAL FUND column strike "80,301,575" and substitute "74,784,494".

Adjust affected totals accordingly.

Page 186, line 11, in the ITEM & SUBTOTAL column strike "11,080,950" and substitute "10,080,950" and in the CASH FUNDS column strike "8,623,672[l]" and substitute "7,623,672[l]".

Adjust affected totals accordingly.

Page 188, line 13, strike "$2,373,672" and substitute "$1,373,672".

Page 207, line 15, in the ITEM & SUBTOTAL column strike "15,204,950" and substitute "12,204,950" and in the CASH FUNDS column strike "15,204,950[c]" and substitute "12,204,950[c]".

Adjust affected totals accordingly.

Page 208, line 6, in the ITEM & SUBTOTAL column strike "2,288,654" and substitute "1,638,654" and in the CASH FUNDS column strike "650,000[c]".

Adjust affected totals accordingly.

Page 209, line 15, in the ITEM & SUBTOTAL column strike "3,418,291" and substitute "3,068,291" and in the CASH FUNDS column strike "350,000[a]".

Page 210, line 3, in the ITEM & SUBTOTAL column strike "650,000" and substitute "600,000" and in the CASH FUNDS column strike "50,000[a]".

Adjust affected totals accordingly.

Page 421, line 2, in the ITEM & SUBTOTAL column strike "1,022,007" and substitute "947,007" and in the CASH FUNDS column strike "75,000[a]".

Adjust affected totals accordingly.

Page 210, line 12, strike "Program[49a]" and substitute "Program", in the ITEM & SUBTOTAL column strike "7,993,511" and substitute "1,993,511", and in the GENERAL FUND column strike "6,000,000".

Adjust affected totals accordingly.

Page 239, strike lines 11 through 14.

Page 221, strike lines 7 and 8.

Adjust affected totals accordingly.

Page 222, strike line 8.

Page 253, line 11, in the ITEM & SUBTOTAL column strike "8,531,232" and substitute "8,317,340" and in the GENERAL FUND column strike "8,365,983" and substitute "8,152,091".

Adjust affected totals accordingly.

Page 259, line 5, in the ITEM & SUBTOTAL column strike "3,381,431" and substitute "3,364,661" and in the GENERAL FUND column strike "3,381,431" and substitute "3,364,661".

Adjust affected totals accordingly.

Page 260, line 13, in the ITEM & SUBTOTAL column strike "2,561,813" and substitute "2,558,924" and in the GENERAL FUND column strike "2,561,813" and substitute "2,558,924".

Adjust affected totals accordingly.

Page 262, line 4, in the ITEM & SUBTOTAL column strike "30,200" and substitute "30,000" and in the GENERAL FUND column strike "30,200" and substitute "30,000".

Adjust affected totals accordingly.

Page 263, line 11, in the ITEM & SUBTOTAL column strike "1,059,691" and substitute "1,058,985" and in the GENERAL FUND column strike "1,059,691" and substitute "1,058,985".

Adjust affected totals accordingly.

Page 254, line 14, in the ITEM & SUBTOTAL column strike "83,423,825" and substitute "86,423,825" and in the GENERAL FUND column strike "74,019,115" and substitute "77,019,115".

Page 255, line 13, in the ITEM & SUBTOTAL column strike "3,650,000" and substitute "650,000" and in the GENERAL FUND column strike "3,000,000".

Adjust affected totals accordingly.

Page 264, line 4, in the ITEM & SUBTOTAL column strike "1,080,267" and substitute "1,011,267" and in the GENERAL FUND column strike "1,080,267" and substitute "1,011,267".

Adjust affected totals accordingly.

Page 276, line 3, strike "Costs[68a]" and substitute "Costs", in the ITEM & SUBTOTAL column strike "2,233,301" and substitute "1,911,367", and in the GENERAL FUND column strike "929,757" and substitute "607,823".

Page 276, line 4, in the ITEM & SUBTOTAL column strike "(29.8 FTE)" and substitute "(25.8 FTE)".

Adjust affected totals accordingly.

Page 284, strike lines 5 through 8.

Page 299, strike lines 5 and 6.

Page 299, line 9, in the TOTAL column strike "2,905,270" and substitute "2,855,270" and in the GENERAL FUND column strike "2,905,270" and substitute "2,855,270".

Adjust affected totals accordingly.

Page 299, strike lines 7 and 8.

Page 299, line 9, in the TOTAL column strike "2,905,270" and substitute "2,885,270" and in the GENERAL FUND column strike "2,905,270" and substitute "2,885,270".

Adjust affected totals accordingly.

Page 306, line 4, in the ITEM & SUBTOTAL column strike "36,528,793" and substitute "35,528,793" and in the GENERAL FUND column strike "9,200,000" and substitute "8,200,000".

Adjust affected totals accordingly.

Page 306, strike lines 5 through 9.

Adjust affected totals accordingly.

Page 307, strike line 9.

Page 384, strike lines 1 through 6.

Adjust affected totals accordingly.

Page 384, strike line 9.

Page 412, line 2, in the ITEM & SUBTOTAL column strike "794,921" and substitute "294,921" and in the CASH FUNDS column strike "794,921[b]" and substitute "294,921[b]".

Page 412, line 3, in the CASH FUNDS column stike "(4.2 FTE)" and substitute "(3.2 FTE)".

Adjust affected totals accordingly.

Page 421, line 2, in the ITEM & SUBTOTAL column strike "1,022,007" and substitute "622,007" and in the GENERAL FUND column strike "947,007" and substitute "547,007".

Adjust affected totals accordingly.

Page 437, line 7, strike "Fund[97a]" and substitute "Fund", in the ITEM & SUBTOTAL column strike "35,750,000" and substitute "750,000", and in the GENERAL FUND column strike "35,750,000" and substitute "750,000".

Adjust affected totals accordingly.

Page 462, strike lines 3 through 7.

Page 443, line 12, in the ITEM & SUBTOTAL column strike "7,150,000" and substitute "5,150,000" and in the GENERAL FUND column strike "3,000,000" and substitute "1,000,000".

Adjust affected totals accordingly.

Page 447, line 1, in the ITEM & SUBTOTAL column strike "1,097,693" and substitute "797,693" and in the GENERAL FUND column strike "800,000" and substitute "500,000".

Adjust affected totals accordingly.

Page 449, strike lines 1 and 2.

Adjust affected totals accordingly.

Page 464, strike lines 6 and 7.

Page 449, strike lines 6 and 7.

Adjust affected totals accordingly.

Page 464, strike lines 12 through 14.

Page 460, line 1, in the ITEM & SUBTOTAL column strike "591,034" and substitute "295,517" and in the GENERAL FUND column strike "591,034" and substitute "295,517".

Page 460, line 2, in the GENERAL FUND column strike "(10.4 FTE)" and substitute "(5.2 FTE)".

Adjust affected totals accordingly.

Page 470, strike lines 4 through line 14.

Page 471, strike lines 1 and 2.

Adjust affected totals accordingly.

Renumber succeeding sections accordingly.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1323** 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 **HB18-1324** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1325** 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 **HB18-1326** 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, strike "$200,256" and substitute "$306,000".

Appropriations After consideration on the merits, the Committee recommends that **HB18-1327** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1328** 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 **HB18-1329** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1330** 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 **HB18-1331** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1332** 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 12, strike "PUBLIC" and substitute "CHARTER".

Page 3, line 1, strike "PUBLIC" and substitute "CHARTER".

Page 3, line 5, strike "PUBLIC" and substitute "CHARTER".

Page 3, after line 10 insert:

"(b) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22 OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22.".

Reletter succeeding paragraphs accordingly.

Page 3, line 16, strike "PUBLIC" and substitute "CHARTER".

Page 3, strike lines 17 through 23.

Reletter succeeding paragraph accordingly.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1333** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1334** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1336** 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 **HB18-1337** 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 **HB18-1338** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 6, line 16, strike "GENERAL FUND;" and substitute "SEVERANCE TAX OPERATIONAL FUND CREATED IN SECTION 39-29-109 (2)(b);".

Page 6, line 20, strike "GENERAL FUND." and substitute "SEVERANCE TAX OPERATIONAL FUND CREATED IN SECTION 39-29-109 (2)(b).".

Page 10, strike lines 20 through 27.

Page 11, strike lines 1 through 14.

Page 12, line 23, strike "(7)(b)" and substitute "(7)(c)".

Page 14, line 4, strike "2017-18" and substitute "2018-19".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1339** 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 27, strike "$129,946" and substitute "$121,748".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1340** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 25 through 27 and substitute "43-1-219.".

Page 5, strike lines 1 through 3 and lines 5 through 27.

Strike pages 6 through 11.

Page 12, strike lines 1 through 3.

Renumber succeeding sections accordingly.

Page 12, line 5, strike "sections 4, 5, and 6" and substitute "section 4".

MESSAGE FROM THE HOUSE

April 3, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1264, 1274, 1305, 1257, 1277.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HCR18-1001.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1308, 1268, 1265, amended as printed in House Journal, April 2, 2018.

The House has passed on Third Reading and returns herewith SB18-106, 110, 127, 129, 172, 161, 136, 011, 183.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-026, 149, 184, 174, amended as printed in House Journal, April 2, 2018.

The House failed to pass SB18-126 on Third Reading. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB18-1056, 1078, 1191, 1047, 1227, 1018, 1242, 1254, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 3, 2018

We herewith transmit:

Without comment, HCR18-1001, HB18-1257, 1264, 1274, 1277, and 1305.
Without comment, as amended, HB18-1265, 1268, and 1308.
Without comment, as amended, SB18-026, 149, 174, and 184.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

SCR18-001 by Senator(s) Merrifield, Aguilar, Court, Guzman, Kagan, Kerr, Todd, Williams A., Moreno; also Representative(s) Arndt--Submitting to the registered electors of the state of Colorado amendments to the Colorado constitution concerning repeal of the state board of education.
State, Veterans, & Military Affairs
Education
Finance

HCR18-1001 by Representative(s) Lee and Wist; also Senator(s) Court and Gardner--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a change in the format of the election ballot for judicial retention elections.
Judiciary

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1257 by Representative(s) Rosenthal; also Senator(s) Cooke--Concerning a correction to House Bill 16-1316 by reinserting the word "not".
Judiciary

HB18-1264 by Representative(s) Jackson and Carver, Becker K., Buck, Esgar, Landgraf, Liston, Lundeen, Melton, Salazar, Sias, Van Winkle, Weissman, Wilson, Wist; also Senator(s) Cooke and Fields--Concerning measures to clarify the scope of revenge porn criminal offenses.
Judiciary

HB18-1265 by Representative(s) Lontine and Beckman, Buckner, Ginal, Kennedy, Roberts; also Senator(s) Crowder--Concerning the continuation of the stroke advisory board in accordance with the recommendation in the department of regulatory agencies' 2017 sunset report.
Health & Human Services

HB18-1268 by Representative(s) Gray; also Senator(s) Gardner--Concerning the procedures to recall a director of a special district.
State, Veterans, & Military Affairs

HB18-1274 by Representative(s) Becker K. and Bridges, Arndt, Foote, Herod, Kennedy, Lee, Michaelson Jenet, Roberts, Rosenthal, Singer, Weissman, Winter, Young; also Senator(s) Kerr, Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Merrifield, Moreno, Todd, Williams A., Zenzinger--Concerning a reduction in greenhouse gas emissions in Colorado, and, in connection therewith, requiring that, by the year 2050, statewide greenhouse gas emissions be reduced by eighty percent of the levels of greenhouse gas emissions that existed in the year 2005.
State, Veterans, & Military Affairs
Agriculture, Natural Resources, & Energy
Transportation

HB18-1277 by Representative(s) Becker J. and Esgar, Hansen; also Senator(s) Baumgardner and Kefalas, Sonnenberg--Concerning a requirement that an application for a "Building Excellent Schools Today Act" grant of financial assistance for public school capital construction include a plan for the future use or disposition of any existing public school facility that the applicant will stop using for its current use if it receives the grant.
Education

HB18-1305 by Representative(s) Coleman and Neville P.; also Senator(s) Neville T.--Concerning a voluntary contribution designation benefiting the Young Americans Center for Financial Education fund that appears on the state individual tax return forms.
Finance

HB18-1308 by Representative(s) Kraft-Tharp and Becker J., Arndt, Liston; also Senator(s) Hill and Kagan, Kefalas, Kerr, Moreno, Priola, Scott--Concerning an exemption from the "Workers' Compensation Act of Colorado" for nonresident employers whose employees are temporarily working in Colorado.
Business, Labor, & Technology

MESSAGE FROM THE GOVERNOR

April 2, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-099: CONCERNING THE ALIGNMENT OF EARLY CHILDHOOD QUALITY IMPROVEMENT PROGRAMS WITH THE COLORADO SHINES QUALITY RATING AND IMPROVEMENT SYSTEM.

Approved April 2, 2018 at 2:58 pm.

SB 18-082: CONCERNING A PHYSICIAN'S RIGHT TO PROVIDE CONTINUING CARE TO PATIENTS WITH RARE DISORDERS DESPITE A COVENANT NOT TO COMPETE.

Approved April 2, 2018 at 2:40 pm.

SB 18-002: CONCERNING THE FINANCING OF BROADBAND DEPLOYMENT.

Approved April 2, 2018 at 2:52 pm.

SB 18-134: CONCERNING THE EXEMPTION OF NONPROFIT WATER COMPANIES FROM REGULATION BY THE PUBLIC UTILITIES COMMISSION.

Approved April 2, 2018 at 3:00 pm.

SB 18-104: CONCERNING A REQUIREMENT THAT THE BROADBAND DEPLOYMENT BOARD FILE A PETITION WITH THE FEDERAL COMMUNICATIONS COMMISSION TO SEEK A WAIVER FROM THE COMMISSION'S RULES PROHIBITING A STATE ENTITY FROM APPLYING FOR CERTAIN FEDERAL MONEY EARMARKED FOR FINANCING BROADBAND DEPLOYMENT IN REMOTE AREAS OF THE NATION.

Approved April 2, 2018 at 3:05 pm.

SB 18-138: CONCERNING AUTHORIZATION FOR RETAIL SELLERS OF ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION TO SELL REMAINING INVENTORY TO ANOTHER ON-PREMISES RETAIL SELLER OF ALCOHOL BEVERAGES WITH WHOM THERE IS COMMON OWNERSHIP WHEN NO LONGER LICENSED TO SELL ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION.

Approved April 2, 2018 at 3:08 pm.

SB 18-135: CONCERNING UPDATES TO THE COLORADO CODE OF MILITARY JUSTICE.

Approved April 2, 2018 at 3:11 pm.

SB 18-074: CONCERNING ADDING INDIVIDUALS WITH PRADER-WILLI SYNDROME TO THE LIST OF PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

Approved April 2, 2018 at 3:18 pm.

SB 18-165: CONCERNING REQUIREMENTS FOR PUBLIC ADMINISTRATORS.

Approved April 2, 2018 at 3:18 pm.

SB 18-098: CONCERNING AMENDING A STATUTORY PROVISION RELATING TO INTEREST ON DAMAGES THAT WAS RULED UNCONSTITUTIONAL BY THE COLORADO SUPREME COURT.

Approved April 2, 2018 at 3:18 pm.

SB 18-131: CONCERNING MODIFICATIONS TO THE "STATE EMPLOYEES GROUP BENEFITS ACT"

Approved April 2, 2018 at 3:18 pm.

SB 18-173: CONCERNING THE ABILITY OF CERTAIN ESTABLISHMENTS LICENSED TO SELL ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION THAT SERVE FOOD TO ALLOW A CUSTOMER TO REMOVE ONE OPENED CONTAINER OF PARTIALLY CONSUMED VINOUS LIQUOR FROM THE LICENSED PREMISES.

Approved April 2, 2018 at 3:18 pm.

SB 18-095: CONCERNING THE REMOVAL OF STATUTORY REFERENCES TO THE MARITAL STATUS OF PARENTS OF A CHILD.

Approved April 2, 2018 at 3:17 pm.

SB 18-160: CONCERNING THE AUTHORITY TO OPERATE CERTAIN TEACHER DEVELOPMENT PROGRAMS, AND, IN CONNECTION THEREWITH, ESTABLISHING ALTERNATIVE LICENSURE PROGRAMS AND INDUCTION PROGRAMS.

Approved April 2, 2018 at 3:17 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR18-008; HB18-1145, 1172, 1238, and 1239.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 3, 2018, at 11:40 a.m.:
SB18-107.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 4, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

85th Legislative Day Wednesday, April 4, 2018

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 Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Tuesday, April 3, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SCR18-001.
Correctly Reengrossed: SB18-207.
Correctly Rerevised: HB18-1008, 1017, 1029, 1049, 1154, 1198, and 1293.
Correctly Enrolled: SB18-011, 106, 110, 127, 129, 136, 161, 172, and 183.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB18-230 by Senator(s) Marble; also Representative(s) Saine--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.
Agriculture, Natural Resources, & Energy

Committee of the Whole — On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1211 by Representative(s) Wist and Foote; also Senator(s) Smallwood and Aguilar--Concerning controlling medicaid fraud.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1282 by Representative(s) Lontine and Sias; also Senator(s) Smallwood and Kefalas--Concerning a requirement that a health care provider include certain identifying information on all claims for reimbursement for health care services.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 2, page 592 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-206 by Senator(s) Priola and Kerr, Garcia, Holbert, Todd, Guzman, Martinez Humenik, Neville T.; also Representative(s) Arndt and Wist, Becker K., Bridges, Buckner, Coleman, Exum, Hooton, Liston, Lundeen, Michaelson Jenet, Pettersen, Reyher, Van Winkle--Concerning ensuring affordability at public research universities in Colorado.

On motion of Majority Leader Holbert, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Wednesday, April 4, and placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, April 9.

SB18-213 by Senator(s) Martinez Humenik; also Representative(s) Herod--Concerning requiring local school districts to recognize academic credits earned by students in the custody of the division of youth services.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-213, HB18-1211, HB18-1282 as amended.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Monday, April 9: SB18-206.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Laid over until Friday, April 6, retaining its place on the calendar.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Friday, April 6, retaining its place on the calendar.

HB18-1104 by Representative(s) Danielson; also Senator(s) Moreno and Lambert--Concerning family preservation safeguards for parents with disabilities.

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 Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1104.
Laid over until Friday, April 6: SB18-043, SB18-166.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-079 by Senator(s) Guzman; also Representative(s) Pabon--Concerning classifying sake as a vinous liquor for the purposes of the "Colorado Liquor Code".

Senator Guzman moved that the Senate concur in House amendments to SB18-079, as printed in House journal, March 21, page 631. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35		NO	0		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Cooke, Gardner, and Holbert.

SB18-026 by Senator(s) Kagan; also Representative(s) Herod and Willett--Concerning measures to make sex offender registration more effective.

Senator Kagan moved that the Senate concur in House amendments to SB18-026, as printed in House journal, March 21, page 633. The motion was **adopted** by the following roll call vote:

YES	33		NO	2		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		N	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		N	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34		NO	1		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		N	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Jones, Kefalas, and Tate.

SB18-149 by Senator(s) Gardner; also Representative(s) Gray and Herod--Concerning records of the board of directors of the Denver health and hospital authority.

Senator Gardner moved that the Senate concur in House amendments to SB18-149, as printed in House journal, March 23, page 670. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Martinez Humenik and Tate.

SB18-184 by Senator(s) Coram; also Representative(s) McKean and Esgar--Concerning a new permit for the short-term extraction of construction materials.

Senator Coram moved that the Senate concur in House amendments to SB18-184, as printed in House journal, March 27, page 700. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-174 by Senator(s) Gardner; also Representative(s) Sias--Concerning liability of entities that provide services to persons with developmental disabilities in residential settings.

Senator Gardner moved that the Senate concur in House amendments to SB18-174, as printed in House journal, March 29, page 769. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Moreno.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO TRAUMATIC BRAIN INJURY TRUST FUND BOARD

effective June 30, 2017 for terms expiring June 30, 2020:

Dilaawar “Danny” Jal Mistry, MD, MS, ATC of Grand Junction, Colorado, reappointed;

Rae Dawn Comstock, BS, MS, PhD of Lakewood, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2018:

Sean C. Wood, CFP, AIF, CAP of Evergreen, Colorado, to serve as a Republican from Congressional District 2, and occasioned by the death of Jeffrey David Moulton of Boulder, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO EDUCATIONAL AND CULTURAL
FACILITIES AUTHORITY BOARD OF DIRECTORS

for terms expiring June 30, 2021:

William Thomas Pound of Castle Pines, Colorado, a Democrat, reappointed;

Dan Jay Wilson of Broomfield, Colorado, a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO SCHOOL OF MINES BOARD OF TRUSTEES

for terms expiring December 31, 2021:

Lucinda McWilliams Sanders of Boulder, Colorado, a Democrat who is not a graduate of the Colorado School of Mines, appointed;

Thomas Eugene Jorden of Cherry Hills Village, Colorado, an Unaffiliated graduate of the Colorado School of Mines, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

MESSAGE FROM THE GOVERNOR

April 4, 2018

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue an Executive Order removing a member from the Ground Water Commission.

GROUND WATER COMMISSION

ORDERED:

That Daniel L. Farmer of Colorado Springs, Colorado, be and he is hereby removed for cause from the:

GROUND WATER COMMISSION

effective immediately, this Executive Order supersedes that portion of Executive Order A 2015 091 appointing Daniel L. Farmer to the Commission.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd 4/4/2018
Effie Ameen, Secretary of the Senate

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1109, HB18-1243, HB18-1065, HB18-1132, SB18-208, HB18-1093, HB18-1323, HB18-1325, HB18-1326, HB18-1328, HB18-1330, HB18-1336, HB18-1337, and HB18-1339 were made Special Orders--Consent Calendar at 1:09 p.m.

Upon request of Majority Leader Holbert, **HB18-1326** was removed from the Special Orders--Second Reading of Bills--Consent Calendar of Wednesday, April 4.

Committee of the Whole

The hour of 1:09 p.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1109 by Representative(s) Weissman; also Senator(s) Cooke--Concerning discretionary parole of special needs offenders.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1243 by Representative(s) Foote and Wist; also Senator(s) Coram and Fields, Cooke--Concerning enactment of a civil rape shield law.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1065 by Representative(s) Beckman and Buckner; also Senator(s) Lambert--Concerning discipline of a department of human services employee when the employee is found to have mistreated a vulnerable person.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1132 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the amount that the department of corrections is required to reimburse a county or city and county for the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility.

Upon request of Majority Leader Holbert, ordered removed from the Special Orders--Second Reading of Bills--Consent Calendar of Wednesday, April 4.

SB18-208 by Senator(s) Baumgardner and Kefalas, Sonnenberg; also Representative(s) Esgar and Hansen, Becker J.--Concerning the creation of the governor's mansion maintenance fund.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1093 by Representative(s) Arndt, Thurlow, Bridges; also Senator(s) Coram, Guzman--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for food crops and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1323 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning transfers of money to a newly created office of state planning and budgeting youth pay for success initiatives account within the pay for success contracts fund, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1325 by Representative(s) Hamner and Rankin, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning measures to address coverage gaps in the statewide digital trunked radio system, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1328 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert and Moreno, Lundberg--Concerning the children's habilitation residential waiver program, and, in connection therewith, making and reducing an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1330 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning a supplemental state payment relating to certain office-administered oncology-related drugs for qualified providers under the medical assistance program who experienced a reduction in reimbursement payments in the 2017-18 state fiscal year as a result of the implementation of the federal final rules for covered outpatient drugs, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1336 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the repeal of the local government retail marijuana impact grant program.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1337 by Representative(s) Hamner and Rankin, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a veterans one-stop center in Grand Junction, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1339 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a requirement for fingerprint-based criminal history record checks for individuals with access to federal tax information, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, page 620 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 Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-208, HB18-1109, HB18-1243, HB18-1065, HB18-1093, HB18-1323, HB18-1325, HB18-1328, HB18-1330, HB18-1336, HB18-1337, and HB18-1339 as amended.
Removed from the Consent Calendar: HB18-1132.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1322, HB18-1132, HB18-1324, HB18-1326, HB18-1327, HB18-1329, HB18-1331, HB18-1332, HB18-1333, HB18-1334, HB18-1338, HB18-1340, HB18-1237, SB18-086, and SB18-158 were made Special Orders at 1:24 p.m.

Committee of the Whole

The hour of 1:24 p.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, pages 614-618 and placed in members' bill files.)

Amendment No. 2(J.186), by Senators Fenberg, Todd, Kerr, Fields, Donovan, and Aguilar.

Amend the Appropriations Committee Report, dated April 3, 2018, page 6, strike lines 26 and 27.

Page 7 of the report, strike lines 1 through 3.

PURPOSE: Restores House Amendment 62 (J.074) which added $20,000 General Fund to the **Legislative** Department for the Colorado Channel Authority for closed captioning services.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	$20,000	$0	$0	$0	$20,000	0.0

Amendment No. 3(J.228), by Senators Guzman and Zenzinger, Court, Fields, Garcia, Kagan, Kerr, Merrifield, and Williams.

Amend the Appropriations Committee Report, dated April 3, 2018, page 7, strike lines 4 through 7 and substitute:

"Page 306 of the reengrossed bill, line 4, in the ITEM & SUBTOTAL column strike "36,528,793" and substitute "40,528,793" and in the GENERAL FUND column strike "9,200,000" and substitute "13,200,000".

Adjust affected totals accordingly.".

PURPOSE: Restores House Amendment 63 (J.005) which increased appropriations to the Department of **Local Affairs** for Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S., by $1.0 million General Fund. The Senate Appropriations Committee Report struck this amendment. Also modifies this amendment to add a total of $5.0 million for such purpose rather than $1.0 million.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	$5,000,000	$0	$0	$0	$5,000,000	0.0

Amendment No. 4(J.200), by Senators Martinez Humenik, Zenzinger, Coram, Gardner, and Williams.

Amend the Appropriations Committee Report, dated April 3, 2018, page 7, strike lines 8 through 10 and substitute:

"Page 306 of the reengrossed bill, line 9, strike "System" and substitute "System[75a]".

Page 318, after line 4 insert:

"75a Department of Local Affairs, Division of Housing, Field Services, Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice System -- It is the General Assembly's intent that this appropriation be used to provide housing assistance for a person with a mental health disorder or co-occurring behavioral health disorder who is transitioning from the Department of Corrections, the Division of Youth Services in the Department of Human Services, or a county jail in the community, consistent with Section 24-32-721 (4)(b), C.R.S. This appropriation remains available until June 30, 2020.".".

PURPOSE: Restores House Amendment 66 (J.068) which added $4,758,600 cash funds to the Department of **Local Affairs** to provide housing assistance for persons with behavioral or mental health disorders who are transitioning from incarceration, consistent with S.B. 17-021 (Assistance to Released Mentally Ill Offenders). The Senate Appropriations Committee Report struck this amendment. Also adds a footnote to express legislative intent concerning the purpose of the appropriation and to authorize the Department to "roll-forward" the appropriation for one fiscal year.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Local Affairs	$0	$4,758,600	$0	$0	$4,758,600	0.0

Amendment No. 5(J.169), by Senators Marble, Aguilar, Fenberg, Neville, and Williams.

Amend the Appropriations Committee Report, dated April 3, 2018, page 7, strike lines 11 through 13.

PURPOSE: Restores House Amendment 72 (J.099) which created a new line item in the Department of **Public Health and Environment** to add $3,000,000 cash funds from the Marijuana Tax Cash Fund for medical marijuana research grants.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Environment	$0	$3,000,000	$0	$0	$3,000,000	0.0

Amendment No. 6(J.187), by Senators Neville, Gardner, Marble, and Priola.

Amend the Appropriations Committee Report, dated April 3, 2018, page 8, strike lines 4 through 7.

PURPOSE: Restores House Amendment 82 (J.080) which added $2.0 million General Fund to the Department of **Public Safety** for wildfire preparedness. The Appropriations Committee Report struck this amendment.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	$2,000,000	$0	$0	$0	$2,000,000	0.0

Amendment No. 7(J.203), by Senators Gardner and Jahn.

Amend Appropriations Committee Report, dated April 3, 2018, page 8, strike lines 8 through 11.

PURPOSE: Restores House Amendment 84 (J.058) which added $300,000 General Fund to the Department of **Public Safety** for child abuse investigations.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Public Safety	$300,000	$0	$0	$0	$300,000	0.0

Amendment No. 8(J.217), by Senator Sonnenberg.

Amend reengrossed bill, page 99, line 14, in the ITEM & SUBTOTAL column strike "3,166,128" and substitute "2,941,136" and in the GENERAL FUND column strike "1,313,202" and substitute "1,088,210".

Page 99, line 15, in the ITEM & SUBTOTAL column strike "(15.0 FTE)" and substitute "(13.0 FTE)".

Adjust affected totals accordingly.

Page 475, line 3, in the ITEM & SUBTOTAL column strike "6,500,000" and substitute "6,724,992" and in the GENERAL FUND column insert "224,992".

Adjust affected totals accordingly.

PURPOSE: Reduces $224,992 General Fund and 2.0 FTE in the Office of the **Governor** in the State Broadband Office. Adds $224,992 General Fund to the Department of **Regulatory Agencies** for rural broadband.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Governor	($224,992)	$0	$0	$0	($224,992)	(2.0)
Regulatory Agencies	224,992	0	0	0	224,992	0.0
Total	$0	$0	$0	$0	$0	(2.0)

Amendment No. 9(J.146), by Senators Coram and Todd.

Amend reengrossed bill, page 116, line 7, strike "Individuals[14, 14a, 14b]" and substitute "Individuals[14, 14a, 14b, 14c]", in the TOTAL column strike "7,643,775,557" and substitute "7,643,865,750", in the GENERAL FUND column strike "1,324,882,663(M)" and substitute "1,324,905,865(M)", in the CASH FUNDS column strike "940,263,783[b]" and substitute "940,266,629[b]", and in the FEDERAL FUNDS column strike "4,508,143,437" and substitute "4,508,207,582".

Adjust affected totals accordingly.

Page 117, line 1, strike "$692,761,412" and substitute "$692,764,258".

Page 132, after line 17 insert:

"14c Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals -- It is the General Assembly's intent that the Department reinstate 2015 physical therapy reimbursement rates for re-evaluations.".

PURPOSE: Adds a footnote expressing the intent of the General Assembly that the Department of **Health Care Policy and Financing** reinstate 2015 physical therapy reimbursement rates for re-evaluations.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Health Care Policy and Financing	$23,202	$2,846	$0	$64,145	$90,193	0.0

Amendment No. 10(J.160), by Senators Coram, Kefalas, Martinez Humenik, and Priola.

Amend reengrossed bill, page 184, line 5 in the ITEM & SUBTOTAL column, strike "362,612,599[e]" and substitute "366,300,768[e]", in the GENERAL FUND column strike "191,117,824" and substitute "194,068,359", and in the CASH FUNDS column strike "67,382,542[c]" and substitute "68,120,176[c]".

Adjust affected totals accordingly.

Page 187, line 9, strike "$4,605,011" and substitute "$8,293,180".

Page 187, line 10, strike "estimated:" and substitute "amounts: $3,688,169 for transportation requirements for children and youth in foster care as outlined in the federal Every Student Succeeds Act,".

PURPOSE: Adds $3,688,169 total funds, including $2,950,535 General Fund and $737,634 cash funds, in the Department of **Human Services** for child welfare services and adjusts letter note *e* to identify the funding as an initial hold out from state and federal funds that are allocated to county departments of social services to be used for transportation requirements for children and youth in foster care as outlined in the federal Every Student Succeeds Act.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Human Services	$2,950,535	$737,634	$0	$0	$3,688,169	0.0

Amendment No. 11(J.210), by Senators Jahn, Aguilar, Cooke, Garcia, and Tate.

Amend reengrossed bill, page 210, line 14, strike "Services[50]" and substitute "Services[50,50a]", in the ITEM & SUBTOTAL column strike "1,045,884" and substitute "4,045,884", and in the GENERAL FUND column insert "3,000,000".

Adjust affected totals accordingly.

Page 240, line 2, strike "this appropriation" and substitute "of this appropriation $1,045,884 cash funds from the Marijuana Tax Cash Fund".

Page 240, after line 3 insert:

"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 General Fund be used to expand residential treatment services in northeastern Colorado for individuals with co-occurring mental health and substance use disorders. Further, it is 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.".

PURPOSE: Increases the appropriation to the Department of **Human Services** for Rural Co-occurring Disorder Services by $3,000,000 General Fund to expand access to residential treatment services in northeastern Colorado for individuals with co-occurring mental health and substance use disorders. Also adds a footnote to express legislative intent concerning the purpose of the appropriation.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
	$3,000,000	$0	$0	$0	$3,000,000	0.0

Amendment No. 12(J.194), by Senators Todd, Coram, Fields, Jahn, and Kerr.

Amend reengrossed bill, page 421, line 2, in the ITEM & SUBTOTAL column strike "1,022,007" and substitute "1,422,007" and in the GENERAL FUND column strike "947,007" and substitute "1,347,007".

Adjust affected totals accordingly.

PURPOSE: Adds $400,000 General Fund to the Department of **Public Health and Environment** for suicide prevention.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
and Environment	$400,000	$0	$0	$0	$400,000	0.0

Amendment No. 13(J.176), by Senators Aguilar, Coram, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Todd, Williams, and Zenzinger.

Amend reengrossed bill, page 470, after line 3 insert:

	ITEM & SUBTOTAL $	TOTAL FUNDS $	GENERAL FUND $	REAPPROPRIATED FUNDS $	FEDERAL FUNDS $
"**(3) Civil Rights Division**					
Personal Services	1,989,297	998,064 (20.2 FTE)		560,321[a] (2.0 FTE)	430,912(I)[b] (5.0FTE)
Operating Expenses	105,460	62,284			43,176(I)[b]
Hearings Pursuant To Complaints	18,000	17,000			1,000(I)[b]
Commission Meeting Costs	12,374	5,174			7,200(I)[b]
Indirect Cost Assessment	14,201				14,201(I)[b]
	2,139,332".				

Adjust affected totals accordingly.

Renumber succeeding sections accordingly.

Page 471, before line 4 insert: "[a] This amount shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.
[b] These amounts shall be from the Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development and are shown for informational purposes only.".

PURPOSE: Inserts line items and funding in the Department of **Regulatory Agencies** for the Civil Rights Division and identifies sources of funding.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Regulatory Agencies	$1,082,522	$0	$560,321	$496,489	$2,139,332	27.2

Amendment No. 14(J.177), by Senators Donovan and Kerr.

Amend reengrossed bill, page 475, line 3, in the ITEM & SUBTOTAL column strike "6,500,000" and substitute "14,500,000" and in the GENERAL FUND column insert "8,000,000".

Adjust affected totals accordingly.

PURPOSE: Adds $8.0 million General Fund to the Department of **Regulatory Agencies** for rural broadband.

Fiscal Impact of Amendment						
Department	GF	CF	RF	FF	Total	FTE
Regulatory Agencies	$8,000,000	$0	$0	$0	$8,000,000	0.0

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.)

HB18-1324 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the continuation of the governor's commission on community service, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1326 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning support for persons interested in transitioning from an institutional setting, and, in connection therewith, making and reducing appropriations.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, page 619 and placed in members' bill files.)

Amendment No. 2(L.001), by Senator Gardner.

Amend reengrossed bill, page 5, strike line 1.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1327 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning the all-payer health claims database, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1331 by Representative(s) Young and Rankin, Hamner; also Senator(s) Lundberg, Lambert, Moreno--Concerning expanding the use of open educational resources at public institutions of higher education, and, in connection therewith, creating the Colorado open educational resources council, creating a grant program to support the creation and use of open educational resources, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1333 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning part C child find responsibilities of state departments, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1334 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning an extension of the transitional jobs program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1332 by Representative(s) Hamner and Rankin, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning creation of a grant program to support collaborative educator preparation initiatives to address the teacher shortage in Colorado, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate journal, April 3, page 619, was **lost**.)

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1329 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning a supplemental state payment to qualified providers of durable medical equipment who experienced a decrease in reimbursement in the 2017-18 state fiscal year as a result of the implementation of the federal "21st Century Cures Act", and, in connection therewith, making an appropriation.

Amendment No. 1(L.004), by Senators Garcia and Zenzinger.

Amend reengrossed bill, page 2, line 12, strike "APRIL 30," and substitute "MARCH 31,".

Page 2, line 14, strike "APRIL 30," and substitute "MARCH 31,".

Page 3, line 18, strike "APRIL 30," and substitute "MARCH 31,".

Page 3, line 21, strike "APRIL 30," and substitute "MARCH 31,".

Page 4, line 19, strike "$6,091,815" and substitute "$9,137,723".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1338 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers to address the reduction of revenues in the severance tax operational fund.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, page 620 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1340 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers of money to be used for the state's infrastructure.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, page 620 and placed in members' bill files.)

Amendment No. 2(L.014), by Senators Cooke and Zenzinger.

Amend reengrossed bill, page 4, line 25, strike "43-1-129." and substitute "43-1-129 ON A QUARTERLY BASIS.".

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 Holbert, 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 (HB18-1237, SB18-086, SB18-158, HB18-1132) of Wednesday, April 4, was laid over until Thursday, April 5, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.

Senators Donovan, Merrifield, Court, Kerr, Kagan, Zenzinger, and Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (Amendment No. 2 - J.201) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 1, strike lines 5 through 8.

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	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr, Zenzinger, Todd, Kefalas, Fields, Merrifield, and Williams A. floor amendment, (Amendment No. 6 - J.165) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 1, strike lines 15 and 16.

Page 7 of the report, strike lines 24 through 26.

Page 8 of the report, strike lines 1 through 3, and substitute:

"Page 437 of the bill, line 7, in the ITEM & SUBTOTAL column strike "35,750,000" and substitute "15,000,000" and in the GENERAL FUND column strike "35,750,000" and substitute "15,000,000".

Adjust affected totals accordingly.

Page 462 of the bill, strike lines 4 through 7 and substitute:

"Center Cash Fund -- It is the General Assembly's intent that the money from this fund be directed to local school districts in FY 2018-19 to support: physical security improvements; the training of school resource officers; increased use of school psychologists, social workers, and other mental and behavioral health specialists; training for school staff on conflict resolution techniques; drug and alcohol treatment services; wrap around services for youth; and/or restorative justice programs.".".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

RECONSIDERATION OF AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.

Having voted on the prevailing side, Senator Sonnenberg moved for reconsideration of the last Senate action, Amendments to the Report of the Committee of the Whole--Special Orders, on HB18-1322.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS (cont'd)

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.

Senators Donovan, Merrifield, Court, Kerr, Kagan, Zenzinger, and Sonnenberg moved to amend the Report of the Committee of the Whole to show that the following Sonnenberg floor amendment, (Amendment No. 2 - J.201) to HB 18-1322, did pass.

> Amend the Appropriations Committee Report, dated April 3, 2018, page 1, strike lines 5 through 8.

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	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

Senators Kerr and Gardner moved to amend the Report of the Committee of the Whole to show that the following Kerr and Gardner floor amendment, (Amendment No. 9 - J.147) to HB 18-1322, did pass.

> Amend the Appropriations Committee Report, dated April 3, 2018, page 2, strike lines 8 through 17.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senators Jahn, Aguilar, Garcia, Priola, and Tate moved to amend the Report of the Committee of the Whole to show that the following Jahn, Aguilar, Garcia, Priola, and Tate floor amendment, (Amendment No. 12 - J.209) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 4, strike lines 10 through 13.

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	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

Senators Fields, Zenzinger, Jahn, Fenberg, and Coram moved to amend the Report of the Committee of the Whole to show that the following Fields, Zenzinger, Jahn, Fenberg, and Coram floor amendment, (Amendment No. 13 - J.222) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 4, strike lines 18 through 28 and substitute:

"Page 210 of the reengrossed bill, line 3, strike "Campaign" and substitute "Campaign[49b]".

Page 239, after line 9 insert:

"49b Department of Human Services, Office of Behavioral Health, Integrated Behavioral Health Services, Behavioral Health Crisis Response System Public Information Campaign -- It is the General Assembly's intent that of this appropriation $50,000 cash funds from the Marijuana Tax Cash Fund be used to create a public information campaign of digital advertisements designed to reduce teen suicide, drug use, and bullying.".".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senators Kerr and Coram moved to amend the Report of the Committee of the Whole to show that the following Kerr, Coram, Todd, Court, and Fields floor amendment, (Amendment No. 15 - J.182) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 6, strike lines 21 through 25.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

Senator Martinez Humenik moved to amend the Report of the Committee of the Whole to show that the following Marble, Aguilar, Fenberg, Neville T., and Williams A. floor amendment, (Amendment No. 20 - J.169) to HB 18-1322, did not pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 7, strike lines 11 through 13.

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
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	N	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	N	Kefalas	N	Priola	N		

Senator Garcia moved to amend the Report of the Committee of the Whole to show that the following Garcia, Fields, Kerr, and Crowder floor amendment, (Amendment No. 11 - J.196) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 3, strike lines 6 through 29.

Page 4 of the Report, strike lines 1 through 4.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Neville T. moved to amend the Report of the Committee of the Whole to show that the following Neville T. and Cooke floor amendment, (Amendment No. 22 - J.227) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 7, strike lines 24 through 26.

Page 8 of the report, strike lines 1 through 3.

Amend reengrossed bill, page 62, line 10, in the GENERAL FUND column strike "3,105,085,534" and substitute "3,070,085,534" and in the CASH FUNDS column strike "488,676,201^{c}" and substitute "523,676,201^{c}".

Adjust affected totals accordingly.

Page 64 of the bill, line 1, strike "$392,229,424" and substitute "$411,729,424" and strike "$96,446,777" and substitute "$111,946,777".

Page 64 of the bill, line 4, strike "$40,817,799" and substitute "$56,317,799".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Gardner, Kagan, Priola, and Williams A. floor amendment, (Amendment No. 7 - J.188) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 2, strike lines 1 through 7.

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	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr, Todd, Fields, Donovan, Merrifield, and Zenzinger floor amendment, (Amendment No. 34 - J.150) to HB 18-1322, did pass.

> Amend reengrossed bill, page 62, line 10, in the ITEM & SUBTOTAL column strike "4,386,861,735" and substitute "4,423,861,735" and in the GENERAL FUND column strike "3,105,085,534" and substitute "3,142,085,534".
>
> Adjust affected totals accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr, Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Merrifield, Todd, Williams A., and Zenzinger floor amendment, (Amendment No. 35 - J.212) to HB 18-1322, did pass.

> Amend reengrossed bill, page 62, line 10, in the ITEM & SUBTOTAL column strike "4,386,861,735" and substitute "4,610,994,033" and in the GENERAL FUND column strike "3,105,085,534" and substitute "3,329,217,832".
>
> Adjust affected totals accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Aguilar moved to amend the Report of the Committee of the Whole to show that the following Kefalas and Aguilar floor amendment, (Amendment No. 42 - J.183) to HB 18-1322, did pass.

Amend reengrossed bill, page 116, line 7, strike "Individuals[14, 14a, 14b]" and substitute "Individuals[14,14a,14b,14c]", in the TOTAL column, strike "7,643,775,557" and substitute "7,634,046,646", in the GENERAL FUND column strike "1,324,882,663(M)" and substitute "1,321,932,128(M)", in the CASH FUNDS column strike "940,263,783[b]" and substitute "939,989,244[b]", and in the FEDERAL FUNDS column strike "4,508,143,437" and substitute "4,501,639,600".

Adjust affected totals accordingly.

Page 117, line 1, strike "$692,761,412" and substitute "$692,490,217".

Page 117, line 9, strike "$804,393" and substitute "$801,049".

Page 120, line 3, in the ITEM & SUBTOTAL column strike "415,355,700" and substitute "421,256,770".

Page 120, line 14, in the ITEM & SUBTOTAL column strike "565,187,874" and substitute "571,088,944", in the GENERAL FUND column strike "292,524,019[a]" and substitute "295,474,554[a]" and in the FEDERAL FUNDS column strike "272,307,662" and substitute "275,258,197".

Adjust affected totals accordingly.

Page 132, after line 17 insert:

"14c Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals -- It is the General Assembly's intent that the Department reduce rates for anesthesia services to match the equivalent Medicare rates.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kefalas moved to amend the Report of the Committee of the Whole to show that the following Kefalas, Kagan, Aguilar, Garcia, and Martinez Humenik floor amendment, (Amendment No. 41 - J.181) to HB 18-1322, did pass.

Amend reengrossed bill, page 104, line 6, in the ITEM & SUBTOTAL column strike "33,537,789" and substitute "33,589,165".

Page 104, line 7, in the ITEM & SUBTOTAL column strike "(450.9 FTE)" and substitute "(451.7) FTE".

Page 105, line 2, in the ITEM & SUBTOTAL column strike "2,213,838" and substitute "2,219,301".

Page 106, line 4, in the ITEM & SUBTOTAL column strike "68,786,567" and substitute "68,843,406", in the GENERAL FUND column strike "24,244,303" and substitute "24,262,926", in the CASH FUNDS column strike "7,033,017[a]" and substitute "7,042,813[a]", and in

the FEDERAL FUNDS column strike "34,846,178(I)" and substitute "34,874,598(I)".

Adjust affected totals and affected "(I)" notation totals accordingly.

Page 106, line 6, strike "$5,497,109" and substitute "$5,506,905".

Page 110, line 7, in the ITEM & SUBTOTAL column, strike "45,198,406" and substitute "45,285,406", in the GENERAL FUND column strike "6,534,270(M)" and substitute "6,556,020(M)", and in the FEDERAL FUNDS column strike "34,212,106" and substitute "34,277,356".

Adjust affected totals accordingly.

Page 116, line 7, strike "Individuals[14, 14a, 14b]" and substitute "Individuals[14, 14a, 14b, 14c]", in the TOTAL column, strike "7,643,775,557" and substitute "7,644,446,328", in the GENERAL FUND column strike "1,324,882,663(M)" and substitute "1,325,201,585(M)", in the CASH FUNDS column strike "940,263,783[b]" and substitute "940,272,313[b]", and in the FEDERAL FUNDS column strike "4,508,143,437" and substitute "4,508,486,756".

Adjust affected totals accordingly.

Page 117, line 1, strike "$692,761,412" and substitute "$692,769,942".

Page 132, after line 17 insert:

"14c Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals -- The appropriation includes $670,771 total funds, of which $318,922 is from the General Fund, for urgent non-emergency medical 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	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Fields floor amendment, (Amendment No. 14 - J.155) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 5, strike lines 9 through 27.

Page 6 of the Report, strike line 1.

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Fields, Todd, and Zenzinger floor amendment, (Amendment No. 36 - J.213) to HB 18-1322, did pass.

Amend reengrossed bill, page 62, line 10, strike "Funding[4]" and substitute "Funding[4,4a]", in the ITEM & SUBTOTAL column strike "4,386,861,735" and substitute "4,654,696,735", and in the GENERAL FUND column strike "3,105,085,534" and substitute "3,372,920,534".

Adjust affected totals accordingly.

Page 83, after line 15 insert:

"4a Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- It is the General Assembly's intent that $267,835,000 of this General Fund appropriation be used to provide salary increases of $5,000 per teacher for every public school teacher in Colorado.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senators Gardner and Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan, Gardner, and Aguilar floor amendment, (Amendment No. 50 - J.154) to HB 18-1322, did pass.

Amend reengrossed bill, page 253, line 11, in the ITEM & SUBTOTAL column strike "8,531,232" and substitute "8,541,699" and in the GENERAL FUND column strike "8,365,983" and substitute "8,376,450".

Page 253, line 13, in the ITEM & SUBTOTAL column strike "2,559,313" and substitute "2,575,133" and in the GENERAL FUND column strike "2,389,313" and substitute "2,405,133".

Adjust affected totals accordingly.

Page 259, line 5, in the ITEM & SUBTOTAL column strike "3,381,431" and substitute "3,526,880" and in the GENERAL FUND column strike "3,381,431" and substitute "3,526,880".

Adjust affected totals accordingly.

Page 260, line 13, in the ITEM & SUBTOTAL column strike "2,561,813" and substitute "2,601,474" and in the GENERAL FUND column strike "2,561,813" and substitute "2,601,474".

Adjust affected totals accordingly.

Page 262, line 4, in the ITEM & SUBTOTAL column strike "30,200" and substitute "30,450" and in the GENERAL FUND column strike "30,200" and substitute "30,450".

Adjust affected totals accordingly.

Page 263, line 11, in the ITEM & SUBTOTAL column strike "1,059,691" and substitute "1,093,821" and in the GENERAL FUND column strike "1,059,691" and substitute "1,093,821".

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	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	N	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones, Kerr, and Aguilar floor amendment, (Amendment No 59 - J.171) to HB 18-1322, did pass.

Amend reengrossed bill, page 334, line 4, in the ITEM & SUBTOTAL column strike "11,011,418" and substitute "11,415,461" and in the CASH FUNDS column strike "11,011,418[a]" and substitute "11,415,461[a]".

Page 334, line 5, in the CASH FUNDS column strike "(114.3 FTE)" and substitute "(118.3 FTE)".

Adjust affected totals accordingly.

Page 335, line 7, strike "$4,863,351" and substitute "$5,267,394".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (Amendment No. 82 - J.236) to HB 18-1322, did pass.

Amend reengrossed bill, page 312, after line 15 insert:

	ITEM & SUBTOTAL $	GENERAL FUND $
"Local Government Explosion Prevention Grants	1,000,000	1,000,000".

Adjust affected totals accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES 15		NO 20		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (Amendment No. 83 - J.237) to HB 18-1322, did pass.

Amend reengrossed bill, page 334, after line 13 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $
"Explosion Response Funding	1,000,000	1,000,000[b]".

Adjust affected totals accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES 15		NO 20		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (Amendment No. 84a - J.241) to HB 18-1322, did pass.

Amend reengrossed bill, page 334, after line 13 insert:

	ITEM & SUBTOTAL $	CASH FUNDS $
"School Safety for Students Near Oil and Gas Activity	99,065	99,065[b] (1.0 FTE)".

Adjust affected totals accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES 15		NO 20		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield, Todd, Court, Kerr, Kagan, and Zenzinger floor amendment, (Amendment No. 44 - J.192) to HB 18-1322, did pass.

Amend reengrossed bill, page 143, line 14, in the ITEM & SUBTOTAL column strike "140,347,061" and substitute "146,708,631" and in the GENERAL FUND column strike "12,085,878" and substitute "18,447,448".

Adjust affected totals accordingly.

Page 146, line 5 , strike "$2,490" and substitute "$2,580".

Page 146, line 6, in the ITEM & SUBTOTAL column strike "314,246,227" and substitute "325,604,525".

Page 146, line 11, strike "$1,245" and substitute "$1,290".

Page 146, line 12, in the ITEM & SUBTOTAL column strike "1,447,941" and substitute "1,500,270".

Page 146, line 13, in the ITEM & SUBTOTAL column strike "315,694,168" and substitute "327,104,795" and in the GENERAL FUND column strike "152,924,282" and substitute "164,334,909".

Adjust affected totals accordingly.

Page 147, line 7, in the ITEM & SUBTOTAL column strike "277,709,635" and substitute "287,827,461".

Page 147, line 11, in the ITEM & SUBTOTAL column strike "130,930,313" and substitute "135,680,457".

Page 147, line 15, in the ITEM & SUBTOTAL column strike "408,976,908" and substitute "423,844,878" and in the GENERAL FUND column strike "40,507,048" and substitute "55,375,018".

Adjust affected totals accordingly.

Page 148, line 5, strike "**BOARDS**" and substitute "**BOARDS[21a]**".

Page 155, line 8, in the ITEM & SUBTOTAL column strike "8,505,280" and substitute "8,794,597" and in the GENERAL FUND column strike "1,933,558" and substitute "2,222,875".

Page 155, line 9, in the ITEM & SUBTOTAL column strike "10,062,699" and substitute "10,404,798" and in the GENERAL FUND column strike "2,820,110" and substitute "3,162,209".

Adjust affected totals accordingly.

Page 157, line 2, in the ITEM & SUBTOTAL column strike "12,311,435" and substitute "12,715,324" and in the GENERAL FUND column strike "4,219,590" and substitute "4,623,479".

Adjust affected totals accordingly.

Page 165, after line 10 insert:

"21a Department of Higher Education, Governing Boards -- It is the General Assembly's intent that the reappropriated funds appropriation for each of the governing boards, from General Fund appropriated to the College Opportunity Fund Program in this department, are increased as follows.

Line Item Name	Reappropriated Funds
Trustees of Adams State University	469,910
Trustees of Colorado Mesa University	1,063,738
Trustees of Metropolitan State University of Denver	2,185,594
Trustees of Western State Colorado University	446,035
Board of Governors of the Colorado State University System	5,275,404
Trustees of Fort Lewis College	426,363
Regents of the University of Colorado System	7,760,606
Trustees of the Colorado School of Mines	831,706
University of Northern Colorado	1,387,309
State Board for Community Colleges and Occupational Education State System Community Colleges	6,379,603
TOTAL	**$26,226,268".**

Page 165, line 13 strike "three percent over".

Page 165, line 15, strike "increase exceeding three percent." and substitute "increase.".

Page 166, line 2, strike "three percent over".

Page 166, line 8, strike "three percent over".

Page 166, line 14, strike "three percent over".

Page 167, line 2, strike "three percent over".

Page 167, line 8, strike "five percent over".

Page 167, line 14, strike "three percent over".

Page 168, strike lines 1 through 4 and substitute "enrollment estimates and tuition rate information.".

Page 168, line 12, strike "three percent over".

Page 169, line 2, strike "three percent over".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg, Todd, Kerr, Fields, Donovan, and Aguilar floor amendment, (Amendment No. 64 - J.161) to HB 18-1322, did pass.

Amend reengrossed bill, page 396, line 3, strike "Improvement[92]" and substitute "Improvement[92, 92a]", in the ITEM & SUBTOTAL column strike "1,550,000" and substitute "2,146,000", and in the GENERAL FUND column insert "596,000".

Adjust affected totals accordingly.

Page 429, after line 12 insert:

"92a Department of Public Health and Environment, Water Quality Control Divsion, Clean Water Program, Water Quality Improvement -- It is the General Assembly's intent that the General Fund in this line item be used for grants for lead testing as authorized by the public school lead testing grant program established in Section 25-1.5-203 (1)(f), 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fenberg moved to amend the Report of the Committee of the Whole to show that the following Fenberg, Kerr, Donovan, and Zenzinger floor amendment, (Amendment No. 81 - J.240) to HB 18-1322, did pass.

Amend reengrossed bill, page 296, after line 2 insert:

	ITEM & SUBTOTAL $	GENERAL FUND $
"Campaign Finance and Election Integrity Investigations and Litigation	500,000	500,000 (5.0 FTE)".

Adjust affected totals accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Fields moved to amend the Report of the Committee of the Whole to show that the following Fields and Kerr floor amendment, (Amendment No. 27 - J.149) to HB 18-1322, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 8, line 9, strike ""797,693"" and substitute ""1,797,693"".

Page 8, line 10, strike ""500,000"" and substitute ""1,500,000"".

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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kefalas moved to amend the Report of the Committee of the Whole to show that the following Martinez Humenik floor amendment, (Amendment No. 57 - J.232) to HB 18-1322, did pass.

Amend reengrossed bill, page 314, after line 5 insert:

	ITEM & SUBTOTAL $	GENERAL FUND $
"Strategic Planning Group on Coloradans Age 50 and Over	55,000	55,000".

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 18		NO 17		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

Senator Hill moved to amend the Report of the Committee of the Whole to show that the following Merrifield floor amendment, (Amendment No. 32 - J.197) to HB 18-1322, did not pass.

Amend reengrossed bill, page 52, strike lines 6 and 7.

Adjust affected totals accordingly.

Page 64, line 16, in the ITEM & SUBTOTAL column strike "331,952,704" and substitute "332,411,892" and in the GENERAL FUND column strike "71,572,347" and substitute "72,031,535".

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 34		NO 1		EXCUSED 0		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS (cont'd)

HB18-1340 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers of money to be used for the state's infrastructure.

Senator Priola moved to amend the Report of the Committee of the Whole to show that the following Priola and Williams A. floor amendment, (L.010) to HB 18-1340, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, page 1, strike line 5 and substitute:

"Page 12 of the reengrossed bill, strike lines 1 through 3 and substitute:

"**SECTION 5.** In Colorado Revised Statutes, 42-3-304, **amend** (25)(a) as follows:

42-3-304. Registration fees - passenger and passenger-mile taxes - clean screen fund - definitions - repeal. (25) (a) In addition to any other fee imposed by this section, each authorized agent shall annually collect a fee of ~~fifty~~ EIGHTY dollars at the time of registration on every plug-in electric motor vehicle. The authorized agent shall transmit the fee to the state treasurer, who shall credit ~~thirty~~ FIFTY dollars of each fee to the highway users tax fund created in section 43-4-201, and ~~twenty~~ THIRTY dollars of each fee to the electric vehicle grant fund created in section 24-38.5-103.

SECTION 6. In Colorado Revised Statutes, 40-1-103.3, **amend** (2) 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 these unregulated services may not be subsidized by the regulated services of the electric or natural gas public utility.~~ THE PUBLIC UTILITIES COMMISSION SHALL CONSIDER WHETHER SUCH INVESTMENTS ARE IN THE PUBLIC INTEREST, IMPROVE ASSET UTILIZATION AND SYSTEM OPERATION, STIMULATE INNOVATION AND COMPETITION, INCREASE ACCESS TO ALTERNATIVE FUELS, AND PROVIDE FUEL COST SAVINGS.".".

Page 1 of the report, strike line 6.

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	23	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	N	Holbert	N	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	N	President	N
Fields	N	Kefalas	N	Priola	Y		

Senator Priola moved to amend the Report of the Committee of the Whole to show that the following Priola floor amendment, (L.011) to HB 18-1340, did pass.

Amend the Appropriations Committee Report, dated April 3, 2018, strike lines 1 and 2 and substitute:

"Amend reengrossed bill, page 4, line 21, after "(1)" insert "(a)".

Page 4 of the bill, strike lines 25 through 27 and substitute:

"43-1-219.

(b) ON JUNE 30, 2018, THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND, CREATED IN SECTION 43-1-219, AN AMOUNT EQUAL TO THE AMOUNT THE ESTIMATED GENERAL FUND REVENUE FOR THE 2017-18 STATE FISCAL YEAR AS REPORTED IN THE JUNE 2018 REVENUE ESTIMATE EXCEEDS THE MARCH 2018 REVENUE ESTIMATE; EXCEPT THAT SUCH AMOUNT SHALL NOT EXCEED TWO HUNDRED MILLION DOLLARS. FOR PURPOSES OF THIS SUBSECTION (1)(b), "REVENUE ESTIMATE" IS THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE LEGISLATIVE COUNCIL.

(c) ON JULY 1, 2019, THE STATE TREASURER SHALL TRANSFER FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND, CREATED IN SECTION 43-1-219, AN AMOUNT EQUAL TO THE AMOUNT THE ESTIMATED GENERAL FUND REVENUE FOR THE 2018-19 STATE FISCAL YEAR AS REPORTED IN THE JUNE 2019 REVENUE ESTIMATE EXCEEDS THE MARCH 2019 REVENUE ESTIMATE; EXCEPT THAT SUCH AMOUNT SHALL NOT EXCEED TWO HUNDRED MILLION DOLLARS. FOR PURPOSES OF THIS SUBSECTION (1)(c), "REVENUE ESTIMATE" IS THE REVENUE ESTIMATE PREPARED BY THE STAFF OF 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	4	NO	31	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	N	President	N
Fields	N	Kefalas	N	Priola	Y		

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that the following Zenzinger, Todd, and Jones floor amendment, (L.009) to HB 18-1340, did pass.

Strike the Appropriations Committee Report, dated April 3, 2018, and substitute:

"Amend reengrossed bill, page 5, strike lines 5 through 27.

Page 6, strike lines 1 through 7.

Renumber succeeding sections accordingly.

Strike pages 7 through 10.

Page 11, strike lines 1 through 12 and substitute:

"CONTEXT OTHERWISE REQUIRES:

(1) "COMMISSION" MEANS THE TRANSPORTATION COMMISSION CREATED IN SECTION 43-1-106 (1).

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF TRANSPORTATION.

(3) "FUND" MEANS THE MULTIMODAL TRANSPORTATION OPTIONS FUND CREATED IN SECTION 43-4-1103 (1).

(4) "MULTIMODAL PROJECTS" MEANS CAPITAL OR OPERATING

COSTS FOR FIXED ROUTE AND ON-DEMAND TRANSIT, TRANSPORTATION DEMAND MANAGEMENT PROGRAMS, MULTIMODAL MOBILITY PROJECTS ENABLED BY NEW TECHNOLOGY, MULTIMODAL TRANSPORTATION STUDIES, AND BICYCLE OR PEDESTRIAN PROJECTS.

43-4-1103. Multimodal transportation options fund - creation - revenue source for fund - use of fund. (1) THE MULTIMODAL TRANSPORTATION OPTIONS FUND IS HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY ALLOCATED TO THE FUND PURSUANT TO SECTION 24-75-219.5 AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(2) (a) SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, MONEY MUST BE EXPENDED FROM THE FUND AS FOLLOWS:

(I) EIGHTY-FIVE PERCENT TO THE COMMISSION FOR LOCAL MULTIMODAL PROJECTS; AND

(II) FIFTEEN PERCENT TO THE COMMISSION FOR STATE MULTIMODAL PROJECTS THAT ARE SELECTED BY THE COMMISSION.

(b) WITH RESPECT TO THE DISTRIBUTION OF MONEY FOR LOCAL MULTIMODAL PROJECTS REQUIRED IN SUBSECTION (2)(a)(I) OF THIS SECTION, THE COMMISSION SHALL ESTABLISH A FORMULA FOR DISBURSEMENT OF THE AMOUNT ALLOCATED FOR LOCAL MULTIMODAL PROJECTS, BASED ON POPULATION AND TRANSIT RIDERSHIP, IN CONSULTATION WITH THE TRANSPORTATION ADVISORY COMMITTEE, THE TRANSIT AND RAIL ADVISORY COMMITTEE, TRANSIT ADVOCACY ORGANIZATIONS, AND BICYCLE AND PEDESTRIAN ADVOCACY ORGANIZATIONS. RECIPIENTS SHALL PROVIDE A MATCH EQUAL TO THE AMOUNT OF THE AWARD; EXCEPT THAT THE COMMISSION MAY CREATE A FORMULA FOR REDUCING OR EXEMPTING THE MATCH REQUIREMENT FOR LOCAL GOVERNMENTS OR AGENCIES DUE TO THEIR SIZE OR ANY OTHER SPECIAL CIRCUMSTANCES.

(3) (a) THE DEPARTMENT SHALL ANNUALLY REPORT TO THE".

Page 11, line 15, strike "EACH ACCOUNT OF".

Page 11, line 18, strike "EACH ACCOUNT OF".

Page 11, line 20, strike "EACH ACCOUNT" and substitute "FUND".

Page 11, line 24, strike "ACCOUNT".

Page 12, line 2, strike "(4)(a)" and substitute "(3)(a)".

Page 12, line 5, strike "sections 4, 5, and 6" and substitute "sections 4 and 5".".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1322 as amended, HB18-1324, HB18-1326 as amended, HB18-1327, HB18-1331, HB18-1333, HB18-1334, HB18-1332, HB18-1329 as amended, HB18-1338 as amended, HB18-1340 as amended.
Laid over until Thursday, April 5: HB18-1237, SB18-086, SB18-158, HB18-1132.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-170; HB18-1098, 1134, 1148, 1199, 1246, and 1293.

TRIBUTES

Honoring:

National Federation of Independent Business -- By Senator Vicki Marble and Senator Tim Neville.
Roy and Loriene Dunbar -- By Senator Leroy Garcia.
Louis and Melodie Della Cava -- By Senator Steve Fenberg.
Denali Pinto -- By Senator Steve Fenberg.
CentralSpace -- By Senator Angela Williams.
Demetrius Bossoukos -- By Senator Angela Williams.
Wild Flower -- By Senator Angela Williams.
Women in Kind -- By Senator Angela Williams.
Coet2 CPAs -- By Senator Rachel Zenzinger.
Westiminster Public Schools -- By Senator Rachel Zenzinger.
Eric Fritzke -- By Senator Rachel Zenzinger.
John Bettie -- By Senator Rachel Zenzinger.
Anita Marcussen -- By Senator Rachel Zenzinger.
Gina Rivas -- By Senator Rachel Zenzinger.
Reverend John Anderson -- By Senator Rachel Zenzinger.
Martin Frick -- By Senator Michael Merrifield.
The Institute of Internal Auditors -- By Senator Tim Neville.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Thursday, April 5, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

86th Legislative Day Thursday, April 5, 2018

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--34
Excused--1, Aguilar.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Wednesday, April 4, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

Committee of the Whole — On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1237 by Representative(s) Kraft-Tharp and Van Winkle, Arndt, Coleman, Garnett, Gray, Liston, Rosenthal, Sandridge, Sias, Thurlow, Williams D.; also Senator(s) Neville T.--Concerning the continuation of the requirements regarding the preparation of a cost-benefit analysis as administered by the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the 2017 sunset report by the department of regulatory agencies.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 22, pages 516-517 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, page 613 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-086 by Senator(s) Lambert and Williams A.; also Representative(s) Ginal and Rankin--Concerning the use of cyber coding cryptology for state records.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, February 8, pages 173-174 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, pages 612-613 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-158 by Senator(s) Coram and Garcia; also Representative(s) Duran and Catlin--Concerning measures to increase school district access to interoperable communication technology to improve school safety.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 15, pages 239-240 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 3, page 613 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Coram.

Amend printed bill, page 3, strike lines 16 through 18 and substitute:

"(d) THE USE OF INTEROPERABLE TECHNOLOGY WOULD ENABLE SCHOOLS AND SCHOOL DISTRICT STAKEHOLDERS TO COMMUNICATE ACROSS THE DISTRICT AND WITH PUBLIC SAFETY OVER EXISTING INDEPENDENT NETWORKS DURING AN EMERGENCY;".

Page 3, line 22, after "STATEWIDE," insert "ALONG WITH OTHER COMMUNICATIONS NETWORKS,".

Page 3, line 23, strike "RADIOS TO FIRST RESPONDER RADIOS" and substitute "RADIOS AND OTHER COMMUNICATIONS DEVICES TO FIRST RESPONDER RADIOS AND OTHER COMMUNICATIONS DEVICES".

Page 4, line 1, strike "PERSONNEL." and substitute "PERSONNEL AND SYSTEM ADMINISTRATORS.".

Page 4, line 2, after "OFFICIALS" insert "AND SYSTEM ADMINISTRATORS".

Page 4, line 3, strike "TECHNOLOGY; AND" and substitute "TECHNOLOGY;".

Page 4, line 5, after "USE" insert "ANY AVAILABLE AND PROVEN".

Page 4, line 6, strike "INCIDENT." and substitute "INCIDENT; AND

(i) THIS INTEROPERABLE TECHNOLOGY IS NOT TO BE USED BY SCHOOLS FOR DAY-TO-DAY OPERATIONS ON THE PUBLIC SAFETY COMMUNICATIONS NETWORK.".

Page 4, line 9, after "SCHOOLS" insert "AND PUBLIC SAFETY COMMUNICATIONS NETWORKS".

Page 4, line 11, strike "TECHNOLOGY," and substitute "TECHNOLOGY OVER BOTH THE RADIO SYSTEM AND OTHER COMMUNICATIONS NETWORKS,".

Page 4, line 12, strike "RADIO," and substitute "RADIO AND OTHER COMMUNICATIONS DEVICES ACROSS THE DISTRICT,".

Page 4, line 23, strike "24-32-3607." and substitute "24-33.5-2107.".

Page 4, line 27, strike "SYSTEM." and substitute "SYSTEM AND OTHER COMMUNICATIONS DEVICES.".

Page 5, line 2, after "SYSTEMS" insert "AND OTHER COMMUNICATIONS DEVICES".

Page 5, after line 6 insert:

"(9) "OTHER COMMUNICATIONS NETWORK" MEANS ANY PUBLIC OR PRIVATE WIRE OR WIRELESS COMMUNICATIONS NETWORK THAT ALLOWS FOR REAL-TIME VOICE OR DATA COMMUNICATIONS BETWEEN A PUBLIC SAFETY 911 ANSWERING POINT, SCHOOLS, AND FIRST RESPONDERS.".

Renumber succeeding subsections accordingly.

Page 5, line 7, strike "MEANS THE".

Page 5, strike line 8 and substitute "HAS THE SAME MEANING AS DEFINED IN SECTION 29-11-101 (6.5).".

Page 6, line 1, after "SCHOOLS" insert "AND PUBLIC SAFETY COMMUNICATIONS SYSTEM OWNERS".

Page 6, line 8, strike "PROVIDE" and substitute "DELIVER".

Page 6, strike lines 12 through 15 and substitute:

"(b) TO IMPLEMENT AN INTEROPERABLE TECHNOLOGY SOLUTION TO PROVIDE OR TO UPGRADE THE FOLLOWING:".

Page 6, line 16, after "SYSTEM" insert "OR TECHNOLOGY".

Page 6, line 17, strike "POINT;" and substitute "POINT, THE NETWORK ADMINISTRATOR, AND THE SCHOOL OVER BOTH THE RADIO SYSTEM AND OTHER COMMUNICATIONS NETWORKS;".

Page 6, strike line 18 and substitute:

"(II) RADIO AND OTHER TECHNOLOGY BRIDGE ABILITY THAT IS NONRADIO VENDOR SPECIFIC FOR CONNECTING INDEPENDENT SCHOOL NETWORKS ACROSS THE SCHOOL DISTRICT AND PUBLIC SAFETY NETWORKS IN THE REGION;".

Page 6, strike lines 20 and 21 and substitute:

"(III) AN INTEROPERABILITY SOLUTION THAT OPERATES OVER RADIO NETWORKS AND OTHER COMMUNICATIONS NETWORKS;".

Page 6, strike lines 26 and 27.

Page 7, strike lines 1 and 2 and substitute:

"(d) FOR ANY NECESSARY RADIO SYSTEM CAPACITY EXPANSIONS WHERE SCHOOL LOADING HAS BEEN DETERMINED TO HAVE A SIGNIFICANT IMPACT ON PUBLIC SAFETY SYSTEM LOADING.".

Page 7, line 8, strike "DESIGNEE" and substitute "DESIGNEE, IN CONSULTATION WITH THE GRANT SELECTION COMMITTEE CREATED IN SUBSECTION (5) OF THIS SECTION,".

Page 7, after line 16 insert:

"(5) THERE IS HEREBY CREATED THE GRANT SELECTION COMMITTEE TO WORK WITH THE DIRECTOR OR THE DIRECTOR'S DESIGNEE TO DETERMINE WHETHER A GRANT APPLICANT SATISFIES THE CRITERIA TO RECEIVE A GRANT. THE COMMITTEE SHALL BE COMPOSED OF SEVEN MEMBERS APPOINTED AS SPECIFIED IN THIS SUBSECTION (5). THE MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT COMPENSATION; EXCEPT THAT COMMITTEE MEMBERS SHALL NOT SUFFER ANY LOSS OF SALARY WHILE PARTICIPATING IN THE ACTIVITIES OF THE COMMITTEE. MEMBERS OF THE COMMITTEE SHALL MEET AS OFTEN AS DEEMED NECESSARY BY THE DIRECTOR OR THE DIRECTOR'S DESIGNEE TO ACCOMPLISH THE WORK OF THE COMMITTEE . MEMBERS OF THE COMMITTEE SHALL BE APPOINTED ON OR BEFORE JUNE 1, 2018, AS FOLLOWS:

(a) THE CHIEF INFORMATION OFFICER SHALL APPOINT ONE EMPLOYEE FROM THE OFFICE;

(b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE PERSON WHO REPRESENTS URBAN OR SUBURBAN SCHOOL DISTRICTS WITH INTEROPERABILITY EXPERIENCE IN ACCORDANCE WITH THE SCHOOL RESPONSE FRAMEWORK;

(c) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE PERSON WHO REPRESENTS RURAL SCHOOL DISTRICTS WITH INTEROPERABILITY EXPERIENCE IN ACCORDANCE WITH THE SCHOOL RESPONSE FRAMEWORK;

(d) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE PERSON WHO REPRESENTS THE CHIEFS OF POLICE WITH INTEROPERABILITY EXPERIENCE IN ACCORDANCE WITH THE SCHOOL RESPONSE FRAMEWORK;

(e) THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE PERSON WHO REPRESENTS COUNTY SHERIFFS WITH INTEROPERABILITY EXPERIENCE IN ACCORDANCE WITH THE SCHOOL RESPONSE FRAMEWORK; AND

(f) THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY SHALL APPOINT TWO EMPLOYEES FROM THE DEPARTMENT OF PUBLIC SAFETY.".

Amend the Education Committee Report, dated February 14, 2018, page 2, line 6, strike "POINT FOR RADIO" and substitute "POINT OR THE LOCAL LAW ENFORCEMENT AGENCY OR AGENCIES THAT SERVE THE SCHOOL FOR COMMUNICATIONS".

Page 8 of the bill, line 1, strike "ENFORCEMENT" and substitute "ENFORCEMENT, 911 SYSTEM ADMINISTRATORS,".

Page 8, line 4, strike "MONEY." and substitute "MONEY, INCLUDING THE PROPOSED TRAINING PROGRAM, JOINT EXERCISE PLAN, AND INTEROPERABILITY TECHNOLOGY SOLUTION.".

Page 8, line 5, strike "DIRECTOR OR THE DIRECTOR'S DESIGNEE" and substitute "GRANT SELECTION COMMITTEE CREATED IN SECTION 24-33.5-2104 (5)".

Page 8, line 7, strike "DIRECTOR OR DIRECTOR'S DESIGNEE" and substitute "GRANT SELECTION COMMITTEE".

Page 8, line 26, strike "2019," and substitute "2020,".

Page 9, line 2, strike "LOCAL GOVERNMENT." and substitute "HOMELAND SECURITY AND EMERGENCY MANAGEMENT.".

Page 10, line 8, after "SCHOOLS" insert "OR PUBLIC SAFETY COMMUNICATIONS NETWORK OWNERS".

Page 10, strike lines 18 through 27.

Page 11, strike lines 1 through 14.

Renumber succeeding section accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1132 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the amount that the department of corrections is required to reimburse a county or city and county for the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility.

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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-086 as amended, SB18-158 as amended, HB18-1237 as amended, HB18-1132.

SENATE SERVICES REPORT

Correctly Printed: SB18-230.
Correctly Engrossed: SB18-208 and 213.
Correctly Revised: HB18-1065, 1093, 1104, 1109, 1211, 1243, 1282, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1336, 1337, 1338, 1339, and 1340.
Correctly Enrolled: SB18-026, 079, 149, 174, and 184; SJR18-008.

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:

HB18-1211 by Representative(s) Wist and Foote; also Senator(s) Smallwood and Aguilar--Concerning controlling medicaid fraud.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Gardner, Grantham, Jones, Kagan, Kefalas, Lambert, Lundberg, Martinez Humenik, Priola, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HB18-1282 by Representative(s) Lontine and Sias; also Senator(s) Smallwood and Kefalas--Concerning a requirement that a health care provider include certain identifying information on all claims for reimbursement for health care services.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Jones, Kagan, Kerr, Martinez Humenik, Merrifield, Tate, Todd, Williams A., and Zenzinger.

SB18-213 by Senator(s) Martinez Humenik; also Representative(s) Herod--Concerning requiring local school districts to recognize academic credits earned by students in the custody of the division of youth services.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Jahn, Jones, Kagan, Kefalas, Kerr, Marble, Merrifield, Moreno, Tate, and Todd.

HB18-1109 by Representative(s) Weissman; also Senator(s) Cooke--Concerning discretionary parole of special needs offenders.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Garcia, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

HB18-1243 by Representative(s) Foote and Wist; also Senator(s) Coram and Fields, Cooke--Concerning enactment of a civil rape shield 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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Garcia, Gardner, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Tate, and Todd.

HB18-1065 by Representative(s) Beckman and Buckner; also Senator(s) Lambert--Concerning discipline of a department of human services employee when the employee is found to have mistreated a vulnerable person.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Gardner, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, and Williams A.

SB18-208 by Senator(s) Baumgardner and Kefalas, Sonnenberg; also Representative(s) Esgar and Hansen, Becker J.--Concerning the creation of the governor's mansion maintenance fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Lambert, Martinez Humenik, Moreno, Priola, and Tate.

HB18-1093 by Representative(s) Arndt, Thurlow, Bridges; also Senator(s) Coram, Guzman--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for food crops 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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Fields, Garcia, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Scott, Sonnenberg, Tate, and Todd.

HB18-1323 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning transfers of money to a newly created office of state planning and budgeting youth pay for success initiatives account within the pay for success contracts 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	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Kefalas, Kerr, Merrifield, Priola, Tate, and Todd.

HB18-1325 by Representative(s) Hamner and Rankin, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning measures to address coverage gaps in the statewide digital trunked radio system, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Kefalas, and Tate.

HB18-1328 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert and Moreno, Lundberg--Concerning the children's habilitation residential waiver program, 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, and Todd.

HB18-1330 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning a supplemental state payment relating to certain office-administered oncology-related drugs for qualified providers under the medical assistance program who experienced a reduction in reimbursement payments in the 2017-18 state fiscal year as a result of the implementation of the federal final rules for covered outpatient 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	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Jones, Kefalas, Martinez Humenik, Merrifield, Sonnenberg, Tate, and Todd.

HB18-1336 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the repeal of the local government retail marijuana impact grant program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, and Tate.

HB18-1337 by Representative(s) Hamner and Rankin, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a veterans one-stop center in Grand Junction, 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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Donovan, Fields, Garcia, Gardner, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HB18-1339 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning a requirement for fingerprint-based criminal history record checks for individuals with access to federal tax information, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

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:

HB18-1104 by Representative(s) Danielson; also Senator(s) Moreno and Lambert--Concerning family preservation safeguards for parents with disabilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fields, Garcia, Guzman, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Todd, Williams A., and Zenzinger.

RECONSIDERATION OF HB18-1104

HB18-1104 by Representative(s) Danielson; also Senator(s) Moreno and Lambert--Concerning family preservation safeguards for parents with disabilities.

Having voted on the prevailing side, Senator Lambert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1104.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1104 by Representative(s) Danielson; also Senator(s) Moreno and Lambert--Concerning family preservation safeguards for parents with disabilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Neville T., Smallwood, and Tate.

HB18-1322 by Representatives Hamner, Young, Rankin; also Senators Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Jahn, Kagan, Martinez Humenik, Priola, Sonnenberg, Tate, and Todd.

HB18-1324 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the continuation of the governor's commission on community service, 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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas and Todd.

HB18-1326 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning support for persons interested in transitioning from an institutional setting, and, in connection therewith, making and reducing appropriations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34		NO	0		EXCUSED	1		ABSENT	0	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Garcia, Hill, Jahn, Jones, Kagan, Kefalas, Martinez Humenik, Merrifield, Neville T., Tate, Todd, and Williams A.

HB18-1327 by Representative(s) Young, Hamner, Rankin; also Senator(s) Moreno, Lambert, Lundberg--Concerning the all-payer health claims database, 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	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		N
Baumgardner		N	Gardner		N	Lambert		Y	Smallwood		N
Cooke		N	Guzman		Y	Lundberg		Y	Sonnenberg		N
Coram		Y	Hill		N	Marble		N	Tate		N
Court		Y	Holbert		N	Martinez Humenik		Y	Todd		Y
Crowder		N	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		N	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Fields, Kefalas, and Merrifield.

HB18-1331 by Representative(s) Young and Rankin, Hamner; also Senator(s) Lundberg, Lambert, Moreno--Concerning expanding the use of open educational resources at public institutions of higher education, and, in connection therewith, creating the Colorado open educational resources council, creating a grant program to support the creation and use of open educational resources, and 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	
Aguilar		E	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		N	Gardner		Y	Lambert		Y	Smallwood		N
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		N	Marble		N	Tate		Y
Court		Y	Holbert		N	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		N	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fields, Jahn, Jones, Kefalas, Martinez Humenik, Merrifield, Priola, Tate, Todd, Williams A., and Zenzinger.

HB18-1333 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning part C child find responsibilities of state departments, 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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Kefalas, Martinez Humenik, Merrifield, Tate, Todd, Williams A., and Zenzinger.

HB18-1334 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning an extension of the transitional jobs 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	3	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Donovan, Fields, Hill, Jahn, Jones, Kefalas, Martinez Humenik, Neville T., Tate, Todd, Williams A., and Zenzinger.

HB18-1332 by Representative(s) Hamner and Rankin, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning creation of a grant program to support collaborative educator preparation initiatives to address the teacher shortage in Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fenberg, Fields, Garcia, Jahn, Jones, Kefalas, Martinez Humenik, Merrifield, Priola, Todd, Williams A., and Zenzinger.

HB18-1329 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg--Concerning a supplemental state payment to qualified providers of durable medical equipment who experienced a decrease in reimbursement in the 2017-18 state fiscal year as a result of the implementation of the federal "21st Century Cures 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	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fields, Garcia, Jones, Kefalas, Merrifield, and Zenzinger.

HB18-1338 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers to address the reduction of revenues in the severance tax operational fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Donovan, Grantham, Jahn, Martinez Humenik, Scott, Sonnenberg, and Tate.

HB18-1340 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers of money to be used for the state's infrastructure.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Court, Crowder, Grantham, Holbert, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Sonnenberg, Tate, and Williams A.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-201 by Senator(s) Priola; --Concerning exempting religious organizations from child care licensing requirements for the time period during which church services are being offered.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, April 3, page 605 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.)

HB18-1259 by Representative(s) Gray; also Senator(s) Marble--Concerning providing marijuana samples to employees for business purposes.

Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, April 3, pages 606-607 and placed in members' bill files.)

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

SB18-201 by Senator(s) Priola; --Concerning exempting religious organizations from child care licensing requirements for the time period during which church services are being offered.

Senator Priola moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 18-201 did pass.

Amend printed bill, page 2, line 12, strike "CHURCH" and substitute "RELIGIOUS ORGANIZATION".

Page 2 of the bill, strike line 15 and substitute "RELIGIOUS ORGANIZATION ARE ATTENDING SERVICES OR PROGRAMS".

Amend the Business, Labor, & Technology Committee Report, dated April 2, 2018, page 1, line 5, strike "CHURCH" substitute "RELIGIOUS ORGANIZATION".

Page 2 of the report, line 4, after "**FOR**" insert "**RELIGIOUS ORGANIZATIONS FOR**".

Page 2 of the report, line 5, strike "**CHURCH SERVICES**" and substitute "**SERVICES OR PROGRAMS**".

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
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-201 as amended, HB18-1259 as amended.

COMMITTEE OF REFERENCE REPORTS

Legal Services

After consideration on the merits, the Committee recommends that **HB18-1253** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 9, strike lines 22 through 24 and substitute:

"(I) The following rules of the commissioner of insurance in the division of insurance concerning title insurance (3 CCR 702-8):

(A) Rule 8-1-4 Section 5 J.3.b., concerning the ability of title insurance entities to interplead all parties and deposit funds into a court of competent jurisdiction and recover court costs and reasonable attorney and legal fees; and

(B) Rule 8-1-4 Section 8 concerning making a knowing violation of notice requirements an unfair or deceptive act or practice;".

Page 10, line 7, after "attendants;" insert "and".

Page 10, strike lines 21 through 27 and substitute "education requirements;".

Page 11, strike lines 1 through 10 and substitute:

"(p) Department of revenue; except that the following rules of the taxpayer service division concerning procedure and administration (1 CCR 201-1) are not extended:".

Page 11, line 11, strike "(A)" and substitute "(I)".

Page 11, line 13, strike "(B)" and substitute "(II)".

Page 11, line 16, strike "(C)" and substitute "(III)".

Page 11, line 18, strike the first "(D)" and substitute "(IV)".

Page 11, line 21, strike the first "(E)" and substitute "(V)".

Page 11, line 24, strike "(F)" and substitute "(VI)".

Page 11, line 27, strike "(G)" and substitute "(VII)".

MESSAGE FROM THE HOUSE

April 5, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1245, 1284

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1270, 1131, 1187, amended as printed in House Journal, April 4, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-055, 169, amended as printed in House Journal, April 4, 2018.

The House has voted to concur in the Senate amendments to HB18-1008, 1029, 1198 and has repassed the bills as so amended.

The House has postponed indefinitely SB18-070, 116. The bills are returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 5, 2018

We herewith transmit:

Without comment, HB18-1245 and 1284.
Without comment, as amended, HB18-1131, 1187, and 1270.
Without comment, as amended, SB18-055 and 169.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-231 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning a task force on the transition of persons with intellectual and developmental disabilities from educational services to home- and community-based services, and, in connection therewith, making an appropriation.
Appropriations

HB18-1131 by Representative(s) Michaelson Jenet; also Senator(s) Crowder and Fields--Concerning a program to facilitate conducting judicial proceedings via networking technology.
State, Veterans, & Military Affairs

HB18-1187 by Representative(s) Buckner and Landgraf; also Senator(s) Cooke and Moreno--Concerning the lawful use of a prescription drug that contains cannabidiol that is approved by the United States food and drug administration.
Business, Labor, & Technology

HB18-1245 by Representative(s) Rosenthal and Michaelson Jenet, Esgar, Ginal, Herod; also Senator(s) Fenberg and Guzman, Moreno--Concerning a prohibition against a mental health care provider engaging in conversion therapy with a patient under eighteen years of age.
State, Veterans, & Military Affairs

HB18-1270 by Representative(s) Hansen and Becker J.; also Senator(s) Tate--Concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied.
Agriculture, Natural Resources, & Energy

HB18-1284 by Representative(s) Buckner and Wilson; also Senator(s) Martinez Humenik and Kefalas--Concerning the cost of prescription drugs purchased at a pharmacy.
Health & Human Services

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, April 6, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

87th Legislative Day Friday, April 6, 2018

Prayer — By Senator Kevin Lundberg.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Jones.

Quorum — The President announced a quorum present.

Pledge — By Senator Court.

Reading of the Journal — On motion of Senator Zenzinger, reading of the Journal of Thursday, April 5, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-231.
Correctly Engrossed: SB18-086, 158, and 201.
Correctly Reengrossed: SB18-208 and 213.
Correctly Revised: HB18-1132, 1237, and 1259.
Correctly Rerevised: HB18-1065, 1093, 1104, 1109, 1211, 1243, 1282, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1336, 1337, 1338, 1339, and 1340.

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:

HB18-1237 by Representative(s) Kraft-Tharp and Van Winkle, Arndt, Coleman, Garnett, Gray, Liston, Rosenthal, Sandridge, Sias, Thurlow, Williams D.; also Senator(s) Neville T.--Concerning the continuation of the requirements regarding the preparation of a cost-benefit analysis as administered by the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the 2017 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	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	E	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Jahn, Lambert, Lundberg, Marble, Martinez Humenik, Scott, Smallwood, Sonnenberg, Tate, and Williams A.

SB18-086 by Senator(s) Lambert and Williams A.; also Representative(s) Ginal and Rankin--Concerning the use of cyber coding cryptology for state records, 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	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fenberg, Gardner, Grantham, Hill, Jahn, Kerr, Lundberg, Martinez Humenik, Merrifield, Neville T., Tate, and Todd.

SB18-158 by Senator(s) Coram and Garcia; also Representative(s) Duran and Catlin--Concerning measures to increase school district access to interoperable communication technology to improve school safety, 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	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Jahn, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Scott, Tate, Todd, Williams A., and Zenzinger.

HB18-1132 by Representative(s) Michaelson Jenet; also Senator(s) Crowder--Concerning the amount that the department of corrections is required to reimburse a county or city and county for the confinement and maintenance in a local jail of any person who is sentenced to a term of imprisonment in a correctional facility.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Court, Fields, Gardner, Grantham, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Tate, and Todd.

SB18-201 by Senator(s) Priola; --Concerning the application of child care licensing requirements for religious organizations for the time period during which services or programs are being offered.

Laid over until Thursday, April 12, retaining its place on the calendar.

HB18-1259 by Representative(s) Gray; also Senator(s) Marble--Concerning providing marijuana samples to employees for business purposes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES 28		NO 6		EXCUSED 1		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Merrifield, Neville T., Smallwood, and Tate.

Committee of the Whole

On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Amendment No. 1(L.014), by Senator Grantham.

Amend printed bill, page 4, line 16, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, line 4, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, after line 23 insert:

"(3) THE PROVISIONS OF SUBSECTIONS (1) AND (2) OF THIS SECTION THAT PROHIBIT THE GOVERNOR FROM NOMINATING AN INDIVIDUAL FOR APPOINTMENT OR REAPPOINTMENT TO A STATE OFFICE FOR A SECOND TIME AFTER THE INDIVIDUAL'S FIRST NOMINATION FOR APPOINTMENT OR REAPPOINTMENT TO THE STATE OFFICE HAS BEEN REJECTED BY THE SENATE AND FROM APPOINTING THE REJECTED INDIVIDUAL TO TEMPORARILY DISCHARGE THE DUTIES OF THE OFFICE ONLY APPLY FOR THE TERM OF THE SENATE THAT REJECTED THE INDIVIDUAL. THE REJECTED INDIVIDUAL BECOMES ELIGIBLE FOR NOMINATION FOR APPOINTMENT OR REAPPOINTMENT TO THE STATE OFFICE ON THE DATE WHEN A NEW SENATE CONVENES FOR ITS FIRST REGULAR SESSION AND BECOMES ELIGIBLE FOR APPOINTMENT TO DISCHARGE THE DUTIES OF THE OFFICE ON THE DATE FOLLOWING THE DAY

ON WHICH THE NEW SENATE ADJOURNS ITS FIRST REGULAR SESSION SINE DIE.".

As amended, laid over until Monday, April 9, retaining its place on the calendar.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Tuesday, April 10, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Sonnenberg, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Laid over until Monday, April 9: SB18-043 as amended.
Laid over until Tuesday, April 10: SB18-166.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-055 by Senator(s) Neville T.; also Representative(s) Van Winkle and Hooton, Ransom--Concerning the crimes against children surcharge in cases involving trafficking of children.

Senator Neville moved that the Senate concur in House amendments to SB18-055, as printed in House journal, April 4, page 837. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-169 by Senator(s) Gardner; also Representative(s) Carver--Concerning offenses against witnesses in noncriminal proceedings.

Senator Gardner moved that the Senate concur in House amendments to SB18-169, as printed in House journal, April 4, pages 837-838. The motion was **adopted** by the following roll call vote:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	E	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Fields.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 9, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

90th Legislative Day Monday, April 9, 2018

Prayer — By the chaplain, Father Eustace Sequeira, Regius University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--33
Excused--2, Jones, Marble.
Present later--1, Marble.

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Friday, April 6, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB18-086 and 158.
Correctly Rerevised: HB18-1132, 1237, and 1259.
Correctly Enrolled: SB18-055 and 169.

MESSAGE FROM THE HOUSE

April 6, 2018

Mr. President:

The House has postponed indefinitely SB18-122. The bill is returned herewith.

Committee of the Whole — On motion of Senator Sonnenberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Sonnenberg was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.

Laid over until Friday, April 20, retaining its place on the calendar.

SB18-206 by Senator(s) Priola and Kerr, Garcia, Holbert, Todd, Guzman, Martinez Humenik, Neville T.; also Representative(s) Arndt and Wist, Becker K., Bridges, Buckner, Coleman, Exum, Hooton, Liston, Lundeen, Michaelson Jenet, Pettersen, Reyher, Van Winkle--Concerning ensuring affordability at public research universities in Colorado.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on Appropriations.

HB18-1253 by Representative(s) Lee and Herod, Foote, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--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, April 5, pages 678-679 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

(Amended in general orders as printed in Senate journal, April 6, pages 683-684.)

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

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

Senator Kagan moved to amend the Report of the Committee of the Whole to show that the following Kagan floor amendment, (L.001) to SB 18-043, did pass.

Amend printed bill, page 4, line 16, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, line 4, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(b) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, after line 23 insert:

"(3) (a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, IF THE GOVERNOR NOMINATES AN INDIVIDUAL FOR APPOINTMENT TO A STATE OFFICE AND THE SENATE REJECTS THE NOMINATION, THE GOVERNOR MAY NOMINATE THE REJECTED INDIVIDUAL A SECOND TIME FOR THE SAME OFFICE OR, IF THE SENATE IS NOT IN SESSION, MAY APPOINT THE REJECTED INDIVIDUAL TO TEMPORARILY DISCHARGE THE DUTIES OF THE OFFICE, IF THE GOVERNOR INCLUDES AS PART OF THE NOMINATION A STATEMENT THAT THE GOVERNOR BELIEVES THE SENATE MAY HAVE REJECTED THE PRIOR NOMINATION OF THE INDIVIDUAL FOR APPOINTMENT TO THE OFFICE ON THE BASIS OF THE INDIVIDUAL'S SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION, AGE, SEXUAL ORIENTATION, GENDER OR GENDER IDENTITY, OR DISABILITY.

(b) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, IF THE GOVERNOR NOMINATES A STATE OFFICER WHOSE TERM IS EXPIRING FOR REAPPOINTMENT TO THE SAME OFFICE AND THE SENATE REJECTS THE NOMINATION, THE INDIVIDUAL MAY CONTINUE TO EXERCISE THE DUTIES OF THE OFFICE UNTIL THE INDIVIDUAL'S SUCCESSOR HAS BEEN DULY QUALIFIED IF THE GOVERNOR PROVIDES A WRITTEN STATEMENT TO THE SENATE INDICATING THAT THE GOVERNOR BELIEVES THE SENATE MAY HAVE REJECTED THE PRIOR NOMINATION OF THE INDIVIDUAL FOR REAPPOINTMENT TO THE OFFICE ON THE BASIS OF THE INDIVIDUAL'S SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION, AGE, SEXUAL ORIENTATION, GENDER OR GENDER IDENTITY, OR DISABILITY.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that the following Zenzinger floor amendment, (L.017) to SB 18-043, did pass.

Amend printed bill, page 4, line 20, strike "LEGALLY".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Todd moved to amend the Report of the Committee of the Whole to show that the following Todd floor amendment, (L.010) to SB 18-043, did pass.

Amend printed bill, page 4, line 16, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, line 4, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(b) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, after line 23 insert:

"(3) (a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, IF THE GOVERNOR NOMINATES AN INDIVIDUAL FOR APPOINTMENT TO A STATE OFFICE AND THE SENATE REJECTS THE NOMINATION, THE GOVERNOR MAY NOMINATE THE REJECTED INDIVIDUAL A SECOND TIME FOR THE SAME OFFICE OR, IF THE SENATE IS NOT IN SESSION, MAY APPOINT THE REJECTED INDIVIDUAL TO TEMPORARILY DISCHARGE THE DUTIES OF THE OFFICE, IF THE GOVERNOR INCLUDES AS PART OF THE NOMINATION A STATEMENT THAT THE GOVERNOR BELIEVES THE SENATE MAY HAVE REJECTED THE PRIOR NOMINATION OF THE INDIVIDUAL FOR APPOINTMENT TO THE OFFICE ON THE BASIS OF THE INDIVIDUAL'S DISABILITY.

(b) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, IF THE GOVERNOR NOMINATES A STATE OFFICER WHOSE TERM IS EXPIRING FOR REAPPOINTMENT TO THE SAME OFFICE AND THE SENATE REJECTS THE NOMINATION, THE INDIVIDUAL MAY CONTINUE TO EXERCISE THE DUTIES OF THE OFFICE UNTIL THE INDIVIDUAL'S SUCCESSOR HAS BEEN DULY QUALIFIED IF THE GOVERNOR PROVIDES A WRITTEN STATEMENT TO THE SENATE INDICATING THAT THE GOVERNOR BELIEVES THE SENATE MAY HAVE REJECTED THE PRIOR NOMINATION OF THE INDIVIDUAL FOR REAPPOINTMENT TO THE OFFICE ON THE BASIS OF THE INDIVIDUAL'S DISABILITY.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Garcia moved to amend the Report of the Committee of the Whole to show that the following Garcia floor amendment, (L.013) to SB 18-043, did pass.

Amend printed bill, page 4, line 16, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(a) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, line 4, strike "NOTWITHSTANDING" and substitute "EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3)(b) OF THIS SECTION, AND NOTWITHSTANDING".

Page 5, after line 23 insert:

"(3) (a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, IF THE GOVERNOR NOMINATES AN INDIVIDUAL FOR APPOINTMENT TO A STATE OFFICE AND THE SENATE REJECTS THE NOMINATION, THE GOVERNOR MAY NOMINATE THE REJECTED INDIVIDUAL A SECOND TIME FOR THE SAME OFFICE OR, IF THE SENATE IS NOT IN SESSION, MAY APPOINT THE REJECTED INDIVIDUAL TO TEMPORARILY DISCHARGE THE DUTIES OF THE OFFICE, IF THE GOVERNOR INCLUDES AS PART OF THE NOMINATION A STATEMENT THAT THE GOVERNOR BELIEVES THE SENATE MAY HAVE REJECTED THE PRIOR NOMINATION OF THE INDIVIDUAL FOR APPOINTMENT TO THE OFFICE ON THE BASIS OF THE INDIVIDUAL'S STATUS AS A DISABLED VETERAN.

(b) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, IF THE GOVERNOR NOMINATES A STATE OFFICER WHOSE TERM IS EXPIRING FOR REAPPOINTMENT TO THE SAME OFFICE AND THE SENATE REJECTS THE NOMINATION, THE INDIVIDUAL MAY CONTINUE TO EXERCISE THE DUTIES OF THE OFFICE UNTIL THE INDIVIDUAL'S SUCCESSOR HAS BEEN DULY QUALIFIED IF THE GOVERNOR PROVIDES A WRITTEN STATEMENT TO THE SENATE INDICATING THAT THE GOVERNOR BELIEVES THE SENATE MAY HAVE REJECTED THE PRIOR NOMINATION OF THE INDIVIDUAL FOR REAPPOINTMENT TO THE OFFICE ON THE BASIS OF THE INDIVIDUAL'S STATUS AS A DISABLED VETERAN.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that SB 18-043 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	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Sonnenberg, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-043 as amended, HB18-1253 as amended.
Laid over until Friday, April 20: SB18-204.
Referred to the Committee on Appropriations: SB18-206.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-011, 087, 161, and 162.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, April 9, 2018, at 8:53 a.m.:
SB18-011, 087, 161, 162, and 170.

MESSAGE FROM THE HOUSE

April 9, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1300, 1241.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1295, 1157, 1020, 1174, 1070 amended as printed in House Journal, April 6, 2018.

The House has passed on Third Reading and returns herewith SB18-188, 014.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-187, 179, 154, 180, 146, amended as printed in House Journal, April 6, 2018.

The House has voted to concur in the Senate amendments to HB18-1282, 1326, 1339, 1259 and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB18-1322 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hamner, chairman, Young, and Rankin as House conferees on the First Conference Committee on HB18-1322. The bill is transmitted herewith. The House has voted to grant the House conferees on the First Conference Committee on HB18-1322 to consider matters not at issue between the two houses.

The House has voted not to concur in the Senate amendments to HB18-1329 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hamner, chairman, Young, and Rankin as House conferees on the First Conference Committee on HB18-1329. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB18-1338 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hamner, chairman, Young, and Rankin as House conferees on the First Conference Committee on HB18-1338. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB18-1340 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hamner, chairman, Young, and Rankin as House conferees on the First Conference Committee on HB18-1340. The bill is transmitted herewith. The House has voted to grant the House conferees on the First Conference Committee on HB18-1340 to consider matters not at issue between the two houses.

The House voted to adhere to its position on HB18-1237. The bill is transmitted herewith.

The House has voted to recede from its position on SB18-151, and has repassed the bill. The bill is returned herewith.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

April 9, 2018

We herewith transmit:

Without comment, HB18-1241 and 1300.
Without comment, as amended, HB18-1020, 1070, 1157, 1174, and 1295.
Without comment, as amended, SB18-146, 154, 179, 180, and 187.

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

December 15, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for terms expiring December 31, 2021:

Daniel Villanueva of Pagosa Springs, Colorado, an Unaffiliated from the Third Congressional District, appointed;

Maria-Vittoria Carminati of Centennial, Colorado, a Democrat from the Sixth Congressional District, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/16/2018
Effie Ameen, Secretary of the Senate

Committee on Education

April 2, 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, reappoint and submit to your consideration, the following:

MEMBER OF THE
WORKERS' COMPENSATION COST CONTAINMENT BOARD

for a term expiring December 13, 2019:

Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/4/2018
Effie Ameen, Secretary of the Senate

Committee on Business, Labor, & Technology

March 20, 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, reappoint and submit to your consideration, the following:

MEMBER 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.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/4/2018
Effie Ameen, Secretary of the Senate

Committee on Education

April 9, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-107: CONCERNING THE REPEAL OF PROCEDURES TO FILL VACANCIES IN CANDIDATE NOMINATIONS FOR ELECTIONS CONDUCTED UNDER THE "COLORADO MUNICIPAL CODE OF 1965".

Approved April 9, 2018 at 1:40 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SCR18-002 by Senator(s) Gardner; also Representative(s) Landgraf--Submitting to the registered electors of the state of Colorado an amendment to section 19 of article II of the constitution of the state of Colorado concerning denying the right to bail to a person who is charged with a serious criminal offense while in the United States illegally.
State, Veterans, & Military Affairs

The following resolution was read by title:

SR18-004 by Senator(s) Jahn and Crowder--Concerning encouraging the Great Outdoors Colorado Program to assist organizations that provide outdoor restoration and recreational activities to military veterans.

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:

SB18-232 by Senator(s) Sonnenberg and Kefalas, Baumgardner; also Representative(s) Esgar and Hansen, Becker J.--Concerning a clarification of the calculation used to determine the amount of money that must be spent to acquire works of art for capital construction projects that are the subject of a lease-purchase agreement.
Finance

SB18-233 by Senator(s) Marble and Fenberg; also Representative(s) Foote and Neville P.--Concerning technical modifications to miscellaneous provisions of the "Uniform Election Code of 1992".
State, Veterans, & Military Affairs

SB18-234 by Senator(s) Coram and Crowder; --Concerning measures to reduce the sale without consent of the remains of a human who was born alive.
Judiciary

SB18-235 by Senator(s) Coram; also Representative(s) Arndt--Concerning the creation of the Colorado industrial hemp research and development authority.
Agriculture, Natural Resources, & Energy

SB18-236 by Senator(s) Neville T., Cooke, Gardner, Holbert, Jahn, Marble, Priola, Smallwood, Sonnenberg; also Representative(s) Sandridge, Becker J., Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Lundeen, Neville P., Ransom, Saine, Van Winkle--Concerning the department of regulatory agencies' determination regarding the regulation of professions and occupations.
Business, Labor, & Technology

SB18-237 by Senator(s) Gardner; also Representative(s) Esgar--Concerning health care services provided by an out-of-network provider that are covered benefits under a covered person's health benefit plan, and, in connection therewith, requiring carriers to cover emergency services rendered by an out-of-network provider at the in-network benefit level; requiring health care facilities, out-of-network providers, and carriers to disclose specified information to a covered person regarding services provided by an out-of-network provider; and specifying billing procedures for out-of-network providers.
Health & Human Services

HB18-1070 by Representative(s) Young and Wist; also Senator(s) Scott and Zenzinger--Concerning an increase in the amount of financial assistance that can be provided for public school capital construction under the "Building Excellent Schools Today Act", 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 authorized for lease-purchase agreements entered into under the act, and making an appropriation.
Education

HB18-1157 by Representative(s) Becker K. and Singer; also Senator(s) Fenberg--Concerning increased reporting of oil and gas incidents.
Agriculture, Natural Resources, & Energy

HB18-1174 by Representative(s) Arndt and Gray, Van Winkle, Winter; also Senator(s) Priola--Concerning the continuation under the sunset law of the board of mortgage loan originators, and, in connection therewith, adopting the legislative recommendations of the department of regulatory agencies as contained in the department's sunset report.
Business, Labor, & Technology

HB18-1241 by Representative(s) Arndt; also Senator(s) Coram--Concerning allowing reimbursement for expenses for members of the restorative justice coordinating council.
Finance

HB18-1295 by Representative(s) Salazar and Esgar; also Senator(s) Coram--Concerning modifications to the "Colorado Food and Drug Act" to allow products containing industrial hemp, and, in connection therewith, establishing that products containing industrial hemp are not adulterated or misbranded by virtue of containing industrial hemp.
Agriculture, Natural Resources, & Energy

HB18-1300 by Representative(s) Young and Buck; also Senator(s) Marble and Cooke--Concerning granting authority for local district colleges to provide a bachelor of science degree in nursing program as a completion degree to students who have or are pursuing an associate degree in nursing.
Health & Human Services

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 10, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

91st Legislative Day Tuesday, April 10, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Garcia

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Monday, April 9, 2018, 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
STATE ELECTRICAL BOARD

for terms expiring July 1, 2020:

Joseph Badaracco of Lakewood, Colorado to serve as a journeyman electrician who is not an electrical contractor, reappointed;

Erik Clarke of Denver, Colorado to serve as a representative of the public at large, appointed.

for terms expiring July 1, 2021:

Richard Michael King of Larkspur, Colorado, to serve as a representative of electrical utilities, appointed;

Gina Maria Cullen of Golden, Colorado, to serve as master electrician who is not an electrical contractor, 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
STATE PLUMBING BOARD

for terms expiring July 1, 2021:

Glen Ray Ratliff of Arvada, Colorado, a Democrat, and member or employee of a local government agency conducting plumbing inspections, appointed;

Matthew Ray Wagy of Greeley, Colorado, a Republican and a master plumber, reappointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-209** 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 **HB18-1264** 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 **HCR18-1001** 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 **HB18-1257** 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 **HB18-1040** be referred to the Committee of the Whole with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-084** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-220** 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 3, strike "2019," and substitute "2020,".

Page 7, line 5, strike "2025," and substitute "2030,", and strike "JURISDICTION" and substitute "COUNTY, CITY AND COUNTY, OR MUNICIPALITY".

Page 7, line 6, strike "TEN" and substitute "TWENTY-FIVE".

Page 7, line 16, strike "2019," and substitute "2020,".

Page 7, line 25, strike "2025." and substitute "2030.".

Page 7, after line 25, insert:

"**SECTION 2. Effective date.** This act takes effect July 1, 2019.

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."

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1268** 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: SB18-232, 233, 234, 235, 236, and 237; SCR18-002; SR18-004.
Correctly Engrossed: SB18-043.
Correctly Revised: HB18-1253.
Correctly Enrolled: SB18-014, 151, and 188.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB18-1020 by Representative(s) Herod; also Senator(s) Kagan and Gardner--Concerning civil forfeiture reform, and, in connection therewith, changing the entity required to report on forfeitures, expanding the scope of the forfeitures to be reported, establishing grant programs, changing the disbursement of net forfeiture proceeds, and making an appropriation.
State, Veterans, & Military Affairs

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1253 by Representative(s) Lee and Herod, Foote, Willett, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--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
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Martinez Humenik, Scott, and Tate.

SB18-043 by Senator(s) Grantham; also Representative(s) Lundeen--Concerning the legal effects that the rejection by the senate of an individual nominated by the governor for appointment to a state office have on the subsequent nomination or temporary appointment of the same individual to or holdover of the individual in the same state office.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	E	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Crowder, Gardner, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate journal, February 22, page 292, was **lost**.)

Amendment No. 2(L.007), by Senator Coram.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** part 20 to article 2 of title 2 as follows:

PART 20
MISDEMEANOR SENTENCING STUDY

2-2-2001. Legislative interim committee on misdemeanor sentencing - creation. (1) NOTWITHSTANDING THE PROVISIONS OF SECTION 2-3-303.3, THERE IS HEREBY CREATED THE LEGISLATIVE INTERIM COMMITTEE ON MISDEMEANOR SENTENCING, REFERRED TO IN THIS PART 20 AS THE "INTERIM COMMITTEE", TO STUDY THE ISSUES DESCRIBED IN SECTION 2-2-2002. THE INTERIM COMMITTEE WILL MEET DURING THE 2018 LEGISLATIVE INTERIM. THE INTERIM COMMITTEE CONSISTS OF:

(a) THREE MEMBERS OF THE SENATE, TWO OF WHOM THE PRESIDENT OF THE SENATE SHALL APPOINT AND ONE OF WHOM THE MINORITY LEADER OF THE SENATE SHALL APPOINT; AND

(b) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES, TWO OF WHOM THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT AND ONE OF WHOM THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT.

(2) (a) THE APPOINTING AUTHORITIES SHALL APPOINT THE MEMBERS OF THE INTERIM COMMITTEE AS SOON AS POSSIBLE AFTER THE EFFECTIVE DATE OF THIS PART 20 BUT NO LATER THAN JUNE 15, 2018. THE APPOINTING AUTHORITIES SHALL, TO THE EXTENT PRACTICABLE, ENSURE THAT THE MEMBERS OF THE INTERIM COMMITTEE REPRESENT JUDICIAL DISTRICTS IN ALL AREAS OF THE STATE, INCLUDING URBAN, SUBURBAN, AND RURAL DISTRICTS. IF A VACANCY ARISES ON THE INTERIM COMMITTEE, THE APPROPRIATE APPOINTING AUTHORITY SHALL APPOINT AN APPROPRIATE PERSON TO FILL THE VACANCY AS SOON AS POSSIBLE.

(b) THE PRESIDENT OF THE SENATE SHALL APPOINT THE CHAIR OF THE INTERIM COMMITTEE. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT THE VICE-CHAIR OF THE INTERIM COMMITTEE.

(3) THE CHAIR OF THE INTERIM COMMITTEE SHALL SCHEDULE THE FIRST MEETING OF THE INTERIM COMMITTEE TO BE HELD NO LATER THAN JULY 1, 2018. THE INTERIM COMMITTEE MAY MEET UP TO FIVE TIMES DURING THE INTERIM.

(4) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL PROVIDE STAFF ASSISTANCE TO THE INTERIM COMMITTEE.

(5) THE INTERIM COMMITTEE MAY INTRODUCE UP TO A TOTAL OF FIVE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS IN THE 2019 LEGISLATIVE SESSION. BILLS THAT THE INTERIM COMMITTEE INTRODUCES ARE EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN

RULE 24 (b)(1)(A) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES. JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS THAT THE INTERIM COMMITTEE INTRODUCES ARE EXEMPT FROM THE LIMITATIONS SET OUT IN RULE 26 (g) OF THE RULES OF THE HOUSE OF REPRESENTATIVES AND RULE 30 (f) OF THE RULES OF THE SENATE.

(6) ALL EXPENDITURES THAT THE INTERIM COMMITTEE INCURS ARE SUBJECT TO APPROVAL BY THE CHAIR OF THE INTERIM COMMITTEE AND, IF APPROVED, SHALL BE PAID BY VOUCHERS AND WARRANTS DRAWN AS PROVIDED BY LAW FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY FOR THE PURPOSES OF THIS PART 20.

2-2-2002. Misdemeanor sentencing study - issues. (1) THE INTERIM COMMITTEE SHALL, AT A MINIMUM, STUDY THE FOLLOWING ISSUES:

(a) THE COLLATERAL CONSEQUENCES OF A CRIME WITH A SENTENCING RANGE OF A YEAR OR GREATER;

(b) THE FISCAL IMPACT OF MISDEMEANOR SENTENCES ON STATE AND LOCAL AUTHORITIES; AND

(c) THE APPROPRIATE PENALTY LEVEL FOR OFFENSES THAT ARE DEEMED MISDEMEANORS.

(2) BASED ON THE STUDY OF ISSUES DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE INTERIM COMMITTEE SHALL MAKE LEGISLATIVE RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

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.".

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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-166 as amended.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar (SR18-004) of Tuesday, April 10, was laid over until Wednesday, April 11, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-187 by Senator(s) Marble and Tate; also Representative(s) Arndt--Concerning transferring marijuana fibrous waste for the purpose of producing industrial fiber products.

Senator Marble moved that the Senate concur in House amendments to SB18-187, as printed in House journal, April 6, page 865. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Melton, Rosenthal, Sias, Williams D.--Concerning adjustments to total gross purchases for purposes of calculating the excise tax on tobacco products.

Laid over until Wednesday, April 11, retaining its place on the calendar.

SB18-154 by Senator(s) Fields; also Representative(s) Salazar--Concerning a requirement for a local juvenile services planning committee to devise a plan to manage dually identified crossover youth.

Senator Fields moved that the Senate concur in House amendments to SB18-154, as printed in House journal, April 4, pages 840-841. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-180 by Senator(s) Gardner; also Representative(s) Wist and Gray--Concerning the Colorado uniform trust code.

Senator Gardner moved that the Senate concur in House amendments to SB18-180, as printed in House journal, April 4, page 841. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-146 by Senator(s) Kefalas and Smallwood, Martinez Humenik, Aguilar, Coram, Crowder, Donovan, Garcia, Gardner, Jahn, Moreno, Tate, Todd, Williams A.; also Representative(s) Sias and Singer, Hansen, Kennedy--Concerning a requirement that a freestanding emergency department inform a person who is seeking medical treatment about the health care options that are available to the person, and, in connection therewith, making an appropriation.

Senator Smallwood moved that the Senate concur in House amendments to SB18-146, as printed in House journal, March 16, pages 575-576. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SENATE RECEDE ON HB18-1237

HB18-1237 by Representative(s) Kraft-Tharp and Van Winkle, Arndt, Coleman, Garnett, Gray, Liston, Rosenthal, Sandridge, Sias, Thurlow, Williams D.; also Senator(s) Neville T.--Concerning the continuation of the requirements regarding the preparation of a cost-benefit analysis as administered by the department of regulatory agencies, and, in connection therewith, implementing the recommendations contained in the 2017 sunset report by the department of regulatory agencies and making an appropriation.

Senator Neville moved that the Senate recede from its position on HB18-1237 and pass the bill as adopted by the House. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **repassed**.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Lambert, Chair, Lundberg, and Moreno were appointed as Senate conferees on the first conference committee on **HB18-1322**.

Senators Lambert, Chair, Lundberg, and Moreno were appointed as Senate conferees on the first conference committee on **HB18-1329**.

Senators Lambert, Chair, Lundberg, and Moreno were appointed as Senate conferees on the first conference committee on **HB18-1338**.

Senators Lambert, Chair, Lundberg, and Moreno were appointed as Senate conferees on the first conference committee on **HB18-1340**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--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, 2018, except as otherwise noted.

Senator Lambert moved that the Senate conferees on the first conference committee on HB18-1322 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**.

HB18-1340 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning transfers of money to be used for the state's infrastructure.

Senator Lambert moved that the Senate conferees on the first conference committee on HB18-1340 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**.

On motion of Assistant Majority Leader Scott, the Senate adjourned until 10:00 a.m., Wednesday, April 11, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

92nd Legislative Day Wednesday, April 11, 2018

Prayer — By Senator John Kefalas.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Fields.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Tuesday, April 10, 2018, 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 **HB18-1069** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1146** 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 **HB18-1147** 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 **HB18-1193** 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 **SB18-012** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-024** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 21, after line 5 insert:

"**SECTION 11. Appropriation.** For the 2018-19 state fiscal year, $2,500,000 is appropriated to the department of public health and environment for use by the prevention services division. 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 divison will require an additional 2.0 FTE. To implement this act, the division may use this appropriation for the Colorado health service corps in the primary care office.".

Renumber succeedingly sections accordingly.

Page 1, line 105, strike "**STATE.**" and substitute "**STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-031** 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.** (1) For the 2018-19 state fiscal year, $54,257 is appropriated to the legislative department for use by the committee on legal services. This appropriation is from the general fund. The committee may use this appropriation as follows:

(a) $53,307 for personal services, which amount is based on the assumption that the committee will require an additional 1.0 FTE; and

(b) $950 for operating expenses.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**SERVICES.**" and substitute "**SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-083** 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 4. Appropriation - adjustments to 2018 long bill.** To implement this act, the general fund appropriation made in the annual general appropriation act for the 2018-19 state fiscal year to the department of education for the state share of districts' total program funding is decreased by $51,800,000.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**EDUCATION.**" and substitute "**EDUCATION, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-191** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-193** 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 7 insert:

"**SECTION 3. Appropriation.** (1) For the 2018-19 state fiscal year, $40,415 is appropriated to the department of agriculture. 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 occupational rule review.

(2) For the 2018-19 state fiscal year, $76,887 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 0.8 FTE. To implement this act, the department may use this appropriation for occupational rule review.

(3) For the 2018-19 state fiscal year, $40,415 is appropriated to the department of human services. 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 occupational rule review.

(4) For the 2018-19 state fiscal year, $40,415 is appropriated to the department of public health and environment. 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 occupational rule review.

(5) For the 2018-19 state fiscal year, $2,306,226 is appropriated to the department of regulatory agencies. This appropriation is from the general fund and is based on an assumption that the department will require an additional 20.0 FTE. To implement this act, the department may use this appropriation for occupational rule review.

(6) For the 2018-19 state fiscal year, $153,869 is appropriated to the department of revenue. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.7 FTE. To implement this act, the department may use this appropriation for occupational rule review.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**REGULATIONS.**" and substitute "**REGULATIONS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-145** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Business Labor and Technology Committee Report, dated February 28, 2018, page 1, line 17, after the period insert "THE TIME FRAMES ESTABLISHED IN THE DEPARTMENT'S RULES MUST PROVIDE FOR TRAINING TO BE COMPLETED OVER A FIVE-YEAR PERIOD, SUBJECT TO THE AVAILABILITY OF APPROPRIATIONS FOR REIMBURSEMENT OF VENDORS PURSUANT TO SUBSECTION (3)(b)(III.5)(B) OF THIS SECTION.".

Page 3, line 4, after the period insert "THE TIME FRAMES ESTABLISHED IN THE STATE BOARD'S RULES MUST PROVIDE FOR TRAINING TO BE COMPLETED OVER A FIVE-YEAR PERIOD, SUBJECT TO THE AVAILABILITY OF APPROPRIATIONS FOR REIMBURSEMENT OF VENDORS PURSUANT TO SUBSECTION (2)(k)(II) OF THIS SECTION.".

Amend printed bill, page 9, after line 7 insert:

"**SECTION 7. Appropriation.** (1) For the 2018-19 state fiscal year, $27,675 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) $22,972 for personal services, which amount is based on an assumption that the department will require an additional 0.4 FTE; and

(b) $4,703 for operating expenses.

(2) For the 2018-19 state fiscal year, $2,131 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 for the purchase of legal services.

(3) For the 2018-19 state fiscal year, $2,131 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of labor and employment under subsection (2) of this section. To implement this act, the department of law may use this appropriation to provide legal services for the department of labor and employment.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**DISABILITIES.**" and substitute "**DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-206** 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 "(4)(a)" and substitute "(4)(a); and **add** (4)(d)".

Page 4, after line 20 insert:

"(d) (I) (A) BEGINNING OCTOBER 15, 2018, AND NO LATER THAN OCTOBER 15 EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE AND TO THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE, OR THEIR SUCCESSOR COMMITTEES, DEMONSTRATING THAT THE INSTITUTIONS INCLUDED IN THIS SUBSECTION (4) HAVE MET RESIDENT ADMISSION AND ENROLLMENT REQUIREMENTS SET FORTH IN THIS SECTION FOR THE PRIOR FISCAL YEAR.

(B) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I) OF THIS SECTION, THE REPORTING REQUIREMENTS IN SUBSECTION (4)(d)(I)(A) OF THIS SECTION CONTINUE INDEFINITELY.

(II) THE DEPARTMENT AND THE INSTITUTIONS SHALL ENSURE THAT THE DATA REQUIRED FOR THESE CALCULATIONS IS CONSISTENTLY INCLUDED IN THE STATE'S STUDENT RECORDS DATABASE, INCLUDING DATA ON THE NUMBER OF STUDENTS WITH IN-STATE CLASSIFICATION AND OUT-OF-STATE CLASSIFICATION, THE NUMBER CLASSIFIED AS INTERNATIONAL STUDENTS FOR PURPOSES OF THE CALCULATION, THE RESIDENT AND NONRESIDENT STUDENTS CLASSIFIED AS ONLINE ONLY STUDENTS FOR PURPOSES OF THE CALCULATION, AND THE NUMBER OF STUDENTS CLASSIFIED AS COLORADO SCHOLARS PURSUANT TO SUBSECTION (5) OF THIS SECTION. THE REPORT SHALL INCLUDE BOTH THE NOMINAL NUMBERS OF STUDENTS IN EACH RELEVANT CATEGORY AND THE CALCULATION DEMONSTRATING THE INSTITUTION'S COMPLIANCE WITH THIS SECTION.

(III) AS PART OF THE REPORT REQUIRED PURSUANT TO THIS SUBSECTION (4)(d), IN COLLABORATION WITH THE INSTITUTIONS, THE DEPARTMENT SHALL DEMONSTRATE THAT THE INSTITUTIONS ARE COMPLYING WITH THE PROVISIONS OF SECTION 23-1-113 (1)(a) THAT REQUIRE THAT THE ACADEMIC ADMISSION STANDARDS FOR STUDENTS WHO DO NOT HAVE IN-STATE STATUS, AS DETERMINED PURSUANT TO SECTION 23-7-103, ARE EQUAL TO OR EXCEED THOSE ESTABLISHED FOR DETERMINING ADMISSION OF IN-STATE STUDENTS, AND THE REQUIREMENTS OF 23-1-113.5 (4)(b) OF THIS SECTION, THAT REQUIRE THAT CERTAIN INSTITUTIONS ANNUALLY REPORT INFORMATION DEMONSTRATING THAT QUALIFIED IN-STATE STUDENTS ARE NOT DISPLACED OR DENIED ADMISSION AS A RESULT OF THE PROVISIONS OF THIS SUBSECTION (4).".

Page 4, after line 20 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $8,181,450 is appropriated to the department of higher education for use by the regents of the university of Colorado. This appropriation is from student tuition.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**COLORADO.**" and substitute "**COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-210** 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 **SB18-218** 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 **SB18-225** 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, strike "18-___," and substitute "18-225,".

Local Government

After consideration on the merits, the Committee recommends that **SB18-190** be postponed indefinitely.

Local Government

After consideration on the merits, the Committee recommends that **SB18-221** be referred to the Committee of the Whole with favorable recommendation.

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO BANKING BOARD

for terms expiring July 1, 2021:

Timothy Patrick Daly of Evergreen, Colorado, to serve as a representative of a money transmitter organization licensed pursuant to Article 52 of Title 12, appointed;

Ronald Keith Tilton of Littleton, Colorado, to serve as an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed;

Laura Gene Miller of Littleton, Colorado, to serve as an executive officer of a trust company, appointed.

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2021:

Susan Grace Murphy of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as a Democrat, reappointed.

Finance

After consideration on the merits, the Committee recommends that **HB18-1235** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB18-1240** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB18-1175** be postponed indefinitely.

Finance

After consideration on the merits, the Committee recommends that **HB18-1305** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Trans-portation

After consideration on the merits, the Committee recommends that **HB18-1188** be postponed indefinitely.

Trans-portation

After consideration on the merits, the Committee recommends that **HB18-1275** 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 **HB18-1042** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 5, strike lines 4 and 5 and substitute "To implement this act, the general fund appropriation made in the".

Page 5, line 10, strike "licensing".

Page 5, strike line 11 and substitute "general fund and is based".

Page 5, line 16, strike "Colorado".

Page 5, strike lines 17 and 18 and substitute "general fund. To implement this act, the".

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-018** be postponed indefinitely.

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-038** 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 **SB18-039** 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 1 insert:

"**SECTION 2. Appropriation.** (1) For the 2018-19 state fiscal year, $49,125 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) $41,484 for use by the legislative council, which amount is based on an assumption that the legislative council will require an additional 0.3FTE; and

(b) $7,641for use by the office of legislative legal services, which amount is based on an assumption that the office will require an additional 0.1 FTE.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**REPEAL.**" and substitute "**REPEAL AND MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-042** 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 5 insert:

"**SECTION 2. Appropriation.** For the 2018-19 state fiscal year, $43,157 is appropriated to the department of agriculture for use by the

commissioner's office. 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 office may use this appropriation for the agriculture workforce development program.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-061** 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 25 insert:

"**SECTION 7. Appropriation.** (1) For the 2017-18 state fiscal year, $10,890 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $5,600 for use by the executive director's office for personal services;

(b) $4,090 for tax administration IT system (GenTax) support; and

(c) $1,200 for the purchase of document management services.

(2) For the 2017-18 state fiscal year, $1,200 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(c) of this section. To implement this act, the department of personnel may use this appropriation to provide document management services for the department of revenue.".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-077** 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 1, 2018, page 1, lines 3 and 4, strike "FOR WHICH A CERTIFICATE OF TITLE HAS PREVIOUSLY BEEN ISSUED IN THE STATE".

Page 1, line 5, strike "26." and substitute "26 IF:

(I) A CERTIFICATE OF TITLE HAS PREVIOUSLY BEEN ISSUED IN THE STATE FOR THE MOTOR VEHICLE; AND

(II) THE TAXABLE VALUE OF THE MOTOR VEHICLE IS TWENTY THOUSAND DOLLARS OR LESS.".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-085** 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 25 insert:

"**SECTION 4. Appropriation.** For the 2018-19 state fiscal year, $240,000 is appropriated to the department of higher education. This appropriation is from the general fund. To implement this act, the department may use may use this appropriation for rural teacher recruitment, retention, and professional development.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**AREAS.**" and substitute "**AREAS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-112** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-150** 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 23 insert:

"**SECTION 5. Appropriation.** (1) For the 2018-19 state fiscal year, $89,600 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 2018-19 state fiscal year, $89,600 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.

SECTION 6. Appropriation. For the 2018-19 state fiscal year, $95,555 is appropriated to the department of state for use by the information technology services 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 department may use this appropriation for personal services.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**SYSTEM.**" and substitute "**SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-203** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-231** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-166.
Correctly Reengrossed: SB18-043.
Correctly Rerevised: HB18-1253.
Correctly Enrolled: SB18-146, 154, 180, and 187.

MESSAGE FROM THE HOUSE

April 10, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1017, as printed in House Journal, April 11, 2018.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SCR18-003 by Senator(s) Marble and Fenberg, Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Zenzinger; also Representative(s) Saine and Pabon, Becker J., Buck, Everett, Humphrey, Landgraf, Lewis, Liston, Neville P., Rankin, Ransom, Reyher, Sandridge, Thurlow, Van Winkle, Winkler--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning changing the industrial hemp definition from a constitutional definition to a statutory definition.
State, Veterans, & Military Affairs

INTRODUCTION OF MEMORIALS

The following memorial was read by title and referred to the committee indicated:

SJM18-005 by Senator(s) Moreno, Aguilar, Court, Kefalas, Kerr, Merrifield; also Representative(s) Pabon and Arndt--Memorializing the United States Congress to call a constitutional convention for the exclusive purpose of proposing an amendment to the United States Constitution to reverse recent United States Supreme Court decisions in the area of campaign and political finance thereby restoring balance and integrity to our elections.
State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB18-238 by Senator(s) Crowder; also Representative(s) Valdez--Concerning labor by persons confined in county jails.
Local Government

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:

SB18-166 by Senator(s) Coram; also Representative(s) Herod--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	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	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, Fields, Guzman, Jahn, Jones, Kefalas, Kerr, Merrifield, Todd, and Williams A.

CONSIDERATION OF RESOLUTIONS

SR18-004 by Senator(s) Jahn and Crowder--Concerning encouraging the Great Outdoors Colorado Program to assist organizations that provide outdoor restoration and recreational activities to military veterans.

Laid over until Thursday, April 12, retaining its place on the calendar.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Melton, Rosenthal, Sias, Williams D.--Concerning adjustments to total gross purchases for purposes of calculating the excise tax on tobacco products.

Senator Williams moved that the Senate not concur in House amendments to SB18-179, as printed in House journal, April 6, pages 866-867, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The President appointed Senators Hill, Chair, Cooke, and Williams as Senate conferees on the first conference committee on SB18-179.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-209, HB18-1264, HB18-1257, HB18-1268, HB18-1146, HB18-1147, HB18-1193, SB18-031, SB18-206, SB18-210, SB18-218, HB18-1305, HB18-1275, HB18-1042, SB18-038, and SB18-039 were made Special Orders--Consent Calendar at 10:46 a.m.

Committee of the Whole

The hour of 10:46 a.m. having arrived, Senator Hill moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-209 by Senator(s) Todd and Martinez Humenik, Tate; also Representative(s) Pabon and Thurlow, Singer--Concerning modifications to the government data advisory board created in the office of information technology.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1264 by Representative(s) Jackson and Carver, Becker K., Buck, Esgar, Landgraf, Liston, Lundeen, Melton, Salazar, Sias, Van Winkle, Weissman, Wilson, Wist; also Senator(s) Cooke and Fields--Concerning measures to clarify the scope of revenge porn criminal offenses.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1257 by Representative(s) Rosenthal; also Senator(s) Cooke--Concerning a correction to House Bill 16-1316 by reinserting the word "not".

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1268 by Representative(s) Gray; also Senator(s) Gardner--Concerning the procedures to recall a director of a special district.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1146 by Representative(s) Melton; also Senator(s) Coram--Concerning the continuation under the sunset law of the measurement standards law.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 23, page 525 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1147 by Representative(s) Ginal and Ransom, Esgar, Roberts; also Senator(s) Coram--Concerning the continuation of the regulation of people who modify the weather, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1193 by Representative(s) Wilson and McLachlan; also Senator(s) Scott and Zenzinger--Concerning the advanced placement incentives pilot program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-031 by Senator(s) Gardner, Kagan; also Representative(s) Foote, Herod--Concerning an extension of the title 12 recodification study being conducted by the office of legislative legal services.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 708 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-206 by Senator(s) Priola and Kerr, Garcia, Holbert, Todd, Guzman, Martinez Humenik, Neville T.; also Representative(s) Arndt and Wist, Becker K., Bridges, Buckner, Coleman, Exum, Hooton, Liston, Lundeen, Michaelson Jenet, Pettersen, Reyher, Van Winkle--Concerning ensuring affordability at public research universities in Colorado.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 710 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-210 by Senator(s) Tate; --Concerning the regulation of real estate appraisal management companies, and, in connection therewith, aligning state law with current federal law and regulations.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-218 by Senator(s) Coram; also Representative(s) Arndt--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1305 by Representative(s) Coleman and Neville P.; also Senator(s) Neville T.--Concerning a voluntary contribution designation benefiting the Young Americans Center for Financial Education fund that appears on the state individual tax return forms.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1275 by Representative(s) Bridges, Winter; also Senator(s) Kagan, Martinez Humenik--Concerning the repeal of the Craig hospital license plate donation requirement.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1042 by Representative(s) Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence; also Senator(s) Scott and Zenzinger, Baumgardner, Cooke--Concerning the creation of a program to authorize private providers to register commercial vehicles as Class A personal property, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 712 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-038 by Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg; also Representative(s) Esgar and Willett, Arndt, Hansen, Saine--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for industrial hemp cultivation.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, January 19, page 51 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-039 by Senator(s) Jones and Cooke, Baumgardner, Coram, Merrifield; also Representative(s) Thurlow and Exum, Becker K., Carver, Hamner, Singer--Concerning the wildfire matters review committee, and, in connection therewith, deferring the date on which the committee is scheduled to repeal.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 712 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 Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-209, SB18-031 as amended, SB18-206 as amended, SB18-210, SB18-218, SB18-038 as amended, SB18-039 as amended, HB18-1264, HB18-1257, HB18-1268, HB18-1146 as amended, HB18-1147, HB18-1193, HB18-1305, HB18-1275, HB18-1042 as amended.

MESSAGE FROM THE HOUSE

April 11, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1304, 1296, 1307.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1280, 1283, 1335, 1152, 1181, 1271, amended as printed in House Journal, April 10, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1258, amended as printed in House Journal, April 10, 2018, and amended on Third Reading as printed in House Journal, April 11, 2018.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-079, 106, 110, 127, 129, 136, 172, 176, 182, 183, and 184.

MESSAGE FROM THE REVISOR OF STATUTES

April 11, 2018

We herewith transmit:

Without comment, HB18-1296, 1304, and 1307.
Without comment, as amended, HB18-1152, 1181, 1258, 1271, 1280, 1283, and 1335.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-230** be referred to the Committee of the Whole with favorable recommendation.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR18-010 by Senator(s) Crowder and Coram; also Representative(s) McLachlan--Concerning the designation of Colorado State Highway 84 between Pagosa Springs and the Colorado state line as the "Nolan Olson Memorial Highway".

Laid over one day under Senate Rule 30(b).

SR18-005 by Senator(s) Lundberg, Grantham--Concerning the Colorado Department of Public Health and Environment's proposed rules regulating the assisted living industry in Colorado.

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:

SB18-239 by Senator(s) Marble; also Representative(s) Arndt and Becker J.--Concerning a licensed chiropractor's ability to perform animal chiropractic on an animal patient.
Agriculture, Natural Resources, & Energy

SB18-240 by Senator(s) Gardner; also Representative(s) Wist--Concerning the adoption of the "Revised Uniform Unclaimed Property Act".
Judiciary

HB18-1152 by Representative(s) Lawrence; also Senator(s) Cooke--Concerning making certain records of the state judicial department relating to sexual harassment investigations subject to the Colorado open records act.
State, Veterans, & Military Affairs

HB18-1181 by Representative(s) Liston, McKean, Wilson, Coleman; also Senator(s) Tate--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

HB18-1258 by Representative(s) Singer and Melton, Herod; also Senator(s) Neville T. and Fenberg, Marble--Concerning authorization for an endorsement to an existing marijuana license to allow for a marijuana accessory consumption establishment for the purposes of consumer education, and, in connection therewith, making an appropriation.
Finance

HB18-1271 by Representative(s) Gray and Willett; also Senator(s) Tate--Concerning the authorization of economic development rates to be charged by electric utilities to qualifying nonresidential customers.
Business, Labor, & Technology

HB18-1280 by Representative(s) Melton; also Senator(s) Coram--Concerning regulatory procedures related to the appointment of a court appointee for a regulated marijuana business, and, in connection therewith, making an appropriation.
Finance

HB18-1283 by Representative(s) Benavidez; also Senator(s) Neville T.--Concerning the classification of residential land for property tax purposes resulting from a significant change in the residential improvements located upon the land.
Finance

HB18-1296 by Representative(s) Melton and Everett; also Senator(s) Marble and Moreno--Concerning an expansion of the ability to leave a motor vehicle unattended in certain circumstances.
State, Veterans, & Military Affairs

HB18-1304 by Representative(s) Benavidez; also Senator(s) Court--Concerning enforcement measures available to the department of revenue for the collection of delinquent taxes.
State, Veterans, & Military Affairs
Transportation
Finance

HB18-1307 by Representative(s) Singer and Lee; also Senator(s) Gardner and Cooke--Concerning restricting the availability to children of products that contain dextromethorphan.
Judiciary

HB18-1335 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the Colorado child care assistance program, and, in connection therewith, establishing eligibility requirements for all counties and creating a new formula to determine the amount of block grants to counties.
Appropriations

MESSAGE FROM THE GOVERNOR

Appointment

Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

November 7, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2021:

William Joseph Hybl of Colorado Springs, Colorado, a Republican residing in the Fifth Congressional District, reappointed;

Michael Angelo Cafasso of Pueblo, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, who has expertise in finance through management-level experience in banking, reappointed;

Michelle Rene Brown of Pueblo West, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

August 23, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

MEMBERS OF THE SOLID AND
HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2020:

James Michael Wilson of Superior, Colorado, to serve as a representative from the regulated community and as a Unaffiliated, reappointed;

Garrett Clemons of Denver, Colorado, to serve as a representative from the public at large and as a Republican, reappointed;

Charles R. Adams of Lakewood, Colorado, to serve as a representative from the regulated community and as an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

April 9, 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
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2020:

Peter Jon Piccolo of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of Daniel R. Grunig of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/10/2018
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

January 18, 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, reappoint and submit to your consideration, the following:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2021:

Tony Carroll Williams of Centennial, Colorado, a person with appropriate scientific and technical training or experience, and a Democrat, appointed;

Thomas Roy Gonzales of Colorado Springs, Colorado, a person with appropriate scientific training or experience, and a Democrat, appointed;

Curtis Otto Rueter of Westminster, Colorado, a person with appropriate technical and industrial training or experience, and a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 1/31/2018
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

August 23, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit for your consideration, the following:

MEMBERS OF THE
STATE BOARD OF HEALTH

for a term expiring March 1, 2019:

Nadeen Muaatasem Ibrahim of Aurora, Colorado, a resident of the Fourth Congressional District, a Democrat, appointed;

for a term expiring March 1, 2021:

Daniel Michael Pastula, MD, MHS of Denver, Colorado, to serve as an at-large member from the Fourth Congressional District, as an Unaffiliated, and occasioned by the change in designation of Nadeen Muaatasem Ibrahim of Aurora, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Health & Human Services

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 11, 2018, at 1:26 p.m.:
SB18-079, 106, 110, 127, 129, 136, 172, 176, 182, 183, and 184.

TRIBUTES

Honoring:

Children's Health Day -- Senator Rhonda Fields.
Heraa Hashmi -- By Senator Steve Fenberg.
Thomas Walsh -- By Senator Kerry Donovan.
Melanie Schwartz -- By Senator Kerry Donovan.
Dr. Virginia Santy -- By Senator Angela Williams.
Melanie Ulle -- By Senator Angela Williams.
Ophelia Mejia -- By Senator Angela Williams.
The Colorado Golf Industry -- By Senator Lucia Guzman and Senator Jack Tate.
Duane and Patsy Myers -- By Senator Leroy Garcia.
Rodolfo "Corky" Gonzales -- By Senator Irene Aguilar.
Colorado Christian University -- By Senator Kevin Lundberg.
Grandview High School Boys' and Girls' Basketball Teams -- By Senator Nancy Todd and Senator Jack Tate.
Lucy Oliviero -- By Senator Steve Fenberg.
Marley Farrior -- By Senator Steve Fenberg.
Eric Wilkinson -- By Senator Jerry Sonnenberg.
David Baron -- By Senator Steve Fenberg.

Michael Kodas -- By Senator Steve Fenberg.
Peyton Roth -- By Senator Leroy Garcia.
Pikes Peak Continuum of Care -- By Senator Michael Merrifield.

On motion of Assistant Majority Leader Scott, the Senate adjourned until 9:00 a.m., Thursday, April 12, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

93rd Legislative Day Thursday, April 12, 2018

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.

Presentation of Colors — By the Valkyrie Cadet Squadron of the Civil Air Patrol: Cadet Lieutenant Colonel Kyle Vestecka, Cadet Captain Leighton Wright, Cadet First Lieutenant Louis Stein, and Cadet Second Lieutenant Janet Sanner.

Pledge — By Senator Fields

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Wednesday, April 11, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1156** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 6, line 12, after "IN" insert "RULE 107 OF".

Page 6, line 13, strike "PROCEDURE" and substitute "PROCEDURE, OR ANY SUCCESSOR RULE,".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1274** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1149** be postponed indefinitely.

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
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2018:

Jason Lee Wardrip of Aurora, Colorado, to serve as a representative of labor organizations, 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, 2019:

Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1250** 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 Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1329

****
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 HB18-1329, concerning a supplemental state payment to qualified providers of durable medical equipment who experienced a decrease in reimbursement in the 2017-18 state fiscal year as a result of the implementation of the federal "21st Century Cures Act", and, in connection therewith, making an appropriation, 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 2, line 12, strike "MARCH 31," and substitute "MARCH 15,".

Page 2, lines 14 and 15, strike "MARCH 31," and substitute "MARCH 15,".

Page 3, line 18, strike "MARCH 31," and substitute "MARCH 15,".

Page 3, line 21, strike "MARCH 31," and substitute "MARCH 15,".

Page 4, line 19, strike "$9,137,723" and substitute "$7,591,815".

Respectfully submitted,

House Committee:	Senate Committee:
Millie Hamner, Chair	Kent Lambert, Chair
David Young	Kevin Lundberg
Bob Rankin	Dominick Moreno

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1322

****
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 HB18-1322, 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, 2018, except as otherwise noted, 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 34, line 4, in the ITEM & SUBTOTAL column strike "2,247,885" and substitute "2,347,885" and in the GENERAL FUND column strike "2,247,885" and substitute "2,347,885".

Adjust affected totals accordingly.

Page 99, line 14, in the ITEM & SUBTOTAL column strike "2,941,136" and substitute "3,166,128" and in the GENERAL FUND column strike "1,088,210" and substitute "1,313,202".

Page 99, line 15, in the ITEM & SUBTOTAL column strike "(13.0 FTE)" and substitute "(15.0 FTE)".

Adjust affected totals accordingly.

Page 475, line 6, in the ITEM & SUBTOTAL column strike "14,724,992" and substitute "14,500,000" and in the GENERAL FUND column strike "8,224,992" and substitute "8,000,000".

Adjust affected totals accordingly.

Page 116, line 7, strike "Individuals[14, 14a, 14c]" and substitute "Individuals[14, 14a]", in the TOTAL column strike "7,643,065,750" and substitute "7,642,975,557", in the GENERAL FUND column strike "1,324,505,865(M)" and substitute "1,324,482,663(M)", in the CASH FUNDS column strike "940,266,629[b]" and substitute "940,263,783[b]", and in the FEDERAL FUNDS column strike "4,507,807,582" and substitute "4,507,743,437".

Adjust affected totals accordingly.

Page 117, line 1, strike "$692,764,258" and substitute "$692,761,412".

Page 133, strike lines 1 and 2.

Page 157, line 2, in the ITEM & SUBTOTAL column strike "11,132,553" and substitute "12,311,435" and in the GENERAL FUND column strike "3,040,708" and substitute "4,219,590".

Adjust affected totals accordingly.

Page 184, line 5, in the ITEM & SUBTOTAL column, strike "366,300,768[e]" and substitute "362,612,599[e]", in the GENERAL FUND

column strike "194,068,359" and substitute "191,117,824", and in the CASH FUNDS column strike "68,120,176[c]" and substitute "67,382,542[c]".

Adjust affected totals accordingly.

Page 187, line 9, strike "$8,293,180" and substitute "$4,605,011".

Page 187, line 10, strike "amounts: $3,688,169 for transportation requirements for children and youth in foster care as outlined in the federal Every Student Succeeds Act," substitute "estimated amounts:".

Page 240, strike lines 5 through 8 and substitute:

"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 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.".

Page 306, line 4, in the ITEM & SUBTOTAL column strike "40,528,793" and substitute "36,528,793" and in the GENERAL FUND column strike "13,200,000" and substitute "9,200,000".

Adjust affected totals accordingly.

Page 449, after line 5 insert:

	ITEM & SUBTOTAL $	GENERAL FUND $
"Subsistence Payment[100a]	275,000	275,000".

Adjust affected totals accordingly.

Page 464, after line 10 insert:

"100a Department of Public Safety, Division of Criminal Justice, Community Corrections, Subsistence Payment -- It is the General Assembly's intent this appropriation be used to pay the $17.00 per day subsistence payment to community corrections providers on behalf of the client for the first ten days of residence or until the client receives their first paycheck, whichever comes first.".

Page 462, strike lines 3 through 7 and substitute:

"97a Department of Public Safety, Executive Director's Office, Special Programs, School Safety Resource Center, Appropriation to the School Safety Resource Center Cash Fund -- It is the General Assembly's intent that the money from this fund be directed to local school districts, boards of cooperative services, and public schools (including charter schools) to use for: capital construction assistance for physical security; communication improvements; the training of school

personnel and school resource officers; and/or coordination with emergency response teams.".

Page 475, line 6, in the ITEM & SUBTOTAL column strike "14,724,992" and substitute "6,724,992" and in the GENERAL FUND column strike "8,224,992" and substitute "224,992".

Adjust affected totals accordingly.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Page 127, line 13, in the ITEM & SUBTOTAL column strike "1,638,654" and substitute "1,838,654", in the GENERAL FUND column strike "819,327(M)" and substitute "919,327(M)", and in the FEDERAL FUNDS column strike "819,327" and substitute "919,327".

Adjust affected totals accordingly.

Page 206, line 15, in the GENERAL FUND column strike "1,326,952" and substitute "1,226,952" and in the CASH FUNDS column strike "307,247[d]" and substitute "407,247[d]".

Adjust affected totals accordingly.

Page 208, line 6, in the ITEM & SUBTOTAL column strike "1,638,654" and substitute "1,838,654" and in the REAPPROPRIATED FUNDS column strike "1,638,654[g]" and substitute "1,838,654[g]".

Adjust affected totals accordingly.

Page 253, line 11, in the ITEM & SUBTOTAL column strike "8,541,699" and substitute "8,531,232" and in the GENERAL FUND column strike "8,376,450" and substitute "8,365,983".

Page 253, line 13, in the ITEM & SUBTOTAL column strike "2,575,133" and substitute "2,559,313" and in the GENERAL FUND column strike "2,405,133" and substitute "2,389,313".

Adjust affected totals accordingly.

Page 259, line 5, in the ITEM & SUBTOTAL column strike "3,526,880" and substitute "3,381,431" and in the GENERAL FUND column strike "3,526,880" and substitute "3,381,431".

Adjust affected totals accordingly.

Page 260, line 13, in the ITEM & SUBTOTAL column strike "2,601,474" and substitute "2,561,813" and in the GENERAL FUND column strike "2,601,474" and substitute "2,561,813".

Adjust affected totals accordingly.

Page 262, line 4, in the ITEM & SUBTOTAL column strike "30,450" and substitute "30,200" and in the GENERAL FUND column strike "30,450" and substitute "30,200".

Adjust affected totals accordingly.

Page 263, line 11, in the ITEM & SUBTOTAL column strike "1,093,821" and substitute "1,059,691" and in the GENERAL FUND column strike "1,093,821" and substitute "1,059,691".

Adjust affected totals accordingly.

Page 299, strike lines 5 and 6.

Page 299, line 9, in the TOTAL column strike "2,905,270" and substitute "2,855,270" and in the GENERAL FUND column strike "2,905,270" and substitute "2,855,270".

Adjust affected totals accordingly.

Page 421, line 2, in the ITEM & SUBTOTAL column strike "947,007" and substitute "547,007" and in the GENERAL FUND column strike "947,007" and substitute "547,007".

Adjust affected totals accordingly.

Page 485, line 12, strike "**GROUP**" and substitute "**GROUP**[102a]".

Page 501, after line 14 insert:

"102a Department of Revenue, Taxation Business Group -- It is the General Assembly's intent that the Department review its existing resources dedicated to severance tax and provide the Joint Budget Committee with the information requested in the requests for information letter submitted in conjunction with the 2018 long bill.".

Page 538, after line 9 insert:

	ITEM & SUBTOTAL	CAPITAL CONSTRUCTION FUND
	$	$
"(7) DEPARTMENT OF CORRECTIONS		
Fire Alarm System Replacement, Arkansas Valley Correctional Facility (Capital Renewal)	2,543,505	2,543,505".

Adjust affected totals accordingly.

Page 549, before line 1 insert:

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$

"SECTION 4. Capital construction appropriations for the fiscal year beginning July 1, 2015. In Session Laws of Colorado 2015, section 3 of chapter 364, (SB 15-234), **amend** Part III (6) and **add** footnote 2, as the affected totals are amended by section 1 of chapter 384, (HB16-1252), Session Laws of Colorado 2016, by section 2 of chapter 420, (SB17-172), Session Laws of Colorado 2017, and by section 3 of HB18-1170, as follows:

Section 3. **Capital Construction Appropriation.**

INFORMATION TECHNOLOGY PROJECTS

(6) DEPARTMENT OF REVENUE					
Division of Motor Vehicles, IT System ~~Replacement~~ REPLACEMENT[2]	52,350,833	52,350,833			
TOTALS PART III (INFORMATION TECHNOLOGY PROJECTS)	$96,321,121	$76,877,790	$2,100,000	$2,100,000	$15,243,331

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$
GRAND TOTALS						
(CAPITAL CONSTRUCTION)		$386,244,697	$251,492,777	$117,215,651[a]	$2,100,000	$15,436,269[b]

[a] Of this amount, $2,076,402 shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a) (I) (C), C.R.S., and $300,000 shall be from the Highway Users Tax Fund pursuant to Section 33-10-111 (4), C.R.S. Of this amount, $4,935,458 contains an (I) notation.

[b] This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 3.

2 CAPITAL CONSTRUCTION, INFORMATION TECHNOLOGY PROJECTS, DEPARTMENT OF REVENUE, DIVISION OF MOTOR VEHICLES, IT SYSTEM REPLACEMENT -- THIS APPROPRIATION SHALL REMAIN AVAILABLE FOR EXPENDITURE THROUGH JUNE 30, 2019."

Renumber succeeding sections accordingly.

Page 596, before line 1 insert:

		APPROPRIATION FROM				
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
$	$	$	$	$	$	$

"**SECTION 11. Appropriation to the department of state for the fiscal year beginning July 1, 2017.** In Session Laws of Colorado 2017, section 2 of chapter 421, (SB 17-254), **amend** Part XX (3) and the affected totals, as Part XX (3) and the affected totals are amended by section 1 of HB18-1168, as follows:

Section 2. **Appropriation.**

PART XX

DEPARTMENT OF STATE

(3) ELECTIONS DIVISION						
Personal Services	2,453,176			2,453,176[a]		
				(34.2 FTE)		
Operating Expenses	267,838			267,838[a]		
Help America Vote Act Program	10,000			10,000(I)[b]		
Local Election Reimbursement[86]	320,000			320,000[a]		

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
Initiative and Referendum	~~250,000~~				~~250,000*~~		
	550,000				550,000[a]		
		~~3,301,014~~					
		3,601,014					

[a] These amounts shall be from the Department of State Cash Fund created in Section 24-21-104 (3)(b), C.R.S.

[b] This amount shall be from the Federal Elections Assistance Fund created in Section 1-1.5-106 (1)(a), C.R.S., and is shown for informational purposes as it is continuously appropriated to the Department of State for the implementation of the federal Help America Vote Act of 2002, pursuant to Section 1-1.5-106 (2)(b), C.R.S. Appropriations from the Federal Elections Assistance Fund do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

TOTALS PART XX

(STATE)	~~$22,503,220~~			~~$22,503,220*~~		
	$22,803,220			$22,803,220[a]		

[a] Of this amount, $10,000 contains an (I) notation.".

Renumber succeeding sections accordingly.

Page 110, line 7, in the ITEM & SUBTOTAL column strike "45,198,406" and substitute "45,218,970", in the CASH FUNDS column strike "4,445,412[a]" and substitute "4,449,162[a]", in the REAPPROPRIATED FUNDS column strike "6,618[b]" and substitute 12,182[b]", and in the FEDERAL FUNDS column strike "34,212,106" and substitute "34,223,356".

Adjust affected totals accordingly.

Page 111, line 13, strike "$3,957,213" and substitute "$3,960,963".

Page 125, line 13, in the ITEM & SUBTOTAL column strike "16,380,290" and substitute "20,684,540", in the GENERAL FUND column strike "8,190,146(M)" and substitute "10,342,271(M)", and in the FEDERAL FUNDS column strike "8,190,144" and substitute "10,342,269".

Page 127, line 4, in the GENERAL FUND column insert "13,441" and in the FEDERAL FUNDS column strike "26,882" and substitute "13,441".

Page 129, line 12, in the ITEM & SUBTOTAL column strike "10,340,013" and substitute "10,138,523", in the GENERAL FUND column strike "5,170,007(M)" and substitute "5,069,262(M)", and in the FEDERAL FUNDS column strike "5,170,006" and substitute "5,069,261".

Adjust affected totals accordingly.

Page 171, strike lines 14 and 15 and substitute "[b] Of these amounts, $110,588 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S, and $842,220 shall be from various sources of cash funds.".

Page 172, strike lines 1 through 3 and substitute "[d] Of these amounts, $707,332 shall be from the Temporary Assistance for Needy Families Block Grant, $411,825 shall be from Child Care Development Funds, an estimated $240,604 shall be from the Substance Abuse Prevention and Treatment Block Grant, and $4,752,118(I) shall be from various sources of federal funds.".

Page 189, strike line 7 and substitute "[q] Of this amount, $6,099,461 shall be from the Title XX Social Services Block Grant, an estimated $3,453,506(I) shall be from Title IV-E of the Social Security Act, an estimated $232,862(I) shall be from Title IV-B, Subpart 1, of the Social Security Act, and an estimated $844,494(I) shall be from various sources of federal funds.".

Page 204, strike line 9 and substitute "[a] Of this amount, an estimated $47,190 shall be from the Colorado Domestic Abuse Program Fund established pursuant to Section 39-22-802 (1), C.R.S., and an estimated $18,963 shall be from various sources of cash funds.".

Page 204, strike line 12 and substitute "[c] Of this amount, $4,581,186 shall be from the Temporary Assistance for Needy Families Block Grant, an estimated $3,286,214(I) shall be from Titles II and XVI of the Social Security Act, an estimated $3,124,634(I) shall be from the U.S. Department of Agriculture, an estimated $2,888,463(I) shall be from Title IV-D of the Social Security Act, and an estimated $145,648(I) shall be from various sources of federal funds.".

Page 215, strike lines 4 and 5 and substitute "[a] Of this amount, an estimated $3,948,105 shall be from Medicare and other sources of patient revenues earned by the mental health institutes, an estimated $1,506,232 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and an estimated $150,203 shall be from various sources

of cash funds.".

Page 215, strike line 8 and substitute "[c] Of this amount, an estimated $470,702(I) shall be from the Substance Abuse Prevention and Treatment Block Grant, an estimated $174,051(I) shall be from the Mental Health Services Block Grant, and an estimated $381,663(I) shall be from various sources of federal funds.".

Page 222, strike lines 13 through 15 and substitute "[a] Of this amount, an estimated $1,880,867(I) shall be from the Central Fund for Veterans Community Living Center created in Section 26-12-108 (1)(a), C.R.S., and an estimated $217,014 shall be from various sources of cash funds.".

Page 229, strike lines 7 and 8 and substitute "[a] Of this amount, an estimated $131,659 shall be from the Old Age Pension Fund pursuant to Section 1, Article XXIV, of the State Constitution, and an estimated $18,229 shall be from various sources of cash funds.".

Page 234, line 4, strike "$285,626,557" and substitute "305,163,898".

Page 192, line 14, strike "County maintenance of effort for this program, pursuant to federal requirements, totals $11,498,315".

Page 196, line 2, in the FEDERAL FUNDS column strike "3,055,898[c]" and substitute "3,055,898[b]".

Page 196, strike lines 9 and 10.

Page 196, line 11, strike "[c] Of" and substitute "[b] Of".

Page 220, line 14, in the CASH FUNDS column strike "7,665" and substitute "7,665(I)[a]".

Page 234, line 4, strike "$285,618,892" and substitute "285,626,557".

Page 212, line 10, in the ITEM & SUBTOTAL column strike "82,442,971" and substitute "82,419,511".

Page 213, line 3, in the ITEM & SUBTOTAL column strike "95,957,107" and substitute "95,933,647" and in the GENERAL FUND column strike "80,301,575" and substitute "80,278,115".

Page 214, line 2, in the ITEM & SUBTOTAL column strike "2,263,554" and substitute "2,287,014" and in the GENERAL FUND column strike "2,263,554" and substitute "2,287,014".

Adjust affected totals accordingly.

Page 217, line 5, strike "Facility" and substitute "Facility[53]".

Page 217, line 10, strike "Services[53]" and substitute "Services[54]".

Page 219, line 7, strike "**Trust Fund**" and substitute "**Program**".

Page 261, line 5, in the GENERAL FUND column strike "(30.0 FTE)" and substitute "(31.0 FTE)".

Page 302, line 10, strike "$93,728" and substitute "$306,033" and strike "$1,331,033" and substitute "$1,118,728".

Page 318, line 13, strike "a person" and substitute "individuals".

Page 318, line 14, strike "is" and substitute "are".

Page 337, line 10, strike "Section 39-22-703 (1), C.R.S.," and substitute "Section 33-1-125 (1)(a), C.R.S.,".

Page 413, line 10, strike "Tobacco Education Programs Fund created in Section 24-22-117 (2)(c)(I), C.R.S.," and substitute "Prevention, Early Detection, and Treatment Fund created in Section 24-22-117 (2)(d)(I), C.R.S.,".

Page 413, line 11, strike "Prevention, Early Detection, and Treatment Fund created in Section 24-22-117 (2)(d)(I), C.R.S.," and substitute "Tobacco Education Programs Fund created in Section 24-22-117 (2)(c)(I), C.R.S.,".

Page 429, line 8, strike "It is the intent of the General Assembly" and substitute "It is the General Assembly's intent".

Page 431, line 5, strike "It is the intent of the General Assembly" and substitute "It is the General Assembly's intent".

Page 429, line 12, strike "FY 2019-20," and substitute "FY 2020-21,".

Page 429, line 15, strike "FY 2019-20," and substitute "FY 2020-21,".

Page 433, line 7, in the GENERAL FUND column strike "157,739" and in the REAPPROPRIATED FUNDS column strike "452,626[f]" and substitute "610,365[f]".

Adjust affected totals accordingly.

Page 435, line 4, strike "$5,745,968" and substitute "$6,047,228" and strike "$609,310" and "$465,789".

Page 456, line 6, in the ITEM & SUBTOTAL column strike "12,854,073" and substitute "12,852,693" and in the REAPPROPRIATED FUNDS column strike "700,104[b]" and substitute "698,724[b]".

Adjust affected totals accordingly.

Respectfully submitted,

House Committee:	Senate Committee:
Millie Hamner, Chair	Kent Lambert, Chair
David Young	Kevin Lundberg
Bob Rankin	Dominick Moreno

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of conference committee reports.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1322 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno- 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, 2018, except as otherwise noted.

Senator Lambert moved for the adoption of the first report of the first conference committee on HB18-1322, as printed in Senate journal, April 12, pages 729-740. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Court, Kefalas, Merrifield, Williams A., and Zenzinger.

HB18-1329 by Representative(s) Rankin, Hamner, Young; also Senator(s) Moreno, Lambert, Lundberg- Concerning a supplemental state payment to qualified providers of durable medical equipment who experienced a decrease in reimbursement in the 2017-18 state fiscal year as a result of the implementation of the federal "21st Century Cures Act", and, in connection therewith, making an appropriation.

Senator Moreno moved for the adoption of the first report of the first conference committee on HB18-1329, as printed in Senate journal, April 12, page 728. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SENATE ADHERENCE ON HB18-1338

HB18-1338 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert, Lundberg, Moreno-Concerning transfers to address the reduction of revenues in the severance tax operational fund.

Senator Lambert moved that the conference committee on HB18-1338 be dissolved, that the Senate conferees be discharged, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SENATE SERVICES REPORT

Correctly Printed: SB18-238, 239, and 240; SCR18-003; SJM18-005; SJR18-010; SR18-005.
Correctly Engrossed: SB18-031, 038, 039, 206, 209, 210, and 218.
Correctly Reengrossed: SB18-166.
Correctly Revised: HB18-1042, 1146, 1147, 1193, 1257, 1264, 1268, 1275, and 1305.

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:

SB18-209 by Senator(s) Todd and Martinez Humenik, Tate; also Representative(s) Pabon and Thurlow, Singer--Concerning modifications to the government data advisory board created in 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lambert and Williams A.

HB18-1264 by Representative(s) Jackson and Carver, Becker K., Buck, Esgar, Landgraf, Liston, Lundeen, Melton, Salazar, Sias, Van Winkle, Weissman, Wilson, Wist; also Senator(s) Cooke and Fields--Concerning measures to clarify the scope of revenge porn criminal offenses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Garcia, Kagan, Kefalas, Lambert, Martinez Humenik, Tate, Todd, and Williams A.

HB18-1257 by Representative(s) Rosenthal; also Senator(s) Cooke--Concerning a correction to House Bill 16-1316 by reinserting the word "not".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Gardner, and Kerr.

HB18-1268 by Representative(s) Gray; also Senator(s) Gardner--Concerning the procedures to recall a director of a special district.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB18-1146 by Representative(s) Melton; also Senator(s) Coram--Concerning the continuation under the sunset law of the measurement standards law.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Jones, Sonnenberg, and Tate.

HB18-1147 by Representative(s) Ginal and Ransom, Esgar, Roberts; also Senator(s) Coram--Concerning the continuation of the regulation of people who modify the weather, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Kerr, and Moreno.

HB18-1193 by Representative(s) Wilson and McLachlan; also Senator(s) Scott and Zenzinger--Concerning the advanced placement incentives 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fields, Garcia, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Sonnenberg, Tate, Todd, and Williams A.

SB18-031 by Senator(s) Gardner, Kagan; also Representative(s) Foote, Herod--Concerning an extension of the title 12 recodification study being conducted by the office of legislative legal 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	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Martinez Humenik, Moreno, and Tate.

SB18-206 by Senator(s) Priola and Kerr, Garcia, Holbert, Todd, Guzman, Martinez Humenik, Neville T.; also Representative(s) Arndt and Wist, Becker K., Bridges, Buckner, Coleman, Exum, Hooton, Liston, Lundeen, Michaelson Jenet, Pettersen, Reyher, Van Winkle--Concerning ensuring affordability at public research universities in Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Fields, Jahn, Jones, Kagan, Kefalas, Lambert, Marble, Merrifield, Moreno, Tate, Williams A., and Zenzinger.

SB18-210 by Senator(s) Tate; also Representative(s) Arndt and Hooton--Concerning the regulation of real estate appraisal management companies, and, in connection therewith, aligning state law with current federal law and regulations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik.

SB18-218 by Senator(s) Coram; also Representative(s) Arndt--Concerning the funding of Colorado water conservation board projects, and, in connection therewith, making appropriations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Donovan, Fenberg, Garcia, Gardner, Jahn, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

HB18-1305 by Representative(s) Coleman and Neville P.; also Senator(s) Neville T.--Concerning a voluntary contribution designation benefiting the Young Americans Center for Financial Education fund that appears on the state individual tax return forms.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik, Moreno, Tate, and Todd.

HB18-1275 by Representative(s) Bridges, Winter; also Senator(s) Kagan, Martinez Humenik--Concerning the repeal of the Craig hospital license plate donation requirement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr, Moreno, Tate, and Todd.

HB18-1042 by Representative(s) Becker J. and Ginal, Buck, Esgar, Hooton, Lawrence; also Senator(s) Scott and Zenzinger, Baumgardner, Cooke--Concerning the creation of a program to authorize private providers to register commercial vehicles as Class A personal property, and, in connection therewith, making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lambert, Martinez Humenik, Moreno, Smallwood, Sonnenberg, Tate, and Todd.

SB18-038 by Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg; also Representative(s) Esgar and Willett, Arndt, Hansen, Saine--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for industrial hemp cultivation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Court, Fenberg, Garcia, Gardner, Guzman, Jahn, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Tate, Todd, Williams A., and Zenzinger.

SB18-039 by Senator(s) Jones and Cooke, Baumgardner, Coram, Merrifield; also Representative(s) Thurlow and Exum, Becker K., Carver, Hamner, Singer--Concerning the wildfire matters review committee, and, in connection therewith, deferring the date on which the committee is scheduled to repeal and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Priola, 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:

SB18-201 by Senator(s) Priola; also Representative(s) Covarrubias--Concerning the application of child care licensing requirements for religious organizations for the time period during which services or programs are being offered.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, Sonnenberg, and Tate.

RECONSIDERATION OF SB18-201

SB18-201 by Senator(s) Priola; also Representative(s) Covarrubias--Concerning the application of child care licensing requirements for religious organizations for the time period during which services or programs are being offered.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB18-201.

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:

SB18-201 by Senator(s) Priola; also Representative(s) Covarrubias--Concerning the application of child care licensing requirements for religious organizations for the time period during which services or programs are being offered.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1040 by Representative(s) Benavidez, Singer; also Senator(s) Fields--Concerning incentives for provision of sex offender services in the department of corrections.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-220 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Neville P., Reyher, Saine, Van Winkle, Williams D., Wist--Concerning a prohibition on sanctuary policies.

Laid over until Monday, April 16, retaining its place on the calendar.

HCR18-1001 by Representative(s) Lee and Wist; also Senator(s) Court and Gardner--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a change in the format of the election ballot for judicial retention elections.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1040, HCR18-1001.
Laid over until Monday, April 16: SB18-220.

CONSIDERATION OF RESOLUTIONS

SR18-004 by Senator(s) Jahn and Crowder--Concerning encouraging the Great Outdoors Colorado Program to assist organizations that provide outdoor restoration and recreational activities to military veterans.

On motion of Senator Jahn, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Cooke, Coram, Court, Donovan, Fields, Garcia, Gardner, Grantham, Guzman, Holbert, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR18-010 by Senator(s) Crowder and Coram; also Representative(s) McLachlan--Concerning the designation of Colorado State Highway 84 between Pagosa Springs and the Colorado state line as the "Nolan Olson Memorial Highway".

On motion of Senator Coram, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SR18-005 by Senator(s) Lundberg, Grantham--Concerning the Colorado Department of Public Health and Environment's proposed rules regulating the assisted living industry in Colorado.

Laid over until Monday, April 16, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2020:

Joseph Badaracco of Lakewood, Colorado to serve as a journeyman electrician who is not an electrical contractor, reappointed;

Erik Clarke of Denver, Colorado to serve as a representative of the public at large, appointed;

for terms expiring July 1, 2021:

Richard Michael King of Larkspur, Colorado, to serve as a representative of electrical utilities, appointed;

Gina Maria Cullen of Golden, Colorado, to serve as master electrician who is not an electrical contractor, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE PLUMBING BOARD

for terms expiring July 1, 2021:

Glen Ray Ratliff of Arvada, Colorado, a Democrat, and member or employee of a local government agency conducting plumbing inspections, appointed;

Matthew Ray Wagy of Greeley, Colorado, a Republican and a master plumber, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-026 and 149; HB18-1017, 1018, 1049, 1056, 1078, 1154.

MESSAGE FROM THE HOUSE

April 12, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1114, 1263, 1286, amended as printed in House Journal, April 11, 2018.

The House has postponed indefinitely SB18-175. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 12, 2018

We herewith transmit:

Without comment, as amended, HB18-1114, 1263, and 1286.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **HB18-1241** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB18-232** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

MESSAGE FROM THE HOUSE

April 12, 2018

Mr. President:

The House has adopted the First Report of the First Conference Committee on HB18-1322, as printed in House Journal, April 12, 2018, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB18-1329, as printed in House Journal, April 12, 2018, and has repassed the bill as amended.

The House has voted to recede from its position and discharge the First Conference Committee on HB18-1338. The House voted to concur in Senate amendments, and has repassed the bill as amended.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-241 by Senator(s) Lundberg; also Representative(s) Humphrey--Concerning the establishment of the "Colorado Children First Act" in Colorado.
State, Veterans, & Military Affairs

HB18-1114 by Representative(s) Ginal and Buckner; also Senator(s) Todd--Concerning the regulation of genetic counselors, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1263 by Representative(s) Hooton and Melton; also Senator(s) Coram and Fenberg, Marble, Guzman--Concerning adding certain conditions to the list of disabling medical conditions for medical marijuana use, and, in connection therewith, adding autism spectrum disorders.
Health & Human Services

HB18-1286 by Representative(s) Roberts, Hooton, Singer, Van Winkle; also Senator(s) Aguilar and Marble, Guzman--Concerning allowing a school nurse to give medical marijuana to a student with a medical marijuana registry card while at school.
Health & Human Services

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-014, 055, 151, 174, and 188.

On motion of Majority Leader Holbert, the Senate adjourned until 8:30 a.m., Friday, April 13, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

94th Legislative Day Friday, April 13, 2018

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 8:30 a.m.

Roll Call — Present--28
Excused--7, Aguilar, Kerr, Marble, Merrifield, Priola, Scott, Sonnenberg.
Present later--2, Aguilar, Marble.

Quorum — The President announced a quorum present.

Musical Presentation — By Thomas Bringe, performing "The Star-Spangled Banner".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Vann Rogers, Zea Rogers, Lydia Rogers, and Eli Rogers.

Reading of the Journal — On motion of Senator Fenberg, reading of the Journal of Thursday, April 12, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **HB18-1270** 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 "MAY" and substitute "SHALL".

Page 5, line 6, strike "COMMISSION" and substitute: "COMMISSION, AND ALLOWING ELECTRIC UTILITIES TO PROVIDE TO THIRD PARTIES,".

Page 5, strike lines 9 and 10.

Reletter succeeding paragraphs accordingly.

Page 5, line 16, strike "(1)(e)" and substitute "(1)(d)".

Page 5, strike lines 26 and 27.

Page 6, strike line 1.

Page 6, strike lines 7 through 9 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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-235** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 5, line 2, strike "FOUR" and substitute "FIVE".

Page 5, strike lines 8 and 9 and substitute "BOULDER, AS APPOINTED BY ITS BOARD OF REGENTS;

(D) A REPRESENTATIVE OF COLORADO MESA UNIVERSITY, AS APPOINTED BY ITS BOARD OF TRUSTEES; AND

(E) A REPRESENTATIVE OF A NATIONWIDE OR STATEWIDE".

Page 5, line 14, strike "FOUR" and substitute "FIVE".

Page 6, after line 22 insert:

"(VI) IN THE EVENT OF A TIE VOTE OF THE BOARD, THE MOTION UPON WHICH THE BOARD IS VOTING FAILS.".

Page 9, line 5, after "BOULDER," insert "COLORADO MESA UNIVERSITY,".

"**SECTION 13. Act subject to petition - effective date.** This act takes effect September 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Education

After consideration on the merits, the Committee recommends that **SB18-228** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB18-241.
Correctly Engrossed: SJR18-010; SR18-004.
Correctly Reengrossed: SB18-031, 038, 039, 201, 206, 209, 210, and 218.
Correctly Revised: HB18-1040; HCR18-1001.
Correctly Rerevised: HB18-1042, 1146, 1147, 1193, 1257, 1264, 1268, 1275, and 1305.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

SB18-242 by Senator(s) Marble; also Representative(s) Leonard--Concerning the swearing of a public official oath of office.
State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (HB18-1040, HCR18-1001) of Friday, April 13, was laid over until Monday, April 16, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (HB18-1069, SB18-012, SB18-024, SB18-083, SB18-191, SB18-193, SB18-145, SB18-225, SB18-221, SB18-042, SB18-061, SB18-077, SB18-085, SB18-150, SB18-203, SB18-231, SB18-230) of Friday, April 13, was laid over until Monday, April 16, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO BANKING BOARD

for terms expiring July 1, 2021:

Timothy Patrick Daly of Evergreen, Colorado, to serve as a representative of a money transmitter organization licensed pursuant to Article 52 of Title 12, appointed;

Ronald Keith Tilton of Littleton, Colorado, to serve as an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed;

Laura Gene Miller of Littleton, Colorado, to serve as an executive officer of a trust company, appointed.

YES 30		NO 0		EXCUSED 5		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

MEMBER OF THE
PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2021:

Susan Grace Murphy of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as a Democrat, reappointed.

YES	30	NO	0	EXCUSED	5	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	E	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	E		

MESSAGE FROM THE GOVERNOR

April 12, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-087: CONCERNING IN-STATE TUITION AT INSTITUTIONS OF HIGHER EDUCATION FOR CERTAIN FOREIGN NATIONALS LEGALLY SETTLED IN COLORADO.

Approved April 12, 2018 at 2:57pm.

SB 18-182: CONCERNING THE AUTHORITY TO ALLOCATE A PORTION OF THE SOURCE MARKET FEE TO STATUTORILY AUTHORIZED PURSE FUNDS.

Approved April 12, 2018 at 2:36pm.

SB 18-136: CONCERNING FEES FOR ADVISING CLIENTS ABOUT THE SELECTION OF AN INDIVIDUAL HEALTH BENEFIT PLAN.

Approved April 12, 2018 at 2:52pm

SB 18-170: CONCERNING A WATER COURT PROCESS BY WHICH AN OWNER OF A STORAGE WATER RIGHT ALLOWING WATER TO BE STORED IN NEW RESERVOIR CAPACITY MAY RELEASE WATER INTO AN IDENTIFIED STREAM REACH IN A MANNER THAT PROTECTS THE WATER RELEASES WHILE COMPLYING WITH MITIGATION MEASURES IDENTIFIED IN A FISH AND WILDLIFE MITIGATION PLAN APPROVED BY THE COLORADO WATER CONSERVATION BOARD.

Approved April 12, 2018 at 2:57pm.

SB 18-162: CONCERNING SUBSTITUTE CHILD CARE PROVIDERS.

Approved April 12, 2018 at 2:57pm.

SB 18-011: CONCERNING TREATMENT OF STUDENTS WHO ARE EXCUSED BY THEIR PARENTS FROM PARTICIPATING IN STATE ASSESSMENTS

Approved April 12, 2018 at 2:57pm.

SB 18-161: CONCERNING REPEAL OF THE BEHAVIORAL HEALTH TRANSFORMATION COUNCIL.

Approved April 12, 2018 at 2:57pm.

SB 18-176: CONCERNING CHANGES TO THE REQUIREMENTS FOR MEETING DATES FOR THE BOARD OF THE SOUTHWESTERN WATER CONSERVATION DISTRICT.

Approved April 12, 2018 at 3:00pm

SB 18-106: CONCERNING OBSOLETE STATUTORY PROVISIONS RELATED TO A LOCAL GOVERNMENT'S PLEDGING OF SALES OR USE TAX REVENUES TO PAY FOR REVENUE BONDS ISSUED FOR THE PURPOSE OF FINANCING CAPITAL IMPROVEMENTS.

Approved April 12, 2018 at 2:57pm.

SB 18-110: CONCERNING THE REPEAL OF THE REQUIREMENT THAT EACH STATE AGENCY ANNUALLY REPORT THE AMOUNT OF FEDERAL MONEY IT RECEIVED IN THE PRIOR FISCAL YEAR.

Approved April 12, 2018 at 2:58pm

SB 18-127: CONCERNING THE REPEAL OF THE DEPARTMENT OF REVENUE'S REQUIREMENT TO PUBLISH AN HISTORICAL EXPLANATION OF INCOME TAX RATE MODIFICATIONS ENACTED IN THE STATE ON EVERY INCOME TAX RETURN FORM.

Approved April 12, 2018 at 2:58pm.

SB 18-129: CONCERNING THE NONSUBSTANTIVE REORGANIZATION OF THE LAW EXEMPTING FROM STATE SALES TAX CERTAIN DRUGS AND MEDICAL AND THERAPEUTIC DEVICES.

Approved April 12, 2018 at 3:00pm

SB 18-172: CONCERNING TESTING OF HORSE RACING LICENSEES FOR THE PRESENCE OF PROHIBITED SUBSTANCES.

Approved April 12, 2018 at 3:00pm

SB 18-183: CONCERNING AUTHORIZING AGENTS OF INSURERS TO ACCESS THE ELECTRONIC SYSTEM THAT INSURERS ACCESS FOR OWNER AND LIENHOLDER INFORMATION OF A MOTOR VEHICLE.

Approved April 12, 2018 at 3:00pm

SB 18-079: CONCERNING CLASSIFYING SAKE AS A VINOUS LIQUOR FOR THE PURPOSES OF THE "COLORADO LIQUOR CODE".

Approved April 12, 2018 at 2:57pm.

SB 18-184: CONCERNING A NEW PERMIT FOR THE SHORT-TERM EXTRACTION OF CONSTRUCTION MATERIALS.

Approved April 12, 2018 at 3:00pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR18-004.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 16, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

97th Legislative Day — Monday, April 16, 2018

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, Moreno.
Present later--1, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Friday, April 13, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE APPOINTMENTS

April 12, 2018

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Angela Williams replacing Senator Andy Kerr to serve on Appropriations Committee effective Friday, April 13, 2018.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

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 appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2021:

Simon J. Hambidge, MD, PhD of Denver, Colorado, to serve as a Democrat from the First Congressional District, and as a person with knowledge of medical assistance programs, appointed;

Martha Cecile Fraley, MD of Durango, Colorado, to serve as a Democrat from the Third Congressional District, and as a person with knowledge of the delivery of health care, appointed.

Jessica Lynne Kuhns of Loveland, Colorado, to serve as a Democrat from the Second Congressional District and as a person with knowledge of medical assistance programs, reappointed;

Bregitta Hughes of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District and as a person with knowledge of medical assistance programs, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY BOARD OF DIRECTORS

From the 5th Congressional District: Philip Lane, for a term effective June 1, 2017 and continuing until May 31, 2021 (or until his successor is appointed by the Board of Regents). This will be Mr. Lane's first term on the Hospital Authority Board of Directors.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1300** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-224** be postponed indefinitely.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1265** 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 **HB18-1155** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 6, strike lines 18 through 20 and substitute:

"(b) THE BOARD SHALL PROMULGATE RULES TO UPDATE THE REQUIREMENTS FOR A PHYSICAL THERAPIST TO PERFORM DRY NEEDLING IN ORDER TO ENSURE ADEQUATE PROTECTION OF THE PUBLIC. PRIOR TO PROMULGATING THE INITIAL UPDATE OF THE RULE, THE BOARD SHALL SEEK INPUT FROM THE COLORADO MEDICAL BOARD AS CREATED IN SECTION 12-36-103 (1) AND FROM THE DIRECTOR.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1284** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Enrolled: SR18-004.

MESSAGE FROM THE HOUSE

April 13, 2018

Mr. President:

The House has postponed indefinitely SB18-130, 196. The bills are returned herewith.

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:

HB18-1040 by Representative(s) Benavidez, Singer; also Senator(s) Fields--Concerning incentives for provision of sex offender services in the department of corrections.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Jones, Kefalas, Merrifield, Moreno, Todd, and Williams A.

HCR18-1001 by Representative(s) Lee and Wist; also Senator(s) Court and Gardner--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a change in the format of the election ballot for judicial retention elections.

The question being "Shall the concurrent resolution pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

Co-sponsor(s) added: Crowder, Fenberg, Grantham, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Todd, and Williams A.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1156 by Representative(s) Lee, Lundeen; also Senator(s) Holbert--Concerning limitations on penalties for truancy.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 12, page 727 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1250 by Representative(s) Kraft-Tharp and Sias; also Senator(s) Priola--Concerning an analysis to improve compliance with departmental rules by regulated businesses.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-232 by Senator(s) Sonnenberg and Kefalas, Baumgardner; also Representative(s) Esgar and Hansen, Becker J.--Concerning a clarification of the calculation used to determine the amount of money that must be spent to acquire works of art for capital construction projects that are the subject of a lease-purchase agreement.

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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-232, HB18-1156 as amended, HB18-1250.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-012 by Senator(s) Hill; also Representative(s) Pettersen--Concerning including military enlistment as part of the postsecondary and workforce readiness performance indicator for public schools.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-024 by Senator(s) Jahn and Tate, Aguilar, Lambert, Priola; also Representative(s) Singer, Buck, Kennedy, Pettersen--Concerning modifications to the Colorado health service corps program administered by the department of public health and environment to expand the availability of behavioral health care providers in shortage areas in the state.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 29, page 93 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, pages 707-708 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-191 by Senator(s) Gardner; also Representative(s) Carver--Concerning the local government limited gaming impact fund.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, March 14, page 434 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.)

SB18-145 by Senator(s) Kefalas; also Representative(s) Ginal, Arndt--Concerning the implementation of employment first advisory partnership recommendations to advance competitive integrated employment for persons with disabilities.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 1, pages 335-336 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 709 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-225 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the definition of an early college for purposes of the "Concurrent Enrollment Programs Act".

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 711 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-221 by Senator(s) Coram, Fields, Grantham, Jahn, Lundberg, Martinez Humenik, Neville T., Priola, Smallwood, Sonnenberg, Tate; also Representative(s) Catlin, Becker J., Buck, Carver, Covarrubias, Everett, Humphrey, Landgraf, Lawrence, Lundeen, McKean, Neville P., Ransom, Reyher, Saine, Sias, Thurlow, Van Winkle, Williams D., Wilson, Wist--Concerning the election of a county commissioner in a county with a population of less than seventy thousand by the voters residing in the district from which the commissioner runs for election.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-231 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning a task force on the transition of persons with intellectual and developmental disabilities from educational services to home- and community-based services, and, in connection therewith, making an appropriation.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1069 by Representative(s) Arndt and Thurlow; also Senator(s) Coram--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for toilet flushing and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-042 by Senator(s) Donovan and Crowder, Sonnenberg; also Representative(s) Catlin and McLachlan, Arndt, Jackson, McKean--Concerning the creation of the agricultural workforce development program.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, pages 712-713 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 2, page 127 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 713 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Sonnenberg.

Amend the Education Committee Report, dated February 1, 2018, page 1, strike lines 1 and 2 and substitute:

"Amend printed bill, page 4, strike line 11 and substitute "ANY SCHOOL DISTRICT, CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL TO PROVIDE".".

Amend printed bill, page 5, strike lines 5 and 6 and substitute "SCHOOL OR SCHOOL DISTRICT THAT SERVES RURAL SCHOOLS; OR".

Page 5, lines 9, strike "OR A BOARD OF".

Page 5, strike lines 10 and 11 and substitute "THAT SERVES RURAL SCHOOLS."

Page 5, lines 22, strike "OR A".

Page 5, strike line 23 and substitute "THAT SERVES RURAL SCHOOLS".

Page 5, line 24, strike "SCHOOL DISTRICTS".

Amendment No. 4(L.006), by Senator Martinez Humenik.

Amend printed bill, page 2, line 2, strike "**amend** 23-76-101" and substitute "23-76-101, **amend** (1)".

Page 2, line 17, strike "TEACHERS AND SPECIAL SERVICES PROVIDERS," and substitute "TEACHERS,".

Page 3, line 1, strike "THE".

Page 3, lines 1 and 2, strike "SERVICES OFFERED BY SPECIAL SERVICES PROVIDERS." and substitute "SERVICES.".

Page 3, strikes lines 22 through 27.

Page 4, strike lines 1 through 13.

Renumber succeeding sections accordingly.

Page 4, strike line 17 and substitute "**concurrent enrollment stipends.**".

Page 4, line 27, after the semicolon add "OR".

Page 5, line 6, strike "DISTRICTS; OR" and substitute "DISTRICTS."

Page 5, strike lines 7 through 11.

Page 5, line 15, strike "OR SPECIAL SERVICES PROVIDER'S".

Page 5, line 20, strike "OR A SPECIAL SERVICES PROVIDER".

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.)

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 29, pages 582-583 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-220 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Neville P., Reyher, Saine, Van Winkle, Williams D., Wist--Concerning a prohibition on sanctuary policies.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 10, page 698 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Neville.

Amend the State, Veterans, & Military Affairs Committee Report, dated April 9, 2018, page 1, line 9, strike "2019." and substitute "2019."."

Page 1, strike lines 10 through 12.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-083 by Senator(s) Lundberg, Neville T., Marble, Gardner, Baumgardner, Cooke, Crowder, Hill, Lambert, Grantham; also Representative(s) Ransom, Everett, Leonard, Saine--Concerning the creation of income tax credits for nonpublic education.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 708 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-193 by Senator(s) Coram, Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg; --Concerning additional limitations on state agency occupational regulations.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, pages 708-709 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-150 by Senator(s) Fenberg and Lundberg; also Representative(s) McKean and Lee--Concerning measures to facilitate voter registration of individuals in the criminal justice system.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 15, page 252 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 714 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (SB18-077, SB18-230, SB18-061) of Monday, April 16, was laid over until Tuesday, April 17, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-191 by Senator(s) Gardner; also Representative(s) Carver--Concerning the local government limited gaming impact fund.

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that the following Zenzinger floor amendment, (L.003) to SB 18-191, did pass.

> Amend printed bill, page 3, strike lines 17 through 19 and substitute "documented expenses, costs, and other impacts incurred directly as a result of limited gaming permitted in the counties of Gilpin and Teller and on Indian lands; EXCEPT THAT SUCH EXPENSES, COSTS, AND OTHER IMPACTS DO NOT INCLUDE TRAVEL EXPENSES TO PARTISAN POLITICAL CONVENTIONS, SOUND PROOFING OF PHONES AND OFFICES, BULLET PROOF DESKS, RELIGIOUS PAINTINGS INCORPORATING THE LIKENESS OF ELECTED OFFICIALS, EXPENSES INCURRED AT SPORTING EVENTS, OR OTHER COMMON ADMINISTRATIVE COSTS SUCH AS MALE FACIALS, GAMBLING LOSSES, AND OFFICE DOORS WHOSE VALUE EXCEEDS ONE HUNDRED THIRTY-EIGHT THOUSAND SIX HUNDRED SEVENTY DOLLARS.".

A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas.

Senator Todd moved to amend the Report of the Committee of the Whole to show that the following Martinez Humenik floor amendment, (L.006) to SB 18-085, did not pass.

> Amend printed bill, page 2, line 2, strike "**amend** 23-76-101" and substitute "23-76-101, **amend** (1)".
>
> Page 2, line 17, strike "TEACHERS AND SPECIAL SERVICES PROVIDERS," and substitute "TEACHERS,".
>
> Page 3, line 1, strike "THE".
>
> Page 3, lines 1 and 2, strike "SERVICES OFFERED BY SPECIAL SERVICES PROVIDERS." and substitute "SERVICES.".
>
> Page 3, strikes lines 22 through 27.
>
> Page 4, strike lines 1 through 13.
>
> Renumber succeeding sections accordingly.
>
> Page 4, strike line 17 and substitute "**concurrent enrollment stipends.**".
>
> Page 4, line 27, after the semicolon add "OR".
>
> Page 5, line 6, strike "DISTRICTS; OR" and substitute "DISTRICTS."
>
> Page 5, strike lines 7 through 11.
>
> Page 5, line 15, strike "OR SPECIAL SERVICES PROVIDER'S".
>
> Page 5, line 20, strike "OR A SPECIAL SERVICES PROVIDER".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-012, SB18-024 as amended, SB18-191 as amended, SB18-145 as amended, SB18-225 as amended, SB18-221, SB18-231, SB18-042 as amended, SB18-085 as amended, SB18-203 as amended, SB18-220 as amended, SB18-083 as amended, SB18-193 as amended, SB18-150 as amended, HB18-1069.
Laid over until Tuesday, April 17: SB18-077, SB18-230, SB18-061.

CONSIDERATION OF RESOLUTIONS

SR18-005 by Senator(s) Lundberg, Grantham--Concerning the Colorado Department of Public Health and Environment's proposed rules regulating the assisted living industry in Colorado.

Laid over until Tuesday, April 17, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2018:

Jason Lee Wardrip of Aurora, Colorado, to serve as a representative of labor organizations, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

for a term expiring December 13, 2019:

Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, April 13, 2018, at 11:30 a.m.:
SB18-026 and 149.

MESSAGE FROM THE HOUSE

April 16, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1301.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1001, 1355, 1176, 1200, amended as printed in House Journal, April 13, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1285, amended as printed in House Journal, April 13, 2018, and amended on Third Reading as printed in House Journal, April 16, 2018.

The House has passed on Third Reading and returns herewith SB18-066, 071, 195, 202.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-144, 076 amended as printed in House Journal, April 13, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

April 16, 2018

We herewith transmit:

Without comment, HB18-1301.
Without comment, as amended, HB18-1001, 1176, 1200, 1285, and 1355.
Without comment, as amended, SB18-076 and 144.

MESSAGE FROM THE GOVERNOR

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

May 22, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2020:

Celene Nicole Hawkins of Durango, Colorado, a resident of the San Miguel-Dolores-San Juan drainage basin and a Democrat, appointed;

Heather Renae Dutton of Del Norte, Colorado to serve as a representative from the Rio Grande drainage basin and as a Republican, appointed;

Jack Martin Goble of Hasty, Colorado to serve as a representative from the Arkansas drainage basin and as an Unaffiliated, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 11, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, reappoint and submit to your consideration, the following:

MEMBER OF THE
COLORADO 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, appointed.

Sincerely,
(signed)
Donna Lynne
Lt. Governor, acting on behalf
of the State while Governor John W.
Hickenlooper is absent from the State.
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

April 9, 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, reappoint and submit to your consideration, the following:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2021:

Curran A. Trick of Cowdrey, Colorado, to serve as a representative of the North Platte drainage basin and as a Republican, appointed;

Steven A. Anderson of Olathe, Colorado, to serve as a representative of the Gunnison-Uncompahgre drainage basin and as a Republican, appointed;

James Thomas Yahn of Sterling, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 4/10/2018
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-243 by Senator(s) Holbert and Guzman; also Representative(s) Esgar and McKean--Concerning the retail sale of alcohol beverages.
State, Veterans, & Military Affairs

SB18-244 by Senator(s) Neville T.; also Representative(s) Pabon--Concerning the on-premises consumption of alcohol beverages at a hotel with a hotel and restaurant liquor license, and, in connection therewith, authorizing a hotel to sell certain alcohol beverages in sealed containers for consumption on the hotel premises.
Business, Labor, & Technology

SB18-245 by Senator(s) Cooke; --Concerning repeal of the prohibition on the state board of health adopting rules concerning the disposal of naturally occurring radioactive materials until after the federal environmental protection agency has adopted rules concerning the disposal of naturally occurring radioactive materials.
Agriculture, Natural Resources, & Energy

SB18-246 by Senator(s) Cooke and Scott; --Concerning measures to reduce the cost of compliance with Colorado's renewable energy standard, and, in connection therewith, repealing recent increases in the renewable component for cooperative electric associations and expanding the types of hydroelectricity that qualify as renewable energy resources.
State, Veterans, & Military Affairs

SB18-247 by Senator(s) Gardner; --Concerning the creation of a fund to pay for the continuation of certain benefits for dependents of certain local government public safety employees who die in a work-related death.
Finance

SB18-248 by Senator(s) Martinez Humenik; also Representative(s) Lawrence and Gray--Concerning the treatment under statutory provisions governing tax increment financing of revenues received by an urban renewal authority following certain voter-approved revenue increases.
Finance

HB18-1176 by Representative(s) Lee and Wist, Benavidez, Carver, Foote, Herod, Lundeen, Melton, Salazar, Willett, Weissman; also Senator(s) Cooke--Concerning continuation of the grant program in the department of corrections to provide funding to eligible community-based organizations that provide reentry services to offenders, and, in connection therewith, implementing the recommendations in the 2017 report of the department of regulatory agencies.
Judiciary

HB18-1200 by Representative(s) Lundeen and Garnett; also Senator(s) Coram and Fields--Concerning cybercrime, and, in connection therewith, criminalizing using a computer to engage in prostitution of a minor, criminalizing skimming payment cards, making changes to the penalty structure for cybercrime, and making an appropriation.
Judiciary

HB18-1285 by Representative(s) Pabon, Danielson, Garnett, Singer, Arndt, Hooton, Landgraf; also Senator(s) Smallwood and Todd, Aguilar, Guzman, Court--Concerning parking for people with certain disabilities, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1301 by Representative(s) Roberts and McLachlan, Arndt; also Senator(s) Fenberg and Donovan--Concerning the protection of water quality from adverse impacts caused by mineral mining.
State, Veterans, & Military Affairs

HB18-1355 by Representative(s) Pettersen and Sias; also Senator(s) Gardner and Moreno--Concerning changes to the accountability system for the elementary and secondary public education system to strengthen the accountability system for the benefit of students.
Education

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, April 17, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

98th Legislative Day Tuesday, April 17, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Holbert.
Present later--1, Holbert.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Monday, April 17, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2018:

Scott R. Pandy of Fort Collins, Colorado to serve as a general contractor actively engaged in the building industry, 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
STATE PLUMBING BOARD

for a term expiring July 1, 2021:

Catherine A. Dunihoo of Windsor, Colorado, an Unaffiliated, and a journeyman plumber, 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
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2019:

Roger Allen Hays of Aurora, Colorado, to serve as a representative of employers, appointed;

for terms expiring September 1, 2020:

Elsa Martinez Tenreiro, JD of Elizabeth, Colorado, to serve as an attorney who represents injured workers, appointed;

Amy Newton of Westminster, Colorado, to serve as a representative of insurers, appointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1174** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1308** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary

The Committee on Judiciary has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

effective June 30, 2017 for a term expiring June 30, 2021:

Christopher Gregory of Fort Collins, Colorado to serve as an attorney, appointed.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-222** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-223** 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 4 through 6 and substitute "TOXICOLOGICAL TEST RESULTS.".

Page 3, line 26, strike "AGENCY;" and substitute "AGENCY, INCLUDING A DISTRICT ATTORNEY;".

Page 4, line 8, strike "DEFENDANT OR THE RESPONDENT" and substitute "DEFENDANT, OR THE DEFENDANT IF HE OR SHE IS NOT REPRESENTED BY COUNSEL,".

Page 4, strike line 12 and substitute "PROCEDURE ONLY IF DISCOVERY HAS NOT OTHERWISE BEEN PROVIDED TO COUNSEL OR THE DEFENDANT;".

Page 4, line 15, strike "OR".

Page 4, line 18, strike "SYSTEM." and substitute "SYSTEM;".

Page 4, after line 18 insert:

"(VII) THE COLORADO CHILD FATALITY REVIEW TEAM, DEFINED AS "TEAM" IN SECTION 26-1-139 (2)(e), UPON THE REQUEST OF THE REVIEW TEAM;

(VIII) A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES IN CONNECTION WITH THE INVESTIGATION OF AN INCIDENCE OF ALLEGED ABUSE OR NEGLECT OF A MINOR;

(IX) THE DIVISION OF YOUTH SERVICES IN THE DEPARTMENT OF HUMAN SERVICES IN CONNECTION WITH THE INVESTIGATION OF A FATALITY THAT HAS OCCURRED WITHIN A STATE OWNED OR OPERATED RESIDENTIAL FACILITY;

(X) A COMMUNITY CLINIC AS DEFINED IN SECTION 25-1.5-103 (2)(a.5) OR A TREATING HOSPITAL FOR INCLUSION WITHIN THE MEDICAL RECORDS OF THE DECEASED;

(XI) AN EYE BANK, AN ORGAN PROCUREMENT ORGANIZATION, OR A TISSUE BANK, AS THOSE TERMS ARE DEFINED IN SECTION 15-19-202 (10), (16), AND (31), RESPECTIVELY; OR

(XII) A LOCAL OR REGIONAL DOMESTIC VIOLENCE FATALITY REVIEW TEAM AS DEFINED BY THE TERM "REVIEW TEAM" IN SECTION 24-31-701 (4) OR THE COLORADO DOMESTIC VIOLENCE FATALITY REVIEW BOARD CREATED IN SECTION 24-31-702 (1) UPON THE REQUEST OF A TEAM OR THE BOARD, AS APPLICABLE.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1131** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1089** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1278** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1296** 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 7 through 9 and substitute:

"**SECTION 2. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-233** 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 25, strike "(6)" and substitute "(2)(a) and (6)".

Page 8, strike line 1 and substitute:

"(2) (a) An applicant who wishes to complete an application for registration must provide the information required by section 1-2-204 ~~and make the self-affirmation required under section 1-2-205~~ WITH THE EXCEPTION OF THE INFORMATION REQUIRED BY SECTION 1-2-204 (2)(f.3). THE APPLICANT SHALL ALSO SIGN THE SELF-AFFIRMATION REQUIRED BY SECTION 1-2-205."

(6) (a) ~~Unless the registrant states on the form that the change of address~~".

Page 31, after line 19 insert:

"**SECTION 41.** In Colorado Revised Statutes, 1-1-104, **amend** (2.8)(a) as follows:

1-1-104. Definitions. As used in this code, unless the context otherwise requires:

(2.8) "Confirmation card" means a communication mailed from a county clerk and recorder to an elector pursuant to section 1-2-302.5 (2)(b)(III), 1-2-509 (3)(b)(III), or 1-2-605, which card must:

(a) Be mailed to the elector's address of record; ~~unless the elector has requested that such communication be sent to his or her deliverable mailing address pursuant to section 1-2-204 (2)(k);~~

SECTION 42. In Colorado Revised Statutes, 1-7-201, **amend** (2.3) as follows:

1-7-201. Voting at primary election. (2.3) An eligible unaffiliated elector is entitled to vote in the primary election of a major political party without affiliating with that political party. To vote in a political party's primary election without declaring an affiliation with the political party, any eligible unaffiliated elector ~~shall be given a combined ballot, if applicable. If a combined ballot is not available, the elector~~ shall declare to the election judges the name of the political party in whose primary election the elector wishes to vote. Thereupon, the election judges shall deliver the appropriate party ballot to the elector. In addition, any eligible unaffiliated elector may openly declare to the election judges the name of the political party with which the elector wishes to affiliate and complete the necessary forms. An eligible elector must separately date and sign or date and initial a declaration of affiliation with a political party form in such manner that the elector clearly acknowledges that the affiliation has been properly recorded. Thereupon, the election judges shall deliver the appropriate party ballot to the eligible elector.".

Renumber succeeding sections accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SCR18-003** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-163** 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 5 insert:

"**SECTION 2.** In Colorado Revised Statutes, 26-6.5-203, **amend** (2)(a) as follows:

26-6.5-203. Early childhood and school readiness legislative commission - creation - membership - duties - funding. (2) (a) The commission ~~shall~~ MAY meet at least four times annually; EXCEPT THAT THE COMMISSION SHALL NOT MEET UNLESS THE LEGISLATIVE COUNCIL APPROVES MEETINGS DURING THE INTERIM PURSUANT TO SECTION 2-3-303.3 OR THE COMMISSION RECEIVES ADMINISTRATIVE SUPPORT FROM A NONPROFIT ORGANIZATION OR GOVERNMENT ENTITY. The commission shall study issues concerning early childhood and school readiness, including but not limited to health care, mental health, parental involvement, family support, child care, and early learning. The commission shall solicit input from members of the public, especially those individuals with expertise related to early childhood and school

readiness issues, to aid the commission in its work. The commission shall consult with the early childhood leadership commission, created in section 26-6.2-103, with regard to policies concerning early childhood and school readiness.

SECTION 3. Appropriation. (1) For the 2018-19 state fiscal year, $5,244 is appropriated to the legislative department. This appropriation is from the general fund. The legislative department may use this appropriation for travel and per diem expenses.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**COMMISSION.**" and substitute "**COMMISSION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-059** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Judiciary Committee Report, dated March 5, 2018, page 4, line 40, strike "NINE HUNDRED THOUSAND".

Page 5, after line 2, insert:

"(f) THE DIVISION MAY SPEND NO MORE THAN FIVE PERCENT OF THE MONEY APPROPRIATED TO THE FUND TO PAY COSTS ASSOCIATED WITH THE ADMINISTRATION OF THE GRANT PROGRAM.".

Page 5, strike lines 23 through 26 and substitute "CREATED IN SECTION 24-33.5-1617 FOR THE 2018-19 FISCAL YEAR. THIS SUBSECTION (2)(b)(IV)(O) IS REPEALED, EFFECTIVE JULY 1, 2019.".

Page 5, before line 27 insert:

"**SECTION 4. Appropriation.** (1) For the 2018-19 state fiscal year, $1,000,000 is appropriated to the law enforcement, public safety, and criminal justice information-sharing grant program fund created in section 24-33.5-1617 (11)(a), C.R.S., from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. The department of public safety is responsible for the accounting related to this appropriation.

(2) For the 2018-19 state fiscal year, $1,000,000 is appropriated to the department of public safety for use by the office of preparedness. This appropriation is from reappropriated funds in the law enforcement, public safety, and criminal justice information-sharing grant program fund under subsection (1) of this section. To implement this act, the office may use the appropriation as follows:

(a) $27,400 for personal services, which amount is based on an assumption that the office will require an additional 0.4 FTE; and

(b) $972,600 for the law enforcement, public safety, and criminal justice information-sharing grant program.".

Renumber succeeding section accordingly.

Page 1 of the bill, line 102, strike "**SYSTEM.**" and substitute "**SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-016** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 15 insert:

"**SECTION 2. Appropriation.** (1) For the 2018-19 state fiscal year, $60,788 is appropriated to the department of local affairs for use by the division of housing. This appropriation is from reappropriated funds transferred from the housing assistance for persons transitioning from the criminal or juvenile justice system line item appropriation to the division, and is based on an assumption that the division will require an additional 1.0 FTE. To implement this act, the division may use this appropriation

for affordable housing program costs.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**FUND.**" and substitute "**FUND, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1335** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1240** 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 **HB18-1235** 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 **HB18-1186** 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: SB18-243, 244, 245, 246, 247, and 248.
Correctly Engrossed: SB18-012, 024, 042, 083, 085, 145, 150, 191, 193, 203, 220, 221, 225, 231, and 232.
Correctly Revised: HB18-1069, 1156, and 1250.
Correctly Rerevised: HB18-1040; HCR18-1001.
Correctly Enrolled: SB18-066, 071, 195, and 202.

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:

HB18-1156 by Representative(s) Lee, Lundeen; also Senator(s) Holbert--Concerning limitations on penalties for truancy.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan, Kefalas, Moreno, and Todd.

HB18-1250 by Representative(s) Kraft-Tharp and Sias; also Senator(s) Priola--Concerning an analysis to improve compliance with departmental rules by regulated businesses.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kefalas, Martinez Humenik, Tate, and Zenzinger.

SB18-232 by Senator(s) Sonnenberg and Kefalas, Baumgardner; also Representative(s) Esgar and Hansen, Becker J.--Concerning a clarification of the calculation used to determine the amount of money that must be spent to acquire works of art for capital construction projects that are the subject of a lease-purchase agreement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Garcia, Guzman, Lambert, Lundberg, 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:

SB18-012 by Senator(s) Hill; also Representative(s) Pettersen--Concerning including military enlistment as part of the postsecondary and workforce readiness performance indicator for public schools.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Garcia, Gardner, Grantham, Jahn, Lambert, Lundberg, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

SB18-024 by Senator(s) Jahn and Tate, Aguilar, Lambert, Priola; also Representative(s) Singer, Buck, Kennedy, Pettersen--Concerning modifications to the Colorado health service corps program administered by the department of public health and environment to expand the availability of behavioral health care providers in shortage areas in 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	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Garcia, Guzman, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., and Zenzinger.

SB18-191 by Senator(s) Gardner; also Representative(s) Carver--Concerning the local government limited gaming impact fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Kerr, Martinez Humenik, Neville T., and Tate.

SB18-145 by Senator(s) Kefalas; also Representative(s) Ginal, Arndt--Concerning the implementation of employment first advisory partnership recommendations to advance competitive integrated employment for 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	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kerr, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SB18-225 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning the definition of an early college for purposes of the "Concurrent Enrollment Programs Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Court, Donovan, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

SB18-221 by Senator(s) Coram, Fields, Grantham, Jahn, Lundberg, Martinez Humenik, Neville T., Priola, Smallwood, Sonnenberg, Tate; also Representative(s) Catlin, Becker J., Buck, Carver, Covarrubias, Everett, Humphrey, Landgraf, Lawrence, Lundeen, McKean, Neville P., Ransom, Reyher, Saine, Sias, Thurlow, Van Winkle, Williams D., Wilson, Wist- Concerning the election of a county commissioner in a county with a population of less than seventy thousand by the voters residing in the district from which the commissioner runs for election.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Donovan, Gardner, Holbert, Lambert, and Marble.

Senator Fields requested her name be removed as sponsor on SB18-221.

SB18-231 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning a task force on the transition of persons with intellectual and developmental disabilities from educational services to home- and community-based 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	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Neville T., Tate, Todd, Williams A., and Zenzinger.

HB18-1069 by Representative(s) Arndt and Thurlow; also Senator(s) Coram--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for toilet flushing and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Hill, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

SB18-042 by Senator(s) Donovan and Crowder, Sonnenberg; also Representative(s) Catlin and McLachlan, Arndt, Jackson, McKean--Concerning the creation of the agricultural workforce development 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	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Fenberg, Fields, Garcia, Guzman, Kefalas, Kerr, Merrifield, Moreno, Todd, and Williams A.

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Priola, Tate, and Williams A.

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Garcia, Guzman, Kagan, Kefalas, Kerr, Merrifield, Moreno, Tate, Todd, and Williams A.

SB18-220 by Senator(s) Neville T., Baumgardner, Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Ransom, Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Neville P., Reyher, Saine, Van Winkle, Williams D., Wist--Concerning a prohibition on sanctuary policies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB18-083 by Senator(s) Lundberg, Neville T., Marble, Gardner, Baumgardner, Cooke, Crowder, Hill, Lambert, Grantham; also Representative(s) Ransom, Everett, Leonard, Saine--Concerning the creation of income tax credits for nonpublic education, and, in connection therewith, reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Holbert, Martinez Humenik, Priola, Scott, Smallwood, and Sonnenberg.

SB18-193 by Senator(s) Coram, Baumgardner, Cooke, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg; also Representative(s) Carver--Concerning additional limitations on state agency occupational regulations, 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
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB18-150 by Senator(s) Fenberg and Lundberg; also Representative(s) McKean and Lee--Concerning measures to facilitate voter registration of individuals in 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	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fields, Garcia, Guzman, Hill, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, and Williams.

Upon request of Assistant Majority Leader Scott, **SB18-235** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, April 17, and was placed at the beginning of the General Orders--Second Reading of Bills Calendar of Tuesday, April 17.

Committee of the Whole

On motion of Senator Priola, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Priola was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-235 by Senator(s) Coram; also Representative(s) Arndt--Concerning the creation of the Colorado industrial hemp research and development authority.

Laid over until Thursday, April 19, retaining its place on the calendar.

SB18-077 by Senator(s) Crowder; also Representative(s) Reyher and Valdez--Concerning a state sales and use tax exemption for used motor vehicles.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 2, page 128 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 713 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-230 by Senator(s) Marble; also Representative(s) Saine--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.

Laid over until Thursday, April 19, retaining its place on the calendar.

SB18-061 by Senator(s) Sonnenberg and Grantham; --Concerning a reduction of the state income tax rate.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 11, page 713 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Sonnenberg.

Amend printed bill, page 1, line 101, strike "**RATE.**" and substitute "**RATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1270 by Representative(s) Hansen and Becker J.; also Senator(s) Tate--Concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied.

Laid over until Thursday, April 19, retaining its place on the calendar.

SB18-228 by Senator(s) Hill; also Representative(s) Van Winkle--Concerning improving school choice in traditional schools of a school district.

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 Priola, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-077 as amended, SB18-061 as amended, SB18-228.
Laid over until Thursday, April 19: SB18-235, SB18-230, HB18-1270.

CONSIDERATION OF RESOLUTIONS

SR18-005 by Senator(s) Lundberg, Grantham--Concerning the Colorado Department of Public Health and Environment's proposed rules regulating the assisted living industry in Colorado.

Amendment No. 1(L.002), by Senators Aguilar and Kefalas.

Amend printed resolution, page 1, strike lines 1 through 8.

Strike pages 2 and 3 and substitute:

"WHEREAS, The number of older adults in Colorado is increasing rapidly, and the population of adults in Colorado over the age of 60 will increase 88% between 2018 and 2050; and

WHEREAS, Some older adults are not able to live independently in their homes and must rely on assisted living residences for care; and

WHEREAS, The Colorado Department of Public Health and Environment (CDPHE) is the regulatory agency charged with the regulation and oversight of assisted living residences in Colorado; and

WHEREAS, The number of assisted living residences that are licensed in the state is increasing exponentially, and is currently at 660, with 60% serving 20 residents or fewer; and

WHEREAS, It is the duty of the state of Colorado to ensure that these facilities are able to safely care for older and vulnerable adults; and

WHEREAS, Assisted living residents in Colorado are older, frailer, and have more complex health care needs than 30 years ago, with 57% of assisted living residents being over the age of 85 and 43% having Alzheimer's disease or some other form of dementia; and

WHEREAS, The federal government provides funding to ensure that Colorado's 228 nursing homes, in which residents require around-the-clock care, are regularly surveyed for safety, and the CDPHE has 46 inspectors to do this job; and

WHEREAS, The CDPHE does not receive state general funds to ensure appropriate oversight of assisted living residences in our state; and

WHEREAS, Safety inspections for assisted living residences are paid for by the facilities themselves through licensure fees, resulting in only 12 state inspectors to ensure that our 660 assisted living residences are safe; and

WHEREAS, The CDPHE and industry stakeholders have, over the last 24 months, developed a proposed set of rules to regulate assisted living residences in Colorado; and

WHEREAS, Stakeholders had opportunities to provide input and modify these rules, which are going before the Colorado Board of Health (Board) for final approval on April 18, 2018; and

WHEREAS, The CDPHE modified rules in response to the concerns of smaller facilities during this process; and

WHEREAS, The majority of these assisted living residences serve the Medicaid population of the state; and

WHEREAS, Assisted living residences will receive a 25% Medicaid rate increase in the 2018-19 state budget, resulting in a $4,700 per year per resident increase; and

WHEREAS, The proposed rules are intended to ensure the health and safety of the older adults reliant on assisted living residences for care, and they regulate administrator competency, staff training, safety measures, and food preparation; now, therefore,

Be It Resolved by the Senate of the Seventy-first General Assembly of the State of Colorado:

That we, the members of the Colorado Senate, request that:

(1) The CDPHE and the Board delay enforcement of the rules for small assisted living residences with fewer than 20 beds for an additional four months;

(2) The CDPHE and the Board continue to work with stakeholders to ensure that the rules are modified as appropriate for small assisted living residences; and

(3) The Joint Budget Committee work with the CDPHE to ensure that adequate funding is provided to protect older Coloradans who rely on assisted living residences for care.

Be It Further Resolved, That a copy of this Resolution be transmitted to Colorado Governor John Hickenlooper; Dr. Larry Wolk, Executive Director of the Colorado Department of Public Health and Environment; the Colorado Board of Health; and Randy Kuykendall, Director of the Health Facilities and Emergency Medical Services Division of the Colorado Department of Public Health and Environment.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Amendment No. 2(L.006), by Senator Lundberg.

Amend the Aguilar and Kefalas floor amendment (SR005_L.002), page 1, before line 20 insert:

"WHEREAS, The Facility Guidelines Institute's guidelines discourage renovations and new construction of small assisted living residences; and".

Page 2, line 14, strike "Board delay" and substitute "Colorado Board of Health (Board) delay implementation and".

Page 2, line 16, strike "four" and substitute "six".

Page 2, line 17, strike "The" and substitute "Beginning May 15, 2018, the".

Page 2, line 26, strike "and".

Page 2, strike line 29 and substitute "Environment; and the members of the Colorado Board of Health.".".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Senator Lundberg, resolution, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Court, Crowder, Garcia, Gardner, Guzman, Kagan, Kefalas, Lambert, Marble, Merrifield, Neville T., Tate, and Todd.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 17, was laid over until Wednesday, April 18, retaining its place on the calendar.

Consideration of House Amendments to Senate Bills: SB18-144, SB18-076.

MESSAGE FROM THE HOUSE

April 17, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1209.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1312, 1341, 1260, 1279, 1272, 1002, 1189, 1302, 1313, 1288, 1346, 1348, 1360, amended as printed in House Journal, April 16, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

April 17, 2018

We herewith transmit:

Without comment, HB18-1209.
Without comment, as amended, HB18-1002, 1189, 1260, 1272, 1279, 1288, 1302, 1312, 1313, 1341, 1346, 1348, and 1360.

MESSAGE FROM THE GOVERNOR

April 16, 2018

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 17 executive orders granting clemency on March 29, 2018. I am also attaching 16 letters that accompanied the pardons.

The following persons were granted pardons on March 29, 2018:

- Curtis Aude, for the 1986 crime of Conspiracy to Commit Possession and Distribution of Marijuana, committed in El Paso County;
- James Benavidez, for the 1963 crime of Burglary, committed in La Plata County;
- Traci Brigham, for the 1991 crime of Distribution of a Controlled Substance, Schedule III, committed in Larimer County;
- Derrik Clayton Broadfield, for the 1984 crime of Second Degree Burglary, committed in El Paso County;
- Bruce Bryan, for the 1969 crime of Burglary, committed in Larimer County;
- Michell Cabaniss, for the 1990 crime of Criminal Attempt to Commit Sale of a Controlled Substance, Schedule I, committed in Larimer County;
- Justin Campbell, for the 2005 crime of First Degree Criminal Trespass, committed in Adams County;
- Brian Clear, for the 1994 crimes of Criminal Mischief, Second Degree Burglary, Criminal Attempt Extreme Indifference to Murder, First Degree Aggravated Motor Vehicle Theft, Aggravated Juvenile Offence, Violation of a Bail Bond, and Menacing with a Deadly Weapon, committed in Mesa County;
- Dennis Hiser, for the 1989 crime of Attempted Distribution of a Controlled Substance, committed in El Paso County;
- Frank Maez, for the 1998 crime of Possession of a Controlled Substance, Schedule II, committed in Adams County;
- Patrick Noel, for the 1994 crime of Unlawful Possession of a Controlled Substance, Schedule IV, committed in Larimer County;
- Julie Schiltz, for the 2003 crime of Possession of a Schedule II Controlled Substance, committed in El Paso County;

- Pamela Scott, for the 1978 crime of Second Degree Assault, committed in Larimer County;
- Tisha Sjostrand, for the 1998 crime of Possession of Eight Ounces or More of Marijuana, committed in Jefferson County;
- Dustin Weaver, for the 2003 crime of Assault, committed in Larimer County;
- Janeah Weaver, for the 2003 crime of Harassment, committed in Larimer County; and
- Cindy Williamson, for the 1992 crime of Possession of a Controlled Substance, Schedule IV, committed in Adams County.

Please feel free to contact the Governor's Office should you have any questions regarding the clemency process. Thank you.

Sincerely,
(signed)
Jacki Cooper Melmed
Chief Legal Counsel

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-146, 154, and 169; HB18-1008, 1025, 1029, 1047, 1065, 1093, 1109, 1191, 1198, 1227, 1242, 1254, 1327, and 1330.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 17, 2018, at 8:30 a.m.:
SB18-014, 055, 151, 174, 188.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-249 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing alternative programs in the criminal justice system to redirect individuals with a behavioral health condition to community treatment.
Judiciary

SB18-250 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning the provision of jail-based behavioral health services.
Judiciary

SB18-251 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing a statewide behavioral health court liaison program.
Judiciary

SB18-252 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning actions related to determinations of competency to proceed.
Judiciary

SB18-253 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the effective date to transition the department of revenue's CSTARS account to the department of revenue's DRIVES vehicle services account.
Appropriations

SB18-254 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young and Rankin, Hamner--Concerning reforms to child welfare services.
Appropriations

SB18-255 by Senator(s) Tate; also Representative(s) Arndt and Hooton--Concerning the use of electronic formats in the issuance of certificates of title for vehicles.
Business, Labor, & Technology

SB18-256 by Senator(s) Sonnenberg; --Concerning limitations on the state board of land commissioners' leasing authority.
State, Veterans, & Military Affairs

SB18-257 by Senator(s) Priola; --Concerning an increase in the penalty for driving under restraint.
State, Veterans, & Military Affairs

SB18-258 by Senator(s) Scott and Gardner; --Concerning excluding from the speedy trial calculation the period of delay caused by a continuance ordered by the court.
Judiciary

SB18-259 by Senator(s) Smallwood, Baumgardner, Marble, Neville T., Sonnenberg, Tate; --Concerning the taxation of retail marijuana by local governments.
Finance

SB18-260 by Senator(s) Hill; --Concerning implementing a sunrise review of new educational services under the private occupational school division in the department of higher education.
Education

HB18-1002 by Representative(s) Hamner and Rankin, McLachlan; also Senator(s) Coram and Todd--Concerning teaching fellowship programs to assist rural school districts in hiring high-quality teachers, and, in connection therewith, creating the "Rural Colorado Grow Your Own Educator Act" and making an appropriation.
Education

HB18-1189 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Todd--Concerning pilot programs to expand effective teacher residency programs across the state, and, in connection therewith, making an appropriation.
Education

HB18-1209 by Representative(s) Pettersen and Garnett; also Senator(s) Donovan--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

HB18-1260 by Representative(s) Ginal and Jackson; also Senator(s) Moreno--Concerning prescription drug price transparency.
State, Veterans, & Military Affairs

HB18-1272 by Representative(s) Foote and Melton, Ginal, Hansen, Hooton, McLachlan, Pettersen, Roberts, Singer; also Senator(s) Court--Concerning the availability of network-level mobile phone distracted driving prevention technology.
State, Veterans, & Military Affairs

HB18-1279 by Representative(s) Esgar, Buckner, Ginal, Kennedy, Roberts; also Senator(s) Priola and Moreno--Concerning a requirement that certain practitioners prescribe controlled substances electronically.
State, Veterans, & Military Affairs

HB18-1288 by Representative(s) Young and Winter; also Senator(s) Martinez Humenik--Concerning the implementation of conflict-free case management for individuals receiving home- and community-based services under the medical assistance program.
State, Veterans, & Military Affairs

HB18-1302 by Representative(s) Ginal and Landgraf; also Senator(s) Marble--Concerning the allowance of the department of public health and environment to waive certification requirements for toxicology laboratories that have been accredited by an entity using recognized forensic standards.
Health & Human Services

HB18-1312 by Representative(s) Hansen and Herod, Arndt, Bridges, Buckner, Coleman, Esgar, Foote, Garnett, McLachlan, Michaelson Jenet, Pettersen, Roberts, Weissman, Winter, Young, Duran; also Senator(s) Donovan--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 and requiring an internet service provider that engages in such practices to refund any such money received.
State, Veterans, & Military Affairs

HB18-1313 by Representative(s) Ginal and Becker J.; also Senator(s) Aguilar and Priola--Concerning the allowance of a pharmacist to serve as a practitioner under certain circumstances.
Health & Human Services

HB18-1341 by Representative(s) Danielson and Covarrubias; also Senator(s) Fenberg and Coram--Concerning creation of the Colorado state apprenticeship resource directory, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1346 by Representative(s) Singer and Landgraf; also Senator(s) Smallwood and Kefalas--Concerning child abuse related to youth who are under the continuing jurisdiction of the court in an out-of-home placement when they are younger than twenty-one years of age.
Health & Human Services

HB18-1348 by Representative(s) Singer and Landgraf; also Senator(s) Gardner and Kefalas--Concerning families involved in the child welfare system, and, in connection therewith, prioritizing services and providing support for foster parents.
State, Veterans, & Military Affairs

HB18-1360 by Representative(s) Winter and Lawrence, Valdez; also Senator(s) Martinez Humenik and Todd, Coram--Concerning the expansion of the number of directors on the board of directors of the state historical society.
Local Government

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 18, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

99th Legislative Day Wednesday, April 18, 2018

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, Baumgardner.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Tuesday, April 17, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance — The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2021:

George Timothy Laney of Greenwood Village, Colorado, an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed.

Finance — After consideration on the merits, the Committee recommends that **HB18-1280** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1283** 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 **HB18-1155** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 8, strike lines 2 through 27.

Page 9, strike lines 1 through 26.

Renumber succeeding sections accordingly.

Finance

After consideration on the merits, the Committee recommends that **HB18-1258** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, strike line 12 and substitute "MARIJUANA CONCENTRATE AND RETAIL MARIJUANA".

Page 3, line 24, after "LIMIT" insert "AND RESTRICTIONS ON THE TYPES OF RETAIL MARIJUANA, RETAIL MARIJUANA CONCENTRATE, AND RETAIL MARIJUANA PRODUCTS THAT MAY BE SOLD".

Page 3, line 27, strike "ONE GRAM OF RETAIL MARIJUANA OR".

Page 4, line 3, strike "THC." and substitute "THC AND THAT THE RESTRICTIONS ON THE TYPE OF ANY RETAIL MARIJUANA, RETAIL MARIJUANA CONCENTRATE, OR RETAIL MARIJUANA PRODUCTS AUTHORIZED TO BE SOLD MUST INCLUDE THAT THE MARIJUANA, CONCENTRATE, OR PRODUCT BE MEANT FOR CONSUMPTION ON THE PREMISES OF THE ESTABLISHMENT.".

Page 4, line 11, strike "RETAIL MARIJUANA,".

Page 4, line 12, strike "CONCENTRATE," and substitute "CONCENTRATE".

Page 4, line 24, strike "RETAIL MARIJUANA,".

Page 4, line 25, strike "CONCENTRATE," and substitute "CONCENTRATE".

Page 5, line 2, strike "RETAIL MARIJUANA,".

Page 5, line 3, strike "CONCENTRATE," and substitute "CONCENTRATE".

Page 6, strike line 8 and substitute "LICENSEE TO SELL RETAIL MARIJUANA CONCENTRATE OR".

Page 9, strike line 22 and substitute "MARIJUANA CONCENTRATE AND RETAIL MARIJUANA".

Page 9, line 27, strike "RETAIL MARIJUANA,".

Page 10, line 1, strike "CONCENTRATE," and substitute "CONCENTRATE".

Page 10, line 27, strike "MARIJUANA," and substitute "MARIJUANA CONCENTRATE AND RETAIL MARIJUANA PRODUCTS,".

Page 11, line 2, strike "RETAIL MARIJUANA,".

Page 11, line 3, strike "CONCENTRATE," and substitute "CONCENTRATE".

Page 11, line 20, strike "RETAIL MARIJUANA,".

Page 11, line 21, strike "CONCENTRATE," and substitute "CONCENTRATE".

Page 14, lines 9 and 10, strike "ONE OUNCE OF MARIJUANA" and substitute "ONE-QUARTER OF ONE GRAM OF RETAIL MARIJUANA CONCENTRATE OR RETAIL MARIJUANA PRODUCT CONTAINING NOT MORE THAN TEN MILLIGRAMS OF ACTIVE THC".

Local Government

After consideration on the merits, the Committee recommends that **SB18-238** 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 5, after "PERFORMED" insert "OUTSIDE OF THE JAIL PROPERTY".

Page 4, line 10, after "PERFORMED" insert "OUTSIDE OF THE JAIL PROPERTY".

SENATE SERVICES REPORT

Correctly Printed: SB18-249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, and 260.
Correctly Engrossed: SB18-061, 077, and 228; SR18-005.
Correctly Reengrossed: SB18-012, 024, 042, 083, 085, 145, 150, 191, 193, 203, 220, 221, 225, 231, and 232.
Correctly Rerevised: HB18-1069, 1156, and 1250.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (SB18-077, SB18-061, SB18-228) of Wednesday, April 18, was laid over until Thursday, April 19, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1265 by Representative(s) Lontine and Beckman, Buckner, Ginal, Kennedy, Roberts; also Senator(s) Crowder--Concerning the continuation of the stroke advisory board in accordance with the recommendation in the department of regulatory agencies' 2017 sunset 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1265.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1300 by Representative(s) Young and Buck; also Senator(s) Marble and Cooke--Concerning granting authority for local district colleges to provide a bachelor of science degree in nursing program as a completion degree to students who have or are pursuing an associate degree in nursing.

Amendment No. 1(L.001), by Senator Marble.

Amend reengrossed bill, page 4, strike lines 4 through 6 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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1284 by Representative(s) Buckner and Wilson; also Senator(s) Martinez Humenik and Kefalas--Concerning the cost of prescription drugs purchased at a pharmacy.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1300 as amended, HB18-1284.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-144 by Senator(s) Kerr; also Representative(s) Willett and Hansen--Concerning the regulation of bicycles approaching intersections.

Senator Kerr moved that the Senate concur in House amendments to SB18-144, as printed in House journal, April 6, pages 877-878, and April 12, page 949. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Court, Crowder, Kagan, and Moreno.

SB18-076 by Senator(s) Lundberg; also Representative(s) Melton--Concerning a ban on vote trading.

Senator Lundberg moved that the Senate concur in House amendments to SB18-076, as printed in House journal, April 5, page 854. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF APPOINTMENTS -- CONSENT CALENDAR

On motion of Assistant Majority Leader Scott, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
MEDICAL SERVICES BOARD

for terms expiring July 1, 2021:

Simon J. Hambidge, MD, PhD of Denver, Colorado, to serve as a Democrat from the First Congressional District, and as a person with knowledge of medical assistance programs, appointed;

Martha Cecile Fraley, MD of Durango, Colorado, to serve as a Democrat from the Third Congressional District, and as a person with knowledge of the delivery of health care, appointed.

Jessica Lynne Kuhns of Loveland, Colorado, to serve as a Democrat from the Second Congressional District and as a person with knowledge of medical assistance programs, reappointed;

Bregitta Hughes of Colorado Springs, Colorado, to serve as a Democrat from the Fifth Congressional District and as a person with knowledge of medical assistance programs, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Assistant Majority Leader Scott, the following appointment was confirmed by the following roll call votes:

MEMBER OF THE
UNIVERSITY OF COLORADO HOSPITAL AUTHORITY
BOARD OF DIRECTORS

From the 5th Congressional District: Philip Lane, for a term effective June 1, 2017 and continuing until May 31, 2021 (or until his successor is appointed by the Board of Regents). This will be Mr. Lane's first term on the Hospital Authority Board of Directors.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR18-005.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, April 18, 2018, at 8:35 a.m.:
SB18-146, 154, and 169.

On motion of Assistant Majority Leader Scott, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1308, SB18-223, HB18-1296, HB18-1240, HB18-1235, and HB18-1186 were made Special Orders--Consent Calendar at 9:34 a.m.

Committee of the Whole

The hour of 9:34 a.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Cooke was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1308 by Representative(s) Kraft-Tharp and Becker J., Arndt, Liston; also Senator(s) Hill and Kagan, Kefalas, Kerr, Moreno, Priola, Scott--Concerning an exemption from the "Workers' Compensation Act of Colorado" for nonresident employers whose employees are temporarily working in Colorado.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-223 by Senator(s) Gardner, Coram, Fenberg, Fields; also Representative(s) Gray and Carver, Benavidez--Concerning the circumstances under which an autopsy report prepared in connection with the death of a minor may be released to certain parties.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 17, pages 778-779 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1296 by Representative(s) Melton and Everett; also Senator(s) Marble and Moreno--Concerning an expansion of the ability to leave a motor vehicle unattended in certain circumstances.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, April 17, page 779 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1240 by Representative(s) Bridges and Becker J., Carver, Esgar, Ginal, Hansen, Jackson, Lewis, McLachlan, Roberts, Winter; also Senator(s) Cooke--Concerning the continuation of a grant program to prevent motor vehicle theft, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1235 by Representative(s) Hansen and McKean; also Senator(s) Scott--Concerning the continuation of the regulation of custom meat processors, and, in connection therewith, implementing the recommendations of the 2017 sunset report of the department of regulatory agencies.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1186 by Representative(s) Wilson and Reyher, Bridges, Buckner, Exum, Lee, McLachlan, Pettersen; also Senator(s) Marble--Concerning the continuation of the Colorado youth advisory council, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies and 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-223 as amended, HB18-1308, HB18-1296 as amended, HB18-1240, HB18-1235, HB18-1186.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education

After consideration on the merits, the Committee recommends that **SB18-229** 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 6 through 9.

Renumber succeeding subsections accordingly.

Page 2, line 11, strike "DEPARTMENT" and substitute "COLORADO BUREAU OF INVESTIGATION".

Page 2, line 19, after "STUDENT." insert "THE STUDENT SHALL SUBMIT THE FINGERPRINTS FOR THE PURPOSE OF OBTAINING A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK THROUGH THE COLORADO BUREAU OF INVESTIGATION AND THE FEDERAL BUREAU OF INVESTIGATION TO DETERMINE WHETHER THE STUDENT HAS A CRIMINAL HISTORY. THE STUDENT SHALL PAY TO THE COLORADO BUREAU OF INVESTIGATION THE FEE ESTABLISHED BY THE BUREAU FOR CONDUCTING THE CRIMINAL HISTORY RECORD CHECK. UPON COMPLETION OF THE CRIMINAL HISTORY RECORD CHECK, THE BUREAU SHALL FORWARD THE RESULTS TO THE DEPARTMENT.".

Page 3, line 14, strike "EXPERIENCES AND TO WHICH THE" and substitute "EXPERIENCES; AND".

Page 3, strike lines 15 through 17.

Page 3, after line 20 insert:

"(3) WHEN THE RESULTS OF A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK OF A STUDENT PERFORMED PURSUANT TO THIS SECTION REVEALS A RECORD OF ARREST WITHOUT A DISPOSITION, THE DEPARTMENT SHALL PERFORM A NAME-BASED CRIMINAL HISTORY RECORD CHECK OF THAT STUDENT.".

Page 3, strike lines 21 through 26.

Page 3, strike line 27 and substitute:

"(4) (a) WITHIN SEVEN DAYS OF RECEIVING THE RESULTS OF A CRIMINAL HISTORY RECORD CHECK CONDUCTED PURSUANT TO THIS SECTION, THE DEPARTMENT SHALL PROVIDE THE RESULTS OF SUCH".

Renumber succeeding subsections accordingly.

Page 4, lines 1 and 2, strike "CHECK PERFORMED PURSUANT TO THIS SECTION," and substitute "CHECK,".

Page 4, line 4, strike "THE SCHOOL DISTRICTS OR CHARTER" and substitute "ANY SCHOOL DISTRICT OR CHARTER SCHOOL THAT HAS MADE AN INQUIRY TO THE DEPARTMENT CONCERNING THE RESULTS OF A CRIMINAL HISTORY RECORD CHECK OF A STUDENT WHO HAS BEEN PLACED IN THE SCHOOL DISTRICT OR CHARTER SCHOOL FOR FIELD EXPERIENCES.".

Page 4, strike lines 5 and 6.

Page 4, lines 7 and 8, strike "FOR A PERIOD OF THREE YEARS FROM THE DATE OF THE INITIAL APPLICATION, THE STUDENT MAY" and substitute "THE STUDENT SHALL".

Page 4, line 10, strike "EXPERIENCES AND TO" and substitute "EXPERIENCES.".

Page 4, strike lines 11 through 16.

Page 4, strike lines 22 and 23 and substitute "SCHOOL IDENTIFIED BY THE STUDENT AS A SCHOOL DISTRICT OR CHARTER SCHOOL IN WHICH THE

STUDENT HAS BEEN PLACED FOR FIELD EXPERIENCES PURSUANT TO THIS SECTION.".

Page 4, strike lines 26 and 27 and substitute "ADMINISTRATION OF THIS SECTION.".

Page 5, after line 17 insert:

"(d) "NAME-BASED CRIMINAL HISTORY RECORD CHECK" MEANS A BACKGROUND CHECK PERFORMED USING JUDICIAL DEPARTMENT RECORDS THAT INCLUDES AN INDIVIDUAL'S CONVICTION AND FINAL DISPOSITION OF CASE RECORDS.".

Renumber succeeding paragraph accordingly.

Page 6, lines 1 and 2, strike "PROVIDED TO THE CHARTER SCHOOL THE RESULTS OF" and substitute "SUBMITTED TO".

Page 6, lines 25 and 26, strike "PROVIDED TO THE SCHOOL DISTRICT THE RESULTS OF" and substitute "SUBMITTED TO".

Page 7, line 14, strike "OR" and substitute "OR, IF THE APPLICANT HAS CONTINUOUSLY RESIDED IN COLORADO SINCE SUBMITTING FINGERPRINTS TO THE BUREAU, HAS PREVIOUSLY SUBMITTED FINGERPRINTS".

Page 8, line 5, after "CHECK" insert "OR A NAME-BASED CRIMINAL HISTORY RECORD CHECK".

Page 8, line 9, after "CHECK" insert "OR A NAME-BASED CRIMINAL HISTORY RECORD CHECK".

MESSAGE FROM THE HOUSE

April 18, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1344, 1354, 1372.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1371, 1391 amended as printed in House Journal, April 17, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1273, amended as printed in House Journal, April 17, 2018, and amended on Third Reading as printed in House Journal, April 18, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-033, 108, 132, 141, amended as printed in House Journal, April 17, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

April 18, 2018

We herewith transmit:

Without comment, HB18-1344, 1354, and 1372.
Without comment, as amended, HB18-1273, 1371, and 1391.
Without comment, as amended, SB18-033, 108, 132, and 141.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

SCR18-004 by Senator(s) Grantham and Fenberg, Jahn; --Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning congressional redistricting.
State, Veterans, & Military Affairs

SCR18-005 by Senator(s) Grantham and Fenberg, Jahn; --Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning legislative redistricting.
State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1207 by Representative(s) Kennedy and Rankin; also Senator(s) Moreno and Smallwood--Concerning hospital transparency measures required to analyze the efficacy of hospital delivery system reform incentive payments.
State, Veterans, & Military Affairs

HB18-1273 by Representative(s) Salazar and Esgar; also Senator(s) Merrifield--Concerning protection for Colorado residents from federal government overreach based on a person's status.
State, Veterans, & Military Affairs

HB18-1344 by Representative(s) Weissman and Sias; also Senator(s) Coram and Moreno--Concerning relief from collateral consequences of criminal actions.
Judiciary

HB18-1354 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno--Concerning a requirement that written warranties for powersports vehicles be honored.
Finance

HB18-1371 by Representative(s) Esgar and Becker J., Hansen; also Senator(s) Kefalas and Baumgardner, Sonnenberg--Concerning capital construction budget items, and, in connection therewith, codifying the three-year period that capital construction budget items remain available and clarifying the deadlines for the submission of capital construction budget requests, budget request amendments, and budget request amendments that are related to a request for a supplemental appropriation.
Finance

HB18-1372 by Representative(s) Esgar and Becker J., Hansen; also Senator(s) Kefalas--Concerning an exemption of the regional center depreciation account in the capital construction fund from the definition of cash fund for purposes of the requirements under the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.
Finance

HB18-1391 by Representative(s) Duran and Winter; also Senator(s) Martinez Humenik and Kerr--Concerning the prevention of sexual misconduct on higher education campuses.
Judiciary

MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

August 30, 2017

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint and submit to your consideration, the following:

MEMBERS OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

James George Spehar of Grand Junction, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of William G. Kane of Basalt, Colorado, appointed;

Carrie Besnette Hauser of Glenwood Springs, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of Christopher James Castilian of Denver, Colorado, appointed;

for terms expiring July 1, 2021:

Marie E. Haskett of Meeker, Colorado, as a representative of sports persons and outfitters and west of the Continental Divide, appointed;

Marvin Edward McDaniel of Sedalia, Colorado, as a member at large, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/14/2017
Effie Ameen, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

TRIBUTES

Honoring:

THE PHOENIX -- By Senator Tim Neville.
Omar Castruita -- By Senator Steve Fenberg.
Bill Ray -- By Senator Rachel Zenzinger.
Don Wick -- By Senator Rachel Zenzinger.
Cally O'Donnell and Colorado Springs Allstate Agencies -- By Senator Michael Merrifield.
Motorcycle Safety Awareness Month -- By Senator Jack Tate.
The Scientific and Cultural Facilities District -- By Senator Rachel Zenzinger.
Xuedan Fillmore -- By Senator Rachel Zenzinger.
Lukas Knight -- By Senator Rachel Zenzinger.
Jalissa Archuleta -- By Senator Rachel Zenzinger.
Jordan Cross -- By Senator Rachel Zenzinger.
Madalyn Wenger -- By Senator Rachel Zenzinger.
Jing-Mei Fillmore -- By Senator Rachel Zenzinger.
Megan Schueller -- By Senator Rachel Zenzinger.
Nicholas Hulhanek -- By Senator Rachel Zenzinger.
Tiana Galltin -- By Senator Rachel Zenzinger.
Victoria Woodcock -- By Senator Rachel Zenzinger.
Sydney Morris -- By Senator Rachel Zenzinger.
Skylah Marroquin -- By Senator Rachel Zenzinger.
Michael Martinez -- By Senator Rachel Zenzinger.
Kayla McNierney -- By Senator Rachel Zenzinger.
Emily Ogata -- By Senator Rachel Zenzinger.
Brooke Miller -- By Senator Rachel Zenzinger.
Pete Yazzie-Rodriguez -- By Senator Rachel Zenzinger.
Rhina Guzman -- By Senator Rachel Zenzinger.
Chris Jordan -- By Senator Rachel Zenzinger.
Elijah Wagner -- By Senator Rachel Zenzinger.

Tyler Pitera -- By Senator Rachel Zenzinger.
Angel Gillote -- By Senator Rachel Zenzinger.
Jaydekai Hanh -- By Senator Rachel Zenzinger.
Alison Howard -- By Senator Rachel Zenzinger.
Mariah Fernandez -- By Senator Rachel Zenzinger.
Exhauce Kumeso -- By Senator Rachel Zenzinger.
Isabella Brown -- By Senator Rachel Zenzinger.
Deven Cespedes-Roses -- By Senator Rachel Zenzinger.
Miquel Olivas Maldnado -- By Senator Rachel Zenzinger.
Serenity Turner -- By Senator Rachel Zenzinger.
Julia Gabaldon -- By Senator Rachel Zenzinger.
Avyron Cadenas -- By Senator Rachel Zenzinger.
Dante Padro -- By Senator Rachel Zenzinger.
Rowanchayse Cleveland -- By Senator Rachel Zenzinger.
Karma James -- By Senator Rachel Zenzinger.
Marcus Smale-Schemmel -- By Senator Rachel Zenzinger.
Christopher Colaman-Angelo -- By Senator Rachel Zenzinger.
Daimon Oswalt -- By Senator Rachel Zenzinger.
Steven Crise-Zarate -- By Senator Rachel Zenzinger.
Griffin McConnell -- By Senator Rachel Zenzinger.
Kade Gannon -- By Senator Rachel Zenzinger.
Delilah Romero James -- By Senator Rachel Zenzinger.
Darrien Espinsoza -- By Senator Rachel Zenzinger.
Caleb Stockton -- By Senator Rachel Zenzinger.
Ethan Garcia -- By Senator Rachel Zenzinger.
Sutton Sparr -- By Senator Rachel Zenzinger.
Nathan Hannah -- By Senator Rachel Zenzinger.
Eva Vang -- By Senator Rachel Zenzinger.
Keegan Gonsoir -- By Senator Rachel Zenzinger.
Philip Saharchuk -- By Senator Rachel Zenzinger.
Shilah Forsythe -- By Senator Rachel Zenzinger.
Lauren Lawless -- By Senator Rachel Zenzinger.
Isaac Naftz -- By Senator Rachel Zenzinger.
Anissa Ulibarri -- By Senator Rachel Zenzinger.
Adrena Rocha -- By Senator Rachel Zenzinger.
Miguel Lopez -- By Senator Rachel Zenzinger.
Tyler Charles -- By Senator Rachel Zenzinger.
Samueal Hays -- By Senator Rachel Zenzinger.
Brady Hackbarth -- By Senator Rachel Zenzinger.
Cheyenne Zamora -- By Senator Rachel Zenzinger.
Raegan Sawano -- By Senator Rachel Zenzinger.
Jane Poole -- By Senator Rachel Zenzinger.
Riley Neary -- By Senator Rachel Zenzinger.
Gabrina Ticoalu -- By Senator Rachel Zenzinger.
Lyla Taylor -- By Senator Rachel Zenzinger.
Lizzy Roth -- By Senator Steve Fenberg.
Claudia Holder -- By Senator Steve Fenberg.
Eve Westfall -- By Senator Steve Fenberg.
Emmy Croasdale -- By Senator Steve Fenberg.
Clover Spielman -- By Senator Steve Fenberg.
Malia Chipouras -- By Senator Steve Fenberg.
Kate Zacharias -- By Senator Steve Fenberg.
Keara Friel -- By Senator Steve Fenberg.
Arriana McCue -- By Senator Steve Fenberg.
Margo Church -- By Senator Steve Fenberg.
Olicia Beresford -- By Senator Steve Fenberg.
Presley Church -- By Senator Steve Fenberg.
Blue Sky Bridge -- By Senator Steve Fenberg.
Alison Travis -- By Senator Steve Fenberg.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Thursday, April 19, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

100th Legislative Day Thursday, April 19, 2018

Prayer — By Senator Tim Neville.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--32
Excused--3, Aguilar, Jones, Merrifield.
Present later--3, Aguilar, Jones, Merrifield.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Wednesday, April 18, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2020:

Celene Nicole Hawkins of Durango, Colorado, a resident of the San Miguel-Dolores-San Juan drainage basin and a Democrat, appointed;

Heather Renae Dutton of Del Norte, Colorado to serve as a representative from the Rio Grande drainage basin and as a Republican, appointed;

Jack Martin Goble of Hasty, Colorado to serve as a representative from the Arkansas drainage basin and as an Unaffiliated, appointed.

for terms expiring February 12, 2021:

Curran A. Trick of Cowdrey, Colorado, to serve as a representative of the North Platte drainage basin and as a Republican, appointed;

Steven A. Anderson of Olathe, Colorado, to serve as a representative of the Gunnison-Uncompahgre drainage basin and as a Republican, appointed;

James Thomas Yahn of Sterling, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, reappointed.

Agriculture, Natural Resources, & Energy — After consideration on the merits, the Committee recommends that **SB18-226** be referred to the Committee of the Whole with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-239** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs

The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Charles Fredrick Garcia of Denver, Colorado, a Democrat and member of the community at large, and occasioned by the resignation of Heidi Jeanne Hess of Clifton, Colorado, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-242** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1304** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1262** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1261** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1152** 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 **HB18-1181** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, line 5, strike "AN ELIGIBLE ELECTOR" and substitute "ELIGIBLE TO VOTE".

Page 5, line 12, strike "DISTRICT," and substitute "DISTRICT AT A PUBLIC HEARING, ".

Page 5, line 24, strike "RESOLUTION," and substitute "RESOLUTION AT A PUBLIC HEARING,".

Page 8, line 9, strike "AN ELIGIBLE ELECTOR OF" and substitute "ELIGIBLE TO VOTE IN".

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-237** be postponed indefinitely.

Judiciary

After consideration on the merits, the Committee recommends that **SB18-234** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 12-54-104, **add** (1)(p) as follows:

12-54-104. Unlawful acts. (1) It is unlawful:

(p) FOR A PERSON OWNING AN INDIRECT INTEREST WITH MORE THAN TEN-PERCENT OWNERSHIP IN A FUNERAL ESTABLISHMENT OR FOR A PERSON OWNING A DIRECT INTEREST IN A FUNERAL ESTABLISHMENT TO OWN AN INDIRECT INTEREST WITH MORE THAN TEN-PERCENT OWNERSHIP IN A NONTRANSPLANT TISSUE BANK, AS DEFINED IN SECTION 12-54.5-101 (5), OR TO OWN A DIRECT INTEREST IN A NONTRANSPLANT TISSUE BANK.

SECTION 2. In Colorado Revised Statutes, 12-54-301, **add** (3) as follows:

12-54-301. Unlawful acts. (3) IT IS UNLAWFUL FOR A PERSON OWNING AN INDIRECT INTEREST WITH MORE THAN TEN-PERCENT OWNERSHIP IN A CREMATORY OR FOR A PERSON OWNING A DIRECT INTEREST IN A CREMATORY TO OWN AN INDIRECT INTEREST WITH MORE THAN TEN-PERCENT OWNERSHIP IN A NONTRANSPLANT TISSUE BANK, AS DEFINED IN SECTION 12-54.5-101 (5), OR TO OWN A DIRECT INTEREST IN A NONTRANSPLANT TISSUE BANK.

SECTION 3. In Colorado Revised Statutes, **add** article 54.5 to title 12 as follows:

ARTICLE 54.5
Nontransplant Tissue Banks

12-54.5-101. Definitions. AS USED IN THIS ARTICLE 54.5, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "BODY PART" MEANS A PORTION OF THE HUMAN BODY. THE TERM DOES NOT INCLUDE BLOOD UNLESS THE BLOOD IS DONATED FOR THE PURPOSE OF RESEARCH OR EDUCATION.

(2) "DESIGNEE" MEANS AN INDIVIDUAL DESIGNATED BY A NONTRANSPLANT TISSUE BANK REGISTERED IN ACCORDANCE WITH SECTION 12-54.5-102.

(3) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OR THE DIRECTOR'S DESIGNEE.

(4) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND OCCUPATIONS CREATED IN SECTION 24-34-102.

(5) (a) "NONTRANSPLANT TISSUE BANK" MEANS A PERSON THAT, FOR ANY PURPOSE OTHER THAN TRANSPLANTING A BODY PART, RECOVERS, TRANSPORTS, DISTRIBUTES, SCREENS, STORES, AND ARRANGES FOR THE STORAGE AND DISTRIBUTION OF A BODY PART.

(b) "NONTRANSPLANT TISSUE BANK" DOES NOT INCLUDE:

(I) AN EYE BANK, AN ORGAN PROCUREMENT ORGANIZATION, OR A TISSUE BANK, AS THOSE TERMS ARE DEFINED IN SECTION 15-19-202 (10), (16), AND (31), RESPECTIVELY;

(II) A FUNERAL ESTABLISHMENT REGISTERED IN ACCORDANCE WITH SECTION 12-54-110; OR

(III) A CREMATORY REGISTERED IN ACCORDANCE WITH SECTION 12-54-303.

12-54.5-102. Registration required - repeal. (1) (a) BY JULY 1, 2019, EACH NONTRANSPLANT TISSUE BANK SHALL REGISTER WITH THE DIRECTOR IN THE FORM AND MANNER DETERMINED BY THE DIRECTOR. THE REGISTRATION MUST INCLUDE:

(I) THE SPECIFIC ADDRESS OF THE NONTRANSPLANT TISSUE BANK;

(II) THE FULL NAME AND ADDRESS OF THE DESIGNEE APPOINTED IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION;

(III) THE DATE THE NONTRANSPLANT TISSUE BANK BEGAN DOING BUSINESS;

(IV) THE CATEGORY OF BODY PARTS AND THE TYPE OF BODY PART SERVICES PROVIDED; AND

(V) A DESCRIPTION OF THE NONTRANSPLANT TISSUE BANK'S PREMISES AND EQUIPMENT.

(b) EACH NONTRANSPLANT TISSUE BANK REGISTRATION IS SUBJECT TO RENEWAL PURSUANT TO A SCHEDULE ESTABLISHED BY THE DIRECTOR IN ACCORDANCE WITH SECTION 24-34-102 (8) AND IN THE FORM AND MANNER DETERMINED BY THE DIRECTOR.

(c) IN ACCORDANCE WITH SECTION 24-34-105, THE DIRECTOR MAY ADJUST THE REGISTRATION FEE SET UNDER SUBSECTION (3) OF THIS SECTION AND ESTABLISH RENEWAL FEES AND DELINQUENCY FEES FOR REINSTATEMENT. IF A NONTRANSPLANT TISSUE BANK FAILS TO RENEW THE REGISTRATION IN ACCORDANCE WITH THE SCHEDULE ESTABLISHED BY THE DIRECTOR, THE REGISTRATION EXPIRES.

(2) (a) EACH NONTRANSPLANT TISSUE BANK SHALL APPOINT AN INDIVIDUAL AS THE DESIGNEE OF THE NONTRANSPLANT TISSUE BANK. A DESIGNEE MUST:

(I) BE AT LEAST EIGHTEEN YEARS OF AGE;

(II) HAVE AT LEAST TWO YEARS OF EXPERIENCE WORKING FOR A NONTRANSPLANT TISSUE BANK;

(III) BE EMPLOYED BY THE REGISTERED NONTRANSPLANT TISSUE BANK THAT THE DESIGNEE REPRESENTS;

(IV) HAVE THE AUTHORITY WITHIN THE NONTRANSPLANT TISSUE BANK'S ORGANIZATION TO REQUIRE THAT PERSONNEL COMPLY WITH THIS ARTICLE 54.5; AND

(V) NOT BE DESIGNATED FOR MORE THAN ONE NONTRANSPLANT TISSUE BANK UNLESS EACH ADDITIONAL NONTRANSPLANT TISSUE BANK IS OPERATED UNDER COMMON OWNERSHIP AND MANAGEMENT AND UNLESS EACH ADDITIONAL NONTRANSPLANT TISSUE BANK IS SIXTY MILES OR LESS FROM ALL OTHER NONTRANSPLANT TISSUE BANKS HELD UNDER THE SAME COMMON OWNERSHIP.

(b) IF, AFTER INITIAL REGISTRATION, THE NONTRANSPLANT TISSUE BANK APPOINTS A NEW DESIGNEE IN ACCORDANCE WITH SUBSECTION (2)(a) OF THIS SECTION, THE NONTRANSPLANT TISSUE BANK SHALL NOTIFY THE DIRECTOR WITHIN THIRTY DAYS AFTER APPOINTING THE DESIGNEE.

(3) TO REGISTER, A PERSON MUST PAY THE FEE SET BY THE DIRECTOR. THE DIRECTOR SHALL SET THE REGISTRATION FEE TO OFFSET THE DIVISION'S DIRECT AND INDIRECT COSTS OF IMPLEMENTING THIS ARTICLE 54.5. THE DIRECTOR SHALL TRANSMIT THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT IT TO THE DIVISION OF PROFESSIONS AND OCCUPATIONS CASH FUND CREATED IN SECTION 24-34-105.

(4) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024. BEFORE ITS REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

12-54.5-103. Records and receipts. (1) A NONTRANSPLANT TISSUE BANK SHALL FURNISH TO A PERSON WHO DELIVERS A BODY PART TO THE NONTRANSPLANT TISSUE BANK A RECEIPT, WHICH MUST BE SIGNED BY BOTH THE NONTRANSPLANT TISSUE BANK AND THE PERSON WHO DELIVERS THE BODY PART. THE NONTRANSPLANT TISSUE BANK SHALL RETAIN A COPY OF THE RECEIPT IN ITS RECORDS IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION. THE RECEIPT MUST INCLUDE THE FOLLOWING:

(a) THE DATE AND TIME OF THE DELIVERY;

(b) THE NAME OF THE PERSON WHO DELIVERED THE BODY PART;

(c) THE NAME OF THE DECEDENT;

(d) THE NAME OF ANY BUSINESSES WITH WHICH THE PERSON DELIVERING THE BODY PART IS AFFILIATED; AND

(e) THE NAME OF THE PERSON WHO RECEIVED THE BODY PART ON BEHALF OF THE NONTRANSPLANT TISSUE BANK.

(2) A NONTRANSPLANT TISSUE BANK SHALL MAINTAIN FOR AT LEAST THREE YEARS AT ITS REGISTERED LOCATION THE FOLLOWING RECORDS:

(a) THE DONOR'S FULL NAME AND ADDRESS;

(b) THE DATE OF DONATION;

(c) DOCUMENTATION OF THE DECEDENT'S INFORMED CONSENT OR THE CONSENT OF THE PERSON AUTHORIZED BY LAW TO CONSENT ON BEHALF OF THE DONOR TO THE DONATION;

(d) A DESCRIPTION AND THE QUANTITY OF EACH BODY PART TO BE DONATED FOR SCIENTIFIC OR EDUCATIONAL PURPOSES;

(e) DECEDENT MEDICAL HISTORY, INCLUDING ANY OF THE FOLLOWING IF USED BY THE NONTRANSPLANT TISSUE BANK: AUTOPSY

REPORTS, DONATION QUESTIONNAIRES, AND OTHER DONOR OR DECEDENT SOLICITATION MATERIALS; AND

(f) TRACKING DOCUMENTATION OF THE LOCATION OF EACH BODY PART.

(3) A NONTRANSPLANT TISSUE BANK SHALL KEEP COMPLETE AND ACCURATE RECORDS AND MAKE THE RECORDS OPEN FOR INSPECTION BY THE DIRECTOR.

12-54.5-104. Standards of practice. (1) A NONTRANSPLANT TISSUE BANK SHALL:

(a) HANDLE BODY PARTS IN A SAFE AND SANITARY MANNER;

(b) BE EQUIPPED WITH INSTRUMENTS AND SUPPLIES NECESSARY TO PROTECT THE HEALTH AND SAFETY OF THE PUBLIC AND EMPLOYEES OF THE NONTRANSPLANT TISSUE BANK; AND

(c) AFFIX IDENTIFICATION TO EACH BODY PART AND PROVIDE TRACKING PAPERWORK TO MATCH THE IDENTIFICATION.

(2) A NONTRANSPLANT TISSUE BANK SHALL NOT COMMINGLE UNIDENTIFIED OR UNHARVESTED BODY PARTS PRIOR TO TRANSFER TO A CREMATORY OR FUNERAL ESTABLISHMENT, AS THOSE TERMS ARE DEFINED IN SECTION 12-54-102 (5) AND (12), RESPECTIVELY.

(3) AN INCINERATOR THAT IS USED FOR THE DISPOSAL OF BODY PARTS AND THAT IS OPERATED BY A REGISTERED NONTRANSPLANT TISSUE BANK NEED NOT BE REGISTERED UNDER PART 3 OF ARTICLE 54 OF THIS TITLE 12. THE INCINERATOR MAY COMMINGLE TISSUE FROM MEDICAL OR EDUCATIONAL RESEARCH FROM MULTIPLE DECEDENTS.

12-54.5-105. Disclosure. (1) A NONTRANSPLANT TISSUE BANK SHALL DISCLOSE, IN CLEAR AND UNAMBIGUOUS TERMS, THE FOLLOWING INFORMATION TO THE DONOR OR TO THE PERSON AUTHORIZED BY LAW TO CONSENT TO DONATION:

(a) THAT THE DONATED BODY PART MAY BE DISTRIBUTED, IN WHOLE OR IN PART, BY THE NONTRANSPLANT TISSUE BANK;

(b) THAT THE DONATED BODY PART MAY BE RETURNED, IN WHOLE OR IN PART, TO THE NONTRANSPLANT TISSUE BANK; AND

(c) THAT THE NONTRANSPLANT TISSUE BANK WILL BE COMPENSATED FOR DISTRIBUTION OF THE BODY PART.

12-54.5-106. Discipline. (1) THE DIRECTOR MAY DENY, SUSPEND, REVOKE, OR PLACE ON PROBATION A NONTRANSPLANT TISSUE BANK OR ISSUE A LETTER OF ADMONITION TO AN APPLICANT FOR OR HOLDER OF A NONTRANSPLANT TISSUE BANK REGISTRATION IF THE NONTRANSPLANT TISSUE BANK OR APPLICANT:

(a) VIOLATES AN ORDER OF THE DIRECTOR, THIS ARTICLE 54.5, OR THE RULES ESTABLISHED UNDER THIS ARTICLE 54.5;

(b) MAKES A MATERIAL MISSTATEMENT OR OMISSION IN THE REGISTRATION OR THE APPLICATION FOR A REGISTRATION;

(c) VIOLATES FEDERAL LAW, COLORADO LAW, OR AN ORDINANCE OR RESOLUTION OF A POLITICAL SUBDIVISION OF COLORADO IN THE OPERATION OF THE NONTRANSPLANT TISSUE BANK; OR

(d) HAS INCURRED DISCIPLINARY ACTION RELATED TO THE ADMINISTRATION OF A NONTRANSPLANT TISSUE BANK IN ANOTHER JURISDICTION. EVIDENCE OF THIS DISCIPLINARY ACTION IS PRIMA FACIE EVIDENCE FOR DENIAL OF REGISTRATION OR OTHER DISCIPLINARY ACTION IF THE VIOLATION WOULD BE GROUNDS FOR DISCIPLINARY ACTION IN THIS STATE.

(2) TO BE VALID, A PROCEEDING TO DENY, SUSPEND, REVOKE, OR PLACE ON PROBATION A REGISTRATION MUST BE CONDUCTED IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105. THE DIRECTOR MAY USE AN ADMINISTRATIVE LAW JUDGE EMPLOYED BY THE OFFICE OF ADMINISTRATIVE COURTS IN THE DEPARTMENT OF PERSONNEL TO CONDUCT A HEARING.

12-54.5-107. Violations and penalties. A PERSON WHO VIOLATES THIS ARTICLE 54.5 IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF NOT MORE THAN FIVE THOUSAND DOLLARS, IMPRISONMENT IN THE COUNTY JAIL FOR NOT MORE THAN TWENTY-FOUR MONTHS, OR BOTH THE FINE AND IMPRISONMENT.

SECTION 4. In Colorado Revised Statutes, 24-34-104, **amend** (25)(a)(XIII) 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:

(XIII) The regulation of persons registered to practice mortuary science by sections 12-54-110 and 12-54-111 and cremation by sections 12-54-303 and 12-54-304, and the administration thereof in accordance with part 4 of article 54 of title 12, AND THE REGULATION OF NONTRANSPLANT TISSUE BANKS BY SECTION 12-54.5-102;

SECTION 5. In Colorado Revised Statutes,12-54-303, **amend** (1) as follows:

12-54-303. Registration required. (1) Unless practicing at a registered crematory ~~pursuant to~~ UNDER this section AND EXCEPT AS PROVIDED IN SECTION 12-54.5-104 (3), a person shall not practice as, or offer the services of, a cremationist, nor shall the crematory sell or offer to sell funeral goods and services to the public.

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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Judiciary After consideration on the merits, the Committee recommends that **HB18-1092** be postponed indefinitely.

Judiciary After consideration on the merits, the Committee recommends that **HB18-1256** 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 21 insert:

"**SECTION 3.** In Colorado Revised Statutes, **add** 2-3-125 as follows:

2-3-125. Periodic performance audits of Colorado civil rights division and commission - reports. BY DECEMBER 15, 2019, AND BY DECEMBER 15, 2024, THE STATE AUDITOR SHALL COMPLETE OR CAUSE TO BE CONDUCTED AND COMPLETED A PERFORMANCE AUDIT OF THE COLORADO CIVIL RIGHTS DIVISION CREATED IN SECTION 24-34-302 AND THE COLORADO CIVIL RIGHTS COMMISSION CREATED IN SECTION 24-34-303. THE STATE AUDITOR SHALL PREPARE A REPORT AND RECOMMENDATIONS ON EACH AUDIT CONDUCTED AND SHALL PRESENT THE REPORT AND RECOMMENDATIONS TO THE COMMITTEE.

SECTION 4. In Colorado Revised Statutes, 24-34-303, **amend** (1), (2), and (3) as follows:

24-34-303. Civil rights commission - membership - repeal. (1) (a) There is hereby created, within the division, the Colorado civil rights commission.

(b) (I) The commission shall consist of seven members, who shall be appointed by the governor, with the consent of the senate, for terms of four years. The governor shall make appointments in such a manner that there are at all times two members of the commission representing the business community, at least one of whom shall be a representative of small business, two members of the commission representing state or local government entities, and three members of the commission from the community at large. The membership of the commission shall at all times be comprised of at least four members who are members of groups of people who have been or who might be discriminated against because of disability, race, creed, color, sex, sexual orientation, national origin, ancestry, marital status, religion, or age. Appointments shall be made to provide geographical area representation insofar as may be practicable, and no more than four members shall belong to the same political party.

(II) THIS SUBSECTION (1)(b) IS REPEALED, EFFECTIVE MARCH 15, 2019.

(c) (I) STARTING MARCH 15, 2019, THE COMMISSION CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

(A) FOUR MEMBERS APPOINTED BY THE GOVERNOR WITH THE

CONSENT OF THE SENATE;

(B) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; EXCEPT THAT, IF THE SPEAKER SHARES THE SAME POLITICAL PARTY REGISTRATION AS THE GOVERNOR, THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT TWO MEMBERS; AND

(C) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE; EXCEPT THAT, IF THE PRESIDENT SHARES THE SAME POLITICAL PARTY REGISTRATION AS THE GOVERNOR, THE MINORITY LEADER OF THE SENATE SHALL APPOINT TWO MEMBERS.

(II) THE MEMBERSHIP OF THE COMMISSION MUST AT ALL TIMES BE COMPRISED OF AT LEAST:

(A) ONE MEMBER FROM OR REPRESENTING A LABOR UNION OR SIMILAR EMPLOYEE ASSOCIATION THAT REPRESENTS MEMBERS IN COLORADO;

(B) ONE MEMBER WHO IS A MAJORITY OWNER OF A SMALL BUSINESS THAT EMPLOYS AT LEAST FIVE EMPLOYEES;

(C) ONE MEMBER WHO IS A MAJORITY OWNER OF A SMALL BUSINESS THAT EMPLOYS MORE THAN TWENTY-FIVE EMPLOYEES;

(D) TWO MEMBERS REPRESENTING STATE OR LOCAL GOVERNMENT ENTITIES; AND

(E) THREE MEMBERS FROM THE COMMUNITY AT LARGE.

(III) FROM THE MEMBERS DESCRIBED IN SUBSECTIONS (1)(c)(II)(A) TO (1)(c)(II)(E) OF THIS SECTION, AT LEAST FOUR MEMBERS MUST BE FROM GROUPS OF PEOPLE WHO HAVE BEEN OR WHO MIGHT BE DISCRIMINATED AGAINST BECAUSE OF DISABILITY, RACE, CREED, COLOR, SEX, SEXUAL ORIENTATION, NATIONAL ORIGIN, ANCESTRY, MARITAL STATUS, RELIGION, OR AGE.

(IV) APPOINTMENTS SHALL BE MADE TO PROVIDE GEOGRAPHICAL AREA REPRESENTATION INSOFAR AS MAY BE PRACTICABLE. NO MORE THAN THREE MEMBERS MAY BELONG TO THE SAME POLITICAL PARTY, AND NO MORE THAN SIX MEMBERS MAY BE AFFILIATED WITH ANY POLITICAL PARTY. A MEMBER MUST HAVE BEEN REGISTERED WITH THE SAME POLITICAL PARTY OR UNAFFILIATED WITH ANY POLITICAL PARTY FOR AT LEAST FOUR YEARS PRIOR TO THE MEMBER'S APPOINTMENT TO THE COMMISSION.

(V) MEMBERS OF THE COMMISSION SERVE FOUR-YEAR TERMS; EXCEPT THAT, FOR PURPOSES OF ENSURING STAGGERED TERMS OF OFFICE, TWO MEMBERS APPOINTED BY THE GOVERNOR, ONE MEMBER APPOINTED BY THE SPEAKER OR MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, AS APPLICABLE, AND ONE MEMBER APPOINTED BY THE PRESIDENT OR MINORITY LEADER OF THE SENATE, AS APPLICABLE, SERVE INITIAL TWO-YEAR TERMS.

(2) Vacancies on the commission shall be filled ~~by the governor~~ by appointment ~~with the consent of the senate, and~~ BY THE APPOINTING AUTHORITY OF THAT COMMISSIONER, WITH GOVERNOR APPOINTMENTS SUBJECT TO CONSENT OF THE SENATE. The term of a commissioner ~~so~~ appointed ~~shall be~~ TO FILL A VACANCY IS for the unexpired part of the term for which the commissioner is appointed.

(3) Any commissioner may be removed from office by the ~~governor~~ APPOINTING AUTHORITY OF THAT COMMISSIONER for misconduct, incompetence, or neglect of duty.

SECTION 5. In Colorado Revised Statutes, 24-34-306, **amend** (4), (11), (12), (14), and (15) as follows:

24-34-306. Charge - complaint - hearing - procedure - exhaustion of administrative remedies - option to choose administrative or district court proceeding. (4) (a) (I) When the director is satisfied that further efforts to settle the matter by conference, conciliation, and persuasion will be futile, ~~he~~ THE DIRECTOR shall ~~so~~ report THAT AND REFER THE MATTER to the commission. UPON RECEIPT OF THE MATTER, THE COMMISSION SHALL NOTIFY BOTH PARTIES OF THEIR RIGHT TO CHOOSE TO CONTINUE WITH AN ADMINISTRATIVE PROCEEDING BEFORE THE COMMISSION OR ADMINISTRATIVE LAW JUDGE OR TO PURSUE THE MATTER IN THE APPROPRIATE DISTRICT COURT. THE NOTICE MUST SPECIFY THAT:

(A) IF THE MATTER REMAINS IN THE COMMISSION'S JURISDICTION, NEITHER PARTY MAY FILE A CLAIM IN DISTRICT COURT AND THE COMMISSION RETAINS JURISDICTION OF THE MATTER UNTIL FINAL RESOLUTION OF THE MATTER; AND

(B) IF EITHER PARTY OPTS TO PURSUE THE MATTER IN DISTRICT COURT, THE COMMISSION'S JURISDICTION OVER THE MATTER CEASES, AND ALL REMEDIES THAT MAY BE GRANTED BY THE COMMISSION ARE AVAILABLE IN THE DISTRICT COURT PROCEEDING TO EITHER PARTY.

(II) THE PARTIES SHALL NOTIFY THE COMMISSION OF THEIR SELECTION WITHIN TWENTY-ONE DAYS AFTER RECEIVING THE NOTICE FROM THE COMMISSION. IF BOTH PARTIES CHOOSE TO CONTINUE WITH AN ADMINISTRATIVE PROCEEDING, OR IF THE PARTIES DO NOT TIMELY RESPOND, THE MATTER SHALL REMAIN IN THE COMMISSION'S JURISDICTION, AND NEITHER PARTY MAY FILE THE MATTER IN DISTRICT COURT. IF EITHER PARTY NOTIFIES THE COMMISSION THAT THE PARTY OPTS TO PURSUE THE MATTER IN DISTRICT COURT, THE COMMISSION SHALL STAY THE MATTER AND FILE THE MATTER IN THE APPROPRIATE DISTRICT COURT WITHIN THIRTY DAYS AFTER RECEIPT OF THE NOTICE FROM EITHER PARTY.

(b) If the commission RETAINS JURISDICTION OF THE MATTER AND determines that the circumstances warrant, ~~it~~ THE COMMISSION shall issue and cause to be served, in the manner provided by section 24-4-105 (2), a written notice and complaint requiring the respondent to answer the charges at a formal hearing before the commission, a commissioner, or an administrative law judge. ~~Such~~ THE hearing shall be commenced within one hundred twenty days after the service of ~~such~~ THE written notice and complaint. ~~Such~~ THE notice and complaint shall state the time, place, and nature of the hearing, the legal authority and jurisdiction under which it is to be held, and the matters of fact and law asserted.

(11) IF THE MATTER REMAINS IN THE JURISDICTION OF THE COMMISSION PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, AND if written notice that a formal hearing will be held is not served within two hundred seventy days after the filing of the charge, ~~if the complainant has requested and received a notice of right to sue pursuant to subsection (15) of this section,~~ or if the hearing is not commenced within the one-hundred-twenty-day period prescribed by subsection ~~(4)~~ ***(4)(b)*** of this section, the jurisdiction of the commission over the complaint ~~shall cease~~ CEASES, and the complainant may seek the relief authorized under this part 3 and parts 4 to 7 of this article ***34*** against the respondent by filing a civil action in the district court for the district in which the alleged discriminatory or unfair practice occurred. ~~Such~~ THE COMPLAINANT MUST FILE THE action ~~must be filed~~ within ninety days ~~of~~ AFTER the date upon which the jurisdiction of the commission ceased, and if ~~not so filed, it shall be~~ THE COMPLAINANT FAILS TO TIMELY FILE THE ACTION IN THE APPROPRIATE DISTRICT COURT, THE COMPLAINANT IS barred FROM FILING THE ACTION IN THE COURT, and the district court ~~shall~~ DOES NOT have ~~no~~ jurisdiction to hear ~~such~~ THE action. If any party requests the extension of any time period prescribed by this subsection (11), ~~such~~ THE COMMISSION, A COMMISSIONER, OR THE ADMINISTRATIVE LAW JUDGE, AS THE CASE MAY BE, MAY GRANT THE extension ~~may be granted~~ for good cause, ~~by the commission, a commissioner, or the administrative law judge, as the case may be,~~ but the total period of all ~~such~~ extensions to either the respondent or the complainant ~~shall~~ MUST not exceed ninety days each, and, in the case of multiple parties, the total period of all extensions ~~shall~~ MUST not exceed one hundred eighty days.

(12) (a) The division shall maintain a central file of decisions rendered under parts 3 to 7 of this article ~~and such~~ ***34.*** THE DIVISION SHALL MAKE THE file ~~shall be open~~ AVAILABLE to the public for inspection during regular business hours AND SHALL POST THE FILE ON ITS WEBSITE. THE DIVISION SHALL INCLUDE IN THE FILE A QUARTERLY SUMMARY OF ALL CHARGES FILED WITH THE DIVISION DURING EACH CALENDAR QUARTER, INCLUDING THE TYPES OF CHARGES FILED, SPECIFYING WHETHER THE CHARGES ALLEGED VIOLATIONS OF PART 4, 5, OR 6 OF THIS ARTICLE 34, AND THE OUTCOMES OF THE MATTERS, SPECIFYING WHETHER:

(I) THE MATTER WAS RESOLVED BY THE DIVISION, AND IF SO, WHETHER THE DIVISION DISMISSED THE CHARGES;

(II) THE DIVISION FOUND PROBABLE CAUSE;

(III) THE DIVISION REFERRED THE MATTER TO THE COMMISSION;

(IV) A CIVIL ACTION WAS FILED REGARDING THE MATTER; AND

(V) WHETHER THE COMMISSION OR DISTRICT COURT FOUND THAT THE RESPONDENT ENGAGED IN A DISCRIMINATORY OR UNFAIR PRACTICE, AND IF SO, WHETHER ANY REMEDIES WERE GRANTED.

(b) THE DIVISION SHALL NOT DISCLOSE THE NAMES OF THE PARTIES OR THE SPECIFIC DETAILS OF ANY CASE OR CHARGE IN THE QUARTERLY SUMMARY.

(14) ~~No~~ A person may NOT file a civil action in a district court in this state based on an alleged discriminatory or unfair practice prohibited by parts 4 to 7 of this article ***34*** without first exhausting the proceedings and remedies available to him OR HER under this part 3 unless:

(a) ~~he~~ THE PERSON shows, in an action filed in the appropriate district court, by clear and convincing evidence, THAT his OR HER ill health ~~which~~ is of such a nature that pursuing administrative remedies would not provide timely and reasonable relief and would cause irreparable harm; OR

(b) THE PERSON HAS OPTED TO PURSUE THE MATTER IN DISTRICT COURT IN ACCORDANCE WITH SUBSECTION (4)(a) OF THIS SECTION.

(15) The charging party in any action may request the division to issue a written notice of right to sue at any time DURING THE INVESTIGATION AND prior to REFERRAL OF THE MATTER BY THE DIVISION TO THE COMMISSIONER PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION OR TO service of a notice and complaint pursuant to subsection ~~(4)~~ ***(4)(b)*** of this section. The charging party shall make the request for notice of right to sue in writing. The division shall promptly grant a claimant's request for notice of right to sue made after the expiration of one hundred eighty days following the filing of the charge IF THE MATTER HAS NOT BEEN REFERRED TO THE COMMISSION PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION. If a claimant makes a request for a notice of right to sue prior to the expiration of one hundred eighty days following the filing of the charge, the division shall grant the request upon a determination that the investigation of the charge will not be completed within one hundred eighty days following the filing of the charge. A notice of right to sue shall constitute final agency action and exhaustion of administrative remedies and proceedings pursuant to this part 3.

SECTION 6. In Colorado Revised Statutes, 24-34-602, **amend** (1)(a) as follows:

24-34-602. Penalty and civil liability. (1) (a) (I) Any person who violates section 24-34-601 shall be fined ~~not less than fifty dollars nor more than five hundred dollars~~ for each violation:

(A) UP TO FIVE HUNDRED DOLLARS FOR THE FIRST VIOLATION;

(B) UP TO FIVE THOUSAND DOLLARS FOR THE SECOND VIOLATION; AND

(C) UP TO TEN THOUSAND DOLLARS FOR THE THIRD OR ANY SUBSEQUENT VIOLATION.

(II) FINES AUTHORIZED BY THIS SECTION ARE NOT ASSESSED ON A PER-DAY BASIS.

(III) A person aggrieved by the violation of section 24-34-601 shall bring an action in any court of competent jurisdiction in the county where the violation occurred. Upon finding a violation, the court shall order the defendant to pay the fine to the aggrieved party.".

Renumber succeeding sections accordingly.

Education After consideration on the merits, the Committee recommends that **HB18-1070** 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 7 through 27.

Strike page 4.

Renumber succeeding sections accordingly.

Page 1, strike lines 107 through 109 and substitute "**ASSISTANCE FUND**".

Education After consideration on the merits, the Committee recommends that **HB18-1277** 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: SCR18-004 and 005.
Correctly Engrossed: SB18-223.
Correctly Revised: HB18-1186, 1235, 1240, 1265, 1284, 1296, 1300, and 1308.
Correctly Enrolled: SB18-076 and 144; SR18-005.

Upon request of Majority Leader Holbert, **SB18-223** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, April 19, and was placed at the end of the Third Reading of Bills--Final Passage Calendar of Thursday, April 19.

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:

HB18-1265 by Representative(s) Lontine and Beckman, Buckner, Ginal, Kennedy, Roberts; also Senator(s) Crowder--Concerning the continuation of the stroke advisory board in accordance with the recommendation in the department of regulatory agencies' 2017 sunset report.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kefalas, Martinez Humenik, Merrifield, Moreno, Tate, Todd, and Williams A.

HB18-1308 by Representative(s) Kraft-Tharp and Becker J., Arndt, Liston; also Senator(s) Hill and Kagan, Kefalas, Kerr, Moreno, Priola, Scott--Concerning an exemption from the "Workers' Compensation Act of Colorado" for nonresident employers whose employees are temporarily working in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Donovan, Garcia, Gardner, Grantham, Guzman, Jahn, Marble, Martinez Humenik, Merrifield, Neville T., Sonnenberg, Tate, Todd, and Williams A.

HB18-1296 by Representative(s) Melton and Everett; also Senator(s) Marble and Moreno--Concerning an expansion of the ability to leave a motor vehicle unattended in certain circumstances.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Lambert, Lundberg, Neville T., Scott, and Sonnenberg.

HB18-1240 by Representative(s) Bridges and Becker J., Carver, Esgar, Ginal, Hansen, Jackson, Lewis, McLachlan, Roberts, Winter; also Senator(s) Cooke--Concerning the continuation of a grant program to prevent motor vehicle theft, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Gardner, Martinez Humenik, Moreno, and Tate.

HB18-1235 by Representative(s) Hansen and McKean; also Senator(s) Scott--Concerning the continuation of the regulation of custom meat processors, and, in connection therewith, implementing the recommendations of the 2017 sunset report of the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Donovan, Grantham, Hill, Marble, Martinez Humenik, Neville T., Smallwood, and Tate.

HB18-1186 by Representative(s) Wilson and Reyher, Bridges, Buckner, Exum, Lee, McLachlan, Pettersen; also Senator(s) Marble--Concerning the continuation of the Colorado youth advisory council, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fields, Gardner, Grantham, Jahn, Jones, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-077 by Senator(s) Crowder; also Representative(s) Reyher and Valdez--Concerning a state sales and use tax exemption for used motor vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Scott, Smallwood, Sonnenberg, and Tate.

SB18-061 by Senator(s) Sonnenberg and Grantham; also Representative(s) Lawrence--Concerning a reduction of the state income tax rate, 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
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Priola, Scott, Smallwood, and Tate.

SB18-228 by Senator(s) Hill; also Representative(s) Van Winkle--Concerning improving school choice in traditional schools of a school district.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, and Tate.

HB18-1300 by Representative(s) Young and Buck; also Senator(s) Marble and Cooke--Concerning granting authority for local district colleges to provide a bachelor of science degree in nursing program as a completion degree to students who have or are pursuing an associate degree in nursing.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Coram, Crowder, Fields, Garcia, Gardner, Grantham, Hill, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

RECONSIDERATION OF HB18-1300

HB18-1300 by Representative(s) Young and Buck; also Senator(s) Marble and Cooke--Concerning granting authority for local district colleges to provide a bachelor of science degree in nursing program as a completion degree to students who have or are pursuing an associate degree in nursing.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1300.

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)

HB18-1300 by Representative(s) Young and Buck; also Senator(s) Marble and Cooke--Concerning granting authority for local district colleges to provide a bachelor of science degree in nursing program as a completion degree to students who have or are pursuing an associate degree in nursing.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Sonnenberg.

HB18-1284 by Representative(s) Buckner and Wilson; also Senator(s) Martinez Humenik and Kefalas--Concerning the cost of prescription drugs purchased at a pharmacy.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fields, Grantham, Jahn, Jones, Kagan, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Tate, Todd, Williams A., and Zenzinger.

SB18-223 by Senator(s) Gardner, Coram, Fenberg, Fields; also Representative(s) Gray and Carver, Benavidez--Concerning the circumstances under which an autopsy report prepared in connection with the death of a minor may be released to certain parties.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Grantham, Lambert, Marble, Martinez Humenik, Neville T., Scott, Smallwood, Tate, and Todd.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-235 by Senator(s) Coram; also Representative(s) Arndt--Concerning the creation of the Colorado industrial hemp research and development authority.

Laid over until Thursday, April 26, retaining its place on the calendar.

SB18-230 by Senator(s) Marble; also Representative(s) Saine--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.

Laid over until Monday, April 23, retaining its place on the calendar.

HB18-1270 by Representative(s) Hansen and Becker J.; also Senator(s) Tate--Concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment. (Printed in Senate Journal, April 13, pages 755-756 and placed in members' bill files.)

Amendment No. 2(L.007), by Senator Tate.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 12, 2018, page 1, after line 2 insert:

"Page 4 of the reengrossed bill, line 12, after "REDUCED" insert "OR ADDED".

Page 4 of the bill, strike lines 15 and 16.

Reletter succeeding paragraphs accordingly.".

Page 1 of the report, strike lines 8 and 9.

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-233 by Senator(s) Marble and Fenberg; also Representative(s) Foote and Neville P.--Concerning technical modifications to miscellaneous provisions of the "Uniform Election Code of 1992".

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, April 17, pages 779-780 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SCR18-003 by Senator(s) Marble and Fenberg, Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Zenzinger; also Representative(s) Saine and Pabon, Becker J., Buck, Everett, Humphrey, Landgraf, Lewis, Liston, Neville P., Rankin, Ransom, Reyher, Sandridge, Thurlow, Van Winkle, Winkler--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning changing the industrial hemp definition from a constitutional definition to a statutory definition.

Amendment No. 1(L.001), by Senator Marble.

Amend printed concurrent resolution, page 2, line 16, strike "7 U.S.C. SEC. 5940 (b)(2)" and substitute "FEDERAL LAW".

Page 2, strike line 17 and substitute "STATUTE.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-163 by Senator(s) Martinez Humenik and Merrifield, Priola; also Representative(s) Pettersen and Wilson, Buckner--Concerning an extension of the repeal of the early childhood and school readiness legislative commission.

Amendment No. 1, Appropriations Committee Amendment. (Printed in Senate Journal, April 17, pages 780-781 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-059 by Senator(s) Fields; also Representative(s) Pabon--Concerning creation of a public safety information-sharing system.

Amendment No. 1, Judiciary Committee Amendment. (Printed in Senate Journal, March 6, pages 372-374 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment. (Printed in Senate Journal, April 17, page 781 and placed in members' bill files.)

Amendment No. 3(L.013), by Senator Fields.

Amend the Judiciary Committee Report, dated March 5, 2018, page 3, strike lines 19 and 20 and substitute "WEBSITE ANY APPLICANT WHO WAS SELECTED TO RECEIVE A GRANT AWARD WITHIN ONE BUSINESS DAY AFTER SUCH SELECTION. ANY PARTY MAY CONTEST ANY SUCH SELECTION WITHIN".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-016 by Senator(s) Martinez Humenik and Fields; also Representative(s) Singer, Benavidez--Concerning the repeal date for the transfer of money from community corrections to the housing assistance for persons transitioning from the criminal or juvenile justice system cash fund.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 17, pages 781-782 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1335 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the Colorado child care assistance program, and, in connection therewith, establishing eligibility requirements for all counties and creating a new formula to determine the amount of block grants to counties.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-233 as amended, SCR18-003 as amended, SB18-163 as amended, SB18-059 as amended, SB18-016 as amended, HB18-1270 as amended, HB18-1335.
Laid over until Monday, April 23: SB18-230.
Laid over until Thursday, April 26: SB18-235.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-033 by Senator(s) Sonnenberg; also Representative(s) Arndt and Becker J.--Concerning the continuation of the animal feeding operation permit program under the department of public health and environment, and, in connection therewith, making an appropriation.

Senator Sonnenberg moved that the Senate not concur in House amendments to SB18-033, as printed in House journal, April 17, page 1024, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-108 by Senator(s) Crowder and Coram; also Representative(s) Arndt and Singer--Concerning the issuance of identification documents under the "Colorado Road and Community Safety Act" to persons who are not lawfully present in the United States, and, in connection therewith, making an appropriation.

Senator Coram moved that the Senate not concur in House amendments to SB18-108, as printed in House journal, April 11, page 931, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-132 by Senator(s) Smallwood; also Representative(s) Kennedy--Concerning a waiver of federal law to permit insurance carriers to offer catastrophic health plans to any individual residing in Colorado, and, in connection therewith, making an appropriation.

Senator Smallwood moved that the Senate concur in House amendments to SB18-132, as printed in House journal, April 4, page 839. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-141 by Senator(s) Court; also Representative(s) Wilson and Hansen--Concerning voluntary contribution designations on the Colorado individual income tax return form.

Laid over until Monday, April 23, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2018:

Scott R. Pandy of Fort Collins, Colorado to serve as a general contractor actively engaged in the building industry, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE PLUMBING BOARD

for a term expiring July 1, 2021:

Catherine A. Dunihoo of Windsor, Colorado, an Unaffiliated, and a journeyman plumber, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
UNINSURED EMPLOYER BOARD

for a term expiring September 1, 2019:

Roger Allen Hays of Aurora, Colorado, to serve as a representative of employers, appointed;

for terms expiring September 1, 2020:

Elsa Martinez Tenreiro, JD of Elizabeth, Colorado, to serve as an attorney who represents injured workers, appointed;

Amy Newton of Westminster, Colorado, to serve as a representative of insurers, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

effective June 30, 2017 for a term expiring June 30, 2021:

Christopher Gregory of Fort Collins, Colorado to serve as an attorney, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-180 and 187; HB18-1104, 1132, 1147, 1211, 1237, 1243, 1275, 1282, 1322, 1326, 1328, 1332, 1333, 1334, and 1337.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-236** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 5, strike "**definitions.**" and substitute "**definition.**".

Page 2, line 24, strike "SHALL" and substitute "MAY".

Page 3, line 13, after "REQUIRING" insert "THAT THE PROVIDER REGISTER AND BE SUBJECT TO A".

Page 3, line 14, strike "PROVIDERS'" and substitute "PROVIDER'S".

Page 3, line 17, after "PROVIDER" insert "REGISTER AND".

Page 3, line 20, after "PROVIDER" insert "REGISTER AND".

Page 4, strike lines 1 through 4.

Reletter succeeding sub-subparagraph accordingly.

Page 4, strike line 12 and substitute:

"OCCUPATIONAL LICENSE;

(I) THE NEED TO ADDRESS A DIFFERENT TYPE OR MULTIPLE TYPES OF HARM, THE DEPARTMENT MAY RECOMMEND ALTERNATIVE TYPES OF

REGULATIONS OR A COMBINATION OF TYPES OF REGULATIONS.".

Page 4, line 13, strike "SECTION:" and substitute "SECTION,".

Page 4, line 14, strike "(a)".

Page 4, line 16, strike "(I)" and substitute "(a)".

Page 4, line 17, strike "(II)" and substitute "(b)".

Page 4, line 18, strike "(III)" and substitute "(c)".

Page 4, line 19, strike "(IV)" and substitute "(d)".

Page 4, line 20, strike "(V)" and substitute "(e)".

Page 4, line 22, strike "(VI)" and substitute "(f)".

Page 4, line 23, strike "(VII)" and substitute "(g)".

Page 4, line 25, strike "(VIII)" and substitute "(h)".

Page 4, strike line 26 and substitute "GOOD OR SERVICE OR THE FACILITY WHERE THE GOOD OR SERVICE IS PROVIDED;".

Page 4, line 27, strike "(IX)" and substitute "(i)".

Page 5, line 1, strike "(X)" and substitute "(j)".

Page 5, line 2, strike "(XI)" and substitute "(k)".

Page 5, line 3, strike "(XII)" and substitute "(l)".

Page 5, line 4, strike "(XIII)" and substitute "(m)".

Page 5, strike lines 5 through 22 and substitute:

"(n) OCCUPATIONAL LICENSE; AND

(o) A COMBINATION OF TYPES OF REGULATIONS, MORE RESTRICTIVE TYPES OF REGULATIONS, OR A PROHIBITION, AS DETERMINED BY THE DEPARTMENT.".

Page 6, line 14, strike "PRESUME" and substitute "PERFORM AN ORIGINAL REVIEW THAT PRESUMES".

Page 6, line 20, strike "ENACTMENT" and substitute "CONTINUATION".

Page 6, line 25, strike "SHALL" and substitute "MAY".

Page 7, line 12, after "REQUIRING" insert" THAT THE PROVIDER REGISTER AND BE SUBJECT TO A".

Page 7, line 13, strike "PROVIDERS'" and substitute "PROVIDER'S".

Page 7, line 16, after "PROVIDER" insert "REGISTER AND".

Page 7, line 19, after "PROVIDER" insert "REGISTER AND".

Page 7, strike line 27.

Page 8, strike lines 1 through 3.

Reletter succeeding sub-subparagraph accordingly.

Page 8, strike lines 12 through 21 and substitute:

"(I) THE NEED TO ADDRESS A DIFFERENT TYPE OR MULTIPLE TYPES OF HARM, THE DEPARTMENT MAY RECOMMEND ALTERNATIVE TYPES OF REGULATIONS OR COMBINATIONS OF TYPES OF REGULATIONS.

SECTION 3. Act subject to petition - effective date. This act takes effect November 1, 2018; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **SB18-219** 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 "OR SERVICE".

Page 3, line 25, strike "LABOR, AND SERVICING" and substitute "AND LABOR".

Page 3, line 26, strike "DEALER. "REPAIR" ALSO INCLUDES" and substitute "DEALER".

Page 3, strike line 27.

Page 4, strike line 1.

Page 4, line 2, strike "LABOR".

Page 4, lines 14 and 15, strike "DIAGNOSING, REPAIRING, AND SERVICING" and substitute "DIAGNOSING AND REPAIRING".

Page 4, line 15, strike "TO CORRECT ANY DEFECT OR" and substitute "IN ACCORDANCE WITH ANY".

Page 4, strike lines 16 through 19 and substitute "WARRANTY, RECALL, OR CERTIFIED PREOWNED WARRANTY,".

Page 4, line 20, strike "OBLIGATION,".

Page 4, line 21, strike "OR SERVICE COMMITMENT".

Page 4, line 23, strike "A" and substitute "AT A MOTOR VEHICLE DEALER'S REQUEST, A" and strike "ITS" and substitute "THE".

Page 4, line 24, strike "DEALERS" and substitute "DEALER".

Page 4, line 25, after "PERCENTAGE" insert "IN ACCORDANCE WITH SUBSECTION (3) OF THIS SECTION".

Page 4, lines 26 and 27, strike "ARISING FROM OR RELATING TO ANY WARRANTY OBLIGATION." and substitute "FOR COVERED REPAIRS PERFORMED IN ACCORDANCE WITH THE WARRANTY OBLIGATION, IF THE RETAIL LABOR RATE AND RETAIL PARTS MARKUP PERCENTAGE ARE REASONABLE.".

Page 5, line 6, strike "FIFTY" and substitute "ONE HUNDRED".

Page 5, line 15, strike "THIRTY" and substitute "NINETY".

Page 5, line 26, after "PERCENTAGE." add "IF THE RATES FROM THE CALCULATION ARE SUBSTANTIALLY HIGHER OR LOWER THAN THE CURRENT RATES, THE MANUFACTURER MAY REQUEST ADDITIONAL REPAIR ORDERS FOR THE NINETY DAYS BEFORE OR AFTER THE SUBMITTED REPAIR ORDERS FOR PURPOSES OF ALTERATION.".

Page 6, line 2, strike "SIXTY" and substitute "NINETY".

Page 6, line 6, strike "SIXTY" and substitute "NINETY".

Page 7, strike line 1 and substitute "EVENTS, ONE-TIME SPECIALS, EXPRESS SERVICE, AND QUOTED-PRICE PROMOTIONAL DISCOUNTS, BUT THIS EXCLUSION FROM THE CALCULATION DOES NOT INCLUDE BROADLY APPLICABLE DISCOUNTS OFFERED BY THE DEALER, SUCH AS PERCENTAGE-OFF COUPONS, THAT APPLY TO REPAIRS AND PARTS;".

Page 7, line 2, strike "REPAIRS DONE" and substitute "PARTS SOLD".

Page 7, line 4, after "FASTENERS," insert "TIRES,".

Page 7, strike line 6.

Renumber succeeding subparagraphs accordingly.

Page 7, line 14, after "FOR" insert "MANUFACTURER APPROVED AND REIMBURSED".

Page 7, line 14, strike "OR POLICY".

Page 7, line 19, strike "CARRIERS, FLEET OPERATORS," and substitute "CARRIERS, AND FLEET OPERATORS, BUT NOT INCLUDING" and strike "COMPANIES," and substitute "COMPANIES".

Page 7, line 27, strike "SEMIANNUALLY," and substitute "ONCE ANNUALLY,".

Page 8, line 3, strike "SEMIANNUALLY," and substitute "ONCE ANNUALLY,".

Page 8, after line 5 insert:

"(d) (I) A MANUFACTURER MAY:

(A) CONDUCT A PERIODIC REVIEW OF A MOTOR VEHICLE DEALER'S SERVICE RECORDS TO VERIFY THE CONTINUING ACCURACY OF THE RETAIL LABOR RATE OR RETAIL PARTS MARKUP PERCENTAGE PROPOSED BY OR IN EFFECT FOR THE DEALER; AND

(B) ADJUST THE MOTOR VEHICLE DEALER'S RETAIL LABOR RATE OR RETAIL PARTS MARKUP PERCENTAGE BASED ON THE REVIEW CONDUCTED UNDER SUBSECTION (5)(d)(I)(A) OF THIS SECTION.

(II) A MANUFACTURER SHALL NOT CONDUCT A PERIODIC REVIEW MORE THAN ONCE PER CALENDAR YEAR. THIS PERIODIC REVIEW IS NOT AN AUDIT IN ACCORDANCE WITH SECTION 12-6-126.

(III) THE MOTOR VEHICLE DEALER MAY FILE A COMPLAINT IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SUBSECTION (6)(c) OF THIS SECTION IF THE MOTOR VEHICLE DEALER DOES NOT AGREE WITH THE ADJUSTED RETAIL LABOR RATE OR RETAIL PARTS MARKUP PERCENTAGE.".

Page 8, line 8, strike "INACCURATE," and substitute "INACCURATE OR IS UNREASONABLE OR IS SUBSTANTIALLY DIFFERENT THAN THAT OF OTHER SAME LINE-MAKE DEALERS WITHIN THIRTY MILES OF OR SIMILARLY SITUATED AS THE SUBMITTING MOTOR VEHICLE DEALER,".

Page 8, line 11, strike "FIFTEEN" and substitute "FORTY-FIVE".

Page 8, line 15, strike "A FULL AND DETAILED" and substitute "AN".

Page 8, strike line 17 and substitute "SUBJECT TO CONTEST;".

Page 8, line 22, strike "SHALL NOT" and substitute "MAY".

Page 8 line 25, strike "(6)." and substitute "(6), BUT THE MODIFICATION DOES NOT CHANGE THE TIMING REQUIREMENTS IN THIS SECTION.".

Page 9, line 3, strike "FIFTEEN" and substitute "FORTY-FIVE".

Page 9, line 8, strike "INCREASE IN" and substitute "CALCULATION OF".

Page 9, line 16, strike "JURISDICTION." and substitute "JURISDICTION OR THE EXECUTIVE DIRECTOR NO LATER THAN SIXTY DAYS AFTER THE NEW

MOTOR VEHICLE DEALER RECEIVES THE MANUFACTURER'S CHALLENGE TO THE DETERMINED RETAIL LABOR RATE OR RETAIL PARTS MARKUP PERCENTAGE.".

Page 9, strike lines 17 through 20 and substitute:

"(II) IN A COURT PROCEEDING, THE COURT".

Page 9, line 24, strike "JUDICIAL".

Page 9, line 26, strike "FIFTEEN" and substitute "THIRTY".

Page 10, line 12, strike "FIFTEEN" and substitute "THIRTY".

Page 10, line 19, strike "IF THE COURT FINDS THAT THE".

Page 10, strike lines 20 through 23.

Page 10, strike lines 26 and 27.

Page 11, strike lines 1 and 2.

Reletter succeeding paragraphs accordingly.

Page 11, line 3, strike "ELIMINATE FLAT-RATE TIMES OR".

Page 11, line 4, strike "AND ANY FLAT-RATE TIME THAT IS".

Page 11, strike lines 5 and 6.

Page 11, line 7, strike "(c) SHALL ESTABLISH REASONABLE" and substitute "NOR ESTABLISH UNREASONABLE".

Reletter succeeding paragraphs accordingly.

Page 11, line 8, strike "CONSISTENT" and substitute "INCONSISTENT".

Page 11, strike lines 11 through 16 and substitute "WARRANTY OBLIGATION, COMPENSATE THE MOTOR VEHICLE DEALER FOR THE AUTHORIZED REPAIR PART BY PAYING THE DEALER AN AMOUNT EQUAL TO THE RETAIL PARTS MARKUP PERCENTAGE MULTIPLIED BY THE COST THE DEALER WOULD HAVE PAID FOR THE AUTHORIZED PART AS LISTED IN THE MANUFACTURER'S PRICE SCHEDULE;".

Reletter succeeding paragraphs accordingly.

Page 11, line 21, strike "REPAIRS;" and substitute "REPAIRS SOLELY TO PROVIDE A LOWER COMPENSATION TO A MOTOR VEHICLE DEALER;".

Page 11, line 23, strike "A" and substitute "THE".

Page 11, line 24, strike "A" and substitute "THE".

Page 11, line 27, strike "A" and substitute "THE".

Page 12, line 1, strike "A" and substitute "THE".

Page 12, line 2, strike "A" and substitute "THE".

Page 12, strike lines 4 through 16 and substitute:

"(f) SHALL NOT REQUIRE FROM A MOTOR VEHICLE ANY INFORMATION THAT IS UNDULY BURDENSOME OR TIME CONSUMING TO OBTAIN, INCLUDING ANY PART-BY-PART OR TRANSACTION-BY-TRANSACTION CALCULATIONS.".

Page 12, lines 19 and 20, strike "BUSINESS IN ACCORDANCE WITH ESTABLISHED PRACTICE." and substitute "BUSINESS.".

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1187** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1209** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **SB18-229** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

April 19, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1281, 1314, amended as printed in House Journal, April 18, 2018.

The House has passed on Third Reading and returns herewith SB18-143, 207, 177, 003, 178.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-062, 015, amended as printed in House Journal, April 18, 2018.

The House has postponed indefinitely SB18-047, 192. The bills are returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 19, 2018

We herewith transmit:

Without comment, as amended, HB18-1281 and 1314.
Without comment, as amended, SB18-015 and 062.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-261 by Senator(s) Marble; also Representative(s) Hooton and Ransom--Concerning adding a condition for which a physician could prescribe an opiate for pain to the list of disabling medical conditions for medical marijuana use.
State, Veterans, & Military Affairs

SB18-262 by Senator(s) Gardner; also Representative(s) Duran and Bridges--Concerning targeted funding for public institutions of higher education to help achieve the Colorado commission on higher education master plan goals, and, in connection therewith, making an appropriation.
Finance

HB18-1281 by Representative(s) Esgar; also Senator(s) Garcia--Concerning measures to enhance the consumer protection mission of the Colorado public utilities commission, and, in connection therewith, prohibiting a person with recent connections to a regulated utility from serving on the commission and providing for periodic performance audits.
State, Veterans, & Military Affairs

HB18-1314 by Representative(s) Ginal and Lawrence; also Senator(s) Cooke--Concerning prohibiting the use of unmanned aircraft systems to obstruct public safety operations.
Judiciary

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, April 20, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

101st Legislative Day Friday, April 20, 2018

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--29
Excused--6, Coram, Guzman, Jones, Kerr, Scott, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Gardner.

Reading of the Journal — On motion of Senator Smallwood, reading of the Journal of Thursday, April 19, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2018:

Douglas P. Price of Colorado Springs, Colorado to serve as a representative of the destination marketing industry, and occasioned by the resignation of Jamie Greeman of Alamosa, Colorado, appointed;

for a term expiring June 1, 2020:

Peter Jon Piccolo of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of Daniel R. Grunig of Denver, Colorado, appointed;

for a term expiring June 1, 2021:

Courtney Lee Frazier of Parker, Colorado, to serve as an at large member from tourism-based industries, and from a small community, reappointed.

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2018:

Geral Justin Fedinec of Craig, Colorado, to serve a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, reappointed;

for a term expiring July 1, 2021:

Michael Gregg McFarland of Dolores, Colorado, to serve as a coal mine owner, operator, manager, or other mine official actively engaged in underground mining, reappointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2021:

Patricia Dorsey of Bayfield, Colorado, a representative of the Division of Parks and Wildlife who is also a wildlife biologist, reappointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1157** be postponed indefinitely.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **HB18-1295** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-227** be postponed indefinitely.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2020:

James Michael Wilson of Superior, Colorado, to serve as a representative from the regulated community and as a Unaffiliated, reappointed; and

Garrett Clemons of Denver, Colorado, to serve as a representative from the public at large and as a Republican, reappointed.

SENATE SERVICES REPORT

Correctly Printed: SB18-261 and 262.
Correctly Engrossed: SB18-016, 059, 163, and 233; SCR18-003.
Correctly Reengrossed: SB18-061, 077, 223, and 228.
Correctly Revised: HB18-1270 and 1335.
Correctly Rerevised: HB18-1186, 1235, 1240, 1265, 1284, 1296, 1300, and 1308.
Correctly Enrolled: SB18-003, 132, 143, 177, 178, and 207.

COMMITTEE APPOINTMENTS

April 19, 2018

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Kerry Donovan replacing Assistant Minority Leader Lucia Guzman to serve on Legislative Council Committee effective April 19, 2018.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran, Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

Legislative Council

Pursuant to Section 2-3-301 (1), C.R.S., Minority Leader Garcia appointed Senator Donovan to replace Senator Guzman as a member of the Legislative Council Committee.

Majority Leader Holbert moved that the appointment to the Legislative Council Committee be confirmed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was declared **adopted**.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Third Reading of Bills--Final Passage Calendar (HB18-1270, SB18-233, SCR18-003, SB18-163, SB18-059, SB18-016, HB18-1335) of Friday, April 20, was laid over until Monday, April 23, retaining its place on the calendar.

Committee of the Whole

On motion of Senator Baumgardner, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Baumgardner was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1283 by Representative(s) Benavidez; also Senator(s) Neville T.--Concerning the classification of residential land for property tax purposes resulting from a significant change in the residential improvements located upon the land.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Baumgardner, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	29	NO	0	EXCUSED	6	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	E
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1283.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders--Second Reading of Bills Calendar (SB18-204, SB18-238) of Friday, April 20, was laid over until Monday, April 23, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendements to Senate Bills Calendar (SB18-015, SB18-062) of Friday, April 20, was laid over until Monday, April 23, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
COLORADO BANKING BOARD

for a term expiring July 1, 2021:

George Timothy Laney of Greenwood Village, Colorado, an executive officer of a state bank, with not less than five years' practical experience as an active executive officer of a bank, appointed.

YES	29	NO	0	EXCUSED	6	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	E	Scott	E
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	E	Lundberg	Y	Sonnenberg	E
Coram	E	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	E	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-071.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, April 20, 2018, at 8:30 a.m.:
SB18-071, 180, and 187.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education — The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2020:

Teresa Lea Raiford of Canon City, Colorado, a Democrat, and occasioned by the resignation of Misty Dawn Whitetree of Colorado Springs, Colorado, appointed.

Education — The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for terms expiring July 7, 2018:

Christena Estes Faraci of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, reappointed;

Jason Lauvane Hanson of Denver, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, reappointed.

Education — After consideration on the merits, the Committee recommends that **HB18-1252** be referred to the Committee of the Whole with favorable recommendation.

Education — After consideration on the merits, the Committee recommends that **HB18-1355** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 16, strike lines 26 and 27 and substitute "DISTRICT, IN CONSULTATION WITH THE AFFECTED SCHOOL ACCOUNTABILITY COMMITTEE AND, IN THE CASE OF A DISTRICT CHARTER SCHOOL, WITH THE CONSENT OF THE GOVERNING BOARD OF THE DISTRICT CHARTER SCHOOL, OR THE INSTITUTE, WITH THE CONSENT OF THE GOVERNING BOARD, AND IN CONSULTATION WITH THE SCHOOL ACCOUNTABILITY COMMITTEE, OF THE AFFECTED INSTITUTE CHARTER SCHOOL, THE".

Page 22, strike lines 11 through 14 and substitute "PUBLIC SCHOOL OF THE SCHOOL DISTRICT, OR THE INSTITUTE, ON BEHALF OF AN INSTITUTE CHARTER SCHOOL, MAY CHOOSE TO".

Page 22, line 17, after the period add "THE SCHOOL DISTRICT MAY HOLD THE PUBLIC MEETING IN THE SECOND YEAR ONLY AFTER CONSULTING WITH THE AFFECTED SCHOOL ACCOUNTABILITY COMMITTEE AND, IN THE CASE OF A DISTRICT CHARTER SCHOOL, OBTAINING THE CONSENT OF THE GOVERNING BOARD OF THE DISTRICT CHARTER SCHOOL. THE INSTITUTE MAY HOLD THE PUBLIC MEETING IN THE SECOND YEAR ONLY WITH THE CONSENT OF THE GOVERNING BOARD OF THE INSTITUTE CHARTER SCHOOL

AND AFTER CONSULTING WITH THE AFFECTED SCHOOL ACCOUNTABILITY COMMITTEE.".

Page 26, line 12, strike "(4)(c);" and substitute "(4)(a);".

Page 26, line 16, strike "(1)(d)(III)." and substitute "(1)(d)(I).".

Senate in recess. Senate reconvened.

MEMORANDUM
REPORT FROM THE HOUSE AND SENATE 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 House Bill 18-1379, Concerning Financing Public Schools:

The Friday, April 20 deadline (the 101st legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is extended until Thursday, May 3, 2018 (the 114th legislative day).

This memorandum shall be printed in the journal of each house as is required by Joint Rule 23 (c).

(signed)
Representative Duran
Speaker of the House of Representatives

(signed)
Senator Grantham
President of the Senate

(signed)
Representative Becker, K.
House Majority Leader

(signed)
Senator Holbert
Senate Majority Leader

(signed)
Representative Neville, P.
House Minority Leader

(signed)
Senator Garcia
Senate Minority Leader

MESSAGE FROM THE HOUSE

April 20, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1381, 1266, 1356.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1342, 1007, 1374, 1004, 1064, 1094, 1108, 1128, 1135, 1006, 1136, 1177, 1003, 1184, 1217, 1251, 1319, 1379, 1269, 1287, 1009, 1220, 1292, amended as printed in House Journal, April 19, 2018.

The House has adopted and transmits herewith HJR18-1014, as printed in House Journal, April 20, 2018.

The Speaker has appointed Representatives Hooten, Chair, Pabon, and Van Winkle as House Conferees on the First Conference Committee on SB18-179.

MESSAGE FROM THE REVISOR OF STATUTES

April 20, 2018

We herewith transmit:

Without comment, HB18-1266, 1356, and 1381.
Without comment, as amended, HB18-1003, 1004, 1006, 1007, 1009, 1064, 1094, 1108, 1128, 1135, 1136, 1177, 1184, 1217, 1220, 1251, 1269, 1287, 1292, 1319, 1342, 1374, and 1379.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-263 by Senator(s) Martinez Humenik, Cooke; also Representative(s) Singer--Concerning the creation of a pilot program to allow for court approval of treatment medications in jails.
State, Veterans, & Military Affairs

SB18-264 by Senator(s) Gardner; also Representative(s) Lundeen--Concerning the prohibition of strikes by public school teachers.
State, Veterans, & Military Affairs

SB18-265 by Senator(s) Hill; --Concerning state income tax benefits for amounts contributed to a child care savings account.
State, Veterans, & Military Affairs

SB18-266 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning controlling costs under the "Colorado Medical Assistance Act", and, in connection therewith, using data and technology, creating a hospital review program, and making and reducing an appropriation.
Appropriations

SB18-267 by Senator(s) Kefalas and Baumgardner, Sonnenberg; also Representative(s) Becker J. and Hansen, Esgar--Concerning the creation of the justice center maintenance fund.
Finance

SB18-268 by Senator(s) Scott and Moreno; --Concerning the scope of the authority of the department of transportation to award a design bid build highway project contract in an amount that exceeds the estimate of the department on the project.
Transportation

SB18-269 by Senator(s) Neville T. and Moreno; also Representative(s) Neville P. and Bridges--Concerning providing funding for local education providers to implement school security improvements to prevent incidences of school violence, and, in connection therewith, creating the school security disbursement program.
Finance

SB18-270 by Senator(s) Jahn and Neville T.; also Representative(s) Pettersen and Wist--Concerning establishing a statewide program to coordinate referrals of high-risk individuals in need of behavioral health transition services.
State, Veterans, & Military Affairs

SB18-271 by Senator(s) Marble; also Representative(s) Pabon--Concerning changes to improve funding for marijuana research.
Finance

SB18-272 by Senator(s) Martinez Humenik and Todd; --Concerning suicide prevention training in schools.
Health & Human Services

HB18-1001 by Representative(s) Winter and Gray; also Senator(s) Donovan and Fields--Concerning the creation of a family and medical leave insurance program.
State, Veterans, & Military Affairs

On motion of Senator Tate, the Senate adjourned until 10:00 a.m., Monday, April 23, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

104th Legislative Day — Monday, April 23, 2018

Prayer — By the chaplain, Father William T. Oulvey, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Donovan.
Present later--1, Donovan.

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Friday, April 20, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-263, 264, 265, 266, 267, 268, 269, 270, 271, and 272.
Correctly Revised: HB18-1283.

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:

HB18-1283 by Representative(s) Benavidez; also Senator(s) Neville T.--Concerning the classification of residential land for property tax purposes resulting from a significant change in the residential improvements located upon the land.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Grantham, Kefalas, Moreno, Priola, Smallwood, and Tate.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1270 by Representative(s) Hansen and Becker J.; also Senator(s) Tate--Concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fenberg, Jahn, Kefalas, Martinez Humenik, and Priola.

SB18-233 by Senator(s) Marble and Fenberg; also Representative(s) Foote and Neville P.--Concerning technical modifications to miscellaneous provisions of the "Uniform Election Code of 1992".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn and Moreno.

SCR18-003 by Senator(s) Marble and Fenberg, Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Zenzinger; also Representative(s) Saine and Pabon, Becker J., Buck, Everett, Humphrey, Landgraf, Lewis, Liston, Neville P., Rankin, Ransom, Reyher, Sandridge, Thurlow, Van Winkle, Winkler--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning changing the industrial hemp definition from a constitutional definition to a statutory definition.

The question being "Shall the concurrent resolution pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

SB18-163 by Senator(s) Martinez Humenik and Merrifield, Priola; also Representative(s) Pettersen and Wilson, Buckner--Concerning an extension of the repeal of the early childhood and school readiness legislative 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	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Donovan, Fields, Jahn, Jones, Kefalas, Kerr, Moreno, Todd, Williams A., and Zenzinger.

SB18-059 by Senator(s) Fields; also Representative(s) Pabon--Concerning creation of a public safety information-sharing 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	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Donovan, Fenberg, Jones, Kagan, Kefalas, Merrifield, Todd, and Williams A.

SB18-016 by Senator(s) Martinez Humenik and Fields; also Representative(s) Singer, Benavidez--Concerning the repeal date for the transfer of money from community corrections to the housing assistance for persons transitioning from the criminal or juvenile justice system cash fund, and, in connection therewith, making an appropriatio.n

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Jones, Kagan, Kefalas, Moreno, Todd, Williams A., and Zenzinger.

HB18-1335 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the Colorado child care assistance program, and, in connection therewith, establishing eligibility requirements for all counties and creating a new formula to determine the amount of block grants to counties.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fields, Jahn, Kagan, Kefalas, Merrifield, Todd, and Zenzinger.

RECONSIDERATION OF HB18-1335

HB18-1335 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the Colorado child care assistance program, and, in connection therewith, establishing eligibility requirements for all counties and creating a new formula to determine the amount of block grants to counties.

Having voted on the prevailing side, Senator Lundberg moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1335.

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:

HB18-1335 by Representative(s) Young, Hamner, Rankin; also Senator(s) Lundberg, Lambert, Moreno--Concerning the Colorado child care assistance program, and, in connection therewith, establishing eligibility requirements for all counties and creating a new formula to determine the amount of block grants to counties.

A majority of those elected to the Senate having voted in the affirmative, Senator Lundberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.002), by Senator Lundberg.

Amend revised bill, page 3, line 4, strike "SECTION 26-2-803" and substitute "SUBSECTION (2)(a) OF THIS SECTION".

Page 6, line 18, strike "26-2-803" and substitute "26-2-804 (2)(a)".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Aguilar and Kerr.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-239 by Senator(s) Marble; also Representative(s) Arndt and Becker J.--Concerning a licensed chiropractor's ability to perform animal chiropractic on an animal patient.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1152 by Representative(s) Lawrence; also Senator(s) Cooke--Concerning making certain records of the state judicial department relating to sexual harassment investigations subject to the Colorado open records act.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Monday, April 23, and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 24.

HB18-1181 by Representative(s) Liston, McKean, Wilson, Coleman; also Senator(s) Tate--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.

Upon request of Majority Leader Holbert, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Monday, April 23, and placed at the end of the General Orders--Second Reading of Bills Calendar of Monday, April 23.

SB18-234 by Senator(s) Coram and Crowder; --Concerning measures to reduce the sale without consent of the remains of a human who was born alive.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 19, pages 813-816 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1277 by Representative(s) Becker J. and Esgar, Hansen; also Senator(s) Baumgardner and Kefalas, Sonnenberg--Concerning a requirement that an application for a "Building Excellent Schools Today Act" grant of financial assistance for public school capital construction include a plan for the future use or disposition of any existing public school facility that the applicant will stop using for its current use if it receives the grant.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-239, SB18-234 as amended, HB18-1277.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Monday, April 23: HB18-1181.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Tuesday, April 24: HB18-1152.

Committee of the Whole

On motion of Senator Hill, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Hill was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-230 by Senator(s) Marble; also Representative(s) Saine--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.

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.)

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.

Laid over until Monday, April 30, retaining its place on the calendar.

SB18-238 by Senator(s) Crowder; also Representative(s) Valdez--Concerning labor by persons confined in county jails.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 18, page 798 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-242 by Senator(s) Marble; also Representative(s) Leonard--Concerning the swearing of a public official oath of office.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-236 by Senator(s) Neville T., Cooke, Gardner, Holbert, Jahn, Marble, Priola, Smallwood, Sonnenberg; also Representative(s) Sandridge, Becker J., Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Lundeen, Neville P., Ransom, Saine, Van Winkle--Concerning the department of regulatory agencies' determination regarding the regulation of professions and occupations.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 19, pages 830-832 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-219 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the rates a motor vehicle dealer charges a motor vehicle manufacturer for work performed by the dealer in accordance with a warranty obligation.

Laid over until Tuesday, April 24, retaining its place on the calendar.

HB18-1187 by Representative(s) Buckner and Landgraf; also Senator(s) Cooke and Moreno--Concerning the lawful use of a prescription drug that contains cannabidiol that is approved by the United States food and drug administration.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-226 by Senator(s) Lundberg and Cooke; --Concerning a prohibition on Colorado's involvement in a state-level climate collaboration that attempts to reduce carbon dioxide emissions.

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.)

HB18-1181 by Representative(s) Liston, McKean, Wilson, Coleman; also Senator(s) Tate--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.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, April 19, page 812 and placed in members' bill files.)

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

SB18-230 by Senator(s) Marble; also Representative(s) Saine--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.002) to SB 18-230, did pass.

Amend printed bill, page 6, line 13, strike "lease" and substitute "lease, NEGOTIATED IN GOOD FAITH,".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.003) to SB 18-230, did pass.

Amend printed bill, page 5, strike lines 13 and 14 and substitute:

"(II) Two hundred percent of that portion".

Page 5, strike lines 20 through 22 and substitute "wellhead connections.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

SB18-226 by Senator(s) Lundberg and Cooke; --Concerning a prohibition on Colorado's involvement in a state-level climate collaboration that attempts to reduce carbon dioxide emissions.

Senator Donovan moved to amend the Report of the Committee of the Whole to show that the following Donovan floor amendment, (L.006) to SB 18-226, did pass.

Amend printed bill, page 2, after line 12 insert:

"(b) NOTWITHSTANDING SUBSECTION (4)(a) OF THIS SECTION, THE GOVERNOR MAY ENTER, INVOLVE, OR RETAIN COLORADO IN A CLIMATE COLLABORATION IF THE COLLABORATING STATES ARE PARTY TO A PREVIOUSLY ESTABLISHED WATER INTERSTATE COMPACT WITH COLORADO, SO AS NOT TO ENDANGER OR RISK THE WATER SECURITY FOR ANY DOWNSTREAM COLORADO MUNICIPALITIES OR ANY DOWNSTREAM STATES THAT RELY ON ANY OF THE FOUR MAJOR WATERSHEDS THAT HAVE COLORADO SNOWPACK AS A PRIMARY WATER SOURCE.".

Reletter succeeding paragraph accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Jones moved to amend the Report of the Committee of the Whole to show that the following Jones floor amendment, (L.002) to SB 18-226, did pass.

Amend printed bill, page 2, line 5, strike "THE" and substitute "EVEN THOUGH HUMAN-CAUSED CLIMATE CHANGE IS OCCURRING, THE".

Page 2, strike line 12 and substitute "COLLABORATION, EVEN THOUGH HUMAN-CAUSED CLIMATE CHANGE IS OCCURRING.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.003) to SB 18-226, did pass.

Amend printed bill, page 2, line 6, strike "COLLABORATION." and substitute "COLLABORATION UNLESS THE COLORADO SNOWPACK PEAKS AT NO MORE THAN SIXTY-FIVE PERCENT OF AVERAGE FOR TWO YEARS DURING ANY THREE-YEAR PERIOD.".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Hill, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-230, SB18-238 as amended, SB18-242, SB18-236 as amended, SB18-226, HB18-1187, HB18-1181 as amended.
Laid over until Tuesday, April 24: SB18-219.
Laid over until Monday, April 30: SB18-204.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-141 by Senator(s) Court; also Representative(s) Wilson and Hansen--Concerning voluntary contribution designations on the Colorado individual income tax return form.

Laid over until Friday, April 27, retaining its place on the calendar.

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

Laid over until Tuesday, April 24, retaining its place on the calendar.

SB18-062 by Senator(s) Moreno; also Representative(s) Melton--Concerning liability limits in snow and ice removal contracts.

Senator Moreno moved that the Senate concur in House amendments to SB18-062, as printed in House journal, April 13, page 987. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Melton, Rosenthal, Sias, Williams D.--Concerning adjustments to total gross purchases for purposes of calculating the excise tax on tobacco products.

Senator Hill moved that the Senate conferees on the first conference committee on SB18-179 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**.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, appointments to the Colorado Water Conservation Board, Colorado Tourism Office Board of Directors, Coal Mine Board of Examiners, Colorado Wildlife Habitat Stamp Committee, Board of Trustees for the Colorado School for the Deaf and the Blind, and Colorado Student Leaders Institute Executive Board were made Consideration of Special Orders--Governor's Appointments--Consent Calendar at 1:50 p.m.

SPECIAL ORDERS -- CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

The hour of 1:50 p.m. having arrived, on motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

for terms expiring February 12, 2020:

Celene Nicole Hawkins of Durango, Colorado, a resident of the San Miguel-Dolores-San Juan drainage basin and a Democrat, appointed;

Heather Renae Dutton of Del Norte, Colorado to serve as a representative from the Rio Grande drainage basin and as a Republican, appointed;

Jack Martin Goble of Hasty, Colorado to serve as a representative from the Arkansas drainage basin and as an Unaffiliated, appointed;

for terms expiring February 12, 2021:

Curran A. Trick of Cowdrey, Colorado, to serve as a representative of the North Platte drainage basin and as a Republican, appointed;

Steven A. Anderson of Olathe, Colorado, to serve as a representative of the Gunnison-Uncompahgre drainage basin and as a Republican, appointed;

James Thomas Yahn of Sterling, Colorado, to serve as a representative of the South Platte drainage basin and as a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO TOURISM OFFICE BOARD OF DIRECTORS

for a term expiring June 1, 2018:

Douglas P. Price of Colorado Springs, Colorado to serve as a representative of the destination marketing industry, and occasioned by the resignation of Jamie Greeman of Alamosa, Colorado, appointed;

for a term expiring June 1, 2020:

Peter Jon Piccolo of Denver, Colorado, to serve as a representative of tourism-related retail industry, small community, and small business, and occasioned by the resignation of Daniel R. Grunig of Denver, Colorado, appointed;

for a term expiring June 1, 2021:

Courtney Lee Frazier of Parker, Colorado, to serve as an at large member from tourism-based industries, and from a small community, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2018:

Geral Justin Fedinec of Craig, Colorado, to serve a coal mine owner, operator, manager, or other mine official actively engaged in surface mining, reappointed;

for a term expiring July 1, 2021:

Michael Gregg McFarland of Dolores, Colorado, to serve as a coal mine owner, operator, manager, or other mine official actively engaged in underground mining, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
COLORADO WILDLIFE HABITAT STAMP COMMITTEE

for a term expiring December 31, 2021:

Patricia Dorsey of Bayfield, Colorado, a representative of the Division of Parks and Wildlife who is also a wildlife biologist, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
BOARD OF TRUSTEES FOR THE COLORADO
SCHOOL FOR THE DEAF AND THE BLIND

for a term expiring July 1, 2020:

Teresa Lea Raiford of Canon City, Colorado, a Democrat, and occasioned by the resignation of Misty Dawn Whitetree of Colorado Springs, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO STUDENT LEADERS INSTITUTE
EXECUTIVE BOARD

for terms expiring July 7, 2018:

Christena Estes Faraci of Denver, Colorado, to serve as a person from the community who has an interest or experience in education, reappointed;

Jason Lauvane Hanson of Denver, Colorado, to serve as a person employed as teaching faculty or administrator at an institution of higher education in Colorado, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Marble, the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
COLORADO CIVIL RIGHTS COMMISSION

for a term expiring March 13, 2021:

Charles Fredrick Garcia of Denver, Colorado, a Democrat and member of the community at large, and occasioned by the resignation of Heidi Jeanne Hess of Clifton, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-066, 195, and 202.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR18-1014 by Representative(s) Michaelson Jenet and McKean; also Senator(s) Todd and Cooke--Concerning the declaration of April 9, 2018, through April 13, 2018, as "Holocaust Awareness Week".

Laid over until Friday, April 27, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1003 by Representative(s) Pettersen, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning measures to prevent opioid misuse in Colorado, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1004 by Representative(s) Coleman and Wilson; also Senator(s) Tate and Kefalas--Concerning the continuation of the income tax credit for a qualifying contribution to promote child care in the state.
Finance

HB18-1006 by Representative(s) Hamner and Liston; also Senator(s) Gardner and Moreno--Concerning modifications to the newborn screening program administered by the department of public health and environment, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1007 by Representative(s) Kennedy and Singer, Pettersen; also Senator(s) Lambert and Jahn, Aguilar, Tate--Concerning payment issues related to substance use disorders.
State, Veterans, & Military Affairs

HB18-1009 by Representative(s) Roberts; also Senator(s) Donovan--Concerning transparency in diabetes prescription drugs pricing, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1064 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Fields--Concerning a training program to prevent child sexual abuse for persons who work with young children in some capacity as part of their employment, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1094 by Representative(s) Herod and Wist; also Senator(s) Martinez Humenik and Moreno--Concerning the reauthorization of the "Child Mental Health Treatment Act", and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1108 by Representative(s) Danielson; also Senator(s) Todd--Concerning the Colorado commission for the deaf and hard of hearing, and, in connection therewith, renaming the commission the Colorado commission for the deaf, hard of hearing, and deafblind; creating the Colorado deafblind citizens council to advise the commission on deafblind issues; clarifying and expanding the commission's duties to provide services to the deaf, hard of hearing, and deafblind; and changing the membership of the committee charged with reviewing grant applications.
Health & Human Services

HB18-1128 by Representative(s) Wist and Bridges; also Senator(s) Lambert and Court--Concerning strengthening protections for consumer data privacy.
State, Veterans, & Military Affairs

HB18-1135 by Representative(s) Kraft-Tharp and Wilson; also Senator(s) Tate--Concerning the extension of the advanced industries export acceleration program, and, in connection therewith, making an appropriation.
Business, Labor, & Technology

HB18-1136 by Representative(s) Pettersen, Buck, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning treatment for individuals with substance use disorders, and, in connection therewith, adding residential and inpatient treatment to the Colorado medical assistance program and making an appropriation.
State, Veterans, & Military Affairs

HB18-1177 by Representative(s) Michaelson Jenet; also Senator(s) Fenberg and Coram--Concerning multiple approaches to help prevent youth suicide, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1184 by Representative(s) Exum and Lawrence; also Senator(s) Aguilar and Gardner--Concerning the creation of a report on 911 service in Colorado, and, in connection therewith, requiring consideration of issues related to the implementation of next generation 911.
Finance

HB18-1217 by Representative(s) Van Winkle and Garnett; also Senator(s) Gardner--Concerning a temporary income tax credit for employers that make contributions to 529 qualified state tuition program accounts owned by their employees, and, in connection therewith, enacting the "Working Families College Savings Act".
Finance

HB18-1220 by Representative(s) Melton; also Senator(s) Tate--Concerning a requirement that persons who deal in cryptocurrency be regulated under the laws regulating money transmitters.
State, Veterans, & Military Affairs

(For further action, see Correction of Bill Assignment, April 23, page 861.)

HB18-1251 by Representative(s) Lee and Wist, Melton, Weissman, Young; also Senator(s) Kagan and Gardner--Concerning measures to improve the efficiency of the community corrections transition placements, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1266 by Representative(s) Esgar and Wilson; also Senator(s) Hill and Todd--Concerning expanding the career development success pilot program.
Education

HB18-1269 by Representative(s) Lundeen and Pettersen; also Senator(s) Hill and Fields--Concerning notification to parents of charges brought against public school employees for alleged felony offenses that would result in the revocation of an educator license pursuant to title 22, Colorado Revised Statutes.
Judiciary

HB18-1287 by Representative(s) Weissman; also Senator(s) Cooke and Kagan--Concerning the extension of the repeal of the Colorado commission on criminal and juvenile justice, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1292 by Representative(s) McKean and Rosenthal; also Senator(s) Court and Priola--Concerning the creation of the pilot state access to resources and training (START) grant program for persons experiencing homelessness, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1319 by Representative(s) Singer and Young; also Senator(s) Gardner--Concerning the extension of services for a successful adulthood for former foster care youth who are between the ages of eighteen years and twenty-one years, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1342 by Representative(s) Melton; also Senator(s) Todd--Concerning a requirement that a common interest community created in Colorado before July 1, 1992, comply with a provision of the "Colorado Common Interest Ownership Act" that allows a majority of the unit owners in a common interest community to veto a budget proposed by the executive board of the common interest community.
Finance

HB18-1356 by Representative(s) Thurlow, Arndt, McKean; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning adding a nonsubstantive cross reference to the crime of failure to register as a sex offender.
State, Veterans, & Military Affairs

HB18-1374 by Representative(s) Hansen and Esgar, Becker J.; also Senator(s) Kefalas and Baumgardner, Sonnenberg--Concerning controlled maintenance needs of real property acquired through a lease-purchase agreement.
Finance

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.
Education

HB18-1381 by Representative(s) Gray and Van Winkle, Michaelson Jenet, Bridges, Buckner, Catlin, Coleman, Hansen, Hooton, Kennedy, Landgraf, Liston, Lontine, Pettersen, Roberts, Singer, Winkler; also Senator(s) Neville T. and Jahn, Fenberg, Guzman, Kerr, Marble, Moreno, Priola--Concerning operations related to the sale of medical marijuana in the regulated medical marijuana market, and, in connection therewith, moving from the seventy percent own source requirement to a one-year transition period of fifty percent own source requirement to an elimination of the own source requirement.
Finance

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-217** be postponed indefinitely.

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that **SB18-255** 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 **SCR18-004** be referred to the Committee on Legislative Council with favorable recommendation.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that **SCR18-005** be referred to the Committee on Legislative Council with favorable recommendation.

CORRECTION OF BILL ASSIGNMENT

The President announced that **HB18-1220**, which was originally introduced on April 23, page 859, and assigned to the Committee on State, Veterans, & Military Affairs, will instead be assigned to the Committee on Business, Labor, & Technology.

On motion of Senator Tate, the Senate adjourned until 9:00 a.m., Tuesday, April 24, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

105th Legislative Day Tuesday, April 24, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--31
Excused--4, Gardner, Lambert, Martinez Humenik, Sonnenberg.
Present later--4, Gardner, Lambert, Martinez Humenik, Sonnenberg.

Quorum — The President announced a quorum present.

Musical Presentation — By Donald Tallman, Executive Director of the Colorado Railroad Museum, performing "The Star-Spangled Banner".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Evan Ellis and Caleb Ellis, Northglenn Youth Theater.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Monday, April 23, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SCR18-002** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-241** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1245** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1348** 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 **HB18-1312** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1307** 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 **HB18-1344** 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 **HB18-1200** be referred to the Committee on Appropriations with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1176** be referred to the Committee on Appropriations with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-266** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-229** 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 15 insert:

"**SECTION 6. Appropriation.** For the 2018-19 state fiscal year, $34,065 is appropriated to the department of public safety for use by the biometric identification and records unit. This appropriation is from the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, C.R.S., and is based on an assumption that the unit will require an additional 0.2 FTE. To implement this act, the unit may use this appropriation for criminal history record checks.".

Renumber succeeding section accordingly.

Page 1, line 103 strike "**SCHOOLS.**" and substitute "**SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations — After consideration on the merits, the Committee recommends that **SB18-254** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, line 5, strike "26-6-102 (33)." and substitute "26-6-102 (33) AND CHILDREN OR YOUTH COMMITTED TO OR IN THE CUSTODY OF THE STATE DEPARTMENT.".

Page 5, line 9, strike "AND".

Page 5, line 10, strike "STAY." and substitute "STAY, AND AN APPEALS PROCESS FOR CHILDREN OR YOUTH WHO ARE DETERMINED TO BE INELIGIBLE FOR THE PROGRAM.".

Page 6, lines 23 and 24, strike "APPLY TO THE STATE DEPARTMENT FOR ADMISSION OF A" and substitute "REFER A FAMILY TO VOLUNTARILY APPLY AND ASSIST WITH THE APPLICATION TO THE STATE DEPARTMENT FOR ADMISSION OF THE FAMILY'S".

Page 7, line 2, strike "HAVE PRIORITY." and substitute "OR THE STATE

DEPARTMENT SHALL HAVE PRIORITY FOR ADMISSION TO THE PROGRAM.".

Page 7, after line 11 insert:

"(k) THE STATE DEPARTMENT MAY MAINTAIN UP TO THREE OPEN BEDS SPECIFICALLY FOR CHILDREN AND YOUTH IN THE CUSTODY OF A COUNTY OR COMMITTED TO OR IN THE CUSTODY OF THE STATE DEPARTMENT WHO MAY NEED SERVICES ON AN EMERGENCY BASIS.".

page 26, before line 8, insert:

"**SECTION 9. Appropriation - adjustments to 2018 long bill.** (1) To implement this act, appropriations made in the annual general appropriation act for the 2018-19 state fiscal year to the department of human services for use by the division of child welfare are adjusted as follows:

(a) The general fund appropriation for child welfare services is decreased by $11,022,949; and

(b) The cash funds appropriation from the local funds is decreased by $5,333,022.

(2) The decrease in subsection (1) of this section is based on the assumption that the anticipated amount of federal funds received for the 2018-19 state fiscal year by the department of human services for use by the division of child welfare for child welfare services will decrease by $9,977,107.

SECTION 10. Appropriation. (1) For the 2018-19 state fiscal year, $26,422,638 is appropriated to the department of human services for use by the division of child welfare. This appropriation consists of $22,297,793 from the general fund and $4,124,845 from cash funds from local funds. To implement this act, the division may use this appropriation as follows:

(a) $150,000 from the general fund for administration; and

(b) $26,272,638, which consists of $22,147,793 from general fund and $4,124,845 from cash funds from local funds, for adoption and relative guardianship assistance.

(2) For the 2018-19 state fiscal year, $3,271,836 is appropriated to the department of human services for use by the division of child welfare. This appropriation is from the general fund, is subject to the "(M)" notation as defined in the annual general appropriation act for the same fiscal year, and is based on an assumption that the division will require an additional 0.9 FTE. To implement this act, the division may use this appropriation as follows:

(a) $925,156 for adoption and relative guardianship assistance; and

(b) $2,346,680 for residential placements for children with intellectual and developmental disabilities, which amount is based on an assumption that the division will require an additional 0.9 FTE.

(3) For the 2018-19 state fiscal year, the general assembly anticipates that the department of human services will receive $15,007,391 in federal funds to implement this act. The appropriations in subsections (1) and (2) of this section are based on the assumption that the department will receive this amount of federal funds, which is included for informational purposes only, to be used by the division of child welfare as follows:

(a) $346,747 for foster and adoptive parent recruitment, training, and support;

(b) $14,643,774 for adoption and relative guardianship assistance; and

(c) $16,870 for residential placments for children with intellectual and developmental disabilities.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**SERVICES.**" and substitute "**SERVICES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.**".

Appro-priations After consideration on the merits, the Committee recommends that **SB18-253** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-167** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Transportation Committee Report, dated February 22, 2018, page 3, strike lines 29 and 30 and substitute:

"(XIV) ONE INDIVIDUAL NOMINATED BY THE COMMISSIONER OF AGRICULTURE WHO IS ACTIVELY ENGAGED IN FARMING OR RANCHING.".".

Amend printed bill, page 15, line 17, strike "**1**" and substitute "**2**".

Page 18 of the bill, line 10, strike "ARTICLE 1.5" and substitute "SECTION AND SECTIONS 9-1.5-104.4, 9-1.5-104.7, AND 9-1.5-104.8".

Page 22 of the bill, after line 21 insert:

"(4) THE FOLLOWING ARE NOT SUBJECT TO A FINE OTHERWISE AUTHORIZED PURSUANT TO THIS SECTION:

(a) WITH REGARD TO AN EXCAVATION OCCURRING ON A RANCH OR FARM, A RANCHER OR A FARMER, AS DEFINED IN SECTION 42-20-108.5, UNLESS THE EXCAVATION IS FOR A NONAGRICULTURAL PURPOSE; AND

(b) WITH REGARD TO A FAILURE TO NOTIFY THE NOTIFICATION ASSOCIATION OR THE AFFECTED OWNER OR OPERATOR AND TO DAMAGE TO AN UNDERGROUND FACILITY DURING EXCAVATION, A HOMEOWNER, RANCHER, OR FARMER, AS DEFINED IN SECTION 42-20-108.5, WORKING ON THE HOMEOWNER'S, RANCHER'S, OR FARMER'S PROPERTY.".

Page 28 of the bill, line 22, strike "**1**" and substitute "**2**".

Page 28 of the bill, after line 23 insert:

"**SECTION 8. Appropriation.** (1) For the 2018-19 state fiscal year, $81,841 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) $69,054 for use by the division of oil and public safety for the underground damage safety commission, which amount is based on an assumption that the division will require an additional 0.8 FTE; and

(b) $12,787 for the purchase of legal services.

(2) For the 2018-19 state fiscal year, $12,787 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of labor and employment under subsection (1)(b) of this section and is based on an assumption that the department of law will require an additional 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of labor and employment.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**FACILITIES.**" and substitute "**FACILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1280** 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 **HB18-1258** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 14, strike lines 19 through 21 and substitute:

"(a) $47,677 for marijuana enforcement;

(b) $12,000 for tax administration IT system (GenTax) support; and

(c) $39,960 for the purchase of legal services.".

Page 14, line 24, strike "subsection (1)(b)" and substitute "subsection (1)(c)".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1256** 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 22.

Page 3, strike lines 1 through 24 and substitute:

"**SECTION 3. Appropriation.** (1) For the 2018-19 state fiscal year, $10,000 is appropriated to the department of regulatory agencies. 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 2018-19 state fiscal year, $10,000 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of regulatory agencies.".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1241** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1174** 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 **HB18-1155** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, strike lines 15 through 27.

Page 11, strike lines 1 and 2.

Renumber succeeding sections accordingly.

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1070** 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 22 through 27 and substitute:

"**SECTION 5. Appropriation.** (1) For the 2018-19 state fiscal year, $34,000,000 is appropriated to the department of education. This appropriation is from the public school capital construction assistance fund created in section 22-43.7-104 (1), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $19,000,000 for public school capital construction assistance board - lease payments; and

(b) $15,000,000 for public school capital construction assistance board - cash grants.".

SENATE SERVICES REPORT

Correctly Engrossed: SB18-226, 230, 234, 236, 238, 239, and 242.
Correctly Reengrossed: SB18-016, 059, 163, and 233; SCR18-003.
Correctly Revised: HB18-1181, 1187, and 1277.
Correctly Rerevised: HB18-1270, 1283, and 1335.
Correctly Enrolled: SB18-062.

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:

SB18-239 by Senator(s) Marble; also Representative(s) Arndt and Becker J.--Concerning a licensed chiropractor's ability to perform animal chiropractic on an animal patient.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Kerr, Martinez Humenik, Tate, and Todd.

SB18-234 by Senator(s) Coram and Crowder; also Representative(s) Kraft-Tharp and Catlin--Concerning measures to reduce the sale without consent of the remains of a human who was born alive.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner, Grantham, Kagan, Priola, and Tate.

HB18-1277 by Representative(s) Becker J. and Esgar, Hansen; also Senator(s) Baumgardner and Kefalas, Sonnenberg--Concerning a requirement that an application for a "Building Excellent Schools Today Act" grant of financial assistance for public school capital construction include a plan for the future use or disposition of any existing public school facility that the applicant will stop using for its current use if it receives the grant.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Crowder, Donovan, Garcia, Gardner, Guzman, Jahn, Kerr, Martinez Humenik, Merrifield, Scott, 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:

SB18-230 by Senator(s) Marble; also Representative(s) Saine--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke and Crowder.

SB18-238 by Senator(s) Crowder; also Representative(s) Valdez--Concerning labor by persons confined in county jails.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB18-242 by Senator(s) Marble; also Representative(s) Leonard--Concerning the swearing of a public official oath of office.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Lambert, Lundberg, Neville T., Priola, Scott, Sonnenberg, and Tate.

SB18-236 by Senator(s) Neville T., Cooke, Gardner, Holbert, Jahn, Marble, Priola, Smallwood, Sonnenberg; also Representative(s) Sandridge, Becker J., Beckman, Buck, Everett, Humphrey, Leonard, Lewis, Lundeen, Neville P., Ransom, Saine, Van Winkle--Concerning the department of regulatory agencies' determination regarding the regulation of professions and occupations.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	21	NO	14	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Grantham, Hill, Lambert, Lundberg, Martinez Humenik, Scott, and Tate.

HB18-1187 by Representative(s) Buckner and Landgraf; also Senator(s) Cooke and Moreno--Concerning the lawful use of a prescription drug that contains cannabidiol that is approved by the United States food and drug administration.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Fenberg, Fields, Garcia, Gardner, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, Williams A., and Zenzinger.

SB18-226 by Senator(s) Lundberg and Cooke; --Concerning a prohibition on Colorado's involvement in a state-level climate collaboration that attempts to reduce carbon dioxide emissions.

Laid over until Wednesday, April 25, retaining its place on the calendar.

HB18-1181 by Representative(s) Liston, McKean, Wilson, Coleman; also Senator(s) Tate--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.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Gardner, Grantham, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, and Sonnenberg.

Upon request of Majority Leader Holbert, **HB18-1295** was removed from the General Orders--Second Reading of Bills Consent Calendar of Tuesday, April 24, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, April 24.

Committee of the Whole

On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1152 by Representative(s) Lawrence; also Senator(s) Cooke--Concerning making certain records of the state judicial department relating to sexual harassment investigations subject to the Colorado open records act.

Laid over until Wednesday, April 25, retaining its place on the calendar.

SB18-219 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the rates a motor vehicle dealer charges a motor vehicle manufacturer for work performed by the dealer in accordance with a warranty obligation.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, April 19, page 832 and placed in members' bill files.)

Amendment No. 2(L.021), by Senator Tate.

Amend the Business, Labor, and Technology Committee Report, dated April 18, 2018, page 3, line 14, strike "MAY:" and substitute "MAY CONDUCT".

Page 3, line 15, strike "(A) CONDUCT".

Page 3, strike lines 18 through 28 and substitute "EFFECT FOR THE DEALER.

(II) A MANUFACTURER SHALL NOT CONDUCT A PERIODIC REVIEW MORE THAN ONCE PER CALENDAR YEAR. THIS PERIODIC REVIEW IS NOT AN AUDIT IN ACCORDANCE WITH SECTION 12-6-126.".".

Page 3, strike lines 30 through 32 and substitute "SUBSTANTIALLY DIFFERENT THAN THAT OF OTHER SIMILARLY SITUATED LINE-MAKE DEALERS WITHIN THE STATE,".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1252 by Representative(s) Roberts and Wilson; also Senator(s) Priola--Concerning unlawful sale of academic materials for submission to an institution of higher education.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1355 by Representative(s) Pettersen and Sias; also Senator(s) Gardner and Moreno--Concerning changes to the accountability system for the elementary and secondary public education system to strengthen the accountability system for the benefit of students.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 20, pages 841-842 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1295 by Representative(s) Salazar and Esgar; also Senator(s) Coram--Concerning modifications to the "Colorado Food and Drug Act" to allow products containing industrial hemp, and, in connection therewith, establishing that products containing industrial hemp are not adulterated or misbranded by virtue of containing industrial hemp.

Amendment No. 1(L.005), by Senator Coram.

Amend reengrossed bill, page 3, line 11, strike "ADULTERATED" and substitute "ADULTERATED,".

Page 3, line 12, strike "25-5-416." and substitute "25-5-416, UNLESS THE PRODUCTS MEET ONE OR MORE OF THE CRITERIA SET FORTH IN SECTION 25-5-410 OR 25-5-416.".

Amendment No. 2(L.006), by Senator Coram.

Amend reengrossed bill, page 3, strike lines 3 through 8 and substitute:

"(g.5) "INDUSTRIAL HEMP PRODUCT" MEANS A FINISHED PRODUCT CONTAINING INDUSTRIAL HEMP THAT:

(I) IS A COSMETIC, FOOD, FOOD ADDITIVE, OR HERB;

(II) IS FOR HUMAN USE OR CONSUMPTION; AND

(III) CONTAINS ANY PART OF THE HEMP PLANT, INCLUDING NATURALLY OCCURRING CANNABINOIDS, COMPOUNDS, CONCENTRATES, EXTRACTS, ISOLATES, RESINS, OR DERIVATIVES.".

Amendment No. 3(L.007), by Senator Coram.

Amend reengrossed bill, page 3, strike lines 3 through 8 and substitute:

"(g.5) "INDUSTRIAL HEMP PRODUCT" MEANS A FINISHED PRODUCT CONTAINING INDUSTRIAL HEMP THAT:

(I) IS A COSMETIC, FOOD, FOOD ADDITIVE, OR HERB;

(II) IS FOR HUMAN USE OR CONSUMPTION;

(III) CONTAINS ANY PART OF THE HEMP PLANT, INCLUDING NATURALLY OCCURRING CANNABINOIDS, COMPOUNDS, CONCENTRATES, EXTRACTS, ISOLATES, RESINS, OR DERIVATIVES; AND

(IV) CONTAINS A DELTA-9 TETRAHYDROCANNABINOL CONCENTRATION OF NO MORE THAN THREE-TENTHS OF ONE PERCENT.".

Amendment No. 4(L.008), by Senator Coram.

Amend reengrossed bill, page 2, line 19, strike "and (4)(d)" and substitute "(4)(d), and (4)(e)".

Page 3, after line 12 insert:

"(e) THIS SECTION DOES NOT ALLOW AN ENTITY WITH FEDERAL DRUG ADMINISTRATION APPROVAL OR ITS AGENT TO PREVENT THE NONPHARMACEUTICAL PRODUCTION, SALE, OR DISTRIBUTION OF NATURALLY OCCURRING CANNABIDIOL OR CANNABIDIOL EXTRACTS OR RESTRICT THE NONPHARMACEUTICAL PRODUCTION, SALE, OR DISTRIBUTION OF NATURALLY OCCURRING CANNABIDIOL OR CANNABIDIOL EXTRACTS.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-219 as amended, HB18-1252, HB18-1355 as amended, HB18-1295 as amended.
Laid over until Wednesday, April 25: HB18-1152.

MESSAGE FROM THE HOUSE

April 24, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1019 as printed in House Journal, April 24, 2018.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

Senator Gardner moved that the Senate not concur in House amendments to SB18-015, as printed in House journal, April 13, pages 989-992, that a conference committee be appointed, and that the conferees 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** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The President appointed Senators Gardner, Chair, Hill, and Kagan as Senate conferees on the first conference committee on SB18-015.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Governor's Appointments--Consent Calendar (Solid and Hazardous Waste Commission) of Tuesday, April 24, was laid over until Monday, April 30, retaining its place on the calendar.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1288** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1285** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1114** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-261** be referred to the Committee of the Whole with favorable recommendation.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REVENUE

effective July 31, 2017 for a term expiring at the pleasure of the Governor:

Michael Scott Hartman of Denver, Colorado, and occasioned by the resignation of Barbara J. Brohl of Lakewood, Colorado, appointed.

Finance The Committee on Finance has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for terms expiring July 1, 2021:

Amber L. Hills of Lakewood, Colorado, to serve as an individual experienced in mortgage banking transactions, appointed;

Paul Eric Washington of Boulder, Colorado, to serve as a public member, reappointed;

Steven Hutt of Denver, Colorado, to serve as a public member, reappointed;

Jody M. Kole of Grand Junction, Colorado, to serve as a public member, 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 placed on the consent calendar and confirmed:

MEMBER OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for a term expiring July 1, 2021:

Jennifer Glau Lopez of Durango, Colorado, to serve as a person experienced in real estate transactions, appointed.

Finance After consideration on the merits, the Committee recommends that **HB18-1372** 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 **SB18-267** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB18-1371** 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 **SB18-269** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB18-1374** 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, strike lines 15 through 23.

Renumber succeeding section accordingly.

Finance After consideration on the merits, the Committee recommends that **SB18-248** 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 6, line 10, strike "18-___," and substitute "18-248,".

Finance After consideration on the merits, the Committee recommends that **SB18-262** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 9, after line 6 insert:

"**SECTION 3.** In Colorado Revised Statutes, 23-3.3-103, **add** (4) as follows:

23-3.3-103. Annual appropriations. (4) THE PROVISIONS OF SUBSECTION (1) OF THIS SECTION CONCERNING APPROPRIATIONS FOR STUDENT FINANCIAL ASSISTANCE UNDER THIS ARTICLE 3.3 SHALL NOT APPLY TO APPROPRIATIONS MADE PURSUANT TO SECTION 23-18-402.".

Renumber succeeding sections accordingly.

Finance After consideration on the merits, the Committee recommends that **SB18-247** 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 "**Police officers**" and substitute "**Law enforcement officers**".

Page 3, line 6, strike "POLICE OFFICERS'" and substitute "LAW ENFORCEMENT OFFICERS'".

Page 3, line 11, strike "POLICE" and substitute "LAW ENFORCEMENT".

Page 3, line 15, strike "POLICE" and substitute "LAW ENFORCEMENT".

Page 3, line 21, strike "POLICE" and substitute "LAW ENFORCEMENT".

Page 4, line 1, strike "POLICE" and substitute "LAW ENFORCEMENT".

Page 4, line 25, strike "POLICE" and substitute "LAW ENFORCEMENT".

Page 5, line 4, strike "POLICE" and substitute "LAW ENFORCEMENT".

Page 5, line 10, strike "DEPENDANTS" and substitute "DEPENDENTS".

Page 6, line 11, strike "POLICE OFFICERS'" and substitute "LAW ENFORCEMENT OFFICERS'".

MESSAGE FROM THE HOUSE

April 24, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1012, as printed in House Journal, April 24, 2018.

The House has adopted and transmits herewith HJR18-1013, and amended as printed in House Journal, April 24, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1320.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1361, 1362, 1297, 1212, 1310, amended as printed in House Journal, April 23, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-068, amended as printed in House Journal, April 23, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

April 24, 2018

We herewith transmit:

Without comment, as amended, HB18-1212, 1297, 1310, 1320, 1361, and 1362.
Without comment, as amended, SB18-068.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

HJR18-1012 by Representative(s) Benavidez and Michaelson Jenet; also Senator(s) Crowder and Fields--Concerning the Medicaid eligibility of individuals being held in a correctional facility but who have not been convicted of a crime.

Laid over one day under Senate Rule 30(e).

HJR18-1013 by Representative(s) Kraft-Tharp and Lee; also Senator(s) Gardner and Martinez Humenik--Concerning recognition of the work of the Colorado Juvenile Justice and Delinquency Prevention Council, and, in connection therewith, directing the Council to redraft article 2 of the Colorado Children's Code.

Laid over one day under Senate Rule 30(e).

HJR18-1019 by Representative(s) Wist and Bridges; also Senator(s) Tate and Moreno--Concerning the designation of a portion of Arapahoe Road from Interstate 25 to Parker Road in Arapahoe County as the "Sardarapat Armenian 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:

HB18-1212 by Representative(s) Kennedy and Landgraf; also Senator(s) Kefalas--Concerning the licensing of freestanding emergency departments, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1297 by Representative(s) Winter and Pettersen; also Senator(s) Donovan--Concerning a comprehensive plan to proactively address the anticipated impacts on Colorado of global climate change, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1310 by Representative(s) Coleman and Covarrubias; also Senator(s) Fields and Priola--Concerning the creation of a pilot program for emergency employment support services.
State, Veterans, & Military Affairs

HB18-1320 by Representative(s) Pabon; also Senator(s) Jahn--Concerning a reduction in regulation of large-market taxicab service from regulation as a common carrier to regulation as a motor carrier of passengers.
Finance

HB18-1361 by Representative(s) Exum and Valdez; also Senator(s) Williams A.--Concerning expanded eligibility for a veteran of the Vietnam war specialty license plate.
Finance

HB18-1362 by Representative(s) Arndt; also Senator(s) Tate--Concerning the membership expansion of the Colorado task force on drunk and impaired driving.
Finance

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1323, 1324, and 1339.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, April 24, 2018, at 1:45 p.m.:
SB18-066, 195, and 202.

MESSAGE FROM THE GOVERNOR

April 23, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-151: CONCERNING DEPARTMENT OF EDUCATION RESEARCH TO DEVELOP BULLYING PREVENTION POLICIES.

Approved April 23, 2018 at 3:29 pm.

SB 18-026: CONCERNING MEASURES TO MAKE SEX OFFENDER REGISTRATION MORE EFFECTIVE.

Approved April 23, 2018 at 3:43 pm.

SB 18-149: CONCERNING RECORDS OF THE BOARD OF DIRECTORS OF THE DENVER HEALTH AND HOSPITAL AUTHORITY.

Approved April 23, 2018 at 3:43 pm.

SB 18-014: CONCERNING REQUIRING THE DEPARTMENT OF CORRECTIONS TO DISCLOSE THE LOCATION OF INMATES WHO ARE RELOCATED TO FACILITIES OUTSIDE OF THE STATE.

Approved April 23, 2018 at 3:45 pm.

SB 18-055: CONCERNING THE CRIMES AGAINST CHILDREN SURCHARGE IN CASES INVOLVING TRAFFICKING OF CHILDREN.

Approved April 23, 2018 at 3:44 pm.

SB 18-174: CONCERNING LIABILITY OF ENTITIES THAT PROVIDE SERVICES TO PERSONS WITH DEVELOPMENTAL DISABILITIES IN RESIDENTIAL SETTINGS.

Approved April 23, 2018 at 3:44 pm.

SB 18-188: CONCERNING AGRICULTURAL COMMODITIES, AND, IN CONNECTION THEREWITH, ADDING MILLET TO THE DEFINITION OF AN AGRICULTURAL COMMODITY AND ALLOWING THE COMMISSIONER OF AGRICULTURE TO DETERMINE MARKETING ORDER PUBLIC ANNOUNCEMENT REQUIREMENTS.

Approved April 23, 2018 at 3:44 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, April 25, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

106th Legislative Day Wednesday, April 25, 2018

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--33
Absent--1, Merrifield.
Excused--1, Gardner.
Present later--2, Gardner, Merrifield.

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Cole Thomas Rand, Greeley.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Tuesday, April 24, 2018, 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 **SB18-259** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 10, strike "county;" and substitute "county AT A RATE OF UP TO FIVE PERCENT OF THE AVERAGE MARKET RATE, AS DETERMINED BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 39-28.8-101 (1), OF THE UNPROCESSED RETAIL MARIJUANA IF THE TRANSACTION IS BETWEEN AFFILIATED RETAIL MARIJUANA BUSINESS LICENSEES AND AT A RATE OF UP TO FIVE PERCENT OF THE CONTRACT PRICE, AS DEFINED IN SECTION 39-28.8-101 (2.5), FOR UNPROCESSED RETAIL MARIJUANA IF THE TRANSACTION IS BETWEEN UNAFFILIATED RETAIL MARIJUANA BUSINESS LICENSEES;".

Page 2, line 14, strike "section." and substitute "section AND A COUNTY WHICH, BEFORE NOVEMBER 1, 2018, OBTAINED THE APPROVAL OF THE ELIGIBLE ELECTORS OF THE COUNTY AS REQUIRED BY SUBSECTION (1)(b) OF THIS SECTION TO LEVY ONLY A COUNTY EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY THAT IS CALCULATED BASED UPON THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA AND IN WHICH THE ELIGIBLE ELECTORS THEREAFTER REJECTED A PROPOSED AMENDMENT TO ALLOW THE TAX TO BE CALCULATED BASED ON THE CONTRACT PRICE FOR TRANSACTIONS BETWEEN UNAFFILIATED RETAIL MARIJUANA BUSINESSES MAY CONTINUE TO COLLECT THE TAX ON SUCH TRANSACTIONS BASED ON AN AVERAGE MARKET RATE CALCULATION UNTIL DECEMBER 31, 2020.".

Page 3, strike lines 1 and 2.

Page 3, line 3, strike "marijuana." and substitute "~~Such excise tax must be calculated based on the average market rate of the unprocessed retail marijuana.~~".

Page 3, strike lines 7 though 10 and substitute "cultivation facility. ~~The tax rate imposed pursuant to this subsection (1)(a) may not exceed five percent of the average market rate, as determined by the department of revenue pursuant to section 39-28.8-101 (1), of the unprocessed retail marijuana.~~".

Page 3, strike lines 16 through 18 and substitute "marijuana cultivation facility AT A RATE OF UP TO FIVE PERCENT OF THE AVERAGE MARKET RATE, AS DETERMINED BY THE DEPARTMENT OF REVENUE PURSUANT TO SECTION 39-28.8-101 (1), OF THE UNPROCESSED RETAIL MARIJUANA IF THE TRANSACTION IS BETWEEN AFFILIATED RETAIL MARIJUANA BUSINESS LICENSEES AND AT A RATE OF UP TO FIVE PERCENT OF THE CONTRACT PRICE, AS DEFINED IN SECTION 39-28.8-101 (2.5), FOR UNPROCESSED RETAIL MARIJUANA IF THE TRANSACTION IS BETWEEN UNAFFILIATED RETAIL MARIJUANA BUSINESS LICENSEES; EXCEPT THAT A MUNICIPALITY WHICH, BEFORE NOVEMBER 1, 2018, OBTAINED THE APPROVAL OF THE ELIGIBLE ELECTORS OF THE MUNICIPALITY AS REQUIRED BY SUBSECTION (2)(b) OF THIS SECTION TO LEVY ONLY A MUNICIPAL EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY THAT IS CALCULATED BASED UPON THE AVERAGE MARKET RATE OF UNPROCESSED RETAIL MARIJUANA AND IN WHICH THE ELIGIBLE ELECTORS THEREAFTER REJECTED A PROPOSED AMENDMENT TO ALLOW THE TAX TO BE CALCULATED BASED ON THE CONTRACT PRICE FOR TRANSACTIONS BETWEEN UNAFFILIATED RETAIL MARIJUANA BUSINESSES MAY CONTINUE TO COLLECT THE TAX ON SUCH TRANSACTIONS BASED ON AN AVERAGE MARKET RATE CALCULATION UNTIL DECEMBER 31, 2020. ~~Such excise tax must be calculated based on the average market rate of the unprocessed retail marijuana.~~ The tax shall be imposed at the time".

Page 3, line 22, strike "The tax rate imposed".

Page 3, strike lines 23 through 27 and substitute "~~The tax rate imposed by any statutory municipality pursuant to this subsection (2)(a) may not exceed five percent of the average market rate, as determined by the department of revenue pursuant to section 39-28.8-101 (1), of the unprocessed retail marijuana.~~

(7) IF A RETAIL MARIJUANA CULTIVATION FACILITY USES A RETAIL MARIJUANA TRANSPORTER, AS DEFINED IN SECTION 12-43.4-103 (21.5), TO TRANSPORT UNPROCESSED RETAIL MARIJUANA BEING SOLD OR TRANSFERRED BY THE RETAIL MARIJUANA CULTIVATION FACILITY TO A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY, A RETAIL MARIJUANA STORE, OR ANOTHER RETAIL MARIJUANA CULTIVATION FACILITY, THE TRANSPORTATION OF THE UNPROCESSED RETAIL MARIJUANA BY THE RETAIL MARIJUANA TRANSPORTER IS NOT A TRANSFER OF UNPROCESSED RETAIL MARIJUANA FOR THE PURPOSE OF LEVYING ANY EXCISE TAX IMPOSED PURSUANT TO THIS SECTION.".

Page 4, strike lines 1 through 10.

Page 4, line 13, strike "~~metropolitan~~".

Page 4, strike line 14 and substitute "metropolitan district that levies A GENERAL UNIFORM sales tax as authorized by section 32-1-1106 (1), health".

Page 4, line 15, after "levies" insert "A GENERAL UNIFORM".

Page 4, line 16, after "levies" insert "A GENERAL UNIFORM".

Page 4, line 17, after "levy" insert "ITS GENERAL UNIFORM".

Page 4, line 19, after "levying" insert "ANY".

Page 4, line 23, strike "~~metropolitan district,~~" and substitute "metropolitan district,".

Page 4, line 25, after "levy" insert "A GENERAL UNIFORM".

Page 5, strike lines 7 through 16.

Renumber succeeding sections accordingly.

Page 6, line 7, after "licensees." insert "RETAIL MARIJUANA EXCISE TAX SHALL ALSO BE CALCULATED AS FIFTEEN PERCENT OF THE CONTRACT PRICE WHEN THE FIRST TRANSFER OF RETAIL MARIJUANA THAT HAS BEEN HARVESTED FOR SALE AT A RETAIL MARIJUANA STORE OR EXTRACTION BY A RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY IS BETWEEN UNAFFILIATED RETAIL MARIJUANA CULTIVATION FACILITIES.".

Page 6, line 10, strike "facility, ~~or~~".

Page 6, strike lines 11 and 12 and substitute "facility or a retail marijuana store.".

Page 6, strike lines 13 through 22 and substitute:

"**SECTION 4. Act subject to petition - effective date.** This act takes effect January 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 2018 and, in such case, will take effect on January 1, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

Finance — After consideration on the merits, the Committee recommends that **HB18-1381** 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 **HB18-1360** 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 2, strike "The governor shall appoint no" and substitute "~~The governor shall appoint no~~".

Page 3, strike lines 3 and 4 and substitute "~~more than five members from the same political party~~ NO MORE THAN SEVEN MEMBERS APPOINTED BY THE GOVERNOR SHALL BE AFFILIATED WITH ONE POLITICAL PARTY OR UNAFFILIATED PERSONS.".

Trans-portation — After consideration on the merits, the Committee recommends that **SB18-181** be postponed indefinitely.

Trans-portation — After consideration on the merits, the Committee recommends that **SB18-078** be postponed indefinitely.

Trans-portation — After consideration on the merits, the Committee recommends that **SB18-268** 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: SB18-219.
Correctly Reengrossed: SB18-230, 234, 236, 238, 239, and 242.
Correctly Revised: HB18-1252, 1295, and 1355.
Correctly Rerevised: HB18-1181, 1187, and 1277.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR18-1012 by Representative(s) Benavidez and Michaelson Jenet; also Senator(s) Crowder and Fields--Concerning the Medicaid eligibility of individuals being held in a correctional facility but who have not been convicted of a crime.

On motion of Senator Fields, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR18-1019 by Representative(s) Wist and Bridges; also Senator(s) Tate and Moreno--Concerning the designation of a portion of Arapahoe Road from Interstate 25 to Parker Road in Arapahoe County as the "Sardarapat Armenian Memorial Highway".

On motion of Senator Moreno, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Consideration of Resolutions Calendar (HJR18-1013) of Wednesday, April 25, was laid over until Thursday, April 26, 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:

SB18-226 by Senator(s) Lundberg and Cooke; also Representative(s) Willett--Concerning a prohibition on Colorado's involvement in a state-level climate collaboration that attempts to reduce carbon dioxide emissions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Gardner, Grantham, Hill, Holbert, Lambert, Marble, Neville T., Scott, Smallwood, and Sonnenberg.

SB18-219 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the rates a motor vehicle dealer charges a motor vehicle manufacturer for work performed by the dealer in accordance with a warranty obligation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan, Kefalas, and Williams A.

HB18-1252 by Representative(s) Roberts and Wilson; also Senator(s) Priola--Concerning unlawful sale of academic materials for submission to an institution of higher education.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Martinez Humenik, Moreno, Tate, Todd, and Williams A.

HB18-1355 by Representative(s) Pettersen and Sias; also Senator(s) Gardner and Moreno--Concerning changes to the accountability system for the elementary and secondary public education system to strengthen the accountability system for the benefit of students.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lambert, Martinez Humenik, Priola, and Tate.

HB18-1295 by Representative(s) Salazar and Esgar; also Senator(s) Coram--Concerning modifications to the "Colorado Food and Drug Act" to allow products containing industrial hemp, and, in connection therewith, establishing that products containing industrial hemp are not adulterated or misbranded by virtue of containing industrial hemp.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Court, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Marble, Merrifield, Neville T., Smallwood, Sonnenberg, Tate, Todd, and Williams A.

Upon request of Majority Leader Holbert, **SB18-255** was removed from the General Orders--Second Reading of Bills--Consent Calendar of Wednesday, April 25, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Wednesday, April 25.

Committee of the Whole

On motion of Senator Coram, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Coram was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1152 by Representative(s) Lawrence; also Senator(s) Cooke--Concerning making certain records of the state judicial department relating to sexual harassment investigations subject to the Colorado open records act.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-255 by Senator(s) Tate; also Representative(s) Arndt and Hooton--Concerning the use of electronic formats in the issuance of certificates of title for vehicles.

Amendment No. 1(L.002), by Senator Tate.

Amend printed bill, page 3, after line 4 insert:

"(d) THIS SUBSECTION (3) DOES NOT REQUIRE THE DEPARTMENT TO IMPLEMENT A SYSTEM TO ELECTRONICALLY ACCEPT RECORDS, DOCUMENTS, OR SIGNATURES.".

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 Coram, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-255 as amended, HB18-1152.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB18-068) of Wednesday, April 25, was laid over until Friday, April 27, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1348, HB18-1307, HB18-1344, HB18-1280, HB18-1174, HB18-1372, HB18-1371, HB18-1374, SB18-248, and SB18-247, were made Special Orders--Consent Calendar at 10:04 a.m.

Committee of the Whole

The hour of 10:04 a.m. having arrived, Senator Coram moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Coram was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1348 by Representative(s) Singer and Landgraf; also Senator(s) Gardner and Kefalas--Concerning families involved in the child welfare system, and, in connection therewith, prioritizing services and providing support for foster parents.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1307 by Representative(s) Singer and Lee; also Senator(s) Gardner and Cooke--Concerning restricting the availability to children of products that contain dextromethorphan.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1344 by Representative(s) Weissman and Sias; also Senator(s) Coram and Moreno--Concerning relief from collateral consequences of criminal actions.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1280 by Representative(s) Melton; also Senator(s) Coram--Concerning regulatory procedures related to the appointment of a court appointee for a regulated marijuana business, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1174 by Representative(s) Arndt and Gray, Van Winkle, Winter; also Senator(s) Priola--Concerning the continuation under the sunset law of the board of mortgage loan originators, and, in connection therewith, adopting the legislative recommendations of the department of regulatory agencies as contained in the department's sunset report.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1372 by Representative(s) Esgar and Becker J., Hansen; also Senator(s) Kefalas--Concerning an exemption of the regional center depreciation account in the capital construction fund from the definition of cash fund for purposes of the requirements under the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1371 by Representative(s) Esgar and Becker J., Hansen; also Senator(s) Kefalas and Baumgardner, Sonnenberg--Concerning capital construction budget items, and, in connection therewith, codifying the three-year period that capital construction budget items remain available and clarifying the deadlines for the submission of capital construction budget requests, budget request amendments, and budget request amendments that are related to a request for a supplemental appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1374 by Representative(s) Hansen and Esgar, Becker J.; also Senator(s) Kefalas and Baumgardner, Sonnenberg--Concerning controlled maintenance needs of real property acquired through a lease-purchase agreement.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 24, page 876 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-248 by Senator(s) Martinez Humenik; also Representative(s) Lawrence and Gray--Concerning the treatment under statutory provisions governing tax increment financing of revenues received by an urban renewal authority following certain voter-approved revenue increases.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 24, page 876 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-247 by Senator(s) Gardner; --Concerning the creation of a fund to pay for the continuation of certain benefits for dependents of certain local government public safety employees who die in a work-related death.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 24, page 876 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 Coram, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-248 as amended, SB18-247 as amended, HB18-1348, HB18-1307, HB18-1344, HB18-1280, HB18-1174, HB18-1372, HB18-1371, HB18-1374 as amended.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Education

After consideration on the merits, the Committee recommends that **SB18-260** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, line 12, strike "SERVICES" and substitute "SERVICES, AS DEFINED IN SECTION 23-64-103,".

Page 3, strike lines 15 through 19 and substitute "ARTICLE 64. THE BOARD'S SUNRISE REVIEW PROCESS SHALL APPLY TO NEW EDUCATIONAL CREDENTIALS AND NEW EDUCATIONAL SERVICES. NOTWITHSTANDING".

Page 4, lines 11 and 12, strike "REGULATED AND THE ESTIMATED PROVIDERS AND AGENTS FOR" and substitute "REGULATED, INCLUDING AN ESTIMATE OF HOW MANY ENTITIES MAY OFFER".

Page 6, line 12, strike "SOME OR ALL OF".

Page 6, lines 17 and 18, strike "SOME OR ALL OF".

Page 7, strike lines 20 through 22 and substitute "EDUCATIONAL CREDENTIALS AND NEW EDUCATIONAL SERVICES, AS DEFINED IN SECTION 23-64-103,".

Page 8, after line 2 insert:

"**SECTION 3.** In Colorado Revised Statutes, 23-64-103, **add** (15.5) as follows:

23-64-103. Definitions. As used in this article 64, unless the context otherwise requires:

(15.5) "NEW EDUCATIONAL CREDENTIALS" AND "NEW EDUCATIONAL SERVICES" MEANS EDUCATIONAL CREDENTIALS, AS DEFINED IN THIS SECTION, AND EDUCATIONAL SERVICES, AS DEFINED IN THIS SECTION, FOR WHICH THE BOARD HAS NOT GRANTED OR DENIED A CERTIFICATE OF APPROVAL PRIOR TO JULY 1, 2018.".

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-246** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-243** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 10, line 5, strike "MUST:" and substitute "MUST DERIVE".

Page 10, line 6, strike "(I) DERIVE".

Page 10, line 8, strike "PREMISES; AND" and substitute "PREMISES.".

Page 10, strike lines 9 through 16.

Page 11, line 8, after "(a)" insert "(I)".

Page 11, line 11, strike "BEVERAGES" and substitute "BEVERAGES.".

Page 11, strike lines 12 and 13 and substitute:

"(II) THIS SUBSECTION (4)(a) DOES NOT PROHIBIT A FERMENTED MALT BEVERAGE RETAILER FROM OPERATING A BONA FIDE LOYALTY OR REWARDS PROGRAM FOR FERMENTED MALT BEVERAGES SO LONG AS THE PRICE FOR THE PRODUCT IS NOT BELOW THE RETAILER'S COSTS AS LISTED ON THE INVOICE. THE STATE LICENSING AUTHORITY MAY ADOPT RULES TO IMPLEMENT THIS SUBSECTION (4)(a).".

Page 25, line 23, after "(II)" insert "(A)".

Page 25, line 27, strike "LIQUORS OR PART OF A BONA" and substitute "LIQUORS.

(B) THIS SUBSECTION (2)(a)(II) DOES NOT PROHIBIT A RETAIL LIQUOR STORE FROM OPERATING A BONA FIDE LOYALTY OR REWARDS PROGRAM FOR MALT, VINOUS, OR SPIRITUOUS LIQUORS SO LONG AS THE PRICE FOR THE PRODUCT IS NOT BELOW THE RETAIL LIQUOR STORE'S COSTS AS LISTED ON THE INVOICE. THE STATE LICENSING AUTHORITY MAY ADOPT RULES TO IMPLEMENT THIS SUBSECTION (2)(a)(II).".

Page 26, strike lines 1 and 2.

Page 28, line 21, after "(II)" insert "(A)".

Page 28, strike lines 25 and 26 and substitute "LIQUORS.

(B) THIS SUBSECTION (2)(a)(II) DOES NOT PROHIBIT A LIQUOR-LICENSED DRUGSTORE FROM OPERATING A BONA FIDE LOYALTY OR REWARDS PROGRAM FOR MALT, VINOUS, OR SPIRITUOUS LIQUORS SO LONG AS THE PRICE FOR THE PRODUCT IS NOT BELOW THE LIQUOR-LICENSED DRUGSTORE'S COSTS AS LISTED ON THE INVOICE. THE STATE LICENSING AUTHORITY MAY ADOPT RULES TO IMPLEMENT THIS SUBSECTION (2)(a)(II).".

Page 32, line 21, strike "(10)" and substitute "(10); and **add** (1)(h)(VII)".

Page 33, lines 4 and 5, strike "~~malt, vinous, or spirituous liquors~~ ALCOHOL BEVERAGES:" and substitute "ANY FERMENTED MALT BEVERAGE OR malt, vinous, or spirituous liquor:".

Page 33, line 6, strike "place, except: On" and substitute "place except on".

Page 33, line 8, strike "ALCOHOL BEVERAGES" and substitute "ANY FERMENTED MALT BEVERAGES OR MALT, VINOUS, OR SPIRITUOUS LIQUORS".

Page 33, line 9, strike "AS".

Page 33, strike lines 10 through 16.

Page 34, after line 9 insert:

"(VII) NOTWITHSTANDING SUBSECTION (1)(h)(I) OF THIS SECTION, IT IS NOT UNLAWFUL FOR A PERSON WHO IS AT LEAST TWENTY-ONE YEARS OF AGE TO CONSUME ANY FERMENTED MALT BEVERAGE OR MALT, VINOUS, OR SPIRITUOUS LIQUOR IN ANY PUBLIC PLACE WHERE CONSUMPTION OF THE FERMENTED MALT BEVERAGE OR MALT, VINOUS, OR SPIRITUOUS LIQUOR HAS BEEN SPECIFICALLY AUTHORIZED BY ORDINANCE, RESOLUTION, OR RULE ADOPTED BY A STATE OR LOCAL GOVERNMENT ENTITY.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-257** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1003** be amended as follows, and as so amended, be referred to the Committee on Legislative Council with favorable recommendation.

Amend reengrossed bill, page 3, line 19, strike "DATA" and substitute "DATA, DATA ANALYTICS,".

Page 4, strike lines 18 through 24 and substitute:

"(3) (a) THE COMMITTEE MAY MEET UP TO SIX TIMES PER INTERIM. THE COMMITTEE MAY RECOMMEND UP TO A TOTAL OF FIVE BILLS DURING EACH INTERIM. LEGISLATION RECOMMENDED BY THE COMMITTEE MUST BE TREATED AS LEGISLATION RECOMMENDED BY AN INTERIM COMMITTEE FOR PURPOSES OF APPLICABLE DEADLINES, BILL INTRODUCTION LIMITS, AND ANY OTHER REQUIREMENTS IMPOSED BY THE JOINT RULES OF THE GENERAL ASSEMBLY.".

Page 4, line 25, strike "NOVEMBER" and substitute "DECEMBER".

Page 4, line 26, strike "NOVEMBER" and substitute "DECEMBER".

Page 7, line 27, strike "SEVEN HUNDRED".

Page 8, line 1, strike "FIFTY" and substitute "ONE MILLION FIVE HUNDRED".

Page 9, strike lines 3 through 27.

Strike pages 10 and 11.

Page 12, strike line 1.

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
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Christopher Weld Tetzeli of Denver, Colorado, reappointed.

Business, Labor, & Technology

After consideration on the merits, the Committee recommends that **HB18-1135** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

April 25, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1318, 1373, 1366, 1412, 1369, 1377, 1349, 1402.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1298, 1375, 1309, 1367, 1389, 1053, 1076, 1077, 1083, 1190, 1215, 1224, 1244, 1299, 1321, 1384, 1205, amended as printed in House Journal, April 24, 2018.

The House has postponed indefinitely SB18-123. The bill is returned herewith.

The House has voted to grant the House conferees on the First Conference Committee on SB18-179 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR OF STATUTES

April 25, 2018

We herewith transmit:

Without comment, HB18-1318, 1349, 1366, 1369, 1373, 1377, 1402, and 1412.
Without comment, as amended, HB18-1053, 1076, 1077, 1083, 1190, 1205, 1215, 1224, 1244, 1298, 1299, 1309, 1321, 1367, 1375, 1384, and 1389.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM18-006 by Senator(s) Grantham and Crowder; also Representative(s) Lewis and Reyher--Memorializing former Senator Kenneth "Ken" Kester.

Laid over until Tuesday, May 1, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-273 by Senator(s) Gardner; also Representative(s) Carver--Concerning the preservation of the senior property tax exemption of a senior who changes his or her primary residence due to medical necessity, and, in connection therewith, defining medical necessity to include a medical condition verified by a physician that required a senior to move from the senior's primary residence to a primary residence that the senior can freely occupy without using stairs or a primary residence that is not located in a high-altitude area.
Finance

HB18-1053 by Representative(s) Arndt and Hansen, Esgar; also Senator(s) Donovan, Coram, Jones--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for marijuana cultivation.
Finance

HB18-1077 by Representative(s) Liston and Valdez, Becker J., Catlin, Lawrence, McKean, Reyher, Roberts, Sias, Wilson, Wist; also Senator(s) Garcia and Scott--Concerning the penalty for a person who commits burglary to acquire firearms, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1083 by Representative(s) Kraft-Tharp and Sias, McKean; also Senator(s) Tate and Williams A.-Concerning a sales and use tax exemption for aircraft to be used by on-demand air carriers.
Finance

HB18-1190 by Representative(s) Esgar and McKean, Arndt, Becker K., Catlin, Covarrubias, Duran, Hansen, Hooton, Lawrence, Liston, McLachlan, Michaelson Jenet, Rankin, Reyher, Roberts, Rosenthal, Singer, Thurlow, Winter; also Senator(s) Tate and Garcia, Coram, Crowder, Donovan, Fenberg, Grantham, Martinez Humenik, Priola--Concerning modifications to the "Colorado Job Creation and Main Street Revitalization Act".
Finance

HB18-1205 by Representative(s) Roberts, Willett; also Senator(s) Donovan, Crowder--Concerning a financial relief program to provide financial assistance to an individual earning a household income of not more than five hundred percent of the federal poverty line of which the individual spends more than twenty percent on health insurance premiums for individual health insurance purchased through the Colorado health benefit exchange, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1215 by Representative(s) Arndt; also Senator(s) Jones--Concerning enhanced protections regarding the disposal of naturally occurring radioactive materials, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1224 by Representative(s) Willett; also Senator(s) Gardner--Concerning the process that is due for the imposition of discipline that affects a person's ability to practice an occupation, and, in connection therewith, requiring the parties to submit to mediation and making an appropriation.
Finance

HB18-1244 by Representative(s) Danielson; also Senator(s) Todd and Gardner--Concerning the creation of a submarine service license plate to honor the service of submarine veterans, and, in connection therewith, making an appropriation.
Finance

HB18-1298 by Representative(s) Pettersen and Bridges; also Senator(s) Donovan and Todd--Concerning the creation of the Colorado secure savings plan.
State, Veterans, & Military Affairs

HB18-1299 by Representative(s) Bridges and Neville P.; also Senator(s) Scott and Zenzinger--Concerning electronic documents related to the ownership of a vehicle that is regulated by the department of revenue, and, in connection therewith, making an appropriation.
Finance

HB18-1309 by Representative(s) Coleman and Wilson; also Senator(s) Hill--Concerning programs addressing educator shortages, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1318 by Representative(s) Hooton and Hansen; also Senator(s) Kerr--Concerning a requirement that candidates for certain federal executive offices file income tax returns with the secretary of state.
State, Veterans, & Military Affairs

HB18-1321 by Representative(s) McKean and Arndt, Ginal; also Senator(s) Moreno and Martinez Humenik, Kefalas--Concerning efficient administration of nonemergency medical transportation within the existing benefit under the medical assistance program, and, in connection therewith, making and reducing an appropriation.
State, Veterans, & Military Affairs

HB18-1366 by Representative(s) Roberts, Gray, Hamner, Wilson; also Senator(s) Donovan--Concerning a local college district's authority to manage district property.
Finance

HB18-1367 by Representative(s) McLachlan and Wilson, Pettersen; also Senator(s) Priola--Concerning professional development in leadership for public school principals, and, in connection therewith, creating the school leadership pilot program and making an appropriation.
State, Veterans, & Military Affairs

HB18-1369 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning repealing obsolete statutory references to the repealed proposition AA refund account.
Finance

HB18-1373 by Representative(s) Becker J. and Hansen, Esgar; also Senator(s) Baumgardner and Kefalas, Sonnenberg--Concerning the use of the state telecommunications network by private entities through public-private partnerships, and, in connection therewith, relocating laws related to the state telecommunications network from the department of public safety's statutes to the statutes regarding telecommunications coordination within state government.
Finance

HB18-1375 by Representative(s) Willett and Lee, Foote, Herod, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--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

HB18-1377 by Representative(s) Coleman and Pettersen; also Senator(s) Donovan and Moreno--Concerning making it an unfair employment practice for an employer to seek earnings history about an applicant for employment.
State, Veterans, & Military Affairs

HB18-1384 by Representative(s) Roberts and Catlin, Wilson; also Senator(s) Coram and Donovan--Concerning a study to identify affordable, competitive health care coverage options for Colorado, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1389 by Representative(s) Gray and Van Winkle; also Senator(s) Neville T.--Concerning authorization for issuance of a centralized marijuana distribution permit.
Finance

HB18-1402 by Representative(s) Lawrence and Young, Duran, Kraft-Tharp, Landgraf, Pabon, Saine, Sias, Williams D., Michaelson Jenet; also Senator(s) Gardner and Williams A., Marble--Concerning authorization for the state treasurer to invest state money in investment grade securities issued by sovereign, national, and supranational entities.
Finance

HB18-1412 by Representative(s) Buckner and Lundeen; also Senator(s) Hill--Concerning providing funding for local education providers to implement initiatives to reduce the teacher shortage in Colorado, and, in connection therewith, creating the retaining teachers grant program and making an appropriation.
State, Veterans, & Military Affairs

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-076, 132, 143, 144, 177, 178, and 207.

MESSAGE FROM THE GOVERNOR

April 25, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-146: CONCERNING A REQUIREMENT THAT A FREESTANDING EMERGENCY DEPARTMENT INFORM A PERSON WHO IS SEEKING MEDICAL TREATMENT ABOUT THE HEALTH CARE OPTIONS THAT ARE AVAILABLE TO THE PERSON, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 25, 2018 at 3:05 pm.

SB 18-154: CONCERNING A REQUIREMENT FOR A LOCAL JUVENILE SERVICES PLANNING COMMITTEE TO DEVISE A PLAN TO MANAGE DUALLY IDENTIFIED CROSSOVER YOUTH.

Approved April 25, 2018 at 3:18 pm.

SB 18-169: CONCERNING OFFENSES AGAINST WITNESSES IN NONCRIMINAL PROCEEDINGS.

Approved April 25, 2018 at 3:22 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

TRIBUTES

Honoring:

Adam Alleman -- By Senator Angela Williams.
The Colorado Wing of the Civil Air Patrol -- By Senator Kent Lambert.
Tanja Leonard -- By Senator Steve Fenberg.
Scott and Jenny Jurek -- By Senator Steve Fenberg.
Rachel Lubanowski -- By Senator Steve Fenberg.
Samuel Morse -- By Senator Leroy Garcia.
Ryan Madic -- By Senator Leroy Garcia.
Patty Erjavek -- By Senator Leroy Garcia.
Kylie Baudino -- By Senator Leroy Garcia.
Katelin DeVencenty -- By Senator Leroy Garcia.
Isaac Sloan -- By Senator Leroy Garcia.
Helen Milligan -- By Senator Leroy Garcia.
Henry MacGowan Senior -- By Senator Steve Fenberg.
Edden Rosenberg -- By Senator Steve Fenberg.
Ayesha Rawal -- By Senator Steve Fenberg.
Kyle Fridberg -- By Senator Steve Fenberg.
Libby Alexander -- By Senator Steve Fenberg.
Officer Kevin Sullivan -- By Senator Jim Smallwood.
Officer Todd West -- By Senator Jim Smallwood.
Corporal Seth Morrissey -- By Senator Jim Smallwood.
Haute Route -- By Senator Michael Merrifield.
Jan Weiland -- By Senator Michael Merrifield.
Cleo Parker Robinson -- By Senator Angela Williams.
Advocacy for Hydrocephalus Awareness in Colorado -- By Senator Angela Williams and Representative James Coleman.
Adelaide Krabbenhoeft -- By Senator Irene Aguilar.
Mia Gilbertson -- By Senator Leroy Garcia.
Pastor Reverend Doctor Jules E. Smith and Reverend Ida Gice Smith -- By Senator Rhonda Fields.
Colorado Denim Day -- By Senator Dominick Moreno.
Randy C. Stith -- By Senator Nancy Todd, Senator Rhonda Fields, Senator Daniel Kagan, Senator Kevin Priola, Representative Jovan Melton, Representative Mike Weissman, Representative Dafna Michaelson-Jenet, Representative Janet Buckner, and Representative Dominique Jackson.
Art Quinn -- By Senator Daniel Kagan.
Longmont Estates Elementary -- By Senator Matt Jones.
Tori Ortiz -- By Senator Leroy Garcia.
Aloha and Goerge Lile -- By Senator Leroy Garcia.

On motion of Majority Leader Holbert, the Senate adjourned until 9:30 a.m., Thursday, April 26, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

107th Legislative Day Thursday, April 26, 2018

Prayer — By the chaplain, Rev. Dr. John Roberts, First Baptist Church of Sterling.

Call to Order — By the President at 9:30 a.m.

Roll Call — Present--35

Quorum — The President announced a quorum present.

Pledge — By Senator Kagan.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Wednesday, April 25, 2018, 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 **SB18-240** be postponed indefinitely.

Judiciary — After consideration on the merits, the Committee recommends that **HB18-1314** 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 **HB18-1391** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 27, strike "PROCEDURES" and substitute "EXCEPT AS PROVIDED IN SUBSECTION (3)(e) OF THIS SECTION, PROCEDURES".

Page 4, line 11, strike "INCLUDE" and substitute "SPECIFY EITHER" and after "EVIDENCE" insert "OR CLEAR AND CONVINCING EVIDENCE".

Page 5, after line 1 insert:

"(e) IF THE POTENTIAL PUNISHMENT FOR A VIOLATION OF THE POLICY INCLUDES EXPULSION OR SUSPENSION OF ONE SEMESTER OR LONGER, THAT THE FOLLOWING PROCEDURES APPLY INSTEAD OF SUBSECTIONS (3)(d)(II) TO (3)(d)(IV) OF THIS SECTION:

(I) CLEAR AND CONVINCING EVIDENCE AS THE EVIDENTIARY STANDARD IF THE FACT FINDING IS PERFORMED BY A SINGLE PERSON OR PREPONDERANCE OF THE EVIDENCE AS THE EVIDENTIARY STANDARD IF THE FACT FINDER IS A PANEL;

(II) OUTLINING THE PROCEDURES TO BE FOLLOWED IN THE INVESTIGATION, ADJUDICATORY HEARING, AND APPELLATE PROCESSES INCLUDING:

(A) SEPARATING INDIVIDUALS OR PANELS FOR THE INVESTIGATION, ADJUDICATORY HEARING, AND APPELLATE PROCESSES WHO SHALL NOT BE INVESTED IN THE OUTCOME OF A PREVIOUS STAGE OF THE PROCESS;

(B) PROVIDING THE COMPLAINANT AND THE RESPONDING PARTY WITH THE SAME OPPORTUNITIES TO HAVE AN ADVISOR OR OTHER PERSON, INCLUDING AN ATTORNEY, PRESENT DURING ANY PART OF THE

INVESTIGATION WHO MAY PARTICIPATE AT ALL STAGES OF THE INVESTIGATION, ADJUDICATORY HEARING, AND APPELLATE PROCESSES; AND

(C) DURING THE ADJUDICATORY HEARING, THE ISSUANCE OF ANY NECESSARY AND APPROPRIATE PROTECTIVE ORDERS FOR THE BENEFIT OF THE COMPLAINANT OR ANY WITNESS, WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO, PROVISIONS FOR THE QUESTIONING OF THE COMPLAINANT OUTSIDE THE PRESENCE OF THE RESPONDENT; AND

(D) IF AN ADJUDICATORY HEARING PANEL IS USED, THE AVAILABILITY OF A LEGAL ADVISOR WHO IS A LICENSED ATTORNEY TO ADVISE THE PANEL.".

Reletter succeeding paragraphs accordingly.

Page 5, strike lines 3 through 5 and substitute:

"(I) THE CONSIDERATION OF PRIOR SEXUAL CONDUCT, EXCEPT THAT WHICH IS RELEVANT TO A MATERIAL AND SUBSTANTIVE ISSUE IN THE ADJUDICATORY PROCESS AND WHERE THE PROBATIVE VALUE OUTWEIGHS ANY PREJUDICIAL VALUE; AND".

Page 5, line 9, before "PARTICIPATION" insert "TRUTHFUL".

Judiciary

After consideration on the merits, the Committee recommends that **HB18-1269** 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 **HB18-1286** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 22-1-119.3, **add** (3)(d.5) as follows:

22-1-119.3. Policy for student possession and administration of prescription medication - rules - definition. (3) (d.5) (I) MEDICAL MARIJUANA IN A NONSMOKEABLE FORM SHALL NOT BE ADMINISTERED AT A SCHOOL PURSUANT TO THIS SUBSECTION (3)(d.5) UNLESS A WRITTEN PLAN FOR THE ADMINISTRATION OF MEDICAL MARIJUANA IN A NONSMOKEABLE FORM IS AGREED TO AND SIGNED BY THE SCHOOL PRINCIPAL OR HIS OR HER DESIGNEE AND A PARENT OR LEGAL GUARDIAN.

(II) PRIOR TO THE ADMINISTRATION OF MEDICAL MARIJUANA IN A NONSMOKEABLE FORM AT SCHOOL, THE STUDENT'S PARENT OR LEGAL GUARDIAN SHALL COMPLETE AND SUBMIT TO THE SCHOOL THE DOCUMENTATION REQUIRED BY RULE OF THE STATE BOARD OF EDUCATION, INCLUDING BUT NOT LIMITED TO:

(A) A WRITTEN MEDICAL MARIJUANA RECOMMENDATION THAT INCLUDES THE SIGNATURE OF ONE OF THE RECOMMENDING PHYSICIANS AND THE PURPOSE, RECOMMENDED DOSAGE, FREQUENCY, AND LENGTH OF TIME BETWEEN DOSAGES OF THE MEDICAL MARIJUANA IN A NONSMOKEABLE FORM TO BE ADMINISTERED; AND

(B) A WRITTEN STATEMENT FROM THE STUDENT'S PARENT OR LEGAL GUARDIAN RELEASING THE SCHOOL, AND EMPLOYEES AND VOLUNTEERS OF THE SCHOOL, FROM LIABILITY, EXCEPT IN CASES OF WILLFUL OR WANTON CONDUCT OR DISREGARD OF THE CRITERIA OF THE TREATMENT PLAN.

(III) (A) SUBJECT TO THE REQUIREMENTS SPECIFIED IN SUBSECTIONS (3)(d.5)(I) AND (3)(d.5)(II) OF THIS SECTION, SCHOOL PERSONNEL MAY POSSESS, AND ADMINISTER TO A STUDENT WHO HOLDS A VALID RECOMMENDATION FOR MEDICAL MARIJUANA, MEDICAL MARIJUANA IN A NONSMOKEABLE FORM 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. THE SCHOOL PERSONNEL SHALL NOT ADMINISTER THE

NONSMOKEABLE MEDICAL MARIJUANA IN A MANNER THAT CREATES DISRUPTION TO THE EDUCATIONAL ENVIRONMENT OR CAUSES EXPOSURE TO OTHER STUDENTS. IF A STUDENT WHO IS SUBJECT TO THE PROVISIONS OF THIS SUBSECTION (3)(d.5) TAKES A SCHOOL TRIP OUTSIDE OF THE STATE OF COLORADO OR PARTICIPATES IN A SCHOOL ACTIVITY OUTSIDE OF THE STATE OF COLORADO, THE PROVISIONS OF THIS SUBSECTION (3)(d.5) DO NOT APPLY FOR THE TIME DURING WHICH THE STUDENT IS ENGAGED IN THE TRIP OR ACTIVITY OUTSIDE OF THE STATE OF COLORADO.

(B) NOTHING IN THIS SUBSECTION (3)(d.5) REQUIRES ANY SCHOOL PERSONNEL TO ADMINISTER MEDICAL MARIJUANA. ADMINISTRATION OF MEDICAL MARIJUANA IN A NONSMOKEABLE FORM IS AT THE DISCRETION OF THE PARENT OR LEGAL GUARDIAN, THE SCHOOL PRINCIPAL OR HIS OR HER DESIGNEE, OR THE DESIGNATED SCHOOL PERSONNEL.

(C) IT IS AN EXCEPTION FROM THE STATE'S CRIMINAL LAWS FOR SCHOOL PERSONNEL TO POSSESS AND ADMINISTER MEDICAL MARIJUANA IN A NONSMOKEABLE FORM IN COMPLIANCE WITH THIS SUBSECTION (3)(d.5) TO A STUDENT WHO HOLDS A VALID RECOMMENDATION FOR MEDICAL MARIJUANA, EXCEPT AS OTHERWISE PROVIDED IN SECTION 18-18-406.3.

(IV) A SCHOOL MAY ADOPT POLICIES REGARDING WHO MAY ACT AS SCHOOL PERSONNEL PURSUANT TO THIS SUBSECTION (3)(d.5) AND THE REASONABLE PARAMETERS OF THE ADMINISTRATION AND USE OF MEDICAL MARIJUANA IN A NONSMOKEABLE FORM 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.

(V) THIS SUBSECTION (3)(d.5) DOES NOT APPLY TO A SCHOOL IF:

(A) THE SCHOOL CAN REASONABLY DEMONSTRATE THAT IT LOST FEDERAL FUNDING, OR IS AT RISK OF LOSING FEDERAL FUNDING, AS A RESULT OF IMPLEMENTING THIS SUBSECTION (3)(d.5); AND

(B) THE SCHOOL POSTS ON ITS WEBSITE IN A CONSPICUOUS PLACE A STATEMENT REGARDING ITS DECISION NOT TO COMPLY WITH THIS SUBSECTION (3)(d.5).

(VI) STUDENT POSSESSION, USE, DISTRIBUTION, OR SALE, OR A STUDENT BEING UNDER THE INFLUENCE, OF A CANNABINOID PRODUCT INCONSISTENT WITH THIS SUBSECTION (3)(d.5) IS NOT PERMITTED.

(VII) THE STUDENT'S PARENT, GUARDIAN, OR DESIGNEE SHALL DELIVER THE STUDENT'S MEDICAL MARIJUANA IN A NONSMOKEABLE FORM, IN A CONTAINER THAT CONTAINS CLEARLY LABELED INSTRUCTIONS OR THE PLAN FOR ADMINISTRATION MUST CLEARLY SPECIFY INSTRUCTIONS FOR THE DOSING, TIMING, AND DELIVERY ROUTE INSTRUCTIONS FROM ONE OF THE STUDENT'S RECOMMENDING PHYSICIANS, TO THE PERSON DESIGNATED BY THE SCHOOL AS THE PERSON WHO SECURES THE MEDICAL MARIJUANA BEFORE THE STUDENT ATTENDS SCHOOL FOR THE SCHOOL DAY. THE PERSON WHO SECURES THE MEDICAL MARIJUANA IN A NONSMOKEABLE FORM SHALL PLACE THE MEDICAL MARIJUANA IN A LOCKED STORAGE CONTAINER. AFTER THE SCHOOL PERSONNEL ADMINISTERS THE MEDICAL MARIJUANA IN A NONSMOKEABLE FORM, THE SCHOOL PERSONNEL SHALL PLACE THE MEDICAL MARIJUANA IN A LOCKED MEDICAL MARIJUANA STORAGE CONTAINER DESIGNATED BY THE SCHOOL. THE PERSON WHO SECURES THE MEDICAL MARIJUANA IN A NONSMOKEABLE FORM SHALL RETURN ANY UNUSED MEDICAL MARIJUANA TO THE STUDENT'S PARENT, GUARDIAN, OR DESIGNEE AT THE END OF EACH SCHOOL DAY. THE STUDENT SHALL NOT HANDLE THE MEDICAL MARIJUANA IN A NONSMOKEABLE FORM ON THE GROUNDS OF THE SCHOOL, SCHOOL BUS, OR SCHOOL-SPONSORED EVENT.

(VIII) FOR PURPOSES OF THIS SUBSECTION (3)(d.5), "SCHOOL PERSONNEL" MEANS SCHOOL PERSONNEL DESIGNATED BY AGREEMENT BETWEEN THE PRINCIPAL OR HIS OR HER DESIGNEE AND A PARENT OR LEGAL GUARDIAN.

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, line 101, strike "**A SCHOOL NURSE**" and substitute "**SCHOOL PERSONNEL**".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1263** 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 15 insert:

"**SECTION 2.** In Colorado Revised Statutes, 25-1.5-106.5, **amend** (3)(b)(I) as follows:

25-1.5-106.5. Medical marijuana health research grant program. (3) (b) **Grant approval.** (I) The council shall submit recommendations for grants to the state board of health. The state board of health shall approve or disapprove of grants submitted by the council. THE STATE BOARD IS ENCOURAGED TO PRIORITIZE GRANTS TO GATHER OBJECTIVE SCIENTIFIC RESEARCH REGARDING THE EFFICACY AND THE SAFETY OF ADMINISTERING MEDICAL MARIJUANA FOR PEDIATRIC CONDITIONS, INCLUDING BUT NOT LIMITED TO AUTISM SPECTRUM DISORDER. If the state board of health disapproves a recommendation, the council may submit a replacement recommendation within thirty days.".

Renumber succeeding section accordingly.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1108** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 14, line 12, strike "COMPETITIVE EMPLOYMENT," and substitute "COMPETITIVE INTEGRATED EMPLOYMENT AS DEFINED BY SECTION 8-84-301,".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1313** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services

After consideration on the merits, the Committee recommends that **SB18-272** be referred to the Committee on Appropriations with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB18-1002** be referred to the Committee on Appropriations with favorable recommendation.

Education

After consideration on the merits, the Committee recommends that **HB18-1189** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, after line 14 insert:

"(6) "FUND" MEANS THE TEACHER RESIDENCY EXPANSION PROGRAM FUND CREATED IN SECTION 22-60.3-106.".

Renumber succeeding subsections accordingly.

Page 8, strike lines 6 and 7 substitute "SHALL CONTRACT WITH UP TO THREE INSTITUTIONS OF HIGHER EDUCATION AND UP TO THREE ALTERNATIVE TEACHER PROGRAMS, EACH OF WHICH OPERATES A PROVEN".

Page 8, line 11, strike "PROGRAM," and substitute "PROGRAMS,".

Page 9, line 9, strike "THE" and substitute "EACH".

Page 9, line 10, strike "ENTER" and substitute "ENTERS".

Page 11, after line 9 insert:

"**22-60.3-106. Teacher residency expansion program fund - created.** (1) THE TEACHER RESIDENCY EXPANSION PROGRAM FUND IS

HEREBY CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF MONEY THAT THE GENERAL ASSEMBLY MAY APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND TO THE FUND.

(2) MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR USE IN IMPLEMENTING THE PROGRAM.

(3) THE STATE TREASURER SHALL TRANSFER ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND ON JULY 1, 2023, TO THE GENERAL FUND.".

Renumber succeeding statutory section accordingly.

Strike "INSTITUTION" and substitute "INSTITUTIONS" on: **Page 8**, lines 10 and 18; and **Page 9**, line 6.

Strike "PROGRAM" and substitute "PROGRAMS" on: **Page 8**, line 19; and **Page 9**, line 7.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1136** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, line 14, after the period insert "ALL LEVELS OF NATIONALLY RECOGNIZED, EVIDENCE-BASED LEVELS OF CARE FOR RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT AND MEDICAL DETOXIFICATION SERVICES MUST BE INCLUDED IN THE BENEFIT.".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1272** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1341** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-256** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SCR18-001** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SJM18-005** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1279** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1301** be postponed indefinitely.

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1135** 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 **SB18-243** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 37, after line 18 insert:

"**SECTION 12. Appropriation.** (1) For the 2018-19 state fiscal year, $87,592 is appropriated to the department of revenue. This appropriation is from the liquor enforcement division and state licensing authority cash fund created in section 24-35-401, C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $65,506 for use by the liquor and tobacco enforcement division for personal services, which amount is based on an assumption that the division will require an additional 1.0 FTE;

(b) $11,430 for use by the liquor and tobacco enforcement division for operating expenses; and

(c) $10,656 for the purchase of legal services.

(2) For the 2018-19 state fiscal year, $10,656 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(c) of this section and is based on an assumption that the department of law will require an additional 0.1 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of revenue.".

Renumber succeeding sections accordingly.

Page 1, line 101, strike "**BEVERAGES.**" and substitute "**BEVERAGES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-269** 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 **SB18-267** 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 **SB18-259** 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 6, after line 12 insert:

"**SECTION 5. Appropriation.** For the 2018-19 state fiscal year, $15,840 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 "**GOVERNMENTS.**" and substitute "**GOVERNMENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-241** 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 19 insert:

"**SECTION 2. Appropriation.** (1) For the 2018-19 state fiscal year, $12,787 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 for the purchase of legal services.

(2) For the 2018-19 state fiscal year, $12,787 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. To implement this act, the department of law may use this appropriation to provide legal services for the department of human services.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**COLORADO.**" and substitute "**COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1285** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1200** 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 **HB18-1176** 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: SB18-273; SJM18-006.
Correctly Engrossed: SB18-247, 248, and 255.
Correctly Reengrossed: SB18-219 and 226.
Correctly Revised: HB18-1152, 1174, 1280, 1307, 1344, 1348, 1371, 1372, and 1374; HJR18-1012 and 1019.
Correctly Rerevised: HB18-1252, 1295, and 1355.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Upon request of Majority Leader Holbert, **HB18-1307** and **HB18-1174** were removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, April 26, and were placed at the end of the Third Reading of Bills--Final Passage Calendar of Thursday, April 26.

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:

HB18-1348 by Representative(s) Singer and Landgraf; also Senator(s) Gardner and Kefalas--Concerning families involved in the child welfare system, and, in connection therewith, prioritizing services and providing support for foster parents.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

HB18-1344 by Representative(s) Weissman and Sias; also Senator(s) Coram and Moreno--Concerning relief from collateral consequences of criminal actions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan, Priola, and Tate.

HB18-1280 by Representative(s) Melton; also Senator(s) Coram--Concerning regulatory procedures related to the appointment of a court appointee for a regulated marijuana business, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Marble, Neville T., Priola, Scott, and Tate.

HB18-1372 by Representative(s) Esgar and Becker J., Hansen; also Senator(s) Kefalas--Concerning an exemption of the regional center depreciation account in the capital construction fund from the definition of cash fund for purposes of the requirements under the automatic cash fund funding mechanism for payment of future costs attributable to certain of the state's capital assets.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno.

HB18-1371 by Representative(s) Esgar and Becker J., Hansen; also Senator(s) Kefalas and Baumgardner, Sonnenberg--Concerning capital construction budget items, and, in connection therewith, codifying the three-year period that capital construction budget items remain available and clarifying the deadlines for the submission of capital construction budget requests, budget request amendments, and budget request amendments that are related to a request for a supplemental appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Tate.

HB18-1374 by Representative(s) Hansen and Esgar, Becker J.; also Senator(s) Kefalas and Baumgardner, Sonnenberg--Concerning controlled maintenance needs of real property acquired through a lease-purchase agreement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

SB18-248 by Senator(s) Martinez Humenik; also Representative(s) Lawrence and Gray--Concerning the treatment under statutory provisions governing tax increment financing of revenues received by an urban renewal authority following certain voter-approved revenue increases.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas and Tate.

SB18-247 by Senator(s) Gardner; also Representative(s) Landgraf--Concerning the creation of a fund to pay for the continuation of certain benefits for dependents of certain local government public safety employees who die in a work-related death.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fields, Garcia, Grantham, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, 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:

HB18-1152 by Representative(s) Lawrence; also Senator(s) Cooke--Concerning making certain records of the state judicial department relating to sexual harassment investigations subject to the Colorado open records act.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Fields, Gardner, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Moreno, Neville T., Priola, and Smallwood.

SB18-255 by Senator(s) Tate; also Representative(s) Arndt and Hooton--Concerning the use of electronic formats in the issuance of certificates of title for vehicles.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fields, Jahn, Kefalas, Lambert, Marble, Neville T., Priola, Scott, Smallwood, Todd, Williams A., and Zenzinger.

HB18-1307 by Representative(s) Singer and Lee; also Senator(s) Gardner and Cooke--Concerning restricting the availability to children of products that contain dextromethorphan.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Crowder, and Priola.

HB18-1174 by Representative(s) Arndt and Gray, Van Winkle, Winter; also Senator(s) Priola--Concerning the continuation under the sunset law of the board of mortgage loan originators, and, in connection therewith, adopting the legislative recommendations of the department of regulatory agencies as contained in the department's sunset report.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1381 and HB18-1360, were made Special Orders--Consent Calendar at 10:07 a.m.

Committee of the Whole

The hour of 10:07 a.m. having arrived, Senator Smallwood 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 Smallwood 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:

HB18-1381 by Representative(s) Gray and Van Winkle, Michaelson Jenet, Bridges, Buckner, Catlin, Coleman, Hansen, Hooton, Kennedy, Landgraf, Liston, Lontine, Pettersen, Roberts, Singer, Winkler; also Senator(s) Neville T. and Jahn, Fenberg, Guzman, Kerr, Marble, Moreno, Priola--Concerning operations related to the sale of medical marijuana in the regulated medical marijuana market, and, in connection therewith, moving from the seventy percent own source requirement to a one-year transition period of fifty percent own source requirement to an elimination of the own source requirement.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1360 by Representative(s) Winter and Lawrence, Valdez; also Senator(s) Martinez Humenik and Todd, Coram--Concerning the expansion of the number of directors on the board of directors of the state historical society.

Amendment No. 1, Local Government Committee Amendment.
(Printed in Senate Journal, April 25, page 883 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1381, HB18-1360 as amended.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SCR18-002 by Senator(s) Gardner; also Representative(s) Landgraf--Submitting to the registered electors of the state of Colorado an amendment to section 19 of article II of the constitution of the state of Colorado concerning denying the right to bail to a person who is charged with a serious criminal offense while in the United States illegally.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-235 by Senator(s) Coram; also Representative(s) Arndt--Concerning the creation of the Colorado industrial hemp research and development authority.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, April 13, page 756 and placed in members' bill files.)

Amendment No. 2(L.002), by Senator Coram.

Amend printed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** 35-61-108.5 as follows:

35-61-108.5. Colorado industrial hemp research and development task force - legislative declaration - definitions - reporting - repeal. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE CONTINUED AND INCREASED PRODUCTION AND EFFICIENT USE OF INDUSTRIAL HEMP WILL PLAY A CENTRAL ROLE IN THE FUTURE OF THIS STATE AND THE NATION AS A WHOLE;

(b) THE DEVELOPMENT, PRODUCTION, AND EFFICIENT USE OF INDUSTRIAL HEMP WILL:

(I) ADVANCE THE SECURITY, ECONOMIC WELL-BEING, AND PUBLIC AND ENVIRONMENTAL HEALTH OF THIS STATE; AND

(II) CONTRIBUTE TO THE AGRICULTURAL INDEPENDENCE OF OUR NATION; AND

(c) A TASK FORCE SHOULD BE ASSEMBLED TO STUDY WHETHER TO CREATE AN INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT AUTHORITY TO DEVELOP, FUND, AND PROMOTE EDUCATIONAL, RESEARCH, AND DEVELOPMENT PROGRAMS AND COLLABORATIVE EFFORTS CONCERNING INDUSTRIAL HEMP.

(2) THERE IS HEREBY CREATED A COLORADO INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT TASK FORCE TO STUDY WHETHER TO CREATE AN INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT AUTHORITY, WHICH AUTHORITY, IF CREATED, MIGHT BE AUTHORIZED TO ENGAGE IN SOME OR ALL OF THE FOLLOWING ACTIVITIES:

(a) APPLYING FOR FEDERAL FUNDING, AND DISBURSING MATCHING STATE FUNDS, FOR INDUSTRIAL HEMP EDUCATION, RESEARCH, OR DEVELOPMENT PROJECTS THROUGHOUT COLORADO;

(b) IN COLLABORATION WITH STAKEHOLDERS, DEVELOPING EDUCATIONAL AND RESEARCH PROGRAMS FOR ONE OR MORE COLORADO INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE A PIPELINE FOR HIGH-TECHNOLOGY EMPLOYMENT OPPORTUNITIES FOR COLORADO STUDENTS AND RESIDENTS;

(c) PROMOTING ACTIVITIES AUTHORIZED PURSUANT TO SECTION 7606 OF THE FEDERAL ACT AUTHORIZING INDUSTRIAL HEMP RESEARCH AND PILOT PROGRAMS;

(d) PROMOTING THE RAPID TRANSFER OF NEW TECHNOLOGIES DEVELOPED BY THE PRIVATE SECTOR TO ATTRACT AND PROMOTE INDUSTRIAL HEMP BUSINESS IN COLORADO;

(e) DEVELOPING A REGIONAL CLEARINGHOUSE FOR INDUSTRIAL HEMP INFORMATION AND RESEARCH TO BE MADE AVAILABLE TO THE GENERAL PUBLIC AND TO ENGINEERING, ARCHITECTURAL, ENERGY, NUTRITIONAL, HEALTH, AND AGRICULTURAL PROFESSIONALS;

(f) SUPPORTING THE DEVELOPMENT OF PUBLIC-PRIVATE PARTNERSHIPS CONCERNING INDUSTRIAL HEMP, INCLUDING PARTNERSHIPS TO FUND ANY JOINT INSTITUTE OR OTHER ENTITY FORMED FOR THE COLLABORATIVE PURSUIT OF INDUSTRIAL HEMP RESEARCH, ECONOMIC DEVELOPMENT, OR DATA COLLECTION; AND

(g) APPLYING FOR ONE OR MORE COMPETITIVE GRANTS FROM NIFA AND, AS A PART OF ANY SUCH APPLICATION, SEEKING DESIGNATION AS A CENTER OF EXCELLENCE FROM NIFA.

(3) (a) THE TASK FORCE CONSISTS OF THE FOLLOWING EIGHT MEMBERS:

(I) THREE MEMBERS JOINTLY APPOINTED BY THE CHAIRS OF THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE, OR THEIR SUCCESSOR COMMITTEES, AS RECOMMENDED BY THE INDUSTRIAL HEMP COMMITTEE CREATED IN SECTION 35-61-103;

(II) A REPRESENTATIVE OF THE DEPARTMENT, AS APPOINTED BY THE COMMISSIONER;

(III) A REPRESENTATIVE OF THE COLORADO STATE UNIVERSITY SYSTEM, AS APPOINTED BY ITS BOARD OF GOVERNORS;

(IV) A REPRESENTATIVE OF THE UNIVERSITY OF COLORADO AT BOULDER, AS APPOINTED BY ITS BOARD OF REGENTS;

(V) A REPRESENTATIVE OF COLORADO MESA UNIVERSITY, AS APPOINTED BY ITS BOARD OF TRUSTEES; AND

(VI) A REPRESENTATIVE OF A NATIONWIDE OR STATEWIDE NONPROFIT INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT

ORGANIZATION THAT IS JOINTLY CHOSEN BY THE COMMITTEE CHAIRS DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS SECTION, AS APPOINTED BY THE ORGANIZATION'S BOARD OF DIRECTORS.

(b) MEMBERS OF THE TASK FORCE SERVE WITHOUT COMPENSATION.

(4) ON OR BEFORE DECEMBER 31, 2018, THE TASK FORCE SHALL PREPARE A REPORT SUMMARIZING THE TASK FORCE'S STUDY FINDINGS AND RECOMMENDATIONS AND SUBMIT A COPY OF THE REPORT TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION 24-48.5-101 AND TO THE COMMITTEES DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS SECTION.

(5) AS USED IN THIS SECTION:

(a) "CENTER OF EXCELLENCE" MEANS A CENTER OF EXCELLENCE FOR FOOD AND AGRICULTURAL RESEARCH, EDUCATION, AND EXTENSION, AS DESIGNATED BY NIFA PURSUANT TO SECTION 7214 OF THE FEDERAL ACT AND 7 CFR 3430.16.

(b) "FEDERAL ACT" MEANS THE "AGRICULTURAL ACT OF 2014", PUB.L. 113-79, AS AMENDED.

(c) "NIFA" MEANS THE NATIONAL INSTITUTE OF FOOD AND AGRICULTURE IN THE UNITED STATES DEPARTMENT OF AGRICULTURE.

(6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-266 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning controlling costs under the "Colorado Medical Assistance Act", and, in connection therewith, using data and technology, creating a hospital review program, and making and reducing an appropriation.

Laid over until Friday, April 27, retaining its place on the calendar.

SB18-229 by Senator(s) Martinez Humenik; also Representative(s) Ransom and McLachlan--Concerning criminal history record checks for educator preparation program students seeking field experiences in schools.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 18, pages 805-806 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page 864 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-254 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young and Rankin, Hamner--Concerning reforms to child welfare services.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, pages 864-865 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-253 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the effective date to transition the department of revenue's CSTARS account to the department of revenue's DRIVES vehicle services account.

Ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1258 by Representative(s) Singer and Melton, Herod; also Senator(s) Neville T. and Fenberg, Marble--Concerning authorization for an endorsement to an existing marijuana license to allow for a marijuana accessory consumption establishment for the purposes of consumer education, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 18, page 798 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, pages 866-867 and placed in members' bill files.)

Amendment No. 3(L.023), by Senator Neville.

Amend reengrossed bill, page 6, strike line 2 and substitute "ENDORSEMENT FOR A LOCATION THAT IS WITHIN ONE".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-167 by Senator(s) Scott and Donovan, Martinez Humenik; also Representative(s) Winter and Saine, Becker J.--Concerning increased enforcement of requirements related to the location of underground facilities.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, February 23, pages 303-305 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, March 2, pages 349-350 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page 866 and placed in members' bill files.)

Amendment No. 4(L.017), by Senator Donovan.

Amend printed bill, page 15, line 17, strike "**1**" and substitute "**2**".

Page 18 of the bill, line 10, strike "ARTICLE 1.5" and substitute "SECTION AND SECTIONS 9-1.5-104.4, 9-1.5-104.7, AND 9-1.5-104.8".

Page 18 of the bill, line 20, after the period add "A PERSON WHO BRINGS A FRIVOLOUS COMPLAINT, AS DETERMINED BY THE SAFETY COMMISSION, COMMITS A MINOR VIOLATION AND IS SUBJECT TO A FINE AS AUTHORIZED BY SECTION 9-1.5-104.4.".

Page 19 of the bill, line 23, after the period insert "THE REVIEW COMMITTEE SHALL NOT RECOMMEND REMEDIAL ACTION OR A FINE AGAINST A HOMEOWNER, RANCHER, OR FARMER, AS DEFINED IN SECTION 42-20-108.5, UNLESS THE REVIEW COMMITTEE FINDS BY CLEAR AND CONVINCING EVIDENCE THAT A VIOLATION OF THE LAW HAS OCCURRED.".

Page 28 of the bill, line 22, strike "**1**" and substitute "**2**".

Amend the Transportation Committee Report, dated February 22, 2018, page 1, after line 3 insert:

"Page 4 of the bill, line 14, strike "CULTIVATION FOR AGRICULTURAL PURPOSES" and substitute "EXISTING AGRICULTURAL ACTIVITY".".

Page 1 of the report, line 5, strike "ROOT REMOVAL;"." and substitute "DEEP ROOT REMOVAL OF TREES OR SHRUBS;.".

Page 1 of the report, strike lines 6 through 8 and substitute:

"Page 4 of the bill, strike lines 17 and 18 and substitute:

"(III) ROUTINE MAINTENANCE OF:

(A) AN EXISTING IRRIGATION FACILITY IF THE FACILITY HAS BEEN SUBJECTED TO MAINTENANCE IN THE PREVIOUS TWENTY-FOUR MONTHS; OR

(B) EXISTING FENCE LINES.".".

Page 3 of the report, strike lines 29 and 30 and substitute:

"(XIV) ONE INDIVIDUAL NOMINATED BY THE COMMISSIONER OF AGRICULTURE WHO IS ACTIVELY ENGAGED IN FARMING OR RANCHING.".".

Amendment No. 5(L.006), by Senator Scott.

Amend the Transportation Committee Report, dated February 22, 2018, page 1, after line 10 insert:

"Page 5 of the printed bill, line 11, strike "THOSE TERMS ARE" and substitute "THAT TERM IS".".

Page 1 of the committee report, strike line 13 and substitute "CONSTRUCTION AND DOES NOT INVOLVE PRIMARILY THE CONSTRUCTION OF BUILDINGS;".".

Amend printed bill, page 16, line 9, strike "OR MUNICIPALITY," and substitute "MUNICIPALITY, OR POWER AUTHORITY ESTABLISHED PURSUANT TO SECTION 29-1-204 (1),".

Page 16 of the bill, line 13, strike "OR MUNICIPALITY;" and substitute "MUNICIPALITY, OR POWER AUTHORITY;".

Page 16 of the bill, line 16, strike "OR".

Page 16 of the bill, line 17, strike "MUNICIPALITY" and substitute "MUNICIPALITY, OR POWER AUTHORITY".

Page 16 of the bill, line 19, strike "OR MUNICIPALITY," and substitute "MUNICIPALITY, OR POWER AUTHORITY,".

Page 16 of the bill, line 21, strike "OR MUNICIPALITY" and substitute "MUNICIPALITY, OR POWER AUTHORITY".

Page 16 of the bill, line 24, strike "OR MUNICIPALITY" and substitute "MUNICIPALITY, OR POWER AUTHORITY ESTABLISHED PURSUANT TO SECTION 29-1-204 (1)".

Page 20 of the bill, line 6, strike "NINE" and substitute "TWELVE".

Page 26 of the bill, line 4, after "(2.1)" insert "(a)".

Page 26 of the bill, after line 5 insert:

"(b) ON OR BEFORE MARCH 1, 2020, THE NOTIFICATION ASSOCIATION SHALL PROVIDE A REPORT TO THE SENATE TRANSPORTATION COMMITTEE AND THE HOUSE OF REPRESENTATIVES TRANSPORTATION AND ENERGY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, ABOUT ITS EFFORTS TO PREPARE FOR TIER TWO MEMBERS TRANSITIONING TO TIER ONE MEMBERSHIP. THE REPORT MUST INCLUDE, BUT NEED NOT BE LIMITED TO, THE STEPS THAT HAVE BEEN IMPLEMENTED TO ENSURE EFFICIENCIES IN NOTIFICATION PROCEDURES AND OPERATIONS, A COST ANALYSIS OF

THE TRANSITION, AND INFORMATION REGARDING ANY NEW TECHNOLOGICAL ADVANCES ADOPTED TO IMPROVE EFFICIENCIES. IN PREPARING THE REPORT, THE NOTIFICATION ASSOCIATION SHALL SOLICIT INPUT FROM MEMBERS.".

Page 28 of the bill, after line 14 insert:

"**SECTION 7.** In Colorado Revised Statutes, **add** 9-1.5-108 as follows:

9-1.5-108. Repeal - sunset review. (1) THIS SECTION AND SECTIONS 9-1.5-104.2, 9-1.5-104.4, 9-1.5-104.7, AND 9-1.5-104.8 ARE REPEALED, EFFECTIVE SEPTEMBER 1, 2028.

(2) BEFORE THE REPEAL, THE FUNCTIONS OF THE UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION RELATED TO UNDERGROUND FACILITIES SPECIFIED IN SECTIONS 9-1.5-104.2, 9-1.5-104.4, 9-1.5-104.7, AND 9-1.5-104.8 ARE SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

SECTION 8. In Colorado Revised Statutes, 24-34-104, **add** (29)(a)(III) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (29) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2018:

(III) THE FUNCTIONS OF THE UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION RELATED TO UNDERGROUND FACILITIES SPECIFIED IN SECTIONS 9-1.5-104.2, 9-1.5-104.4, 9-1.5-104.7, AND 9-1.5-104.8.".

Renumber succeeding sections accordingly.

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders--Second Reading of Bills Calendar (HB18-1256, HB18-1155, HB18-1070, SB18-261) of Thursday, April 26, was laid over until Friday, April 27, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SCR18-002, SB18-235 as amended, SB18-229 as amended, SB18-254 as amended, SB18-253, SB18-167 as amended, HB18-1258 as amended.
Laid over until Friday, April 27: SB18-266, HB18-1256, HB18-1155, HB18-1070, SB18-261.

CONSIDERATION OF RESOLUTIONS

HJR18-1013 by Representative(s) Kraft-Tharp and Lee; also Senator(s) Gardner and Martinez Humenik--Concerning recognition of the work of the Colorado Juvenile Justice and Delinquency Prevention Council, and, in connection therewith, directing the Council to redraft article 2 of the Colorado Children's Code.

On motion of Senator Martinez Humenik, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF REVENUE

effective July 31, 2017 for a term expiring at the pleasure of the Governor:

Michael Scott Hartman of Denver, Colorado, and occasioned by the resignation of Barbara J. Brohl of Lakewood, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO HOUSING AND FINANCE AUTHORITY
BOARD OF DIRECTORS

for terms expiring July 1, 2021:

Amber L. Hills of Lakewood, Colorado, to serve as an individual experienced in mortgage banking transactions, appointed;

Paul Eric Washington of Boulder, Colorado, to serve as a public member, reappointed;

Steven Hutt of Denver, Colorado, to serve as a public member, reappointed;

Jody M. Kole of Grand Junction, Colorado, to serve as a public member, reappointed.

Jennifer Glau Lopez of Durango, Colorado, to serve as a person experienced in real estate transactions, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB18-179

****
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 SB18-179, concerning adjustments to total gross purchases for purposes of calculating the excise tax on tobacco products, 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 2, line 18, strike "or distributor" and substitute "~~or distributor~~".

Page 2, lines 18 and 19, strike "or other tobacco products" and substitute "~~or other tobacco products~~".

Page 4, line 8, strike "ONLY".

Page 1, line 103, strike "**PRODUCTS.**" and substitute "**PRODUCTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Page 5, strike lines 22 through 27.

Page 6, strike lines 1 through 4 and substitute:

"**SECTION 5. Appropriation.** (1) For the 2017-18 state fiscal year, $39,039 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $14,999 for use by the executive director's office for personal services, which amount is based on an assumption that the office will require an additional 0.2 FTE;

(b) $22,840 for tax administration IT system (GenTax) support; and

(c) $1,200 for the purchase of document management services.

(2) For the 2017-18 state fiscal year, $1,200 is appropriated to the department of personnel. This appropriation is from reappropriated funds received from the department of revenue under subsection (1)(c) of this section. To implement this act, the department of personnel may use this appropriation to provide document management services for the department of revenue.

(3) (a) Any money appropriated in subsection (1) of this section not expended prior to July 1, 2018, is further appropriated to the department of revenue for the 2018-19 state fiscal year for the same purposes.

(b) Any money appropriated in subsection (2) of this section not expended prior to July 1, 2018, is further appropriated to the department of personnel for the 2018-19 state fiscal year for the same purpose.

SECTION 6. Effective date. This act takes effect upon passage; except that section 4 of this act takes effect July 1, 2018.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Respectfully submitted,

Senate Committee:	House Committee:
Owen Hill, Chair	Edie Hooton, Chair
John Cooke	Dan Pabon
Angela Williams	Kevin Van Winkle

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Legislative Council — After consideration on the merits, the Committee recommends that **HB18-1003** be referred to the Committee on Appropriations with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **SCR18-004** be referred to the Committee on Appropriations with favorable recommendation.

Legislative Council — After consideration on the merits, the Committee recommends that **SCR18-005** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1004** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1217** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1342** 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 **HB18-1184** be referred to the Committee of the Whole with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1354** 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 7, after "(1)(a)" insert "and (1)(x)(I) introductory portion".

Page 2, after line 13 insert:

"(x) (I) To sell or offer to sell new powersports vehicles to a franchised ~~motor~~ POWERSPORTS vehicle dealer with whom the manufacturer has a franchise agreement at a lower actual price than the actual price offered to any other powersports vehicle dealer with whom the manufacturer has a franchise agreement for the same ~~motor~~ POWERSPORTS vehicle similarly equipped; except that this subsection (1)(x) does not apply to:".

Finance

After consideration on the merits, the Committee recommends that **SB18-260** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the Education Committee Report, dated April 25, 2018, page 1, line 3, strike "THE" and substitute "NOTWITHSTANDING".

Page 1, strike lines 4 and 5.

Finance

After consideration on the merits, the Committee recommends that **SB18-271** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, line 22, strike "~~if permitted by the local jurisdiction~~" and substitute "if permitted by the local jurisdiction AND".

Page 5, line 21, strike "2018-19," and substitute "~~2018-19~~ 2022-23,".

Page 5, line 26, strike "(1)(d)" and substitute "(17)(d)".

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY BOARD OF DIRECTORS

effective June 30, 2017 for terms expiring June 30, 2021:

Randall J. Baum, CFA of Aurora, Colorado, a Republican, reappointed;

Tamara Katherine Vincelette of Denver, Colorado, a Democrat, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2021:

Tony Carroll Williams of Centennial, Colorado, a person with appropriate scientific and technical training or experience, and a Democrat, appointed;

Thomas Roy Gonzales of Colorado Springs, Colorado, a person with appropriate scientific training or experience, and a Democrat, appointed;

Curtis Otto Rueter of Westminster, Colorado, a person with appropriate technical and industrial training or experience, and a Republican, reappointed.

Health & Human Services

The Committee on Health & Human Services has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2020:

Deborah J. Kenny, PhD, RN, FAAN of Larkspur, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed;

Heather Ann Meyer of Fort Collins, Colorado, to serve as a parent representative, appointed.

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1346** 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 5, strike "**staffing.**" and substitute "**staffing - definition.**".

Page 2, strike lines 7 through 9 and substitute:

"(g) (I) TO STUDY WHETHER EXISTING CRIMINAL STATUTES ADDRESS ABUSE OF A CHILD OR YOUTH IN A FACILITY AND ISSUE CORRESPONDING RECOMMENDATIONS CONCERNING ANY IDENTIFIED GAPS IN LAW THAT MAY NEED TO BE ADDRESSED. ON OR BEFORE JULY 1, 2019, THE COMMISSION SHALL".

Page 2, after line 14 insert:

"(II) FOR PURPOSES OF THIS SUBSECTION (2)(g), "FACILITY" MEANS A RESIDENTIAL CHILD CARE FACILITY, SPECIALIZED GROUP FACILITY, FOSTER CARE HOME, FAMILY CHILD CARE HOME, OR ANY OTHER FACILITY SUBJECT TO THE COLORADO "CHILD CARE LICENSING ACT", PART 1 OF ARTICLE 6 OF TITLE 26; NONCERTIFIED KINSHIP CARE PROVIDERS THAT PROVIDE CARE FOR CHILDREN WITH AN OPEN CHILD WELFARE CASE WHO ARE IN THE LEGAL CUSTODY OF A COUNTY DEPARTMENT; OR A FACILITY OR COMMUNITY PLACEMENT, AS DESCRIBED IN SECTION 19-2-403, FOR A JUVENILE COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES. "FACILITY" DOES NOT INCLUDE ANY ADULT DETENTION OR CORRECTIONAL FACILITY.".

Page 3, line 1, before "PERSON" insert "CHILD OR A".

Page 3, line 3, strike "COURT." and substitute "COURT PURSUANT TO THIS TITLE 19.".

Page 3, strike lines 12 through 18 and substitute "CHILD CARE FACILITY, SPECIALIZED GROUP FACILITY, FOSTER CARE HOME, FAMILY CHILD CARE HOME, OR ANY OTHER FACILITY SUBJECT TO THE COLORADO "CHILD CARE LICENSING ACT", PART 1 OF ARTICLE 6 OF TITLE 26; NONCERTIFIED KINSHIP CARE PROVIDERS THAT PROVIDE CARE FOR CHILDREN WITH AN OPEN CHILD WELFARE CASE WHO ARE IN THE LEGAL CUSTODY OF A COUNTY DEPARTMENT; OR A FACILITY OR COMMUNITY PLACEMENT, AS DESCRIBED IN SECTION 19-2-403, FOR A JUVENILE COMMITTED TO THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES. "FACILITY" DOES NOT INCLUDE ANY ADULT DETENTION OR CORRECTIONAL FACILITY.".

Health & Human Services

After consideration on the merits, the Committee recommends that **HB18-1302** 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:

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2020:

Timothy Guerrero of Erie, Colorado, to serve as a representative of a private occupational school, and occasioned by the death of Robert Earl Martin of Wheat Ridge, Colorado, appointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for terms expiring December 31, 2021:

Daniel Villanueva of Pagosa Springs, Colorado, an Unaffiliated from the Third Congressional District, appointed;

Maria-Vittoria Carminati of Centennial, Colorado, a Democrat from the Sixth Congressional District, appointed.

Education After consideration on the merits, the Committee recommends that **HB18-1266** be referred to the Committee on Appropriations with favorable recommendation.

Education After consideration on the merits, the Committee recommends that **SB18-215** be postponed indefinitely.

Education After consideration on the merits, the Committee recommends that **HB18-1379** be referred to the Committee on Appropriations with favorable recommendation.

MESSAGE FROM THE HOUSE

April 26, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1368.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1019, 1387, amended as printed in House Journal, April 25, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1276, amended as printed in House Journal, April 25, 2018, and amended on Third Reading as printed in House Journal, April 26, 2018.

The House has passed on Third Reading and returns herewith SB18-208.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-156, 056, 166, 007, 085, 158, amended as printed in House Journal, April 25, 2018.

The House has postponed indefinitely SB18-197, 185, 052. The bills are returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 26, 2018

We herewith transmit:

Without comment, HB18-1368.
Without comment, as amended, HB18-1276 and 1387.
Without comment, as amended, SB18-007, 056, 085, 156, 158, and 166.
With comment, as amended, HB18-1019.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1019 by Representative(s) Foote; also Senator(s) Priola--Concerning criteria applied in determining performance ratings for entities in the elementary and secondary public education system, and, in connection therewith, making an appropriation.
Finance

HB18-1276 by Representative(s) Salazar, Benavidez, Buckner, Coleman, Danielson, Duran, Esgar, Exum, Foote, Ginal, Herod, Jackson, Lontine, Melton, Pabon, Roberts, Rosenthal, Winter; also Senator(s) Fields--Concerning teaching civil government in public schools, and, in connection therewith, establishing the history, culture, and civil government in education commission to make recommendations to include the history, culture, and contributions of American Indians, Hispanic Americans, African Americans, and Asian Americans in the teaching and content standards for history and civics, and making an appropriation.
State, Veterans, & Military Affairs

HB18-1368 by Representative(s) Danielson and Melton; also Senator(s) Merrifield and Moreno--Concerning the repeal of the prohibitions on local governments enacting minimum wage laws.
State, Veterans, & Military Affairs

HB18-1387 by Representative(s) Rankin; also Senator(s) Moreno--Concerning the elimination of refund interest for a property tax abatement that is the result of an error in an oil and gas owner or operator statement.
Finance

COMMITTEE ASSIGNMENT

April 26, 2018

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Daniel Kagan replacing Senator Lois Court to serve on Finance Committee effective April 30, 2018.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate Minority Leader

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, April 26, 2018, at 3:25 p.m.:
SB18-076, 132, 143, 144, 177, 178, and 207.

On motion of Senator Lambert, the Senate adjourned until 9:00 a.m., Friday, April 27, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

108th Legislative Day — Friday, April 27, 2018

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Garcia.

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Austin Tupa, Coal Creek Elementary, and Bella Groelz, Eldorado K-8 Boulder Valley.

Reading of the Journal — On motion of Senator Priola, reading of the Journal of Thursday, April 26, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be referred to the Committee on State, Veterans, & Military Affairs:

MEMBER OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for a term expiring November 1, 2021:

Michael Angelo Cafasso of Pueblo, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, who has expertise in finance through management-level experience in banking, reappointed.

Agriculture, Natural Resources, & Energy — The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be referred to the Committee on State, Veterans, & Military Affairs:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

Carrie Besnette Hauser of Glenwood Springs, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of Christopher James Castilian of Denver, Colorado, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the Senate not approve the confirmation:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

James George Spehar of Grand Junction, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of William G. Kane of Basalt, Colorado, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2021:

Marvin Edward McDaniel of Sedalia, Colorado, as a member at large, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2021:

William Joseph Hybl of Colorado Springs, Colorado, a Republican residing in the Fifth Congressional District, reappointed;

Michelle Rene Brown of Pueblo West, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, appointed.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2021:

Marie E. Haskett of Meeker, Colorado, as a representative of sports persons and outfitters and west of the Continental Divide, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB18-245** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-167, 229, 235, 253, and 254; SCR18-002.
Correctly Reengrossed: SB18-247, 248, and 255.
Correctly Revised: HB18-1258, 1360, and 1381; HJR18-1013.
Correctly Rerevised: HB18-1152, 1174, 1280, 1307, 1344, 1348, 1371, 1372, and 1374.
Correctly Enrolled: SB18-208.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR18-1014 by Representative(s) Michaelson Jenet and McKean; also Senator(s) Todd and Cooke--Concerning the declaration of April 9, 2018, through April 13, 2018, as "Holocaust Awareness Week".

On motion of Senator Cooke, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1381 by Representative(s) Gray and Van Winkle, Michaelson Jenet, Bridges, Buckner, Catlin, Coleman, Hansen, Hooton, Kennedy, Landgraf, Liston, Lontine, Pettersen, Roberts, Singer, Winkler; also Senator(s) Neville T. and Jahn, Fenberg, Guzman, Kerr, Marble, Moreno, Priola--Concerning operations related to the sale of medical marijuana in the regulated medical marijuana market, and, in connection therewith, moving from the seventy percent own source requirement to a one-year transition period of fifty percent own source requirement to an elimination of the own source requirement.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB18-1360 by Representative(s) Winter and Lawrence, Valdez; also Senator(s) Martinez Humenik and Todd, Coram--Concerning the expansion of the number of directors on the board of directors of the state historical society.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fenberg, Kerr, Merrifield, Tate, 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:

SCR18-002 by Senator(s) Gardner; also Representative(s) Landgraf--Submitting to the registered electors of the state of Colorado an amendment to section 19 of article II of the constitution of the state of Colorado concerning denying the right to bail to a person who is charged with a serious criminal offense while in the United States illegally.

The question being "Shall the concurrent resolution pass?", the roll call was taken with the following result:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	E	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

Less than a constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **lost**.

SB18-235 by Senator(s) Coram; also Representative(s) Arndt--Concerning the creation of the Colorado industrial hemp research and development authority.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Guzman, Kagan, Kefalas, Kerr, Merrifield, Tate, Todd, and Williams A.

SB18-229 by Senator(s) Martinez Humenik; also Representative(s) Ransom and McLachlan--Concerning criminal history record checks for educator preparation program students seeking field experiences 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Holbert, Jahn, Jones, Kefalas, Kerr, Merrifield, Neville T., Priola, Tate, Todd, Williams A., and Zenzinger.

SB18-254 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young and Rankin, Hamner--Concerning reforms to child welfare services, 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fields, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Tate, Todd, Williams A., and Zenzinger.

SB18-253 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning the effective date to transition the department of revenue's CSTARS account to the department of revenue's DRIVES vehicle services account.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner, Martinez Humenik, and Tate.

HB18-1258 by Representative(s) Singer and Melton, Herod; also Senator(s) Neville T. and Fenberg, Marble--Concerning authorization for an endorsement to an existing marijuana license to allow for a marijuana accessory consumption establishment for the purposes of consumer 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	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	N
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Moreno.

SB18-167 by Senator(s) Scott and Donovan, Martinez Humenik; also Representative(s) Winter and Saine, Becker J.--Concerning increased enforcement of requirements related to the location of underground facilities, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Crowder, Fenberg, Grantham, Holbert, Jahn, Kagan, Kefalas, Lambert, Marble, Merrifield, Neville T., Priola, Smallwood, Sonnenberg, and Tate.

Upon request of Majority Leader Holbert, **SB18-268** was removed from the General Orders--Second Reading of Bills--Consent Calendar of Friday, April 27, and was placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, April 27.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-266 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning controlling costs under the "Colorado Medical Assistance Act", and, in connection therewith, using data and technology, creating a hospital review program, and making and reducing an appropriation.

Amendment No. 1(L.002), by Senator Lundberg.

Amend printed bill, page 4, line 3, after "IMPLEMENTING" insert "AND REPORTING ON".

Page 4, line 6, after "FEEDBACK" insert "AND MAKE RECOMMENDATIONS".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1256 by Representative(s) Duran and Herod, Benavidez, Foote, Lee, Melton, Salazar, Weissman; also Senator(s) Gardner--Concerning continuation of the regulation of civil rights issues, and, in connection therewith, implementing the recommendation in the department of regulatory agencies' 2017 sunset review and report on the Colorado civil rights division and the Colorado civil rights commission to continue the division and commission and making an appropriation.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 19, pages 816-819 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page 867 and placed in members' bill files.)

Amendment No. 3(L.012), by Senators Williams, Kagan, and Gardner.

Amend the Judiciary Committee Report, dated April 18, 2018, page 1, line 14, strike "and (3)" and substitute "(3), and (5)".

Page 2, line 12, strike "EIGHT" and substitute "NINE".

Page 2, line 13, strike "FOUR" and substitute "FIVE".

Page 2, lines 13 and 14, strike "GOVERNOR WITH THE CONSENT OF THE SENATE;" and substitute "GOVERNOR;".

Page 2, strike lines 26 and 27 and substitute:

"(A) TWO MEMBERS FROM OR REPRESENTING LABOR UNIONS OR SIMILAR EMPLOYEE ASSOCIATIONS THAT REPRESENT MEMBERS IN".

Page 2, line 30, after "FIVE" insert "BUT LESS THAN FIFTY".

Page 2, line 32, strike "TWENTY-FIVE" and substitute "FIFTY".

Page 2, strike lines 33 and 34 and substitute:

"(D) ONE MEMBER REPRESENTING A STATE OR LOCAL GOVERNMENT ENTITY;

(E) ONE MEMBER REPRESENTING A STATEWIDE CHAMBER OF COMMERCE OR OTHER STATEWIDE ORGANIZATION REPRESENTING BUSINESS AND INDUSTRY; AND".

Reletter succeeding sub-subparagraph accordingly.

Page 2, strike line 37 and substitute "TO (1)(c)(II)(F) OF THIS SECTION:

(A) AT LEAST FIVE".

Page 2, line 41, strike "AGE." and substitute "AGE; AND

(B) SIX MEMBERS MUST BE AFFILIATED WITH A MAJOR POLITICAL PARTY, WITH THREE FROM EACH MAJOR POLITICAL PARTY, AND THREE MEMBERS MUST BE UNAFFILIATED WITH ANY POLITICAL PARTY. A MEMBER MUST HAVE BEEN REGISTERED WITH THE SAME POLITICAL PARTY OR UNAFFILIATED WITH A POLITICAL PARTY FOR AT LEAST TWO YEARS PRIOR TO THE MEMBER'S APPOINTMENT TO THE COMMISSION.".

Page 3, line 2, strike "NO MORE THAN".

Page 3, strike lines 3 through 8.

Page 3, lines 18 and 19, strike "COMMISSIONER, WITH GOVERNOR APPOINTMENTS SUBJECT TO CONSENT OF THE SENATE." and substitute "COMMISSIONER.".

Page 3, strike lines 25 through 41 and substitute:

"(5) The commission may adopt, amend, or rescind rules for governing its meetings. ~~Four~~ A MAJORITY OF commissioners ~~shall constitute~~ APPOINTED TO THE COMMISSION CONSTITUTES a quorum for purposes of conducting the business of the commission.".".

Strike pages 4 and 5.

Page 6, strike lines 1 through 33.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1155 by Representative(s) Singer and Liston, Catlin, Ginal, Hooton; also Senator(s) Martinez Humenik--Concerning the continuation of the physical therapy board, and, in connection therewith, implementing the recommendations contained in the 2017 sunset review and report by the department of regulatory agencies.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 16, page 762 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 18, page 797 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page 867 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1070 by Representative(s) Young and Wist; also Senator(s) Scott and Zenzinger--Concerning an increase in the amount of financial assistance that can be provided for public school capital construction under the "Building Excellent Schools Today Act", 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 authorized for lease-purchase agreements entered into under the act, and making an appropriation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 19, page 819 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 24, page 867 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-261 by Senator(s) Marble; also Representative(s) Hooton and Ransom--Concerning adding a condition for which a physician could prescribe an opiate for pain to the list of disabling medical conditions for medical marijuana use.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-268 by Senator(s) Scott and Moreno; --Concerning the scope of the authority of the department of transportation to award a design bid build highway project contract in an amount that exceeds the estimate of the department on the project.

Ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-266 as amended, SB18-261, SB18-268, HB18-1256 as amended, HB18-1155 as amended, HB18-1070 as amended.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **SCR18-004** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SCR18-005** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1003** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 12, line 24, strike "$675,000" and substitute "$925,000".

Page 13, strike lines 9 through 27.

Page 14, strike lines 1 and 2.

Renumber succeeding subsections accordingly.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1108** 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 **HB18-1136** 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 **HB18-1189** 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, strike lines 12 through 16 and substitute:

"**SECTION 2. Appropriation.** For the 2018-19 state fiscal year, $600,000 is appropriated to the teacher residency expansion program fund created in section 22-60.3-106, C.R.S. This appropriation is from the general fund. The department of education is responsible for the accounting related to this appropriation.".

Appropriations After consideration on the merits, the Committee recommends that **HB18-1266** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1379** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 10, after line 10 insert:

"**SECTION 10. Appropriation.** For the 2018-19 state fiscal year, $5,161,872 is appropriated to the department of education. This appropriation is from the state education fund created in section 17 (4)(a) of article IX of the state constitution. To implement this act, the department may use this appropriation for the state share of districts' total program funding.".

Renumber succeeding sections accordingly.

Appropriations After consideration on the merits, the Committee recommends that **SB18-013** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, after line 13 insert:

"**SECTION 3. Appropriation.** For the 2018-19 state fiscal year, $564,279 is appropriated to the department of education. This appropriation is from the general fund. To implement this act, the department may use this appropriation for the child nutrition school lunch protection program.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations After consideration on the merits, the Committee recommends that **SB18-260** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 8, before line 3 insert:

"**SECTION 3. Appropriation.** (1) For the 2018-19 state fiscal year, $99,804 is appropriated to the department of higher education. This appropriation is from the private occupational schools fund created in section 12-59-116 (1), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) $89,148 for use by the division of private occupational schools, which amount is based on an assumption that the division will require an additional 1.0 FTE; and

(b) $10,656 for the purchase of legal services.

(2) For the 2018-19 state fiscal year, $10,656 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of higher education under subsection (1)(b) of this section. To implement this act, the department of law may use this appropriation to provide legal services for the department of higher education.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**EDUCATION.**" and substitute "**EDUCATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-271** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 6, after line 7 insert:

"**SECTION 6. Appropriation.** (1) For the 2018-19 state fiscal year, $10,656 is appropriated to the department of revenue. This appropriation is from the marijuana cash fund created in section 12-43.3-501 (1)(a), C.R.S. To implement this act, the department may use this appropriation for the purchase of legal services.

(2) For the 2018-19 state fiscal year, $10,656 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of revenue under subsection (1) of this section. 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, strike line 102 and substitute "**RESEARCH, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

MESSAGE FROM THE HOUSE

April 26, 2018

Mr. President:

The House has voted to concur in the Senate amendments to HB18-1253, 1042, 1146, 1156, 1300, 1335, 1181, 1355, and has repassed the bills as so amended.

The House has voted not to concur in the Senate amendments to HB18-1296 and requests that a conference committee be appointed. The Speaker has appointed Representatives Melton, chairman, Salazar, and Everett as House conferees on the First Conference Committee on HB18-1296. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB18-1270 and requests that a conference committee be appointed. The Speaker has appointed Representatives Hansen, chairman, Winter , and J. Becker as House conferees on the First Conference Committee on HB18-1270. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB18-1295 and requests that a conference committee be appointed. The Speaker has appointed Representatives Esgar, chairman, Salazar, and Catlin as House conferees on the First Conference Committee on HB18-1295. The bill is transmitted herewith.

The House has voted to recede from its position, SB18-033, and has repassed the bill. The bill is returned herewith.

The House has voted to recede from its position, SB18-108, and has repassed the bill. The bill is returned herewith.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Marble, Chair, Cooke, and Moreno were appointed as Senate conferees on the first conference committee on **HB18-1296**.

Senators Tate, Chair, Neville, and Fenberg were appointed as Senate conferees on the first conference committee on **HB18-1270**.

Senators Coram, Chair, Crowder, and Guzman were appointed as Senate conferees on the first conference committee on **HB18-1295**.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-158 by Senator(s) Coram and Garcia; also Representative(s) Duran and Catlin--Concerning measures to increase school district access to interoperable communication technology to improve school safety, and, in connection therewith, making an appropriation.

Senator Coram moved that the Senate concur in House amendments to SB18-158, as printed in House journal, April 24, page 1202. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Priola.

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas, and, in connection therewith, making an appropriation.

Senator Todd moved that the Senate concur in House amendments to SB18-085, as printed in House journal, April 24, pages 1194-1195, and 1202. The motion was **adopted** by the following roll call vote:

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	9	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Jones.

SB18-141 by Senator(s) Court; also Representative(s) Wilson and Hansen--Concerning voluntary contribution designations on the Colorado individual income tax return form.

Senator Court moved that the Senate concur in House amendments to SB18-141, as printed in House journal, April 17, page 1025. The motion was **adopted** by the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-068 by Senator(s) Cooke; also Representative(s) Van Winkle and Bridges--Concerning criminalizing false reports.

Senator Cooke moved that the Senate not concur in House amendments to SB18-068, as printed in House journal, April 4, Page 840, and April 11, page 931, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Cooke, Chair, Coram, and Kagan were appointed as Senate conferees on the first conference committee on SB18-068.

SB18-156 by Senator(s) Cooke; also Representative(s) Kennedy--Concerning the publication of fiscal information by a county.

Senator Cooke moved that the Senate concur in House amendments to SB18-156, as printed in House journal, April 5, pages 854-855. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-056 by Senator(s) Jahn; also Representative(s) Lee and Willett--Concerning monetary amounts in civil actions.

Laid over until Monday, April 30, retaining its place on the calendar.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Monday, April 30, retaining its place on the calendar.

SB18-007 by Senator(s) Tate and Guzman, Court, Fenberg, Fields, Jones, Merrifield, Todd, Zenzinger; also Representative(s) Duran and Becker J.--Concerning the Colorado affordable housing tax credit, and, in connection therewith, renaming the low-income housing tax credit the Colorado affordable housing tax credit and extending the period during which the Colorado housing and finance authority may allocate affordable housing tax credits.

Senator Tate moved that the Senate concur in House amendments to SB18-007, as printed in House journal, March 20, pages 620-621, and April 24, page 1223. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	*	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

* Abstaining from voting under Senate Rule 17(c) -- Majority Leader Holbert.

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointment was confirmed by the following roll call vote:

MEMBER OF THE
STATE HISTORICAL SOCIETY BOARD OF DIRECTORS

for a term expiring July 1, 2020:

Christopher Weld Tetzeli of Denver, Colorado, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1135, SB18-267, SB18-259, HB18-1285, HB18-1200, and HB18-1176, were made Special Orders--Consent Calendar at 12:01 p.m.

Committee of the Whole

The hour of 12:01 p.m. having arrived, Senator Smallwood 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 Smallwood 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:

HB18-1135 by Representative(s) Kraft-Tharp and Wilson; also Senator(s) Tate--Concerning the extension of the advanced industries export acceleration program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-267 by Senator(s) Kefalas and Baumgardner, Sonnenberg; also Representative(s) Becker J. and Hansen, Esgar--Concerning the creation of the justice center maintenance fund.

Ordered engrossed and placed on the calendar for third reading and final passage.

SB18-259 by Senator(s) Smallwood, Baumgardner, Marble, Neville T., Sonnenberg, Tate; --Concerning the taxation of retail marijuana by local governments.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 25, pages 881-883 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 902 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1285 by Representative(s) Pabon, Danielson, Garnett, Singer, Arndt, Hooton, Landgraf; also Senator(s) Smallwood and Todd, Aguilar, Guzman, Court--Concerning parking for people with certain disabilities, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1200 by Representative(s) Lundeen and Garnett; also Senator(s) Coram and Fields--Concerning cybercrime, and, in connection therewith, criminalizing using a computer to engage in prostitution of a minor, criminalizing skimming payment cards, making changes to the penalty structure for cybercrime, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1176 by Representative(s) Lee and Wist, Benavidez, Carver, Foote, Herod, Lundeen, Melton, Salazar, Willett, Weissman; also Senator(s) Cooke--Concerning continuation of the grant program in the department of corrections to provide funding to eligible community-based organizations that provide reentry services to offenders, and, in connection therewith, implementing the recommendations in the 2017 report of the department of regulatory agencies.

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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-267, SB18-259 as amended, HB18-1135, HB18-1285, HB18-1200, HB18-1176.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1040, 1069, 1186, 1193, 1235, 1240, 1250, 1257, 1259, 1264, 1265, 1268, 1284, 1305, 1308, 1325, 1329, 1331, 1336, and 1338; HCR18-1001.

MESSAGE FROM THE HOUSE

April 27, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1020, as printed in House Journal, April 27, 2018.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR18-1020 by Representative(s) Duran and McLachlan, Arndt, Becker K., Benavidez, Bridges, Buckner, Coleman, Danielson, Esgar, Exum, Foote, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Jackson, Kennedy, Kraft-Tharp, Lee, Lontine, Melton, Michaelson Jenet, Pabon, Pettersen, Roberts, Rosenthal, Salazar, Singer, Valdez, Weissman, Winter, Young, Wilson; also Senator(s) Todd and Hill, Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Holbert, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Williams A., Zenzinger--Concerning the recognition of the positive impact of public school educators in Colorado.

On motion of Senator Hill, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Grantham, Jahn, Lambert, Lundberg, Marble, Neville T., Scott, Smallwood, and Sonnenberg.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SCR18-004 and SCR18-005, were made Special Orders at 12:44 p.m.

Committee of the Whole

The hour of 12:44 p.m. having arrived, Senator Gardner moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Gardner 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:

SCR18-004 by Senator(s) Grantham and Fenberg, Jahn; also Representative(s) Duran and Neville P.--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning congressional redistricting.

Ordered engrossed and placed on the calendar for third reading and final passage.

SCR18-005 by Senator(s) Grantham and Fenberg, Jahn; also Representative(s) Duran and Neville P.--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning legislative redistricting.

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 Gardner, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	E	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SCR18-004, SCR18-005.

MESSAGE FROM THE REVISOR OF STATUTES

April 27, 2018

We herewith transmit:

Without comment, HB18-1218, 1385, 1388, 1403, 1415.
Without comment, as amended, HB18-1185, 1197, 1208, 1294, 1303, 1315, 1316, 1343, 1353, 1380, 1383, 1393, 1394, 1400, 1413, 1414, and 1420.
With comment, as amended, HB18-1290 and 1291.

MESSAGE FROM THE GOVERNOR

April 26, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-180: CONCERNING THE COLORADO UNIFORM TRUST CODE.

Approved April 26, 2018 at 3:08 pm.

SB 18-071: CONCERNING AN EXTENSION OF THE REPEAL OF THE STATE SUBSTANCE ABUSE TREND AND RESPONSE TASK FORCE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved April 26, 2018 at 3:00 pm.

SB 18-187: CONCERNING TRANSFERRING MARIJUANA FIBROUS WASTE FOR THE PURPOSE OF PRODUCING INDUSTRIAL FIBER PRODUCTS.

Approved April 26, 2018 at 3:10 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-274 by Senator(s) Lambert; --Concerning the implementation of recommendations from prison utilization studies, and, in connection therewith, renaming and repurposing certain correctional facilities.
State, Veterans, & Military Affairs

SB18-275 by Senator(s) Scott; --Concerning the ability of seaplanes to operate in Colorado.
State, Veterans, & Military Affairs

SB18-276 by Senator(s) Lundberg and Lambert, Moreno; also Representative(s) Hamner and Young, Rankin--Concerning an increase in the general fund reserve.
Appropriations

SB18-277 by Senator(s) Neville T., Hill; also Representative(s) Pabon and Van Winkle, Saine--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".
Finance

SB18-278 by Senator(s) Priola and Martinez Humenik; --Concerning increasing the penalty for assault on certain first responders.
Finance

SB18-279 by Senator(s) Lambert; --Concerning the development of marijuana certification technology.
Finance

HB18-1185 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Neville T. and Moreno--Concerning changes to the state income tax apportionment statute based on the most recent multistate tax commission's uniform model of the uniform division of income for tax purposes act.
Finance

HB18-1197 by Representative(s) Young and Wilson; also Senator(s) Moreno--Concerning authorizing local education providers to operate student-centered accountability system pilot programs, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1218 by Representative(s) Carver and Melton; also Senator(s) Crowder and Todd--Concerning the definition of a charitable organization for purposes of state sales and use tax, and, in connection therewith, removing the limitation that a veterans' organization only gets the charitable organization exemption for purposes of sponsoring a special event, meeting, or other function in the state, so long as such event, meeting, or function is not part of the organization's regular activities in the state.
Finance

HB18-1290 by Representative(s) Roberts and Lawrence, Hansen; also Senator(s) Sonnenberg--Concerning the continuation of the certification of conservation easement holders, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.
State, Veterans, & Military Affairs

HB18-1291 by Representative(s) Winter and Thurlow; also Senator(s) Sonnenberg--Concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.
State, Veterans, & Military Affairs

HB18-1294 by Representative(s) Lontine and Buckner, Esgar, Ginal, Kennedy, Roberts; also Senator(s) Crowder--Concerning the continuation of the regulation of nursing home administrators by the board of examiners of nursing home administrators in the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, requiring the board to record by board member each vote regarding licensee discipline and requiring nursing home administrators to report possible felony conduct by nursing home facility employees.
Finance

HB18-1303 by Representative(s) Wist and Garnett; also Senator(s) Tate--Concerning exemption of nonprofit youth sports organization coaches from the "Colorado Employment Security Act".
Finance

HB18-1315 by Representative(s) McLachlan and Becker J.; also Senator(s) Kefalas and Lundberg--Concerning the expansion of the sales and use tax exemption for manufactured homes constructed in compliance with a federal safety act.
Finance

HB18-1316 by Representative(s) Pabon and Exum, Kraft-Tharp, McKean; also Senator(s) Cooke and Williams A.--Concerning modifications to the skilled worker training program administered by the department of labor and employment, and, in connection therewith, making an appropriation.
Finance
Appropriations

HB18-1343 by Representative(s) Lee and Carver, Valdez, Danielson, Landgraf, Duran, Covarrubias, Kraft-Tharp, Liston, Lundeen, Melton, Pabon; also Senator(s) Lambert and Todd, Garcia, Coram--Concerning the continuation of the "Colorado Veterans' Service-to-career Program", and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1353 by Representative(s) Lontine and Carver; also Senator(s) Marble--Concerning the creation of a grant program to reimburse local governments for costs associated with the provision of defense counsel to certain defendants at their first appearances in municipal courts, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
Appropriations

HB18-1380 by Representative(s) Weissman and Exum; also Senator(s) Kefalas and Martinez Humenik-Concerning the property-related expense assistance grants for low-income seniors and individuals with disabilities, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1383 by Representative(s) Winter; also Senator(s) Priola--Concerning bonding requirements for a contractor that is party to a contract that uses private financing for construction contracts on public property.
Finance

HB18-1385 by Representative(s) Roberts; also Senator(s) Coram--Concerning changes to family support obligations in domestic relation actions due to changes in the federal tax laws.
Finance

HB18-1388 by Representative(s) Garnett; also Senator(s) Tate--Concerning an exemption from the requirement to register a security if the security is subject to a notice filing as permitted under federal law.
Finance

HB18-1393 by Representative(s) Hamner and Exum; also Senator(s) Gardner--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.
State, Veterans, & Military Affairs

HB18-1394 by Representative(s) Singer and McKean; also Senator(s) Kefalas and Cooke--Concerning amendments to the Colorado disaster emergency act to address all phases of emergency management.
Finance

HB18-1400 by Representative(s) Becker K. and McKean; also Senator(s) Scott and Jahn--Concerning an increase in fees paid by stationary sources of air pollutants, and, in connection therewith, prioritizing the use of the revenues generated by the fee increases to reduce permit processing times, and, in connection therewith, making an appropriation.
Finance

HB18-1403 by Representative(s) Weissman; also Senator(s) Fenberg--Concerning the expanded disclosure of information in disclaimer statements about persons paying for certain forms of political communication.
State, Veterans, & Military Affairs

HB18-1413 by Representative(s) Lee and Neville P.; also Senator(s) Zenzinger--Concerning the creation of a school safety grant program, and, in connection therewith, making an appropriation.
Finance

HB18-1414 by Representative(s) Buckner and Exum; also Senator(s) Priola--Concerning providing emergency assistance grants to students enrolled in state institutions of higher education to assist students in staying in school, and, in connection therewith, creating the emergency completion and retention grant program and making an appropriation.
State, Veterans, & Military Affairs

HB18-1415 by Representative(s) Winter; also Senator(s) Fenberg--Concerning the regulation of student loan servicers.
State, Veterans, & Military Affairs

HB18-1420 by Representative(s) Hamner and Rankin; also Senator(s) Scott--Concerning the creation of special districts to provide early childhood development services.
State, Veterans, & Military Affairs

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, April 30, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

111th Legislative Day — Monday, April 30, 2018

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 Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Friday, April 27, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB18-274, 275, 276, 277, 278, and 279.
Correctly Engrossed: SB18-259, 261, 266, 267, and 268; SCR18-004 and 005.
Correctly Reengrossed: SB18-167, 229, 235, 253, and 254.
Correctly Revised: HB18-1070, 1135, 1155, 1176, 1256, 1200, and 1285; HJR18-1014 and 1020.
Correctly Rerevised: HB18-1258, 1360, and 1381.
Correctly Enrolled: SB18-007, 033, 108, 141, 156, and 158.

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:

HB18-1135 by Representative(s) Kraft-Tharp and Wilson; also Senator(s) Tate--Concerning the extension of the advanced industries export acceleration 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	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Kagan, Kerr, Moreno, Priola, and Williams A.

SB18-267 by Senator(s) Kefalas and Baumgardner, Sonnenberg; also Representative(s) Becker J. and Hansen, Esgar--Concerning the creation of the justice center maintenance fund.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lambert, Lundberg, Martinez Humenik, and Tate.

SB18-259 by Senator(s) Smallwood, Baumgardner, Marble, Neville T., Sonnenberg, Tate; also Representative(s) Pabon--Concerning the taxation of retail marijuana by local governments, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik and Priola.

HB18-1285 by Representative(s) Pabon, Danielson, Garnett, Singer, Arndt, Hooton, Landgraf; also Senator(s) Smallwood and Todd, Aguilar, Guzman, Court--Concerning parking for people with certain 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Fields, Garcia, Jahn, Jones, Kerr, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Tate, Williams A., and Zenzinger.

HB18-1200 by Representative(s) Lundeen and Garnett; also Senator(s) Coram and Fields--Concerning cybercrime, and, in connection therewith, criminalizing using a computer to engage in prostitution of a minor, criminalizing skimming payment cards, making changes to the penalty structure for cybercrime, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fenberg, Garcia, Hill, Jahn, Kefalas, Kerr, Marble, Martinez Humenik, Priola, Tate, Todd, and Williams A.

HB18-1176 by Representative(s) Lee and Wist, Benavidez, Carver, Foote, Herod, Lundeen, Melton, Salazar, Willett, Weissman; also Senator(s) Cooke--Concerning continuation of the grant program in the department of corrections to provide funding to eligible community-based organizations that provide reentry services to offenders, and, in connection therewith, implementing the recommendations in the 2017 report of the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, 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:

SB18-266 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning controlling costs under the "Colorado Medical Assistance Act", and, in connection therewith, using data and technology, creating a hospital review program, and making and reducing an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fields, Grantham, Guzman, Jahn, Kefalas, Kerr, Martinez Humenik, Merrifield, Priola, Smallwood, Sonnenberg, Tate, and Todd.

HB18-1256 by Representative(s) Duran and Herod, Benavidez, Foote, Lee, Melton, Salazar, Weissman; also Senator(s) Gardner--Concerning continuation of the regulation of civil rights issues, and, in connection therewith, implementing the recommendation in the department of regulatory agencies' 2017 sunset review and report on the Colorado civil rights division and the Colorado civil rights commission to continue the division and commission and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.014), by Senator Gardner.

Amend revised bill, page 5, line 8, after "FIVE" insert "MEMBERS MUST BE FROM".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fields, Grantham, Jahn, Kagan, Kefalas, Martinez Humenik, Merrifield, Priola, Sonnenberg, Tate, Todd, and Williams A.

HB18-1155 by Representative(s) Singer and Liston, Catlin, Ginal, Hooton; also Senator(s) Martinez Humenik--Concerning the continuation of the physical therapy board, and, in connection therewith, implementing the recommendations contained in the 2017 sunset review and report by the department of regulatory agencies.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Kerr, Moreno, Priola, Tate, and Todd.

HB18-1070 by Representative(s) Young and Wist; also Senator(s) Scott and Zenzinger--Concerning an increase in the amount of financial assistance that can be provided for public school capital construction under the "Building Excellent Schools Today Act", and, in connection therewith, increasing the amount of retail marijuana excise tax revenue that is credited to the public school capital construction assistance fund and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, and Williams A.

SB18-261 by Senator(s) Marble; also Representative(s) Hooton and Ransom--Concerning adding a condition for which a physician could prescribe an opiate for pain 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	12	NO	23	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

SB18-268 by Senator(s) Scott and Moreno; --Concerning the scope of the authority of the department of transportation to award a design bid build highway project contract in an amount that exceeds the estimate of the department on the project.

Laid over until Tuesday, May 1, retaining its place on the calendar.

SCR18-004 by Senator(s) Grantham and Fenberg, Jahn; also Representative(s) Duran and Neville P.-- Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning congressional redistricting.

A majority of those elected to the Senate having voted in the affirmative, President Grantham was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.001), by Senators Grantham and Fenberg.

Amend printed concurrent resolution, page 29, strike line 1 and substitute "a change to the way that congressional districts are drawn, and, in connection therewith, taking the duty to draw congressional districts away from the state legislature and giving it to an independent commission, composed of twelve citizens who possess specified qualifications; prohibiting any one political party's control of the commission by requiring that one-third of commissioners will not be affiliated with any political party, one-third of the commissioners will be affiliated with the state's largest political party, and one-third of the commissioners will be affiliated with the state's second largest political party; prohibiting certain persons, including professional lobbyists, federal campaign committee employees, and federal, state, and local elected officials, from serving on the commission; limiting judicial review of a map to a determination by the supreme court of whether the commission or its nonpartisan staff committed an abuse of discretion; requiring the commission to draw districts with a focus on communities of interest and political subdivisions, such as cities and counties, and then to maximize the number of competitive congressional seats to the extent possible; and prohibiting maps from being drawn to dilute the electoral influence of any racial or ethnic group or to protect any incumbent, any political candidate, or any political party?"".

Page 1, strike line 103 and substitute "**CONCERNING A CHANGE TO THE WAY THAT CONGRESSIONAL DISTRICTS ARE DRAWN, AND, IN CONNECTION THEREWITH, TAKING THE DUTY TO DRAW CONGRESSIONAL DISTRICTS AWAY FROM THE STATE LEGISLATURE AND GIVING IT TO AN INDEPENDENT COMMISSION, COMPOSED OF TWELVE CITIZENS WHO POSSESS SPECIFIED QUALIFICATIONS; PROHIBITING ANY ONE POLITICAL PARTY'S CONTROL OF THE COMMISSION BY REQUIRING THAT ONE-THIRD OF COMMISSIONERS WILL NOT BE AFFILIATED WITH ANY POLITICAL PARTY, ONE-THIRD OF THE COMMISSIONERS WILL BE AFFILIATED WITH THE STATE'S LARGEST POLITICAL PARTY, AND ONE-THIRD OF THE COMMISSIONERS WILL BE AFFILIATED WITH THE STATE'S SECOND LARGEST POLITICAL PARTY; PROHIBITING CERTAIN PERSONS, INCLUDING PROFESSIONAL LOBBYISTS, FEDERAL CAMPAIGN COMMITTEE EMPLOYEES, AND FEDERAL, STATE, AND LOCAL ELECTED OFFICIALS, FROM SERVING ON THE COMMISSION; LIMITING JUDICIAL REVIEW OF A MAP TO A DETERMINATION BY THE SUPREME COURT OF WHETHER THE COMMISSION OR ITS NONPARTISAN STAFF COMMITTED AN ABUSE OF DISCRETION; REQUIRING THE COMMISSION TO DRAW DISTRICTS WITH A FOCUS ON COMMUNITIES OF INTEREST AND POLITICAL SUBDIVISIONS, SUCH AS CITIES AND COUNTIES, AND THEN TO MAXIMIZE THE NUMBER OF COMPETITIVE CONGRESSIONAL SEATS TO THE EXTENT POSSIBLE; AND PROHIBITING MAPS FROM BEING DRAWN TO DILUTE THE ELECTORAL INFLUENCE OF ANY RACIAL OR ETHNIC GROUP OR TO PROTECT ANY INCUMBENT, ANY POLITICAL CANDIDATE, OR ANY POLITICAL PARTY.**".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the concurrent resolution, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution, as amended, was **passed**.

Co-sponsor(s) added: Baumgardner, Coram, Court, Crowder, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

SCR18-005 by Senator(s) Grantham and Fenberg, Jahn; also Representative(s) Duran and Neville P.--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning legislative redistricting.

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.001), by Senators Grantham and Fenberg.

Amend printed concurrent resolution, page 30, strike line 6 and substitute "a change to the manner in which state senate and state house of representatives districts are drawn, and, in connection therewith, reforming the existing legislative reapportionment commission by expanding the commission to twelve members and authorizing the appointment of members who possess specified qualifications; prohibiting any one political party's control of the commission by requiring that one-third of commissioners will not be affiliated with any political party, one-third of the commissioners will be affiliated with the state's largest political party, and one-third of the commissioners will be affiliated with the state's second largest political party; prohibiting certain persons, including professional lobbyists, federal campaign committee employees, and federal, state, and local elected officials, from serving on the commission; limiting judicial review of a map to a determination by the supreme court of whether the commission or its nonpartisan staff committed an abuse of discretion; requiring the commission to draw state legislative districts using communities of interest as well as political subdivisions, such as cities and counties, and then to maximize the number of competitive state legislative seats to the extent possible; and prohibiting maps from being drawn to dilute the electoral influence of any racial or ethnic group or to protect any incumbent, any political candidate, or any political party?"".

Page 1, strike line 103 and substitute "**CONCERNING A CHANGE TO THE MANNER IN WHICH STATE SENATE AND STATE HOUSE OF REPRESENTATIVES DISTRICTS ARE DRAWN, AND, IN CONNECTION THEREWITH, REFORMING THE EXISTING LEGISLATIVE REAPPORTIONMENT COMMISSION BY EXPANDING THE COMMISSION TO**

**TWELVE MEMBERS AND AUTHORIZING THE APPOINTMENT OF MEMBERS WHO POSSESS SPECIFIED QUALIFICATIONS; PROHIBITING ANY ONE POLITICAL PARTY'S CONTROL OF THE COMMISSION BY REQUIRING THAT ONE-THIRD OF COMMISSIONERS WILL NOT BE AFFILIATED WITH ANY POLITICAL PARTY, ONE-THIRD OF THE COMMISSIONERS WILL BE AFFILIATED WITH THE STATE'S LARGEST POLITICAL PARTY, AND ONE-THIRD OF THE COMMISSIONERS WILL BE AFFILIATED WITH THE STATE'S SECOND LARGEST POLITICAL PARTY; PROHIBITING CERTAIN PERSONS, INCLUDING PROFESSIONAL LOBBYISTS, FEDERAL CAMPAIGN COMMITTEE EMPLOYEES, AND FEDERAL, STATE, AND LOCAL ELECTED OFFICIALS, FROM SERVING ON THE COMMISSION; LIMITING JUDICIAL REVIEW OF A MAP TO A DETERMINATION BY THE SUPREME COURT OF WHETHER THE COMMISSION OR ITS NONPARTISAN STAFF COMMITTED AN ABUSE OF DISCRETION; REQUIRING THE COMMISSION TO DRAW STATE LEGISLATIVE DISTRICTS USING COMMUNITIES OF INTEREST AS WELL AS POLITICAL SUBDIVISIONS, SUCH AS CITIES AND COUNTIES, AND THEN TO MAXIMIZE THE NUMBER OF COMPETITIVE STATE LEGISLATIVE SEATS TO THE EXTENT POSSIBLE; AND PROHIBITING MAPS FROM BEING DRAWN TO DILUTE THE ELECTORAL INFLUENCE OF ANY RACIAL OR ETHNIC GROUP OR TO PROTECT ANY INCUMBENT, ANY POLITICAL CANDIDATE, OR ANY POLITICAL PARTY.".

The amendment was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the concurrent resolution, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution, as amended, was **passed**.

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Crowder, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Kagan, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Sonnenberg, Tate, Todd, and Williams A.

Upon request of Majority Leader Holbert, **SB18-269** was removed from the General Orders--Second Reading of Bills--Consent Calendar of Monday, April 30, and was placed at the beginning of the General Orders--Second Reading of Bills Calendar of Monday, April 30.

Committee of the Whole

On motion of Senator Scott, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Scott 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:

HB18-1314 by Representative(s) Ginal and Lawrence; also Senator(s) Cooke--Concerning prohibiting the use of unmanned aircraft systems to obstruct public safety operations.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1269 by Representative(s) Lundeen and Pettersen; also Senator(s) Hill and Fields--Concerning notification to parents of charges brought against public school employees for alleged felony offenses that would result in the revocation of an educator license pursuant to title 22, Colorado Revised Statutes.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1342 by Representative(s) Melton; also Senator(s) Todd--Concerning a requirement that a common interest community created in Colorado before July 1, 1992, comply with a provision of the "Colorado Common Interest Ownership Act" that allows a majority of the unit owners in a common interest community to veto a budget proposed by the executive board of the common interest community.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1354 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno--Concerning a requirement that written warranties for powersports vehicles be honored.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 26, pages 917-918 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1346 by Representative(s) Singer and Landgraf; also Senator(s) Smallwood and Kefalas--Concerning child abuse related to youth who are under the continuing jurisdiction of the court in an out-of-home placement when they are younger than twenty-one years of age.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, page 919 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1302 by Representative(s) Ginal and Landgraf; also Senator(s) Marble--Concerning the allowance of the department of public health and environment to waive certification requirements for toxicology laboratories that have been accredited by an entity using recognized forensic standards.

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 Scott, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1314, HB18-1269, HB18-1342, HB18-1354 as amended, HB18-1346 as amended, HB18-1302.

Committee of the Whole

On motion of Senator Scott, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Scott 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:

SB18-269 by Senator(s) Neville T. and Moreno; also Representative(s) Neville P. and Bridges--Concerning providing funding for local education providers to implement school security improvements to prevent incidences of school violence, and, in connection therewith, creating the school security disbursement 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.)

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.

Laid over until Thursday, May 3, retaining its place on the calendar.

HB18-1286 by Representative(s) Roberts, Hooton, Singer, Van Winkle; also Senator(s) Aguilar and Marble, Guzman--Concerning allowing a school nurse to give medical marijuana to a student with a medical marijuana registry card while at school.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, pages 898-899 and placed in members' bill files.)

Amendment No. 2(L.012), by Senator Aguilar.

Amend the Health and Human Services Committee Report, dated April 25, 2018, page 2, strike lines 37 though 39 and substitute:

"(A) THE SCHOOL LOSES FEDERAL FUNDING AS A RESULT OF IMPLEMENTING THIS SUBSECTION (3)(d.5);

(B) THE SCHOOL CAN REASONABLY DEMONSTRATE THAT IT LOST FEDERAL FUNDING AS A RESULT OF IMPLEMENTING THIS SUBSECTION (3)(d.5); AND".

Reletter succeeding sub-subparagraph accordingly.

Amendment No. 3(L.013), by Senators Cooke and Holbert.

Amend the Health and Human Services Committee Report, dated April

25, 2018, page 3, after line 24, insert:

"(VIII) NEITHER THIS SECTION NOR ANY OTHER STATE OR FEDERAL LAW, INCLUDING WITHOUT LIMITATION THE "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AS AMENDED, AND SECTION 504 OF THE "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 794, AS AMENDED, MAY BE USED TO REQUIRE A SCHOOL OR ANY EMPLOYEE OR VOLUNTEER THEREOF TO STORE MEDICAL MARIJUANA ON THE GROUNDS OF A SCHOOL, SCHOOL BUS, OR SCHOOL-SPONSORED EVENT OR TO ADMINISTER MEDICAL MARIJUANA.".

Renumber succeeding subparagraph accordingly.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1263 by Representative(s) Hooton and Melton; also Senator(s) Coram and Fenberg, Marble, Guzman--Concerning adding certain conditions to the list of disabling medical conditions for medical marijuana use, and, in connection therewith, adding autism spectrum disorders.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, page 900 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1313 by Representative(s) Ginal and Becker J.; also Senator(s) Aguilar and Priola--Concerning the allowance of a pharmacist to serve as a practitioner under certain circumstances.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-243 by Senator(s) Holbert and Guzman; also Representative(s) Esgar and McKean--Concerning the retail sale of alcohol beverages.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 25, pages 890-891 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 902 and placed in members' bill files.)

Amendment No. 3(L.037), by Senator Tate.

Amend printed bill, page 37, after line 18 insert:

"**SECTION 12.** In Colorado Revised Statutes, 12-47-202, **amend** (2)(b)(I)(A) and (2)(b)(II) as follows:

12-47-202. Duties of state licensing authority - repeal. (2) (b) (I) (A) The state licensing authority shall make no rule regulating or prohibiting the sale of alcohol beverages on credit offered or extended by a licensee to ~~a retailer~~ RETAILERS where the credit is offered or extended for thirty days or less. The state licensing authority shall enforce the prohibition against extending OR ACCEPTING credit for more than thirty days for the sale of alcohol beverages pursuant to 27 CFR part 6 and may adopt rules regulating or prohibiting the sale of alcohol beverages on credit where the credit is offered, ~~or~~ extended, OR ACCEPTED for more than thirty days, consistent with the federal regulations.

(II) Licensees shall comply with the prohibition against extending credit to a retailer for more than thirty days for the sale of alcohol beverages, including beer, contained in 27 CFR part 6 and with rules adopted by the state licensing authority that are consistent with 27 CFR part 6, AND RETAILERS SHALL COMPLY WITH THE PROHIBITION IN RULES ADOPTED BY THE STATE LICENSING AUTHORITY AGAINST ACCEPTING CREDIT FROM A LICENSEE FOR MORE THAN THIRTY DAYS.".

Renumber succeeding sections accordingly.

Amendment No. 4(L.021), by Senator Guzman.

Amend printed bill, page 12, line 7, strike "(2)," and substitute "(2)(a),".

Page 12, strike lines 24 through 27.

Page 13, strike lines 1 through 13.

Page 21, line 23, strike "portion and (2);" and substitute "portion;" and strike "and (3)".

Page 23, strike lines 22 through 27.

Strike page 24.

Page 35, lines 26 and 27, strike "THAT HAS BEEN RETURNED BY A CUSTOMER OR".

Amendment No. 5(L.042), by Senators Holbert and Guzman.

Amend printed bill, page 8, line 26, strike "(4), and (5)" and substitute "(4), (5), and (6)".

Page 12, after line 5 insert:

"(6) (a) A PERSON LICENSED UNDER SUBSECTION (1)(a) OF THIS SECTION WHO COMPLIES WITH THIS SUBSECTION (6) AND RULES PROMULGATED UNDER THIS SUBSECTION (6) MAY DELIVER FERMENTED MALT BEVERAGES IN SEALED CONTAINERS TO A PERSON OF LEGAL AGE IF:

(I) THE PERSON RECEIVING THE DELIVERY OF FERMENTED MALT BEVERAGES IS LOCATED AT A PLACE THAT IS NOT LICENSED PURSUANT TO THIS SECTION;

(II) THE DELIVERY IS MADE BY AN EMPLOYEE OF THE FERMENTED MALT BEVERAGE RETAILER WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO IS USING A VEHICLE OWNED OR LEASED BY THE LICENSEE TO MAKE THE DELIVERY;

(III) THE PERSON MAKING THE DELIVERY VERIFIES, IN ACCORDANCE WITH SECTION 12-47-901 (10), THAT THE PERSON RECEIVING THE DELIVERY OF FERMENTED MALT BEVERAGES IS AT LEAST TWENTY-ONE YEARS OF AGE; AND

(IV) THE FERMENTED MALT BEVERAGE RETAILER DERIVES NO MORE THAN FIFTY PERCENT OF ITS GROSS ANNUAL REVENUES FROM TOTAL SALES OF FERMENTED MALT BEVERAGES FROM THE SALE OF FERMENTED MALT BEVERAGES THAT THE FERMENTED MALT BEVERAGE RETAILER DELIVERS.

(b) THE STATE LICENSING AUTHORITY SHALL PROMULGATE RULES AS NECESSARY FOR THE PROPER DELIVERY OF FERMENTED MALT BEVERAGES PURSUANT TO THIS SUBSECTION (6) AND MAY ISSUE A PERMIT TO ANY PERSON WHO IS LICENSED PURSUANT TO AND DELIVERS FERMENTED MALT BEVERAGES UNDER SUBSECTION (1)(a) OF THIS SECTION. A PERMIT ISSUED UNDER THIS SUBSECTION (6) IS SUBJECT TO THE SAME SUSPENSION AND REVOCATION PROVISIONS AS ARE SET FORTH IN SECTION 12-47-601 FOR OTHER LICENSES GRANTED PURSUANT TO ARTICLE 47 OF THIS TITLE 12.".

Page 27, line 2, after "AGE;" insert "AND".

Page 27, strike lines 3 and 4.

Renumber succeeding subparagraph accordingly.

Page 29, line 19, after "AGE;" insert "AND".

Page 29, strike lines 20 and 21.

Renumber succeeding subparagraph accordingly.

Page 37, line 21, strike "(4), and (5)," and substitute "(4), (5), and (6),".

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.)

SB18-241 by Senator(s) Lundberg; also Representative(s) Humphrey--Concerning the establishment of the "Colorado Children First Act" in Colorado.

Laid over until Tuesday, May 1, retaining its place on the calendar.

HB18-1184 by Representative(s) Exum and Lawrence; also Senator(s) Aguilar and Gardner--Concerning the creation of a report on 911 service in Colorado, and, in connection therewith, requiring consideration of issues related to the implementation of next generation 911.

Ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-269 by Senator(s) Neville T. and Moreno; also Representative(s) Neville P. and Bridges--Concerning providing funding for local education providers to implement school security improvements to prevent incidences of school violence, and, in connection therewith, creating the school security disbursement program.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.001) to SB 18-269, did pass.

> Amend printed bill, page 7, line 17, strike "THIRTY" and substitute "THIRTY-FIVE".

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	22	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	N	President	N
Fields	Y	Kefalas	N	Priola	N		

SB18-243 by Senator(s) Holbert and Guzman; also Representative(s) Esgar and McKean--Concerning the retail sale of alcohol beverages.

Senator Priola moved to amend the Report of the Committee of the Whole to show that the following Priola floor amendment, (L.025) to SB 18-243, did pass.

> Amend printed bill, page 8, line 17, strike "beverages, check age identification, ~~or make~~" and substitute "beverages OR check age identification, ~~or~~ AND A PERSON UNDER EIGHTEEN YEARS OF AGE SHALL NOT make deliveries beyond the customary parking area for the customers of the retail outlet.".
>
> Page 8, strike lines 18 through 21 and substitute "This".

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	N	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

Senator Neville moved to amend the Report of the Committee of the Whole to show that the following Neville T. floor amendment, (L.029) to SB 18-243, did pass.

> Amend printed bill, page 10, line 8, after "PREMISES;" insert "EXCEPT THAT THIS SUBSECTION (3)(a)(I) DOES NOT APPLY TO AN ESTABLISHMENT THAT CONSISTS OF LESS THAN SEVEN HUNDRED FIFTY SQUARE FEET OF TOTAL RETAIL SPACE;".

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	10	NO	25	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Scott, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-269, SB18-243 as amended, HB18-1286 as amended, HB18-1263 as amended, HB18-1313, HB18-1184.
Laid over until Tuesday, May 1: SB18-241.
Laid over until Thursday, May 3: SB18-204.

RECONSIDERATION OF SB18-085

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Tate moved for reconsideration of the last Senate action, Repassage, on SB18-085.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar (SB18-085, SB18-056, SB18-166) of Monday, April 30, was laid over until Tuesday, May 1, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the appointments to the Solid and Hazardous Waste Commission on the Consideration of Governor's Appointments--Consent Calendar of Monday, April 30, was laid over until Monday, May 7, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO HEALTH FACILITIES AUTHORITY BOARD OF DIRECTORS

effective June 30, 2017 for terms expiring June 30, 2021:

Randall J. Baum, CFA of Aurora, Colorado, a Republican, reappointed;

Tamara Katherine Vincelette of Denver, Colorado, a Democrat, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
AIR QUALITY CONTROL COMMISSION

for terms expiring January 31, 2021:

Tony Carroll Williams of Centennial, Colorado, a person with appropriate scientific and technical training or experience, and a Democrat, appointed;

Thomas Roy Gonzales of Colorado Springs, Colorado, a person with appropriate scientific training or experience, and a Democrat, appointed;

Curtis Otto Rueter of Westminster, Colorado, a person with appropriate technical and industrial training or experience, and a Republican, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2020:

Deborah J. Kenny, PhD, RN, FAAN of Larkspur, Colorado, to serve as a member with knowledge of child abuse prevention, reappointed;

Heather Ann Meyer of Fort Collins, Colorado, to serve as a parent representative, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
PRIVATE OCCUPATIONAL SCHOOL BOARD

for a term expiring July 1, 2020:

Timothy Guerrero of Erie, Colorado, to serve as a representative of a private occupational school, and occasioned by the death of Robert Earl Martin of Wheat Ridge, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
STATE BOARD FOR COMMUNITY COLLEGES
AND OCCUPATIONAL EDUCATION

for terms expiring December 31, 2021:

Daniel Villanueva of Pagosa Springs, Colorado, an Unaffiliated from the Third Congressional District, appointed;

Maria-Vittoria Carminati of Centennial, Colorado, a Democrat from the Sixth Congressional District, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MESSAGE FROM THE HOUSE

April 30, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1236, 1398.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1306, 1364, 1416, 1350, 1410, 1081, 1202, 1392, amended as printed in House Journal, April 27, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1255, amended as printed in House Journal, April 27, 2018, and amended on Third Reading as printed in House Journal, April 30, 2018.

The House has passed on Third Reading and returns herewith SB18-150, 209.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-119, amended as printed in House Journal, April 27, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

April 30, 2018

We herewith transmit:

Without comment, HB18-1236 and 1398.
Without comment, as amended, HB18-1081, 1202, 1255, 1306, 1350, 1364, 1392, 1410, and 1416.
Without comment, as amended, SB18-119.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB18-1295 by Representative(s) Salazar and Esgar; also Senator(s) Coram--Concerning modifications to the "Colorado Food and Drug Act" to allow products containing industrial hemp, and, in connection therewith, establishing that products containing industrial hemp are not adulterated or misbranded by virtue of containing industrial hemp.

Senator Coram moved that the Senate conferees on the first conference committee on HB18-1295 be granted permission to go beyond the scope of the differences between the two houses.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that **SB18-258** be referred to the Committee of the Whole with favorable recommendation.

Judiciary After consideration on the merits, the Committee recommends that **HB18-1375** 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 59, after line 9 insert:

"**SECTION 94.** In Colorado Revised Statutes, **amend as amended by House Bill 18-1024** 18-10-108 as follows:

18-10-108. Exceptions. Nothing contained in this article 10 shall be construed to modify, amend, or otherwise affect the validity of any provisions contained in ~~articles 9 and 47.1 of title 12~~ PART 6 OF ARTICLE 21 OF TITLE 24 AND ARTICLES 30 and ~~article~~ 32 of title 44.".

Renumber succeeding sections accordingly.

Page 59, line 12, strike the first "and".

Page 59, after line 16 insert:

"(4) Section 94 of this act takes effect only if House Bill 18-1024 and Senate Bill 18-034 become law, in which case this section takes effect October 1, 2018.".

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 STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for a term expiring November 1, 2021:

Michael Angelo Cafasso of Pueblo, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, who has expertise in finance through management-level experience in banking, reappointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-263** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 15, after "TO" insert "DETERMINE AND, IF APPROPRIATE,".

Page 3, line 10, before "ONCE" insert "PRIOR TO APPROVING A JAIL TO PARTICIPATE IN THE PILOT PROGRAM, THE ADVISORY BOARD SHALL SEEK INPUT FROM A MEMBERSHIP ASSOCIATION THAT REPRESENTS DEFENSE ATTORNEYS WITH EXPERIENCE WORKING WITH RESPONDENTS WHO HAVE MENTAL HEALTH ISSUES.".

Page 3, line 13, strike "CONTINUANCE" and substitute "CONTINUED".

Page 3, line 14, after "DEPARTMENT," insert "PURSUANT TO SUBSECTION (6) OF THIS SECTION,".

Page 4, line 9, strike "POTENTIALLY" and substitute "MORE LIKELY THAN NOT".

Page 4, line 17, after the period add "THE CRITERIA FOR MEDICATION MUST INCLUDE:

(I) MEDICATION AVAILABILITY IN THE JAIL IN WHICH THE RESPONDENT IS HELD; AND

(II) IDENTIFICATION OF LESS INTRUSIVE METHODS ALREADY ATTEMPTED.".

Page 4, line 20, before "ANY" insert "ALL RECOMMENDATIONS FROM THE ADVISORY BOARD TO THE EXECUTIVE DIRECTOR MUST HAVE RECEIVED TWO-THIRDS APPROVAL PRIOR TO THE EXECUTIVE DIRECTOR IMPLEMENTING THE PILOT PROGRAM.".

Page 5, line 1, after "DETERMINED" insert "BY RULE AND AS DETERMINED".

Page 5, line 14, strike "PRIOR TO" and substitute "FOR NO LATER THAN SEVENTY-TWO HOURS UPON".

Page 7, line 5, strike "AND".

Page 7, line 7, strike "PURPOSES." and substitute "PURPOSES;

(IX) ESTABLISHMENT OF STANDARDS AND PROTOCOLS FOR DOCUMENTATION AND OBSERVATION OF THE RESPONDENT'S BEHAVIOR, ESPECIALLY WITHIN THE FIRST FORTY-EIGHT HOURS FOLLOWING THE ADMINISTRATION OF THE MEDICATION. STANDARDS AND PROTOCOLS

MUST INCLUDE, BUT NEED NOT BE LIMITED TO, ADVERSE EFFECTS OF THE MEDICATION AS EXPERIENCED BY THE RESPONDENT; ANY ASSAULTIVE BEHAVIOR; AND ANY NEW CHARGES FILED DURING OR THROUGHOUT THE COURSE OF THE ADMINISTRATION OF MEDICATION.

(X) ESTABLISHMENT OF STANDARDS AND PROTOCOLS FOR DOCUMENTING CRITICAL INCIDENTS, INCLUDING BUT NOT LIMITED TO SANCTIONING OR CLOSING A PILOT PROGRAM THAT FAILS TO ADHERE TO THE RULES ESTABLISHED BY THE STATE BOARD OF HUMAN SERVICES.".

Page 8, line 14, strike "DECEMBER 1," and substitute "AUGUST 1,".

Page 8, after line 18 insert:

"(b) A REQUIREMENT THAT ENSURES THAT RESPONDENTS RECEIVING PSYCHOTROPIC MEDICATIONS HAVE ACCESS TO APPROPRIATE AND NECESSARY HEALTH CARE OVERSIGHT AND SERVICES;".

Reletter succeeding paragraphs accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-270** 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 10 through 14.

Renumber succeeding subsections accordingly.

Page 3, strike lines 25 through 27 and substitute:

"(d) PLANNING FOR FOLLOW-UP SERVICES AND COORDINATION WITHIN THE BEHAVIORAL HEALTH SYSTEM AFTER HOSPITALIZATION OR DISCHARGE FROM A WITHDRAWAL MANAGEMENT FACILITY OR AN EMERGENCY ROOM FOLLOWING A VISIT FOR BEHAVIORAL HEALTH REASONS;".

Page 4, line 12, strike "ACUTE".

Page 4, strike lines 13 and 14 and substitute "WITHDRAWAL MANAGEMENT FACILITIES AND HOSPITALS TO APPROPRIATE TRANSITION".

Page 4, strike lines 24 and 25 and substitute "WITHDRAWAL MANAGEMENT FACILITIES AND HOSPITALS TO CONTACT THE PROGRAM".

Page 4, before line 27 insert:

"(4) THE PROGRAM MAY ENCOURAGE, BUT CANNOT REQUIRE, A HIGH-RISK INDIVIDUAL TO ACCEPT SERVICES FROM A TRANSITION SPECIALIST. PARTICIPATION BY A HIGH-RISK INDIVIDUAL IS VOLUNTARY AND THE INDIVIDUAL HAS THE RIGHT TO DECLINE COMMUNITY TRANSITION SPECIALIST SERVICES.".

Renumber succeeding subsections accordingly.

State, Veterans, & Military Affairs

The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

Carrie Besnette Hauser of Glenwood Springs, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of Christopher James Castilian of Denver, Colorado, appointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB18-265** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 3, after line 2 insert:

"(a) "BENEFICIARY" MEANS A DEPENDENT WHO IS LESS THAN SIX YEARS OLD OF AN INDIVIDUAL WHO HAS CREATED A CHILD SAVINGS ACCOUNT.".

Reletter succeeding paragraphs accordingly.

Page 3, line 17, strike "(a)" and strike "WHO MEETS".

Page 3, strike line 18.

Page 3, strike 19, strike "SECTION".

Page 3, line 21, after the period add "AN INDIVIDUAL MAY NOT HAVE MORE THAN ONE ACCOUNT BUT MAY JOINTLY OWN AN ACCOUNT WITH ANOTHER PERSON IF THEY FILE A JOINT INCOME TAX RETURN.".

Page 3, strike lines 22 through 27.

Page 4, strike lines 1 and 2.

Page 4, line 3, strike "LIMIT IN SUBSECTION (4)(b)" and substitute "LIMITATIONS IN SUBSECTIONS (4)(b) AND (4)(c)".

Page 4, after line 8 insert:

"(b) (I) FOR AN INDIVIDUAL TO CLAIM A CREDIT FOR A CONTRIBUTION TO HIS OR HER CHILD CARE SAVINGS ACCOUNT, THE INDIVIDUAL MUST HAVE:

(A) COMPENSATION DURING THE INCOME TAX YEAR THAT IS SUBJECT TO WITHHOLDING UNDER SECTION 39-22-604; AND

(B) FEDERAL TAXABLE INCOME FOR THE INCOME TAX YEAR THAT IS LESS THAN OR EQUAL TO NINETY THOUSAND DOLLARS OR, IN THE CASE OF INDIVIDUALS WHO FILE A JOINT FEDERAL RETURN, ONE HUNDRED EIGHTY THOUSAND DOLLARS.

(II) AN EMPLOYER SHALL NOT CLAIM A CREDIT FOR A CONTRIBUTION TO AN EMPLOYEE'S CHILD CARE SAVINGS ACCOUNT IF THE EMPLOYEE'S WAGES FROM THE EMPLOYER ARE GREATER THAN NINETY THOUSAND DOLLARS FOR THE INCOME TAX YEAR.".

Reletter succeeding paragraph accordingly.

Page 4, lines 11 and 12, strike "A TAXPAYER MAY CONTRIBUTE TO MULTIPLE ACCOUNTS" and substitute "AN EMPLOYER MAY CONTRIBUTE TO THE CHILD CARE SAVINGS ACCOUNTS OF MULTIPLE EMPLOYEES".

Page 5, line 4, strike "DEPENDENT WHO IS LESS THAN SIX YEARS OLD" and substitute "BENEFICIARY".

Page 5, line 5, after the period add "THE INDIVIDUAL MUST PROVIDE THE DEPARTMENT WITH A BENEFICIARY'S TAX IDENTIFICATION NUMBER.".

Page 5, line 12, strike "RECAPTURED." and substitute "RECAPTURED OR, IF THE CREDIT WAS CLAIMED BY ANOTHER PERSON, THE INDIVIDUAL IS SUBJECT TO A PENALTY THAT IS EQUAL TO THE AMOUNT OF THE CREDIT GRANTED PLUS AN AMOUNT EQUAL TO TEN PERCENT OF THE CREDIT.".

Page 5, strike lines 22 through 27.

Page 6, strike lines 1 through 3.

Page 6, line 25, after "ENSURING" insert "THE FAILURE OF AN ACCOUNT OWNER TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION, THE ELIGIBILITY OF AN ACCOUNT OWNER TO CLAIM A CREDIT, OR".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1207** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1281** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1273** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1077** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1020** be referred to the Committee on Finance with favorable recommendation.

Judiciary — After consideration on the merits, the Committee recommends that **SB18-252** 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, **amend** 16-8.5-101 as follows:

16-8.5-101. Definitions. As used in this ~~article~~ ARTICLE 8.5, unless the context otherwise requires:

(1) "AVAILABLE BED" MEANS AN INPATIENT BED THAT IS UNOCCUPIED WHEN THE DEPARTMENT'S BEDS THAT ARE DEDICATED TO RESTORATION SERVICES ARE LESS THAN NINETY PERCENT FILLED.

(2) "COLLATERAL MATERIALS" MEANS THE RELEVANT POLICE OR OTHER INCIDENT REPORTS AND THE CHARGING DOCUMENTS, EITHER THE CRIMINAL COMPLAINT OR INDICTMENT.

~~(1)~~ (3) "Competency evaluation" includes both court-ordered competency evaluations and second evaluations.

~~(2)~~ (4) "Competency evaluator" means a licensed physician who is a psychiatrist or a licensed psychologist, each of whom is trained in forensic competency assessments, or a psychiatrist who is in forensic training and practicing under the supervision of a psychiatrist with expertise in forensic psychiatry, or a psychologist who is in forensic training and is practicing under the supervision of a licensed psychologist with expertise in forensic psychology.

~~(3)~~ (5) "Competency hearing" means a hearing to determine whether a defendant is competent to proceed.

~~(4)~~ (6) "Competent to proceed" means that the defendant does not have a mental disability or developmental disability that prevents the defendant from having sufficient present ability to consult with ~~the defendant's~~ HIS OR HER lawyer with a reasonable degree of rational understanding in order to assist in the defense or prevents the defendant from having a rational and factual understanding of the criminal proceedings.

~~(5)~~ (7) "Court-ordered competency evaluation" means a court-ordered examination of a defendant either before, during, or after trial, directed to developing information relevant to a determination of the defendant's competency to proceed at a particular stage of the criminal proceeding, that is performed by a competency evaluator and

includes evaluations concerning restoration to competency.

~~(6)~~ (8) "Court-ordered report" means a report of an evaluation, conducted by or under the direction of the department, that is the statutory obligation of the department to prepare when requested to do so by the court.

~~(7)~~ (9) "Criminal proceedings" means trial, sentencing, execution, and any pretrial matter that is not susceptible of fair determination without the personal participation of the defendant.

~~(8)~~ (10) "Department" means the department of human services.

~~(9)~~ (11) "Developmental disability" means a disability that has manifested before the person reaches twenty-two years of age, that constitutes a substantial disability to the affected individual, and is attributable to ~~mental retardation~~ AN INTELLECTUAL DISABILITY or other neurological conditions when such conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with ~~mental retardation~~ AN INTELLECTUAL DISABILITY. Unless otherwise specifically stated, the federal definition of "developmental disability", 42 U.S.C. sec. 15001 et seq., ~~shall~~ DOES not apply.

~~(10)~~ (12) "Executive director" means the executive director of the department of human services.

~~(11)~~ (13) "Incompetent to proceed" means that, as a result of a mental disability or developmental disability, the defendant does not have sufficient present ability to consult with ~~the defendant's~~ HIS OR HER lawyer with a reasonable degree of rational understanding in order to assist in the defense, or that, as a result of a mental disability or developmental disability, the defendant does not have a rational and factual understanding of the criminal proceedings.

(14) "INPATIENT" MEANS IN THE CUSTODY OF THE DEPARTMENT, EITHER IN A MENTAL HEALTH HOSPITAL OR IN A FULL-TIME, JAIL-BASED RESTORATION PROGRAM DEVELOPED BY THE DEPARTMENT.

~~(12)~~ (15) "Mental disability" means a substantial disorder of thought, mood, perception, or cognitive ability that results in marked functional disability, significantly interfering with adaptive behavior. "Mental disability" does not include acute intoxication from alcohol or other substances, or any condition manifested only by antisocial behavior, or any substance abuse impairment resulting from recent use or withdrawal. However, substance abuse that results in a long-term, substantial disorder of thought, mood, or cognitive ability may constitute a mental disability.

(16) "OUTPATIENT" MEANS ANY LOCATION OUTSIDE OF THE CUSTODY OF THE DEPARTMENT WHERE THE DEFENDANT CAN ACCESS RESTORATION SERVICES. "OUTPATIENT" MAY INCLUDE A JAIL OR OTHER DETENTION FACILITY WHERE THE DEFENDANT IS IN CUSTODY OR ANY OTHER OUT-OF-CUSTODY RESTORATION LOCATION.

~~(13)~~ (17) "Restoration hearing" means a hearing to determine whether a defendant who has previously been determined to be incompetent to proceed has become competent to proceed.

~~(14)~~ (18) "Second evaluation" means an evaluation requested by the court, the district attorney, or the defendant that is performed by a competency evaluator and that is not performed by or under the direction of, or paid for by, the department.

SECTION 2. In Colorado Revised Statutes, 16-8.5-103, **amend** (1), (3), and (4) as follows:

16-8.5-103. Determination of competency to proceed. (1) Whenever the question of a defendant's competency to proceed is raised, by either party or on the court's own motion, the court may make a preliminary finding of competency or incompetency TO PROCEED, which ~~shall be~~ IS a final determination unless a party to the case objects within ~~fourteen~~ SEVEN days after the court's preliminary finding.

(3) Within ~~fourteen~~ SEVEN days after receipt of the court-ordered report, either party may request a hearing or a second evaluation.

(4) If a party requests a second evaluation, any pending requests for a hearing ~~shall~~ MUST be continued until the receipt of the second evaluation report. The report of the expert conducting the second evaluation ~~shall~~ MUST be completed and filed with the court within ~~sixty-three~~ FORTY-TWO days after the court order allowing the second evaluation, unless the time period is extended by the court for good cause. If the second evaluation is requested by the court, it ~~shall~~ MUST be paid for by the court.

SECTION 3. In Colorado Revised Statutes, 16-8.5-105, **amend** (1) and (5); and **add** (6) as follows:

16-8.5-105. Competency evaluations and reports. (1) (a) (I) The court shall order that the COMPETENCY evaluation be conducted on an ~~outpatient~~ OUT-OF-CUSTODY basis or, if the defendant is in custody, at the place where the defendant is in custody, ~~The defendant shall be released on bond if otherwise eligible for bond~~ EXCEPT AS PROVIDED IN SUBSECTION (1)(b) OF THIS SECTION. IF THE DEPARTMENT CONDUCTS THE EVALUATION ON AN IN-CUSTODY BASIS, THE DEPARTMENT SHALL BEGIN THE EVALUATION NO LATER THAN SEVEN DAYS AFTER THE DEPARTMENT'S RECEIPT OF A COURT ORDER DIRECTING THE EVALUATION AND THE RECEIPT OF COLLATERAL MATERIALS. THE DEPARTMENT SHALL COMPLETE THE IN-CUSTODY EVALUATION NO LATER THAN FORTY-FIVE DAYS AFTER THE RECEIPT OF SUCH DOCUMENTS, UNLESS THE COURT EXTENDS THE TIMELINE FOR GOOD CAUSE SHOWN.

(II) THE DEFENDANT MUST HAVE BOND SET UNLESS HE OR SHE IS INELIGIBLE FOR BOND PURSUANT TO THE PROVISIONS OF SECTION 16-4-101. THE COURT SHALL DETERMINE THE TYPE OF BOND AND THE CONDITIONS OF RELEASE AFTER CONSIDERATION OF THE FACTORS ENUMERATED IN ARTICLE 4 OF THIS TITLE 16, WHICH INCLUDE CONSIDERATION OF THE INFORMATION RECEIVED FROM ANY PRETRIAL SERVICES PROGRAM PURSUANT TO THE PROVISIONS OF SECTION 16-4-106. A REQUEST FOR A COMPETENCY EVALUATION IS NOT A BARRIER TO RELEASE ON BOND, INCLUDING A PERSONAL RECOGNIZANCE BOND, WITH APPROPRIATE AND LEAST RESTRICTIVE CONDITIONS. AS A CONDITION OF ANY BOND, THE COURT SHALL INCLUDE A CONDITION REQUIRING THE DEFENDANT'S COOPERATION WITH THE COMPETENCY EVALUATION ON AN OUTPATIENT AND OUT-OF-CUSTODY BASIS.

(III) NOTHING IN THIS SUBSECTION (1)(a) LIMITS THE AVAILABILITY OF A COURT-ORDERED EVALUATION FOR A PERSON WITH A MENTAL HEALTH DISORDER PURSUANT TO SECTION 27-65-106 OR INVOKES THE EMERGENCY PROCEDURE SET FORTH IN SECTION 27-65-105.

(b) Notwithstanding the provisions of ~~paragraph (a) of this subsection (1)~~ SUBSECTION (1)(a) OF THIS SECTION, the court may order the defendant placed in the DEPARTMENT'S custody ~~of the Colorado mental health institute at Pueblo~~ for the time necessary to conduct the INPATIENT COMPETENCY evaluation if:

~~(I) The court finds the defendant may be a danger to self or others as defined in section 27-65-102, C.R.S.;~~

~~(II) The court finds that an inadequate competency evaluation and report has been completed or two or more conflicting competency evaluations and reports have been completed;~~

~~(III) The court finds that an observation period is necessary to determine if the defendant is competent to stand trial;~~

~~(IV) The court receives a recommendation from the Colorado mental health institute at Pueblo court services evaluator that conducting the evaluation at the Colorado mental health institute at Pueblo is appropriate because the evaluator conducting the evaluation for the Colorado mental health institute at Pueblo determines that the defendant has been uncooperative or the defendant has clinical needs that warrant transfer to the Colorado mental health institute at Pueblo; or~~

~~(V) The court receives written approval for the evaluation to be conducted at the Colorado mental health institute at Pueblo from the executive director of the department of human services, or his or her designee.~~

(I) THE DEPARTMENT PROVIDES A RECOMMENDATION TO THE COURT, AFTER CONSULTATION WITH THE DEFENDANT, THAT CONDUCTING THE COMPETENCY EVALUATION ON AN INPATIENT BASIS IS CLINICALLY APPROPRIATE; OR

(II) EXTRAORDINARY CIRCUMSTANCES RELATING TO THE CASE OR THE DEFENDANT MAKE CONDUCTING THE COMPETENCY EVALUATION ON AN INPATIENT BASIS NECESSARY AND APPROPRIATE.

(b.3) UPON ENTRY OF A COURT ORDER PURSUANT TO SUBSECTION (1)(b) OF THIS SECTION, THE DEPARTMENT HAS THE SAME AUTHORITY WITH RESPECT TO CUSTODY AS PROVIDED FOR IN SECTION 16-8-105.5 (4).

(b.5) WHEN THE COURT ORDERS AN INPATIENT EVALUATION, THE COURT SHALL ADVISE THE DEFENDANT THAT RESTORATION SERVICES MAY COMMENCE IMMEDIATELY IF THE EVALUATION CONCLUDES THE

DEFENDANT IS INCOMPETENT TO PROCEED, UNLESS EITHER PARTY OBJECTS AT THE TIME OF THE ADVISEMENT, OR WITHIN SEVENTY-TWO HOURS AFTER THE RECEIPT OF THE WRITTEN EVALUATION SUBMITTED TO THE COURT. THE COURT SHALL RECORD ANY OBJECTION TO THE ORDER OF COMMITMENT TO THE DEPARTMENT.

(c) ~~The court, when setting bond pursuant to section 16-4-103, if the defendant is eligible for bond, and after receiving any information pursuant to section 16-4-106, shall not consider the need for the defendant to receive an evaluation pursuant to this article.~~

(d) If a defendant is in THE DEPARTMENT'S custody ~~at the Colorado mental health institute at Pueblo~~ for purposes of the COMPETENCY evaluation ordered pursuant to this ~~article~~ ARTICLE 8.5 and the defendant has completed the ~~evaluation and must be returned to~~ COMPETENCY EVALUATION AND THE EVALUATOR HAS CONCLUDED THAT THE DEFENDANT IS COMPETENT TO PROCEED, THE DEPARTMENT MAY RETURN THE DEFENDANT TO a county jail OR TO THE COMMUNITY, AS DETERMINED BY THE DEFENDANT'S BOND STATUS. IF THE EVALUATOR HAS CONCLUDED THAT THE DEFENDANT IS INCOMPETENT TO PROCEED AND THAT INPATIENT RESTORATION SERVICES ARE NOT CLINICALLY APPROPRIATE, AND OUTPATIENT RESTORATION SERVICES ARE AVAILABLE TO THE DEFENDANT IN THE COUNTY JAIL OR IN THE COMMUNITY, THE DEPARTMENT MAY RETURN THE DEFENDANT TO A COUNTY JAIL OR TO THE COMMUNITY. IF THE DEPARTMENT IS RETURNING THE DEFENDANT TO THE COUNTY JAIL, the ~~county~~ sheriff in the jurisdiction where the defendant must return shall ~~make all reasonable efforts to take custody of the defendant as soon as practicable once the defendant's evaluation is completed~~ TAKE CUSTODY OF THE DEFENDANT WITHIN SEVENTY-TWO HOURS AFTER RECEIVING NOTIFICATION FROM THE DEPARTMENT THAT THE DEFENDANT'S COMPETENCY EVALUATION IS COMPLETE. AT THE TIME THE DEPARTMENT NOTIFIES THE SHERIFF, THE DEPARTMENT SHALL ALSO NOTIFY THE COURT THAT THE DEPARTMENT IS RETURNING THE DEFENDANT TO THE CUSTODY OF THE JAIL.

(e) Nothing in this section ~~shall restrict~~ RESTRICTS the right of the defendant to procure ~~an~~ A COMPETENCY evaluation as provided in ~~section 16-8.5-107~~ SECTION 16-8.5-106.

(5) The ~~report of evaluation shall~~ COMPETENCY EVALUATION REPORT MUST include but need not be limited to:

(a) The name of each physician, psychologist, or other expert who examined the defendant; ~~and~~

(b) A description of the nature, content, extent, and results of the COMPETENCY evaluation and any tests conducted, ~~and~~ WHICH MUST INCLUDE, BUT NEED NOT BE LIMITED TO, THE INFORMATION REVIEWED AND RELIED UPON IN CONDUCTING THE COMPETENCY EVALUATION AND SPECIFIC TESTS CONDUCTED BY THE COMPETENCY EVALUATOR;

(c) A diagnosis and prognosis of the defendant's mental disability or developmental disability; ~~and~~

(d) An opinion as to whether the defendant suffers from a mental disability or developmental disability; ~~and~~

(e) An opinion as to whether the defendant is competent to proceed;

(f) IF THE OPINION OF THE COMPETENCY EVALUATOR IS THAT THE DEFENDANT IS INCOMPETENT TO PROCEED:

(I) AN OPINION AS TO WHETHER THERE IS A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT, WITH RESTORATION SERVICES, WILL ATTAIN COMPETENCY WITHIN THE TIME ALLOWED PURSUANT TO SECTION 16-8.5-116;

(II) A RECOMMENDATION AS TO WHETHER INPATIENT RESTORATION SERVICES ARE CLINICALLY APPROPRIATE TO RESTORE THE DEFENDANT TO COMPETENCY. IF INPATIENT RESTORATION SERVICES ARE NOT CLINICALLY APPROPRIATE, THE DEPARTMENT MUST DETAIL THE OUTPATIENT AND OUT-OF-CUSTODY RESTORATION SERVICES AVAILABLE TO THE DEFENDANT.

(g) IF AVAILABLE, A DESCRIPTION OF ALL COMPETENCY EVALUATIONS OR RESTORATION SERVICES THAT WERE PREVIOUSLY PROVIDED TO THE DEFENDANT; AND

(h) THE COMPETENCY EVALUATOR'S OPINION AS TO WHETHER THE DEFENDANT MEETS THE CRITERIA FOR CERTIFICATION PURSUANT TO ARTICLE 65 OF TITLE 27 OR WHETHER THE DEFENDANT IS ELIGIBLE FOR SERVICES PURSUANT TO ARTICLE 10 OF TITLE 25.5 OR ARTICLE 10.5 OF

TITLE 27.

(6) (a) IF THE COMPETENCY EVALUATION CONCLUDES THAT THE DEFENDANT IS INCOMPETENT TO PROCEED, THE DEPARTMENT MAY INITIATE RESTORATION SERVICES UNLESS EITHER PARTY OBJECTS WITHIN SEVENTY-TWO HOURS AFTER THE RECEIPT OF THE COMPETENCY EVALUATION REPORT OR HAS OBJECTED AT THE TIME OF THE ORDER FOR A COMPETENCY EVALUATION PURSUANT TO SUBSECTION (1)(b.5) OF THIS SECTION. ANY OBJECTION MUST BE PROVIDED TO THE DEPARTMENT ON A FORTHWITH BASIS.

(b) IF EITHER PARTY OBJECTS, RESTORATION SERVICES WILL NOT COMMENCE AND THE DEPARTMENT MAY RETURN THE DEFENDANT TO THE COUNTY JAIL OR TO THE COMMUNITY, DEPENDING UPON THE DEFENDANT'S BOND STATUS. IF THE DEPARTMENT IS RETURNING THE DEFENDANT TO THE COUNTY JAIL, THE SHERIFF IN THE JURISDICTION WHERE THE DEFENDANT MUST RETURN SHALL TAKE CUSTODY OF THE DEFENDANT WITHIN SEVENTY-TWO HOURS AFTER RECEIVING NOTIFICATION FROM THE DEPARTMENT. AT THE TIME THE DEPARTMENT NOTIFIES THE SHERIFF, THE DEPARTMENT SHALL ALSO NOTIFY THE COURT THAT THE DEPARTMENT IS RETURNING THE DEFENDANT TO THE CUSTODY OF THE JAIL.

SECTION 4. In Colorado Revised Statutes, 16-8.5-111, **amend** (2); and **add** (3) as follows:

16-8.5-111. Procedure after determination of competency or incompetency. (2) If the final determination made pursuant to section 16-8.5-103 is that the defendant is incompetent to proceed, the court has the following options:

(a) (I) If the defendant is on bond or summons, the court shall ~~consider whether~~ ORDER THAT restoration to competency ~~should occur~~ TAKE PLACE on an outpatient and out-of-custody basis, UNLESS THE DEPARTMENT RECOMMENDS INPATIENT RESTORATION SERVICES PURSUANT TO SECTION 16-8.5-105 (5)(f)(II).

(II) If the defendant is in custody, the court may release the defendant on bond ~~upon compliance with the standards and procedures for such release prescribed by statute and by~~ CONSISTENT WITH ARTICLE 4 OF THIS TITLE 16 AND the Colorado rules of criminal procedure. As a condition of SUCH bond, the court ~~may~~ SHALL ORDER THAT THE RESTORATION TAKE PLACE ON AN OUTPATIENT AND OUT-OF-CUSTODY BASIS. THE COURT MAY require the defendant to obtain any OUTPATIENT treatment or habilitation services that are available to the defendant, such as ~~inpatient or~~ outpatient treatment at a community mental health center or in any other appropriate OUTPATIENT treatment setting, as determined by the court. Nothing in this section authorizes the court to order community mental health centers or other providers to provide treatment for persons not otherwise eligible for these services. ~~At any hearing to determine eligibility for release on bond, the court shall consider any effect the defendant's incompetency may have on the court's ability to ensure the defendant's presence for hearing or trial. There is a presumption that the defendant's incompetency will inhibit the defendant's ability to ensure his or her presence for trial. Pursuant to section 27-60-105, the office of behavioral health is the entity responsible for the oversight of restoration education and coordination of services necessary to competency restoration~~ THE INDIVIDUAL AGENCY RESPONSIBLE FOR PROVIDING OUTPATIENT RESTORATION SERVICES FOR THE DEFENDANT SHALL NOTIFY THE COURT WITHIN TWENTY-EIGHT DAYS AFTER BEGINNING OR ATTEMPTING TO BEGIN RESTORATION SERVICES IF THE DEFENDANT IS UNCOOPERATIVE WITH ACCEPTING RESTORATION SERVICES. PURSUANT TO SECTION 27-60-105, THE DEPARTMENT IS THE ENTITY RESPONSIBLE FOR THE DEVELOPMENT OF RESTORATION CURRICULA AND NECESSARY TRAINING TO CREATE OUTPATIENT RESTORATION SERVICES IN ANY SETTING.

(b) ~~If the court finds that the defendant is not eligible for release from custody, the court may commit the defendant to the custody of the department, in which case the executive director has the same powers with respect to commitment as the executive director has following a commitment under section 16-8-105.5 (4). At such time as the department recommends to the court that the defendant is restored to competency, the defendant may be returned to custody of the county jail or to previous bond status~~ IF THE DEFENDANT IS NOT RELEASED FROM CUSTODY, THE COURT SHALL ORDER THE DEPARTMENT TO PROVIDE RESTORATION SERVICES AT THE PLACE WHERE THE DEFENDANT IS IN

CUSTODY, IF THE DEPARTMENT HAS RECOMMENDED OUTPATIENT RESTORATION SERVICES AND IF THE DEPARTMENT HAS NO AVAILABLE BEDS FOR INPATIENT RESTORATION SERVICES. THE DEPARTMENT SHALL BEGIN OUTPATIENT RESTORATION SERVICES AS SOON AS PRACTICABLE AFTER THE COURT'S ORDER. A JAIL WHERE A DEFENDANT IS RECEIVING OUTPATIENT RESTORATION SERVICES SHALL PROVIDE THE RESTORATION AGENCY WITH FACE-TO-FACE ACCESS IN A PRIVATE SETTING TO FACILITATE RESTORATION SERVICES.

(c) THE COURT MAY ORDER INPATIENT RESTORATION SERVICES UNDER ONE OF THE FOLLOWING EXCEPTIONS:

(I) THE COURT MAY COMMIT THE DEFENDANT TO THE CUSTODY OF THE DEPARTMENT IF THE DEPARTMENT HAS RECOMMENDED THAT RESTORATION SERVICES BE PROVIDED ON AN INPATIENT BASIS PURSUANT TO SECTION 16-8.5-105 (5)(f)(II); OR

(II) IF THE COURT HAS ORDERED OUTPATIENT RESTORATION SERVICES AND THE DEPARTMENT REPORTS THAT IT IS UNABLE TO PROVIDE RESTORATION SERVICES ON AN OUTPATIENT BASIS, THE COURT MAY COMMIT THE DEFENDANT TO THE CUSTODY OF THE DEPARTMENT FOR INPATIENT RESTORATION SERVICES UNTIL SUCH TIME AS THE DEPARTMENT IS ABLE TO PROVIDE OUTPATIENT RESTORATION SERVICES, AT WHICH POINT THE DEPARTMENT MAY DISCHARGE THE DEFENDANT AND BEGIN OR RESUME PROVIDING SERVICES ON AN OUTPATIENT BASIS, SUBJECT TO THE PROVISIONS OF SECTION 16-8.5-116.

(III) THE COURT SHALL COMMIT THE DEFENDANT TO THE CUSTODY OF THE DEPARTMENT FOR INPATIENT RESTORATION SERVICES IF THE DEFENDANT HAS BEEN RECEIVING OUTPATIENT AND IN-CUSTODY RESTORATION SERVICES AND HAS NOT BEEN RESTORED TO COMPETENCY IN ONE HUNDRED AND FIFTY DAYS, UNLESS THE COURT EXTENDS THE TIMELINE FOR GOOD CAUSE SHOWN. THE TIMELINE MUST EXCLUDE TIME DURING WHICH THE DEFENDANT REFUSES TO ACCEPT SERVICES OR TREATMENT, PROVIDED THAT SUCH REFUSAL IS NOT THE RESULT OF A DEVELOPMENTAL DISABILITY OR MENTAL DISABILITY.

(d) IF THE COURT COMMITS THE DEFENDANT TO THE CUSTODY OF THE DEPARTMENT, THE EXECUTIVE DIRECTOR HAS THE SAME POWERS WITH RESPECT TO A COMMITMENT PROVIDED FOR IN SECTION 16-8-105.5 (4).

(e) IF A COURT HAS ORDERED INPATIENT RESTORATION SERVICES AND THE DEPARTMENT DOES NOT HAVE AN AVAILABLE BED FOR THE DEFENDANT, AND THE DEPARTMENT SO ADVISES THE COURT, THE DEPARTMENT SHALL PROVIDE RESTORATION SERVICES ON AN OUTPATIENT BASIS AS SOON AS PRACTICABLE UNTIL THE DEPARTMENT CAN OFFER ADMISSION TO THE DEFENDANT.

(f) IF A DEFENDANT IS RECEIVING INPATIENT RESTORATION SERVICES AND THE EXECUTIVE DIRECTOR CONCLUDES THAT A LESS RESTRICTIVE FACILITY WOULD BE MORE CLINICALLY APPROPRIATE, THE EXECUTIVE DIRECTOR, WITH PROPER NOTICE TO THE COURT, AND CONSISTENT WITH THE PROVISIONS OF PART 3 OF ARTICLE 4.1 OF TITLE 24, HAS THE AUTHORITY TO MOVE THE DEFENDANT TO A LESS RESTRICTIVE FACILITY IF, IN THE EXECUTIVE DIRECTOR'S OPINION, THE DEFENDANT IS NOT YET RESTORED TO COMPETENCY BUT HE OR SHE COULD BE PROPERLY RESTORED TO COMPETENCY IN A LESS RESTRICTIVE FACILITY.

(g) AT SUCH TIME AS THE DEPARTMENT RECOMMENDS TO THE COURT THAT THE DEFENDANT IS RESTORED TO COMPETENCY, THE DEFENDANT MAY BE RETURNED TO THE CUSTODY OF THE COUNTY JAIL, IF THE DEFENDANT IS NOT ON BOND OR SUMMONS, OR TO PREVIOUS BOND STATUS. IF THE RECOMMENDATION IS TO RETURN THE DEFENDANT TO THE CUSTODY OF THE COUNTY JAIL, THE DEPARTMENT SHALL NOTIFY THE SHERIFF IN THE JURISDICTION WHERE THE DEFENDANT IS TO BE RETURNED, AND THE SHERIFF SHALL TAKE CUSTODY OF THE DEFENDANT WITHIN SEVENTY-TWO HOURS AFTER RECEIVING SUCH NOTIFICATION. AT THE TIME THE DEPARTMENT NOTIFIES THE SHERIFF, THE DEPARTMENT SHALL ALSO NOTIFY THE COURT THAT THE DEPARTMENT IS RETURNING THE DEFENDANT TO THE CUSTODY OF THE JAIL.

(3) FOR A DEFENDANT WHO IS RECEIVING OUTPATIENT AND IN-CUSTODY RESTORATION SERVICES, THE COURT SHALL REVIEW THE CASE EVERY THIRTY DAYS TO ASSESS THE CLINICAL STATUS OF THE DEFENDANT AND HIS OR HER PROGRESS TOWARD RESTORATION. AT THAT TIME, THE COURT SHALL ALSO REVIEW THE INDIVIDUAL CIRCUMSTANCES OF THE DEFENDANT TO DETERMINE IF HE OR SHE SHOULD BE RELEASED ON

BOND WITH APPROPRIATE CONDITIONS PURSUANT TO THE PROVISIONS OF THIS SECTION AND SECTION 4 OF THIS ARTICLE 16.

SECTION 5. In Colorado Revised Statutes, 16-8.5-113, **amend** (2) and (3) as follows:

16-8.5-113. Restoration to competency. (2) Within ~~fourteen~~ SEVEN days after receipt of a report from the department or other court-approved provider of restoration services certifying that the defendant is competent to proceed, either party may request a hearing or a second evaluation. The court shall determine whether to allow the second evaluation or proceed to a hearing on competency. If the second evaluation is requested by the court or by an indigent defendant, it ~~shall~~ MUST be paid for by the court.

(3) If a second evaluation is allowed, any pending requests for a hearing ~~shall~~ MUST be continued until receipt of the second evaluation report. The report of the expert conducting the second evaluation report ~~shall~~ MUST be completed and filed with the court within ~~sixty-three~~ FORTY-TWO days after the court order allowing the second evaluation, unless the time period is extended by the court after a finding of good cause.

SECTION 6. In Colorado Revised Statutes, 16-8.5-114, **amend** (2) as follows:

16-8.5-114. Procedure after hearing concerning restoration to competency. (2) If, after the hearing held pursuant to section 16-8.5-113, the court determines that the defendant remains incompetent to proceed, the court may continue or modify any orders entered at the time of the original determination of incompetency and may commit or recommit the defendant or enter any new order necessary to facilitate the defendant's restoration to mental competency, CONSISTENT WITH THE REQUIREMENTS OF SECTION 16-8.5-111.

SECTION 7. In Colorado Revised Statutes, **repeal and reenact, with amendments,** 16-8.5-116 as follows:

16-8.5-116. Certification - reviews - termination of proceedings - rules. (1) SUBJECT TO THE TIME PERIODS SET FORTH IN SUBSECTIONS (3), (4), AND (5) OF THIS SECTION, WHICHEVER IS SHORTEST, A DEFENDANT COMMITTED TO THE CUSTODY OF THE DEPARTMENT OR OTHERWISE CONFINED AS A RESULT OF A DETERMINATION OF INCOMPETENCY TO PROCEED MUST NOT REMAIN CONFINED FOR A PERIOD IN EXCESS OF THE MAXIMUM TERM OF CONFINEMENT THAT COULD BE IMPOSED FOR THE MOST SERIOUS OFFENSE WITH WHICH THE DEFENDANT IS CHARGED, LESS ANY TIME CREDITS THE DEFENDANT WOULD BE ENTITLED TO PURSUANT TO ARTICLE 22.5 OF TITLE 17 AND SECTION 17-26-109. AT THE END OF SUCH TIME PERIOD, THE COURT SHALL DISMISS THE CHARGES, AND CERTIFICATION PROCEEDINGS OR PROVISION OF SERVICES, IF ANY, MUST BE GOVERNED BY ARTICLE 65 OR 10.5 OF TITLE 27.

(2) AT LEAST EVERY THREE MONTHS, THE COURT SHALL REVIEW THE CASE OF A DEFENDANT WHO HAS BEEN DETERMINED TO BE INCOMPETENT TO PROCEED WITH REGARD TO THE PROBABILITY THAT THE DEFENDANT WILL EVENTUALLY BE RESTORED TO COMPETENCY AND WITH REGARD TO THE JUSTIFICATION FOR CERTIFICATION OR CONFINEMENT. THE REVIEW MAY BE HELD IN CONJUNCTION WITH A RESTORATION HEARING HELD PURSUANT TO SECTION 16-8.5-113. PRIOR TO EACH REVIEW, THE INDIVIDUAL OR ENTITY EVALUATING THE DEFENDANT SHALL PROVIDE THE COURT WITH A CURRENT REPORT REGARDING:

(a) THE DEFENDANT'S COMPETENCY;

(b) WHETHER THERE IS A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE TIME PERIODS SET FORTH IN THIS SECTION; AND

(c) WHETHER THE DEFENDANT MEETS THE REQUIREMENTS FOR CERTIFICATION SET FORTH IN ARTICLE 65 OF TITLE 27 OR IS ELIGIBLE FOR SERVICES PURSUANT TO ARTICLE 10.5 OF TITLE 27.

(3) IF THE DEFENDANT IS CHARGED WITH A MISDEMEANOR, A MISDEMEANOR DRUG OFFENSE, OR A PETTY OFFENSE, EXCEPT FOR THOSE OFFENSES ENUMERATED IN SECTION 24-4.1-302 (1), AND HAS BEEN COMMITTED TO THE CUSTODY OF THE DEPARTMENT OR OTHERWISE CONFINED AS A RESULT OF A DETERMINATION OF INCOMPETENCY TO PROCEED, THE FOLLOWING PROVISIONS APPLY:

(a) (I) IF THE DEFENDANT HAS RECEIVED COMPETENCY RESTORATION SERVICES WHILE COMMITTED OR OTHERWISE CONFINED FOR

AN AGGREGATE TIME OF THREE MONTHS, EXCLUDING TIME RESULTING FROM A REFUSAL BY THE DEFENDANT TO ACCEPT SERVICES OR TREATMENT, THE COURT SHALL HOLD A REVIEW HEARING. IF THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THE DEFENDANT REMAINS INCOMPETENT TO PROCEED AND THERE IS NOT A SUBSTANTIAL PROBABILITY THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE NEXT THREE MONTHS, THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT, SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(II) IF, HOWEVER, THE COURT FINDS THAT THERE IS A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE NEXT THREE MONTHS, RESTORATION SERVICES MAY CONTINUE, AND THE COURT SHALL CONTINUE TO REVIEW THE CASE AS PROVIDED FOR IN SUBSECTION (2) OF THIS SECTION.

(b) IF THE DEFENDANT HAS RECEIVED COMPETENCY RESTORATION SERVICES WHILE COMMITTED OR OTHERWISE CONFINED FOR AN AGGREGATE TIME OF SIX MONTHS, EXCLUDING TIME RESULTING FROM A REFUSAL BY THE DEFENDANT TO ACCEPT SERVICES OR TREATMENT, AND THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THE DEFENDANT IS NOT RESTORED TO COMPETENCY, THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT, SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(4) IF THE DEFENDANT IS CHARGED WITH A CLASS 5 OR CLASS 6 FELONY, EXCEPT FOR THOSE OFFENSES ENUMERATED IN SECTION 24-4.1-302 (1); WITH A CLASS 3 OR CLASS 4 DRUG FELONY; OR WITH ANY MISDEMEANOR OFFENSE THAT IS NOT INCLUDED IN SUBSECTION (3)(a) OF THIS SECTION, AND HAS BEEN COMMITTED TO THE CUSTODY OF THE DEPARTMENT OR OTHERWISE CONFINED AS A RESULT OF A DETERMINATION OF INCOMPETENCY TO PROCEED, THE FOLLOWING PROVISIONS APPLY:

(a) (I) IF THE DEFENDANT HAS RECEIVED COMPETENCY RESTORATION SERVICES WHILE COMMITTED OR OTHERWISE CONFINED FOR AN AGGREGATE TIME OF ONE YEAR, EXCLUDING TIME RESULTING FROM A REFUSAL BY THE DEFENDANT TO ACCEPT SERVICES OR TREATMENT, THE COURT SHALL HOLD A REVIEW HEARING. IF THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THE DEFENDANT REMAINS INCOMPETENT TO PROCEED AND THERE IS NOT A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE NEXT SIX MONTHS, THEN THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT, SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(II) IF, HOWEVER, THE COURT FINDS THAT THERE IS A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE NEXT SIX MONTHS, RESTORATION SERVICES MAY CONTINUE AND THE COURT SHALL CONTINUE TO REVIEW THE CASE AS PROVIDED FOR IN SUBSECTION (2) OF THIS SECTION.

(b) IF THE DEFENDANT HAS RECEIVED COMPETENCY RESTORATION SERVICES WHILE COMMITTED OR OTHERWISE CONFINED FOR AN AGGREGATE TIME OF EIGHTEEN MONTHS, EXCLUDING TIME RESULTING FROM A REFUSAL BY THE DEFENDANT TO ACCEPT SERVICES OR TREATMENT, AND THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THE DEFENDANT IS NOT RESTORED TO COMPETENCY, THEN THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT, SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(5) IF THE DEFENDANT IS CHARGED WITH ANY OTHER FELONY OFFENSE, EXCEPT A CLASS 1, CLASS 2, OR CLASS 3 FELONY; A SEX OFFENSE AS DEFINED IN SECTION 18-1.3-1003 (5); A CRIME OF VIOLENCE AS DEFINED IN SECTION 18-1.3-406 (2); OR A CLASS 1 OR CLASS 2 DRUG FELONY, AND HAS BEEN COMMITTED TO THE CUSTODY OF THE DEPARTMENT OR OTHERWISE CONFINED AS A RESULT OF A DETERMINATION OF INCOMPETENCY TO PROCEED, THE FOLLOWING PROVISIONS APPLY:

(a) (I) IF THE DEFENDANT HAS RECEIVED COMPETENCY RESTORATION SERVICES WHILE COMMITTED OR OTHERWISE CONFINED FOR AN AGGREGATE TIME OF THREE YEARS, EXCLUDING TIME RESULTING FROM A REFUSAL BY THE DEFENDANT TO ACCEPT SERVICES OR TREATMENT, THE COURT SHALL HOLD A REVIEW HEARING. IF THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THE DEFENDANT REMAINS INCOMPETENT TO PROCEED AND THERE IS NOT A SUBSTANTIAL

PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE NEXT YEAR, THEN THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT, SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION.

(II) IF, HOWEVER, THE COURT FINDS THAT THERE IS A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE NEXT YEAR, RESTORATION SERVICES MAY CONTINUE AND THE COURT SHALL CONTINUE TO REVIEW THE CASE AS PROVIDED FOR IN SUBSECTION (2) OF THIS SECTION.

(b) IF THE DEFENDANT HAS RECEIVED COMPETENCY RESTORATION SERVICES WHILE COMMITTED OR OTHERWISE CONFINED FOR AN AGGREGATE TIME OF FOUR YEARS, EXCLUDING TIME RESULTING FROM A REFUSAL BY THE DEFENDANT TO ACCEPT SERVICES OR TREATMENT, AND THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THE DEFENDANT IS NOT RESTORED TO COMPETENCY, THEN THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT, SUBJECT TO THE PROVISIONS OF SUBSECTION (6) OF THIS SECTION, UNLESS ANY PARTY OBJECTS TO DISMISSAL.

(c) IF A PARTY OBJECTS TO DISMISSAL OF CHARGES PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION, THE COURT SHALL SET THE MATTER FOR A HEARING. UPON COMPLETION OF THE HEARING, THE COURT SHALL DISMISS THE CHARGES UNLESS THE COURT DETERMINES THAT THERE IS A COMPELLING PUBLIC INTEREST IN CONTINUING THE PROSECUTION AND THERE IS A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL ATTAIN COMPETENCY IN THE FORESEEABLE FUTURE. IF THE COURT DECLINES TO DISMISS THE CHARGES, THE COURT SHALL ADDRESS THE APPROPRIATENESS OF CONTINUED CONFINEMENT AND MAY ALTER OR REDUCE BOND IF APPROPRIATE PURSUANT TO ARTICLE 4 OF TITLE 16 OR THE DECISION TO COMMIT THE DEFENDANT TO THE DEPARTMENT PURSUANT TO SECTION 16-8.5-111.

(6) PRIOR TO THE DISMISSAL OF CHARGES PURSUANT TO SUBSECTION (3), (4), OR (5) OF THIS SECTION, THE COURT SHALL IDENTIFY WHETHER THE DEFENDANT MEETS THE REQUIREMENTS FOR CERTIFICATION PURSUANT TO ARTICLE 65 OF TITLE 27 OR FOR THE PROVISION OF SERVICES PURSUANT TO ARTICLE 10.5 OF TITLE 27. IF THE COURT FINDS THE REQUIREMENTS FOR EITHER ARE MET, THE COURT MAY STAY THE DISMISSAL FOR TWENTY-ONE DAYS AND NOTIFY THE DEPARTMENT AND COUNTY ATTORNEY IN THE RELEVANT JURISDICTION OF THE PENDING DISMISSAL SO AS TO PROVIDE THE DEPARTMENT AND THE COUNTY ATTORNEY WITH THE OPPORTUNITY TO PURSUE CERTIFICATION PROCEEDINGS OR THE PROVISION OF SERVICES.

(7) NOTWITHSTANDING THE TIME PERIODS PROVIDED IN SUBSECTIONS (3), (4), AND (5) OF THIS SECTION, FOR ANY OFFENSE FOR WHICH THE DEFENDANT REMAINS CONFINED AS A RESULT OF A DETERMINATION OF INCOMPETENCY TO PROCEED FOR A PERIOD OF TIME IN EXCESS OF ONE YEAR, IF THE COURT DETERMINES, BASED ON AVAILABLE EVIDENCE, THAT THERE IS NOT A SUBSTANTIAL PROBABILITY THAT THE DEFENDANT WILL BE RESTORED TO COMPETENCY WITHIN THE FORESEEABLE FUTURE, THE COURT MAY ORDER THE DEFENDANT'S RELEASE FROM COMMITMENT PURSUANT TO THIS ARTICLE 8.5 THROUGH ONE OR MORE OF THE FOLLOWING MEANS:

(a) UPON MOTION OF THE DISTRICT ATTORNEY, THE DEFENDANT, OR, ON ITS OWN MOTION, THE COURT MAY TERMINATE THE CRIMINAL PROCEEDING, THE COMMITMENT, OR THE RESTORATION SERVICES ORDER;

(b) THE COURT MAY COMMENCE CERTIFICATION PROCEEDINGS PURSUANT TO THE PROVISIONS OF ARTICLE 65 OF TITLE 27 IF THE DEFENDANT MEETS THE REQUIREMENTS FOR CERTIFICATION PURSUANT TO SAID ARTICLE 65; OR

(c) IN THE CASE OF A DEFENDANT WHO HAS BEEN FOUND ELIGIBLE FOR SERVICES PURSUANT TO ARTICLE 10.5 OF TITLE 27 DUE TO AN INTELLECTUAL AND DEVELOPMENTAL DISABILITY, THE COURT OR A PARTY MAY INITIATE AN ACTION TO RESTRICT THE RIGHTS OF THE DEFENDANT PURSUANT TO ARTICLE 10.5 OF TITLE 27.

(8) IN EACH CASE, THE COURT SHALL ENTER A WRITTEN DECISION OUTLINING WHY THE COURT DID OR DID NOT TERMINATE THE CRIMINAL PROCEEDING.

(9) IF CHARGES AGAINST A DEFENDANT ARE DISMISSED PURSUANT TO THIS SECTION, SUCH CHARGES ARE NOT ELIGIBLE FOR SEALING PURSUANT TO SECTION 24-73-702.5.

(10) THE DEPARTMENT SHALL PROMULGATE SUCH RULES AS NECESSARY TO CONSISTENTLY ENFORCE THE PROVISIONS OF THIS ARTICLE 8.5.

SECTION 8. In Colorado Revised Statutes, 13-1-137, **amend** (1)(d) and (1)(e); and **add** (1)(f) as follows:

13-1-137. Reporting of data concerning juvenile proceedings and determinations of competency to proceed. (1) Notwithstanding section 24-1-136 (11)(a)(I), the judicial branch shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

(d) The status of recommended reviews to juvenile court rules, forms, and chief justice directives regarding the representation of children in juvenile delinquency courts; ~~and~~

(e) The number of juvenile delinquency cases that involved a detention hearing, the number of juveniles who were released after the detention hearing, and the number of juveniles who remained in detention after the detention hearing; AND

(f) THE PROCESS OF TRAINING JUDICIAL OFFICERS CONCERNING DETERMINATIONS OF COMPETENCY TO PROCEED FOR JUVENILES AND ADULTS, COMPETENCY EVALUATION REPORTS, SERVICES TO RESTORE COMPETENCY, AND CERTIFICATION PROCEEDINGS GOVERNED BY ARTICLE 65 OF TITLE 27.

SECTION 9. In Colorado Revised Statutes, 20-1-111, **add** (4)(c) as follows:

20-1-111. District attorneys may cooperate or contract - contents. (4) (c) THE GENERAL ASSEMBLY SHALL MAKE AN APPROPRIATION TO THE DEPARTMENT OF LAW FOR STATE FISCAL YEAR 2018-19 FOR ALLOCATION TO THE STATEWIDE ORGANIZATION REPRESENTING DISTRICT ATTORNEYS, FOR THE PUBLIC PURPOSE OF PROVIDING PROSECUTION TRAINING CONCERNING DETERMINATIONS OF COMPETENCY TO PROCEED FOR JUVENILES AND ADULTS, COMPETENCY EVALUATION REPORTS, SERVICES TO RESTORE COMPETENCY, AND CERTIFICATION PROCEEDINGS GOVERNED BY ARTICLE 65 OF TITLE 27.

SECTION 10. In Colorado Revised Statutes, 21-1-104, **amend** (4)(d) and (4)(e); and **add** (4)(f) as follows:

21-1-104. Duties of public defender. (4) Notwithstanding section 24-1-136 (11)(a)(I), pursuant to section 2-7-203, the state public defender shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

(d) The average length of time attorneys are assigned to juvenile court; ~~and~~

(e) The outcome of efforts to reduce juvenile court rotations and increase opportunities for promotional advancement in salaries for attorneys in juvenile court; AND

(f) THE PROCESS OF TRAINING JUDICIAL OFFICERS CONCERNING DETERMINATIONS OF COMPETENCY TO PROCEED FOR JUVENILES AND ADULTS, COMPETENCY EVALUATION REPORTS, SERVICES TO RESTORE COMPETENCY, AND CERTIFICATION PROCEEDINGS GOVERNED BY ARTICLE 65 OF TITLE 27.

SECTION 11. In Colorado Revised Statutes, 21-2-104, **amend** (3)(d) and (3)(e); and **add** (3)(f) as follows:

21-2-104. Duties of alternate defense counsel and contract attorneys.

(3) Pursuant to section 2-7-203, C.R.S., the office of alternate defense counsel shall report annually to the judiciary committees of the house of representatives and senate, or to any successor committees, information concerning:

(d) The average length of time attorneys are assigned to juvenile court; ~~and~~

(e) The outcome of efforts to reduce juvenile court rotations and increase opportunities for promotional advancement in salaries for attorneys in juvenile court; AND

(f) THE PROCESS OF TRAINING JUDICIAL OFFICERS CONCERNING DETERMINATIONS OF COMPETENCY TO PROCEED FOR JUVENILES AND ADULTS, COMPETENCY EVALUATION REPORTS, SERVICES TO RESTORE COMPETENCY, AND CERTIFICATION PROCEEDINGS GOVERNED BY ARTICLE 65 OF TITLE 27.

SECTION 12. Effective date. This act takes effect February 1,

2019.

SECTION 13. 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 **SB18-251** 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 18 through 23 and substitute MENTAL STATE; AND".

Reletter succeeding paragraph accordingly.

Page 3, strike lines 11 and 12 and substitute "COMMUNITY; AND".

Page 3, line 27, after the semicolon add "AND".

Page 4, lines 1 and 2, strike "SERVICES; AND" and substitute "SERVICES.".

Page 4, strike lines 3 through 5.

Page 4, line 10, strike "REDIRECTION, DIVERSION,".

Page 5, strike lines 6 through 12.

Renumber succeeding subsection accordingly.

Page 6, strike lines 6 through 10 and substitute "PURSUANT TO ARTICLE 8.5 OF THIS TITLE 16.".

Page 6, line 23, strike "A" and strike "PROVIDER," and substitute "PROVIDERS,".

Page 6, line 24, strike "IS" and substitute "ARE".

Page 6, line 26, strike "ITS" and substitute "THEIR".

Page 8, line 9, strike "PARTIES" and substitute "LIAISON".

Page 8, line 16, after the semicolon add "AND".

Page 8, strike lines 17 through 19.

Renumber succeeding subparagraph accordingly.

Page 9, line 4, strike "AND".

Page 9, line 5, strike "REDIRECTION SPECIALISTS AND ANY".

Page 9, line 7, strike "DELIVERY." and substitute "DELIVERY; AND

(f) IDENTIFYING EXISTING PROGRAMS AND RESOURCES THAT ARE ALREADY AVAILABLE IN THE COMMUNITY, INCLUDING BUT NOT LIMITED TO:

(I) CO-RESPONDER PROGRAMS THAT PAIR LOCAL COMMUNITY BEHAVIORAL HEALTH SPECIALISTS AND PROVIDERS WITH LAW ENFORCEMENT PERSONNEL;

(II) OTHER CRIMINAL JUSTICE DIVERSION PROGRAMS FOR INDIVIDUALS WITH BEHAVIORAL HEALTH CONDITIONS;

(III) COMMUNITY MENTAL HEALTH CENTERS AND OTHER LOCAL COMMUNITY BEHAVIORAL HEALTH PROVIDERS THAT RECEIVE STATE FUNDING THROUGH THE OFFICE OF BEHAVIORAL HEALTH FOR SERVICES SUCH AS:

(A) MENTAL HEALTH SERVICES FOR JUVENILE AND ADULT OFFENDERS;

(B) SUBSTANCE USE TREATMENT SERVICES FOR OFFENDERS AND INDIVIDUALS DIVERTED FROM THE CRIMINAL JUSTICE SYSTEM;

(C) TRANSITION SERVICES AND WRAPAROUND SERVICES FOR

INDIVIDUALS WITH SERIOUS MENTAL HEALTH DISORDERS WHO ARE TRANSITIONING FROM A PSYCHIATRIC HOSPITAL OR WHO REQUIRE MORE INTENSIVE SERVICES IN THE COMMUNITY TO AVOID INSTITUTIONAL PLACEMENT; AND

(D) BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SERVICES OR THE ASSOCIATED TELEPHONE HOTLINE; AND

(IV) BEHAVIORAL HEALTH SERVICES PROVIDED FOR MEDICAID CLIENTS THROUGH THE REGIONAL ACCOUNTABLE ENTITY THAT THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING CONTRACTS WITH FOR THE PROVISION OF SUCH SERVICES.".

Judiciary After consideration on the merits, the Committee recommends that **SB18-250** 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 10 through 13 and substitute:

"(a) PROVIDE ADEQUATE STAFF TO COMPLETE COMPETENCY AND BEHAVIORAL HEALTH SCREENINGS; PRESCRIBE PSYCHIATRIC MEDICATIONS AS NECESSARY; AND PROVIDE MENTAL HEALTH COUNSELING, SUBSTANCE USE DISORDER TREATMENT PURSUANT TO SECTION 18-19-103 (5)(c)(V), AND TRANSITIONAL CARE COORDINATION;".

Page 4, strike lines 19 and 20 and substitute:

"(3) THE OFFICE SHALL PRIORITIZE JAILS WITH MINIMAL BEHAVIORAL HEALTH SERVICES, INCLUDING BUT NOT LIMITED TO RURAL AND FRONTIER JAILS.

(4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE OFFICE MAY REQUIRE A COUNTY JAIL THAT RECEIVES FUNDING THROUGH THE PROGRAM TO:".

Page 5, line 10, strike "MENTAL" and substitute "BEHAVIORAL".

Judiciary After consideration on the merits, the Committee recommends that **SB18-249** 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** 18-1.3-101.5 as follows:

18-1.3-101.5. Alternative pilot programs to divert individuals with mental health conditions - legislative intent - eligibility - process of diversion - grant program - program management - definitions - repeal. (1) THE INTENT OF THIS SECTION IS TO ESTABLISH AND FACILITATE FOUR PRE-PLEA LOCAL-LEVEL MENTAL HEALTH PILOT PROGRAMS IN SELECTED JUDICIAL DISTRICTS THAT WILL IDENTIFY INDIVIDUALS WITH MENTAL HEALTH CONDITIONS WHO HAVE BEEN CHARGED WITH A LOW-LEVEL CRIMINAL OFFENSE AND DIVERT SUCH INDIVIDUALS OUT OF THE CRIMINAL JUSTICE SYSTEM AND INTO COMMUNITY TREATMENT PROGRAMS IN ACCORDANCE WITH THE PRINCIPLES AND PROPOSED MODEL RECOMMENDED BY THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE, ADOPTED ON JANUARY 12, 2018. IN ADDITION, PROCEEDING PURSUANT TO THE MODEL RECOMMENDED BY THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE ENCOURAGES AND FACILITATES FLEXIBLE AND LOCALLY CONTROLLED PROGRAMS IN A MANNER THAT CAN ACCOMMODATE AND RESPECT THE AVAILABILITY OR LIMITATION OF RESOURCES IN EACH JURISDICTION WHILE STILL MAINTAINING THE CORE INTEGRITY AND OBJECTIVES OF THE EFFORT TO FOSTER THE USE OF MENTAL HEALTH DIVERSION PROGRAMS THROUGHOUT THE STATE.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE" MEANS THE COMMISSION ESTABLISHED PURSUANT TO SECTION

16-11.3-102.

(b) "GRANT PROGRAM" MEANS THE MENTAL HEALTH CRIMINAL JUSTICE DIVERSION GRANT PROGRAM ESTABLISHED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

(c) "LOW-LEVEL CRIMINAL OFFENSE" MEANS ANY PETTY OFFENSE OR MISDEMEANOR, EXCLUDING THOSE OFFENSES ENUMERATED IN SECTION 24-4.1-302 (1). "LOW-LEVEL CRIMINAL OFFENSE" MAY ALSO INCLUDE, IF AGREED TO BY THE DISTRICT ATTORNEY IN A GIVEN PILOT PROGRAM SITE, ANY CLASS 4, CLASS 5, OR CLASS 6 FELONY OR ANY CLASS 3 OR CLASS 4 FELONY DRUG OFFENSE, EXCLUDING ANY FELONY OFFENSES ENUMERATED IN SECTION 24-4.1-302 (1).

(d) "PILOT PROGRAM" MEANS ANY ALTERNATIVE PROGRAM CREATED PURSUANT TO THIS SECTION THAT DIVERTS INDIVIDUALS WITH MENTAL HEALTH CONDITIONS INTO COMMUNITY TREATMENT PROGRAMS.

(e) "STATE COURT ADMINISTRATOR" MEANS THE STATE COURT ADMINISTRATOR ESTABLISHED PURSUANT TO SECTION 13-3-101.

(3) THERE ARE CREATED PILOT PROGRAM SITES IN THE SECOND, SIXTH, SIXTEENTH, AND TWENTIETH JUDICIAL DISTRICTS TO IDENTIFY INDIVIDUALS WITH MENTAL HEALTH CONDITIONS WHO HAVE BEEN CHARGED WITH A LOW-LEVEL CRIMINAL OFFENSE AND DIVERT SUCH INDIVIDUALS OUT OF THE CRIMINAL JUSTICE SYSTEM AND INTO COMMUNITY TREATMENT PROGRAMS. THE DISTRICT ATTORNEY FOR EACH OF THE DESIGNATED JUDICIAL DISTRICTS, IN COOPERATION WITH THE CHIEF JUDGE AND THE PUBLIC DEFENDER FOR THE COURTS WITHIN THE JUDICIAL DISTRICT, SHALL DECIDE WHICH COURT OR COURTS WITHIN THE JUDICIAL DISTRICT ARE BEST SUITED TO IMPLEMENT A PILOT PROGRAM. IN THE CASE OF A MULTI-COUNTY JURISDICTION, THE DISTRICT ATTORNEY MAY CHOOSE TO AGREE TO ESTABLISH A PILOT PROGRAM IN A SINGLE COUNTY OR IN MORE THAN ONE COUNTY.

(4) THE CHIEF JUDGE OF ANY COUNTY OR DISTRICT COURT WHERE A PILOT PROGRAM IS CREATED PURSUANT TO SUBSECTION (3) OF THIS SECTION IS RESPONSIBLE FOR ESTABLISHING AND FACILITATING THE PILOT PROGRAM IN COMPLIANCE WITH THE PRINCIPLES AND MODEL ADOPTED BY THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE ON JANUARY 12, 2018. THE DUTIES OF THE CHIEF JUDGE WITH RESPECT TO THE PILOT PROGRAM MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

(a) INITIATING AND COORDINATING ORGANIZATION MEETINGS AMONG THE VARIOUS LOCAL ENTITIES NECESSARY TO THE IMPLEMENTATION OF THE PILOT PROGRAM;

(b) ESTABLISHING POLICIES FOR THE PILOT PROGRAM;

(c) FACILITATING ANY FORMAL AGREEMENTS OR MEMORANDA OF UNDERSTANDING REQUIRED TO CREATE THE PILOT PROGRAM;

(d) CONTRACTING WITH LOCAL COMMUNITY TREATMENT PROGRAMS THAT ARE ABLE TO PARTICIPATE IN THE PILOT PROGRAM AND PROVIDE A CONTINUUM OF COMMUNITY-BASED MENTAL HEALTH CARE AND TREATMENT TO ACCOMPLISH THE GOALS OF THE PILOT PROGRAM; AND

(e) ADMINISTERING THE PILOT PROGRAM ONCE IT IS IMPLEMENTED.

(5) THE STATE COURT ADMINISTRATOR IS RESPONSIBLE FOR ADMINISTRATION AND OVERSIGHT OF THE PILOT PROGRAMS, INCLUDING CERTIFYING THAT, ON OR BEFORE JANUARY 1, 2019, EACH PILOT PROGRAM SITE IMPLEMENTS A DESIGN THAT IS CONSISTENT WITH THE PRINCIPLES AND PROPOSED MODEL ADOPTED BY THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE AND THE LEGISLATIVE INTENT OF THIS SECTION. THE DUTIES OF THE STATE COURT ADMINISTRATOR WITH RESPECT TO THE PILOT PROGRAMS INCLUDE, BUT ARE NOT LIMITED TO:

(a) ESTABLISHING PILOT PROGRAM PROCEDURES AND TIMELINES; AND

(b) ESTABLISHING GRANT FUNDING GUIDELINES AND ACCEPTABLE EXPENSES FOR THE DISTRIBUTION OF GRANT PROGRAM GRANT MONEY TO THE PILOT PROGRAM SITES BASED UPON SPECIFIC ALLOCATIONS REQUIRED BY THE GRANT PROGRAM AND OTHER PILOT PROGRAM NEEDS AND ANY OTHER CRITERIA, SUCH AS CASE VOLUME, GEOGRAPHICAL COMPLEXITY, AND DENSITY OF NEED.

(6) THERE IS CREATED IN THE OFFICE OF THE STATE COURT ADMINISTRATOR THE MENTAL HEALTH CRIMINAL JUSTICE DIVERSION GRANT PROGRAM. THE STATE COURT ADMINISTRATOR IS RESPONSIBLE

FOR ADMINISTERING AND MONITORING THE GRANT PROGRAM INCLUDING, BUT NOT LIMITED TO:

(a) ESTABLISHING GRANT FUNDING GUIDELINES AND ACCEPTABLE EXPENSES FOR THE DISTRIBUTION OF GRANT PROGRAM GRANT MONEY TO THE PILOT PROGRAM SITES BASED UPON SPECIFIC ALLOCATIONS REQUIRED BY THE GRANT PROGRAM, THE SPECIFIC AWARD TO THE DISTRICT ATTORNEY'S OFFICE IN EACH OF THE FOUR DESIGNATED JUDICIAL DISTRICTS, OTHER PILOT PROGRAM NEEDS, AND ANY OTHER CRITERIA, SUCH AS CASE VOLUME, GEOGRAPHICAL COMPLEXITY, AND DENSITY OF NEED. IN ADDITION TO ANY OTHER ALLOWABLE EXPENSES TO BE PAID FOR BY THE GRANT PROGRAM, EACH DISTRICT ATTORNEY'S OFFICE PARTICIPATING IN THE PILOT PROGRAM SHALL RECEIVE FIFTY THOUSAND DOLLARS PER YEAR FROM THE GRANT FUNDING FOR EACH OF THE TWO YEARS OF THE GRANT PROGRAM. SUCH MONEY MUST BE USED TO ASSIST IN COVERING THE COSTS RELATED TO PERSONNEL AND ADMINISTRATIVE REQUIREMENTS TO ESTABLISH AND OPERATE PILOT PROGRAMS IN FOUR DESIGNATED JUDICIAL DISTRICTS.

(b) AWARDING ANNUAL GRANTS TO THE PILOT PROGRAMS; EXCEPT THAT THE TOTAL OF ALL GRANTS AWARDED PER YEAR MUST NOT EXCEED SEVEN HUNDRED FIFTY THOUSAND DOLLARS;

(c) DISBURSING GRANT MONEY; EXCEPT THAT THE STATE COURT ADMINISTRATOR SHALL DISTRIBUTE THE FIRST ROUND OF GRANT AWARDS ON OR BEFORE JANUARY 1, 2019.

(7) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 1, 2021.

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, line 102, strike "**REDIRECT**" and substitute "**DIVERT**".

Page 1, line 103, strike "**BEHAVIORAL**" and substitute "**MENTAL HEALTH**".

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-011 by Senator(s) Grantham and Crowder; also Representative(s) Reyher--Concerning the designation of the portion of Colorado State Highway 50 from the town of Swink to the city of La Junta as the "SSG Brian Cowdrey Memorial Highway".

Laid over until Wednesday, May 9, retaining its place on the calendar.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SJM18-007 by Senator(s) Lambert and Fields; also Representative(s) Landgraf and Lee, Lundeen, Carver, Liston, Sandridge, Exum, Williams D.--Memorializing Congress and the United States Army to stand up a new armored brigade combat team by transitioning an infantry brigade combat team stationed at Fort Carson into an armored brigade combat team to be stationed at Fort Carson.

Laid over one day under Senate Rule 30(d).

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1081 by Representative(s) Benavidez and Lee; also Senator(s) Cooke--Concerning requiring the state court administrator to administer a division to remind criminal defendants to appear in court as scheduled, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1202 by Representative(s) Garnett; also Senator(s) Gardner--Concerning an income tax credit for an employer related to an employee's paid leave of absence for the purpose of making an organ donation, and, in connection therewith, enacting the "Living Organ Donor Support Act".
Finance

HB18-1236 by Representative(s) McLachlan and Becker J.; also Senator(s) Baumgardner--Concerning the continuation of the Colorado food systems advisory council, and, in connection therewith, implementing the recommendations in the department of regulatory agencies' sunset report.
State, Veterans, & Military Affairs

HB18-1255 by Representative(s) Duran and Carver; also Senator(s) Cooke and Kefalas--Concerning the creation of a childhood cancer awareness license plate, and, in connection therewith, making an appropriation.
Finance

HB18-1306 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Moreno--Concerning ensuring educational stability for students in out-of-home placement, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1350 by Representative(s) Kraft-Tharp; also Senator(s) Priola--Concerning the sales and use tax treatment of equipment used to manufacture new metal stock from scrap or end-of-life-cycle metals, and, in connection therewith, making an appropriation.
Finance

HB18-1364 by Representative(s) Michaelson Jenet and Landgraf, Danielson, Ginal, Hooton, Lontine, Pettersen, Singer; also Senator(s) Martinez Humenik and Zenzinger--Concerning the continuation of the Colorado advisory council for persons with disabilities, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies, and making an appropriation.
State, Veterans, & Military Affairs

HB18-1392 by Representative(s) Kennedy and Rankin, Hamner, Esgar, Ginal, Lontine, McLachlan, Michaelson Jenet, Roberts, Valdez; also Senator(s) Coram and Donovan, Aguilar--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, provide federal funds, or both to enable the state to implement the reinsurance program making the program contingent upon waiver or funding approval, and making an appropriation.
State, Veterans, & Military Affairs

HB18-1398 by Representative(s) Gray and Wist; also Senator(s) Gardner--Concerning the statute of limitations for commencing a civil action in tort to recover damages for an act of domestic violence.
Finance

HB18-1410 by Representative(s) Lee and Herod; also Senator(s) Lundberg and Kagan, Priola--Concerning measures to address prison population increases.
Finance

HB18-1416 by Representative(s) McLachlan and Carver; also Senator(s) Todd and Coram--Concerning student suicide prevention, and, in connection therewith, making an appropriation.
Finance

MESSAGE FROM THE GOVERNOR

April 30, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-202: CONCERNING THE EXEMPTION OF THE COLORADO FIREFIGHTING AIR CORPS FUND FROM THE MAXIMUM RESERVE.

Approved April 30, 2018 at 12:33 pm.

SB 18-066: CONCERNING AN EXTENSION OF THE OPERATION OF THE STATE LOTTERY DIVISION BEYOND JULY 1, 2024.

Approved April 30, 2018 at 12:32 pm.

SB 18-195: CONCERNING A REQUIREMENT THAT THE MONEY IN THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CASH FUND BE APPROPRIATED ANNUALLY RATHER THAN CONTINUOUSLY APPROPRIATED.

Approved April 30, 2018 at 12:33 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

COMMITTEE OF REFERENCE REPORTS (cont'd)

Business, Labor, & Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2018:

Carol Pafford of Highlands Ranch, Colorado to serve as a building official from a political subdivision of the state performing electrical inspections, 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 MORTGAGE LOAN ORIGINATORS

for a term expiring August 10, 2020:

Dena Marie Falbo of Westminster, Colorado, to serve as a member of the public at large, and occasioned by the removal of Miriam Pena Garcia 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 REAL ESTATE APPRAISERS

for a term expiring July 1, 2018:

Deane Lawrence Davenport of Arvada, Colorado, to serve as an officer or employee of a commercial bank experienced in real estate lending, reappointed;

for terms expiring July 1, 2020:

Richard L. Shields of Centennial, Colorado, to serve as a licensed or certified appraiser, reappointed;

Kristy Ann McFarland of Crested Butte, Colorado, to serve as a county assessor in office, appointed;

Bonnie Deane Roerig of Denver, Colorado, to serve as a licensed or certified appraiser, appointed.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1271** be referred to the Committee of the Whole with favorable recommendation.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1220** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-168** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **SB18-244** be postponed indefinitely.

On motion of Senator Tate, the Senate adjourned until 9:00 a.m., Tuesday, May 1, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

112th Legislative Day Tuesday, May 1, 2018

Prayer — By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--34
Excused--1, Hill.
Present later--1, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Monday, April 30, 2018, 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 **HB18-1260** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-264** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1001** be postponed indefinitely.

Business, Labor, & Technology — After consideration on the merits, the Committee recommends that **HB18-1234** 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, 12-47.1-302, **amend** (1)(n) as follows:

12-47.1-302. Commission - powers and duties. (1) In addition to any other powers and duties set forth in this part 3, and notwithstanding the designation of the Colorado limited gaming control commission under section 12-47.1-201 as a **type 2** transfer, the commission shall nonetheless have the following powers and duties:

(n) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(n)(II) OF THIS SECTION, to inspect and examine without notice all premises wherein limited gaming is conducted or devices or equipment used in limited gaming are located, manufactured, sold, or distributed, and to summarily seize, remove, and impound, without notice or hearing from such premises any equipment, devices, supplies, books, or records for the

purpose of examination or inspection.

(II) SUBSECTION (1)(n)(I) OF THIS SECTION DOES NOT APPLY TO AN OWNER, OPERATOR, EMPLOYEE, OR CUSTOMER OF A SIMULATED GAMBLING DEVICE, OR OF A BUSINESS OFFERING SIMULATED GAMBLING DEVICES, WHO:

(A) CEASED PARTICIPATING IN SUCH ACTIVITY ON OR BEFORE JULY 1, 2018; AND

(B) PROVIDES CLEAR DOCUMENTATION TO THE DISTRICT ATTORNEY THAT A LAWFUL CONTRACT HAS BEEN ENTERED INTO FOR THE SALE OR TRANSFER OF ALL SIMULATED GAMBLING DEVICES CONNECTED WITH THE ACTIVITY TO A PERSON BY WHOM, OR INTO A JURISDICTION WHERE, THE ACTIVITY IS LAWFUL; AND CONSUMMATES THE CONTRACT BY ACTUALLY SELLING OR TRANSFERRING THE SIMULATED GAMBLING DEVICES WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE CONTRACT WAS ENTERED INTO OR AFTER ANY SIMULATED GAMBLING DEVICES THAT WERE SEIZED, CONFISCATED, OR FORFEITED BY LAW ENFORCEMENT AUTHORITIES HAVE BEEN RETURNED, WHICHEVER OCCURS LATER.

SECTION 2. In Colorado Revised Statutes, 16-13-303, **amend** (2) as follows:

16-13-303. Class 1 public nuisance. (2) (a) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION, all fixtures and contents of any building, structure, vehicle, or real property ~~which~~ THAT is a class 1 public nuisance under subsection (1) of this section and all property ~~which~~ THAT is a class 1 public nuisance under subsection (1.5) of this section are subject to seizure, confiscation, and forfeiture as provided in this part 3. In addition, the personal property of every kind and description, including currency and other negotiable instruments and vehicles, used in conducting, maintaining, aiding, or abetting any class 1 public nuisance is subject to seizure, confiscation, and forfeiture, as provided in this part 3.

(b) SUBSECTION (2)(a) OF THIS SECTION DOES NOT APPLY TO AN OWNER, OPERATOR, EMPLOYEE, OR CUSTOMER OF A SIMULATED GAMBLING DEVICE, OR OF A BUSINESS OFFERING SIMULATED GAMBLING DEVICES, WHO:

(I) CEASED PARTICIPATING IN SUCH ACTIVITY ON OR BEFORE JULY 1, 2018; AND

(II) PROVIDES CLEAR DOCUMENTATION TO THE DISTRICT ATTORNEY THAT:

(A) A LAWFUL CONTRACT HAS BEEN ENTERED INTO FOR THE SALE OR TRANSFER OF ALL SIMULATED GAMBLING DEVICES CONNECTED WITH THE ACTIVITY TO A PERSON BY WHOM, OR INTO A JURISDICTION WHERE, THE ACTIVITY IS LAWFUL; AND

(B) CONSUMMATES THE CONTRACT BY ACTUALLY SELLING OR TRANSFERRING THE SIMULATED GAMBLING DEVICES WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE CONTRACT WAS ENTERED INTO OR AFTER ANY SIMULATED GAMBLING DEVICES THAT WERE SEIZED, CONFISCATED, OR FORFEITED BY LAW ENFORCEMENT AUTHORITIES HAVE BEEN RETURNED, WHICHEVER OCCURS LATER.".

Renumber succeeding sections accordingly.

Page 4, line 14, strike "(1)(a)" and substitute "(1)(a); and **add** (11)".

Page 5, after line 2 insert:

"(11) THIS SECTION DOES NOT APPLY TO AN OWNER, OPERATOR, EMPLOYEE, OR CUSTOMER OF A SIMULATED GAMBLING DEVICE, OR OF A BUSINESS OFFERING SIMULATED GAMBLING DEVICES, WHO:

(a) CEASED PARTICIPATING IN SUCH ACTIVITY ON OR BEFORE JULY 1, 2018; AND

(b) PROVIDES CLEAR DOCUMENTATION TO THE DISTRICT ATTORNEY THAT:

(I) A LAWFUL CONTRACT HAS BEEN ENTERED INTO FOR THE SALE OR TRANSFER OF ALL SIMULATED GAMBLING DEVICES CONNECTED WITH THE ACTIVITY TO A PERSON BY WHOM, OR INTO A JURISDICTION WHERE, THE ACTIVITY IS LAWFUL; AND

(II) CONSUMMATES THE CONTRACT BY ACTUALLY SELLING OR TRANSFERRING THE SIMULATED GAMBLING DEVICES WITHIN ONE

HUNDRED EIGHTY DAYS AFTER THE CONTRACT WAS ENTERED INTO OR AFTER ANY SIMULATED GAMBLING DEVICES THAT WERE SEIZED, CONFISCATED, OR FORFEITED BY LAW ENFORCEMENT AUTHORITIES HAVE BEEN RETURNED, WHICHEVER OCCURS LATER.".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-252** 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 April 30, 2018, page 17, after line 11 insert:

"**SECTION 12. Appropriation.** (1) For the 2018-19 state fiscal year, $1,599,892 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 6.3 FTE. To implement this act, the office may use this appropriation as follows:

Mental health institutes, forensic services

Court services $585,892 (6.3 FTE)

Outpatient competency restoration program $1,014,000

(2) For the 2018-19 state fiscal year, $120,000 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

Judicial education and training $50,000

Office of the state public defender

Operating expenses $50,000

Office of the alternate defense counsel

Training and conferences $20,000

(3) For the 2018-19 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 for deputy district attorney training.".

Renumber succeeding sections accordingly.

Page 17 of the report, after line 16 insert:

"Page 1 of the bill, line 102, strike "**PROCEED.**" and substitute "**PROCEED, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-251** 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 26 insert:

"**SECTION 2. Appropriation.** For the 2018-19 state fiscal year, $1,997,112 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 0.9 FTE. To implement this act, the department may use this appropriation for the statewide behavioral health court liaison program.".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-250** 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 19 insert:

"**SECTION 4. Appropriation.** (1) For the 2018-19 state fiscal year, $2,564,603 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".

Renumber succeeding section accordingly.

Page 1, line 102, strike "**SERVICES.**" and substitute "**SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appropriations

After consideration on the merits, the Committee recommends that **SB18-249** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend the Judiciary Committee Report, dated April 30, 2018, page 4, after line 12 insert:

"**SECTION 2. Appropriation.** For the 2018-19 state fiscal year, $750,000 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 0.5 FTE. To implement this act, the department may use this appropriation for the mental health criminal justice diversion grant program.".

Renumber succeeding section accordingly.

Page 4 of the report, strike lines 17 and 18 and substitute:

"Page 1, line 103, strike "**BEHAVIORAL**" and substitute "**MENTAL**" and strike "**TREATMENT.**" and substitute "**TREATMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1391** be postponed indefinitely.

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1217** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1077** 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 **HB18-1004** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SJM18-007; SJR8-011.
Correctly Engrossed: SB18-243 and 269.
Correctly Reengrossed: SB18-259, 266, and 267; SCR18-004 and 005.
Correctly Revised: HB18-1184, 1263, 1269, 1286, 1302, 1313, 1314, 1342, 1346, and 1354.
Correctly Rerevised: HB18-1070, 1135, 1155, 1176, 1200, 1256, and 1285.
Correctly Enrolled: SB18-150 and 209.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of memorials.

CONSIDERATION OF MEMORIALS

SJM18-006 by Senator(s) Grantham and Crowder; also Representative(s) Lewis and Reyher--Memorializing former Senator Kenneth "Ken" Kester.

On request of President Grantham, the memorial was read at length.

On motion of President Grantham, and with a majority of those elected to the Senate having voted in the affirmative, the Senate stood in Recess pursuant to Senate Rule 31 (g) to allow former Senators to address the members of the Senate regarding the memorial.

Senate in recess. Senate reconvened.

On motion of President Grantham, the memorial was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

SJM18-007 by Senator(s) Lambert and Fields; also Representative(s) Landgraf and Lee, Lundeen, Carver, Liston, Sandridge, Exum, Williams D.--Memorializing Congress and the United States Army to stand up a new armored brigade combat team by transitioning an infantry brigade combat team stationed at Fort Carson into an armored brigade combat team to be stationed at Fort Carson.

On motion of Senator Lambert, the memorial was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1314 by Representative(s) Ginal and Lawrence; also Senator(s) Cooke--Concerning prohibiting the use of unmanned aircraft systems to obstruct public safety 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Gardner, Jones, Kagan, Kerr, Lambert, Martinez Humenik, Priola, Scott, Smallwood, and Tate.

HB18-1269 by Representative(s) Lundeen and Pettersen; also Senator(s) Hill and Fields--Concerning notification to parents of charges brought against public school employees for alleged felony offenses that would result in the revocation of an educator license pursuant to title 22, Colorado Revised Statutes.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33		NO	2		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		N	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		N	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Gardner, Grantham, Jahn, Kefalas, Lambert, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, and Tate.

HB18-1342 by Representative(s) Melton; also Senator(s) Todd--Concerning a requirement that a common interest community created in Colorado before July 1, 1992, comply with a provision of the "Colorado Common Interest Ownership Act" that allows a majority of the unit owners in a common interest community to veto a budget proposed by the executive board of the common interest community.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35		NO	0		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kagan, Moreno, and Tate.

HB18-1354 by Representative(s) McKean, Arndt, Hooton, Thurlow; also Senator(s) Zenzinger, Martinez Humenik, Moreno--Concerning a requirement that written warranties for powersports vehicles be honored.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35		NO	0		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Kagan, Tate, and Todd.

HB18-1346 by Representative(s) Singer and Landgraf; also Senator(s) Smallwood and Kefalas--Concerning child abuse related to youth who are under the continuing jurisdiction of the court in an out-of-home placement when they are younger than twenty-one years of age.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Garcia, Jones, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., and Zenzinger.

HB18-1302 by Representative(s) Ginal and Landgraf; also Senator(s) Marble--Concerning the allowance of the department of public health and environment to waive certification requirements for toxicology laboratories that have been accredited by an entity using recognized forensic standards.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

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:

SB18-268 by Senator(s) Scott and Moreno; also Representative(s) McLachlan--Concerning the scope of the authority of the department of transportation to award a design bid build highway project contract in an amount that exceeds the estimate of the department on the project.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Jahn, Kefalas, Martinez Humenik, Priola, and Tate.

SB18-269 by Senator(s) Neville T. and Moreno; also Representative(s) Neville P. and Bridges--Concerning providing funding for local education providers to implement school security improvements to prevent incidences of school violence, and, in connection therewith, creating the school security disbursement program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, and Williams A.

HB18-1286 by Representative(s) Roberts, Hooton, Singer, Van Winkle; also Senator(s) Aguilar and Marble, Guzman--Concerning allowing school personnel to give medical marijuana to a student with a medical marijuana registry card while at school.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Crowder, Jahn, Jones, Kefalas, Kerr, Merrifield, Moreno, Neville T., Tate, and Todd.

HB18-1263 by Representative(s) Hooton and Melton; also Senator(s) Coram and Fenberg, Marble, Guzman--Concerning adding certain conditions to the list of disabling medical conditions for medical marijuana use, and, in connection therewith, adding autism spectrum disorders.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Kefalas, Kerr, Martinez Humenik, Moreno, Neville T., Tate, Todd, and Williams A.

HB18-1313 by Representative(s) Ginal and Becker J.; also Senator(s) Aguilar and Priola--Concerning the allowance of a pharmacist to serve as a practitioner under certain circumstances.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Fields, Gardner, Jahn, Kefalas, Marble, Merrifield, Tate, Todd, and Zenzinger.

SB18-243 by Senator(s) Holbert and Guzman; also Representative(s) Esgar and McKean--Concerning the retail sale of alcohol beverages, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	Y	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Marble.

HB18-1184 by Representative(s) Exum and Lawrence; also Senator(s) Aguilar and Gardner--Concerning the creation of a report on 911 service in Colorado, and, in connection therewith, requiring consideration of issues related to the implementation of next generation 911.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Hill, Jones, Kerr, Martinez Humenik, Smallwood, and Tate.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1108 by Representative(s) Danielson; also Senator(s) Todd--Concerning the Colorado commission for the deaf and hard of hearing, and, in connection therewith, renaming the commission the Colorado commission for the deaf, hard of hearing, and deafblind; creating the Colorado deafblind citizens council to advise the commission on deafblind issues; clarifying and expanding the commission's duties to provide services to the deaf, hard of hearing, and deafblind; and changing the membership of the committee charged with reviewing grant applications.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, April 26, page 900 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1136 by Representative(s) Pettersen, Buck, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning treatment for individuals with substance use disorders, and, in connection therewith, adding residential and inpatient treatment to the Colorado medical assistance program and making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 26, page 901 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1189 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Todd--Concerning pilot programs to expand effective teacher residency programs across the state, and, in connection therewith, making an appropriation.

Upon request of Majority Leader Holbert, ordered removed from the General Orders--Second Reading of Bills--Consent Calendar of Tuesday, May 1, and placed at the end of the General Orders--Second Reading of Bills Calendar of Tuesday, May 1.

SB18-271 by Senator(s) Marble; also Representative(s) Pabon--Concerning changes to improve funding for marijuana research.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 26, page 918 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, page 933 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-271 as amended, HB18-1108 as amended, HB18-1136 as amended.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Tuesday, May 1: HB18-1189.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-245 by Senator(s) Cooke; --Concerning repeal of the prohibition on the state board of health adopting rules concerning the disposal of naturally occurring radioactive materials until after the federal environmental protection agency has adopted rules concerning the disposal of naturally occurring radioactive materials.

Laid over until Wednesday, May 2, retaining its place on the calendar.

HB18-1003 by Representative(s) Pettersen, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning measures to prevent opioid misuse in Colorado, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 25, page 892 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, page 931 and placed in members' bill files.)

Amendment No. 3(L.032), by Senator Lambert.

Amend reengrossed bill, page 4, line 6, strike, "STATES AND" and substitute "STATES, THE UNITED STATES GOVERNMENT, AND OTHER".

Page 4, line 14, strike "RESOURCES; AND" and substitute "RESOURCES;".

Page 4, line 17, strike "RESOURCES." and substitute "RESOURCES; AND

(g) EXAMINE LAW ENFORCEMENT AND CRIMINAL JUSTICE MEASURES, INCLUDING THE PROHIBITION OF ILLEGAL DRUGS, PENALTIES FOR TRAFFICKING ILLEGAL DRUGS, DIVERSION, JAIL-BASED AND PRISON-BASED TREATMENT AND REDUCTION PROGRAMS, AND TECHNOLOGIES AND OTHER REQUIREMENTS USEFUL IN ENFORCING LAWS REMOVING OPIOID AND OTHER ILLEGAL SUBSTANCES.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1266 by Representative(s) Esgar and Wilson; also Senator(s) Hill and Todd--Concerning expanding the career development success pilot program.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Laid over until Wednesday, May 2, retaining its place on the calendar.

SB18-013 by Senator(s) Fields and Gardner, Martinez Humenik, Moreno, Priola; also Representative(s) Michaelson Jenet--Concerning expanding the grades eligible for the child nutrition school lunch protection program.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, page 932 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-260 by Senator(s) Hill; also Representative(s) McLachlan--Concerning implementing a sunrise review of new educational services under the private occupational school division in the department of higher education.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 25, page 890 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, April 26, page 918 and placed in members' bill files.)

Amendment No. 3, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, pages 932-933 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1189 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Todd--Concerning pilot programs to expand effective teacher residency programs across the state, and, in connection therewith, making an appropriation.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, April 26, pages 900-901 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, page 932 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Hill.

Amend reengrossed bill, page 9, line 4, strike "A PILOT PROGRAM" and substitute "PILOT PROGRAMS".

Page 9, line 10, strike "CONTRACTS" and substitute "A CONTRACT".

Page 10, line 25, strike "22-60.3-104 (2);" and substitute "22-60.3-104 (3);".

As amended, ordered revised and placed on the calendar for third reading and final passage.

SB18-241 by Senator(s) Lundberg; also Representative(s) Humphrey--Concerning the establishment of the "Colorado Children First Act" in Colorado.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 26, page 903 and placed in members' bill files.)

As amended, **lost** on second reading.

(For further action, see amendments to the report of the Committee of the Whole.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-241 by Senator(s) Lundberg; also Representative(s) Humphrey--Concerning the establishment of the "Colorado Children First Act" in Colorado.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that SB 18-241 did pass.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	16	NO	19	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-013 as amended, SB18-260 as amended, HB18-1003 as amended, HB18-1266, HB18-1189 as amended.
Laid over until Wednesday, May 2: SB18-245, HB18-1379.
Lost on second reading: SB18-241 as amended.

RECONSIDERATION OF HOUSE AMENDMENTS TO SB18-085

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Tate moved for reconsideration of the last Senate action, Consideration of House Amendments to Senate Bills, on SB18-085.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan--Concerning providing financial incentives for educators to work in rural areas, and, in connection therewith, making an appropriation.

Senator Sonnenberg moved that the Senate adhere to its position.

On a substitute motion, Senator Todd moved that the Senate not adhere to its position on SB18-085, and that a conference committee be appointed. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Consideration of House Amendments to Senate Bills Calendar (SB18-056, SB18-166, SB18-119) of Tuesday, May 1, was laid over until Wednesday, May 2, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for terms expiring November 1, 2021:

William Joseph Hybl of Colorado Springs, Colorado, a Republican residing in the Fifth Congressional District, reappointed;

Michelle Rene Brown of Pueblo West, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2021:

Marie E. Haskett of Meeker, Colorado, as a representative of sports persons and outfitters and west of the Continental Divide, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, appointments on the Consideration of Governor's Appointments Calendar (Parks and Wildlife Commission) of Tuesday, May 1, was laid over until Wednesday, May 2, retaining its place on the calendar.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1295

****
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 HB18-1295, concerning modifications to the "Colorado Food and Drug Act" to allow products containing industrial hemp, and, in connection therewith, establishing that products containing industrial hemp are not adulterated or misbranded by virtue of containing industrial hemp, 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 2, line 19, strike "(4)(d), and (4)(e)" and substitute "and (4)(d)".

Page 3, strike lines 17 through 23.

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendment be recommended:

Page 3, after line 23 insert:

"**SECTION 3.** In Colorado Revised Statutes, 18-18-102, **amend** the introductory portion and (18):

18-18-102. Definitions. As used in this article ***18***:

(18) (a) "Marijuana" means all parts of the plant cannabis sativa L., whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin. It does not include fiber produced from the stalks, oil, or cake made from the seeds of the plant, or sterilized seed of the plant which is incapable of germination if these items exist apart from any other item defined as "marijuana" in this subsection (18). "Marijuana" does not include marijuana concentrate as defined in subsection (19) of this section.

(b) HOUSE BILL 18-1295, ENACTED IN 2018, DOES NOT ALLOW AN ENTITY WITH FEDERAL DRUG ADMINISTRATION APPROVAL OR ITS AGENT TO INITIATE CRIMINAL, CIVIL, OR ADMINISTRATIVE PROCEEDINGS TO PREVENT THE NONPHARMACEUTICAL PRODUCTION, SALE, OR DISTRIBUTION OF NATURALLY OCCURRING CANNABINOID OR CANNABINOID EXTRACTS OR RESTRICT THE NONPHARMACEUTICAL PRODUCTION, SALE, OR DISTRIBUTION OF NATURALLY OCCURRING CANNABINOID OR CANNABINOID EXTRACTS.".

Renumber succeeding section accordingly.

Respectfully submitted,

House Committee:	Senate Committee:
Daneya Esgar, Chair	Don Coram, Chair
Joseph Salazar	Lucia Guzman
Marc Catlin	Larry Crowder

MESSAGE FROM THE HOUSE

May 1, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1352, 1429.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1378, 1405, 1411, 1115, 1363, 1396, 1407, 1267, 1376, 1289, 1409, 1419, amended as printed in House Journal, May 1, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HCR18-1002, amended as printed in House Journal, April 30, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1011, 1357, amended as printed in House Journal, April 30, 2018, and amended on Third Reading as printed in House Journal, May 1, 2018.

The House has passed on Third Reading and returns herewith SB18-225, 232.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-205, 012, 200, amended as printed in House Journal, May 1, 2018.

The House has voted to grant the House conferees on the First Conference Committee on HB18-1295 to consider matters not at issue between the two houses.

The Speaker has appointed Representatives Bridges, chairman,Weissman, and Van Winkle as House conferees on the First Conference Committee on SB18-068.

The House has voted to grant the House conferees on the First Conference Committee on SB18-015 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR OF STATUTES

May 1, 2018

We herewith transmit:

Without comment, HB18-1352 and 1429.
Without comment as amended, HCR18-1002.
Without comment, as amended, HB18-1011, 1115, 1267, 1289, 1357, 1363, 1376, 1378, 1396, 1405, 1407, 1409, 1411, and 1419.
Without comment, as amended, SB18-012, 200, and 205.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1309** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1412** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-275** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1420** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1353** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1343** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1298** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1297** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1212** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-274** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1316** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1361** 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 **SB18-278** 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, after "18-3-201 (1.5)," insert "AN EMERGENCY MEDICAL SERVICE PROVIDER, AS DEFINED IN SECTION 18-8-104,".

Page 2 line 9, strike "FIREFIGHTER" and substitute "FIREFIGHTER, EMERGENCY MEDICAL SERVICE PROVIDER,".

Finance

After consideration on the merits, the Committee recommends that **SB18-277** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, before line 1, insert:

"**SECTION 1.** In Colorado Revised Statutes, 11-51-201, **amend** the introductory portion and (17); and **add** (11.8) as follows:

11-51-201. Definitions. As used in this article ***51***, unless the context otherwise requires:

(11.8) "OPEN BLOCKCHAIN TOKEN" MEANS A DIGITAL UNIT THAT IS:

(a) CREATED:

(I) IN RESPONSE TO THE VERIFICATION OR COLLECTION OF A SPECIFIED NUMBER OF TRANSACTIONS RELATING TO A DIGITAL LEDGER OR DATABASE;

(II) BY DEPLOYING COMPUTER CODE TO A BLOCKCHAIN NETWORK OR DISTRIBUTED DIGITAL LEDGER THAT ALLOWS FOR THE CREATION OF DIGITAL TOKENS OR OTHER UNITS; OR

(III) USING ANY COMBINATION OF THE METHODS SPECIFIED IN SUBSECTIONS (11.8)(a)(I) AND (11.8)(a)(II) OF THIS SECTION;

(b) RECORDED IN A DIGITAL LEDGER OR DATABASE THAT IS CONSENSUS-BASED, DECENTRALIZED, AND MATHEMATICALLY VERIFIED IN NATURE, ESPECIALLY RELATING TO THE SUPPLY OF DIGITAL UNITS AND THEIR DISTRIBUTION; AND

(c) CAPABLE OF BEING TRADED OR TRANSFERRED BETWEEN PERSONS WITHOUT AN INTERMEDIARY OR CUSTODIAN OF VALUE.

(17) (a) "Security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; certificate of interest or participation in any profit-sharing agreement; collateral-trust certificate; preorganization certificate of subscription; transferable share; investment contract; viatical settlement investment; voting-trust certificate; certificate of deposit for a security; certificate of interest or participation in an oil, gas, or mining title or lease or in payments out of production under such a title or lease; or, in general, any interest or instrument commonly known as a "security" or any certificate of interest or participation in, temporary or interim certificate for, guarantee of, or warrant or right to subscribe to or purchase any of the ~~foregoing~~ ITEMS LISTED IN THIS SUBSECTION (17)(a).

(b) "Security" does not include any insurance or endowment policy or annuity contract under which an insurance company promises to pay a sum of money either in a lump sum or periodically for life or some other specified period.

(c) ~~For purposes of this article~~ AS USED IN SUBSECTION (17)(a) OF THIS SECTION, an "investment contract":

(I) Need not involve more than one investor nor be limited to those circumstances wherein there are multiple investors who are joint participants in the same enterprise;

(II) INCLUDES AN INVESTMENT IN A COMMON ENTERPRISE WITH THE EXPECTATION OF PROFITS TO BE DERIVED PRIMARILY FROM THE EFFORTS OF A PERSON OTHER THAN THE INVESTOR. "COMMON ENTERPRISE" MEANS AN ENTERPRISE IN WHICH THE FORTUNES OF THE INVESTOR ARE INTERWOVEN WITH THOSE OF EITHER THE PERSON OFFERING THE INVESTMENT, A THIRD PARTY, OR OTHER INVESTORS.

(III) DOES NOT INCLUDE AN OPEN BLOCKCHAIN TOKEN THAT IS EXCHANGEABLE WITHIN SIXTY CALENDAR DAYS AFTER ITS SALE AND, AT THE TIME OF SALE, IS EXCHANGEABLE FOR, OR PROVIDED FOR THE RECEIPT OF, GOODS, SERVICES, OR CONTENT, INCLUDING RIGHTS OF ACCESS TO GOODS, SERVICES, OR CONTENT.".

Renumber succeeding sections accordingly.

Finance

After consideration on the merits, the Committee recommends that **HB18-1402** 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 2, after "**repeal**" insert "(3.7) and".

Page 2, line 4, strike "(3.9) ~~The~~" and substitute "(3.7) ~~The state treasurer may, in the state treasurer's discretion, invest such moneys in securities that are issued or guaranteed by the world bank, the inter-American development bank, the Asian development bank, or the African development bank or for which the credit of the world bank, the inter-American development bank, the Asian development bank, or the African development bank is pledged for payment and that are rated in one of the two highest rating categories by a nationally recognized rating organization.~~

(3.9) ~~The~~".

Finance

After consideration on the merits, the Committee recommends that **HB18-1083** 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 11 through 27 and substitute:

"(3) FOR PURPOSES OF THIS SECTION, "ON-DEMAND AIR CARRIER" MEANS AN ENTITY AUTHORIZED BY".

Page 4, strike line 1.

Finance

After consideration on the merits, the Committee recommends that **SB18-273** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 3, strike line 17 and substitute "RESIDENCE, SO LONG AS THE OWNER-OCCUPIER HAS NOT PREVIOUSLY RECEIVED THE EXEMPTION DUE TO THE OPERATION OF THIS SUBSECTION (6)(a)(I.7)(A) FOR PROPERTY OTHER THAN THE RESIDENTIAL REAL PROPERTY FOR WHICH AN EXEMPTION IS CLAIMED.".

Page 3, strike lines 20 through 27.

Page 4, strike lines 1 through 13 and substitute "A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THE STATE PURSUANT TO ARTICLE 36 OF TITLE 12 HAS CERTIFIED, ON A FORM DEVELOPED BY THE ADMINISTRATOR AND MADE AVAILABLE ON THE WEBSITE OF THE DIVISION OF PROPERTY TAXATION IN THE DEPARTMENT OF LOCAL AFFAIRS, AS HAVING REQUIRED THE OWNER-OCCUPIER TO STOP OCCUPYING HIS OR HER PRIOR PRIMARY RESIDENCE.".

Page 1, line 103, strike "**NECESSITY, AND, IN CONNECTION**".

Page 1, strike lines 104 through 109 and substitute "**NECESSITY.**".

Finance

After consideration on the merits, the Committee recommends that **HB18-1244** be referred to the Committee on Appropriations with favorable recommendation.

Finance

After consideration on the merits, the Committee recommends that **HB18-1224** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 5, line 14, strike "REASONABLE OR UNREASONABLE".

Page 6, line 22, strike "ACTION." and substitute "ACTION AND INCORPORATES THE FINDINGS IN THE AGENCY'S ORDER. NOTHING IN THIS SUBSECTION (4)(b) PROHIBITS AN AGENCY AND LICENSEE FROM VOLUNTARILY AGREEING TO A MEDIATION FOLLOWING A SUMMARY SUSPENSION.".

Finance After consideration on the merits, the Committee recommends that **HB18-1190** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 24, line 14, strike "issuing" and substitute "~~issuing~~ RESERVING".

Page 24, line 16, strike "issuing" and substitute "~~issuing~~ RESERVING".

Finance After consideration on the merits, the Committee recommends that **HB18-1303** 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 **SB18-265** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB18-1389** 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 22, strike "OPERATING A CENTRALIZED DISTRIBUTION FACILITY," and substitute "EXERCISING THE PRIVILEGES OF A CENTRALIZED DISTRIBUTION PERMIT,".

Page 5, line 9, strike "OPERATING A CENTRALIZED DISTRIBUTION FACILITY," and substitute "EXERCISING THE PRIVILEGES OF A CENTRALIZED DISTRIBUTION PERMIT,".

Finance After consideration on the merits, the Committee recommends that **HB18-1320** 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 15 insert:

"**SECTION 5.** In Colorado Revised Statutes, 40-10.1-108, **amend** (1) as follows:

40-10.1-108. Commission to make safety rules. (1) The commission has the authority and duty to establish, for motor carriers subject to parts 2, ~~and~~ 3, AND *7* of this article ***10.1***, reasonable rules to promote safety of operation.".

Renumber succeeding sections accordingly.

Page 6, line 3, strike "(2)(b)(II)," and substitute "(2)(b),".

Page 6, strike line 6 and substitute:

"(2) (b) (I) ~~Except as otherwise provided in subparagraph (II) of this paragraph (b),~~ The granting of a certificate to operate a taxicab service within and between THOSE counties with a population of seventy thousand or greater THAT ARE NOT SERVED BY A LARGE-MARKET TAXICAB SERVICE PURSUANT TO PART 7 OF THIS ARTICLE 10.1, based on the most recent available federal census figures, is not an exclusive grant or monopoly, and the doctrine of regulated competition applies.

(II) ~~(A) The general assembly hereby finds, determines,~~".

Finance — After consideration on the merits, the Committee recommends that **HB18-1388** 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 **HB18-1362** 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 **HB18-1251** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1007** 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 **HB18-1128** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, line 10, strike "NONAFFILIATED THIRD PARTY;" and substitute "THIRD-PARTY SERVICE PROVIDER;".

Page 5, line 8, strike "WITH".

Page 5, line 23, after "A" insert "PERSON ACTING AS A".

Page 8, line 8, strike "WITH".

Page 8, strike line 14 and substitute "~~the security of the system~~ BECOMES AWARE THAT A SECURITY BREACH MAY HAVE".

Page 8, strike line 27.

Page 9, strike line 1 and substitute:
"(a.2) IN THE CASE OF A BREACH OF PERSONAL INFORMATION,".

Page 9, line 11, strike "THAT WAS BREACHED".

Page 9, line 25, after "BY" insert "SUBSECTION (2)(a.2) OF".

Page 9, line 26, strike "NO" and substitute "NOT".

Page 10, line 10, strike "THAT".

Page 10, line 17, strike "NOTICE," and substitute "NOTICE THROUGH OTHER METHODS,".

Page 11, line 18, strike "AS SOON AS POSSIBLE" and substitute "IN THE MOST EXPEDIENT TIME POSSIBLE,".

Page 12, line 4, after "faith," insert "IN THE MOST EXPEDIENT TIME POSSIBLE AND".

Page 12, line 13, after "notify," insert "IN THE MOST EXPEDIENT TIME POSSIBLE AND".

Page 12, strike line 27 and substitute:
"(f) (I) THE COVERED ENTITY THAT MUST NOTIFY COLORADO RESIDENTS OF A DATA BREACH PURSUANT TO THIS SECTION".

Page 13, line 1, strike "BREACHED".

Page 13, line 2, strike "AS SOON AS PRACTICABLE" and substitute " IN THE MOST EXPEDIENT TIME POSSIBLE AND WITHOUT UNREASONABLE DELAY,".

Page 13, line 4, strike "OCCURRED" and substitute "OCCURRED,".

Page 13, strike line 9 and substitute:

"(II) THE COLORADO ATTORNEY GENERAL SHALL DESIGNATE A PERSON OR PERSONS AS A POINT OF CONTACT FOR FUNCTIONS SET FORTH IN THIS SUBSECTION (2)(f) AND SHALL MAKE THE CONTACT INFORMATION FOR THAT PERSON OR THOSE PERSONS PUBLIC ON THE ATTORNEY GENERAL'S WEBSITE AND BY ANY OTHER APPROPRIATE MEANS.

(g) THE BREACH OF ENCRYPTED OR OTHERWISE SECURED".

Page 13, line 22, strike "customers" and substitute "~~customers~~ RESIDENTS".

Page 14, lines 24 and 25, strike "HAS BEEN, WILL BE, OR".

Page 17, line 14, strike "NONAFFILIATED THIRD PARTY;" and substitute "THIRD-PARTY SERVICE PROVIDER;".

Page 18, line 13, strike "WITH".

Page 21, line 19, strike "WITH".

Page 21, strike line 24 and substitute "IT BECOMES AWARE THAT A SECURITY BREACH MAY HAVE OCCURRED, CONDUCT IN".

Page 22, strike lines 10 and 11 and substitute:

"(b) IN THE CASE OF A BREACH OF PERSONAL INFORMATION, NOTICE".

Page 22, line 21, strike "THAT WAS BREACHED".

Page 23, line 8, after "BY" insert "SUBSECTION (2)(b) OF".

Page 23, line 9, strike "NO" and substitute "NOT".

Page 23, line 20, strike "THAT".

Page 23, line 27, strike "NOTICE," and substitute "NOTICE THROUGH OTHER METHODS,".

Page 24, line 25, strike "AS SOON AS POSSIBLE" and substitute "IN THE MOST EXPEDIENT TIME".

Page 25, line 10, strike "WITHOUT UNREASONABLE DELAY" and substitute "IN THE MOST EXPEDIENT TIME POSSIBLE AND WITHOUT UNREASONABLE DELAY,".

Page 25, line 13, strike "INVESTIGATION" and substitute "INVESTIGATION,".

Page 25, line 18, after "NOTIFY," insert "IN THE MOST EXPEDIENT TIME POSSIBLE AND".

Page 26, strike lines 4 and 5 and substitute:

"(k) (I) THE GOVERNMENTAL ENTITY THAT MUST NOTIFY COLORADO RESIDENTS OF A DATA BREACH PURSUANT TO THIS SECTION SHALL PROVIDE NOTICE OF ANY SECURITY BREACH TO THE COLORADO ATTORNEY GENERAL IN THE MOST EXPEDIENT TIME POSSIBLE AND WITHOUT UNREASONABLE DELAY, BUT NOT".

Page 26, line 7, strike "OCCURRED" and substitute "OCCURRED,".

Page 26, strike line 12 and substitute:

"(II) THE COLORADO ATTORNEY GENERAL SHALL DESIGNATE A PERSON OR PERSONS AS A POINT OF CONTACT FOR FUNCTIONS SET FORTH IN THIS SUBSECTION (2)(k) AND SHALL MAKE THE CONTACT INFORMATION FOR THAT PERSON OR THOSE PERSONS PUBLIC ON THE ATTORNEY GENERAL'S WEBSITE AND BY ANY OTHER APPROPRIATE MEANS.

(l) THE BREACH OF ENCRYPTED OR OTHERWISE SECURED".

Page 26, line 25, strike "CUSTOMERS" and substitute "RESIDENTS".

Page 27, lines 17 and 18, strike "HAS BEEN, WILL BE, OR".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1287** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1064** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1177** be postponed indefinitely.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Sonnenberg, Chair, Gardner, and Todd were appointed as Senate conferees on the first conference committee on **SB18-085**.

INTRODUCTION OF RESOLUTIONS

The following concurrent resolution was read by title and referred to the committee indicated:

HCR18-1002 by Representative(s) Melton and Salazar; also Senator(s) Williams A. and Crowder--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution that prohibits slavery and involuntary servitude as punishment for a crime and thereby prohibits slavery and involuntary servitude in all circumstances.
State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1011 by Representative(s) Pabon and Van Winkle; also Senator(s) Neville T. and Jahn--Concerning measures to allow greater investment flexibility in marijuana businesses, and, in connection therewith, making an appropriation.
Finance

HB18-1115 by Representative(s) Carver and Ginal; also Senator(s) Cooke and Garcia--Concerning the provision of training materials related to human trafficking by the department of public safety, and, in connection therewith, making an appropriation.
Finance

HB18-1208 by Representative(s) Duran and Winter; also Senator(s) Martinez Humenik--Concerning the expansion of the income tax credit for child care expenses that is a percentage of a similar federal income tax credit, and, in connection therewith, making an appropriation.
Finance
Appropriations

HB18-1267 by Representative(s) Gray and McKean; also Senator(s) Tate--Concerning an income tax credit for retrofitting a residence to increase the residence's visitability, and, in connection therewith, making an appropriation.
Finance

HB18-1289 by Representative(s) Foote and Young; also Senator(s) Jones--Concerning an exemption from forced pooling of certain governmental entities that own mineral rights.
State, Veterans, & Military Affairs

HB18-1349 by Representative(s) Ginal; also Senator(s) Cooke--Concerning the use of waiver valuations by the department of transportation, and, in connection therewith, extending the department's existing authority under state law to use waiver valuations when valuing property that it owns and seeks to dispose of to the maximum extent permitted by federal law and regulations and clarifying that a waiver valuation is not an appraisal and that an individual, including a licensed or certified real estate appraiser, is not an appraiser for purposes of the state laws regulating appraisers when the individual performs a waiver valuation.
Finance

HB18-1352 by Representative(s) Foote and Gray; also Senator(s) Jones and Aguilar--Concerning a clarification of the minimum distance from which certain oil and gas facilities must be located from any school.
State, Veterans, & Military Affairs

HB18-1357 by Representative(s) Michaelson Jenet; also Senator(s) Gardner and Williams A., Jahn--Concerning access to behavioral health care services, and, in connection therewith, establishing an ombudsman for behavioral health access to care to assist consumers in accessing care, requiring the commissioner of insurance to report on compliance with mental health parity laws, and making an appropriation.
State, Veterans, & Military Affairs

HB18-1363 by Representative(s) Singer and Landgraf; also Senator(s) Crowder--Concerning legislative recommendations of the child support commission, and, in connection therewith, making an appropriation.
Finance

HB18-1376 by Representative(s) Pabon; also Senator(s) Aguilar--Concerning the regulation of individual residential services and supports providers for persons with intellectual and developmental disabilities, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1378 by Representative(s) Danielson and Buckner; also Senator(s) Donovan and Fields--Concerning the creation of the "Equal Pay for Equal Work Act" in order to implement measures to prevent pay disparities, and, in connection therewith, promoting pay transparency and making an appropriation.
State, Veterans, & Military Affairs

HB18-1396 by Representative(s) Buckner; also Senator(s) Moreno and Priola--Concerning creation of an advanced placement exam fee grant program in the department of education, and, in connection therewith, making an appropriation.
Finance

HB18-1405 by Representative(s) Lee; also Senator(s) Gardner--Concerning an exception from the mandatory reporting requirements for persons providing legal assistance to area agencies on aging.
Finance

HB18-1407 by Representative(s) Young and Rankin, Hamner; also Senator(s) Lambert and Moreno, Lundberg--Concerning increasing access to services for persons with intellectual and developmental disabilities that are provided by a stable workforce, and, in connection therewith, making an appropriation.
Appropriations

HB18-1409 by Representative(s) Lee and Herod; also Senator(s) Lundberg and Fields, Priola--Concerning the creation of the community crime victims grant program, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1411 by Representative(s) Pabon; also Senator(s) Smallwood--Concerning eliminating redundancy related to fingerprint-based criminal history record checks for persons who have or will have direct contact with vulnerable persons.
Finance

HB18-1419 by Representative(s) Foote and Jackson; also Senator(s) Jones and Kefalas--Concerning additional safety requirements for oil and gas operators, and, in connection therewith, requiring the disclosure of the location of subsurface facilities and the sharing of oil and gas operators' development plans with affected local governments and requiring rules regarding wellhead integrity.
State, Veterans, & Military Affairs

HB18-1429 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno-Concerning the exemption of the workers' compensation cash fund from the maximum reserve.
Appropriations

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-003; HB18-1187, 1252, and 1283.

Journal correction:

Page 933, line 48, strike ", 1295".

Page 933, line 68, strike "SB18-0108,", and substitute "SB18-108,".

On motion of Senator Martinez Humenik, the Senate adjourned until 9:00 a.m., Wednesday, May 2, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

113th Legislative Day — Wednesday, May 2, 2018

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--33
Absent--1, Kagan.
Excused--1, Holbert.
Present later--2, Holbert, Kagan.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Tuesday, May 1, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-013, 260, and 271; SJM18-006 and 007.
Correctly Reengrossed: SB18-243, 268, and 269.
Correctly Revised: HB18-1003, 1108, 1136, 1189, and 1266.
Correctly Rerevised: HB18-1184, 1263, 1269, 1286, 1302, 1313, 1314, 1342, 1346, and 1354.
Correctly Enrolled: SB18-225 and 232.

On motion of Assistant Majority Leader Scott, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

The Senate observed a moment of silence and rang the chimes in memory of Specialist Gabriel D. Conde, United States Army.

COMMITTEE OF REFERENCE REPORTS

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1083** 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 **HB18-1190** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1224** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1244** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1251** 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 **HB18-1287** 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 **SB18-265** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-273** 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 **SB18-274** 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 2 insert:

"**SECTION 5.** In Colorado Revised Statutes, 24-75-302, amend (2)(dd) and (2)(ee) and add (2)(ff) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account. (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:

(dd) On July 1, 2016, twenty million five hundred eighty-six thousand three hundred ninety-eight dollars; ~~and~~

(ee) On July 1, 2017, sixty-eight million eight hundred forty thousand four hundred forty-six dollars; and

(ff) ON JULY 1, 2018, ELEVEN MILLION TWO HUNDRED FIFTY-SIX THOUSAND FIVE HUNDRED SIXTY-ONE DOLLARS.".

SECTION 6. Capital construction appropriation. (1) For the 2018-19 state fiscal year, $11,256,561 is appropriated to the department of corrections for use by the institutions. This appropriation is from the capital construction fund created in section 24-75-302 (3.7), C.R.S. To implement this act, the department may use this appropriation for capital construction related to changes at the Centennial south campus of the Centennial correctional facility, the Denver correctional facility, and the Centennial north campus of the Centennial correctional facility. Any money appropriated in this subsection (1) not expended prior to July 1, 2019, is further appropriated to the division for the 2019-20 and 2020-21 state fiscal years for the same purpose.".

Renumber succeeding sections accordingly.

Page 1, line 104, strike "**FACILITIES.**" and substitute "**FACILITIES AND MAKING AN APPROPRIATION.**".

Appropriations — After consideration on the merits, the Committee recommends that **SB18-278** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike lines 20 through 27 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, **add** 17-18-124 as follows:

17-18-124. Appropriation to comply with section 2-2-703 - SB

18-278 - repeal. (1) PURSUANT TO SECTION 2-2-703, THE FOLLOWING STATUTORY APPROPRIATIONS ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 18-278, ENACTED IN 2018:

(a) FOR THE 2022-23 STATE FISCAL YEAR, SIX HUNDRED EIGHTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-NINE DOLLARS IS APPROPRIATED TO THE DEPARTMENT FROM THE GENERAL FUND.

(2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2023.".

Page 1, line 102, strike "**RESPONDERS.**" and substitute "**RESPONDERS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

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:

HB18-1108 by Representative(s) Danielson; also Senator(s) Todd--Concerning the Colorado commission for the deaf and hard of hearing, and, in connection therewith, renaming the commission the Colorado commission for the deaf, hard of hearing, and deafblind; creating the Colorado deafblind citizens council to advise the commission on deafblind issues; clarifying and expanding the commission's duties to provide services to the deaf, hard of hearing, and deafblind; and changing the membership of the committee charged with reviewing grant applications.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Garcia, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Neville T., Smallwood, Tate, Williams A., and Zenzinger.

HB18-1136 by Representative(s) Pettersen, Buck, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning treatment for individuals with substance use disorders, and, in connection therewith, adding residential and inpatient treatment to the Colorado medical assistance program and making an appropriation.

Laid over until Monday, May 7, retaining its place on the calendar.

SB18-271 by Senator(s) Marble; also Representative(s) Pabon--Concerning changes to improve funding for marijuana research, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Grantham, Guzman, Hill, Kagan, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Smallwood, 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:

HB18-1003 by Representative(s) Pettersen, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning measures to prevent opioid misuse in Colorado, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Guzman, Jones, Kefalas, Kerr, Martinez Humenik, Moreno, and Todd.

HB18-1266 by Representative(s) Esgar and Wilson; also Senator(s) Hill and Todd--Concerning expanding the career development success pilot program.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fields, Garcia, Jones, Kefalas, Martinez Humenik, Merrifield, Moreno, Tate, Williams A., and Zenzinger.

SB18-013 by Senator(s) Fields and Gardner, Martinez Humenik, Moreno, Priola; also Representative(s) Michaelson Jenet--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	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Garcia, Guzman, Jones, Kefalas, Kerr, Merrifield, Todd, Williams A., and Zenzinger.

SB18-260 by Senator(s) Hill; also Representative(s) Williams D.--Concerning implementing a sunrise review of new educational services under the private occupational school division in the department of higher education, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Holbert, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Smallwood, Sonnenberg, and Tate.

HB18-1189 by Representative(s) Pettersen and Sias; also Senator(s) Hill and Todd--Concerning pilot programs to expand effective teacher residency programs across 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	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Donovan, Fields, Gardner, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, and Zenzinger.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1375 by Representative(s) Willett and Lee, Foote, Herod, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, pages 961-962 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1375 as amended.

Committee of the Whole

On motion of Senator Neville, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Neville was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-263 by Senator(s) Martinez Humenik, Cooke; also Representative(s) Singer--Concerning the creation of a pilot program to allow for court approval of treatment medications in jails.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 30, pages 962-963 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1271 by Representative(s) Gray and Willett; also Senator(s) Tate--Concerning the authorization of economic development rates to be charged by electric utilities to qualifying nonresidential customers.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-245 by Senator(s) Cooke; --Concerning repeal of the prohibition on the state board of health adopting rules concerning the disposal of naturally occurring radioactive materials until after the federal environmental protection agency has adopted rules concerning the disposal of naturally occurring radioactive materials.

Amendment No. 1(L.002), by Senator Cooke

Amend printed bill, page 2, line 5, strike "(b) The state board may" and substitute "(b) (I) The state board ~~may~~ SHALL, BY DECEMBER 31, 2020,".

Page 2, after line 9 insert:

"(II) TO FACILITATE DECISIONS AND APPROACHES TO THE HANDLING, TRANSPORTATION, BENEFICIAL USE, AND DISPOSAL IN COLORADO OF NATURALLY OCCURRING RADIOACTIVE MATERIAL AND TECHNOLOGICALLY ENHANCED NATURALLY OCCURRING RADIOACTIVE MATERIAL, REFERRED TO IN THIS SUBSECTION (1)(b) AS TENORM, THAT ARE BASED ON A REASONABLE RELATIONSHIP TO THE ECONOMIC, ENVIRONMENTAL, ENERGY, AND PUBLIC HEALTH COSTS AND IMPACTS OF THESE ACTIVITIES, THE DEPARTMENT SHALL CONVENE A STAKEHOLDER GROUP TO DISCUSS THE DEVELOPMENT OF RULES AND THE IMPACTS THE RULES MIGHT HAVE ON VARIOUS INDUSTRIES. THE DEPARTMENT SHALL INVITE PARTICIPATION BY REPRESENTATIVES OF, AT A MINIMUM, THE OIL AND GAS INDUSTRY, MINING INDUSTRY, POWER GENERATORS AND SUPPLIERS, PUBLIC WATER PROVIDERS, PUBLIC WASTEWATER TREATMENT PROVIDERS, SOLID WASTE LANDFILL OPERATORS, AND OTHER INTERESTED OR AFFECTED PARTIES CONCERNING THE DISPOSAL OF NATURALLY OCCURRING RADIOACTIVE MATERIAL AND TENORM.

(III) DURING THE STAKEHOLDER AND RULE-MAKING PROCESS, THE DEPARTMENT SHALL:

(A) REVIEW AND CONSIDER TENORM RESIDUAL MANAGEMENT AND REGULATORY LIMITS FROM OTHER STATES;

(B) REVIEW AND REVISE, AS APPROPRIATE, THE CONCENTRATION LIMITS AND VALUES CONTAINED IN THE "INTERIM POLICY AND GUIDANCE PENDING RULEMAKING FOR CONTROL AND DISPOSITION OF TECHNOLOGICALLY-ENHANCED NATURALLY OCCURRING RADIOACTIVE MATERIALS IN COLORADO", DATED FEBRUARY 2007, CONSIDERING STAKEHOLDER INPUT AND THE INFORMATION OBTAINED FROM OTHER STATES; AND

(C) DEVELOP A PROPOSED RESIDUALS MANAGEMENT RULE THAT INCLUDES REGULATORY LIMITS FOR LANDFILL DISPOSAL, BENEFICIAL REUSE, AND EXEMPTION LEVELS.

(IV) THE DEVELOPMENT OF CONCENTRATION LIMITS FOR EACH MANAGEMENT OPTION MUST BE BASED ON THE CONTRIBUTION TO PUBLIC DOSE AND ACCOUNT FOR DIFFERENT ACTIVITIES SPECIFIC TO EACH MANAGEMENT OPTION.

(V) NO LATER THAN DECEMBER 31, 2019, THE DEPARTMENT SHALL SUBMIT A DETAILED SUMMARY OF THE STAKEHOLDER PROCESS SPECIFIED IN SUBSECTION (1)(b)(III) OF THIS SECTION TO THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON HEALTH, INSURANCE, AND ENVIRONMENT OR THEIR SUCCESSOR COMMITTEES. THE SUMMARY MUST INCLUDE A DESCRIPTION OF THE STAKEHOLDER PROCESS, INCLUDING OUTREACH EFFORTS, THE NUMBER OF MEETINGS HELD, AND ANY DISSENTING COMMENTS SUBMITTED BY PARTICIPANTS IN THE STAKEHOLDER PROCESS.

(VI) UNTIL THE RULES ADOPTED BY THE STATE BOARD PURSUANT TO SUBSECTION (1)(b)(I) OF THIS SECTION BECOME EFFECTIVE, THE HANDLING, TRANSPORTATION, BENEFICIAL USE, AND DISPOSAL OF TENORM IS GOVERNED BY THE "INTERIM POLICY AND GUIDANCE PENDING RULEMAKING FOR CONTROL AND DISPOSITION OF TECHNOLOGICALLY-ENHANCED NATURALLY OCCURRING RADIOACTIVE

MATERIALS IN COLORADO," ISSUED BY THE DEPARTMENT, DATED FEBRUARY 2007, AND THE OIL AND GAS WASTE PRODUCTION GUIDANCE LETTERS DATED NOVEMBER 7 AND NOVEMBER 14, 2017.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-258 by Senator(s) Scott and Gardner; --Concerning excluding from the speedy trial calculation the period of delay caused by a continuance ordered by the court.

Amendment No. 1(L.001), by Senator Scott.

Amend printed bill, page 2, lines 7 and 8, strike "GRANTED TO THE PROSECUTION OR THE DEFENDANT OR".

Page 2, line 9, strike "SUA SPONTE,".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, April 27, page 932 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Senator Merrifield moved to amend the Report of the Committee of the Whole to show that the following Merrifield floor amendment, (L.015) to HB 18-1379, did pass.

Amend reengrossed bill, page 10, after line 4 insert:

"**SECTION 9.** In Colorado Revised Statutes, **add** 22-54-140 as follows:

22-54-140. Supplemental payment - eligible public school employees - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ELIGIBLE EMPLOYEE" MEANS A FULL-TIME EMPLOYEE, AS DEFINED BY THE LOCAL EDUCATION PROVIDER, WHO IS EMPLOYED BY THE LOCAL EDUCATION PROVIDER ON MAY 15, 2018, AND WHO EARNS LESS THAN THIRTY-SEVEN THOUSAND SIX HUNDRED FIFTY DOLLARS ANNUALLY AS OF MAY 15, 2018.

(b) "LOCAL EDUCATION PROVIDER" MEANS A DISTRICT, A CHARTER SCHOOL AUTHORIZED BY A DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL COLLABORATIVE, OR A BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE 5 OF TITLE 22.

(c) "SUPPLEMENTAL PAYMENT" MEANS AN AMOUNT EQUAL TO SIXTY MILLION DOLLARS DIVIDED BY THE TOTAL NUMBER OF ELIGIBLE EMPLOYEES, AS CERTIFIED TO THE DEPARTMENT OF EDUCATION PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(2) NO LATER THAN JUNE 15, 2018, EACH LOCAL EDUCATION PROVIDER SHALL CERTIFY TO THE DEPARTMENT OF EDUCATION THE

NUMBER OF ELIGIBLE EMPLOYEES EMPLOYED BY THE LOCAL EDUCATION PROVIDER. THE STATE CHARTER SCHOOL INSTITUTE SHALL CERTIFY THE TOTAL NUMBER OF ELIGIBLE EMPLOYEES FOR ALL INSTITUTE CHARTER SCHOOLS, AND EACH DISTRICT SHALL CERTIFY THE TOTAL NUMBER OF ELIGIBLE EMPLOYEES FOR THE CHARTER SCHOOLS OF THE DISTRICT.

(3) FOR THE 2018-19 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE SIXTY MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO LOCAL EDUCATION PROVIDERS FOR PURPOSES OF MAKING A SUPPLEMENTAL PAYMENT TO ELIGIBLE EMPLOYEES OF THE LOCAL EDUCATION PROVIDER. A LOCAL EDUCATION PROVIDER RECEIVING A DISTRIBUTION PURSUANT TO THIS SECTION SHALL USE THE MONEY ONLY TO PAY A SUPPLEMENTAL PAYMENT TO THE ELIGIBLE EMPLOYEES OF THE LOCAL EDUCATION PROVIDER.

(4) (a) THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE TO EACH DISTRICT, BOARD OF COOPERATIVE SERVICES, AND CHARTER SCHOOL COLLABORATIVE AND TO THE STATE CHARTER SCHOOL INSTITUTE AN AMOUNT EQUAL TO THE SUPPLEMENTAL PAYMENT MULTIPLIED BY THE NUMBER OF ELIGIBLE EMPLOYEES CERTIFIED BY THE DISTRICT, BOARD OF COOPERATIVE SERVICES, CHARTER SCHOOL COLLABORATIVE, OR STATE CHARTER SCHOOL INSTITUTE TO THE DEPARTMENT OF EDUCATION PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(b) EACH DISTRICT THAT IS THE AUTHORIZER FOR A CHARTER SCHOOL SHALL DISTRIBUTE TO THE CHARTER SCHOOL ONE HUNDRED PERCENT OF AN AMOUNT EQUAL TO THE SUPPLEMENTAL PAYMENT MULTIPLIED BY THE NUMBER OF ELIGIBLE EMPLOYEES EMPLOYED BY THE CHARTER SCHOOL.

(c) THE DEPARTMENT OF EDUCATION SHALL CALCULATE FOR EACH INSTITUTE CHARTER SCHOOL AND DISTRIBUTE TO THE STATE CHARTER SCHOOL INSTITUTE AN AMOUNT EQUAL TO THE SUPPLEMENTAL PAYMENT MULTIPLIED BY THE NUMBER OF ELIGIBLE EMPLOYEES EMPLOYED BY THE INSTITUTE CHARTER SCHOOL. THE STATE CHARTER SCHOOL INSTITUTE SHALL DISTRIBUTE TO EACH INSTITUTE CHARTER SCHOOL ONE HUNDRED PERCENT OF THE AMOUNT RECEIVED FOR THE INSTITUTE CHARTER SCHOOL PURSUANT TO THIS SUBSECTION (4).

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.".

Renumber succeeding sections accordingly.

Page 11, after line 18 insert:

"**SECTION 15. Appropriation.** For the 2018-19 state fiscal year, $60,000,000 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 supplemental payments to local education providers pursuant to section 22-54-140, C.R.S.".

Renumber succeeding section accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

Senator Kerr moved to amend the Report of the Committee of the Whole to show that the following Kerr floor amendment, (L.022) to HB 18-1379, did pass.

Amend reengrossed bill, page 10, after line 4 insert:

"**SECTION 9.** In Colorado Revised Statutes, 22-54-103, **amend** the introductory portion and (15) as follows:

22-54-103. Definitions. As used in this ~~article~~ ARTICLE 54, unless the context otherwise requires:

(15) "Supplemental kindergarten enrollment" means the number calculated by subtracting five-tenths from the full-day kindergarten factor for the applicable budget year and then multiplying said number by the number of pupils in the district who are enrolled in kindergarten for the applicable budget year. For the purposes of this subsection (15):

(a) The full-day kindergarten factor for the 2008-09, 2009-10, and 2010-11 budget years and each budget year thereafter THROUGH THE 2018-19 BUDGET YEAR is fifty-eight hundredths of a full-day pupil; AND

(b) THE FULL-DAY KINDERGARTEN FACTOR FOR THE 2019-20 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER IS SIXTY-FIVE HUNDREDTHS OF A FULL-DAY PUPIL.

SECTION 10. In Colorado Revised Statutes, 22-54-131, **amend** (6) as follows:

22-54-131. Full-day kindergarten funding - guidelines - technical assistance - legislative intent - legislative declaration. (6) Beginning in the ~~2009-10~~ 2020-21 budget year and continuing through the ~~2013-14~~ 2024-25 budget year, it is the intent of the general assembly to increase annually the appropriation to be used by districts to provide full-day kindergarten programs. For each budget year, the general assembly intends to appropriate the following amounts:

(a) For the ~~2009-10~~ 2020-21 budget year, ~~sixty~~ AT LEAST ONE HUNDRED SEVENTEEN million dollars;

(b) For the ~~2010-11~~ 2021-22 budget year, ~~seventy~~ AT LEAST ONE HUNDRED FIFTY-FOUR million dollars;

(c) For the ~~2011-12~~ 2022-23 budget year, ~~eighty~~ AT LEAST ONE HUNDRED NINETY-ONE million dollars;

(d) For the ~~2012-13~~ 2023-24 budget year, ~~ninety~~ AT LEAST TWO HUNDRED TWENTY-EIGHT million dollars; ~~and~~

(e) For the ~~2013-14~~ 2024-25 budget year, ~~one hundred~~ AT LEAST TWO HUNDRED SIXTY-FIVE million dollars; AND

(f) FOR THE 2025-26 BUDGET YEAR AND EACH BUDGET YEAR THEREAFTER, THE AMOUNT NECESSARY TO FULLY FUND KINDERGARTEN PUPILS AS FULL-DAY PUPILS.".

Renumber succeeding sections accordingly.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-263 as amended, SB18-245 as amended, SB18-258 as amended, HB18-1271, HB18-1379 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1077, HB18-1361, HB18-1402, HB18-1303, HB18-1389, HB18-1320, HB18-1388, HB18-1362, HB18-1007, and HB18-1128 were made Special Orders--Consent Calendar at 12:02 p.m.

Committee of the Whole

The hour of 12:02 p.m. having arrived, Senator Neville moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Neville was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1077 by Representative(s) Liston and Valdez, Becker J., Catlin, Lawrence, McKean, Reyher, Roberts, Sias, Wilson, Wist; also Senator(s) Garcia and Scott--Concerning the penalty for a person who commits burglary to acquire firearms, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1361 by Representative(s) Exum and Valdez; also Senator(s) Williams A.--Concerning expanded eligibility for a veteran of the Vietnam war specialty license plate.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1402 by Representative(s) Lawrence and Young, Duran, Kraft-Tharp, Landgraf, Pabon, Saine, Sias, Williams D., Michaelson Jenet; also Senator(s) Gardner and Williams A., Marble--Concerning authorization for the state treasurer to invest state money in investment grade securities issued by sovereign, national, and supranational entities.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1003 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1303 by Representative(s) Wist and Garnett; also Senator(s) Tate--Concerning exemption of nonprofit youth sports organization coaches from the "Colorado Employment Security Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1389 by Representative(s) Gray and Van Winkle; also Senator(s) Neville T.--Concerning authorization for issuance of a centralized marijuana distribution permit.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1004 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1320 by Representative(s) Pabon; also Senator(s) Jahn--Concerning a reduction in regulation of large-market taxicab service from regulation as a common carrier to regulation as a motor carrier of passengers.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1003 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1388 by Representative(s) Garnett; also Senator(s) Tate--Concerning an exemption from the requirement to register a security if the security is subject to a notice filing as permitted under federal law.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1362 by Representative(s) Arndt; also Senator(s) Tate--Concerning the membership expansion of the Colorado task force on drunk and impaired driving.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1007 by Representative(s) Kennedy and Singer, Pettersen; also Senator(s) Lambert and Jahn, Aguilar, Tate--Concerning payment issues related to substance use disorders.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1128 by Representative(s) Wist and Bridges; also Senator(s) Lambert and Court--Concerning strengthening protections for consumer data privacy.

Amendment No. 1, State, Veterans, & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 1, pages 1005-1007 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 Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1007, HB18-1361, HB18-1402 as amended, HB18-1303, HB18-1389 as amended, HB18-1320 as amended, HB18-1388, HB18-1362, HB18-1007, and HB18-1128 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-249, SB18-250, SB18-251, and SB18-252 were made Special Orders at 12:07 p.m.

Committee of the Whole

The hour of 12:07 p.m. having arrived, Senator Neville moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Neville was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-249 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing alternative programs in the criminal justice system to redirect individuals with a behavioral health condition to community treatment.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, pages 976-978 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page 986 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Gardner.

Amend the Judiciary Committee Report, dated April 30, 2018, page 2, strike lines 21 and 22 and substitute:

"(3) THERE ARE CREATED UP TO FOUR PILOT PROGRAMS IN JUDICIAL DISTRICTS IN THE STATE. THE STATE COURT ADMINISTRATOR AND THE COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL COLLABORATE TO IDENTIFY POTENTIAL PILOT PROGRAM SITES WITH THE AGREEMENT OF THE ELECTED DISTRICT ATTORNEYS AND CHIEF JUDGES IN A JUDICIAL DISTRICT. THE STATE COURT ADMINISTRATOR AND THE COLORADO DISTRICT ATTORNEYS' COUNCIL SHALL CONSIDER GEOGRAPHIC DIVERSITY IN IDENTIFYING PILOT PROGRAM SITES. THE PURPOSE OF THE PILOT PROGRAMS IS TO IDENTIFY".

Page 2, line 26, strike "FOR EACH" and substitute "AND THE CHIEF JUDGE

FOR A JUDICIAL DISTRICT SELECTED AS A PILOT PROGRAM SITE PURSUANT TO THIS SUBSECTION (3) SHALL WORK COLLABORATIVELY AND THROUGH CONSENSUS WITH INTERESTED AND NECESSARY PARTICIPANTS WITHIN THE JUDICIAL DISTRICT, INCLUDING BUT NOT LIMITED TO LAW ENFORCEMENT, JAIL OFFICIALS, PUBLIC DEFENDERS, JUDGES, PRETRIAL SERVICE PROVIDERS, AND LOCAL COMMUNITY MENTAL AND BEHAVIORAL HEALTH SERVICE PROVIDERS, TO DECIDE WHICH COURTS AND COUNTIES WITHIN THE JUDICIAL DISTRICT ARE BEST SUITED TO IMPLEMENT THE PILOT PROGRAM.".

Strike lines 27 through 33.

Page 2, line 34, after "JUDGE" insert "OR HIS OR HER DESIGNEE".

Page 3, strike lines 6 and 7 and substitute:

"(d) BROKERING SERVICES THROUGH CONTRACTING WITH LOCAL COMMUNITY TREATMENT PROGRAMS OR PROVIDING ADDITIONAL GRANT FUNDING TO DISTRICT ATTORNEYS TO CONTRACT WITH PROVIDERS THAT ARE ABLE TO PARTICIPATE IN THE PILOT PROGRAM AND".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-250 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning the provision of jail-based behavioral health services.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, page 976 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page 986 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-251 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing a statewide behavioral health court liaison program.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, pages 975-976 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page 985 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-252 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning actions related to determinations of competency to proceed.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 30, pages 965-975 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 1, page 985 and placed in members' bill files.)

Amendment No. 3(L.005), by Senator Gardner.

Amend the Judiciary Committee Report, dated April 30, 2018, page 16, line 30, strike "JUDICIAL OFFICERS" and substitute "ATTORNEYS AND OTHER EMPLOYEES OF THE OFFICE".

Page 17, line 7, strike "JUDICIAL OFFICERS" and substitute "EMPLOYEES AND CONTRACTORS".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Neville, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-249 as amended, SB18-250 as amended, SB18-251 as amended, SB18-252 as amended.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-056 by Senator(s) Jahn; also Representative(s) Lee and Willett--Concerning monetary amounts in civil actions.

Senator Jahn moved that the Senate concur in House amendments to SB18-056, as printed in House journal, April 20, pages 1149-1150, and April 24, page 1222. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days.

Laid over until Monday, May 7, retaining its place on the calendar.

SB18-119 by Senator(s) Gardner; also Representative(s) Carver and Benavidez--Concerning false imprisonment of a minor, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB18-119, as printed in House journal, April 20, pages 1150-1151. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Zenzinger.

SB18-205 by Senator(s) Marble and Coram, Cooke, Fenberg, Fields, Garcia, Scott; also Representative(s) Catlin and McLachlan--Concerning the regulation of industrial hemp as an agricultural product, and, in connection therewith, identifying the unprocessed seeds of industrial hemp as a commodity under the "Commodity Handler Act" and industrial hemp as a farm product under the "Farm Products Act".

Senator Marble moved that the Senate concur in House amendments to SB18-205, as printed in House journal, April 30, page1345-1346. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

Senator Tate moved that the Senate not concur in House amendments to SB18-200, as printed in House journal, April 17, pages 1028-1034, April 19, pages 1087-1088, and April 30, pages 1398-1403, that a conference committee be appointed, and that the conference committee 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** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Tate, Chair, Priola, and Kagan were appointed as Senate conferees on the first conference committee on **SB18-200**.

SB18-012 by Senator(s) Hill; also Representative(s) Pettersen--Concerning including military enlistment as part of the postsecondary and workforce readiness performance indicator for public schools.

Senator Hill moved that the Senate concur in House amendments to SB18-012, as printed in House journal, April 30, page 1374 . The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
COLORADO STATE FAIR AUTHORITY
BOARD OF COMMISSIONERS

for a term expiring November 1, 2021:

Michael Angelo Cafasso of Pueblo, Colorado, a Democrat residing in the Third Congressional District and the county of the fair, who has expertise in finance through management-level experience in banking, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

Carrie Besnette Hauser of Glenwood Springs, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of Christopher James Castilian of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
STATE ELECTRICAL BOARD

for a term expiring July 1, 2018:

Carol Pafford of Highlands Ranch, Colorado to serve as a building official from a political subdivision of the state performing electrical inspections, reappointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBER OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for a term expiring August 10, 2020:

Dena Marie Falbo of Westminster, Colorado, to serve as a member of the public at large, and occasioned by the removal of Miriam Pena Garcia of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

MEMBERS OF THE
BOARD OF REAL ESTATE APPRAISERS

for a term expiring July 1, 2018:

Deane Lawrence Davenport of Arvada, Colorado, to serve as an officer or employee of a commercial bank experienced in real estate lending, reappointed;

for terms expiring July 1, 2020:

Richard L. Shields of Centennial, Colorado, to serve as a licensed or certified appraiser, reappointed;

Kristy Ann McFarland of Crested Butte, Colorado, to serve as a county assessor in office, appointed;

Bonnie Deane Roerig of Denver, Colorado, to serve as a licensed or certified appraiser, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Sonnenberg the following Governor's appointment was not confirmed by a roll call vote:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2019:

James George Spehar of Grand Junction, Colorado, to serve as a representative of outdoor recreation and utilization of parks resources, and occasioned by the resignation of William G. Kane of Basalt, Colorado, appointed.

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

On motion of Senator Sonnenberg the following Governor's appointment was confirmed by a roll call vote:

MEMBER OF THE
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2021:

Marvin Edward McDaniel of Sedalia, Colorado, as a member at large, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1295 by Representative(s) Salazar and Esgar; also Senator(s) Coram--Concerning modifications to the "Colorado Food and Drug Act" to allow products containing industrial hemp, and, in connection therewith, establishing that products containing industrial hemp are not adulterated or misbranded by virtue of containing industrial hemp.

Senator Coram moved for the adoption of the first report of the first conference committee on HB18-1295, as printed in Senate journal, May 1, page 999. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1296

****
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 HB18-1296, concerning an expansion of the ability to leave a motor vehicle unattended in certain circumstances, has met and reports that it has agreed upon the following:

That the Senate recede from its amendment made to the bill, as the amendment appears in the rerevised bill, and that the following amendment be substituted therefore:

Amend rerevised bill, page 2, strike lines 7 through 16 and substitute:

"**SECTION 2. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

Respectfully submitted,

House Committee:	Senate Committee:
Jovan Melton, Chair	Vicki Marble, Chair
Justin Everett	John Cooke
Joseph Salazar	Dominick Moreno

MESSAGE FROM THE HOUSE

May 2, 2018

Mr. President:

The House has postponed indefinitely SB18-059, 201. The bills are returned herewith.

INTRODUCTION OF MEMORIALS

The following memorial was read by title:

SM18-001 by Senator(s) Crowder--Memorializing Congress to actively pursue the return of the U.S.S. Pueblo from the government of the Democratic People's Republic of Korea.

Laid over one day under Senate Rule 30(d).

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Representative Landgraf was added as a House joint prime sponsor on SB18-263 with Senator Martinez Humenik and Representative Singer.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1290** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1006** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 10 through 14 and substitute:

"~~(b)~~ (h) Participation of persons in NEWBORN SCREENING PROGRAMS OR genetic counseling programs in this state should be wholly voluntary, and ~~that~~ all information obtained from persons involved in ~~such~~ THESE programs ~~or in newborn screening programs~~ in the state ~~should~~ MUST be held strictly confidential. FAMILY PARTICIPATION IN THE FOLLOW-UP SUPPORT".

Page 6, line 3, after the period add "TESTING UNDER THIS SUBSECTION (1)(b) IS NOT REQUIRED IF THE PARENT OR LEGAL GUARDIAN OBJECTS.".

Page 6, strike lines 7 through 13 and substitute:

"(1.5) IF THE DEPARTMENT DEEMS THAT NEW CONDITIONS FOR WHICH AN INFANT MUST BE TESTED SHOULD BE ADDED, THE DEPARTMENT SHALL REPORT THE ADDED CONDITIONS TO THE GENERAL ASSEMBLY DURING ITS PRESENTATION IN ACCORDANCE WITH THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE DEPARTMENT SHALL ALSO NOTIFY THE JOINT BUDGET COMMITTEE AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE HEALTH, INSURANCE, AND ENVIRONMENT COMMITTEE AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, WITHIN SIXTY DAYS AFTER THE DEPARTMENT RECOMMENDS A NEW CONDITION AND INCLUDE THE ADDED CONDITIONS IN THE DEPARTMENT'S ANNUAL BUDGET REQUEST SUBMITTED TO THE GENERAL ASSEMBLY EACH NOVEMBER 1.".

Page 10, line 10, strike "24-75-402." and substitute "24-75-402 THROUGH JULY 1, 2021.".

Page 13, line 7, after "~~following:~~" insert "SCREENING FOR HEARING LOSS UNDER THIS SUBSECTION (3)(a) IS NOT REQUIRED IF THE PARENT OR LEGAL GUARDIAN OBJECTS.".

Page 14, line 7, after the period add "SCREENING FOR HEARING LOSS UNDER THIS SUBSECTION (5) IS NOT REQUIRED IF THE PARENT OR LEGAL GUARDIAN OBJECTS.".

Page 17, after line 2 insert:

"**SECTION 7.** In Colorado Revised Statutes, **amend** 25-4-1005 as follows:

25-4-1005. Exceptions. Nothing in the provisions of this part 10 shall be construed to require the testing or medical treatment for the minor child of any person WHO HAS PERSONAL OBJECTION TO THE ADMINISTRATION OF THE TESTS OR TREATMENT or of any person who is a member of a well-recognized church or religious denomination and whose religious convictions in accordance with the tenets or principles of ~~his~~ THE church or religious denomination are against medical treatment for disease or physical defects. ~~or has a personal objection to the administration of such tests or treatment.~~".

Renumber succeeding sections accordingly.

Page 18, strike line 1 and substitute "SCREENING PROGRAM.".

Page 18, line 4, strike "24-75-402." and substitute "24-75-402 THROUGH JULY 1, 2021.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1319** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1393** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1356** 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 **HB18-1197** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1321** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1369** 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 **HB18-1387** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1373** 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 **HB18-1185** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 15, line 14, strike "TAX POLICY CHANGE" and substitute "STATE CONFORMING ITS INCOME TAX LAWS TO THE MODEL ACT AS".

Page 15, line 17, strike "THE TAX POLICY CHANGE," and substitute "SUCH BILL,".

Finance — After consideration on the merits, the Committee recommends that **HB18-1394** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 26, line 14, strike "ADDRESS," and substitute "ACCOMPLISH THE FOLLOWING,".

Page 26, strike lines 15 through 18 and substitute:

"(I) DEVELOP A PLAN TO IMPROVE COORDINATION AMONG STATE AGENCIES AND LOCAL JURISDICTIONS TO SUPPORT COMMUNITY AND ECONOMIC RECOVERY EFFORTS AND TO ADDRESS RISK AND VULNERABILITY REDUCTION;

(II) PROVIDE TECHNICAL ASSISTANCE TO LOCAL GOVERNMENTS FOR THE IMPLEMENTATION OF RESILIENCE PLANNING, INCLUDING RESILIENCE FRAMEWORKS, VULNERABILITY PROFILES, RISK-REDUCTION PLANS, AND ECONOMIC DEVELOPMENT STRATEGIES;

(III) PROVIDE TECHNICAL ASSISTANCE TO STATE AGENCIES FOR THE IMPLEMENTATION OF RESILIENCE POLICIES AND PROCEDURES AND TO INSTITUTIONALIZE RESILIENCE PRACTICES ACROSS DEPARTMENTS AND AGENCIES;

(IV) PROVIDE TECHNICAL ASSISTANCE TO LOCAL GOVERNMENTS AND STATE AGENCIES TO SECURE ADDITIONAL RESOURCES AND INVESTMENT TO IMPLEMENT RESILIENCE SOLUTIONS;

(V) INTEGRATE RESILIENCE CRITERIA INTO EXISTING COMPETITIVE GRANT PROGRAMS;

(VI) PROVIDE POLICY ADVOCACY TO SHAPE FEDERAL RESILIENCE EFFORTS;

(VII) DEVELOP METRICS AND TARGETS TO MEASURE THE SHORT- AND LONG-TERM SUCCESS OF RESILIENCE EFFORTS AND ACTIONS; AND

(VIII) SUPPORT LONG-TERM COMMUNITY RECOVERY EFFORTS AND RESOURCE NAVIGATION AFTER A DISASTER.".

Finance — After consideration on the merits, the Committee recommends that **HB18-1255** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1315** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1410** 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 **HB18-1366** 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 **HB18-1053** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1413** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1299** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1400** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1377** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1094** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1383** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1019** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend corrected reengrossed bill, page 2, line 2, strike "**amend**".

Page 2, strike line 3 and substitute "**add** (4)(a)(VI), (4)(b)(VI),".

Page 4, strike lines 5 through 27.

Strike pages 5 through 7.

Page 8, strike lines 1 through 12.

Finance — After consideration on the merits, the Committee recommends that **HB18-1396** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1350** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1009** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1291** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add with amended and relocated provisions** article 82 to title 35 as follows:

ARTICLE 82
Conservation Easements

35-82-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) COLORADO'S CONSERVATION EASEMENT PROGRAM IS AN IMPORTANT PRESERVATION TOOL USED TO BALANCE ECONOMIC NEEDS WITH NATURAL RESOURCES SUCH AS LAND AND WATER PRESERVATION. COLORADO'S CONSERVATION EASEMENT TAX CREDIT AND THE FEDERAL TAX DEDUCTION HAVE ALLOWED MANY FARMERS AND RANCHERS THE OPPORTUNITY TO DONATE THEIR DEVELOPMENT RIGHTS TO PRESERVE A LEGACY OF OPEN SPACES IN COLORADO FOR WILDLIFE, AGRICULTURE, AND RANCHING.

(b) CITIZENS THROUGHOUT COLORADO BELIEVE GOOD, SOUND CONSERVATION PRACTICES ARE IMPORTANT TO COLORADO'S QUALITY OF LIFE, AGRICULTURE, AND NATURAL HERITAGE;

(c) COLORADO'S CONSERVATION EASEMENT TAX CREDIT PROGRAM WAS DESIGNED TO GIVE LANDOWNERS AN INCENTIVE TO CONSERVE AND PRESERVE THEIR LAND IN A PREDOMINANTLY NATURAL, SCENIC, OR OPEN CONDITION;

(d) AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO OVERSEE THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS AND THE CERTIFICATION OF CONSERVATION EASEMENT TAX CREDITS WILL KEEP A FIREWALL BETWEEN PROFESSIONAL EVALUATION AND PROFESSIONAL DISCIPLINE, WHILE ENSURING THAT THIS PROGRAM ALLOWS LANDOWNERS TO EXERCISE THEIR PRIVATE PROPERTY RIGHTS AND PROTECTING TAXPAYERS FROM THE FRAUD AND ABUSE THAT EXISTED IN THE PROGRAM PRIOR TO 2009;

(e) IN RECOGNITION OF THE FRAUD AND ABUSE THAT HAS EXISTED IN THE PROGRAM, IT IS APPROPRIATE TO ALLOW AN EASEMENT TO BE EXTINGUISHED IF THE VALUE OF THE EASEMENT IS REDUCED OR ELIMINATED BY THE STATE IN CONNECTION WITH CLAIMING A TAX CREDIT FOR THE EASEMENT AND THE CREDIT IS DISALLOWED OR ANY AMOUNT ALLOWED IS NOT CLAIMED OR IS REPAID BY A LANDOWNER;

(f) AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO ADMINISTER THE CONSERVATION EASEMENT TAX CREDIT PROGRAM WILL:

(I) ALLOW THE DEPARTMENT TO CERTIFY CONSERVATION EASEMENT HOLDERS TO IDENTIFY FRAUDULENT OR UNQUALIFIED ORGANIZATIONS AND PREVENT THEM FROM HOLDING CONSERVATION EASEMENTS FOR WHICH TAX CREDITS ARE CLAIMED IN THE STATE;

(II) ALLOW THE CONSERVATION EASEMENT OVERSIGHT COMMISSION TO ADVISE THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF REVENUE REGARDING CONSERVATION EASEMENTS FOR WHICH A TAX CREDIT IS CLAIMED AND TO REVIEW APPLICATIONS FOR CONSERVATION EASEMENT HOLDER CERTIFICATION; AND

(III) ENSURE THAT THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF REVENUE ARE SHARING RELEVANT INFORMATION CONCERNING CONSERVATION EASEMENT APPRAISALS IN ORDER TO ENSURE COMPLIANCE WITH ACCEPTED APPRAISAL PRACTICES AND OTHER PROVISIONS OF LAW.

35-82-102. Definitions. AS USED IN THIS ARTICLE 82, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMMISSION" MEANS THE CONSERVATION EASEMENT OVERSIGHT COMMISSION CREATED IN SECTION 35-82-104.

(2) "COMMISSIONER" MEANS THE COMMISSIONER OF AGRICULTURE.

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF AGRICULTURE.

35-82-103. Duties of commissioner. (1) THE COMMISSIONER IS AUTHORIZED BY THIS SECTION TO EMPLOY SUCH DEPUTIES, CLERKS, AND ASSISTANTS AS ARE NECESSARY TO DISCHARGE THE DUTIES IMPOSED BY THIS ARTICLE 82 AND TO DELEGATE ANY DUTY IMPOSED UPON THE COMMISSIONER BY THIS ARTICLE 82 TO AN EMPLOYEE OF THE DEPARTMENT AS THE COMMISSIONER DEEMS APPROPRIATE.

(2) IT IS THE DUTY OF THE DEPARTMENT AND THE COMMISSIONER OF AGRICULTURE, PERSONALLY OR HIS OR HER DESIGNEE, TO AID IN THE ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE 82 AND TO ADMINISTER, IN CONSULTATION WITH THE COMMISSION, THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS AND ISSUANCE OF TAX CREDIT CERTIFICATES AS PROVIDED IN THIS ARTICLE 82.

35-82-104. Conservation easement oversight commission - created - repeal. [Similar to 12-61-725] (1) THERE IS HEREBY CREATED IN THE DEPARTMENT A CONSERVATION EASEMENT OVERSIGHT COMMISSION. THE COMMISSION SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT AS IF TRANSFERRED THERETO BY A **TYPE 2** TRANSFER, AS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24. THE COMMISSION CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

(a) ONE MEMBER REPRESENTING THE GREAT OUTDOORS COLORADO PROGRAM, APPOINTED BY AND SERVING AS AN ADVISORY, NONVOTING MEMBER AT THE PLEASURE OF THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND ESTABLISHED IN ARTICLE XXVII OF THE STATE CONSTITUTION;

(b) ONE VOTING MEMBER REPRESENTING THE DEPARTMENT OF NATURAL RESOURCES, APPOINTED BY AND SERVING AT THE PLEASURE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES;

(c) ONE VOTING MEMBER REPRESENTING THE DEPARTMENT OF AGRICULTURE, APPOINTED BY AND SERVING AT THE PLEASURE OF THE COMMISSIONER;

(d) THREE VOTING MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

(I) TWO VOTING MEMBERS WHO ARE REPRESENTATIVES OF CERTIFIED CONSERVATION EASEMENT HOLDERS; AND

(II) ONE VOTING MEMBER WHO IS COMPETENT AND QUALIFIED TO ANALYZE THE CONSERVATION PURPOSE OF CONSERVATION EASEMENTS; AND

(e) TWO VOTING MEMBERS OF THE GENERAL PUBLIC, ONE APPOINTED BY THE PRESIDENT OF THE SENATE TO SERVE AT THE PLEASURE OF THE PRESIDENT AND ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO SERVE AT THE PLEASURE OF THE SPEAKER.

(2) IN MAKING APPOINTMENTS TO THE COMMISSION, THE GOVERNOR SHALL CONSULT WITH THE THREE MEMBERS OF THE COMMISSION APPOINTED PURSUANT TO SUBSECTIONS (1)(a) TO (1)(c) OF THIS SECTION AND WITH APPROPRIATE ORGANIZATIONS REPRESENTING THE PARTICULAR INTEREST OR AREA OF EXPERTISE THAT THE APPOINTEES IN SUBSECTIONS (1)(d)(I) AND (1)(d)(II) OF THIS SECTION REPRESENT. NOT MORE THAN TWO OF THE GOVERNOR'S APPOINTEES SERVING AT THE SAME TIME SHALL BE FROM THE SAME POLITICAL PARTY. IN MAKING THE INITIAL APPOINTMENTS, THE GOVERNOR SHALL APPOINT ONE MEMBER FOR A TERM OF TWO YEARS. ALL OTHER APPOINTMENTS BY THE GOVERNOR ARE FOR TERMS OF THREE YEARS. NO MEMBER SHALL SERVE MORE THAN TWO CONSECUTIVE TERMS. IN THE EVENT OF A VACANCY BY DEATH, RESIGNATION, REMOVAL, OR OTHERWISE, THE GOVERNOR SHALL APPOINT A MEMBER TO FILL THE UNEXPIRED TERM. THE GOVERNOR MAY REMOVE ANY MEMBER FOR MISCONDUCT, NEGLECT OF DUTY, OR INCOMPETENCE.

(3) (a) AT THE REQUEST OF THE DEPARTMENT OR THE DEPARTMENT OF REVENUE, THE COMMISSION SHALL ADVISE THE DEPARTMENT AND THE DEPARTMENT OF REVENUE REGARDING CONSERVATION EASEMENTS FOR WHICH A STATE INCOME TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522.

(b) THE COMMISSION SHALL REVIEW CONSERVATION EASEMENT TAX CREDIT CERTIFICATE APPLICATIONS AND REQUESTS FOR OPTIONAL PRELIMINARY ADVISORY OPINIONS IN ACCORDANCE WITH SECTION 35-82-107.

(4) THE COMMISSION SHALL MEET AT LEAST QUARTERLY. THE DEPARTMENT SHALL CONVENE THE MEETINGS OF THE COMMISSION AND PROVIDE STAFF SUPPORT AS REQUESTED BY THE COMMISSION. A MAJORITY OF THE VOTING MEMBERS OF THE COMMISSION CONSTITUTES A QUORUM FOR THE TRANSACTION OF ALL BUSINESS, AND ACTIONS OF THE COMMISSION REQUIRE A VOTE OF A MAJORITY OF THE VOTING MEMBERS PRESENT IN FAVOR OF THE ACTION TAKEN. THE COMMISSION MAY DELEGATE TO THE COMMISSIONER THE AUTHORITY TO ACT ON BEHALF OF THE COMMISSION ON OCCASIONS AND IN CIRCUMSTANCES THAT THE COMMISSION DEEMS NECESSARY FOR THE EFFICIENT AND EFFECTIVE ADMINISTRATION AND EXECUTION OF THE COMMISSION'S RESPONSIBILITIES UNDER THIS ARTICLE 82.

(5) THE COMMISSION SHALL ESTABLISH A CONFLICT-OF-INTEREST POLICY TO ENSURE THAT ANY MEMBER OF THE COMMISSION IS DISQUALIFIED FROM PERFORMING AN ACT THAT CONFLICTS WITH A PRIVATE PECUNIARY INTEREST OF THE MEMBER OR FROM PARTICIPATING IN THE DELIBERATION OR DECISION-MAKING PROCESS FOR CERTIFICATION FOR AN APPLICANT REPRESENTED BY THE MEMBER.

(6) THE COMMISSION SHALL ADVISE AND MAKE RECOMMENDATIONS TO THE COMMISSIONER REGARDING THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS IN ACCORDANCE WITH SECTION 35-82-105.

(7) COMMISSION MEMBERS ARE IMMUNE FROM LIABILITY IN ACCORDANCE WITH THE PROVISIONS OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24.

(8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025. PRIOR TO THE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE COMMISSION AS PROVIDED IN SECTION 24-34-104.

35-82-105. Certification of conservation easement holders - rules - definition - repeal. [Similar to 12-61-724.] (1) THE DEPARTMENT SHALL, IN CONSULTATION WITH THE COMMISSION CREATED IN SECTION 35-82-104, ESTABLISH AND ADMINISTER A CERTIFICATION PROGRAM FOR QUALIFIED ORGANIZATIONS UNDER SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT HOLD CONSERVATION EASEMENTS FOR WHICH A TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522. THE PURPOSES OF THE PROGRAM ARE TO:

(a) ESTABLISH MINIMUM QUALIFICATIONS FOR CERTIFYING ORGANIZATIONS THAT HOLD CONSERVATION EASEMENTS TO ENCOURAGE PROFESSIONALISM AND STABILITY; AND

(b) IDENTIFY FRAUDULENT OR UNQUALIFIED APPLICANTS, AS DETERMINED UNDER THE RULES OF THE DEPARTMENT, TO PREVENT THEM FROM BECOMING CERTIFIED BY THE PROGRAM.

(2) THE DEPARTMENT SHALL ESTABLISH AND ACCEPT APPLICATIONS FOR CERTIFICATION. THE DEPARTMENT SHALL CONDUCT A REVIEW OF EACH APPLICATION AND CONSIDER THE RECOMMENDATIONS OF THE COMMISSION BEFORE MAKING A FINAL DETERMINATION TO GRANT OR DENY CERTIFICATION. IN REVIEWING AN APPLICATION AND IN GRANTING CERTIFICATION, THE DEPARTMENT AND THE COMMISSION MAY CONSIDER:

(a) THE APPLICANT'S PROCESS FOR REVIEWING, SELECTING, AND APPROVING A POTENTIAL CONSERVATION EASEMENT;

(b) THE APPLICANT'S STEWARDSHIP PRACTICES AND CAPACITY, INCLUDING THE ABILITY TO MAINTAIN, MONITOR, AND DEFEND THE PURPOSES OF THE EASEMENT;

(c) AN AUDIT OF THE APPLICANT'S FINANCIAL RECORDS;

(d) THE APPLICANT'S SYSTEM OF GOVERNANCE AND ETHICS REGARDING CONFLICTS OF INTEREST AND TRANSACTIONS WITH RELATED PARTIES AS DESCRIBED IN SECTION 267 (b) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, DONORS, BOARD MEMBERS, AND INSIDERS. FOR PURPOSES OF THIS SUBSECTION (2)(d), "INSIDERS" MEANS BOARD AND STAFF MEMBERS, SUBSTANTIAL CONTRIBUTORS, PARTIES RELATED TO THOSE ABOVE, THOSE WHO HAVE AN ABILITY TO INFLUENCE DECISIONS OF THE ORGANIZATION, AND THOSE WITH ACCESS TO INFORMATION NOT AVAILABLE TO THE GENERAL PUBLIC.

(e) ANY OTHER INFORMATION DEEMED RELEVANT BY THE

DEPARTMENT OR THE COMMISSION; AND

(f) THE UNIQUE CIRCUMSTANCES OF THE DIFFERENT ENTITIES TO WHICH THIS CERTIFICATION APPLIES AS SET FORTH IN SUBSECTION (4) OF THIS SECTION.

(3) AT THE TIME OF SUBMISSION OF AN APPLICATION, AND EACH YEAR THE ENTITY IS CERTIFIED PURSUANT TO THIS SECTION, THE APPLICANT SHALL PAY THE DEPARTMENT A FEE, AS PRESCRIBED BY THE DEPARTMENT, TO COVER THE COSTS OF THE DEPARTMENT AND THE COMMISSION IN ADMINISTERING THE CERTIFICATION PROGRAM FOR ENTITIES THAT HOLD CONSERVATION EASEMENTS FOR WHICH TAX CREDITS ARE CLAIMED PURSUANT TO SECTION 39-22-522. THE DEPARTMENT SHALL HAVE THE AUTHORITY TO ACCEPT AND EXPEND GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSES OF THIS SECTION. THE STATE TREASURER SHALL CREDIT FEES, GIFTS, GRANTS, AND DONATIONS COLLECTED PURSUANT TO THIS SUBSECTION (3) TO THE CONSERVATION CASH FUND CREATED IN SECTION 35-82-108. ON OR BEFORE EACH JANUARY 1, THE DEPARTMENT SHALL CERTIFY TO THE GENERAL ASSEMBLY THE AMOUNT OF THE FEE PRESCRIBED BY THE DEPARTMENT PURSUANT TO THIS SUBSECTION (3).

(4) THE CERTIFICATION PROGRAM APPLIES TO:

(a) NONPROFIT ENTITIES HOLDING EASEMENTS ON PROPERTY WITH CONSERVATION VALUES CONSISTING OF RECREATION OR EDUCATION, PROTECTION OF ENVIRONMENTAL SYSTEMS, OR PRESERVATION OF OPEN SPACE;

(b) NONPROFIT ENTITIES HOLDING EASEMENTS ON PROPERTY FOR HISTORIC PRESERVATION; AND

(c) THE STATE AND ANY MUNICIPALITY, COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT HOLDS AN EASEMENT.

(5) THE CERTIFICATION PROGRAM SHALL CONTAIN A PROVISION ALLOWING FOR THE EXPEDITED OR AUTOMATIC CERTIFICATION OF AN ENTITY THAT IS CURRENTLY ACCREDITED BY NATIONAL LAND CONSERVATION ORGANIZATIONS THAT ARE BROADLY ACCEPTED BY THE CONSERVATION INDUSTRY.

(6) THE COMMISSION SHALL MEET AT LEAST QUARTERLY AND MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING THE CERTIFICATION PROGRAM. THE DEPARTMENT IS AUTHORIZED TO DETERMINE WHETHER AN APPLICANT FOR CERTIFICATION POSSESSES THE NECESSARY QUALIFICATIONS FOR CERTIFICATION REQUIRED BY THE RULES ADOPTED BY THE DEPARTMENT. IF THE DEPARTMENT DETERMINES THAT AN APPLICANT DOES NOT POSSESS THE APPLICABLE QUALIFICATIONS FOR CERTIFICATION OR THAT THE APPLICANT HAS VIOLATED ANY PROVISION OF THIS ARTICLE 82, THE RULES PROMULGATED BY THE DEPARTMENT, OR ANY DEPARTMENT ORDER, THE DEPARTMENT MAY DENY THE APPLICANT A CERTIFICATION OR DENY THE RENEWAL OF A CERTIFICATION, AND, IN SUCH INSTANCE, THE DEPARTMENT SHALL PROVIDE THE APPLICANT WITH A STATEMENT IN WRITING SETTING FORTH THE BASIS OF THE DEPARTMENT'S DETERMINATION. THE APPLICANT MAY REQUEST A HEARING ON THE DETERMINATION AS PROVIDED IN SECTION 24-4-104 (9). THE DEPARTMENT SHALL NOTIFY SUCCESSFUL APPLICANTS IN WRITING. AN APPLICANT THAT IS NOT CERTIFIED MAY REAPPLY FOR CERTIFICATION IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE DEPARTMENT.

(7) THE DEPARTMENT SHALL PROMULGATE RULES TO EFFECTUATE THE DUTIES OF THE COMMISSION PURSUANT TO ARTICLE 4 OF TITLE 24. SUCH RULES SHALL SPECIFICALLY ADDRESS THE FOLLOWING:

(a) ALLOWING FOR THE EXPEDITED OR AUTOMATIC CERTIFICATION OF AN ENTITY THAT IS CURRENTLY ACCREDITED BY NATIONAL LAND CONSERVATION ORGANIZATIONS THAT ARE BROADLY ACCEPTED BY THE CONSERVATION INDUSTRY;

(b) A STREAMLINED AND LOWER-COST PROCESS FOR CONSERVATION EASEMENT HOLDERS THAT DO NOT INTEND TO ACCEPT NEW DONATIONS OF CONSERVATION EASEMENTS FOR WHICH TAX CREDITS WOULD BE CLAIMED THAT FOCUSES ON THE HOLDER'S STEWARDSHIP CAPABILITIES;

(c) THE FEES CHARGED PURSUANT TO SUBSECTION (3) OF THIS SECTION OR SECTION 35-82-107 (6), SPECIFICALLY ENSURING THAT THE FEES ARE ADEQUATE TO PAY FOR ADMINISTRATIVE COSTS BUT NOT SO HIGH AS TO ACT AS A DISINCENTIVE TO THE CREATION OF CONSERVATION EASEMENTS IN THE STATE; AND

(d) THE ADOPTION OF BEST PRACTICES, PROCESSES, AND PROCEDURES USED BY OTHER ENTITIES THAT REGULARLY REVIEW CONSERVATION EASEMENT TRANSACTIONS, INCLUDING A PRACTICE, PROCESS, OR PROCEDURE DEEMING QUALIFIED CONSERVATION EASEMENT APPRAISALS APPROVED BY THESE ENTITIES BASED ON THEIR INDEPENDENT REVIEWS AS CREDIBLE FOR PURPOSES OF THE CONSERVATION EASEMENT TAX CREDIT.

(8) A CONSERVATION EASEMENT TAX CREDIT CERTIFICATE APPLICATION MAY BE SUBMITTED PURSUANT TO SECTION 35-82-107 ONLY IF THE ENTITY HAS BEEN CERTIFIED IN ACCORDANCE WITH THIS SECTION AT THE TIME THE DONATION OF THE EASEMENT IS MADE. THE DEPARTMENT SHALL MAKE INFORMATION AVAILABLE TO THE PUBLIC CONCERNING THE DATE THAT IT COMMENCES ACCEPTING APPLICATIONS FOR ENTITIES THAT HOLD CONSERVATION EASEMENTS AND THE REQUIREMENTS OF THIS SUBSECTION (8).

(9) THE DEPARTMENT SHALL MAINTAIN AND UPDATE AN ONLINE LIST, ACCESSIBLE TO THE PUBLIC, OF THE ORGANIZATIONS THAT HAVE APPLIED FOR CERTIFICATION AND WHETHER EACH HAS BEEN CERTIFIED, REJECTED FOR CERTIFICATION, OR HAD ITS CERTIFICATION REVOKED OR SUSPENDED IN ACCORDANCE WITH THIS SECTION.

(10) THE DEPARTMENT MAY INVESTIGATE THE ACTIVITIES OF ANY ENTITY THAT IS REQUIRED TO BE CERTIFIED PURSUANT TO THIS SECTION AND TO IMPOSE DISCIPLINE FOR NONCOMPLIANCE, INCLUDING THE SUSPENSION OR REVOCATION OF A CERTIFICATION OR THE IMPOSITION OF FINES. THE DEPARTMENT MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 FOR THE CERTIFICATION PROGRAM AND DISCIPLINE AUTHORIZED BY THIS SECTION.

(11) THE DEPARTMENT MAY SUBPOENA PERSONS AND DOCUMENTS, WHICH SUBPOENAS MAY BE ENFORCED BY A COURT OF COMPETENT JURISDICTION IF NOT OBEYED, FOR PURPOSES OF CONDUCTING INVESTIGATIONS PURSUANT TO SUBSECTION (10) OF THIS SECTION.

(12) NOTHING IN THIS SECTION:

(a) AFFECTS ANY TAX CREDIT THAT WAS CLAIMED PURSUANT TO SECTION 39-22-522 BEFORE CERTIFICATION WAS REQUIRED BY THIS SECTION; OR

(b) REQUIRES THE CERTIFICATION OF AN ENTITY THAT HOLDS A CONSERVATION EASEMENT FOR WHICH A TAX CREDIT IS NOT CLAIMED PURSUANT TO SECTION 39-22-522.

(13) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025. PRIOR TO THE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE CERTIFICATION REQUIREMENT AS PROVIDED FOR IN SECTION 24-34-104.

35-82-106. Conservation easement tax credit certificates - rules. [Similar to 12-61-726.] (1) THE DEPARTMENT SHALL RECEIVE TAX CREDIT CERTIFICATE APPLICATIONS FROM AND ISSUE CERTIFICATES TO LANDOWNERS FOR INCOME TAX CREDITS FOR CONSERVATION EASEMENTS DONATED ON OR AFTER JANUARY 1, 2011, IN ACCORDANCE WITH SECTION 39-22-522 (2.5) AND THIS ARTICLE 82. NOTHING IN THIS SECTION RESTRICTS OR LIMITS THE AUTHORITY OF THE DEPARTMENT TO ENFORCE THIS ARTICLE 82. THE DEPARTMENT MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 FOR THE ISSUANCE OF THE CERTIFICATES. IN PROMULGATING RULES, THE DEPARTMENT MAY INCLUDE PROVISIONS GOVERNING:

(a) THE REVIEW OF THE TAX CREDIT CERTIFICATE APPLICATION PURSUANT TO THIS ARTICLE 82;

(b) THE ADMINISTRATION AND FINANCING OF THE CERTIFICATION PROCESS;

(c) THE NOTIFICATION TO THE PUBLIC REGARDING THE AGGREGATE AMOUNT OF TAX CREDIT CERTIFICATES THAT HAVE BEEN ISSUED AND THAT ARE ON THE WAIT LIST PURSUANT TO SECTION 39-25-522 (2.5);

(d) THE NOTIFICATION TO THE LANDOWNER, THE ENTITY TO WHICH THE EASEMENT WAS GRANTED, AND THE DEPARTMENT OF REVENUE REGARDING THE TAX CREDIT CERTIFICATES ISSUED; AND

(e) ANY OTHER MATTERS RELATED TO ADMINISTERING SECTION 39-22-522 (2.5) OR THIS ARTICLE 82.

(2) THE DEPARTMENT SHALL APPLY THE AMOUNT CLAIMED IN A COMPLETED TAX CREDIT CERTIFICATE APPLICATION AGAINST THE ANNUAL TAX CREDIT LIMIT IN THE ORDER THAT COMPLETED APPLICATIONS ARE RECEIVED. THE DEPARTMENT SHALL APPLY CLAIMED TAX CREDIT

AMOUNTS THAT EXCEED THE ANNUAL LIMIT IN ANY YEAR AGAINST THE LIMIT FOR THE NEXT AVAILABLE YEAR AND ISSUE TAX CREDIT CERTIFICATES FOR USE IN THE YEAR IN WHICH THE AMOUNT WAS APPLIED TO THE ANNUAL LIMIT.

(3) THE DEPARTMENT SHALL NOT ISSUE TAX CREDIT CERTIFICATES THAT IN AGGREGATE EXCEED THE LIMIT SET FORTH IN SECTION 39-22-522 (2.5) DURING A PARTICULAR CALENDAR YEAR.

35-82-107. Conservation easement tax credit certificate application process - report - definitions - rules. [Similar to section 12-61-727.] (1) FOR PURPOSES OF THIS SECTION:

(a) "APPLICATION" MEANS AN APPLICATION FOR A TAX CREDIT CERTIFICATE SUBMITTED PURSUANT TO SECTION 35-82-106 OR THIS SECTION.

(b) "CONSERVATION PURPOSE" MEANS CONSERVATION PURPOSE AS DEFINED IN SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION.

(c) "CREDIBILITY" MEANS THE RESULTS ARE WORTHY OF BELIEF AND ARE SUPPORTED BY RELEVANT EVIDENCE AND LOGIC TO THE DEGREE NECESSARY FOR THE INTENDED USE.

(d) "DEFICIENCY" MEANS NONCOMPLIANCE WITH A REQUIREMENT FOR OBTAINING A TAX CREDIT CERTIFICATE THAT, UNLESS SUCH NONCOMPLIANCE IS REMEDIED, IS GROUNDS FOR THE DENIAL OF A TAX CREDIT CERTIFICATE APPLICATION SUBMITTED PURSUANT TO THIS SECTION.

(e) "LANDOWNER" MEANS THE RECORD OWNER OF THE SURFACE OF THE LAND AND, IF APPLICABLE, OWNER OF THE WATER OR WATER RIGHTS BENEFICIALLY USED THEREON WHO CREATES A CONSERVATION EASEMENT IN GROSS PURSUANT TO SECTION 38-30.5-104.

(f) "TAX CREDIT CERTIFICATE" MEANS THE CONSERVATION EASEMENT TAX CREDIT CERTIFICATE ISSUED PURSUANT TO SECTION 35-82-106 AND THIS SECTION.

(2) (a) THE DEPARTMENT SHALL ESTABLISH AND ADMINISTER A PROCESS BY WHICH A LANDOWNER SEEKING TO CLAIM AN INCOME TAX CREDIT FOR ANY CONSERVATION EASEMENT DONATION MADE ON OR AFTER JANUARY 1, 2014, MUST APPLY FOR A TAX CREDIT CERTIFICATE AS REQUIRED BY SECTION 39-22-522 (2.5) AND (2.7). THE PURPOSE OF THE APPLICATION PROCESS IS TO DETERMINE WHETHER A CONSERVATION EASEMENT DONATION FOR WHICH A TAX CREDIT WILL BE CLAIMED:

(I) IS A CONTRIBUTION OF A QUALIFIED REAL PROPERTY INTEREST TO A QUALIFIED ORGANIZATION TO BE USED EXCLUSIVELY FOR A CONSERVATION PURPOSE;

(II) IS SUBSTANTIATED WITH A QUALIFIED APPRAISAL PREPARED BY A QUALIFIED APPRAISER IN ACCORDANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE; AND

(III) COMPLIES WITH THE REQUIREMENTS OF THIS SECTION.

(b) THE LANDOWNER HAS THE BURDEN OF PROOF REGARDING COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS.

(3) FOR THE PURPOSE OF REVIEWING APPLICATIONS AND MAKING DETERMINATIONS REGARDING THE ISSUANCE OF TAX CREDIT CERTIFICATES, INCLUDING THE DOLLAR AMOUNT OF THE TAX CREDIT CERTIFICATE TO BE ISSUED:

(a) DEPARTMENT STAFF SHALL REVIEW EACH APPLICATION AND ADVISE AND MAKE RECOMMENDATIONS TO THE COMMISSIONER AND THE COMMISSION REGARDING THE APPLICATION;

(b) THE COMMISSIONER HAS AUTHORITY AND RESPONSIBILITY TO DETERMINE THE CREDIBILITY OF THE APPRAISAL. IN DETERMINING CREDIBILITY, THE COMMISSIONER SHALL CONSIDER, AT A MINIMUM, COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:

(I) THE APPRAISAL FOR A CONSERVATION EASEMENT DONATION FOR WHICH A TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522 IS A QUALIFIED APPRAISAL FROM A QUALIFIED APPRAISER, AS DEFINED IN SECTION 170 (f) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION;

(II) THE APPRAISAL CONFORMS WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE PROMULGATED BY THE APPRAISAL STANDARDS BOARD OF THE APPRAISAL FOUNDATION AND ANY OTHER PROVISION OF LAW;

(III) THE APPRAISER HOLDS A VALID LICENSE AS A CERTIFIED GENERAL APPRAISER IN ACCORDANCE WITH PART 7 OF TITLE 12; AND

(IV) THE APPRAISER MEETS ANY EDUCATION AND EXPERIENCE REQUIREMENTS ESTABLISHED BY THE BOARD OF REAL ESTATE APPRAISERS IN ACCORDANCE WITH SECTION 12-61-704 (1)(k).

(c) THE COMMISSIONER HAS THE AUTHORITY AND RESPONSIBILITY TO DETERMINE COMPLIANCE WITH THE REQUIREMENTS OF SECTION 35-82-105.

(d) THE COMMISSION HAS THE AUTHORITY AND RESPONSIBILITY TO DETERMINE WHETHER A CONSERVATION EASEMENT DONATION FOR WHICH A TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522 IS A QUALIFIED CONSERVATION CONTRIBUTION AS DEFINED IN SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION.

(4) THE DEPARTMENT OF REVENUE IS NOT AUTHORIZED TO DISALLOW A CONSERVATION EASEMENT TAX CREDIT BASED ON ANY REQUIREMENTS THAT ARE UNDER THE JURISDICTION OF THE DEPARTMENT, THE COMMISSIONER, OR THE COMMISSION PURSUANT TO THIS SECTION.

(5) A COMPLETE TAX CREDIT CERTIFICATE APPLICATION MUST BE MADE BY THE LANDOWNER TO THE DEPARTMENT AND MUST INCLUDE:

(a) A COPY OF THE FINAL CONSERVATION EASEMENT APPRAISAL;

(b) A COPY OF THE RECORDED DEED GRANTING THE CONSERVATION EASEMENT;

(c) DOCUMENTATION SUPPORTING THE CONSERVATION PURPOSE OF THE EASEMENT;

(d) ANY OTHER INFORMATION OR DOCUMENTATION THE COMMISSIONER OR THE COMMISSION DEEMS NECESSARY TO MAKE A FINAL DETERMINATION REGARDING THE APPLICATION; AND

(e) THE FEE REQUIRED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

(6) A LANDOWNER SUBMITTING AN APPLICATION FOR A TAX CREDIT CERTIFICATE PURSUANT TO THIS SECTION OR AN APPLICATION FOR AN OPTIONAL PRELIMINARY ADVISORY OPINION PURSUANT TO SUBSECTION (14) OF THIS SECTION SHALL PAY THE DEPARTMENT A FEE AS PRESCRIBED BY THE DEPARTMENT. THE APPLICATION FEE FOR AN OPTIONAL PRELIMINARY ADVISORY OPINION MAY BE A DIFFERENT DOLLAR AMOUNT THAN THE APPLICATION FEE FOR A TAX CREDIT CERTIFICATE. THE FEES MUST BE ADEQUATE TO PAY FOR THE ADMINISTRATIVE COSTS OF THE DEPARTMENT AND THE COMMISSION IN ADMINISTERING THE REQUIREMENTS OF THIS SECTION, BUT NOT SO HIGH AS TO ACT AS A DISINCENTIVE TO THE CREATION OF CONSERVATION EASEMENTS IN THE STATE. THE STATE TREASURER SHALL CREDIT THE FEES COLLECTED PURSUANT TO THIS SUBSECTION (6) TO THE CONSERVATION CASH FUND CREATED IN SECTION 35-82-108. ON OR BEFORE EACH JANUARY 1, THE DEPARTMENT SHALL CERTIFY TO THE GENERAL ASSEMBLY THE AMOUNT OF ANY FEES PRESCRIBED BY THE DEPARTMENT PURSUANT TO THIS SUBSECTION (6).

(7) (a) IF, DURING THE REVIEW OF AN APPLICATION FOR A TAX CREDIT CERTIFICATE, THE COMMISSIONER OR THE COMMISSION IDENTIFIES ANY POTENTIAL DEFICIENCIES, THE COMMISSIONER OR COMMISSION SHALL DOCUMENT THE POTENTIAL DEFICIENCIES IN A LETTER SENT TO THE LANDOWNER BY FIRST CLASS MAIL. THE DEPARTMENT SHALL SEND LETTERS DOCUMENTING POTENTIAL DEFICIENCIES TO LANDOWNERS IN A TIMELY MANNER SO THAT THE NUMBER OF DAYS BETWEEN THE DATE A COMPLETED APPLICATION IS RECEIVED BY THE DEPARTMENT AND THE MAILING DATE OF THE DEPARTMENT'S LETTER TO THE LANDOWNER DOES NOT EXCEED ONE HUNDRED TWENTY DAYS.

(b) THE LANDOWNER HAS SIXTY DAYS AFTER THE MAILING DATE OF THE DEPARTMENT'S LETTER TO ADDRESS THE POTENTIAL DEFICIENCIES IDENTIFIED BY THE COMMISSIONER AND THE COMMISSION AND PROVIDE ADDITIONAL INFORMATION OR DOCUMENTATION THAT THE COMMISSIONER OR THE COMMISSION DEEMS NECESSARY TO MAKE A FINAL DETERMINATION REGARDING THE APPLICATION.

(c) THE COMMISSIONER AND THE COMMISSION HAVE NINETY DAYS AFTER THE DATE OF RECEIPT OF ANY ADDITIONAL INFORMATION OR DOCUMENTATION PROVIDED BY THE LANDOWNER TO REVIEW THE INFORMATION AND DOCUMENTATION AND MAKE A FINAL DETERMINATION REGARDING THE APPLICATION.

(d) THE DEADLINES PRESCRIBED BY THIS SUBSECTION (7) MAY BE EXTENDED UPON MUTUAL AGREEMENT BETWEEN THE COMMISSIONER AND THE COMMISSION AND THE LANDOWNER.

(8) THE COMMISSIONER OR THE COMMISSION MAY DENY AN APPLICATION IF THE LANDOWNER:

(a) HAS NOT DEMONSTRATED TO THE SATISFACTION OF THE COMMISSIONER OR THE COMMISSION THAT THE APPLICATION COMPLIES WITH ANY REQUIREMENT OF THIS ARTICLE 82;

(b) DOES NOT PROVIDE THE INFORMATION AND DOCUMENTATION REQUIRED PURSUANT TO THIS ARTICLE 82; OR

(c) FAILS TO TIMELY RESPOND TO ANY WRITTEN REQUEST OR NOTICE FROM THE DEPARTMENT, THE COMMISSIONER, OR THE COMMISSION.

(9) IF THE COMMISSIONER REASONABLY BELIEVES THAT ANY APPRAISAL SUBMITTED IN ACCORDANCE WITH THIS SECTION IS NOT CREDIBLE, THE COMMISSIONER, AFTER CONSULTATION WITH THE COMMISSION, MAY REQUEST THAT THE LANDOWNER, AT THE LANDOWNER'S EXPENSE, OBTAIN EITHER A SECOND APPRAISAL OR A REVIEW OF THE APPRAISAL SUBMITTED WITH THE APPLICATION FROM AN APPRAISER WHO MEETS THE REQUIREMENTS OF PART 7 OF TITLE 12 AND IS IN GOOD STANDING WITH THE BOARD BEFORE MAKING A FINAL DETERMINATION REGARDING THE APPLICATION.

(10) IF THE COMMISSIONER AND THE COMMISSION DO NOT IDENTIFY ANY POTENTIAL DEFICIENCIES WITH AN APPLICATION, THE COMMISSIONER AND THE COMMISSION SHALL APPROVE THE APPLICATION, AND THE DEPARTMENT SHALL ISSUE A TAX CREDIT CERTIFICATE TO THE LANDOWNER PURSUANT TO SECTION 35-82-106 IN A TIMELY MANNER SO THAT THE NUMBER OF DAYS BETWEEN THE DATE A COMPLETED APPLICATION IS RECEIVED BY THE DEPARTMENT AND THE DATE THE TAX CREDIT CERTIFICATE IS ISSUED DOES NOT EXCEED ONE HUNDRED TWENTY DAYS. ONCE A TAX CREDIT CERTIFICATE IS ISSUED, THE LANDOWNER MAY CLAIM AND USE THE TAX CREDIT SUBJECT TO ANY OTHER APPLICABLE PROCEDURES AND REQUIREMENTS UNDER TITLE 39.

(11) (a) IF ALL POTENTIAL DEFICIENCIES THAT HAVE BEEN IDENTIFIED ARE SUBSEQUENTLY ADDRESSED TO THE SATISFACTION OF THE COMMISSIONER AND THE COMMISSION, THE COMMISSIONER AND THE COMMISSION SHALL APPROVE THE APPLICATION, AND THE DEPARTMENT SHALL ISSUE A TAX CREDIT CERTIFICATE TO THE LANDOWNER PURSUANT TO SECTION 35-85-106. ONCE A TAX CREDIT CERTIFICATE IS ISSUED, THE LANDOWNER MAY CLAIM AND USE THE TAX CREDIT SUBJECT TO ANY OTHER APPLICABLE PROCEDURES AND REQUIREMENTS UNDER TITLE 39.

(b) IF ANY POTENTIAL DEFICIENCIES THAT HAVE BEEN IDENTIFIED ARE NOT SUBSEQUENTLY ADDRESSED TO THE SATISFACTION OF THE COMMISSIONER AND THE COMMISSION, THE DEPARTMENT SHALL ISSUE A WRITTEN DENIAL OF THE APPLICATION TO THE LANDOWNER DOCUMENTING THOSE DEFICIENCIES THAT WERE THE SPECIFIC BASIS FOR THE DENIAL. THE DEPARTMENT SHALL DATE THE WRITTEN DENIAL AND SEND IT BY FIRST CLASS MAIL TO THE LANDOWNER AT THE ADDRESS PROVIDED BY THE LANDOWNER ON THE APPLICATION. THE COMMISSIONER MAY ACT ON BEHALF OF THE COMMISSION FOR PURPOSES OF ADMINISTERING THE PROCESS FOR ISSUING APPROVALS AND DENIALS OF APPLICATIONS AND FOR ADMINISTERING SUBSECTION (12) OF THIS SECTION.

(12) (a) THE LANDOWNER MAY APPEAL TO THE COMMISSIONER EITHER THE COMMISSIONER'S OR THE COMMISSION'S DENIAL OF AN APPLICATION, IN WRITING, WITHIN THIRTY DAYS AFTER THE ISSUANCE OF THE DENIAL. THIS WRITTEN APPEAL CONSTITUTES A REQUEST FOR AN ADMINISTRATIVE HEARING.

(b) IF THE LANDOWNER FAILS TO APPEAL THE DENIAL OF AN APPLICATION WITHIN THIRTY DAYS AFTER THE ISSUANCE OF THE DENIAL, THE DENIAL BECOMES FINAL, AND THE DEPARTMENT SHALL NOT ISSUE A TAX CREDIT CERTIFICATE TO THE LANDOWNER.

(c) ADMINISTRATIVE HEARINGS MUST BE CONDUCTED IN ACCORDANCE WITH SECTION 24-4-105. AT THE DISCRETION OF THE COMMISSIONER, HEARINGS MAY BE CONDUCTED BY AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER OR THE COMMISSION OR AN ADMINISTRATIVE LAW JUDGE FROM THE OFFICE OF ADMINISTRATIVE COURTS IN THE DEPARTMENT OF PERSONNEL. ALL HEARINGS MUST BE HELD IN THE COUNTY WHERE THE DEPARTMENT IS LOCATED UNLESS THE COMMISSIONER DESIGNATES OTHERWISE. THE DECISION OF THE

COMMISSIONER OR THE COMMISSION IS SUBJECT TO JUDICIAL REVIEW BY THE COURT OF APPEALS AND IS SUBJECT TO SECTION 24-4-106.

(d) IN CONDUCTING SETTLEMENT DISCUSSIONS WITH A LANDOWNER, THE COMMISSIONER AND THE COMMISSION MAY COMPROMISE ON ANY OF THE DEFICIENCIES IDENTIFIED IN THE APPLICATION AND SUPPORTING DOCUMENTATION, INCLUDING THE DOLLAR AMOUNT OF THE TAX CREDIT CERTIFICATE TO BE ISSUED. THE COMMISSIONER SHALL PLACE ON FILE IN THE DEPARTMENT A RECORD OF ANY COMPROMISE AND THE REASONS FOR THE COMPROMISE.

(e) THE COMMISSIONER MAY PROMULGATE RULES PURSUANT TO ARTICLE 4 OF TITLE 24 TO EFFECTUATE THE PURPOSES OF THIS SUBSECTION (12).

(13) (a) COMMENCING WITH THE 2014 CALENDAR YEAR, AND FOR EACH CALENDAR YEAR THEREAFTER, THE DEPARTMENT SHALL CREATE A REPORT, WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC, CONTAINING THE FOLLOWING AGGREGATE INFORMATION:

(I) THE TOTAL NUMBER OF TAX CREDIT CERTIFICATE APPLICATIONS RECEIVED, APPROVED, AND DENIED IN ACCORDANCE WITH THIS SECTION, ALONG WITH AVERAGE PROCESSING TIMES;

(II) FOR APPLICATIONS APPROVED IN ACCORDANCE WITH THIS SECTION:

(A) THE TOTAL ACREAGE UNDER EASEMENT SUMMARIZED BY THE ALLOWABLE CONSERVATION PURPOSES AS DEFINED IN SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION;

(B) THE TOTAL APPRAISED VALUE OF THE EASEMENTS;

(C) THE TOTAL DONATED VALUE OF THE EASEMENTS; AND

(D) THE TOTAL DOLLAR AMOUNT OF TAX CREDIT CERTIFICATES ISSUED.

(b) THE DEPARTMENT MAY INCLUDE ADDITIONAL EASEMENT-SPECIFIC INFORMATION IN THE PUBLIC REPORT THAT, NOTWITHSTANDING THIS ARTICLE 82 OR ANY OTHER LAW TO THE CONTRARY, WOULD OTHERWISE BE PUBLICLY AVAILABLE.

(c) THE COMMISSIONER IS AUTHORIZED TO SHARE PUBLICLY AVAILABLE INFORMATION REGARDING CONSERVATION EASEMENTS WITH A THIRD-PARTY VENDOR FOR THE PURPOSE OF DEVELOPING AND MAINTAINING A REGISTRY OF CONSERVATION EASEMENTS IN THE STATE WITH A CORRESPONDING MAP DISPLAYING THE BOUNDARIES OF EACH EASEMENT IN THE STATE RELATIVE TO COUNTY BOUNDARIES AND OTHER RELEVANT MAPPING INFORMATION. PRIOR TO SHARING THE INFORMATION, THE COMMISSIONER SHALL CONSULT WITH THE COMMISSION REGARDING THE APPROPRIATE TYPES OF INFORMATION AND THE METHODS USED FOR COLLECTING THE INFORMATION. THE DEPARTMENT OF REGULATORY AGENCIES SHALL ANNUALLY REPORT ON THE INFORMATION CONTAINED IN THE REGISTRY AS A PART OF ITS PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT". THE INFORMATION TO BE SHARED SHALL INCLUDE THE FOLLOWING:

(I) ANY DEEDS, CONTRACTS, OR OTHER INSTRUMENTS CREATING, ASSIGNING, TRANSFERRING, CONVEYING, TERMINATING, OR OTHERWISE AFFECTING THE EASEMENT, INCLUDING THE RECEPTION NUMBERS ON ALL INSTRUMENTS;

(II) THE LOCATION AND ACREAGE OF EACH EASEMENT, DELINEATED BY COUNTY;

(III) THE NAMES AND ADDRESSES OF ANY GRANTORS OF THE EASEMENT AND THE NAMES AND ADDRESSES OF ANY HOLDERS OF THE EASEMENT SINCE ITS CREATION;

(IV) WHETHER THE HOLDER OF THE EASEMENT IS A CERTIFIED ORGANIZATION PURSUANT TO SECTION 12-61-724;

(V) THE CONSERVATION PURPOSES OF THE EASEMENT; AND

(VI) THE AMOUNT OF ANY INCOME TAX CREDITS CLAIMED OR ALLOWED FOR THE EASEMENT AND THE AMOUNT OF ANY SUCH CREDITS THAT WERE TRANSFERRED TO ANOTHER TAXPAYER PURSUANT TO SECTION 39-22-522.

(14) (a) IN ADDITION TO THE TAX CREDIT CERTIFICATE APPLICATION PROCESS SET FORTH IN THIS SECTION, A LANDOWNER MAY SUBMIT A PROPOSED CONSERVATION EASEMENT DONATION TO THE

DEPARTMENT TO OBTAIN AN OPTIONAL PRELIMINARY ADVISORY OPINION REGARDING THE TRANSACTION. THE OPINION MAY ADDRESS THE PROPOSED DEED OF CONSERVATION EASEMENT, APPRAISAL, CONSERVATION PURPOSE, OR OTHER RELEVANT ASPECT OF THE TRANSACTION.

(b) THE DEPARTMENT, THE COMMISSIONER, AND THE COMMISSION SHALL REVIEW THE INFORMATION AND DOCUMENTATION PROVIDED IN A MANNER CONSISTENT WITH THE SCOPE OF THEIR AUTHORITY AND RESPONSIBILITIES FOR REVIEWING TAX CREDIT CERTIFICATE APPLICATIONS AS OUTLINED IN SUBSECTION (3) OF THIS SECTION AND ISSUE EITHER A FAVORABLE OPINION OR A NONFAVORABLE OPINION.

(c) THE COMMISSIONER OR THE COMMISSION MAY REQUEST THAT THE LANDOWNER SUBMIT ADDITIONAL INFORMATION OR DOCUMENTATION THAT THE COMMISSIONER OR THE COMMISSION DEEMS NECESSARY TO COMPLETE THE REVIEW AND ISSUE AN OPINION.

(d) A NONFAVORABLE OPINION SHALL SET FORTH ANY POTENTIAL DEFICIENCIES IDENTIFIED BY THE COMMISSIONER OR THE COMMISSION AND THAT FALL WITHIN THE SCOPE OF THE DIRECTOR'S AND THE COMMISSION'S REVIEW OF THE CONSERVATION EASEMENT TRANSACTION. THE PRELIMINARY OPINION IS ADVISORY ONLY AND IS NOT BINDING FOR ANY PURPOSE UPON THE DEPARTMENT, THE COMMISSIONER, THE COMMISSION, OR THE DEPARTMENT OF REVENUE.

(15) THE DEPARTMENT MAY PROMULGATE RULES TO EFFECTUATE THE PURPOSE, IMPLEMENTATION, AND ADMINISTRATION OF THIS SECTION PURSUANT TO ARTICLE 4 OF TITLE 24. THE AUTHORITY TO PROMULGATE RULES INCLUDES THE AUTHORITY TO DEFINE FURTHER IN RULE THE ADMINISTRATIVE PROCESSES AND REQUIREMENTS, INCLUDING APPLICATION PROCESSING AND REVIEW TIME FRAMES, FOR OBTAINING AND ISSUING AN OPTIONAL PRELIMINARY ADVISORY OPINION PURSUANT TO SUBSECTION (14) OF THIS SECTION.

(16) NOTWITHSTANDING THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, THE DEPARTMENT, THE COMMISSIONER, AND THE COMMISSION SHALL DENY THE RIGHT OF PUBLIC INSPECTION OF ANY DOCUMENTATION OR OTHER RECORD RELATED TO INFORMATION OBTAINED AS PART OF AN INDIVIDUAL LANDOWNER'S APPLICATION FOR A TAX CREDIT CERTIFICATE OR AN OPTIONAL PRELIMINARY ADVISORY OPINION PURSUANT TO THE REQUIREMENTS OF THIS SECTION, INCLUDING DOCUMENTATION OR OTHER RECORDS RELATED TO ADMINISTRATIVE HEARINGS AND SETTLEMENT DISCUSSIONS HELD PURSUANT TO SUBSECTION (12) OF THIS SECTION. THE DEPARTMENT, THE COMMISSIONER, AND THE COMMISSION MAY SHARE DOCUMENTATION OR OTHER RECORDS RELATED TO INFORMATION OBTAINED PURSUANT TO THIS SECTION WITH THE DEPARTMENT OF REVENUE.

(17) NOTHING IN THIS SECTION AFFECTS ANY TAX CREDIT THAT IS CLAIMED OR USED PURSUANT TO SECTION 39-22-522 FOR CONSERVATION EASEMENT DONATIONS OCCURRING PRIOR TO JANUARY 1, 2014.

35-82-108. Conservation cash fund - repeal. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE CONSERVATION CASH FUND, WHICH CONSISTS OF ANY MONEYS TRANSFERRED PURSUANT TO SECTION 35-82-105 AND 35-82-107 AND ANY GIFTS, GRANTS, AND DONATIONS PROVIDED TO CARRY OUT THE PURPOSES OF THIS ARTICLE 82. ALL MONEY IN THE FUND SHALL BE USED AS PROVIDED IN THIS ARTICLE 82. INTEREST EARNED ON THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE DEPOSITED IN OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(2) ON JULY 1, 2018, THE STATE TREASURER SHALL TRANSFER TO THE CONSERVATION CASH FUND ANY MONEYS IN THE DIVISION OF REAL ESTATE CASH FUND CREATED IN SECTION 12-61-111.5 THAT ARE ATTRIBUTABLE TO ANY FEES, GIFTS, GRANTS, OR DONATIONS CREDITED TO THE DIVISION OF REAL ESTATE CASH FUND IN ACCORDANCE WITH SECTION 12-61-724 (3) OR SECTION 12-61-727 THAT ARE IN THE FUND IMMEDIATELY PRIOR TO THE REPEAL OF SECTIONS 12-61-724 AND 12-61-727. THIS SUBSECTION (2) IS REPEALED EFFECTIVE JULY 1, 2019.

SECTION 2. In Colorado Revised Statutes, 12-61-111.5, **repeal** (2)(b)(II)(A) as follows:

12-61-111.5. Fee adjustments - cash fund created - repeal. (2) (b) (II) (A) ~~On June 30, 2017, the state treasurer shall transfer to the division of real estate cash fund all unexpended and unencumbered money that remained in the HOA information and resource center cash~~

~~fund created in section 12-61-406.5, the conservation easement holder certification fund created in section 12-61-724, the conservation easement tax credit certificate review fund created in section 12-61-727, and the mortgage company and loan originator licensing cash fund created in section 12-61-908 immediately prior to the repeal of those funds.~~

SECTION 3. In Colorado Revised Statutes, 12-61-702, **repeal** (5) as follows:

12-61-702. Definitions. As used in this part 7, unless the context otherwise requires:

(5) ~~"Commission" means the conservation easement oversight commission created in section 12-61-725 (1).~~

SECTION 4. In Colorado Revised Statutes, 12-61-704, **amend** (1)(k) as follows:

12-61-704. Powers and duties of the board - rules. (1) In addition to all other powers and duties imposed upon it by law, the board has the following powers and duties:

(k) To establish classroom education and experience requirements for an appraiser who prepares an appraisal for a conservation easement for which a tax credit is claimed pursuant to section 39-22-522. ~~C.R.S.~~ The requirements must ensure that appraisers have a sufficient amount of training and expertise to accurately prepare appraisals that comply with the uniform standards of professional appraisal practice and any other provision of law related to the appraisal of conservation easements for which a tax credit is claimed. A tax credit certificate for a conservation easement shall not be given in accordance with ~~sections 12-61-726 and 12-61-727~~ 35-82-106 AND 35-82-107 unless the appraiser who prepared the appraisal of the easement met all requirements established in accordance with this ~~paragraph (k)~~ SUBSECTION (1)(k) in effect at the time the ~~appraisal was completed~~ ASSIGNMENT IS PERFORMED.

SECTION 5. In Colorado Revised Statutes, 39-21-113, **amend** (17) as follows:

39-21-113. Reports and returns - rule. (17) Notwithstanding any other provision of this section, the executive director may require that such detailed information regarding a claim for a credit for the donation of a conservation easement in gross pursuant to section 39-22-522 and any appraisal submitted in support of the credit claimed be given to the ~~division of real estate in the department of regulatory agencies~~ DEPARTMENT OF AGRICULTURE and the conservation easement oversight commission created pursuant to ~~section 12-61-725 (1), C.R.S.,~~ SECTION 35-82-104 as the executive director determines is necessary in the performance of the department's functions relating to the credit. The executive director may provide copies of any appraisal and may file a complaint regarding any appraisal as authorized pursuant to section 39-22-522 (3.3). Notwithstanding ~~the provisions of~~ part 2 of article 72 of title 24, ~~C.R.S.,~~ in order to protect the confidential financial information of a taxpayer, the executive director shall deny the right to inspect any information or appraisal required in accordance with ~~the provisions of~~ this subsection (17).

SECTION 6. In Colorado Revised Statutes, 39-22-522, **amend** (2)(b), (2.5), (2.7), (3)(f) introductory portion, (3.5)(a)(I), (3.5)(a)(II), (3.5)(b), (3.6)(a)(I), (3.6)(b), and (7)(g); **repeal** (8); and **add** (3.5)(c) as follows:

39-22-522. Credit against tax - conservation easements. (2) (b) For income tax years commencing on or after January 1, 2014, BUT PRIOR TO JANUARY 1, 2019, AND FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2022, and, with regard to any credit over the amount of one hundred thousand dollars, for income tax years commencing on or after January 1, 2003, subject to ~~the provisions of~~ subsections (4) and (6) of this section, there shall be allowed a credit with respect to the income taxes imposed by this ~~article~~ ARTICLE 22 to each taxpayer who donates during the taxable year all or part of the value of a perpetual conservation easement in gross created pursuant to article 30.5 of title 38 ~~C.R.S.,~~ upon real property the taxpayer owns to a governmental entity or a charitable organization described in section 38-30.5-104 (2). ~~C.R.S.~~ The credit shall only be allowed for a donation that meets the requirements of section 170 of the federal "Internal Revenue Code of 1986", as amended, and any federal regulations promulgated in accordance with such section. The amount of the credit shall not include the value of any portion of an easement on real property

located in another state.

(2.5) Notwithstanding any other provision of this section and the requirements of ~~section 12-61-727, C.R.S.~~ SECTION 35-82-107, for income tax years commencing on or after January 1, 2011, a taxpayer conveying a conservation easement and claiming a credit pursuant to this section shall, in addition to any other requirements of this section and the requirements of ~~section 12-61-727, C.R.S.~~ SECTION 35-82-107, submit a claim for the credit to the ~~division of real estate in the department of regulatory agencies~~ DEPARTMENT OF AGRICULTURE. The ~~division~~ DEPARTMENT OF AGRICULTURE shall issue a certificate for the claims received in the order submitted. After certificates have been issued for credits that exceed an aggregate of twenty-two million dollars for all taxpayers for the 2011 and 2012 calendar years, thirty-four million dollars for the 2013 calendar year, and forty-five million dollars for each calendar year thereafter, any claims that exceed the amount allowed for a specified calendar year shall be placed on a wait list in the order submitted and a certificate shall be issued for use of the credit in the next year for which the ~~division~~ DEPARTMENT OF AGRICULTURE has not issued credit certificates in excess of the amounts specified in this subsection (2.5); except that no more than fifteen million dollars in claims shall be placed on the wait list in any given calendar year. The ~~division~~ DEPARTMENT OF AGRICULTURE shall not issue credit certificates that exceed twenty-two million dollars in each of the 2011 and 2012 calendar years, thirty-four million dollars for the 2013 calendar year, and forty-five million dollars for each calendar year thereafter. No claim for a credit is allowed for any income tax year commencing on or after January 1, 2011, unless a certificate has been issued by the ~~division~~ DEPARTMENT OF AGRICULTURE. If all other requirements under ~~section 12-61-727, C.R.S.,~~ SECTION 35-82-107 and this section are met, the right to claim the credit is vested in the taxpayer at the time a credit certificate is issued.

(2.7) Notwithstanding any other provision, for income tax years commencing on or after January 1, 2014, no claim for a credit shall be allowed unless a tax credit certificate is issued by the ~~division of real estate~~ DEPARTMENT OF AGRICULTURE in accordance with ~~sections 12-61-726 and 12-61-727, C.R.S.,~~ SECTIONS 35-82-106 AND 35-82-107 and the taxpayer files the tax credit certificate with the income tax return filed with the department of revenue.

(3) For conservation easements donated prior to January 1, 2014, in order for any taxpayer to qualify for the credit provided for in subsection (2) of this section, the taxpayer shall submit the following in a form approved by the executive director to the department of revenue at the same time as the taxpayer files a return for the taxable year in which the credit is claimed:

(f) If the holder of the conservation easement is an organization to which the certification program in ~~section 12-61-724~~ SECTION 35-82-105 applies, a sworn affidavit from the holder of the conservation easement in gross that includes the following:

(3.5) (a) For conservation easements donated prior to January 1, 2014:

(I) The executive director shall have the authority, pursuant to subsection (8) of this section, to require additional information from the taxpayer or transferee regarding the appraisal value of the easement, the amount of the credit, and the validity of the credit. In resolving disputes regarding the validity or the amount of a credit allowed pursuant to subsection (2) of this section, including the value of the conservation easement for which the credit is granted, the executive director shall have the authority, for good cause shown and in consultation with the ~~division of real estate~~ DEPARTMENT OF AGRICULTURE and the conservation easement oversight commission created in ~~section 12-61-725 (1), C.R.S.,~~ SUBSECTION 35-82-104 (1) to review and accept or reject, in whole or in part, the appraisal value of the easement, the amount of the credit, and the validity of the credit based upon the internal revenue code and federal regulations in effect at the time of the donation. If the executive director reasonably believes that the appraisal represents a gross valuation misstatement, receives notice of such a valuation misstatement from the division of real estate, or receives notice from the division of real estate that an enforcement action has been taken by the board of real estate appraisers against the appraiser, the executive director shall have the authority to require the taxpayer to provide a second appraisal at the

expense of the taxpayer. The second appraisal shall be conducted by a certified general appraiser in good standing and not affiliated with the first appraiser that meets qualifications established by the division of real estate. In the event the executive director rejects, in whole or in part, the appraisal value of the easement, the amount of the credit, or the validity of the credit, the procedures described in sections 39-21-103, 39-21-104, 39-21-104.5, and 39-21-105 shall apply.

(II) In consultation with the ~~division of real estate~~ DEPARTMENT OF AGRICULTURE and the conservation easement oversight commission created in ~~section 12-61-725 (1), C.R.S.~~ SECTION 35-82-104 (1), the executive director shall develop and implement a separate process for the review by the department of revenue of gross conservation easements. The review process shall be consistent with the statutory obligations of the ~~division~~ DEPARTMENT OF AGRICULTURE and the commission and shall address gross conservation easements for which the department of revenue has been informed that an audit is being performed by the internal revenue service. The executive director shall share information used in the review of gross conservation easements with the ~~division~~ DEPARTMENT OF AGRICULTURE. Notwithstanding part 2 of article 72 of title 24, ~~C.R.S.,~~ in order to protect the confidential financial information of a taxpayer, the ~~division~~ DEPARTMENT OF AGRICULTURE and the commission shall deny the right to inspect any information provided by the executive director in accordance with this ~~subparagraph (II)~~ SUBSECTION (3.5)(a)(II).

(b) For conservation easements donated on or after January 1, 2014, and subject to the restrictions of ~~section 12-61-727 (4), C.R.S.~~ SECTION 35-82-107 (4), the executive director shall have the authority, pursuant to subsection (8) of this section, to require additional information from the taxpayer or transferee regarding the amount of the credit and the validity of the credit. In resolving disputes regarding the validity or the amount of a credit allowed pursuant to subsection (2) of this section, the executive director shall have the authority, for good cause shown, to review and accept or reject, in whole or in part, the amount of the credit and the validity of the credit based upon the internal revenue code and federal regulations in effect at the time of the donation, except those requirements for which authority is granted to the ~~division of real estate, the director of the division of real estate~~ DEPARTMENT OF AGRICULTURE, THE COMMISSIONER OF AGRICULTURE, or the conservation easement oversight commission pursuant to ~~section 12-61-727, C.R.S.~~ SECTION 35-82-107.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, FOR ANY CONSERVATION EASEMENT IN GROSS DONATED FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, FOR WHICH A CREDIT CLAIMED PURSUANT TO THIS SECTION WAS SUBSEQUENTLY DENIED IN WHOLE OR IN PART BECAUSE THE APPRAISED VALUE OF THE EASEMENT WAS DETERMINED BY THE STATE TO BE TOO HIGH, THE TAXPAYER MAY ELECT IN ANY SUBSEQUENT TAX YEAR TO AMEND THE RETURN FOR SUCH TAX YEAR AND NOT CLAIM THE CREDIT. UPON AMENDING A RETURN AND REPAYING TO THE STATE THE AMOUNT, IF ANY, ALLOWED BY THE STATE AND CLAIMED BY THE TAXPAYER FOR SUCH TAX YEAR, THE TAXPAYER SHALL BE ENTITLED TO REPAYMENT FROM THE STATE OF THE FULL AMOUNT OF ANY INTEREST OR PENALTIES PAID BY OR ON BEHALF OF THE TAXPAYER TO THE STATE IN CONNECTION WITH THE DENIAL OF THE ORIGINAL CLAIM FOR THE CREDIT.

(3.6) For conservation easements donated on or after January 1, 2014, in order for any taxpayer to qualify for the credit provided for in subsection (2) of this section, the taxpayer must submit the following in a form, approved by the executive director, to the department of revenue at the same time as the taxpayer files a return for the taxable year in which the credit is claimed:

(a) (I) A tax credit certificate issued under ~~section 12-61-727, C.R.S.~~ SECTION 35-82-107; and

(b) Notwithstanding any other provisions of law, the executive director retains the authority to administer all issues related to the claim or use of a tax credit for the donation of a conservation easement that are not granted to the ~~director of the division of real estate~~ DEPARTMENT OF AGRICULTURE, THE COMMISSIONER OF AGRICULTURE, or the conservation easement oversight commission under ~~section 12-61-727, C.R.S.~~ SECTION 35-82-107.

(7) For income tax years commencing on or after January 1, 2000, a taxpayer may transfer all or a portion of a tax credit granted pursuant to subsection (2) of this section to another taxpayer for such other taxpayer, as transferee, to apply as a credit against the taxes imposed by this article subject to the following limitations:

(g) A transferee of a tax credit shall purchase the credit prior to the due date imposed by this article, ~~not~~ including any extensions, for filing the transferee's income tax return;

~~(8) On or before August 1, 2011, the conservation easement oversight commission created in section 12-61-725 (1), C.R.S., shall review conservation easements for which a tax credit is claimed pursuant to sections 39-22-522 (3.5)(a) and 12-61-725 (3), C.R.S., and for which a notice of deficiency, notice of rejection of refund claim, or notice of disallowance issued on or before May 1, 2011, but for which a final determination has not been issued before May 19, 2011, and for which the commission has not already reviewed the credit. For each conservation easement tax credit claim so reviewed, the commission shall issue an initial recommendation to the executive director on whether each credit claimed by a taxpayer who is eligible to waive a hearing and appeal a notice of deficiency, notice of rejection of refund claim, or notice of disallowance may be denied or accepted. No other information shall be required of the commission on or before such date.~~

SECTION 7. In Colorado Revised Statutes, **add** 29-20-110 as follows:

29-20-110. Conservation easements - public hearing. (1) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, PRIOR TO CREATING, MODIFYING THE TERMS OF, OR TRANSFERRING A CONSERVATION EASEMENT IN GROSS PURSUANT TO ARTICLE 30.5 OF TITLE 38, THE GOVERNING BODY OF A LOCAL GOVERNMENT WITHIN WHICH THE PROPERTY IS LOCATED SHALL HOLD A PUBLIC HEARING REGARDING THE CREATION, MODIFICATION, OR TRANSFER OF THE EASEMENT AS PROVIDED IN THIS SECTION. IF THE PROPERTY IS LOCATED ENTIRELY WITHIN THE UNINCORPORATED PORTION OF ONE OR MORE COUNTIES, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY WITH THE GREATEST PORTION OF THE PROPERTY SHALL HOLD THE HEARING. IF THE PROPERTY IS LOCATED IN WHOLE OR IN PART WITHIN ONE OR MORE MUNICIPALITIES, THE GOVERNING BODY OF THE MUNICIPALITY WITH THE GREATEST PORTION OF THE PROPERTY SHALL HOLD THE HEARING.

(2) AT LEAST FOURTEEN DAYS' NOTICE OF THE TIME AND PLACE OF A HEARING REQUIRED BY THIS SECTION SHALL BE GIVEN BY AT LEAST ONE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE LOCAL GOVERNMENT. THE NOTICE SHALL DISCLOSE THE LOCATION, ACREAGE, NAME OF THE GRANTOR, NAME OF THE HOLDER, AND CONSERVATION PURPOSES OF THE CONSERVATION EASEMENT AND SPECIFY THE AMOUNT OF ANY PUBLIC MONEY USED OR TAX CREDITS THAT WILL BE CLAIMED IN CONNECTION WITH THE EASEMENT. THE GRANTOR AND HOLDER OF THE CONSERVATION EASEMENT SHALL BE ALLOWED TO PRESENT INFORMATION ABOUT THE CONSERVATION EASEMENT AND PUBLIC TESTIMONY SHALL BE ALLOWED AT THE HEARING. THE PURPOSE OF THE HEARING IS TO PROVIDE PUBLIC NOTICE REGARDING THE EASEMENT, AND THE GOVERNING BODY OF THE LOCAL GOVERNMENT NEED NOT TAKE ANY SPECIFIC ACTION WITH RESPECT TO THE PROPOSED CREATION, MODIFICATION, OR TRANSFER. IF A LOCAL GOVERNMENT HAS AN EXISTING APPROVAL PROCESS FOR CONSERVATION EASEMENTS, THE HEARING REQUIRED BY THIS SECTION MAY BE CONDUCTED IN CONJUNCTION WITH ANY OTHER HEARING REQUIRED BY PROCESS AS LONG AS THE HEARING OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION.

SECTION 8. In Colorado Revised Statutes, **amend** 38-30.5-107 as follows:

38-30.5-107. Release - termination. (1) Conservation easements in gross may, in whole or in part, be released, terminated, extinguished, or abandoned by merger with the underlying fee interest in the servient land or water rights or in any other manner in which easements may be lawfully terminated, released, extinguished, or abandoned. FOR EASEMENTS CREATED ON OR AFTER JANUARY 1, 2019, IF A CONSERVATION EASEMENT IS ORPHANED OR NEGLECTED, THE LANDOWNER MAY PETITION THE DISTRICT COURT OF THE COUNTY IN WHICH THE PROPERTY IS SITUATED TO REQUEST A TRANSFER OF THE EASEMENT TO ANOTHER HOLDER OR FOR AN ORDER THAT THE ABANDONMENT OR NEGLECT OF THE CONSERVATION

EASEMENT HAS RESULTED IN CIRCUMSTANCES WHICH MAKE THE CONTINUED USE OF THE PROPERTY FOR CONSERVATION PURPOSES IMPOSSIBLE OR IMPRACTICABLE. THE PETITION TO THE DISTRICT COURT SHALL ALSO BE SERVED ON THE ATTORNEY GENERAL AND THE ATTORNEY GENERAL SHALL BE ENTITLED TO BE HEARD.

(2) IN ADDITION TO THE METHODS SET FORTH IN SUBSECTION (1) OF THIS SECTION, A COURT EXERCISING ITS EQUITABLE JURISDICTION MAY TERMINATE A CONSERVATION EASEMENT IN GROSS CREATED FOR THE PURPOSE OF CLAIMING A STATE INCOME TAX CREDIT PURSUANT TO SECTION 39-22-522, IF:

(a) THE STATE HAS REJECTED THE CLAIM FOR THE CREDIT OR THE TAXPAYER HAS ELECTED NOT TO CLAIM THE CREDIT PURSUANT TO SECTION 39-22-522 (5)(c);

(b) THE EASEMENT HAS BEEN APPRAISED TO HAVE NO VALUE OR NO MORE THAN A NOMINAL DOLLAR VALUE; AND

(c) THE HOLDER OF THE EASEMENT EITHER PROVIDED NO COMPENSATION FOR THE EASEMENT OR HAS BEEN REIMBURSED IN WHOLE FOR ANY COMPENSATION PROVIDED.

SECTION 9. In Colorado Revised Statutes, 24-34-104, **repeal** (14)(a)(II); and **add** (26)(a)(VIII) and (26)(a)(IX) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (14) (a) The following agencies, functions, or both, are scheduled for repeal on July 1, 2018:

(II) ~~The conservation easement oversight commission created in section 12-61-725, C.R.S.;~~

(26) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2025:

(VIII) THE CONSERVATION EASEMENT OVERSIGHT COMMISSION CREATED IN SECTION 35-82-104; AND

(IX) THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS BY THE CONSERVATION EASEMENT OVERSIGHT COMMISSION AS PROVIDED FOR IN SECTION 35-82-106.

SECTION 10. Repeal of relocated provisions in this act. In Colorado Revised Statutes, **repeal** 12-61-724, 12-61-725, 12-61-726, and 12-61-727.

SECTION 12. 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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1414** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1367** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1310** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1267** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1349** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1020** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1115** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, after line 25 insert:
"(7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1292** be postponed indefinitely.

MESSAGE FROM THE HOUSE

May 2, 2018

Mr. President:

The House has postponed indefinitely SB18-220, 061, 078, 228, 226. The bills are returned herewith.

COMMITTEE ASSIGNMENTS

May 2, 2018

Mr. Mike Mauer
Director, Legislative Council
200 E. Colfax, Rm 029
Denver, CO 80203

Dear Mr. Mauer,

Please be advised that effective immediately, I am appointing Senator John Cooke as Vice Chair of the Senate Agriculture, Natural Resources, and Energy Committee.

Respectfully yours,
(signed)
Chris Holbert
Senate Majority Leader

May 2, 2018

Mr. Mauer,

Please be advised that effective immediately I am removing Senator Randy Baumgardner from Capital Development Committee, Transportation Legislation Review Committee, Water Resources Review Committee, and Wildfire Matters Review Committee.

I will appoint his replacement on each of these committees at a later date.

Signed,
(signed)
President Kevin J. Grantham

TRIBUTES

Honoring:

Colorado Black Women for Political Action -- By Senator Angela Williams and Senator Rhonda Fields.
Webster University -- By Senator Michael Merrifield.
Brett Cozza -- By Senator Leroy Garcia.
Michael George -- By Senator Leroy Garcia.
Dr. Michael Nerenberg -- By Senator Leroy Garcia.
The University of Colorado and the legacy of Lucile Berkeley Buchanan -- Senator Rhonda Fields.
Joyce DeHerrera -- By Senator Jerry Sonnenberg.
Kristy Chavez -- By Senator Jerry Sonnenberg.
Stefani Gebhart -- By Senator Jerry Sonnenberg.
Brian Nab -- By Senator Jerry Sonnenberg.
Ryan Rosete -- By Senator Jerry Sonnenberg.
Jeanett Lambrecht -- By Senator Jerry Sonnenberg.
Ron Kuskie -- By Senator Jerry Sonnenberg.
Christy Stumpf -- By Senator Jerry Sonnenberg.
Harry Harms -- By Senator Jerry Sonnenberg.
Kathy Piel -- By Senator Jerry Sonnenberg.
Aurea Arenas -- By Senator Jerry Sonnenberg.
Celena Kennedy -- By Senator Jerry Sonnenberg.
Julie Brower -- By Senator Jerry Sonnenberg.
Jan Mari -- By Senator Jerry Sonnenberg.
Shelley Cook -- By Senator Rachel Zenzinger.
Calvin Boykoff -- By Senator Steve Fenberg.
Robert "Bob" L. Burton III -- By Senator Rhonda Fields.

On motion of Senator Tate, the Senate adjourned until 9:00 a.m., Thursday, May 3, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

114th Legislative Day — Thursday, May 3, 2018

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, Baumgardner, Sonnenberg
Present later--1, Sonnenberg.

Quorum — The President announced a quorum present.

Pledge — By Senator Moreno.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Wednesday, May 2, 2018, 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 **HB18-1352** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1376** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1289** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1419** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SM18-001.
Correctly Engrossed: SB18-245, 249, 250, 251, 252, 258, and 263.
Correctly Reengrossed: SB18-013, 260, and 271.
Correctly Revised: HB18-1007, 1077, 1128, 1271, 1303, 1320, 1361, 1362, 1375, 1379, 1388, 1389, and 1402.
Correctly Rerevised: HB18-1003, 1108, 1189, and 1266.
Correctly Enrolled: SB18-012, 056, 119, and 205.

Upon request of Majority Leader Holbert, **HB18-1361** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Thursday, May 3, and was placed at the beginning of the Third Reading of Bills--Final Passage Calendar of Thursday, May 3.

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:

HB18-1375 by Representative(s) Willett and Lee, Foote, Herod, Wist; also Senator(s) Gardner, Cooke, Guzman, Holbert, Kagan--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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Lambert, Martinez Humenik, Moreno, and Tate.

HB18-1077 by Representative(s) Liston and Valdez, Becker J., Catlin, Lawrence, McKean, Reyher, Roberts, Sias, Wilson, Wist; also Senator(s) Garcia and Scott--Concerning the penalty for a person who commits burglary to acquire firearms, 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	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Kerr, Lambert, Merrifield, Tate, and Todd.

HB18-1402 by Representative(s) Lawrence and Young, Duran, Kraft-Tharp, Landgraf, Pabon, Saine, Sias, Williams D., Michaelson Jenet; also Senator(s) Gardner and Williams A., Marble--Concerning authorization for the state treasurer to invest state money in investment grade securities issued by sovereign, national, and supranational entities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Jahn, Kerr, Lambert, Martinez Humenik, Neville T., Scott, and Tate.

HB18-1303 by Representative(s) Wist and Garnett; also Senator(s) Tate--Concerning exemption of nonprofit youth sports organization coaches from the "Colorado Employment Security Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr and Scott.

HB18-1389 by Representative(s) Gray and Van Winkle; also Senator(s) Neville T.--Concerning authorization for issuance of a centralized marijuana distribution permit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

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.

HB18-1320 by Representative(s) Pabon; also Senator(s) Jahn--Concerning a reduction in regulation of large-market taxicab service from regulation as a common carrier to regulation as a motor carrier of passengers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Grantham, Guzman, Lambert, Lundberg, Marble, Martinez Humenik, Moreno, Neville T., Scott, and Tate.

HB18-1388 by Representative(s) Garnett; also Senator(s) Tate--Concerning an exemption from the requirement to register a security if the security is subject to a notice filing as permitted under federal 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1362 by Representative(s) Arndt; also Senator(s) Tate--Concerning the membership expansion of the Colorado task force on drunk and impaired driving.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Garcia, Guzman, Kefalas, Merrifield, Moreno, Todd, and Williams A.

HB18-1007 by Representative(s) Kennedy and Singer, Pettersen; also Senator(s) Lambert and Jahn, Aguilar, Tate--Concerning payment issues related to substance use disorders.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	5	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Fields, Garcia, Guzman, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Priola, and Todd.

HB18-1128 by Representative(s) Wist and Bridges; also Senator(s) Lambert and Court--Concerning strengthening protections for consumer data privacy.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Jahn, Jones, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., 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:

HB18-1361 by Representative(s) Exum and Valdez; also Senator(s) Williams A.--Concerning expanded eligibility for a veteran of the Vietnam war specialty license plate.

A majority of those elected to the Senate having voted in the affirmative, Senator Crowder was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.003), by Senator Crowder.

Amend revised bill, page 2, line 7, strike "July 1, ~~1973~~ 1975." and substitute "~~January 27, 1973~~ MAY 7, 1975.".

Page 2, lines 12 and 13, strike "July 1, ~~1973~~ 1975." and substitute "~~January 27, 1973~~ MAY 7, 1975.".

The amendment was **passed** on the following roll call vote:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Gardner, Grantham, Hill, Holbert, Kagan, Kefalas, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Tate, and Todd.

RECONSIDERATION OF HB18-1361

HB18-1361 by Representative(s) Exum and Valdez; also Senator(s) Williams A.--Concerning expanded eligibility for a veteran of the Vietnam war specialty license plate.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1361.

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)

HB18-1361 by Representative(s) Exum and Valdez; also Senator(s) Williams A.--Concerning expanded eligibility for a veteran of the Vietnam war specialty license plate.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Garcia, Guzman, and Kerr.

Senator Holbert requested his name be removed as co-sponsor on HB18-1361.

HB18-1271 by Representative(s) Gray and Willett; also Senator(s) Tate--Concerning the authorization of economic development rates to be charged by electric utilities to qualifying nonresidential customers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, and Zenzinger.

RECONSIDERATION OF HB18-1271

HB18-1271 by Representative(s) Gray and Willett; also Senator(s) Tate--Concerning the authorization of economic development rates to be charged by electric utilities to qualifying nonresidential customers.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1271.

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)

HB18-1271 by Representative(s) Gray and Willett; also Senator(s) Tate--Concerning the authorization of economic development rates to be charged by electric utilities to qualifying nonresidential customers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	24	NO	9	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	E
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

SB18-258 by Senator(s) Scott and Gardner;--Concerning excluding from the speedy trial calculation the period of delay caused by a continuance ordered by the court.

Laid over until Friday, May 4, retaining its place on the calendar.

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Laid over until Friday, May 4, retaining its place on the calendar.

SB18-249 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing alternative programs in the criminal justice system to divert individuals with a mental health condition to community treatment, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Fenberg, Fields, Grantham, Guzman, Kagan, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Tate, Todd, and Williams A.

SB18-250 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning the provision of jail-based behavioral health 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	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Crowder, Fields, Garcia, Grantham, Guzman, Jones, Kagan, Kefalas, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Tate, Todd, and Williams A.

SB18-251 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing a statewide behavioral health court liaison 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	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fields, Garcia, Grantham, Guzman, Jones, Kagan, Kefalas, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Tate, Todd, and Williams A.

SB18-252 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning actions related to determinations of competency to proceed, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES 33		NO 0		EXCUSED 2		ABSENT 0	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Grantham, Marble, Martinez Humenik, Neville T., and Tate.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the Third Reading of Bills--Final Passage Calendar (SB18-263, SB18-245) of Thursday, May 3, was laid over until later in the day, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1083, HB18-1251, HB18-1287, SB18-273, HB18-1356, HB18-1369, HB18-1373, HB18-1410, and HB18-1366 were made Special Orders--Consent Calendar at 10:01 a.m.

Committee of the Whole

The hour of 10:01 a.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1083 by Representative(s) Kraft-Tharp and Sias, McKean; also Senator(s) Tate and Williams A.-Concerning a sales and use tax exemption for aircraft to be used by on-demand air carriers.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1003 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1251 by Representative(s) Lee and Wist, Melton, Weissman, Young; also Senator(s) Kagan and Gardner--Concerning measures to improve the efficiency of the community corrections transition placements, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1287 by Representative(s) Weissman; also Senator(s) Cooke and Kagan--Concerning the extension of the repeal of the Colorado commission on criminal and juvenile justice, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-273 by Senator(s) Gardner; also Representative(s) Carver--Concerning the preservation of the senior property tax exemption of a senior who changes his or her primary residence due to medical necessity, and, in connection therewith, defining medical necessity to include a medical condition verified by a physician that required a senior to move from the senior's primary residence to a primary residence that the senior can freely occupy without using stairs or a primary residence that is not located in a high-altitude area.

Upon request of Majority Leader Holbert, ordered removed from the Special Orders--Second Reading of Bills--Consent Calendar of Thursday, May 3, and placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, May 4.

HB18-1356 by Representative(s) Thurlow, Arndt, McKean; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning adding a nonsubstantive cross reference to the crime of failure to register as a sex offender.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1369 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning repealing obsolete statutory references to the repealed proposition AA refund account.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1373 by Representative(s) Becker J. and Hansen, Esgar; also Senator(s) Baumgardner and Kefalas, Sonnenberg--Concerning the use of the state telecommunications network by private entities through public-private partnerships, and, in connection therewith, relocating laws related to the state telecommunications network from the department of public safety's statutes to the statutes regarding telecommunications coordination within state government.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1410 by Representative(s) Lee and Herod; also Senator(s) Lundberg and Kagan, Priola--Concerning measures to address prison population increases.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1366 by Representative(s) Roberts, Gray, Hamner, Wilson; also Senator(s) Donovan--Concerning a local college district's authority to manage district property.

Ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1083 as amended, HB18-1251, HB18-1287, HB18-1356, HB18-1369, HB18-1373, HB18-1410, HB18-1366
Laid over to the end of the General Orders--Second Reading of Bills calendar, Friday, May 4: SB18-273.

Committee of the Whole

On motion of Senator Tate, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.

Laid over until Monday, May 7, retaining its place on the calendar.

HB18-1217 by Representative(s) Van Winkle and Garnett; also Senator(s) Gardner--Concerning a temporary income tax credit for employers that make contributions to 529 qualified state tuition program accounts owned by their employees, and, in connection therewith, enacting the "Working Families College Savings Act".

Laid over until Monday, May 7, retaining its place on the calendar.

HB18-1004 by Representative(s) Coleman and Wilson; also Senator(s) Tate and Kefalas--Concerning the continuation of the income tax credit for a qualifying contribution to promote child care in the state.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-275 by Senator(s) Scott; --Concerning the ability of seaplanes to operate in Colorado.

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.)

SB18-277 by Senator(s) Neville T., Hill; also Representative(s) Pabon and Van Winkle, Saine--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page(s) 1002 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Tate.

Amend the Finance Committee Report, dated May 1, 2018 , page 2, strike lines 26 through 30 and substitute:

"(III) DOES NOT INCLUDE AN OPEN BLOCKCHAIN TOKEN THAT IS USABLE WITHIN SIXTY CALENDAR DAYS AFTER ITS SALE FOR THE RECEIPT OF GOODS, SERVICES, OR CONTENT, INCLUDING RIGHTS OF ACCESS TO GOODS, SERVICES, OR CONTENT.".".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

Majority Leader Holbert moved that the Committee of the Whole rise, report progress, and beg leave to sit again at 2:00 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.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Memorials Calendar (SM18-001) of Thursday, May 3, was laid over until Friday, May 4, retaining its place on the calendar.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1019** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1185** 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 **HB18-1255** 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 **HB18-1299** 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 **HB18-1309** 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 **HB18-1316** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 7, line 5, strike "section and is based on an" and substitute "section. To".

Page 7, strike line 6.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1319** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1343** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 9, line 14, change the period to a semicolon and add "EXCEPT THAT THIS FIVE-PERCENT LIMITATION DOES NOT APPLY TO ANY CONTRACT THE DEPARTMENT ENTERS INTO IN CONNECTION WITH AN EVALUATION OF THE PROGRAM PURSUANT TO SECTION 8-14.3-203 (6).".

Page 10, line 6, strike "$500,000" and substitute "$1,000,000".

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1349** 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 **HB18-1350** 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 **HB18-1353** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 3 through 8 and substitute:

"**SECTION 3. Appropriation.** (1) For the 2018-19 state fiscal year, $1,853,037 is appropriated to the department of local affairs. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) $1,846,959 for use by the division of local government for the defense counsel on first appearance grant program, which amount is based on an assumption that the division will require an additional 0.5 FTE;

(b) $4,480 for the purchase of information technology services; and

(c) $1,598 for the purchase of legal services.

(2) For the 2018-19 state fiscal year, $4,480 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 local affairs 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 local affairs.

(3) For the 2018-19 state fiscal year, $1,598 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of local affairs under subsection (1)(c) of this section. To implement this act, the department of law may use this appropriation to provide legal services for the department of local affairs.".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1394** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1407** 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 **HB18-1412** 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 **HB18-1429** 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 **SB18-270** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 6, after line 1 insert:

"**SECTION 2. Appropriation.** For the 2018-19 state fiscal year, $1,588,250 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 for community transition services.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "**SERVICES.**" and substitute "**SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1020** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1393** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 15, after line 16 insert:

"**SECTION 6. Appropriation.** For the 2018-19 state fiscal year, $1,000,000 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. To implement this act, the department may use this appropriation for the early literacy competitive grant program.".

Renumber succeeding section accordingly.

Page 1, line 104, strike "**PLANS.**" and substitute "**PLANS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

MESSAGE FROM THE HOUSE

May 3, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1433, 1437.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1425, 1418, 1427, 1397, 1422, 1426, 1404, amended as printed in House Journal, May 2, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2018

We herewith transmit:

Without comment, HB18-1433 and 1437.
Without comment, as amended, HB18-1397, 1404, 1418, 1422, 1425, 1426, and 1427.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1296 by Representative(s) Melton and Everett; also Senator(s) Marble and Moreno--Concerning an expansion of the ability to leave a motor vehicle unattended in certain circumstances.

Senator Marble moved for the adoption of the first report of the first conference committee on HB18-1296, as printed in Senate journal, May 2, pages 1031-1032. The motion was **adopted** by the following roll call vote:

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	E
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Smallwood and Tate.

COMMITTEE OF REFERENCE REPORTS

Finance — After consideration on the merits, the Committee recommends that **HB18-1385** 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 **HB18-1294** 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 10 through 27.

Page 4, strike lines 1 through 18.

Renumber succeeding sections accordingly.

Page 1, strike lines 107 through 109 and substitute "**VOTE REGARDING LICENSEE DISCIPLINE.**".

Finance — After consideration on the merits, the Committee recommends that **HB18-1416** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1218** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1363** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1202** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1398** 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 line 14 and substitute "THEREAFTER; EXCEPT THAT IN NO EVENT MAY ANY SUCH CIVIL ACTION BE COMMENCED MORE THAN TWENTY YEARS AFTER THE CAUSE OF ACTION ACCRUES.".

Finance — After consideration on the merits, the Committee recommends that **HB18-1405** 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 **HB18-1411** 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 **HB18-1006** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1205** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1276** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HCR18-1002** be referred to the Committee of the Whole with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1357** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 15, strike "OR".

Page 2, strike line 17 and substitute "STATE WHEN ENGAGED IN ASSISTING CONSUMERS WITH BEHAVIORAL HEALTH CARE ACCESS AND COVERAGE ISSUES; OR

(d) A HEALTH CARE FACILITY LICENSED PURSUANT TO SECTION 25-1.5-103.".

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1364** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend the reengrossed bill, page 2, strike lines 4 through 9 and substitute:

"**SECTION 2.** In Colorado Revised Statutes, **add** article 24 to title 26 as follows:

ARTICLE 24
Colorado Advisory Council
for Persons with Disabilities

26-24-101. Legislative declaration. (1) THE GENERAL".

Page 2, line 24, strike "**25.5-1-702.**" and substitute "**26-24-102.**" and strike "PART 7" and substitute "ARTICLE 24".

Page 3, line 2, strike "25.5-1-703." and substitute "26-24-103.".

Page 3, line 9, strike "**25.5-1-703.**" and substitute "**26-24-103.**".

Page 3, strike line 12 and substitute "STATE DEPARTMENT.".

Page 5, line 12, strike "**25.5-1-704.**" and substitute "**26-24-104.**".

Page 6, line 19, strike "**25.5-1-705.**" and substitute "**26-24-105.**".

Page 6, line 24, strike "PART 7" and substitute "ARTICLE 24".

Page 6, strike line 25 and substitute:

"**26-24-106. Repeal of article.** THIS ARTICLE 24 IS REPEALED, EFFECTIVE".

Page 7, line 12, strike "25.5-1-703." and substitute "26-24-103.".

Page 11, line 18, strike "under" and substitute "~~under~~ TO THE DEPARTMENT OF HUMAN SERVICES PURSUANT TO".

Page 11, line 20, strike "25.5-1-703:" and substitute "26-24-103:".

Page 11, lines 24 and 25, strike "HEALTH CARE POLICY AND FINANCING," and substitute "HUMAN SERVICES,".

Page 12, line 4, strike "DESIGNATED".

Page 12, strike line 5 and substitute "NONPROFIT ORGANIZATION DESIGNATED PURSUANT TO SUBSECTION (2)(b) OF THIS SECTION, AND SHALL DISTRIBUTE SUCH MONEY TO THE DESIGNATED NONPROFIT ORGANIZATION ON OR BEFORE NOVEMBER 1, 2018.".

Page 12, line 8, strike "THE" and substitute "ON OR BEFORE OCTOBER 1, 2018, THE".

Page 12, strike line 9.

Page 12, line 10, strike "DESIGNATE A" and substitute "SHALL DESIGNATE A SINGLE".

Page 12, line 11, strike "PROGRAM:" and substitute "PROGRAM, AFTER CONSIDERATION OF THE FOLLOWING CRITERIA:".

Page 13, line 1, strike "25.5-1-703," and substitute "26-24-103,".

Page 13, after line 8 insert:

"(d) NO LATER THAN ONE MONTH FOLLOWING THE TERMINATION OF THE CONTRACT WITH THE DESIGNATED NONPROFIT ORGANIZATION PURSUANT TO SUBSECTION (2)(c) OF THIS SECTION, THE DEPARTMENT SHALL DISTRIBUTE THE MONEY APPROPRIATED TO IT FOR THE DISABLED PARKING EDUCATION PROGRAM PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES FOR THE PURPOSES OF THIS SECTION FOR THE CONTINUED IMPLEMENTATION OF THIS SECTION.".

Page 13, line 16, strike "25.5-1-703," and substitute "26-24-103,".

Page 14, line 2, strike "25.5-1-703," and substitute "26-24-103,".

Page 14, lines 20 and 21, strike "health care policy and financing" and substitute "human services".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1380** be postponed indefinitely.

Finance

After consideration on the merits, the Committee recommends that **HB18-1208** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 6, strike "2018," and substitute

"2019,".

Page 2, line 12, strike "2018," and substitute "2019,".

Page 2, line 13, strike "ONE HUNDRED FIFTY" and substitute "SIXTY".

Page 2, line 18, strike "EIGHTY" and substitute "FIFTY".

Page 3, line 2, strike "(a)" and strike "subsection (1)" and substitute "~~subsection (1)~~ SUBSECTIONS (1) AND (1.7)".

Page 3, strike lines 7 through 27.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1306** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 26, after line 3 insert:

"**SECTION 7.** In Colorado Revised Statutes, 22-32-113, **amend** (1)(c) and (4) as follows:

22-32-113. Transportation of pupils - when. (1) The board of education of a school district may furnish transportation:

(c) To and from public schools for any reasonable classification of pupils enrolled in the schools of the district who are ~~resident~~ RESIDENTS of any other school district; ~~if the district of residence is adjacent to the district of attendance, and if the board or other governing body of the district of residence shall consent to such transportation;~~

(4) A board may reimburse a parent or guardian for the expenses incurred by such parent or guardian in furnishing transportation to and from a public school or designated school vehicle stop for his or her child or children and for other pupils enrolled in the schools of the district. ~~but the board may not reimburse any person for transportation furnished to a pupil resident in another school district without the consent of the board or other governing body of the district of residence.~~ The amount and payment of ~~such~~ TRANSPORTATION expenses ~~shall be as~~ ARE determined by the board paying ~~such~~ THE expenses.".

Renumber succeeding sections accordingly.

Finance

After consideration on the merits, the Committee recommends that **HB18-1011** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 50, strike lines 16 through 21 and substitute:

"**SECTION 19. Act subject to petition - effective date.** This act takes effect January 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 2018 and, in such case, will take effect on January 2, 2019, or on the date of the official declaration of the vote thereon by the governor, whichever is later.".

Finance

After consideration on the merits, the Committee recommends that **SB18-279** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1215** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1415** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1403** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1318** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1368** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1006** 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 15, lines 2 and 3, strike "LOSS AS WELL AS NEWBORNS WHO FAIL TO RECEIVE SCREENING." and substitute "LOSS.".

page 19, line 20, strike "$642,500" and substitute "$1,162,500".

Page 19, line 25, strike "expansion." and substitute "expansion and equipment purchase.".

Page 20, line 2, strike "(1)".

Page 20, strike lines 10 through 15.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1202** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1218** 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 **HB18-1294** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1306** 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 **HB18-1357** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1363** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1413** 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 **HB18-1400** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 1, line 104, strike "**TIMES, AND, IN**" and substitute "**TIMES AND**".

Page 1, line 105, strike "**CONNECTION THEREWITH,**".

MESSAGE FROM THE HOUSE

May 3, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1432, amended as printed in House Journal, May 3, 2018.

The House has passed on Third Reading and returns herewith SCR18-003.

The House has passed on Third Reading and returns herewith SB18-235, 239, 024, 031, 218, 213, 248, 247.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB18-016, 219, 039, 203, 266, 038, 042, 163, 167, 233, 230, amended as printed in House Journal, May 2, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB18-044, amended as printed in House Journal, May 2, 2018 and amended on Third Reading as printed in House Journal, May 3, 2018.

The House has postponed indefinitely SB18-226, 193, 221. The bills are returned herewith.

The House laid over SB18-171 until May 10. The bill is deemed lost and is returned herewith.

The House has voted not to concur in the Senate amendments to HB18-1155 and requests that a conference committee be appointed. The Speaker has appointed Representatives Singer, chairman, Ginal, and Liston as House conferees on the First Conference Committee on HB18-1155. The bill is transmitted herewith.

The House has voted not to concur in the Senate amendments to HB18-1256 and requests that a conference committee be appointed.

The House has voted not to concur in the Senate amendments to HB18-1354 and requests that a conference committee be appointed. The Speaker has appointed Representatives McKean, chairman, Arndt, and Hooton as House conferees on the First Conference Committee on HB18-1354. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB18-1374, 1258, 1360, 1070, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

May 3, 2018

We herewith transmit:

Without comment, as amended, HB18-1432.
Without comment, as amended, SB18-016, 038, 039, 042, 044, 163, 167, 203, 219, 230, 233, and 266.

REPORT FROM THE COMMITTEE ON DELAYED BILLS

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 House Bill 18-1379, Concerning Financing Public Schools:

The Friday, April 20 deadline (the 101st legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Thursday, May 3, 2018 (the 114th legislative day), is further extended until Wednesday, May 9, 2018 (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by Joint Rule 23 (c).

Senator Grantham
President of the Senate
(signed)

Representative Duran
Speaker of the House of Representatives
(signed)

Senator Holbert
Senate Majority Leader
(signed)

Representative Becker, K.
House Majority Leader
(signed)

Senator Garcia
Senate Minority Leader
(signed)

Representative Neville, P.
House Minority Leader
(signed)

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

SB18-280 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a transfer from the general fund to the tobacco litigation settlement cash fund to be allocated to the programs, services, and funds that currently receive tobacco litigation settlement money.
Appropriations

HB18-1397 by Representative(s) Jackson; also Senator(s) Moreno--Concerning modifications to the residential warranty of habitability for the purpose of protecting renters.
State, Veterans, & Military Affairs

HB18-1404 by Representative(s) Coleman and Williams D.; also Senator(s) Marble and Lundberg--Concerning public disclosure of a completed peace officer internal investigation file.
State, Veterans, & Military Affairs

HB18-1418 by Representative(s) Weissman; also Senator(s) Coram and Kagan--Concerning the use of criminal convictions in employment.
Finance

HB18-1422 by Representative(s) Gray, Pabon, Singer; also Senator(s) Jahn, Neville T.--Concerning requirements for marijuana testing facilities, and, in connection therewith, making an appropriation.
Finance

HB18-1425 by Representative(s) Lee and Wist; also Senator(s) Coram--Concerning creation of a legislative committee to study the state prison population, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1426 by Representative(s) Pabon and Melton; also Senator(s) Neville T.--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".
Finance

HB18-1427 by Representative(s) Herod and Wist; also Senator(s) Sonnenberg--Concerning a prohibition on conflicts of interest of members of the sex offender management board.
Finance

HB18-1432 by Representative(s) Herod; also Senator(s) Fields--Concerning prohibitions on discrimination in housing based on source of income.
State, Veterans, & Military Affairs

HB18-1433 by Representative(s) Gray; also Senator(s) Tate, Coram--Concerning modifications to the "Naturopathic Doctor Act", and, in connection therewith, requiring a naturopathic doctor to disclose that the naturopathic doctor is registered and updating the terms that a naturopathic doctor may use.
Finance

HB18-1437 by Representative(s) Herod; also Senator(s) Neville T.--Concerning eliminating the requirement that a person who participates in college-level academic programs through the correctional education program in the department of corrections must bear entirely the costs associated with such programs.
Finance

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, May 3, 2018, at 11:07 a.m.:
SB18-003.

Senate in recess. Senate reconvened.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-208; HB18-1174, 1277, 1280, 1307, 1344, 1348.

Committee of the Whole reconvened.

Committee of the Whole

The hour of 2:00 p.m. having arrived, on motion of Senator Tate, the Senate reresolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS (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:

HB18-1234 by Representative(s) Becker K. and Lundeen, Buckner, Carver, Coleman, Gray, Hansen, Jackson, Kraft-Tharp, Landgraf, McKean, Roberts, Rosenthal, Singer, Valdez, Van Winkle, Williams D.; also Senator(s) Gardner, Guzman, Aguilar, Cooke, Fenberg, Kagan, Kerr, Merrifield, Priola, Todd--Concerning clarification of the laws governing simulated gambling activity.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, May 1, pages 983-985 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB18-1234 by Representative(s) Becker K. and Lundeen, Buckner, Carver, Coleman, Gray, Hansen, Jackson, Kraft-Tharp, Landgraf, McKean, Roberts, Rosenthal, Singer, Valdez, Van Winkle, Williams D.; also Senator(s) Gardner, Guzman, Aguilar, Cooke, Fenberg, Kagan, Kerr, Merrifield, Priola, Todd--Concerning clarification of the laws governing simulated gambling activity.

Senator Hill moved to amend the report of the Committee of the Whole to show that HB18-1234 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	8	NO	26	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	E	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	N
Court	N	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	N	Priola	N		

SB18-275 by Senator(s) Scott; also Representative(s) Saine and Melton--Concerning the ability of seaplanes to operate in Colorado.

Senator Jones moved to amend the report of the Committee of the Whole to show that SB18-275 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	11	NO	23	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	E	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	N	President	N
Fields	N	Kefalas	N	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-275, SB18-277 as amended, HB18-1004, HB18-1234 as amended.
Laid over until Monday, May 7: SB18-204, HB18-1217.

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:

SB18-263 by Senator(s) Martinez Humenik, Cooke; also Representative(s) Singer and Landgraf--Concerning the creation of a pilot program to allow for court approval of treatment medications in jails.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	N	Jones	Y	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Scott, and Smallwood.

SB18-245 by Senator(s) Cooke; also Representative(s) Arndt--Concerning repeal of the prohibition on the state board of health adopting rules concerning the disposal of naturally occurring radioactive materials until after the federal environmental protection agency has adopted rules concerning the disposal of naturally occurring radioactive materials.

A majority of those elected to the Senate having voted in the affirmative, Senator Cooke was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004) , by Senator Cooke.

Amend engrossed bill, page 2, line 5, strike "The" and substitute "SUBJECT TO THE DEPARTMENT PROVIDING ITS REPORT AND SUMMARY TO THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES AND THE HOUSE OF REPRESENTATIVES COMMITTEE ON HEALTH, INSURANCE, AND ENVIRONMENT OR THEIR SUCCESSOR COMMITTEES PURSUANT TO

SUBSECTION (1)(b)(V) OF THIS SECTION, the".

Page 2, lines 21 and 22, strike "POWER GENERATORS AND SUPPLIERS," and substitute "OPERATORS OF EP WASTE DISPOSAL FACILITIES, AS THAT TERM IS DEFINED IN SECTION 30-20-109 (1.5)(a)(II),".

Page 3, strike lines 7 through 13 and substitute:

"(B) PREPARE A REPORT WITH INPUT PROVIDED BY THE STAKEHOLDER GROUP THAT CONSIDERS BACKGROUND RADIATION LEVELS IN THE STATE, WASTE STREAM IDENTIFICATION AND QUANTIFICATION, USE AND DISPOSAL PRACTICES, CURRENT ENGINEERING PRACTICES, APPROPRIATE TEST METHODS, ECONOMIC IMPACTS, AND DATA GAPS; AND".

Page 3, line 14, after "RULE" insert "BASED ON THE REPORT SPECIFIED IN SUBSECTION (1)(b)(III)(B) OF THIS SECTION".

Page 3, line 15, after "FOR" insert "AT LEAST".

Page 3, line 16, after the period add "THE RULE MUST ALLOW FOR THE BENEFICIAL REUSE OF WATER TREATMENT RESIDUALS AND BY-PRODUCTS OF THE WASTEWATER TREATMENT PROCESS.".

Page 3, line 18 after "OPTION" insert "LISTED IN SUBSECTION (1)(b)(III)(C) OF THIS SECTION".

Page 3, line 22, strike "SUBMIT" and substitute "PROVIDE THE REPORT SPECIFIED IN SUBSECTION (1)(b)(III)(B) OF THIS SECTION AND".

Page 4, line 3, after the period add "THE DEPARTMENT SHALL NOT FILE A NOTICE OF PROPOSED RULE-MAKING PURSUANT TO SECTION 24-4-103 FOR THE PROPOSED RESIDUALS MANAGEMENT RULE AS SPECIFIED IN SUBSECTION (1)(b)(III)(C) OF THIS SECTION UNTIL THE DEPARTMENT PROVIDES THE REPORT AND SUMMARY TO THE COMMITTEES OF REFERENCE.".

Page 4, after line 12 insert:

"(VII) SUBSECTIONS (1)(b)(II) TO (1)(b)(VI) OF THIS SECTION AND THIS SUBSECTION (1)(b)(VII) ARE REPEALED IF THE STATE BOARD ADOPTS THE RULES SPECIFIED IN SUBSECTION (1)(b)(I) OF THIS SECTION. THE STATE BOARD SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE DATE ON WHICH THE RULES SPECIFIED IN SUBSECTION (1)(b)(I) OF THIS SECTION BECOME EFFECTIVE BY E-MAILING THE NOTICE TO REVISOROFSTATUTES.GA@STATE.CO.US. SUBSECTIONS (1)(b)(II) TO (1)(b)(VI) OF THIS SECTION AND THIS SUBSECTION (1)(b)(VII) ARE REPEALED, EFFECTIVE UPON THE DATE IDENTIFIED IN THE NOTICE THAT THE RULES BECAME EFFECTIVE OR, IF THE NOTICE DOES NOT SPECIFY THAT DATE, UPON THE DATE OF THE NOTICE TO THE REVISOR OF STATUTES.".

The amendment was **passed** on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Crowder, Lambert, and Tate.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Todd will be a Senate joint prime sponsor on SB18-275 with Senator Scott and Representatives Saine and Melton.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1185, HB18-1255, HB18-1299, HB18-1309, HB18-1349, HB18-1350, HB18-1407, HB18-1412, HB18-1429, SB18-270, HB18-1385, HB18-1398, HB18-1405, HB18-1411, HB18-1006, HB18-1218, HB18-1306, and HB18-1413 were made Special Orders--Consent Calendar at 7:38 p.m.

Committee of the Whole

The hour of 7:38 p.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Tate was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1185 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Neville T. and Moreno--Concerning changes to the state income tax apportionment statute based on the most recent multistate tax commission's uniform model of the uniform division of income for tax purposes act.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1034 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1255 by Representative(s) Duran and Carver; also Senator(s) Cooke and Kefalas--Concerning the creation of a childhood cancer awareness license plate, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1299 by Representative(s) Bridges and Neville P.; also Senator(s) Scott and Zenzinger--Concerning electronic documents related to the ownership of a vehicle that is regulated by the department of revenue, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1309 by Representative(s) Coleman and Wilson; also Senator(s) Hill--Concerning programs addressing educator shortages, and, in connection therewith, making an appropriation.

Ordered removed from the Special Orders--Second Reading of Bills--Consent Calendar of Thursday, May 3, and placed at the end of the General Orders--Second Reading of Bills Calendar of Friday, May 4.

HB18-1349 by Representative(s) Ginal; also Senator(s) Cooke--Concerning the use of waiver valuations by the department of transportation, and, in connection therewith, extending the department's existing authority under state law to use waiver valuations when valuing property that it owns and seeks to dispose of to the maximum extent permitted by federal law and regulations and clarifying that a waiver valuation is not an appraisal and that an individual, including a licensed or certified real estate appraiser, is not an appraiser for purposes of the state laws regulating appraisers when the individual performs a waiver valuation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1350 by Representative(s) Kraft-Tharp; also Senator(s) Priola--Concerning the sales and use tax treatment of equipment used to manufacture new metal stock from scrap or end-of-life-cycle metals, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1407 by Representative(s) Young and Rankin, Hamner; also Senator(s) Lambert and Moreno, Lundberg--Concerning increasing access to services for persons with intellectual and developmental disabilities that are provided by a stable workforce, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1412 by Representative(s) Buckner and Lundeen; also Senator(s) Hill--Concerning providing funding for local education providers to implement initiatives to reduce the teacher shortage in Colorado, and, in connection therewith, creating the retaining teachers grant program and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1429 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno--Concerning the exemption of the workers' compensation cash fund from the maximum reserve.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-270 by Senator(s) Jahn and Neville T.; also Representative(s) Pettersen and Wist--Concerning establishing a statewide program to coordinate referrals of high-risk individuals in need of behavioral health transition services, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 30, page 963 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1065 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1385 by Representative(s) Roberts; also Senator(s) Coram--Concerning changes to family support obligations in domestic relation actions due to changes in the federal tax laws.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1398 by Representative(s) Gray and Wist; also Senator(s) Gardner--Concerning the statute of limitations for commencing a civil action in tort to recover damages for an act of domestic violence.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page 1067 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1405 by Representative(s) Lee; also Senator(s) Gardner--Concerning an exception from the mandatory reporting requirements for persons providing legal assistance to area agencies on aging.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1411 by Representative(s) Pabon; also Senator(s) Smallwood--Concerning eliminating redundancy related to fingerprint-based criminal history record checks for persons who have or will have direct contact with vulnerable persons.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1006 by Representative(s) Hamner and Liston; also Senator(s) Gardner and Moreno--Concerning modifications to the newborn screening program administered by the department of public health and environment, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 2, page 1032 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1071 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1218 by Representative(s) Carver and Melton; also Senator(s) Crowder and Todd--Concerning the definition of a charitable organization for purposes of state sales and use tax, and, in connection therewith, removing the limitation that a veterans' organization only gets the charitable organization exemption for purposes of sponsoring a special event, meeting, or other function in the state, so long as such event, meeting, or function is not part of the organization's regular activities in the state.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1306 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Moreno--Concerning ensuring educational stability for students in out-of-home placement, and, in connection therewith, making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, page 1070 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1413 by Representative(s) Lee and Neville P.; also Senator(s) Zenzinger--Concerning the creation of a school safety grant program, 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 -- CONSENT CALENDAR

On motion of Senator Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-270 as amended, HB18-1185 as amended, HB18-1255, HB18-1299, HB18-1349, HB18-1350, HB18-1407, HB18-1412, HB18-1429, HB18-1385, HB18-1398 as amended, HB18-1405, HB18-1411, HB18-1006 as amended, HB18-1218, HB18-1306 as amended, HB18-1413.
Laid over to the end of the General Orders--Second Reading of Bills calendar, Friday, May 4: HB18-1309.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1190, HB18-1224, HB18-1244, SB18-274, SB18-273, HB18-1217, HB18-1316, HB18-1319, HB18-1343, HB18-1353, HB18-1394, HB18-1020, HB18-1393, HB18-1202, HB18-1294, HB18-1357, HB18-1363, and HB18-1400 were made Special Orders at 7:51 p.m.

Committee of the Whole

The hour of 7:51 p.m. having arrived, Senator Tate moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Tate was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1190 by Representative(s) Esgar and McKean, Arndt, Becker K., Catlin, Covarrubias, Duran, Hansen, Hooton, Lawrence, Liston, McLachlan, Michaelson Jenet, Rankin, Reyher, Roberts, Rosenthal, Singer, Thurlow, Winter; also Senator(s) Tate and Garcia, Coram, Crowder, Donovan, Fenberg, Grantham, Martinez Humenik, Priola--Concerning modifications to the "Colorado Job Creation and Main Street Revitalization Act".

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1004 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1224 by Representative(s) Willett; also Senator(s) Gardner--Concerning the process that is due for the imposition of discipline that affects a person's ability to practice an occupation, and, in connection therewith, requiring the parties to submit to mediation and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, pages 1003-1004 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1244 by Representative(s) Danielson; also Senator(s) Todd and Gardner--Concerning the creation of a submarine service license plate to honor the service of submarine veterans, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

SB18-274 by Senator(s) Lambert; --Concerning the implementation of recommendations from prison utilization studies, and, in connection therewith, renaming and repurposing certain correctional facilities and making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, page 1012 and placed in members' bill files.)

Amendment No. 2(L.001), by Senator Lambert.

Amend printed bill, page 7, line 22, strike "SENATE BILL 18-___," and substitute "SENATE BILL 18-274,".

Page 7, line 26, strike "SENATE BILL 18-___" and substitute "SENATE BILL 18-274".

Page 8, line 3, strike "SENATE BILL 18-___." and substitute "SENATE BILL 18-274.".

Amendment No. 3(L.002), by Senator Lambert.

Amend the Appropriations Committee Report, dated May 2, 2018, page 1, strike lines 2 through 5 and substitute:

""**SECTION 5.** In Colorado Revised Statutes, 24-75-302, **amend** (2)(dd) and (2)(ee); and **add** (2)(ff) as follows:

24-75-302. Capital construction fund - capital assessment fees - calculation - information technology capital account. (2) The controller".

Page 1, line 16, strike "and" and substitute "AND".

Amendment No. 4(L.004), by Senator Williams.

Amend printed bill, page 5, line 26, after "INMATES." add "THE DEPARTMENT SHALL USE THE ENTIRE AMOUNT OF SUCH APPROPRIATION TO PAY FOR THE PURPOSES DESCRIBED IN THIS ACT AND FOR NO OTHER PURPOSES.".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-273 by Senator(s) Gardner; also Representative(s) Carver--Concerning the preservation of the senior property tax exemption of a senior who changes his or her primary residence due to medical necessity.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1004 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1217 by Representative(s) Van Winkle and Garnett; also Senator(s) Gardner--Concerning a temporary income tax credit for employers that make contributions to 529 qualified state tuition program accounts owned by their employees, and, in connection therewith, enacting the "Working Families College Savings Act".

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1316 by Representative(s) Pabon and Exum, Kraft-Tharp, McKean; also Senator(s) Cooke and Williams A.--Concerning modifications to the skilled worker training program administered by the department of labor and employment, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1064 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1319 by Representative(s) Singer and Young; also Senator(s) Gardner--Concerning the extension of services for a successful adulthood for former foster care youth who are between the ages of eighteen years and twenty-one years, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1343 by Representative(s) Lee and Carver, Valdez, Danielson, Landgraf, Duran, Covarrubias, Kraft-Tharp, Liston, Lundeen, Melton, Pabon; also Senator(s) Lambert and Todd, Garcia, Coram--Concerning the continuation of the "Colorado Veterans' Service-to-career Program", and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1064 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1353 by Representative(s) Lontine and Carver; also Senator(s) Marble--Concerning the creation of a grant program to reimburse local governments for costs associated with the provision of defense counsel to certain defendants at their first appearances in municipal courts, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1065 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1394 by Representative(s) Singer and McKean; also Senator(s) Kefalas and Cooke--Concerning amendments to the Colorado disaster emergency act to address all phases of emergency management.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1034 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1020 by Representative(s) Herod; also Senator(s) Kagan and Gardner--Concerning civil forfeiture reform, and, in connection therewith, changing the entity required to report on forfeitures, expanding the scope of the forfeitures to be reported, establishing grant programs, changing the disbursement of net forfeiture proceeds, and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1393 by Representative(s) Hamner and Exum; also Senator(s) Gardner--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, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1066 and placed in members' bill files.)

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1202 by Representative(s) Garnett; also Senator(s) Gardner--Concerning an income tax credit for an employer related to an employee's paid leave of absence for the purpose of making an organ donation, and, in connection therewith, enacting the "Living Organ Donor Support Act".

Amendment No. 1(L.005), by Senator Smallwood.

Amend reengrossed bill, page 3, line 24, after "2020," insert "BUT BEFORE JANUARY 1, 2025,".

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1294 by Representative(s) Lontine and Buckner, Esgar, Ginal, Kennedy, Roberts; also Senator(s) Crowder--Concerning the continuation of the regulation of nursing home administrators by the board of examiners of nursing home administrators in the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, requiring the board to record by board member each vote regarding licensee discipline and requiring nursing home administrators to report possible felony conduct by nursing home facility employees.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page 1067 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1357 by Representative(s) Michaelson Jenet; also Senator(s) Gardner and Williams A., Jahn--Concerning access to behavioral health care services, and, in connection therewith, establishing an ombudsman for behavioral health access to care to assist consumers in accessing care, requiring the commissioner of insurance to report on compliance with mental health parity laws, and making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 3, page 1068 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1363 by Representative(s) Singer and Landgraf; also Senator(s) Crowder--Concerning legislative recommendations of the child support commission, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1400 by Representative(s) Becker K. and McKean; also Senator(s) Scott and Jahn--Concerning an increase in fees paid by stationary sources of air pollutants, and, in connection therewith, prioritizing the use of the revenues generated by the fee increases to reduce permit processing times, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 3, page 1072 and placed in members' bill files.)

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 Tate, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-274 as amended, SB18-273 as amended, HB18-1190 as amended, HB18-1224 as amended, HB18-1244, HB18-1217, HB18-1316 as amended, HB18-1319, HB18-1343 as amended, HB18-1353 as amended, HB18-1394 as amended, HB18-1020, HB18-1393 as amended, HB18-1202 as amended,HB18-1294 as amended, HB18-1357 as amended, HB18-1363, HB18-1400 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-016, SB18-219, SB18-039, SB18-203, SB18-266, SB18-038, SB18-042, SB18-163, SB18-167, SB18-233, SB18-230, and SB18-044 were made Special Orders--Consideration of House Amendments to Senate Bills at 9:26 p.m.

SPECIAL ORDERS -- CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-219 by Senator(s) Tate; also Representative(s) Kraft-Tharp--Concerning the rates a motor vehicle dealer charges a motor vehicle manufacturer for work performed by the dealer in accordance with a warranty obligation.

Senator Tate moved that the Senate concur in House amendments to SB18-219, as printed in House journal, May 1, pages 1431-1434, and May 2, pages 1460-1465. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-039 by Senator(s) Jones and Cooke, Baumgardner, Coram, Merrifield; also Representative(s) Thurlow and Exum, Becker K., Carver, Hamner, Singer--Concerning the wildfire matters review committee, and, in connection therewith, deferring the date on which the committee is scheduled to repeal and making an appropriation.

Senator Cooke moved that the Senate concur in House amendments to SB18-039, as printed in House journal, April 25, pages 1257-1258. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-266 by Senator(s) Lundberg, Lambert, Moreno; also Representative(s) Young, Hamner, Rankin--Concerning controlling costs under the "Colorado Medical Assistance Act", and, in connection therewith, using data and technology, creating a hospital review program, and making and reducing an appropriation.

Senator Lundberg moved that the Senate concur in House amendments to SB18-266, as printed in House journal, May 2, page 1466. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-038 by Senator(s) Donovan and Coram, Baumgardner, Jones, Sonnenberg; also Representative(s) Esgar and Willett, Arndt, Hansen, Saine--Concerning the allowable uses of reclaimed domestic wastewater, and, in connection therewith, allowing reclaimed domestic wastewater to be used for industrial hemp cultivation and making an appropriation.

Senator Donovan moved that the Senate concur in House amendments to SB18-038, as printed in House journal, April 24, pages 1203-1204, and May 2, pages 1444-1445. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-042 by Senator(s) Donovan and Crowder, Sonnenberg; also Representative(s) Catlin and McLachlan, Arndt, Jackson, McKean--Concerning the creation of the agricultural workforce development program, and, in connection therewith, making an appropriation.

Senator Donovan moved that the Senate adhere to its position on SB18-042. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-163 by Senator(s) Martinez Humenik and Merrifield, Priola; also Representative(s) Pettersen and Wilson, Buckner--Concerning an extension of the repeal of the early childhood and school readiness legislative commission, and, in connection therewith, making an appropriation.

Senator Martinez Humenik moved that the Senate not concur in House amendments to SB18-163, as printed in House journal, April 30, pages 1374-1375and May 2, page 1445, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-167 by Senator(s) Scott and Donovan, Martinez Humenik; also Representative(s) Winter and Saine, Becker J.--Concerning increased enforcement of requirements related to the location of underground facilities, and, in connection therewith, making an appropriation.

Senators Scott and Donovan moved that the Senate concur in House amendments to SB18-167, as printed in House journal, April 30, page 1378. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-233 by Senator(s) Marble and Fenberg; also Representative(s) Foote and Neville P.-- Concerning technical modifications to miscellaneous provisions of the "Uniform Election Code of 1992", and, in connection therewith, making an appropriation.

Senators Marble and Fenberg moved that the Senate concur in House amendments to SB18-233, as printed in House journal, April 26, page 1278, and May 2, page 1446. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Tate.

SB18-230 by Senator(s) Marble; also Representative(s) Saine and Gray--Concerning modification of the laws governing the establishment of drilling units for oil and gas wells, and, in connection therewith, clarifying that a drilling unit may include more than one well, providing limited immunity to nonconsenting owners subject to pooling orders, adjusting cost recovery from nonconsenting owners, and modifying the conditions upon which a pooling order may be entered.

Senator Marble moved that the Senate concur in House amendments to SB18-230, as printed in House journal, May 2, page 1454. The motion was **adopted** by the following roll call vote:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Tate.

SB18-044 by Senator(s) Crowder; also Representative(s) Landgraf--Concerning a study on the ability of private employers to give preference to veterans when making certain employment decisions.

Senator Crowder moved the Senate adhere to its position on SB18-044. The motion was **adopted** by the following roll call vote:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

SB18-016 by Senator(s) Martinez Humenik and Fields; also Representative(s) Singer and Benavidez--Concerning the repeal date for the transfer of money from community corrections to the housing assistance for persons transitioning from the criminal or juvenile justice system cash fund, and, in connection therewith, making an appropriation.

Senator Martinez Humenik moved that the Senate concur in House amendments to SB18-016, as printed in House journal, April 30, pages 1365-1366. The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Tate.

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts, and, in connection therewith, making an appropriation.

Laid over until Friday, May 4, retaining its place on the calendar.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Friday, May 4, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

115th Legislative Day Friday, May 4, 2018

Prayer — By the chaplain, Rabbi Yossi Serebryanski, Chabad of South Denver.

Call to Order — By the President at 9:00 a.m.

Roll Call — Present--33
Excused--2, Aguilar, Baumgardner.
Present later--1, Aguilar

Quorum — The President announced a quorum present.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 1 (b) was suspended to allow a person other than a Senator to lead the Pledge of Allegiance.

Pledge — By Burton Coulter and Campbell Bowen.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Thursday, May 3, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Cheri Jahn.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Call of the Senate. Call raised.

SPECIAL ORDERS -- CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts, and, in connection therewith, making an appropriation.

Laid over until later in the calendar.

SENATE SERVICES REPORT

Correctly Printed: SB18-280.
Correctly Engrossed: SB18-270, 273, 274, 275 and 277.
Correctly Reengrossed: SB18-245, 249, 250, 251, 252 and 263.
Correctly Revised: HB18-1004, 1006, 1020, 1083, 1185, 1190, 1202, 1217, 1218, 1224, 1234, 1244, 1251, 1255, 1287, 1294, 1299, 1306, 1316, 1319, 1343, 1349, 1350, 1353, 1356, 1357, 1363, 1366, 1369, 1373, 1385, 1393, 1394, 1398, 1400, 1405, 1407, 1410, 1411, 1412, 1413, and 1429.
Correctly Rerevised: HB18-1007, 1077, 1128, 1271, 1303, 1320, 1361, 1362, 1375, 1388, 1389, and 1402.
Correctly Enrolled: SB18-024, 031, 213, 218, 235, 239, 247, and 248; SCR18-003.

MESSAGE FROM THE HOUSE

May 4, 2018

Mr. President:

The House has postponed indefinitely SB18-043, 236. The bills are returned herewith.

The Speaker has appointed Representatives McLachlan chairman, Arndt, and Wilson as House conferees on the First Conference Committee on SB18-085.

The Speaker has appointed Representatives Duran, chairman, Herod, and Williams as House conferees on the First Conference Committee on HB18-1256. The bill is transmitted herewith.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **SB18-280** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 7, strike "EIGHTEEN MILLION" and substitute "NINETEEN MILLION NINE HUNDRED SIXTY-FIVE THOUSAND SIXTY-EIGHT".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1267** be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB18-276** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 1 insert:

"**SECTION 1. Legislative declaration.** (1) The general assembly hereby finds and declares that:

(a) The general fund reserve helps ensure that there are sufficient general fund revenues for state agencies to spend the general assembly's appropriations, which are based on revenue estimates that are often incorrect;

(b) Maintaining an ample reserve would also allow the state to continue providing critical services even when there is an economic downturn or a natural disaster;

(c) A recent report prepared by Moody Analytics estimates that the state would need a reserve of approximately fifteen percent to endure even a moderate recession;

(d) In his budget request for the fiscal year 2018-19, Governor John Hickenlooper requested that the general assembly increase the reserve to ten percent of general fund expenditures; and

(e) The state's current general fund reserve, which is only six and one-half percent of general fund expenditures, is simply inadequate.

(2) Now, therefore, it is the intent of the general assembly to increase the general fund reserve three-quarters of a percent as an incremental improvement towards a truly sufficient general fund reserve.".

Renumber succeeding sections accordingly.

Page 2, line 17, strike "____" and substitute "SEVEN AND TWENTY-FIVE ONE-HUNDREDTHS".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1002** be referred to the Committee of the Whole with favorable recommendation.

REPORT OF CONFERENCE COMMITTEE

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB18-015

****
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 SB18-015, concerning the "Protecting Homeowners and Deployed Military Personnel Act", 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, strike lines 15 through 17 and substitute:

"(b) (I) "UNAUTHORIZED PERSON" MEANS A PERSON WHO OCCUPIES AN UNINHABITED OR VACANT RESIDENTIAL PREMISES WITHOUT ANY CURRENT OR PRIOR AGREEMENT OR CONSENT OF THE OWNER OR AN AUTHORIZED AGENT OF THE OWNER, WHETHER WRITTEN OR ORAL, CONCERNING THE USE OF THE RESIDENTIAL PREMISES.

(II) "UNAUTHORIZED PERSON" DOES NOT INCLUDE:

(A) A RELATIVE OF THE PROPERTY OWNER OR A RELATIVE OF AN AUTHORIZED AGENT OF THE PROPERTY OWNER, INCLUDING A SPOUSE, DESCENDANT, STEPCHILD, PARENT, STEPPARENT, GRANDPARENT, BROTHER, SISTER, UNCLE, OR AUNT, WHETHER RELATED BY WHOLE OR HALF BLOOD OR BY ADOPTION;

(B) A PERSON OR PERSONS FROM WHICH THE OWNER OR AN AUTHORIZED AGENT OF THE OWNER HAS ACCEPTED MONEY OR ANYTHING OF VALUE; OR

(C) A PERSON WHO WAS PREVIOUSLY GIVEN PERMISSION TO ENTER AND REMAIN ON THE PREMISES.".

Page 3, strike lines 1 and 2.

Page 3, line 9, strike the first "THE" and substitute "TO THE EXTENT KNOWN OR REASONABLY ASCERTAINABLE, THE".

Page 3, lines 16 and 17, strike "AS SOON AS PRACTICABLE" and substitute "WITHIN ONE COURT DAY".

Page 3, line 19, strike "EXECUTION" and substitute "RESTITUTION".

Page 5, line 5, strike "TWO COURT DAYS" and substitute "THE NEXT COURT DAY".

Page 5, line 6, strike "MOTION." and substitute "MOTION, UNLESS A LATER DATE IS REQUESTED BY THE MOVING PARTY.".

Page 6, line 2, strike "EXECUTION" and substitute "RESTITUTION".

Page 7, line 10, strike "EXECUTION" and substitute "RESTITUTION".

Page 7, line 22, strike "MOTION, UNLESS IT APPEARS FROM" and substitute "MOTION.".

Page 7, strike lines 23 through 27.

Page 8, strike line 1.

Reletter succeeding paragraph accordingly.

Page 8, line 3, strike "EXECUTION" and substitute "RESTITUTION".

Page 8, line 8, strike "EXECUTION" and substitute "RESTITUTION".

Page 8, line 10, strike "WITHIN" and substitute "NO LATER THAN" and strike "HOURS, OR AS SOON AS POSSIBLE," and substitute "HOURS".

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 4, after line 4 insert:

"3. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER GIVEN PERMISSION FOR THE UNAUTHORIZED PERSON OR PERSONS TO ENTER AND REMAIN ON THE PREMISES;

4. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER HAD A WRITTEN OR ORAL AGREEMENT WITH THE UNAUTHORIZED PERSON OR PERSONS REGARDING THE USE OF THE PREMISES;

5. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER IS RELATED TO THE UNAUTHORIZED PERSON OR PERSONS;

6. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER ACCEPTED MONEY OR ANYTHING OF VALUE FROM THE UNAUTHORIZED PERSON OR PERSONS REGARDING THE USE OF THE PREMISES;".

Page 4, line 6, strike "3." and substitute "7.".

Page 4, line 9, strike "4." and substitute "8.".

Page 4, line 16, strike "5." and substitute "9.".

Page 4, strike line 17 and substitute "HARMLESS ANY SHERIFF AND THE SHERIFF'S OFFICE".

Page 4, line 18, strike "ENFORCEMENT AGENCY".

Page 4, line 20, strike "6." and substitute "10.".

Page 4, strike line 25 and substitute "THE COUNTY COURT PURSUANT TO THIS SECTION MAY BE:

(a) SUBJECT TO SANCTIONS UNDER THE COLORADO RULES OF COUNTY COURT CIVIL PROCEDURE;

(b) HELD IN CONTEMPT OF COURT; OR

(c) PROSECUTED FOR".

Page 6, lines 11 and 12, strike "**OR OTHER LAW ENFORCEMENT OFFICER**".

Page 8, lines 5 and 6, strike "ANY LAW ENFORCEMENT AGENCY" and substitute "THE SHERIFF".

Page 8, lines 11 and 12, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF, AS DESCRIBED IN SECTION 16-2.5-103 (1) OR (2), WHILE OFF DUTY OR ON DUTY AT RATES CHARGED BY THE EMPLOYING SHERIFF'S OFFICE IN ACCORDANCE WITH SECTION 30-1-104 (1)(gg),".

Page 8, line 20, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF".

Page 8, line 21, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF".

Respectfully submitted,

Senate Committee:	House Committee:
Bob Gardner, Chair	Mike Weissmann, Chair
Owen Hill	Mike Foote
Daniel Kagan	Larry Liston

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1136 was made Special Orders at 11:09 a.m.

SPECIAL ORDERS -- THIRD READING OF BILLS

On third reading, the titles of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1136 by Representative(s) Pettersen, Buck, Kennedy, Singer; also Senator(s) Priola and Jahn, Aguilar, Lambert, Tate--Concerning treatment for individuals with substance use disorders, and, in connection therewith, adding residential and inpatient treatment to the Colorado medical assistance program 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Hill, Holbert, Jones, Kagan, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Scott, Smallwood, Sonnenberg, Todd, Williams A., and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1083 by Representative(s) Kraft-Tharp and Sias, McKean; also Senator(s) Tate and Williams A.- Concerning a sales and use tax exemption for aircraft to be used by on-demand air carriers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Crowder, Gardner, Hill, Lambert, Lundberg, Priola, Scott, and Sonnenberg.

HB18-1251 by Representative(s) Lee and Wist, Melton, Weissman, Young; also Senator(s) Kagan and Gardner--Concerning measures to improve the efficiency of the community corrections transition placements, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Guzman, Hill, Jahn, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Tate, and Todd.

HB18-1287 by Representative(s) Weissman; also Senator(s) Cooke and Kagan--Concerning the extension of the repeal of the Colorado commission on criminal and juvenile justice, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fenberg, Fields, Gardner, Guzman, Jahn, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Tate, and Todd.

HB18-1356 by Representative(s) Thurlow, Arndt, McKean; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning adding a nonsubstantive cross reference to the crime of failure to register as a sex offender.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Priola, Smallwood, and Tate.

HB18-1369 by Representative(s) Hooton, Arndt, McKean, Thurlow; also Senator(s) Moreno, Martinez Humenik, Zenzinger--Concerning repealing obsolete statutory references to the repealed proposition AA refund account.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Lambert, Priola, Smallwood, and Tate.

HB18-1373 by Representative(s) Becker J. and Hansen, Esgar; also Senator(s) Baumgardner and Kefalas, Sonnenberg--Concerning the use of the state telecommunications network by private entities through public-private partnerships, and, in connection therewith, relocating laws related to the state telecommunications network from the department of public safety's statutes to the statutes regarding telecommunications coordination within state government.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Jahn, Martinez Humenik, Priola, Smallwood, and Tate.

HB18-1410 by Representative(s) Lee and Herod; also Senator(s) Lundberg and Kagan, Priola--Concerning measures to address prison population increases.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Guzman, Jahn, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Tate, Todd, and Williams A.

HB18-1366 by Representative(s) Roberts, Gray, Hamner, Wilson; also Senator(s) Donovan--Concerning a local college district's authority to manage district 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Kefalas, Merrifield, Tate, and Todd.

HB18-1185 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Neville T. and Moreno--Concerning changes to the state income tax apportionment statute based on the most recent multistate tax commission's uniform model of the uniform division of income for tax purposes act.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jahn, Kefalas, Marble, Martinez Humenik, Priola, and Tate.

HB18-1255 by Representative(s) Duran and Carver; also Senator(s) Cooke and Kefalas--Concerning the creation of a childhood cancer awareness license plate, and, in connection therewith, making an appropriation.

Upon request of Majority Leader Holbert, HB18-1255 was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Friday, May 4, and was placed at the beginning of the Third Reading of Bills--Final Passage Calendar of Friday, May 4.

HB18-1299 by Representative(s) Bridges and Neville P.; also Senator(s) Scott and Zenzinger--Concerning electronic documents related to the ownership of a vehicle that is regulated 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	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Hill, Jahn, Lambert, Marble, Martinez Humenik, Neville T., Smallwood, Tate, and Todd.

HB18-1349 by Representative(s) Ginal; also Senator(s) Cooke--Concerning the use of waiver valuations by the department of transportation, and, in connection therewith, extending the department's existing authority under state law to use waiver valuations when valuing property that it owns and seeks to dispose of to the maximum extent permitted by federal law and regulations and clarifying that a waiver valuation is not an appraisal and that an individual, including a licensed or certified real estate appraiser, is not an appraiser for purposes of the state laws regulating appraisers when the individual performs a waiver valuation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Martinez Humenik, Priola, Scott, and Tate.

HB18-1350 by Representative(s) Kraft-Tharp; also Senator(s) Priola--Concerning the sales and use tax treatment of equipment used to manufacture new metal stock from scrap or end-of-life-cycle metals, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham and Moreno.

HB18-1407 by Representative(s) Young and Rankin, Hamner; also Senator(s) Lambert and Moreno, Lundberg--Concerning increasing access to services for persons with intellectual and developmental disabilities that are provided by a stable workforce, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Fields, Grantham, Guzman, Jahn, Jones, Kagan, Kefalas, Kerr, Marble, Martinez Humenik, Merrifield, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Zenzinger.

HB18-1412 by Representative(s) Buckner and Lundeen; also Senator(s) Hill--Concerning providing funding for local education providers to implement initiatives to reduce the teacher shortage in Colorado, and, in connection therewith, creating the retaining teachers grant program and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Garcia, Jahn, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Scott, Tate, and Todd.

HB18-1429 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno- Concerning the exemption of the workers' compensation cash fund from the maximum reserve.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik, Priola, and Tate.

SB18-270 by Senator(s) Jahn and Neville T.; also Representative(s) Pettersen and Wist--Concerning establishing a statewide program to coordinate referrals of high-risk individuals in need of behavioral health transition 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	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Guzman, Jones, Kagan, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Smallwood, Tate, Todd, and Williams A.

HB18-1385 by Representative(s) Roberts; also Senator(s) Coram--Concerning changes to family support obligations in domestic relation actions due to changes in the federal tax laws.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB18-1398 by Representative(s) Gray and Wist; also Senator(s) Gardner--Concerning the statute of limitations for commencing a civil action in tort to recover damages for an act of domestic violence.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, and Zenzinger.

HB18-1405 by Representative(s) Lee; also Senator(s) Gardner--Concerning an exception from the mandatory reporting requirements for persons providing legal assistance to area agencies on aging.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Martinez Humenik, and Tate.

HB18-1411 by Representative(s) Pabon; also Senator(s) Smallwood--Concerning eliminating redundancy related to fingerprint-based criminal history record checks for persons who have or will have direct contact with vulnerable persons.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Hill, Holbert, Jahn, Kefalas, Lambert, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, and Tate.

HB18-1006 by Representative(s) Hamner and Liston; also Senator(s) Gardner and Moreno--Concerning modifications to the newborn screening program administered by 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Priola, Tate, Todd, and Zenzinger.

HB18-1218 by Representative(s) Carver and Melton; also Senator(s) Crowder and Todd--Concerning the definition of a charitable organization for purposes of state sales and use tax, and, in connection therewith, removing the limitation that a veterans' organization only gets the charitable organization exemption for purposes of sponsoring a special event, meeting, or other function in the state, so long as such event, meeting, or function is not part of the organization's regular activities in the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Gardner, Grantham, Hill, Kefalas, Lambert, Marble, Martinez Humenik, Moreno, Priola, Scott, and Tate.

HB18-1306 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Moreno--Concerning ensuring educational stability for students in out-of-home placement, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Garcia, Jahn, Jones, Kefalas, Kerr, Martinez Humenik, Priola, Todd, and Zenzinger.

HB18-1413 by Representative(s) Lee and Neville P.; also Senator(s) Zenzinger--Concerning the creation of a school safety 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Crowder, Donovan, Fenberg, Fields, Garcia, Gardner, Grantham, Jahn, Jones, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Moreno, Neville T., Priola, Scott, Smallwood, Tate, Todd, and Williams A.

RECONSIDERATION OF HB18-1083

HB18-1083 by Representative(s) Kraft-Tharp and Sias, McKean; also Senator(s) Tate and Williams A.--Concerning a sales and use tax exemption for aircraft to be used by on-demand air carriers.

Having voted on the prevailing side, Senator Court moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage--Consent Calendar, on HB18-1083.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1083 by Representative(s) Kraft-Tharp and Sias, McKean; also Senator(s) Tate and Williams A.--Concerning a sales and use tax exemption for aircraft to be used by on-demand air carriers.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Holbert, Marble, and Martinez Humenik.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Moreno will be added as a Senate joint prime sponsor on SB18-274 with Senator Lambert and Representatives Benavidez and Wilson.

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:

HB18-1255 by Representative(s) Duran and Carver; also Senator(s) Cooke and Kefalas--Concerning the creation of a childhood cancer awareness 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	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Fields, Garcia, Gardner, Jahn, Kerr, Martinez Humenik, Merrifield, Scott, Tate, Todd, and Zenzinger.

HB18-1004 by Representative(s) Coleman and Wilson; also Senator(s) Tate and Kefalas--Concerning the continuation of the income tax credit for a qualifying contribution to promote child care in the state.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Garcia, Grantham, Guzman, Jones, Lundberg, Martinez Humenik, Merrifield, Priola, and Todd.

SB18-275 by Senator(s) Scott and Todd; also Representative(s) Saine and Melton--Concerning the ability of seaplanes to operate in Colorado.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Holbert, Lambert, Neville T., Sonnenberg, and Tate.

HB18-1234 by Representative(s) Becker K. and Lundeen, Buckner, Carver, Coleman, Gray, Hansen, Jackson, Kraft-Tharp, Landgraf, McKean, Roberts, Rosenthal, Singer, Valdez, Van Winkle, Williams D.; also Senator(s) Gardner, Guzman, Aguilar, Cooke, Fenberg, Kagan, Kerr, Merrifield, Priola, Todd--Concerning clarification of the laws governing simulated gambling activity.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	N	Neville T.	Y	President	N
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Lambert, Martinez Humenik, and Smallwood.

HB18-1190 by Representative(s) Esgar and McKean, Arndt, Becker K., Catlin, Covarrubias, Duran, Hansen, Hooton, Lawrence, Liston, McLachlan, Michaelson Jenet, Rankin, Reyher, Roberts, Rosenthal, Singer, Thurlow, Winter; also Senator(s) Tate and Garcia, Coram, Crowder, Donovan, Fenberg, Grantham, Martinez Humenik, Priola--Concerning modifications to the "Colorado Job Creation and Main Street Revitalization Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Kerr.

HB18-1224 by Representative(s) Willett; also Senator(s) Gardner--Concerning the process that is due for the imposition of discipline that affects a person's ability to practice an occupation, and, in connection therewith, requiring the parties to submit to mediation and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Tate.

HB18-1244 by Representative(s) Danielson; also Senator(s) Todd and Gardner--Concerning the creation of a submarine service license plate to honor the service of submarine veterans, 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Kerr, Lambert, Lundberg, Martinez Humenik, and Tate.

SB18-274 by Senator(s) Lambert and Moreno; also Representative(s) Benevidez and Wilson--Concerning the implementation of recommendations from prison utilization studies, and, in connection therewith, renaming and repurposing certain correctional facilities and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Lambert was given permission to offer a third reading amendment.

Third Reading Amendment No. 5(L.005) , by Senator Lambert.

Amend engrossed bill, page 5, line 27, strike "ACT" and substitute "SECTION, AS AMENDED,".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Gardner, Grantham, Holbert, Jahn, Martinez Humenik, Smallwood, and Tate.

SB18-273 by Senator(s) Gardner; also Representative(s) Carver--Concerning the preservation of the senior property tax exemption of a senior who changes his or her primary residence due to medical necessity.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Grantham, Guzman, Hill, Jahn, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Neville T., Sonnenberg, Tate, and Todd.

HB18-1217 by Representative(s) Van Winkle and Garnett; also Senator(s) Gardner--Concerning a temporary income tax credit for employers that make contributions to 529 qualified state tuition program accounts owned by their employees, and, in connection therewith, enacting the "Working Families College Savings Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik, Priola, and Tate.

HB18-1316 by Representative(s) Pabon and Exum, Kraft-Tharp, McKean; also Senator(s) Cooke and Williams A.--Concerning modifications to the skilled worker training program administered by 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	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Kefalas, Martinez Humenik, Tate, and Todd.

HB18-1319 by Representative(s) Singer and Young; also Senator(s) Gardner--Concerning the extension of services for a successful adulthood for former foster care youth who are between the ages of eighteen years and twenty-one years, 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Williams A., and Zenzinger.

HB18-1343 by Representative(s) Lee and Carver, Valdez, Danielson, Landgraf, Duran, Covarrubias, Kraft-Tharp, Liston, Lundeen, Melton, Pabon; also Senator(s) Lambert and Todd, Garcia, Coram--Concerning the continuation of the "Colorado Veterans' Service-to-career 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	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Fields, Gardner, Grantham, Hill, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Williams A., and Zenzinger.

HB18-1353 by Representative(s) Lontine and Carver; also Senator(s) Marble--Concerning the creation of a grant program to reimburse local governments for costs associated with the provision of defense counsel to certain defendants at their first appearances in municipal courts, 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	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Gardner, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, and Todd.

HB18-1394 by Representative(s) Singer and McKean; also Senator(s) Kefalas and Cooke--Concerning amendments to the Colorado disaster emergency act to address all phases of emergency management.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	6	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fields, Gardner, Jones, Kerr, and Todd.

HB18-1020 by Representative(s) Herod; also Senator(s) Kagan and Gardner--Concerning civil forfeiture reform, and, in connection therewith, changing the entity required to report on forfeitures, expanding the scope of the forfeitures to be reported, establishing grant programs, changing the disbursement of net forfeiture proceeds, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Guzman and Tate.

HB18-1393 by Representative(s) Hamner and Exum; also Senator(s) Gardner--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	32	NO	2	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Donovan, Fields, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Moreno, Tate, Todd, Williams A., and Zenzinger.

HB18-1202 by Representative(s) Garnett; also Senator(s) Gardner--Concerning an income tax credit for an employer related to an employee's paid leave of absence for the purpose of making an organ donation, and, in connection therewith, enacting the "Living Organ Donor Support Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	13	NO	21	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	N	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	N	Kefalas	N	Priola	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

HB18-1294 by Representative(s) Lontine and Buckner, Esgar, Ginal, Kennedy, Roberts; also Senator(s) Crowder--Concerning the continuation of the regulation of nursing home administrators by the board of examiners of nursing home administrators in the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, requiring the board to record by board member each vote regarding licensee discipline.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Moreno and Todd.

HB18-1357 by Representative(s) Michaelson Jenet; also Senator(s) Gardner and Williams A., Jahn--Concerning access to behavioral health care services, and, in connection therewith, establishing an ombudsman for behavioral health access to care to assist consumers in accessing care, requiring the commissioner of insurance to report on compliance with mental health parity laws, and making an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Gardner was given permission to offer a third reading amendment.

Third Reading Amendment No. 2(L.007) , by Senator Gardner.

Amend revised bill, page 2, strike line 20 and substitute "25-1.5-103, WHEN THE FACILITY IS ENGAGED IN ASSISTING CONSUMERS WITH BEHAVIORAL HEALTH CARE ACCESS AND COVERAGE ISSUES.".

The amendment was **passed** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Grantham, Hill, Jones, Kagan, Kefalas, Martinez Humenik, Merrifield, Moreno, and Todd.

HB18-1363 by Representative(s) Singer and Landgraf; also Senator(s) Crowder--Concerning legislative recommendations of the 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	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas, Moreno, Priola, Smallwood, and Todd.

HB18-1400 by Representative(s) Becker K. and McKean; also Senator(s) Scott and Jahn--Concerning an increase in fees paid by stationary sources of air pollutants, and, in connection therewith, prioritizing the use of the revenues generated by the fee increases to reduce permit processing times and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Jones and Tate.

SB18-258 by Senator(s) Scott and Gardner; also Representative(s) NONE--Concerning excluding from the speedy trial calculation the period of delay caused by a continuance ordered by the court.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Crowder, Hill, Lambert, Martinez Humenik, and Tate.

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Laid over until Monday, May 7, retaining its place on the calendar.

SB18-277 by Senator(s) Neville T., Hill; also Representative(s) Pabon and Van Winkle, Saine--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

Laid over until Monday, May 7, retaining its place on the calendar.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

HB18-1270 by Representative(s) Hansen and Becker J.; also Senator(s) Tate--Concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied.

Senator Tate moved that the Senate conferees on the first conference committee on HB18-1270 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**.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Martinez Humenik, Chair, Cooke, and Kefalas were appointed as Senate conferees on the first conference committee on **HB18-1155**.

RECONSIDERATION OF SB18-163

Having voted on the prevailing side, Senator Merrifield moved for reconsideration of the last Senate action, formation of a conference committee, on SB18-163.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL (cont'd)

SB18-163 by Senator(s) Martinez Humenik and Merrifield, Priola; also Representative(s) Pettersen and Wilson, Buckner--Concerning an extension of the repeal of the early childhood and school readiness legislative commission, and, in connection therewith, making an appropriation.

Senator Merrifield moved that the first conference committee on SB18-163 be dissolved and that the Senate concur in House amendments to SB18-163 as printed in House journal, April 30, pages 1374-1375, and May 2, page 1445.

The motion was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	E	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Court.

Committee of the Whole

On motion of Senator Smallwood, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Smallwood was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-278 by Senator(s) Priola and Martinez Humenik; --Concerning increasing the penalty for assault on certain first responders.

Laid over until Monday, May 7, retaining its place on the calendar.

HB18-1309 by Representative(s) Coleman and Wilson; also Senator(s) Hill--Concerning programs addressing educator shortages, 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

On motion of Senator Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1309.
Laid over until Monday, May 7: SB18-278.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-272** 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 25 insert:

"**SECTION 5. Appropriation.** For the 2018-19 state fiscal year, $400,000 is appropriated to the department of public health and environment for use by the prevention services division. This appropriation is from the general fund and is based on an assumption that the division will require an additional 0.3 FTE. To implement this act, the division may use this appropriation for suicide prevention.".

Renumber succeeding section accordingly.

Page 1, line 101, strike "**SCHOOLS.**" and substitute "**SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-272 was made Special Orders at 1:46 p.m.

Committee of the Whole

The hour of 1:46 p.m. having arrived, Senator Smallwood moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills, and Senator Smallwood 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:

SB18-272 by Senator(s) Martinez Humenik and Todd; also Representative(s) Carver and McLachlan--Concerning suicide prevention training in schools, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, page 1117 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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-272, as amended.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

CONSIDERATION OF MEMORIALS

SM18-001 by Senator(s) Crowder--Memorializing Congress to actively pursue the return of the U.S.S. Pueblo from the government of the Democratic People's Republic of Korea.

Laid over until Monday, May 7, retaining its place on the calendar.

SPECIAL ORDERS -- CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts, and, in connection therewith, making an appropriation.

Senator Marble moved that the Senate concur in House amendments to SB18-203, as printed in House journal, April 30, pages 1355-1358, and May 2, page 1446.

On a substitute motion, Senator Gardner moved that the Senate adhere to its position on SB18-203. The motion was **lost** by the following roll call vote:

YES	14	NO	20	EXCUSED	1	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	E	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	N	Kefalas	N	Priola	Y		

The motion to concur was **adopted** by the following roll call vote:

YES	24	NO	10	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	E	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	E	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Neville T.

RECONSIDERATION OF SB18-203

SB18-203 by Senator(s) Marble; also Representative(s) Lontine--Concerning the provision of independent counsel to indigent defendants in municipal courts, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Senator Marble moved for reconsideration of the last Senate action, repassage, on SB18-203.

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration was not granted.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB18-068

****
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 SB18-068, concerning criminalizing false reports, 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 3, strike lines 25 through 27 and substitute:

"(A) THE THREAT CAUSES THE OCCUPANTS OF A BUILDING, PLACE OF ASSEMBLY, OR FACILITY OF PUBLIC TRANSPORTATION TO BE EVACUATED OR OTHERWISE DISPLACED; OR".

Page 4, strike line 1.

Respectfully submitted,

Senate Committee:	House Committee:
John Cooke, Chair	Jeff Bridges, Chair
Don Coram	Mike Weissman
Daniel Kagan	Kevin Van Winkle

MESSAGE FROM THE HOUSE

May 4, 2018

Mr. President:

The Speaker has appointed Representatives K. Becker, chairman, Pabon, and Van Winkle as House conferees on the First Conference Committee on SB18-200.

The House has adopted and transmits herewith HJR18-1018, as printed in House Journal, May 4, 2018.

MESSAGE FROM THE GOVERNOR

May 4, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-143: CONCERNING MEASURES TO INCREASE REVENUE FOR THE PARKS AND WILDLIFE DIVISION, AND, IN CONNECTION THEREWITH, SETTING CERTAIN HUNTING, FISHING, PARKS, AND RECREATION FEES.

Approved May 4, 2018 at 12:19pm.

SB 18-076: CONCERNING A BAN ON VOTE TRADING.

Approved May 4, 2018 at 12:18pm.

SB 18-178: CONCERNING THE DEFINITION OF SIMILAR COVERAGE FOR WORKERS' COMPENSATION FOR CERTAIN OPERATORS OF COMMERCIAL VEHICLES.

Approved May 4, 2018 at 12:18pm.

SB 18-207: CONCERNING AUTHORITY FOR THE DEPARTMENT OF HUMAN SERVICES TO RETAIN AMOUNTS FROM CERTAIN CASH FUNDS FOR ITS INDIRECT COSTS.

Approved May 4, 2018 at 12:18pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB18-1152, 1253, 1372.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance

After consideration on the merits, the Committee recommends that **HB18-1291** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Strike the State, Veterans, & Military Affairs Committee report dated May 2, 2018.

Amend reengrossed bill, strike everything below the enacting clause and substitute:

"**SECTION 1.** In Colorado Revised Statutes, **add** part 11 to article 61 of title 12 as follows:

PART 11
CONSERVATION EASEMENTS

12-61-1101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) COLORADO'S CONSERVATION EASEMENT PROGRAM IS AN IMPORTANT PRESERVATION TOOL USED TO BALANCE ECONOMIC NEEDS WITH NATURAL RESOURCES SUCH AS LAND AND WATER PRESERVATION. COLORADO'S CONSERVATION EASEMENT TAX CREDIT AND THE FEDERAL TAX DEDUCTION HAVE ALLOWED MANY FARMERS AND RANCHERS THE OPPORTUNITY TO DONATE THEIR DEVELOPMENT RIGHTS TO PRESERVE A LEGACY OF OPEN SPACES IN COLORADO FOR WILDLIFE, AGRICULTURE, AND RANCHING.

(b) CITIZENS THROUGHOUT COLORADO BELIEVE GOOD, SOUND CONSERVATION PRACTICES ARE IMPORTANT TO COLORADO'S QUALITY OF LIFE, AGRICULTURE, AND NATURAL HERITAGE;

(c) COLORADO'S CONSERVATION EASEMENT TAX CREDIT PROGRAM WAS DESIGNED TO GIVE LANDOWNERS AN INCENTIVE TO CONSERVE AND PRESERVE THEIR LAND IN A PREDOMINANTLY NATURAL, SCENIC, OR OPEN CONDITION;

(d) CREATING A DIVISION OF CONSERVATION WITHIN THE DEPARTMENT OF REGULATORY AGENCIES WILL KEEP A FIREWALL BETWEEN PROFESSIONAL EVALUATION AND PROFESSIONAL DISCIPLINE, WHILE CREATING A DIVISION TO ENSURE THIS PROGRAM ALLOWS LANDOWNERS TO EXERCISE THEIR PRIVATE PROPERTY RIGHTS WHILE PROTECTING TAXPAYERS FROM THE FRAUD AND ABUSE THAT EXISTED IN THE PROGRAM PRIOR TO 2009;

(e) IN RECOGNITION OF THE FRAUD AND ABUSE THAT HAS EXISTED IN THE PROGRAM, IT IS APPROPRIATE TO ALLOW AN EASEMENT TO BE EXTINGUISHED IF THE VALUE OF THE EASEMENT IS REDUCED OR ELIMINATED BY THE STATE IN CONNECTION WITH CLAIMING A TAX CREDIT FOR THE EASEMENT AND THE CREDIT IS DISALLOWED OR ANY AMOUNT ALLOWED IS NOT CLAIMED OR IS REPAID BY A LANDOWNER;

(f) ESTABLISHING THE DIVISION OF CONSERVATION TO ADMINISTER THE CONSERVATION EASEMENT TAX CREDIT PROGRAM WILL:

(I) ALLOW THE DIVISION TO CONTINUE TO CERTIFY CONSERVATION EASEMENT HOLDERS TO IDENTIFY FRAUDULENT OR UNQUALIFIED ORGANIZATIONS AND PREVENT THEM FROM HOLDING CONSERVATION EASEMENTS FOR WHICH TAX CREDITS ARE CLAIMED IN THE STATE;

(II) ALLOW THE CONSERVATION EASEMENT OVERSIGHT COMMISSION TO ADVISE THE DIVISION OF CONSERVATION AND THE DEPARTMENT OF REVENUE REGARDING CONSERVATION EASEMENTS FOR WHICH A TAX CREDIT IS CLAIMED AND TO REVIEW APPLICATIONS FOR CONSERVATION EASEMENT HOLDER CERTIFICATION; AND

(III) ENSURE THAT THE DIVISION OF CONSERVATION AND THE DEPARTMENT OF REVENUE ARE SHARING RELEVANT INFORMATION CONCERNING CONSERVATION EASEMENT APPRAISALS IN ORDER TO ENSURE COMPLIANCE WITH ACCEPTED APPRAISAL PRACTICES AND OTHER PROVISIONS OF LAW.

12-61-1102. Division of conservation - director. (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES IS AUTHORIZED BY THIS SECTION TO EMPLOY, SUBJECT TO THE PROVISIONS OF THE STATE PERSONNEL SYSTEM LAWS OF THE STATE, A DIRECTOR OF THE DIVISION OF CONSERVATION, REFERRED TO IN THIS PART 11 AS THE "DIVISION", WHO IN TURN SHALL EMPLOY SUCH DEPUTIES, CLERKS, AND ASSISTANTS AS ARE NECESSARY TO DISCHARGE THE DUTIES IMPOSED BY THIS PART 11. THE DIVISION OF CONSERVATION, WHICH IS A DIVISION IN THE DEPARTMENT OF REGULATORY AGENCIES, AND THE DIRECTOR OF THE DIVISION SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AS IF THEY WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER.

(2) IT IS THE DUTY OF THE DIRECTOR OF THE DIVISION, PERSONALLY OR HIS OR HER DESIGNEE, TO AID IN THE ADMINISTRATION AND ENFORCEMENT OF THIS PART 11 AND TO ADMINISTER, IN CONSULTATION WITH THE CONSERVATION EASEMENT OVERSIGHT COMMISSION, THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS AND ISSUANCE OF TAX CREDIT CERTIFICATES AS PROVIDED IN THIS PART 11.

12-61-1103. Conservation easement oversight commission - created - repeal. (1) THERE IS HEREBY CREATED IN THE DIVISION A CONSERVATION EASEMENT OVERSIGHT COMMISSION. THE COMMISSION SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION AS IF TRANSFERRED THERETO BY A **TYPE 2** TRANSFER, AS DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24. THE COMMISSION CONSISTS OF EIGHT MEMBERS AS FOLLOWS:

(a) ONE MEMBER REPRESENTING THE GREAT OUTDOORS COLORADO PROGRAM, APPOINTED BY AND SERVING AS AN ADVISORY, NONVOTING MEMBER AT THE PLEASURE OF THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND ESTABLISHED IN ARTICLE XXVII OF THE STATE CONSTITUTION;

(b) ONE VOTING MEMBER REPRESENTING THE DEPARTMENT OF NATURAL RESOURCES, APPOINTED BY AND SERVING AT THE PLEASURE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES;

(c) ONE VOTING MEMBER REPRESENTING THE DEPARTMENT OF

AGRICULTURE, APPOINTED BY AND SERVING AT THE PLEASURE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE;

(d) THREE VOTING MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

(I) TWO VOTING REPRESENTATIVES OF CERTIFIED CONSERVATION EASEMENT HOLDERS; AND

(II) A VOTING INDIVIDUAL WHO IS COMPETENT AND QUALIFIED TO ANALYZE THE CONSERVATION PURPOSE OF CONSERVATION EASEMENTS; AND

(e) TWO VOTING MEMBERS OF THE GENERAL PUBLIC, ONE APPOINTED BY THE PRESIDENT OF THE SENATE TO SERVE AT THE PLEASURE OF THE PRESIDENT AND ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO SERVE AT THE PLEASURE OF THE SPEAKER.

(2) IN MAKING APPOINTMENTS TO THE COMMISSION, THE GOVERNOR SHALL CONSULT WITH THE THREE MEMBERS OF THE COMMISSION APPOINTED PURSUANT TO SUBSECTIONS (1)(a) THROUGH (1)(c) OF THIS SECTION AND WITH APPROPRIATE ORGANIZATIONS REPRESENTING THE PARTICULAR INTEREST OR AREA OF EXPERTISE THAT THE APPOINTEES IN SUBSECTIONS (1)(d)(I) AND (1)(d)(II) OF THIS SECTION REPRESENT. NOT MORE THAN TWO OF THE GOVERNOR'S APPOINTEES SERVING AT THE SAME TIME SHALL BE FROM THE SAME POLITICAL PARTY. IN MAKING THE INITIAL APPOINTMENTS, THE GOVERNOR SHALL APPOINT ONE MEMBER FOR A TERM OF TWO YEARS. ALL OTHER APPOINTMENTS BY THE GOVERNOR ARE FOR TERMS OF THREE YEARS. NO MEMBER SHALL SERVE MORE THAN TWO CONSECUTIVE TERMS. IN THE EVENT OF A VACANCY BY DEATH, RESIGNATION, REMOVAL, OR OTHERWISE, THE GOVERNOR SHALL APPOINT A MEMBER TO FILL THE UNEXPIRED TERM. THE GOVERNOR MAY REMOVE ANY MEMBER FOR MISCONDUCT, NEGLECT OF DUTY, OR INCOMPETENCE.

(3) (a) AT THE REQUEST OF THE DIVISION OR THE DEPARTMENT OF REVENUE, THE COMMISSION SHALL ADVISE THE DIVISION AND THE DEPARTMENT OF REVENUE REGARDING CONSERVATION EASEMENTS FOR WHICH A STATE INCOME TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522.

(b) THE COMMISSION SHALL REVIEW CONSERVATION EASEMENT TAX CREDIT CERTIFICATE APPLICATIONS AND REQUESTS FOR OPTIONAL PRELIMINARY ADVISORY OPINIONS IN ACCORDANCE WITH SECTION 12-61-1106.

(4) THE COMMISSION SHALL MEET AT LEAST QUARTERLY. THE DIVISION SHALL CONVENE THE MEETINGS OF THE COMMISSION AND PROVIDE STAFF SUPPORT AS REQUESTED BY THE COMMISSION. A MAJORITY OF THE VOTING MEMBERS OF THE COMMISSION CONSTITUTES A QUORUM FOR THE TRANSACTION OF ALL BUSINESS, AND ACTIONS OF THE COMMISSION REQUIRE A VOTE OF A MAJORITY OF THE VOTING MEMBERS PRESENT IN FAVOR OF THE ACTION TAKEN. THE COMMISSION MAY DELEGATE TO THE DIRECTOR OF THE DIVISION THE AUTHORITY TO ACT ON BEHALF OF THE COMMISSION ON OCCASIONS AND IN CIRCUMSTANCES THAT THE COMMISSION DEEMS NECESSARY FOR THE EFFICIENT AND EFFECTIVE ADMINISTRATION AND EXECUTION OF THE COMMISSION'S RESPONSIBILITIES UNDER THIS PART 11.

(5) THE COMMISSION SHALL ESTABLISH A CONFLICT-OF-INTEREST POLICY TO ENSURE THAT ANY MEMBER OF THE COMMISSION IS DISQUALIFIED FROM PERFORMING AN ACT THAT CONFLICTS WITH A PRIVATE PECUNIARY INTEREST OF THE MEMBER OR FROM PARTICIPATING IN THE DELIBERATION OR DECISION-MAKING PROCESS FOR CERTIFICATION FOR AN APPLICANT REPRESENTED BY THE MEMBER.

(6) THE COMMISSION SHALL ADVISE AND MAKE RECOMMENDATIONS TO THE DIRECTOR OF THE DIVISION REGARDING THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS IN ACCORDANCE WITH SECTION 12-61-1104.

(7) COMMISSION MEMBERS ARE IMMUNE FROM LIABILITY IN ACCORDANCE WITH THE PROVISIONS OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", ARTICLE 10 OF TITLE 24.

(8) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025. PRIOR TO THE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE COMMISSION AS PROVIDED IN SECTION 24-34-104.

12-61-1104. Certification of conservation easement holders - rules - definition - repeal. (1) THE DIVISION SHALL, IN CONSULTATION WITH THE COMMISSION CREATED IN SECTION 12-61-1103, ESTABLISH AND

ADMINISTER A CERTIFICATION PROGRAM FOR QUALIFIED ORGANIZATIONS UNDER SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, THAT HOLD CONSERVATION EASEMENTS FOR WHICH A TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522. THE PURPOSES OF THE PROGRAM ARE TO:

(a) ESTABLISH MINIMUM QUALIFICATIONS FOR CERTIFYING ORGANIZATIONS THAT HOLD CONSERVATION EASEMENTS TO ENCOURAGE PROFESSIONALISM AND STABILITY; AND

(b) IDENTIFY FRAUDULENT OR UNQUALIFIED APPLICANTS, AS DETERMINED UNDER THE RULES OF THE DIVISION, TO PREVENT THEM FROM BECOMING CERTIFIED BY THE PROGRAM.

(2) THE DIVISION SHALL ESTABLISH AND ACCEPT APPLICATIONS FOR CERTIFICATION. THE DIVISION SHALL CONDUCT A REVIEW OF EACH APPLICATION AND CONSIDER THE RECOMMENDATIONS OF THE COMMISSION BEFORE MAKING A FINAL DETERMINATION TO GRANT OR DENY CERTIFICATION. IN REVIEWING AN APPLICATION AND IN GRANTING CERTIFICATION, THE DIVISION AND THE COMMISSION MAY CONSIDER:

(a) THE APPLICANT'S PROCESS FOR REVIEWING, SELECTING, AND APPROVING A POTENTIAL CONSERVATION EASEMENT;

(b) THE APPLICANT'S STEWARDSHIP PRACTICES AND CAPACITY, INCLUDING THE ABILITY TO MAINTAIN, MONITOR, AND DEFEND THE PURPOSES OF THE EASEMENT;

(c) AN AUDIT OF THE APPLICANT'S FINANCIAL RECORDS;

(d) THE APPLICANT'S SYSTEM OF GOVERNANCE AND ETHICS REGARDING CONFLICTS OF INTEREST AND TRANSACTIONS WITH RELATED PARTIES AS DESCRIBED IN SECTION 267 (b) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, DONORS, BOARD MEMBERS, AND INSIDERS. FOR PURPOSES OF THIS SUBSECTION (2)(d), "INSIDERS" MEANS BOARD AND STAFF MEMBERS, SUBSTANTIAL CONTRIBUTORS, PARTIES RELATED TO THOSE ABOVE, THOSE WHO HAVE AN ABILITY TO INFLUENCE DECISIONS OF THE ORGANIZATION, AND THOSE WITH ACCESS TO INFORMATION NOT AVAILABLE TO THE GENERAL PUBLIC.

(e) ANY OTHER INFORMATION DEEMED RELEVANT BY THE DIVISION OR THE COMMISSION; AND

(f) THE UNIQUE CIRCUMSTANCES OF THE DIFFERENT ENTITIES TO WHICH THIS CERTIFICATION APPLIES AS SET FORTH IN SUBSECTION (4) OF THIS SECTION.

(3) AT THE TIME OF SUBMISSION OF AN APPLICATION, AND EACH YEAR THE ENTITY IS CERTIFIED PURSUANT TO THIS SECTION, THE APPLICANT SHALL PAY THE DIVISION A FEE, AS PRESCRIBED BY THE DIVISION, TO COVER THE COSTS OF THE DIVISION AND THE COMMISSION IN ADMINISTERING THE CERTIFICATION PROGRAM FOR ENTITIES THAT HOLD CONSERVATION EASEMENTS FOR WHICH TAX CREDITS ARE CLAIMED PURSUANT TO SECTION 39-22-522. THE DIVISION SHALL HAVE THE AUTHORITY TO ACCEPT AND EXPEND GIFTS, GRANTS, AND DONATIONS FOR THE PURPOSES OF THIS SECTION. THE STATE TREASURER SHALL CREDIT FEES, GIFTS, GRANTS, AND DONATIONS COLLECTED PURSUANT TO THIS SUBSECTION (3) TO THE CONSERVATION CASH FUND CREATED IN SECTION 12-61-1107. ON OR BEFORE EACH JANUARY 1, THE DIVISION SHALL CERTIFY TO THE GENERAL ASSEMBLY THE AMOUNT OF THE FEE PRESCRIBED BY THE DIVISION PURSUANT TO THIS SUBSECTION (3).

(4) THE CERTIFICATION PROGRAM APPLIES TO:

(a) NONPROFIT ENTITIES HOLDING EASEMENTS ON PROPERTY WITH CONSERVATION VALUES CONSISTING OF RECREATION OR EDUCATION, PROTECTION OF ENVIRONMENTAL SYSTEMS, OR PRESERVATION OF OPEN SPACE;

(b) NONPROFIT ENTITIES HOLDING EASEMENTS ON PROPERTY FOR HISTORIC PRESERVATION; AND

(c) THE STATE AND ANY MUNICIPALITY, COUNTY, CITY AND COUNTY, SPECIAL DISTRICT, OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT HOLDS AN EASEMENT.

(5) THE CERTIFICATION PROGRAM SHALL CONTAIN A PROVISION ALLOWING FOR THE EXPEDITED OR AUTOMATIC CERTIFICATION OF AN ENTITY THAT IS CURRENTLY ACCREDITED BY NATIONAL LAND CONSERVATION ORGANIZATIONS THAT ARE BROADLY ACCEPTED BY THE CONSERVATION INDUSTRY.

(6) THE COMMISSION SHALL MEET AT LEAST QUARTERLY AND MAKE RECOMMENDATIONS TO THE DIVISION REGARDING THE CERTIFICATION PROGRAM. THE DIVISION IS AUTHORIZED TO DETERMINE

WHETHER AN APPLICANT FOR CERTIFICATION POSSESSES THE NECESSARY QUALIFICATIONS FOR CERTIFICATION REQUIRED BY THE RULES ADOPTED BY THE DIVISION. IF THE DIVISION DETERMINES THAT AN APPLICANT DOES NOT POSSESS THE APPLICABLE QUALIFICATIONS FOR CERTIFICATION OR THAT THE APPLICANT HAS VIOLATED ANY PROVISION OF THIS PART 11, THE RULES PROMULGATED BY THE DIVISION, OR ANY DIVISION ORDER, THE DIVISION MAY DENY THE APPLICANT A CERTIFICATION OR DENY THE RENEWAL OF A CERTIFICATION, AND, IN SUCH INSTANCE, THE DIVISION SHALL PROVIDE THE APPLICANT WITH A STATEMENT IN WRITING SETTING FORTH THE BASIS OF THE DIVISION'S DETERMINATION. THE APPLICANT MAY REQUEST A HEARING ON THE DETERMINATION AS PROVIDED IN SECTION 24-4-104 (9). THE DIVISION SHALL NOTIFY SUCCESSFUL APPLICANTS IN WRITING. AN APPLICANT THAT IS NOT CERTIFIED MAY REAPPLY FOR CERTIFICATION IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE DIVISION.

(7) THE DIVISION SHALL PROMULGATE RULES TO EFFECTUATE THE DUTIES OF THE COMMISSION PURSUANT TO ARTICLE 4 OF TITLE 24. SUCH RULES SHALL SPECIFICALLY ADDRESS THE FOLLOWING:

(a) ALLOWING FOR THE EXPEDITED OR AUTOMATIC CERTIFICATION OF AN ENTITY THAT IS CURRENTLY ACCREDITED BY NATIONAL LAND CONSERVATION ORGANIZATIONS THAT ARE BROADLY ACCEPTED BY THE CONSERVATION INDUSTRY;

(b) A STREAMLINED AND LOWER-COST PROCESS FOR CONSERVATION EASEMENT HOLDERS THAT DO NOT INTEND TO ACCEPT NEW DONATIONS OF CONSERVATION EASEMENTS FOR WHICH TAX CREDITS WOULD BE CLAIMED THAT FOCUSES ON THE HOLDER'S STEWARDSHIP CAPABILITIES;

(c) THE FEES CHARGED PURSUANT TO SUBSECTION (3) OF THIS SECTION OR SECTION 12-61-1106 (6), SPECIFICALLY ENSURING THAT THE FEES ARE ADEQUATE TO PAY FOR ADMINISTRATIVE COSTS BUT NOT SO HIGH AS TO ACT AS A DISINCENTIVE TO THE CREATION OF CONSERVATION EASEMENTS IN THE STATE; AND

(d) THE ADOPTION OF BEST PRACTICES, PROCESSES, AND PROCEDURES USED BY OTHER ENTITIES THAT REGULARLY REVIEW CONSERVATION EASEMENT TRANSACTIONS, INCLUDING A PRACTICE, PROCESS, OR PROCEDURE DEEMING QUALIFIED CONSERVATION EASEMENT APPRAISALS APPROVED BY THESE ENTITIES BASED ON THEIR INDEPENDENT REVIEWS AS CREDIBLE FOR PURPOSES OF THE CONSERVATION EASEMENT TAX CREDIT.

(8) A CONSERVATION EASEMENT TAX CREDIT CERTIFICATE APPLICATION MAY BE SUBMITTED PURSUANT TO SECTION 12-61-1106 ONLY IF THE ENTITY HAS BEEN CERTIFIED IN ACCORDANCE WITH THIS SECTION AT THE TIME THE DONATION OF THE EASEMENT IS MADE. THE DIVISION SHALL MAKE INFORMATION AVAILABLE TO THE PUBLIC CONCERNING THE DATE THAT IT COMMENCES ACCEPTING APPLICATIONS FOR ENTITIES THAT HOLD CONSERVATION EASEMENTS AND THE REQUIREMENTS OF THIS SUBSECTION (8).

(9) THE DIVISION SHALL MAINTAIN AND UPDATE AN ONLINE LIST, ACCESSIBLE TO THE PUBLIC, OF THE ORGANIZATIONS THAT HAVE APPLIED FOR CERTIFICATION AND WHETHER EACH HAS BEEN CERTIFIED, REJECTED FOR CERTIFICATION, OR HAD ITS CERTIFICATION REVOKED OR SUSPENDED IN ACCORDANCE WITH THIS SECTION.

(10) THE DIVISION MAY INVESTIGATE THE ACTIVITIES OF ANY ENTITY THAT IS REQUIRED TO BE CERTIFIED PURSUANT TO THIS SECTION AND TO IMPOSE DISCIPLINE FOR NONCOMPLIANCE, INCLUDING THE SUSPENSION OR REVOCATION OF A CERTIFICATION OR THE IMPOSITION OF FINES. THE DIVISION MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 FOR THE CERTIFICATION PROGRAM AND DISCIPLINE AUTHORIZED BY THIS SECTION.

(11) THE DIVISION MAY SUBPOENA PERSONS AND DOCUMENTS, WHICH SUBPOENAS MAY BE ENFORCED BY A COURT OF COMPETENT JURISDICTION IF NOT OBEYED, FOR PURPOSES OF CONDUCTING INVESTIGATIONS PURSUANT TO SUBSECTION (10) OF THIS SECTION.

(12) NOTHING IN THIS SECTION:

(a) AFFECTS ANY TAX CREDIT THAT WAS CLAIMED PURSUANT TO SECTION 39-22-522 BEFORE CERTIFICATION WAS REQUIRED BY THIS SECTION; OR

(b) REQUIRES THE CERTIFICATION OF AN ENTITY THAT HOLDS A CONSERVATION EASEMENT FOR WHICH A TAX CREDIT IS NOT CLAIMED

PURSUANT TO SECTION 39-22-522.

(13) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2025. PRIOR TO THE REPEAL, THE DEPARTMENT OF REGULATORY AGENCIES SHALL REVIEW THE CERTIFICATION REQUIREMENT AS PROVIDED FOR IN SECTION 24-34-104.

12-61-1105. Conservation easement tax credit certificates - rules. (1) THE DIVISION SHALL RECEIVE TAX CREDIT CERTIFICATE APPLICATIONS FROM AND ISSUE CERTIFICATES TO LANDOWNERS FOR INCOME TAX CREDITS FOR CONSERVATION EASEMENTS DONATED ON OR AFTER JANUARY 1, 2011, IN ACCORDANCE WITH SECTION 39-22-522 (2.5) AND THIS PART 11. NOTHING IN THIS SECTION RESTRICTS OR LIMITS THE AUTHORITY OF THE DIVISION TO ENFORCE THIS PART 11. THE DIVISION MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24 FOR THE ISSUANCE OF THE CERTIFICATES. IN PROMULGATING RULES, THE DIVISION MAY INCLUDE PROVISIONS GOVERNING:

(a) THE REVIEW OF THE TAX CREDIT CERTIFICATE APPLICATION PURSUANT TO THIS PART 11;

(b) THE ADMINISTRATION AND FINANCING OF THE CERTIFICATION PROCESS;

(c) THE NOTIFICATION TO THE PUBLIC REGARDING THE AGGREGATE AMOUNT OF TAX CREDIT CERTIFICATES THAT HAVE BEEN ISSUED AND THAT ARE ON THE WAIT LIST PURSUANT TO SECTION 39-25-522 (2.5);

(d) THE NOTIFICATION TO THE LANDOWNER, THE ENTITY TO WHICH THE EASEMENT WAS GRANTED, AND THE DEPARTMENT OF REVENUE REGARDING THE TAX CREDIT CERTIFICATES ISSUED; AND

(e) ANY OTHER MATTERS RELATED TO ADMINISTERING SECTION 39-22-522 (2.5) OR THIS PART 11.

(2) THE DIVISION SHALL APPLY THE AMOUNT CLAIMED IN A COMPLETED TAX CREDIT CERTIFICATE APPLICATION AGAINST THE ANNUAL TAX CREDIT LIMIT IN THE ORDER THAT COMPLETED APPLICATIONS ARE RECEIVED. THE DIVISION SHALL APPLY CLAIMED TAX CREDIT AMOUNTS THAT EXCEED THE ANNUAL LIMIT IN ANY YEAR AGAINST THE LIMIT FOR THE NEXT AVAILABLE YEAR AND ISSUE TAX CREDIT CERTIFICATES FOR USE IN THE YEAR IN WHICH THE AMOUNT WAS APPLIED TO THE ANNUAL LIMIT.

(3) THE DIVISION SHALL NOT ISSUE TAX CREDIT CERTIFICATES THAT IN AGGREGATE EXCEED THE LIMIT SET FORTH IN SECTION 39-22-522 (2.5) DURING A PARTICULAR CALENDAR YEAR.

12-61-1106. Conservation easement tax credit certificate application process - definitions - rules. (1) FOR PURPOSES OF THIS SECTION:

(a) "APPLICATION" MEANS AN APPLICATION FOR A TAX CREDIT CERTIFICATE SUBMITTED PURSUANT TO SECTION 12-61-1105 OR THIS SECTION.

(b) "CONSERVATION PURPOSE" MEANS CONSERVATION PURPOSE AS DEFINED IN SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION.

(c) "CREDIBILITY" MEANS THE RESULTS ARE WORTHY OF BELIEF AND ARE SUPPORTED BY RELEVANT EVIDENCE AND LOGIC TO THE DEGREE NECESSARY FOR THE INTENDED USE.

(d) "DEFICIENCY" MEANS NONCOMPLIANCE WITH A REQUIREMENT FOR OBTAINING A TAX CREDIT CERTIFICATE THAT, UNLESS SUCH NONCOMPLIANCE IS REMEDIED, IS GROUNDS FOR THE DENIAL OF A TAX CREDIT CERTIFICATE APPLICATION SUBMITTED PURSUANT TO THIS SECTION.

(e) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION OF CONSERVATION OR HIS OR HER DESIGNEE.

(f) "LANDOWNER" MEANS THE RECORD OWNER OF THE SURFACE OF THE LAND AND, IF APPLICABLE, OWNER OF THE WATER OR WATER RIGHTS BENEFICIALLY USED THEREON WHO CREATES A CONSERVATION EASEMENT IN GROSS PURSUANT TO SECTION 38-30.5-104.

(g) "TAX CREDIT CERTIFICATE" MEANS THE CONSERVATION EASEMENT TAX CREDIT CERTIFICATE ISSUED PURSUANT TO SECTION 12-61-1105 AND THIS SECTION.

(2) (a) THE DIVISION SHALL ESTABLISH AND ADMINISTER A PROCESS BY WHICH A LANDOWNER SEEKING TO CLAIM AN INCOME TAX CREDIT FOR ANY CONSERVATION EASEMENT DONATION MADE ON OR AFTER JANUARY 1, 2014, MUST APPLY FOR A TAX CREDIT CERTIFICATE AS REQUIRED BY SECTION 39-22-522 (2.5) AND (2.7). THE PURPOSE OF THE

APPLICATION PROCESS IS TO DETERMINE WHETHER A CONSERVATION EASEMENT DONATION FOR WHICH A TAX CREDIT WILL BE CLAIMED:

(I) IS A CONTRIBUTION OF A QUALIFIED REAL PROPERTY INTEREST TO A QUALIFIED ORGANIZATION TO BE USED EXCLUSIVELY FOR A CONSERVATION PURPOSE;

(II) IS SUBSTANTIATED WITH A QUALIFIED APPRAISAL PREPARED BY A QUALIFIED APPRAISER IN ACCORDANCE WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE; AND

(III) COMPLIES WITH THE REQUIREMENTS OF THIS SECTION.

(b) THE LANDOWNER HAS THE BURDEN OF PROOF REGARDING COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS.

(3) FOR THE PURPOSE OF REVIEWING APPLICATIONS AND MAKING DETERMINATIONS REGARDING THE ISSUANCE OF TAX CREDIT CERTIFICATES, INCLUDING THE DOLLAR AMOUNT OF THE TAX CREDIT CERTIFICATE TO BE ISSUED:

(a) DIVISION STAFF SHALL REVIEW EACH APPLICATION AND ADVISE AND MAKE RECOMMENDATIONS TO THE DIRECTOR AND THE COMMISSION REGARDING THE APPLICATION;

(b) THE DIRECTOR HAS AUTHORITY AND RESPONSIBILITY TO DETERMINE THE CREDIBILITY OF THE APPRAISAL. IN DETERMINING CREDIBILITY, THE DIRECTOR SHALL CONSIDER, AT A MINIMUM, COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:

(I) THE APPRAISAL FOR A CONSERVATION EASEMENT DONATION FOR WHICH A TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522 IS A QUALIFIED APPRAISAL FROM A QUALIFIED APPRAISER, AS DEFINED IN SECTION 170 (f) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION;

(II) THE APPRAISAL CONFORMS WITH THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE PROMULGATED BY THE APPRAISAL STANDARDS BOARD OF THE APPRAISAL FOUNDATION AND ANY OTHER PROVISION OF LAW;

(III) THE APPRAISER HOLDS A VALID LICENSE AS A CERTIFIED GENERAL APPRAISER IN ACCORDANCE WITH PART 7 OF THIS TITLE 12; AND

(IV) THE APPRAISER MEETS ANY EDUCATION AND EXPERIENCE REQUIREMENTS ESTABLISHED BY THE BOARD OF REAL ESTATE APPRAISERS IN ACCORDANCE WITH SECTION 12-61-704 (1)(k).

(c) THE DIRECTOR HAS THE AUTHORITY AND RESPONSIBILITY TO DETERMINE COMPLIANCE WITH THE REQUIREMENTS OF SECTION 12-61-1104.

(d) THE COMMISSION HAS THE AUTHORITY AND RESPONSIBILITY TO DETERMINE WHETHER A CONSERVATION EASEMENT DONATION FOR WHICH A TAX CREDIT IS CLAIMED PURSUANT TO SECTION 39-22-522 IS A QUALIFIED CONSERVATION CONTRIBUTION AS DEFINED IN SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION.

(4) THE DEPARTMENT OF REVENUE IS NOT AUTHORIZED TO DISALLOW A CONSERVATION EASEMENT TAX CREDIT BASED ON ANY REQUIREMENTS THAT ARE UNDER THE JURISDICTION OF THE DIVISION, THE DIRECTOR, OR THE COMMISSION PURSUANT TO THIS SECTION.

(5) A COMPLETE TAX CREDIT CERTIFICATE APPLICATION MUST BE MADE BY THE LANDOWNER TO THE DIVISION AND MUST INCLUDE:

(a) A COPY OF THE FINAL CONSERVATION EASEMENT APPRAISAL;

(b) A COPY OF THE RECORDED DEED GRANTING THE CONSERVATION EASEMENT;

(c) DOCUMENTATION SUPPORTING THE CONSERVATION PURPOSE OF THE EASEMENT;

(d) ANY OTHER INFORMATION OR DOCUMENTATION THE DIRECTOR OR THE COMMISSION DEEMS NECESSARY TO MAKE A FINAL DETERMINATION REGARDING THE APPLICATION; AND

(e) THE FEE REQUIRED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

(6) A LANDOWNER SUBMITTING AN APPLICATION FOR A TAX CREDIT CERTIFICATE PURSUANT TO THIS SECTION OR AN APPLICATION FOR AN OPTIONAL PRELIMINARY ADVISORY OPINION PURSUANT TO SUBSECTION (14) OF THIS SECTION SHALL PAY THE DIVISION A FEE AS PRESCRIBED BY THE DIVISION. THE APPLICATION FEE FOR AN OPTIONAL PRELIMINARY ADVISORY OPINION MAY BE A DIFFERENT DOLLAR AMOUNT THAN THE

APPLICATION FEE FOR A TAX CREDIT CERTIFICATE. THE FEES MUST BE ADEQUATE TO PAY FOR THE ADMINISTRATIVE COSTS OF THE DIVISION AND THE COMMISSION IN ADMINISTERING THE REQUIREMENTS OF THIS SECTION, BUT NOT SO HIGH AS TO ACT AS A DISINCENTIVE TO THE CREATION OF CONSERVATION EASEMENTS IN THE STATE. THE STATE TREASURER SHALL CREDIT THE FEES COLLECTED PURSUANT TO THIS SUBSECTION (6) TO THE CONSERVATION CASH FUND CREATED IN SECTION 12-61-1107. ON OR BEFORE JANUARY 1, 2014, AND ON OR BEFORE EACH JANUARY 1 THEREAFTER, THE DIVISION SHALL CERTIFY TO THE GENERAL ASSEMBLY THE AMOUNT OF ANY FEES PRESCRIBED BY THE DIVISION PURSUANT TO THIS SUBSECTION (6).

(7) (a) IF, DURING THE REVIEW OF AN APPLICATION FOR A TAX CREDIT CERTIFICATE, THE DIRECTOR OR THE COMMISSION IDENTIFIES ANY POTENTIAL DEFICIENCIES, THE DIRECTOR OR COMMISSION SHALL DOCUMENT THE POTENTIAL DEFICIENCIES IN A LETTER SENT TO THE LANDOWNER BY FIRST CLASS MAIL. THE DIVISION SHALL SEND LETTERS DOCUMENTING POTENTIAL DEFICIENCIES TO LANDOWNERS IN A TIMELY MANNER SO THAT THE NUMBER OF DAYS BETWEEN THE DATE A COMPLETED APPLICATION IS RECEIVED BY THE DIVISION AND THE MAILING DATE OF THE DIVISION'S LETTER TO THE LANDOWNER DOES NOT EXCEED ONE HUNDRED TWENTY DAYS.

(b) THE LANDOWNER HAS SIXTY DAYS AFTER THE MAILING DATE OF THE DIVISION'S LETTER TO ADDRESS THE POTENTIAL DEFICIENCIES IDENTIFIED BY THE DIRECTOR AND THE COMMISSION AND PROVIDE ADDITIONAL INFORMATION OR DOCUMENTATION THAT THE DIRECTOR OR THE COMMISSION DEEMS NECESSARY TO MAKE A FINAL DETERMINATION REGARDING THE APPLICATION.

(c) THE DIRECTOR AND THE COMMISSION HAVE NINETY DAYS AFTER THE DATE OF RECEIPT OF ANY ADDITIONAL INFORMATION OR DOCUMENTATION PROVIDED BY THE LANDOWNER TO REVIEW THE INFORMATION AND DOCUMENTATION AND MAKE A FINAL DETERMINATION REGARDING THE APPLICATION.

(d) THE DEADLINES PRESCRIBED BY THIS SUBSECTION (7) MAY BE EXTENDED UPON MUTUAL AGREEMENT BETWEEN THE DIRECTOR AND THE COMMISSION AND THE LANDOWNER.

(8) THE DIRECTOR OR THE COMMISSION MAY DENY AN APPLICATION IF THE LANDOWNER:

(a) HAS NOT DEMONSTRATED TO THE SATISFACTION OF THE DIRECTOR OR THE COMMISSION THAT THE APPLICATION COMPLIES WITH ANY REQUIREMENT OF THIS PART 11;

(b) DOES NOT PROVIDE THE INFORMATION AND DOCUMENTATION REQUIRED PURSUANT TO THIS PART 11; OR

(c) FAILS TO TIMELY RESPOND TO ANY WRITTEN REQUEST OR NOTICE FROM THE DIVISION, THE DIRECTOR, OR THE COMMISSION.

(9) IF THE DIRECTOR REASONABLY BELIEVES THAT ANY APPRAISAL SUBMITTED IN ACCORDANCE WITH THIS SECTION IS NOT CREDIBLE, THE DIRECTOR, AFTER CONSULTATION WITH THE COMMISSION, MAY REQUEST THAT THE LANDOWNER, AT THE LANDOWNER'S EXPENSE, OBTAIN EITHER A SECOND APPRAISAL OR A REVIEW OF THE APPRAISAL SUBMITTED WITH THE APPLICATION FROM AN APPRAISER WHO MEETS THE REQUIREMENTS OF PART 7 OF THIS TITLE 12 AND IS IN GOOD STANDING WITH THE BOARD BEFORE MAKING A FINAL DETERMINATION REGARDING THE APPLICATION.

(10) IF THE DIRECTOR AND THE COMMISSION DO NOT IDENTIFY ANY POTENTIAL DEFICIENCIES WITH AN APPLICATION, THE DIRECTOR AND THE COMMISSION SHALL APPROVE THE APPLICATION, AND THE DIVISION SHALL ISSUE A TAX CREDIT CERTIFICATE TO THE LANDOWNER PURSUANT TO SECTION 12-61-1105 IN A TIMELY MANNER SO THAT THE NUMBER OF DAYS BETWEEN THE DATE A COMPLETED APPLICATION IS RECEIVED BY THE DIVISION AND THE DATE THE TAX CREDIT CERTIFICATE IS ISSUED DOES NOT EXCEED ONE HUNDRED TWENTY DAYS. ONCE A TAX CREDIT CERTIFICATE IS ISSUED, THE LANDOWNER MAY CLAIM AND USE THE TAX CREDIT SUBJECT TO ANY OTHER APPLICABLE PROCEDURES AND REQUIREMENTS UNDER TITLE 39.

(11) (a) IF ALL POTENTIAL DEFICIENCIES THAT HAVE BEEN IDENTIFIED ARE SUBSEQUENTLY ADDRESSED TO THE SATISFACTION OF THE DIRECTOR AND THE COMMISSION, THE DIRECTOR AND THE COMMISSION SHALL APPROVE THE APPLICATION, AND THE DIVISION SHALL ISSUE A TAX CREDIT CERTIFICATE TO THE LANDOWNER PURSUANT TO SECTION 12-61-1105. ONCE A TAX CREDIT CERTIFICATE IS ISSUED, THE LANDOWNER

MAY CLAIM AND USE THE TAX CREDIT SUBJECT TO ANY OTHER APPLICABLE PROCEDURES AND REQUIREMENTS UNDER TITLE 39.

(b) IF ANY POTENTIAL DEFICIENCIES THAT HAVE BEEN IDENTIFIED ARE NOT SUBSEQUENTLY ADDRESSED TO THE SATISFACTION OF THE DIRECTOR AND THE COMMISSION, THE DIVISION SHALL ISSUE A WRITTEN DENIAL OF THE APPLICATION TO THE LANDOWNER DOCUMENTING THOSE DEFICIENCIES THAT WERE THE SPECIFIC BASIS FOR THE DENIAL. THE DIVISION SHALL DATE THE WRITTEN DENIAL AND SEND IT BY FIRST CLASS MAIL TO THE LANDOWNER AT THE ADDRESS PROVIDED BY THE LANDOWNER ON THE APPLICATION. THE DIRECTOR MAY ACT ON BEHALF OF THE COMMISSION FOR PURPOSES OF ADMINISTERING THE PROCESS FOR ISSUING APPROVALS AND DENIALS OF APPLICATIONS AND FOR ADMINISTERING SUBSECTION (12) OF THIS SECTION.

(12) (a) THE LANDOWNER MAY APPEAL TO THE DIRECTOR EITHER THE DIRECTOR'S OR THE COMMISSION'S DENIAL OF AN APPLICATION, IN WRITING, WITHIN THIRTY DAYS AFTER THE ISSUANCE OF THE DENIAL. THIS WRITTEN APPEAL CONSTITUTES A REQUEST FOR AN ADMINISTRATIVE HEARING.

(b) IF THE LANDOWNER FAILS TO APPEAL THE DENIAL OF AN APPLICATION WITHIN THIRTY DAYS AFTER THE ISSUANCE OF THE DENIAL, THE DENIAL BECOMES FINAL, AND THE DIVISION SHALL NOT ISSUE A TAX CREDIT CERTIFICATE TO THE LANDOWNER.

(c) ADMINISTRATIVE HEARINGS MUST BE CONDUCTED IN ACCORDANCE WITH SECTION 24-4-105. AT THE DISCRETION OF THE DIRECTOR, HEARINGS MAY BE CONDUCTED BY AN AUTHORIZED REPRESENTATIVE OF THE DIRECTOR OR THE COMMISSION OR AN ADMINISTRATIVE LAW JUDGE FROM THE OFFICE OF ADMINISTRATIVE COURTS IN THE DEPARTMENT OF PERSONNEL. ALL HEARINGS MUST BE HELD IN THE COUNTY WHERE THE DIVISION IS LOCATED UNLESS THE DIRECTOR DESIGNATES OTHERWISE. THE DECISION OF THE DIRECTOR OR THE COMMISSION IS SUBJECT TO JUDICIAL REVIEW BY THE COURT OF APPEALS AND IS SUBJECT TO THE PROVISIONS OF SECTION 24-4-106.

(d) IN CONDUCTING SETTLEMENT DISCUSSIONS WITH A LANDOWNER, THE DIRECTOR AND THE COMMISSION MAY COMPROMISE ON ANY OF THE DEFICIENCIES IDENTIFIED IN THE APPLICATION AND SUPPORTING DOCUMENTATION, INCLUDING THE DOLLAR AMOUNT OF THE TAX CREDIT CERTIFICATE TO BE ISSUED. THE DIRECTOR SHALL PLACE ON FILE IN THE DIVISION A RECORD OF ANY COMPROMISE AND THE REASONS FOR THE COMPROMISE.

(e) THE DIRECTOR MAY PROMULGATE RULES PURSUANT TO ARTICLE 4 OF TITLE 24 TO EFFECTUATE THE PURPOSES OF THIS SUBSECTION (12).

(13) (a) COMMENCING WITH THE 2014 CALENDAR YEAR, AND FOR EACH CALENDAR YEAR THEREAFTER, THE DIVISION SHALL CREATE A REPORT, WHICH SHALL BE MADE AVAILABLE TO THE PUBLIC, CONTAINING THE FOLLOWING AGGREGATE INFORMATION:

(I) THE TOTAL NUMBER OF TAX CREDIT CERTIFICATE APPLICATIONS RECEIVED, APPROVED, AND DENIED IN ACCORDANCE WITH THIS SECTION, ALONG WITH AVERAGE PROCESSING TIMES;

(II) FOR APPLICATIONS APPROVED IN ACCORDANCE WITH THIS SECTION:

(A) THE TOTAL ACREAGE UNDER EASEMENT SUMMARIZED BY THE ALLOWABLE CONSERVATION PURPOSES AS DEFINED IN SECTION 170 (h) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION;

(B) THE TOTAL APPRAISED VALUE OF THE EASEMENTS;

(C) THE TOTAL DONATED VALUE OF THE EASEMENTS; AND

(D) THE TOTAL DOLLAR AMOUNT OF TAX CREDIT CERTIFICATES ISSUED.

(b) THE DIVISION MAY INCLUDE ADDITIONAL EASEMENT-SPECIFIC INFORMATION IN THE PUBLIC REPORT THAT, NOTWITHSTANDING THE PROVISIONS OF THIS PART 11 OR ANY OTHER LAW TO THE CONTRARY, WOULD OTHERWISE BE PUBLICLY AVAILABLE.

(c) THE COMMISSIONER IS AUTHORIZED TO SHARE PUBLICLY AVAILABLE INFORMATION REGARDING CONSERVATION EASEMENTS WITH A THIRD-PARTY VENDOR FOR THE PURPOSE OF DEVELOPING AND MAINTAINING A REGISTRY OF CONSERVATION EASEMENTS IN THE STATE WITH A CORRESPONDING MAP DISPLAYING THE BOUNDARIES OF EACH

EASEMENT IN THE STATE RELATIVE TO COUNTY BOUNDARIES AND OTHER RELEVANT MAPPING INFORMATION. PRIOR TO SHARING THE INFORMATION, THE COMMISSIONER SHALL CONSULT WITH THE COMMISSION REGARDING THE APPROPRIATE TYPES OF INFORMATION AND THE METHODS USED FOR COLLECTING THE INFORMATION. THE DEPARTMENT OF REGULATORY AGENCIES SHALL ANNUALLY REPORT ON THE INFORMATION CONTAINED IN THE REGISTRY AS A PART OF ITS PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT". THE INFORMATION TO BE SHARED SHALL INCLUDE THE FOLLOWING:

(I) ANY DEEDS, CONTRACTS, OR OTHER INSTRUMENTS CREATING, ASSIGNING, TRANSFERRING, CONVEYING, TERMINATING, OR OTHERWISE AFFECTING THE EASEMENT, INCLUDING THE RECEPTION NUMBERS ON ALL INSTRUMENTS;

(II) THE LOCATION AND ACREAGE OF EACH EASEMENT, DELINEATED BY COUNTY;

(III) THE NAMES AND ADDRESSES OF ANY GRANTORS OF THE EASEMENT AND THE NAMES AND ADDRESSES OF ANY HOLDERS OF THE EASEMENT SINCE ITS CREATION;

(IV) WHETHER THE HOLDER OF THE EASEMENT IS A CERTIFIED ORGANIZATION PURSUANT TO SECTION 12-61-724;

(V) THE CONSERVATION PURPOSES OF THE EASEMENT; AND

(VI) THE AMOUNT OF ANY INCOME TAX CREDITS CLAIMED OR ALLOWED FOR THE EASEMENT AND THE AMOUNT OF ANY SUCH CREDITS THAT WERE TRANSFERRED TO ANOTHER TAXPAYER PURSUANT TO SECTION 39-22-522.

(14) (a) IN ADDITION TO THE TAX CREDIT CERTIFICATE APPLICATION PROCESS SET FORTH IN THIS SECTION, A LANDOWNER MAY SUBMIT A PROPOSED CONSERVATION EASEMENT DONATION TO THE DIVISION TO OBTAIN AN OPTIONAL PRELIMINARY ADVISORY OPINION REGARDING THE TRANSACTION. THE OPINION MAY ADDRESS THE PROPOSED DEED OF CONSERVATION EASEMENT, APPRAISAL, CONSERVATION PURPOSE, OR OTHER RELEVANT ASPECT OF THE TRANSACTION.

(b) THE DIVISION, THE DIRECTOR, AND THE COMMISSION SHALL REVIEW THE INFORMATION AND DOCUMENTATION PROVIDED IN A MANNER CONSISTENT WITH THE SCOPE OF THEIR AUTHORITY AND RESPONSIBILITIES FOR REVIEWING TAX CREDIT CERTIFICATE APPLICATIONS AS OUTLINED IN SUBSECTION (3) OF THIS SECTION AND ISSUE EITHER A FAVORABLE OPINION OR A NONFAVORABLE OPINION.

(c) THE DIRECTOR OR THE COMMISSION MAY REQUEST THAT THE LANDOWNER SUBMIT ADDITIONAL INFORMATION OR DOCUMENTATION THAT THE DIRECTOR OR THE COMMISSION DEEMS NECESSARY TO COMPLETE THE REVIEW AND ISSUE AN OPINION.

(d) A NONFAVORABLE OPINION SHALL SET FORTH ANY POTENTIAL DEFICIENCIES IDENTIFIED BY THE DIRECTOR OR THE COMMISSION AND THAT FALL WITHIN THE SCOPE OF THE DIRECTOR'S AND THE COMMISSION'S REVIEW OF THE CONSERVATION EASEMENT TRANSACTION. THE PRELIMINARY OPINION IS ADVISORY ONLY AND IS NOT BINDING FOR ANY PURPOSE UPON THE DIVISION, THE DIRECTOR, THE COMMISSION, OR THE DEPARTMENT OF REVENUE.

(15) THE DIVISION MAY PROMULGATE RULES TO EFFECTUATE THE PURPOSE, IMPLEMENTATION, AND ADMINISTRATION OF THIS SECTION PURSUANT TO ARTICLE 4 OF TITLE 24. THE AUTHORITY TO PROMULGATE RULES INCLUDES THE AUTHORITY TO DEFINE FURTHER IN RULE THE ADMINISTRATIVE PROCESSES AND REQUIREMENTS, INCLUDING APPLICATION PROCESSING AND REVIEW TIME FRAMES, FOR OBTAINING AND ISSUING AN OPTIONAL PRELIMINARY ADVISORY OPINION PURSUANT TO SUBSECTION (14) OF THIS SECTION.

(16) NOTWITHSTANDING THE PROVISIONS OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, THE DIVISION, THE DIRECTOR, AND THE COMMISSION SHALL DENY THE RIGHT OF PUBLIC INSPECTION OF ANY DOCUMENTATION OR OTHER RECORD RELATED TO INFORMATION OBTAINED AS PART OF AN INDIVIDUAL LANDOWNER'S APPLICATION FOR A TAX CREDIT CERTIFICATE OR AN OPTIONAL PRELIMINARY ADVISORY OPINION PURSUANT TO THE REQUIREMENTS OF THIS SECTION, INCLUDING DOCUMENTATION OR OTHER RECORDS RELATED TO ADMINISTRATIVE HEARINGS AND SETTLEMENT DISCUSSIONS HELD

PURSUANT TO SUBSECTION (12) OF THIS SECTION. THE DIVISION, THE DIRECTOR, AND THE COMMISSION MAY SHARE DOCUMENTATION OR OTHER RECORDS RELATED TO INFORMATION OBTAINED PURSUANT TO THIS SECTION WITH THE DEPARTMENT OF REVENUE.

(17) NOTHING IN THIS SECTION AFFECTS ANY TAX CREDIT THAT IS CLAIMED OR USED PURSUANT TO SECTION 39-22-522 FOR CONSERVATION EASEMENT DONATIONS OCCURRING PRIOR TO JANUARY 1, 2014.

12-61-1107. Conservation cash fund - repeal. (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE CONSERVATION CASH FUND, WHICH CONSISTS OF ANY MONEYS TRANSFERRED PURSUANT TO SECTION 12-61-1104 AND 12-61-1106 AND ANY GIFTS, GRANTS, AND DONATIONS PROVIDED TO CARRY OUT THE PURPOSES OF THIS PART 11. ALL MONEY IN THE FUND SHALL BE USED AS PROVIDED IN THIS PART 11. INTEREST EARNED ON THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE DEPOSITED IN OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND.

(2) ON JULY 1, 2018, THE STATE TREASURER SHALL TRANSFER TO THE CONSERVATION CASH FUND ANY MONEYS IN THE DIVISION OF REAL ESTATE CASH FUND CREATED IN THE SECTION 12-61-111.5 THAT ARE ATTRIBUTABLE TO ANY FEES, GIFTS, GRANTS, OR DONATIONS CREDITED TO THE DIVISION OF REAL ESTATE CASH FUND IN ACCORDANCE WITH SECTION 12-61-724 (3) OR SECTION 12-61-727 THAT ARE IN THE FUND IMMEDIATELY PRIOR TO THE REPEAL OF SECTIONS 12-61-724 AND 12-61-727. THIS SUBSECTION (2) IS REPEALED EFFECTIVE JULY 1, 2019.

SECTION 2. In Colorado Revised Statutes, 12-61-111.5, **repeal** (2)(b)(II)(A) as follows:

12-61-111.5. Fee adjustments - cash fund created - repeal. (2) (b) (II) (A) ~~On June 30, 2017, the state treasurer shall transfer to the division of real estate cash fund all unexpended and unencumbered money that remained in the HOA information and resource center cash fund created in section 12-61-406.5, the conservation easement holder certification fund created in section 12-61-724, the conservation easement tax credit certificate review fund created in section 12-61-727, and the mortgage company and loan originator licensing cash fund created in section 12-61-908 immediately prior to the repeal of those funds.~~

SECTION 3. In Colorado Revised Statutes, 12-61-702, **repeal** (5) as follows:

12-61-702. Definitions. As used in this part 7, unless the context otherwise requires:

(5) ~~"Commission" means the conservation easement oversight commission created in section 12-61-725 (1).~~

SECTION 4. In Colorado Revised Statutes, 12-61-704, **amend** (1)(k) as follows:

12-61-704. Powers and duties of the board - rules. (1) In addition to all other powers and duties imposed upon it by law, the board has the following powers and duties:

(k) To establish classroom education and experience requirements for an appraiser who prepares an appraisal for a conservation easement for which a tax credit is claimed pursuant to section 39-22-522. ~~C.R.S.~~ The requirements must ensure that appraisers have a sufficient amount of training and expertise to accurately prepare appraisals that comply with the uniform standards of professional appraisal practice and any other provision of law related to the appraisal of conservation easements for which a tax credit is claimed. A tax credit certificate for a conservation easement shall not be given in accordance with ~~sections 12-61-726 and 12-61-727~~ SECTIONS 12-61-1105 AND 12-61-1106 unless the appraiser who prepared the appraisal of the easement met all requirements established in accordance with this ~~paragraph (k)~~ SUBSECTION (1)(k) in effect at the time the ~~appraisal was completed~~ ASSIGNMENT IS PERFORMED.

SECTION 5. In Colorado Revised Statutes, 39-21-113, **amend** (17) as follows:

39-21-113. Reports and returns - rule. (17) Notwithstanding any other provision of this section, the executive director may require that such detailed information regarding a claim for a credit for the donation of a conservation easement in gross pursuant to section 39-22-522 and any appraisal submitted in support of the credit claimed be given to the division of ~~real estate~~ CONSERVATION in the department of regulatory agencies and the conservation easement oversight commission created

pursuant to ~~section 12-61-725 (1), C.R.S.,~~ SECTION 12-61-1103 as the executive director determines is necessary in the performance of the department's functions relating to the credit. The executive director may provide copies of any appraisal and may file a complaint regarding any appraisal as authorized pursuant to section 39-22-522 (3.3). Notwithstanding ~~the provisions of~~ part 2 of article 72 of title 24, ~~C.R.S.,~~ in order to protect the confidential financial information of a taxpayer, the executive director shall deny the right to inspect any information or appraisal required in accordance with ~~the provisions of~~ this subsection (17).

SECTION 6. In Colorado Revised Statutes, 39-22-522, **amend** (2)(b), (2.5), (2.7), (3)(f) introductory portion, (3.5)(a)(I), (3.5)(a)(II), (3.5)(b), (3.6)(a)(I), (3.6)(b), and (7)(g), and **add** (3.5)(c) as follows:

39-22-522. Credit against tax - conservation easements. (2) (b) For income tax years commencing on or after January 1, 2014, BUT PRIOR TO JANUARY 1, 2019, AND FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2022, and, with regard to any credit over the amount of one hundred thousand dollars, for income tax years commencing on or after January 1, 2003, subject to ~~the provisions of~~ subsections (4) and (6) of this section, there shall be allowed a credit with respect to the income taxes imposed by this ~~article~~ ARTICLE 22 to each taxpayer who donates during the taxable year all or part of the value of a perpetual conservation easement in gross created pursuant to article 30.5 of title 38 ~~C.R.S.,~~ upon real property the taxpayer owns to a governmental entity or a charitable organization described in section 38-30.5-104 (2). ~~C.R.S.~~ The credit shall only be allowed for a donation that meets the requirements of section 170 of the federal "Internal Revenue Code of 1986", as amended, and any federal regulations promulgated in accordance with such section. The amount of the credit shall not include the value of any portion of an easement on real property located in another state.

(2.5) Notwithstanding any other provision of this section and the requirements of ~~section 12-61-727, C.R.S.~~ SECTION 12-61-1106, for income tax years commencing on or after January 1, 2011, a taxpayer conveying a conservation easement and claiming a credit pursuant to this section shall, in addition to any other requirements of this section and the requirements of ~~section 12-61-727, C.R.S.~~ SECTION 12-61-1106, submit a claim for the credit to the division of ~~real estate~~ CONSERVATION in the department of regulatory agencies. The division shall issue a certificate for the claims received in the order submitted. After certificates have been issued for credits that exceed an aggregate of twenty-two million dollars for all taxpayers for the 2011 and 2012 calendar years, thirty-four million dollars for the 2013 calendar year, and forty-five million dollars for each calendar year thereafter, any claims that exceed the amount allowed for a specified calendar year shall be placed on a wait list in the order submitted and a certificate shall be issued for use of the credit in the next year for which the division has not issued credit certificates in excess of the amounts specified in this subsection (2.5); except that no more than fifteen million dollars in claims shall be placed on the wait list in any given calendar year. The division shall not issue credit certificates that exceed twenty-two million dollars in each of the 2011 and 2012 calendar years, thirty-four million dollars for the 2013 calendar year, and forty-five million dollars for each calendar year thereafter. No claim for a credit is allowed for any income tax year commencing on or after January 1, 2011, unless a certificate has been issued by the division. If all other requirements under ~~section 12-61-727, C.R.S.,~~ SECTION 12-61-1106 and this section are met, the right to claim the credit is vested in the taxpayer at the time a credit certificate is issued.

(2.7) Notwithstanding any other provision, for income tax years commencing on or after January 1, 2014, no claim for a credit shall be allowed unless a tax credit certificate is issued by the division of ~~real estate~~ CONSERVATION in accordance with ~~sections 12-61-726 and 12-61-727, C.R.S.,~~ SECTIONS 12-61-1105 AND 12-61-1106 and the taxpayer files the tax credit certificate with the income tax return filed with the department of revenue.

(3) For conservation easements donated prior to January 1, 2014, in order for any taxpayer to qualify for the credit provided for in subsection (2) of this section, the taxpayer shall submit the following in a form approved by the executive director to the department of revenue

at the same time as the taxpayer files a return for the taxable year in which the credit is claimed:

(f) If the holder of the conservation easement is an organization to which the certification program in ~~section 12-61-724~~ SECTION 12-61-1104 applies, a sworn affidavit from the holder of the conservation easement in gross that includes the following:

(3.5) (a) For conservation easements donated prior to January 1, 2014:

(I) The executive director shall have the authority, pursuant to subsection (8) of this section, to require additional information from the taxpayer or transferee regarding the appraisal value of the easement, the amount of the credit, and the validity of the credit. In resolving disputes regarding the validity or the amount of a credit allowed pursuant to subsection (2) of this section, including the value of the conservation easement for which the credit is granted, the executive director shall have the authority, for good cause shown and in consultation with the division of ~~real estate~~ CONSERVATION and the conservation easement oversight commission created in ~~section 12-61-725 (1), C.R.S.,~~ SUBSECTION 12-61-1103 (1) to review and accept or reject, in whole or in part, the appraisal value of the easement, the amount of the credit, and the validity of the credit based upon the internal revenue code and federal regulations in effect at the time of the donation. If the executive director reasonably believes that the appraisal represents a gross valuation misstatement, receives notice of such a valuation misstatement from the division of real estate, or receives notice from the division of real estate that an enforcement action has been taken by the board of real estate appraisers against the appraiser, the executive director shall have the authority to require the taxpayer to provide a second appraisal at the expense of the taxpayer. The second appraisal shall be conducted by a certified general appraiser in good standing and not affiliated with the first appraiser that meets qualifications established by the division of real estate. In the event the executive director rejects, in whole or in part, the appraisal value of the easement, the amount of the credit, or the validity of the credit, the procedures described in sections 39-21-103, 39-21-104, 39-21-104.5, and 39-21-105 shall apply.

(II) In consultation with the division of ~~real estate~~ CONSERVATION and the conservation easement oversight commission created in ~~section 12-61-725 (1), C.R.S.~~ SECTION 12-61-1103 (1), the executive director shall develop and implement a separate process for the review by the department of revenue of gross conservation easements. The review process shall be consistent with the statutory obligations of the division and the commission and shall address gross conservation easements for which the department of revenue has been informed that an audit is being performed by the internal revenue service. The executive director shall share information used in the review of gross conservation easements with the division. Notwithstanding part 2 of article 72 of title 24, ~~C.R.S.,~~ in order to protect the confidential financial information of a taxpayer, the division and the commission shall deny the right to inspect any information provided by the executive director in accordance with this ~~subparagraph (II)~~ SUBSECTION (3.5)(a)(II).

(b) For conservation easements donated on or after January 1, 2014, and subject to the restrictions of ~~section 12-61-727 (4), C.R.S.~~ SECTION 12-61-1106 (4), the executive director shall have the authority, pursuant to subsection (8) of this section, to require additional information from the taxpayer or transferee regarding the amount of the credit and the validity of the credit. In resolving disputes regarding the validity or the amount of a credit allowed pursuant to subsection (2) of this section, the executive director shall have the authority, for good cause shown, to review and accept or reject, in whole or in part, the amount of the credit and the validity of the credit based upon the internal revenue code and federal regulations in effect at the time of the donation, except those requirements for which authority is granted to the division of ~~real estate~~ CONSERVATION, the director of the division of ~~real estate~~ CONSERVATION, or the conservation easement oversight commission pursuant to ~~section 12-61-727, C.R.S.~~ SECTION 12-61-1106.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, FOR ANY CONSERVATION EASEMENT IN GROSS DONATED FOR ANY TAX YEAR COMMENCING ON OR AFTER JANUARY 1, 2000, FOR WHICH A CREDIT CLAIMED PURSUANT TO THIS SECTION WAS SUBSEQUENTLY DENIED IN

WHOLE OR IN PART BECAUSE THE APPRAISED VALUE OF THE EASEMENT WAS DETERMINED BY THE STATE TO BE TOO HIGH, THE TAXPAYER MAY ELECT IN ANY SUBSEQUENT TAX YEAR TO AMEND THE RETURN FOR SUCH TAX YEAR AND NOT CLAIM THE CREDIT. UPON AMENDING A RETURN AND REPAYING TO THE STATE THE AMOUNT, IF ANY, ALLOWED BY THE STATE AND CLAIMED BY THE TAXPAYER FOR SUCH TAX YEAR, THE TAXPAYER SHALL BE ENTITLED TO REPAYMENT FROM THE STATE OF THE FULL AMOUNT OF ANY INTEREST OR PENALTIES PAID BY OR ON BEHALF OF THE TAXPAYER TO THE STATE IN CONNECTION WITH THE DENIAL OF THE ORIGINAL CLAIM FOR THE CREDIT.

(3.6) For conservation easements donated on or after January 1, 2014, in order for any taxpayer to qualify for the credit provided for in subsection (2) of this section, the taxpayer must submit the following in a form, approved by the executive director, to the department of revenue at the same time as the taxpayer files a return for the taxable year in which the credit is claimed:

(a) (I) A tax credit certificate issued under ~~section 12-61-727, C.R.S.~~ SECTION 12-61-1106; and

(b) Notwithstanding any other provisions of law, the executive director retains the authority to administer all issues related to the claim or use of a tax credit for the donation of a conservation easement that are not granted to the director of the division of ~~real estate~~ CONSERVATION or the conservation easement oversight commission under ~~section 12-61-727, C.R.S.~~ SECTION 12-61-1106.

(7) For income tax years commencing on or after January 1, 2000, a taxpayer may transfer all or a portion of a tax credit granted pursuant to subsection (2) of this section to another taxpayer for such other taxpayer, as transferee, to apply as a credit against the taxes imposed by this article subject to the following limitations:

(g) A transferee of a tax credit shall purchase the credit prior to the due date imposed by this article, ~~not~~ including any extensions, for filing the transferee's income tax return;

SECTION 7. In Colorado Revised Statutes, 39-22-522.5, **repeal** (8) as follows:

39-22-522.5. Conservation easement tax credits - dispute resolution - legislative declaration. (8) ~~On or before August 1, 2011, the conservation easement oversight commission created in section 12-61-725 (1), C.R.S., shall review conservation easements for which a tax credit is claimed pursuant to sections 39-22-522 (3.5)(a) and 12-61-725 (3), C.R.S., and for which a notice of deficiency, notice of rejection of refund claim, or notice of disallowance issued on or before May 1, 2011, but for which a final determination has not been issued before May 19, 2011, and for which the commission has not already reviewed the credit. For each conservation easement tax credit claim so reviewed, the commission shall issue an initial recommendation to the executive director on whether each credit claimed by a taxpayer who is eligible to waive a hearing and appeal a notice of deficiency, notice of rejection of refund claim, or notice of disallowance may be denied or accepted. No other information shall be required of the commission on or before such date.~~

SECTION 8. In Colorado Revised Statutes, 24-1-122, **add** (2)(l) as follows:

24-1-122. Department of regulatory agencies - creation. (2) The department of regulatory agencies shall consist of the following divisions:

(l) DIVISION OF CONSERVATION, THE HEAD OF WHICH IS THE DIRECTOR OF THE DIVISION. THE DIVISION OF CONSERVATION AND THE DIRECTOR OF THE DIVISION, CREATED BY PART 11 OF ARTICLE 61 OF TITLE 12, SHALL EXERCISE THEIR POWERS AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF REGULATORY AGENCIES AS IF THEY WERE TRANSFERRED TO THE DEPARTMENT BY A **TYPE 2** TRANSFER. THE CONSERVATION EASEMENT OVERSIGHT COMMISSION, CREATED BY SECTION 12-61-1103, AND ITS POWERS, DUTIES, AND FUNCTIONS ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF REGULATORY AGENCIES AND ALLOCATED TO THE DIVISION OF CONSERVATION.

SECTION 9. In Colorado Revised Statutes, **add** 29-20-110 as follows:

29-20-110. Conservation easements - public hearing. (1) ON

AND AFTER THE EFFECTIVE DATE OF THIS SECTION, PRIOR TO CREATING, MODIFYING THE TERMS OF, OR TRANSFERRING A CONSERVATION EASEMENT IN GROSS PURSUANT TO ARTICLE 30.5 OF TITLE 38, THE GOVERNING BODY OF A LOCAL GOVERNMENT WITHIN WHICH THE PROPERTY IS LOCATED SHALL HOLD A PUBLIC HEARING REGARDING THE CREATION, MODIFICATION, OR TRANSFER OF THE EASEMENT AS PROVIDED IN THIS SECTION. IF THE PROPERTY IS LOCATED ENTIRELY WITHIN THE UNINCORPORATED PORTION OF ONE OR MORE COUNTIES, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY WITH THE GREATEST PORTION OF THE PROPERTY SHALL HOLD THE HEARING. IF THE PROPERTY IS LOCATED IN WHOLE OR IN PART WITHIN ONE OR MORE MUNICIPALITIES, THE GOVERNING BODY OF THE MUNICIPALITY WITH THE GREATEST PORTION OF THE PROPERTY SHALL HOLD THE HEARING.

(2) AT LEAST FOURTEEN DAYS' NOTICE OF THE TIME AND PLACE OF A HEARING REQUIRED BY THIS SECTION SHALL BE GIVEN BY AT LEAST ONE PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE LOCAL GOVERNMENT. THE NOTICE SHALL DISCLOSE THE LOCATION, ACREAGE, NAME OF THE GRANTOR, NAME OF THE HOLDER, AND CONSERVATION PURPOSES OF THE CONSERVATION EASEMENT AND SPECIFY THE AMOUNT OF ANY PUBLIC MONEY USED OR TAX CREDITS THAT WILL BE CLAIMED IN CONNECTION WITH THE EASEMENT. THE GRANTOR AND HOLDER OF THE CONSERVATION EASEMENT SHALL BE ALLOWED TO PRESENT INFORMATION ABOUT THE CONSERVATION EASEMENT AND PUBLIC TESTIMONY SHALL BE ALLOWED AT THE HEARING. THE PURPOSE OF THE HEARING IS TO PROVIDE PUBLIC NOTICE REGARDING THE EASEMENT, AND THE GOVERNING BODY OF THE LOCAL GOVERNMENT NEED NOT TAKE ANY SPECIFIC ACTION WITH RESPECT TO THE PROPOSED CREATION, MODIFICATION, OR TRANSFER. IF A LOCAL GOVERNMENT HAS AN EXISTING APPROVAL PROCESS FOR CONSERVATION EASEMENTS, THE HEARING REQUIRED BY THIS SECTION MAY BE CONDUCTED IN CONJUNCTION WITH ANY OTHER HEARING REQUIRED BY PROCESS AS LONG AS THE HEARING OTHERWISE MEETS THE REQUIREMENTS OF THIS SECTION.

SECTION 10. In Colorado Revised Statutes, **amend** 38-30.5-107 as follows:

38-30.5-107. Release - termination. (1) Conservation easements in gross may, in whole or in part, be released, terminated, extinguished, or abandoned by merger with the underlying fee interest in the servient land or water rights or in any other manner in which easements may be lawfully terminated, released, extinguished, or abandoned. FOR EASEMENTS CREATED ON OR AFTER JANUARY 1, 2019, IF A CONSERVATION EASEMENT IS ORPHANED OR NEGLECTED, THE LANDOWNER MAY PETITION THE DISTRICT COURT OF THE COUNTY IN WHICH THE PROPERTY IS SITUATED TO REQUEST A TRANSFER OF THE EASEMENT TO ANOTHER HOLDER OR FOR AN ORDER THAT THE ABANDONMENT OR NEGLECT OF THE CONSERVATION EASEMENT HAS RESULTED IN CIRCUMSTANCES WHICH MAKE THE CONTINUED USE OF THE PROPERTY FOR CONSERVATION PURPOSES IMPOSSIBLE OR IMPRACTICABLE. THE PETITION TO THE DISTRICT COURT SHALL ALSO BE SERVED ON THE ATTORNEY GENERAL AND THE ATTORNEY GENERAL SHALL BE ENTITLED TO BE HEARD.

(2) IN ADDITION TO THE METHODS SET FORTH IN SUBSECTION (1) OF THIS SECTION, A COURT EXERCISING ITS EQUITABLE JURISDICTION MAY TERMINATE A CONSERVATION EASEMENT IN GROSS CREATED FOR THE PURPOSE OF CLAIMING A STATE INCOME TAX CREDIT PURSUANT TO SECTION 39-22-522, IF:

(a) THE STATE HAS REJECTED THE CLAIM FOR THE CREDIT OR THE TAXPAYER HAS ELECTED NOT TO CLAIM THE CREDIT PURSUANT TO SECTION 39-22-522 (5)(c);

(b) THE EASEMENT HAS BEEN APPRAISED TO HAVE NO VALUE OR NO MORE THAN A NOMINAL DOLLAR VALUE; AND

(c) THE HOLDER OF THE EASEMENT EITHER PROVIDED NO COMPENSATION FOR THE EASEMENT OR HAS BEEN REIMBURSED IN WHOLE FOR ANY COMPENSATION PROVIDED.

(3) THE DIVISION OF CONSERVATION SHALL DEVELOP A WRITTEN FORM TO WARN LANDOWNERS WHO HAVE CONSERVATION EASEMENTS ON THEIR PROPERTY OF THE LEGAL AND OTHER CONSEQUENCES OF RELEASING, TERMINATING, OR EXTINGUISHING A CONSERVATION EASEMENT. THE FORM SHALL INCLUDE A WARNING OF THE POTENTIAL FEDERAL TAX CONSEQUENCES, POTENTIAL LEGAL CLAIMS BY EASEMENT HOLDERS AND OTHER PARTIES FOR BREACH OF CONTRACT, POTENTIAL

FINANCIAL EXPENSE, AND SUCH OTHER INFORMATION AS THE DIVISION FINDS APPROPRIATE TO HELP A LANDOWNER MAKE AN INFORMED DECISION AND PROTECT HIS OR HER INTERESTS PRIOR TO RELEASING, TERMINATING, OR EXTINGUISHING AN EASEMENT. PRIOR TO RELEASING, TERMINATING, OR EXTINGUISHING A CONSERVATION EASEMENT, A LANDOWNER SHALL NOTIFY THE DIVISION OF CONSERVATION OF THE LANDOWNER'S INTENT TO RELEASE, TERMINATE, OR EXTINGUISH THE EASEMENT. UPON RECEIVING A NOTIFICATION PURSUANT TO THIS SUBSECTION (3), THE DIVISION OF CONSERVATION SHALL PROVIDE A WRITTEN WARNING TO THE LANDOWNER SETTING FORTH THE POTENTIAL LEGAL CONSEQUENCES OF RELEASING, TERMINATING, OR EXTINGUISHING AN EASEMENT. THE DIVISION OF CONSERVATION CREATED IN SECTION 12-61-1102 SHALL DEVELOP A NOTICE TO BE PROVIDED TO ANY LANDOWNER ATTEMPTING TO RELEASE, TERMINATE, OR EXTINGUISH A CONSERVATION EASEMENT.

SECTION 11. In Colorado Revised Statutes, 24-34-104, **repeal** (14)(a)(II); and **add** (26)(a)(VIII) and (26)(a)(IX) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (14) (a) The following agencies, functions, or both, are scheduled for repeal on July 1, 2018:

(II) ~~The conservation easement oversight commission created in section 12-61-725, C.R.S.;~~

(26) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2025:

(VIII) THE CONSERVATION EASEMENT OVERSIGHT COMMISSION CREATED IN SECTION 12-61-1103; AND

(IX) THE CERTIFICATION OF CONSERVATION EASEMENT HOLDERS BY THE CONSERVATION EASEMENT OVERSIGHT COMMISSION AS PROVIDED FOR IN SECTION 12-61-1104.

SECTION 12. In Colorado Revised Statutes, **repeal** 12-61-724, 12-61-725, 12-61-726, and 12-61-727.

SECTION 13. 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 **HB18-1427** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB18-1422** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB18-1433** be referred to the Committee of the Whole with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB18-1418** 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 2, after "**amend**" insert "(1)(b)(VII),".

Page 2, line 3, strike "(4)," and substitute "(4)", and strike "(3)(e); and" and substitute "(3)(e)".

Page 2, line 4, strike "**add** (1)(b)(VIII)".

Page 2, strike line 6 and substitute:
"**rights.** (1) (b) This subsection (1) shall not apply to:

(VII) The employment of persons by the department of public safety, ~~and~~ the department of corrections, AND THE DEPARTMENT OF REVENUE.

(2) (a) Whenever any state or local agency is required to make a".

Page 3, line 9, after "PENDING;" insert "EXCEPT THAT, AN AGENCY MAY CONSIDER THE CONDUCT UNDERLYING THE ARREST;".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1236** 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 25.

Page 3, strike lines 1 through 17 and substitute:

"**SECTION 1.** In Colorado Revised Statutes, 2-3-1203, **repeal** (7)(a)(I); and **add** (14)(a)(VI) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (7) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2018:

(I) ~~The Colorado food systems advisory council created in section 24-37.3-102, C.R.S.;~~

(14) (a) The following statutory authorizations for the designated advisory committees are scheduled for repeal on September 1, 2023:

(VI) THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL CREATED IN SECTION 24-37.3-102.

SECTION 2. In Colorado Revised Statutes, **amend** 24-37.3-107 as follows:

24-37.3-107. Repeal of article. This article ***37.3*** is repealed, effective September 1, ~~2018~~ ***2023.*** Prior to such repeal, the food systems advisory council shall be reviewed as provided for in section 2-3-1203. ~~C.R.S.~~".

Renumber succeeding section accordingly.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1392** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1425** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1081** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1397** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1384** be postponed indefinitely.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1378** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1432** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1404** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1409** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1426** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 11 through 14 and substitute:

"(b) "Security" does not include:

(I) Any insurance or endowment policy or annuity contract under which an insurance company promises to pay a sum of money either in a lump sum or periodically for life or some other specified period; OR

(II) AN OPEN BLOCKCHAIN TOKEN THAT:

(A) HAS NOT BEEN MARKETED BY THE DEVELOPER OR SELLER AS AN INVESTMENT;

(B) IS EXCHANGEABLE FOR GOODS OR SERVICES; AND

(C) HAS NOT BEEN ENTERED INTO A REPURCHASE AGREEMENT, OR AN AGREEMENT TO LOCATE A BUYER, BY THE DEVELOPER OR SELLER OF THE TOKEN.".

Page 3, strike lines 26 and 27.

Page 4, strike lines 1 through 5.

Finance — After consideration on the merits, the Committee recommends that **HB18-1437** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1270

****
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 HB18-1270, concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied, 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 rerevised bill, page 3, line 12, strike "CONSIDER WHETHER TO".

Page 3, line 15, strike "OPEN PROCEEDINGS,".

Page 3, line 16, strike the comma.

Page 3, strike lines 18 through 21 and substitute:

"(2) IN ADOPTING THE RULES REQUIRED BY SUBSECTION (1) OF THIS SECTION, THE COMMISSION SHALL USE ITS BEST EFFORTS TO CREATE CONDITIONS UNDER WHICH THE PROCUREMENT OF ENERGY STORAGE SYSTEMS BY AN ELECTRIC UTILITY WILL PROVIDE SYSTEMIC BENEFITS, INCLUDING:".

Page 4, strike lines 2 through 27 and substitute:

"(3) PURSUANT TO SUBSECTION (1) OF THIS SECTION, AND IN CONSIDERATION OF ALL KNOWN AND MEASURABLE BENEFITS AND COSTS TO AN ELECTRIC UTILITY, THE COMMISSION SHALL ADOPT RULES:".

Page 5, strike lines 4 through 8 and substitute:

"(b) REQUIRING ELECTRIC UTILITIES TO PROVIDE TO THE COMMISSION, AND ALLOWING ELECTRIC UTILITIES TO PROVIDE TO THIRD PARTIES AS APPROVED BY THE COMMISSION, APPROPRIATE DATA AND ANALYSIS OF POTENTIAL STORAGE ACQUISITIONS IN THEIR PLANNING PROCESSES, INCLUDING POTENTIAL INTERCONNECTION POINTS. THE COMMISSION SHALL TREAT INFORMATION PROVIDED TO THE COMMISSION OR TO APPROVED THIRD PARTIES UNDER THIS SUBSECTION (3)(b) AS CONFIDENTIAL AND ENSURE THAT THE COMMISSION AND ANY APPROVED THIRD PARTY MANAGES THE INFORMATION IN ACCORDANCE WITH ALL COMMISSION RULES AND FEDERAL AND STATE LAWS CONCERNING CUSTOMER DATA AND PERSONALLY IDENTIFIABLE INFORMATION. IF THE COMMISSION FINDS THAT A THIRD PARTY HAS FAILED TO COMPLY WITH ANY APPLICABLE RULES, LAWS, OR CONDITIONS OF APPROVAL UNDER THIS SUBSECTION (3)(b), THE COMMISSION MAY DEEM THAT PARTY INELIGIBLE TO BID OR DEVELOP STORAGE SYSTEMS IN THE SUBSEQUENT ELECTRIC RESOURCE PLAN.

(c) ENSURING THAT ANY STORAGE SYSTEM PROJECT ADDED TO THE ELECTRIC GRID WILL NOT COMPROMISE THE SECURITY, SAFETY, OR RELIABILITY OF THE ELECTRIC GRID OR ANY PART OF THE ELECTRIC GRID;".

Reletter succeeding paragraphs accordingly.

Page 5, line 15, strike "(1)(d)" and substitute "(3)(e)".

Page 5, line 25, strike "(2)" and substitute "(4)".

Page 5, line 27, after the period add "NOTHING IN THIS SECTION IS INTENDED TO PROHIBIT OR DETER COST-EFFECTIVE STORAGE DEPLOYMENT.".

Respectfully submitted,

House Committee:	Senate Committee:
Chris Hansen, Chair	Jack Tate, Chair
Jon Becker	Tim Neville
Faith Winter	Steve Fenberg

_____

MESSAGE FROM THE HOUSE

May 4, 2018

Mr. President:

The House has adopted and returns herewith SJR18-010.

The House has adopted and returns herewith SJM18-007.

The House has adopted and transmits herewith HJR18-1021, as printed in House Journal, May 4, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-086, amended as printed in House Journal, May 2, 2018, and amended on Third Reading as printed in House Journal, May 4, 2018

The House has adopted the First Report of the First Conference Committee on HB18-1295, as printed in House Journal, May 1, 2018, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB18-1296, as printed in House Journal, May 2, 2018, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on SB18-179, as printed in House Journal, April 26, 2018, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to reject the Conference Committee Report on SB18-015, and requests the Conferees be discharged and that a second Conference Committee be appointed. The Speaker has appointed Representatives Weissman, Chairman, Foote, and Liston.

The House has voted to concur in the Senate amendments to HB18-1263, 1306, 1286, 1346, 1003, 1108, 1189, 1128, 1320, 1361, 1375, 1389, 1402, 1083, 1357 and has repassed the bills as so amended.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

HJR18-1018 by Representative(s) Saine and Neville P.; also Senator(s) Marble and Garcia--Concerning honoring Gold Star Families.

Laid over one day under Senate Rule 30(e).

HJR18-1021 by Representative(s) Becker K. and Neville P., Duran; also Senator(s) Holbert and Garcia, Grantham--Concerning changes to the deadlines set out in the Joint Rules of the Senate and House of Representatives for the 2019 legislative session.

Laid over one day under Senate Rule 30(e).

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 4, 2018, at 4:40 p.m.:
SB18-208.

On motion of Majority Leader Holbert, the Senate adjourned until 10:00 a.m., Monday, May 7, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

118th Legislative Day Monday, May 7, 2018

Prayer — By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order — By the President at 10:00 a.m.

Roll Call — Present--34
Excused--1, Aguilar.
Present later--1, Aguilar.

Quorum — The President announced a quorum present.

Pledge — By Senator Donovan.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Friday, May 4, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON SB18-085

****
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 SB18-085, concerning providing financial incentives for educators to work in rural areas, 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 4, strike lines 11 through 15 and substitute:

"(5) "SPECIAL SERVICES PROVIDER" MEANS A PERSON, OTHER THAN A TEACHER, PRINCIPAL, OR ADMINISTRATOR, WHO PROVIDES PROFESSIONAL SERVICES IN DIRECT SUPPORT OF AN INSTRUCTIONAL PROGRAM. "SPECIAL SERVICES PROVIDERS" INCLUDES SPEECH LANGUAGE PATHOLOGISTS, PSYCHOLOGISTS, AUDIOLOGISTS, OCCUPATIONAL THERAPISTS, PHYSICAL THERAPISTS, COUNSELORS, NURSES, AND SOCIAL WORKERS.".

Page 5, after line 10 insert:

"(1.5) IF IN ANY ONE FISCAL YEAR, THE NUMBER OF STIPEND APPLICATIONS SUBMITTED PURSUANT TO THIS SECTION EXCEEDS THE TOTAL AMOUNT OF STIPENDS AVAILABLE, THE DEPARTMENT OF HIGHER EDUCATION SHALL GIVE PRIORITY FOR STIPEND AWARDS TO TEACHERS.

AFTER ALL TEACHER APPLICATIONS HAVE BEEN FUNDED, STIPENDS MAY THEN BE AWARDED TO SPECIAL SERVICES PROVIDERS, SUBJECT TO AVAILABLE APPROPRIATIONS.".

Respectfully submitted,

Senate Committee:	House Committee:
Jerry Sonnenberg, Chair	Barbara McLachlan, Chair
Bob Gardner	Jim Wilson
Nancy Todd	Jeni Arndt

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1155

****
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 HB18-1155, concerning the continuation of the physical therapy board, and, in connection therewith, implementing the recommendations contained in the 2017 sunset review and report by the department of regulatory agencies, 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 6, strike lines 18 through 20 and substitute:

"(b) THE BOARD SHALL PROMULGATE RULES TO UPDATE THE REQUIREMENTS FOR A PHYSICAL THERAPIST TO PERFORM DRY NEEDLING IN ORDER TO ENSURE ADEQUATE PROTECTION OF THE PUBLIC. PRIOR TO PROMULGATING THE INITIAL UPDATE OF THE RULES, THE BOARD SHALL SEEK INPUT FROM THE COLORADO MEDICAL BOARD CREATED IN SECTION 12-36-103 (1) AND FROM THE DIRECTOR.".

Page 10, strike lines 15 through 27.

Page 11, strike lines 1 and 2.

Renumber succeeding sections accordingly.

Respectfully submitted,

House Committee:	Senate Committee:
Jonathan Singer, Chair	Beth Martinez Humenik, Chair
Larry Liston	John Kefalas
Joann Ginal	John Cooke

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Garnder, Chair, Hill, and Kagan were appointed as Senate conferees on the second conference committee on **SB18-015**.

SENATE SERVICES REPORT

Correctly Engrossed: SB18-272.
Correctly Reengrossed: SB18-258, 270, 273, 274, and 275.
Correctly Revised: HB18-1309.
Correctly Rerevised: HB18-1004, 1006, 1020, 1083, 1185, 1136, 1190, 1217, 1218, 1224, 1234, 1244, 1251, 1255, 1287, 1294, 1299, 1306, 1316, 1319, 1343, 1349, 1350, 1353, 1356, 1357, 1363, 1366, 1369,1373, 1385, 1393, 1394, 1398, 1400, 1405, 1407, 1410, 1411, 1412, 1413, and 1429.
Correctly Enrolled: SB18-016, 038, 039, 163, 167, 203, 219, 230, 233, and 266.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2018

We herewith transmit:

Without comment, as amended, SB18-086.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 31 and Senate Rule 16 (b) were suspended.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Michael Merrifield.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Andy Kerr.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-280, SB18-276, HB18-1418, and HB18-1437 were made Special Orders--Consent Calendar at 12:41 p.m.

Committee of the Whole

The hour of 12:41 p.m. having arrived, Senator Smallwood 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 Smallwood 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:

SB18-280 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin-Concerning a transfer from the general fund to the tobacco litigation settlement cash fund to be allocated to the programs, services, and funds that currently receive tobacco litigation settlement money.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, page 1094 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

SB18-276 by Senator(s) Lundberg and Lambert, Moreno; also Representative(s) Hamner and Young, Rankin--Concerning an increase in the general fund reserve.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 4, page 1094 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1418 by Representative(s) Weissman; also Senator(s) Coram and Kagan--Concerning the use of criminal convictions in employment.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 4, page 1136 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1437 by Representative(s) Herod; also Senator(s) Neville T.--Concerning eliminating the requirement that a person who participates in college-level academic programs through the correctional education program in the department of corrections must bear entirely the costs associated with such programs.

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 Smallwood, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-280 as amended, SB18-276 as amended, HB18-1418 as amended, HB18-1437.

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:

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--Concerning the financing of public schools, and, in connection therewith, making an appropriation.

Laid over until Tuesday, May 8, retaining its place on the calendar.

SB18-277 by Senator(s) Neville T., Hill; also Representative(s) Pabon and Van Winkle, Saine--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

HB18-1309 by Representative(s) Coleman and Wilson; also Senator(s) Hill--Concerning programs addressing 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	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Donovan, Fields, Garcia, Gardner, Grantham, Jahn, Jones, Kagan, Kefalas, Kerr, Lundberg, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Tate, and Todd.

RECONSIDERATION OF HB18-1309

HB18-1309 by Representative(s) Coleman and Wilson; also Senator(s) Hill--Concerning programs addressing educator shortages, and, in connection therewith, making an appropriation.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1309.

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:

HB18-1309 by Representative(s) Coleman and Wilson; also Senator(s) Hill--Concerning programs addressing 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	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder.

SB18-272 by Senator(s) Martinez Humenik and Todd; also Representative(s) Carver and McLachlan--Concerning suicide prevention training 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	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Jones, Kefalas, Kerr, Merrifield, Moreno, Priola, Tate, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

HJR18-1018 by Representative(s) Saine and Neville P.; also Senator(s) Marble and Garcia--Concerning honoring Gold Star Families.

On motion of Senator Marble, the resolution was read at length and **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HJR18-1021 by Representative(s) Becker K. and Neville P., Duran; also Senator(s) Holbert and Garcia, Grantham--Concerning changes to the deadlines set out in the Joint Rules of the Senate and House of Representatives for the 2019 legislative session.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Kefalas and Tate.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Memorials Calendar (SM18-001) of Monday, May 7, was laid over until Tuesday, May 8, retaining its place on the calendar.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS -- CONSENT CALENDAR

On motion of Majority Leader Holbert, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
SOLID AND HAZARDOUS WASTE COMMISSION

for terms expiring August 1, 2020:

James Michael Wilson of Superior, Colorado, to serve as a representative from the regulated community and as a Unaffiliated, reappointed; and

Garrett Clemons of Denver, Colorado, to serve as a representative from the public at large and as a Republican, reappointed.

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Gardner, Chair, Cooke, and Kagan were appointed as Senate conferees on the first conference committee on **HB18-1256**.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1270 by Representative(s) Hansen and Becker J.; also Senator(s) Tate--Concerning energy storage, and, in connection therewith, requiring the public utilities commission to establish mechanisms for investor-owned electric utilities to procure energy storage systems if certain criteria are satisfied.

Senator Tate moved for the adoption of the first report of the first conference committee on HB18-1270, as printed in Senate journal, May 4, pages 1138-1139. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-179 by Senator(s) Hill and Williams A., Grantham, Guzman, Baumgardner, Cooke, Coram, Crowder, Holbert, Kagan, Lundberg, Marble, Martinez Humenik, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate; also Representative(s) Hooton and Pabon, Coleman, Humphrey, Melton, Rosenthal, Sias, Williams D.--Concerning adjustments to total gross purchases for purposes of calculating the excise tax on tobacco products.

Senator Hill moved for the adoption of the first report of the first conference committee on SB18-179, as printed in Senate journal, April 26, pages 916-917. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	Y	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

MESSAGE FROM THE HOUSE

May 7, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1431.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1060, 1102, 1195, 1423, 1434, 1390, 1421, 1424, 1230, 1351, amended as printed in House Journal, May 4, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; HB18-1430, 1057, amended as printed in House Journal, May 4, 2018, and amended on Third Reading as printed in House Journal, May 7, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1436, amended as printed in House Journal, May 4, 2018.

The House has passed on Third Reading and returns herewith SB18-206, 210, 254, 267, and 229.

The House has passed on Third Reading and returns herewith SCR18-004.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SCR18-005, amended as printed in House Journal, May 4, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-231, 252, 249, 250, 251, 268, 022, 234, 145, amended as printed in House Journal, May 4, 2018.

MESSAGE FROM THE REVISOR OF STATUTES

May 7, 2018

We herewith transmit:

Without comment, as amended, HB18-1436.
Without comment, as amended, HB18-1057, 1060, 1102, 1195, 1230, 1351, 1390, 1421, 1423, 1424, 1428, 1430, and 1434.
Without comment, as amended, SCR18-005.
Without comment, as amended, SB18-022, 145, 231, 234, 249, 250, 251, 252, and 268.
With comments, as amended, HB18-1431.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

Senator Gardner moved that the Senate conferees on the second conference committee on SB18-015 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.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 31 was suspended.

Senate in recess. Senate reconvened.

COMMITTEE ASSIGNMENT

May 7, 2018

Mr. Mike Mauer
Executive Director
Office of Legislative Council
200 E. Colfax Ave., Room 029
Denver, CO 80203

Mr. Mike Mauer:

Please be advised that I am appointing Senator Andy Kerr replacing Senator Daniel Kagan to serve on Finance Committee effective May 7, 2018.

Sincerely,
(signed)
Leroy M. Garcia, Jr.
Senate Minority Leader

Cc: The Honorable Kevin Grantham, Senate President
The Honorable Chris Holbert, Senate Majority Leader
The Honorable Crisanta Duran. Speaker of the House of Representatives
The Honorable Patrick Neville, House Minority Leader
Effie Ameen, Secretary of the Senate
Marilyn Eddins, Clerk of the House
Sharon Eubanks, Director of OLLS
Susan Liddle

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1011** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 49, line 16, strike "$1,028,722" and substitute "$1,037,452".

Page 49 of the bill, line 22, strike $16,020" and substitute "$24,750".

Page 49 of the bill, line 24, strike "$16,020" and substitute "$24,750".

Page 1 of the Finance Committee Report, dated May 3, 2018, strike lines 3 through 11 and substitute:

""**SECTION 19. Applicability.** This act applies to applications made on or after January 1, 2019.

SECTION 20. 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.".".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1208** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 7 through 24.

Renumber succeeding section accordingly.

Page 1, strike lines 103 and 104 and substitute "**INCOME TAX CREDIT.**".

Appropriations

After consideration on the merits, the Committee recommends that **HB18-1422** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page page 4, strike line 27.

Page 5, strike lines 1 through 9.

Renumber succeeding section accordingly.

Page 1, line 101, strike "**FACILITIES,**" and substitute "**FACILITIES.**".

Page 1, strike line 102.

Appro-priations After consideration on the merits, the Committee recommends that **HB18-1315** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR18-012 by Senator(s) Holbert, Grantham, Garcia; also Representative(s) Becker K., Duran, Neville P.--Concerning the appointment of a joint committee to notify the governor that the second regular session of the seventy-first general assembly is about to adjourn sine die.

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:

HB18-1057 by Representative(s) McKean; also Senator(s) Coram--Concerning the collection of debts, and, in connection therewith, allowing collection agents to add certain expenses to amounts due for collection.
Finance

HB18-1060 by Representative(s) Danielson and Landgraf, Becker J., Lundeen, McKean, Rankin, Reyher, Thurlow, Williams D., Wilson, Wist; also Senator(s) Crowder and Williams A.--Concerning a state income tax deduction for military retirement benefits for an individual who is under fifty-five years of age.
Finance

HB18-1102 by Representative(s) Roberts and Wist, Gray, Catlin, Esgar, Hamner, Liston; also Senator(s) Cooke--Concerning extending the length of prosecution fellowships from one year to fifteen months, and, in connection therewith, making an appropriation.
Finance

HB18-1195 by Representative(s) Pabon and Bridges; also Senator(s) Tate, Gardner, Scott--Concerning the creation of a credit against the state income tax to promote contributions to nonprofit organizations engaged in the development of affordable housing for home ownership.
State, Veterans, & Military Affairs

HB18-1230 by Representative(s) Pabon; also Senator(s) Aguilar--Concerning the creation of a purple card program to allow persons who came to the United States without legal documentation to apply for legal work status in Colorado, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1351 by Representative(s) Valdez and Covarrubias; also Senator(s) Crowder and Garcia, Guzman--Concerning signage for the old Spanish trail.
Finance

HB18-1390 by Representative(s) Singer and Ransom; 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.
State, Veterans, & Military Affairs

HB18-1421 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert and Tate, Lundberg, Moreno--Concerning the procurement process for major information technology projects undertaken by state agencies, and, in connection therewith, making an appropriation.
Appropriations

HB18-1423 by Representative(s) Valdez and Liston; also Senator(s) Crowder and Garcia--Concerning grants to provide equipment to rural fire protection districts.
Finance

HB18-1424 by Representative(s) Salazar and Duran; also Senator(s) Guzman and Williams A.--Concerning the creation of a Chicana/o special license plate, and, in connection therewith, making an appropriation.
Finance

HB18-1428 by Representative(s) Becker K.; also Senator(s) Cooke--Concerning authorization for an investor-owned utility to enter into a collaboration agreement with a community, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

HB18-1430 by Representative(s) Van Winkle and Young, Everett, Neville P., Wist; also Senator(s) Lundberg--Concerning the requirement that a state agency prepare a long-range financial plan.
Appropriations

HB18-1431 by Representative(s) Ginal; also Senator(s) Smallwood--Concerning updating managed care provisions in the medical assistance program, and, in connection therewith, aligning managed care provisions with new federal managed care regulations, removing obsolete or duplicative statutory language and programs, and updating and aligning statutory provisions to reflect the current statewide managed care system.
Finance

HB18-1434 by Representative(s) Singer and Michaelson Jenet; also Senator(s) Gardner and Fields--Concerning the safe2tell program, and, in connection therewith, creating new duties for the safe2tell program, requiring the safe2tell program to prepare an annual report that analyzes data from the program and makes recommendations on improving the program, and making an appropriation.
State, Veterans, & Military Affairs

HB18-1436 by Representative(s) Garnett and Wist; also Senator(s) Court--Concerning creation of an extreme risk protection order.
State, Veterans, & Military Affairs

MESSAGE FROM THE HOUSE

May 7, 2018

Mr. President:

The House has postponed indefinitely SB18-275, 083. The bills are returned herewith.

The House has voted to concur in the Senate amendments to HB18-1006, 1136, 1185, 1398, 1190, 1224, 1234, 1294, 1316, 1343, 1353, 1393, 1394, 1400, and has repassed the bills as so amended.

The House has adopted the First Report of the First Conference Committee on SB18-068, and has repassed the bill as so amended. The bill is returned herewith.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB18-1230** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1434** be referred to the Committee on Appropriations with favorable recommendation.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **SB18-198** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1428** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1423** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1351** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1102** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1195** be postponed indefinitely.

Finance — After consideration on the merits, the Committee recommends that **HB18-1424** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike line 7.

Renumber succeeding subparagraphs accordingly.

Finance — After consideration on the merits, the Committee recommends that **HB18-1060** be referred to the Committee on Appropriations with favorable recommendation.

Finance — After consideration on the merits, the Committee recommends that **HB18-1057** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 4, line 2, strike "January 1, 2019;" and substitute "July 1, 2019;".

Page 4, line 8, strike "January 1, 2019," and substitute "July 1, 2019,".

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Finance

After consideration on the merits, the Committee recommends that **HB18-1431** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 30, strike lines 9 through 16.

Renumber succeeding sections accordingly.

Page 32, strike lines 8 through 10 and substitute:

"**SECTION 13.** In Colorado Revised Statutes, **repeal as amended by House Bill 18-1007** 25.5-5-411 (4)(b).

SECTION 14. In Colorado Revised Statutes, 25.5-5-202, **add** (4) as follows:

25.5-5-202. Basic services for the categorically needy - optional services. (4) THE STATE DEPARTMENT AND THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES, IN COLLABORATION WITH COMMUNITY MENTAL HEALTH SERVICES PROVIDERS AND SUBSTANCE USE DISORDER PROVIDERS, SHALL ESTABLISH RULES THAT STANDARDIZE UTILIZATION MANAGEMENT AUTHORITY TIMELINES FOR THE NONPHARMACEUTICAL COMPONENTS OF MEDICATION-ASSISTED TREATMENT FOR SUBSTANCE USE DISORDERS.

SECTION 15. Act subject to petition - effective date. (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 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Sections 13 and 14 of this act take effect only if House Bill 18-1007 becomes law and take effect either upon the effective date of this act or House Bill 18-1007, whichever is later.".

Call of the Senate. Call raised.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-022, SB18-086, SB18-145, SB18-166, SB18-231, SB18-234, SB18-249, SB18-250, SB18-251, SB18-252, SB18-268, and SCR18-005 were made Special Orders--Consideration of House Amendments to Senate Bills at 8:39 p.m.

SPECIAL ORDERS--CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-022 by Senator(s) Tate and Aguilar, Lambert; also Representative(s) Pettersen and Kennedy, Singer--Concerning clinical practice measures for safer opioid prescribing.

Senator Tate moved that the Senate concur in House amendments to SB18-022, as printed in House journal, May 3, pages 1519-1522. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-086 by Senator(s) Lambert and Williams A.; also Representative(s) Ginal and Rankin--Concerning the use of cyber coding cryptology for state records, and, in connection therewith, making an appropriation.

Senator Williams moved that the Senate concur in House amendments to SB18-086, as printed in House journal, April 26, pages 1271-1272, May 2, pages 1469-1470, and May 4, pages 1579-1580. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-145 by Senator(s) Kefalas; also Representative(s) Ginal, Arndt--Concerning the implementation of employment first advisory partnership recommendations to advance competitive integrated employment for persons with disabilities, and, in connection therewith, making an appropriation.

Senator Kefalas moved that the Senate concur in House amendments to SB18-145, as printed in House journal, May 4, page 1529. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-166 by Senator(s) Coram; also Representative(s) Herod--Concerning changing the maximum jail sentence for certain crimes from one year to three hundred sixty-four days. the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

Senator Coram moved that the Senate not concur in House amendments to SB18-166, as printed in House journal, April 20, pages 1151-1153, and that the Senate adhere to its position. The motion was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

SB18-231 by Senator(s) Lambert and Moreno, Lundberg; also Representative(s) Young, Hamner, Rankin--Concerning a task force on the transition of persons with intellectual and developmental disabilities from educational services to home- and community-based services, and, in connection therewith, making an appropriation.

Senator Moreno moved that the Senate concur in House amendments to SB18-231, as printed in House journal, May 1, page 1437. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	32	NO	3	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-234 by Senator(s) Coram and Crowder; also Representative(s) Kraft-Tharp and Catlin--Concerning measures to reduce the sale without consent of the remains of a human who was born alive, and, in connection therewith, registering nontransplant tissue banks and prohibiting certain owners of nontransplant tissue banks from owning certain other businesses that provide for the final disposition of human remains, and making an appropriation.

Senator Coram moved that the Senate concur in House amendments to SB18-234, as printed in House journal, May 1, page 1435, May 2, page 1451, and May 4, pages 1529-1530. The motion was **adopted** by the following roll call vote:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-249 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing alternative programs in the criminal justice system to divert individuals with a mental health condition to community treatment, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB18-249, as printed in House journal, May 4, pages 1531 and 1556. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-250 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning the provision of jail-based behavioral health services, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB18-250, as printed in House journal, May 4, page 1531. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-251 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning establishing a statewide behavioral health court liaison program, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB18-251, as printed in House journal, May 4, pages 1531-1532. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-252 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning actions related to determinations of competency to proceed, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate not concur in House amendments to SB18-252, as printed in House journal, May 4, page 1544, that a conference committee be appointed, and that the conferees on the first conference committee on SB18-252 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** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

SB18-268 by Senator(s) Scott and Moreno; also Representative(s) McLachlan--Concerning the scope of the authority of the department of transportation to award a design bid build highway project contract in an amount that exceeds the estimate of the department on the project.

Senator Scott moved that the Senate concur in House amendments to SB18-268, as printed in House journal, May 2, page 1454. The motion was **adopted** by the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Todd.

SCR18-005 by Senator(s) Grantham and Fenberg, Jahn; also Representative(s) Duran and Neville P.-- Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning a change to the manner in which state senate and state house of representatives districts are drawn, and, in connection therewith, reforming the existing legislative reapportionment commission by expanding the commission to twelve members and authorizing the appointment of members who possess specified qualifications; prohibiting any one political party's control of the commission by requiring that one-third of commissioners will not be affiliated with any political party, one-third of the commissioners will be affiliated with the state's largest political party, and one-third of the commissioners will be affiliated with the state's second largest political party; prohibiting certain persons, including professional lobbyists, federal campaign committee employees, and federal, state, and local elected officials, from serving on the commission; limiting judicial review of a map to a determination by the supreme court of whether the commission or its nonpartisan staff committed an abuse of discretion; requiring the commission to draw state legislative districts using communities of interest as well as political subdivisions, such as cities and counties, and then to maximize the number of competitive state legislative seats to the extent possible; and prohibiting maps from being drawn to dilute the electoral influence of any racial or ethnic group or to protect any incumbent, any political candidate, or any political party.

President Grantham moved that the Senate concur in House amendments to SCR18-005, as printed in House journal, May 3, page 1503. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Donovan.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-033 and 108; SJM18-007; SJR18-010; HB18-1381.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Tate, Chair, Smallwood, and Zenzinger were appointed as Senate conferees on the first conference committee on **HB18-1354**.

COMMITTEE OF REFERENCE REPORTS (cont'd)

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1436** be postponed indefinitely.

State, Veterans, & Military Affairs — After consideration on the merits, the Committee recommends that **HB18-1390** be postponed indefinitely.

Committee of the Whole — On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-204 by Senator(s) Neville T., Cooke, Hill, Lambert, Marble; also Representative(s) Lewis, Buck, Everett, Humphrey, Leonard, Neville P., Van Winkle--Concerning limitations on discount fare programs offered by the regional transportation district.

Laid over until Thursday, May 10.

SB18-278 by Senator(s) Priola and Martinez Humenik; also Representative(s) Covarrubias--Concerning increasing the penalty for assault on certain first responders.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 1, page 1001 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 2, pages 1012-1013 and placed in members' bill files.)

As amended, **lost** on second reading.

(For further action, see amendments to the report of the Committee of the Whole.)

HB18-1019 by Representative(s) Foote; also Senator(s) Priola--Concerning criteria applied in determining performance ratings for entities in the elementary and secondary public education system, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 2, page 1035 and placed in members' bill files.)

As amended, laid over until Tuesday, May 8, retaining its place on the calendar.

HCR18-1002 by Representative(s) Melton and Salazar; also Senator(s) Williams A. and Crowder--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution that prohibits slavery and involuntary servitude as punishment for a crime and thereby prohibits slavery and involuntary servitude in all circumstances.

Ordered revised and placed on the calendar for third reading and final passage.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB18-278 by Senator(s) Priola and Martinez Humenik; also Representative(s) Covarrubias--Concerning increasing the penalty for assault on certain first responders.

Senator Martinez Humenik moved to amend the Report of the Committee of the Whole to show that SB 18-278, as amended, did pass.

Less than a majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **lost** on the following roll call vote:

YES	12	NO	23	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	N	Kefalas	N	Priola	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HCR18-1002.
Lost on second reading: SB18-278 as amended.
Laid over until Tuesday, May 8: HB18-1019 as amended.
Laid over until Thursday, May 10: SB18-204.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1423** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1094** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **SB18-212** be postponed indefinitely.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1291** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1430** 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 **HB18-1421** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1321** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1351** be referred to the Committee of the Whole with favorable recommendation.

Appropriations — After consideration on the merits, the Committee recommends that **HB18-1434** be referred to the Committee of the Whole with favorable recommendation.

Appro-priations

After consideration on the merits, the Committee recommends that **SB18-222** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, lines 6 and 7, strike "OR THE ATTORNEY GENERAL".

Page 2, line 10, strike "OR ATTORNEY GENERAL".

Page 2, lines 13 and 14, strike "OR ATTORNEY GENERAL".

Page 2, lines 15 and 16, strike "OR ATTORNEY GENERAL".

page 2, line 21, strike "January" and substitute "July".

Page 3, line 2, strike "January" and substitute "July".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1315 and HB18-1430 were made Special Orders--Consent Calendar at 10:11 p.m.

Committee of the Whole

The hour of 10:11 p.m. having arrived, Senator Kerr 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 Kerr 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:

HB18-1315 by Representative(s) McLachlan and Becker J.; also Senator(s) Kefalas and Lundberg--Concerning the expansion of the sales and use tax exemption for manufactured homes constructed in compliance with a federal safety act.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1430 by Representative(s) Van Winkle and Young, Everett, Neville P., Wist; also Senator(s) Lundberg--Concerning the requirement that a state agency prepare a long-range financial plan.

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 Kerr, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1315, HB18-1430.

RECALL OF HB18-1202

Senator Kefalas moved for recall of HB18-1202 from the House for purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**. The bill was ordered recalled.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-222 was made Special Orders at 10:27 p.m.

Committee of the Whole

The hour of 10:27 p.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-222 by Senator(s) Cooke and Gardner; also Representative(s) Wist--Concerning reimbursing prosecuting attorneys for costs associated with litigating rule 35 of the Colorado criminal procedure motions.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 7, page 1168 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-222 as amended.

MESSAGE FROM THE HOUSE

May 7, 2018

Mr. President:

In response to the request of the Senate for the recall of HB18-1202, the bill is transmitted herewith.

RECONSIDERATION OF HB18-1202

HB18-1202 by Representative(s) Garnett; also Senator(s) Gardner--Concerning an income tax credit for an employer related to an employee's paid leave of absence for the purpose of making an organ donation, and, in connection therewith, enacting the "Living Organ Donor Support Act".

Having voted on the prevailing side, Senator Kefalas moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1202.

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:

HB18-1202 by Representative(s) Garnett; also Senator(s) Gardner--Concerning an income tax credit for an employer related to an employee's paid leave of absence for the purpose of making an organ donation, and, in connection therewith, enacting the "Living Organ Donor Support Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	N
Donovan	N	Jones	Y	Moreno	N	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	N	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations

After consideration on the merits, the Committee recommends that **SB18-262** 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. Appropriation.** (1) For the 2018-19 state fiscal year, $3,188,102 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 Colorado commission on higher education's need based grants.

(2) For the 2018-19 state fiscal year, $7,572,198 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 student stipends for students attending state public institutions.

(3) For the 2018-19 state fiscal year, $1,163 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 student stipends for students attending participating private institutions.

(4) For the 2018-19 state fiscal year, $3,166,752 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 fee-for-service contracts with state institutions pursuant to section 23-18-303, C.R.S.

(5) For the 2018-19 state fiscal year, $2,375,268 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 fee-for-service contracts with state institutions for specialty education programs.

(6) For the 2018-19 state fiscal year, $7,572,198 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the college opportunity fund program student stipends for students attending state public institutions under subsection (2) of this section. To implement this act, the department may use this appropriation as follows:

Trustees of Adams state university	$67,489
Trustees of Colorado Mesa university	$380,990
Trustees of Metropolitan state university of Denver	$822,632
Trustees of Western state Colorado university	$79,997
Board of governors of the Colorado state university system	$1,154,032
Trustees of Fort Lewis college	$90,748
Regents of the university of Colorado	$1,724,293
Trustees of the Colorado school of mines	$158,217
University of northern Colorado	$395,056

State board for community colleges and occupational education state system community colleges	$2,698,744

(7) For the 2018-19 state fiscal year, $3,166,752 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the college opportunity fund program fee-for-service contracts with state institutions pursuant to section 23-18-303, C.R.S., under subsection (4) of this section. To implement this act, the department may use this appropriation as follows:

Trustees of Adams state university	$152,635
Trustees of Colorado Mesa university	$167,487
Trustees of Metropolitan state university of Denver	$277,081
Trustees of Western state Colorado university	$142,306
Board of governors of the Colorado state university system	$344,905
Trustees of Fort Lewis college	$116,971
Regents of the university of Colorado	$722,852
Trustees of the Colorado school of mines	$226,404
University of northern Colorado	$275,312
State board for community colleges and occupational education state system community colleges	$740,799

(8) For the 2018-19 state fiscal year, $2,375,268 is appropriated to the department of higher education. This appropriation is from reappropriated funds received from the college opportunity fund program fee-for-service contracts with state institutions for specialty education programs, under subsection (5) of this section. To implement this act, the department may use this appropriation as follows:

Board of governors of the Colorado state university system	$1,107,333
Regents of the university of Colorado	$1,267,935

(9) For the 2018-19 state fiscal year, $144,670 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 local district college grants, pursuant to section 23-71-301, C.R.S., for Colorado mountain college.

(10) For the 2018-19 state fiscal year, $171,064 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 local district college grants, pursuant to section 23-71-301, C.R.S., for Aims community college.

(11) For the 2018-19 state fiscal year, $201,961 is appropriated to the department of higher education for use by the division of occupational education. This appropriation is from the general fund. To implement this act, the division may use this appropriation for area technical colleges.

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.".

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-262, HB18-1002, HB18-1011, HB18-1423, HB18-1094, HB18-1321, HB18-1351, and HB18-1434 were made Special Orders at 10:41 p.m.

Committee of the Whole

The hour of 10:41 p.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB18-262 by Senator(s) Gardner; also Representative(s) Duran and Bridges--Concerning targeted funding for public institutions of higher education to help achieve the Colorado commission on higher education master plan goals, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 24, page 876 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 7, pages 1171-1172 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

HB18-1002 by Representative(s) Hamner and Rankin, McLachlan; also Senator(s) Coram and Todd--Concerning teaching fellowship programs to assist rural school districts in hiring high-quality teachers, and, in connection therewith, creating the "Rural Colorado Grow Your Own Educator Act" and making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1011 by Representative(s) Pabon and Van Winkle; also Senator(s) Neville T. and Jahn--Concerning measures to allow greater investment flexibility in marijuana businesses, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, page(s) 1070 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 7, page(s) 1153 and placed in members' bill files.)

Amendment No. 3(L.025), by Senator Neville.

Amend reengrossed bill, page 7, strike lines 26 and 27 and substitute "DEFINED IN 17 CFR 230.405.".

Page 8, strike lines 1 through 6.

Page 9, line 19, strike "SECURITIES," and substitute "SECURITIES LAW OR REGULATIONS,".

Page 15, strike lines 5 through 16 and substitute:

"(4.5) PRIOR TO SUBMITTING AN INITIAL APPLICATION AND AT ANY TIME THEREAFTER WHEN REQUESTED BY THE STATE LICENSING AUTHORITY IN ITS REASONABLE DISCRETION, A PERSON THAT IS OR INTENDS TO BECOME A MEDICAL MARIJUANA BUSINESS SHALL DISCLOSE TO THE STATE LICENSING AUTHORITY A COMPLETE AND ACCURATE LIST OF THE FOLLOWING:

(a) ALL OF THE MEDICAL MARIJUANA BUSINESS'S OFFICERS, DIRECTORS, AND AFFILIATES;

(b) ALL OF THE MEDICAL MARIJUANA BUSINESS'S CONTROLLING BENEFICIAL OWNERS, AND:

(I) IF THE CONTROLLING BENEFICIAL OWNER IS A PUBLICLY TRADED CORPORATION, ALL OFFICERS, DIRECTORS, FIVE-PERCENT OR MORE BENEFICIAL OWNERS, AND AFFILIATES OF THE CONTROLLING BENEFICIAL OWNER; OR

(II) IF THE CONTROLLING BENEFICIAL OWNER IS NOT A PUBLICLY TRADED CORPORATION AND IS NOT AN INDIVIDUAL, ALL OFFICERS, DIRECTORS, BENEFICIAL OWNERS, AND AFFILIATES OF THE CONTROLLING BENEFICIAL OWNER; AND

(c) IF THE MEDICAL MARIJUANA BUSINESS IS NOT A PUBLICLY

TRADED CORPORATION, ALL OF THE MEDICAL MARIJUANA BUSINESS'S PASSIVE BENEFICIAL OWNERS.".

Page 16, line 23, strike "(a)".

Page 17, strike lines 6 through 20.

Page 20, strike line 4 and substitute "BENEFICIAL OWNERS.".

Page 30, strike lines 16 through 23 and substitute "DEFINED IN 17 CFR 230.405.".

Page 32, line 24, strike "SECURITIES," and substitute "SECURITIES LAW OR REGULATIONS,".

Page 38, strike lines 18 through 27 and substitute:

"(4.5) PRIOR TO SUBMITTING AN INITIAL APPLICATION AND AT ANY TIME THEREAFTER WHEN REQUESTED BY THE STATE LICENSING AUTHORITY IN ITS REASONABLE DISCRETION, A PERSON THAT IS OR INTENDS TO BECOME A RETAIL MARIJUANA ESTABLISHMENT SHALL DISCLOSE TO THE STATE LICENSING AUTHORITY A COMPLETE AND ACCURATE LIST OF THE FOLLOWING:

(a) ALL OF THE RETAIL MARIJUANA ESTABLISHMENT'S OFFICERS, DIRECTORS, AND AFFILIATES;

(b) ALL OF THE RETAIL MARIJUANA ESTABLISHMENT'S CONTROLLING BENEFICIAL OWNERS, AND:

(I) IF THE CONTROLLING BENEFICIAL OWNER IS A PUBLICLY TRADED CORPORATION, ALL OFFICERS, DIRECTORS, FIVE-PERCENT OR MORE BENEFICIAL OWNERS, AND AFFILIATES OF THE CONTROLLING BENEFICIAL OWNER; OR

(II) IF THE CONTROLLING BENEFICIAL OWNER IS NOT A PUBLICLY TRADED CORPORATION AND IS NOT AN INDIVIDUAL, ALL OFFICERS, DIRECTORS, BENEFICIAL OWNERS, AND AFFILIATES OF THE CONTROLLING BENEFICIAL OWNER; AND

(c) IF THE RETAIL MARIJUANA ESTABLISHMENT IS NOT A PUBLICLY TRADED CORPORATION, ALL OF THE RETAIL MARIJUANA ESTABLISHMENT'S PASSIVE BENEFICIAL OWNERS.".

Page 39, strike lines 1 and 2.

Page 40, line 9, strike "(a)".

Page 40, strike lines 19 through 27.

Page 41, strike lines 1 through 6.

Page 43, strike line 16 and substitute "BENEFICIAL OWNERS.".

Amendment No. 4(L.026), by Senator Williams.

Amend reengrossed bill, page 12, line 24, strike "AND".

Page 13, after line 5 insert:

"(VIII) RECOGNIZING THAT PARTICIPATION BY PUBLICLY TRADED CORPORATIONS IN COLORADO'S MEDICAL MARIJUANA INDUSTRY CREATES AN INCREASED NEED TO ASSESS BARRIERS OF ENTRY FOR MINORITY- AND WOMAN-OWNED BUSINESSES, WITH SUCH EFFORTS BEING MADE TO IDENTIFY SOLUTIONS TO ARRIVE AT A GREATER BALANCE AND FOR FURTHER EQUITY FOR MINORITY- AND WOMAN-OWNED BUSINESSES, AND IN A MANNER THAT IS CONSISTENT WITH THE PUBLIC SAFETY AND ENFORCEMENT GOALS AS STATED HEREIN, IT IS THEREFORE OF SUBSTANTIVE IMPORTANCE TO ADDRESS THE LACK OF MINORITY- AND WOMAN-OWNED BUSINESSES' INCLUSION IN COLORADO'S MEDICAL MARIJUANA INDUSTRY, SOCIAL INJUSTICE ISSUES ASSOCIATED WITH MARIJUANA PROHIBITION, SUITABILITY ISSUES RELATING TO PAST CONVICTIONS FOR POTENTIAL LICENSEES, LICENSING FEES, AND ECONOMIC CHALLENGES THAT ARISE WITH THE APPLICATION PROCESSES;".

Renumber succeeding subparagraphs accordingly.

Page 13, line 8, strike "GOALS;" and substitute "GOALS; AND".

Page 36, after line 18 insert:

"(VIII) RECOGNIZING THAT PARTICIPATION BY PUBLICLY TRADED CORPORATIONS IN COLORADO'S RETAIL MARIJUANA INDUSTRY CREATES AN INCREASED NEED TO ASSESS BARRIERS OF ENTRY FOR MINORITY- AND WOMAN-OWNED BUSINESSES, WITH SUCH EFFORTS BEING MADE TO IDENTIFY SOLUTIONS TO ARRIVE AT A GREATER BALANCE AND FOR FURTHER EQUITY FOR MINORITY- AND WOMAN-OWNED BUSINESSES, AND IN A MANNER THAT IS CONSISTENT WITH THE PUBLIC SAFETY AND ENFORCEMENT GOALS AS STATED HEREIN, IT IS THEREFORE OF SUBSTANTIVE IMPORTANCE TO ADDRESS THE LACK OF MINORITY- AND WOMAN-OWNED BUSINESSES' INCLUSION IN COLORADO'S RETAIL MARIJUANA INDUSTRY, SOCIAL INJUSTICE ISSUES ASSOCIATED WITH MARIJUANA PROHIBITION, SUITABILITY ISSUES RELATING TO PAST CONVICTIONS FOR POTENTIAL LICENSEES, LICENSING FEES, AND ECONOMIC CHALLENGES THAT ARISE WITH THE APPLICATION PROCESSES;".

Renumber succeeding subparagraphs accordingly.

Page 36, line 10, strike "AND".

Page 36, line 21, strike "GOALS;" and substitute "GOALS; AND".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1423 by Representative(s) Valdez and Liston; also Senator(s) Crowder and Garcia--Concerning grants to provide equipment to rural fire protection districts.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1094 by Representative(s) Herod and Wist; also Senator(s) Martinez Humenik and Moreno--Concerning the reauthorization of the "Child Mental Health Treatment Act", and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1321 by Representative(s) McKean and Arndt, Ginal; also Senator(s) Moreno and Martinez Humenik, Kefalas--Concerning efficient administration of nonemergency medical transportation within the existing benefit under the medical assistance program, and, in connection therewith, making and reducing an appropriation.

Amendment No. 1(L.003), by Senator Moreno.

Amend reengrossed bill, page 3, after line 3 insert:

"(4) THE EXECUTIVE DIRECTOR MAY WAIVE THE REQUIREMENTS OF SUBSECTION (2)(b) OF THIS SECTION, AS NECESSARY, TO IMPLEMENT THE METHOD FOR MEETING URGENT TRANSPORTATION NEEDS PURSUANT TO THIS SECTION.".

Renumber succeeding subsection accordingly.

Page 3, line 7, strike "BENEFIT." and substitute "BENEFIT, INCLUDING ANY WAIVER OF THE REQUIREMENTS OF SUBSECTION (2)(b) OF THIS SECTION.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1351 by Representative(s) Valdez and Covarrubias; also Senator(s) Crowder and Garcia, Guzman--Concerning signage for the old Spanish trail.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1434 by Representative(s) Singer and Michaelson Jenet; also Senator(s) Gardner and Fields--Concerning the safe2tell program, and, in connection therewith, creating new duties for the safe2tell program, requiring the safe2tell program to prepare an annual report that analyzes data from the program and makes recommendations on improving the program, and 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 Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB18-262 as amended, HB18-1002, HB18-1011 as amended, HB18-1423, HB18-1094, HB18-1321 as amended, HB18-1351, HB18-1434.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Gardner, Chair, Lambert, and Aguilar were appointed as Senate conferees on the first conference committee on **SB18-252**.

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Tuesday, May 8, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

119th Legislative Day Tuesday, May 8, 2018

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, Guzman, Hill.
Present later--2, Guzman, Hill.

Quorum — The President announced a quorum present.

Pledge — By Senator Donovan.

Reading of the Journal — On motion of Senator Gardner, reading of the Journal of Monday, May 7, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR18-012.
Correctly Engrossed: SB18-222, 262, 276, and 280.
Correctly Reengrossed: SB18-272.
Correctly Revised: HB18-1002, 1011, 1094, 1315, 1321, 1351, 1418, 1423, 1430, 1434, and 1437; HCR18-1002; HJR18-1018 and 1021.
Correctly Rerevised: HB18-1202 and 1309.
Correctly Enrolled: SB18-179, 206, 210, 229, 254, and 267; SCR18-004.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Garcia was added as a Senate joint prime sponsor with Senator Crowder on SM18-001.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rules 16 (b) and 31 were suspended.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Irene Aguilar.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Kevin Lundberg.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Kent Lambert.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

THIRD READING OF BILLS -- FINAL PASSAGE -- CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB18-280 by Senator(s) Lambert, Lundberg, Moreno; also Representative(s) Hamner, Young, Rankin--Concerning a transfer from the general fund to the tobacco litigation settlement cash fund to be allocated to the programs, services, and funds that currently receive tobacco litigation settlement money.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Jahn, and Kefalas.

SB18-276 by Senator(s) Lundberg and Lambert, Moreno; also Representative(s) Hamner and Young, Rankin--Concerning an increase in the general fund 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Garcia, Gardner, Grantham, Jahn, Kefalas, Martinez Humenik, Priola, Sonnenberg, and Williams A.

HB18-1418 by Representative(s) Weissman; also Senator(s) Coram and Kagan--Concerning the use of criminal convictions in employment.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Jones, Kefalas, Merrifield, Moreno, and Williams A.

HB18-1437 by Representative(s) Herod; also Senator(s) Neville T.--Concerning eliminating the requirement that a person who participates in college-level academic programs through the correctional education program in the department of corrections must bear entirely the costs associated with such programs.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Jahn, Kagan, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Smallwood, Todd, and Williams.

HB18-1315 by Representative(s) McLachlan and Becker J.; also Senator(s) Kefalas and Lundberg--Concerning the expansion of the sales and use tax exemption for manufactured homes constructed in compliance with a federal safety act.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Gardner, Jones, Kagan, Martinez Humenik, Moreno, Tate, and Todd.

HB18-1430 by Representative(s) Van Winkle and Young, Everett, Neville P., Wist; also Senator(s) Lundberg--Concerning the requirement that a state agency prepare a long-range financial plan.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Baumgardner, Gardner, Grantham, Kefalas, Lambert, Martinez Humenik, Moreno, Priola, Scott, Smallwood, Sonnenberg, and Tate.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB18-1379 by Representative(s) Pettersen and Wilson; also Senator(s) Hill--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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Crowder, Fenberg, Fields, Garcia, Gardner, Grantham, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Priola, Scott, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

HCR18-1002 by Representative(s) Melton and Salazar; also Senator(s) Williams A. and Crowder--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution that prohibits slavery and involuntary servitude as punishment for a crime and thereby prohibits slavery and involuntary servitude in all circumstances.

The question being "Shall the concurrent resolution pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

Co-sponsor(s) added: Aguilar, Court, Donovan, Fenberg, Fields, Garcia, Kefalas, Kerr, Lambert, Moreno, Priola, and Todd.

RECONSIDERATION OF HCR18-1002

HCR18-1002 by Representative(s) Melton and Salazar; also Senator(s) Williams A. and Crowder--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution that prohibits slavery and involuntary servitude as punishment for a crime and thereby prohibits slavery and involuntary servitude in all circumstances.

Having voted on the prevailing side, Senator Crowder moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HCR18-1002.

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:

HCR18-1002 by Representative(s) Melton and Salazar; also Senator(s) Williams A. and Crowder--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution that prohibits slavery and involuntary servitude as punishment for a crime and thereby prohibits slavery and involuntary servitude in all circumstances.

The question being "Shall the concurrent resolution pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution was **passed**.

Co-sponsor(s) added: Kagan, Marble, Martinez Humenik, Merrifield, and Tate.

SB18-222 by Senator(s) Cooke and Gardner; also Representative(s) Wist--Concerning reimbursing prosecuting attorneys for costs associated with litigating rule 35 of the Colorado criminal procedure motions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Crowder, Grantham, Kagan, and Tate.

SB18-262 by Senator(s) Gardner; also Representative(s) Duran and Bridges--Concerning targeted funding for public institutions of higher education to help achieve the Colorado commission on higher education master plan 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	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fenberg, Fields, Garcia, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, and Williams A.

HB18-1002 by Representative(s) Hamner and Rankin, McLachlan; also Senator(s) Coram and Todd--Concerning teaching fellowship programs to assist rural school districts in hiring high-quality teachers, and, in connection therewith, creating the "Rural Colorado Grow Your Own Educator Act" 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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Crowder, Donovan, Garcia, Grantham, Kagan, Kefalas, Kerr, Martinez Humenik, Moreno, Scott, Tate, Williams A., and Zenzinger.

HB18-1011 by Representative(s) Pabon and Van Winkle; also Senator(s) Neville T. and Jahn--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	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kerr, Marble, Merrifield, Todd, and Williams A.

HB18-1094 by Representative(s) Herod and Wist; also Senator(s) Martinez Humenik and Moreno--Concerning the reauthorization of the "Child Mental Health Treatment 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	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Jahn, Jones, Kagan, Kefalas, Kerr, Merrifield, Tate, Todd, Williams A., and Zenzinger.

HB18-1423 by Representative(s) Valdez and Liston; also Senator(s) Crowder and Garcia--Concerning grants to provide equipment to rural fire protection districts.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Cooke, Court, Donovan, Grantham, Jones, Kefalas, Martinez Humenik, Merrifield, Moreno, Sonnenberg, Tate, Todd, and Zenzinger.

HB18-1321 by Representative(s) McKean and Arndt, Ginal; also Senator(s) Moreno and Martinez Humenik, Kefalas--Concerning efficient administration of nonemergency medical transportation within the existing benefit under the medical assistance program, and, in connection therewith, making and reducing an appropriation.

A majority of those elected to the Senate having voted in the affirmative, Senator Kefalas was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.004), by Senator Kefalas.

Amend revised bill, page 3, strike lines 4 through 7.

Renumber succeeding subsection accordingly.

Page 3, lines 11 and 12, strike "BENEFIT, INCLUDING ANY WAIVER OF THE REQUIREMENTS OF SUBSECTION (2)(b) OF THIS SECTION." and substitute "BENEFIT.".

The amendment was **passed** on the following roll call vote:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	N
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

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
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

Co-sponsor(s) added: Court, Tate, and Zenzinger.

HB18-1351 by Representative(s) Valdez and Covarrubias; also Senator(s) Crowder and Garcia, Guzman--Concerning signage for the old Spanish trail.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fields, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, and Williams A.

HB18-1434 by Representative(s) Singer and Michaelson Jenet; also Senator(s) Gardner and Fields-- Concerning the safe2tell program, and, in connection therewith, creating new duties for the safe2tell program, requiring the safe2tell program to prepare an annual report that analyzes data from the program and makes recommendations on improving the program, 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	
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Crowder, Fenberg, Garcia, Hill, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, Williams A., and Zenzinger.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for a moment or personal privilege.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF SECOND CONFERENCE COMMITTEE
ON SB18-015

****
THIS REPORT AMENDS THE
REREVISED BILL
****

To the President of the Senate and the
Speaker of the House of Representatives:

Your second conference committee appointed on SB18-015, concerning the "Protecting Homeowners and Deployed Military Personnel Act", 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, strike lines 15 through 17 and substitute:

"(b) (I) "UNAUTHORIZED PERSON" MEANS A PERSON WHO OCCUPIES AN UNINHABITED OR VACANT RESIDENTIAL PREMISES WITHOUT ANY CURRENT OR PRIOR AGREEMENT OR CONSENT OF THE OWNER OR AN AUTHORIZED AGENT OF THE OWNER, WHETHER WRITTEN OR ORAL, CONCERNING THE USE OF THE RESIDENTIAL PREMISES.

(II) "UNAUTHORIZED PERSON" DOES NOT INCLUDE:

(A) A RELATIVE OF THE PROPERTY OWNER OR A RELATIVE OF AN AUTHORIZED AGENT OF THE PROPERTY OWNER, INCLUDING A SPOUSE, DESCENDANT, STEPCHILD, PARENT, STEPPARENT, GRANDPARENT, BROTHER, SISTER, UNCLE, OR AUNT, WHETHER RELATED BY WHOLE OR HALF BLOOD OR BY ADOPTION;

(B) A PERSON OR PERSONS FROM WHICH THE OWNER OR AN AUTHORIZED AGENT OF THE OWNER HAS ACCEPTED MONEY OR ANYTHING OF VALUE; OR

(C) A PERSON WHO WAS PREVIOUSLY GIVEN PERMISSION TO ENTER

AND REMAIN ON THE PREMISES.".

Page 3, strike lines 1 and 2.

Page 3, line 9, strike the first "THE" and substitute "TO THE EXTENT KNOWN OR REASONABLY ASCERTAINABLE, THE".

Page 3, lines 16 and 17, strike "AS SOON AS PRACTICABLE" and substitute "WITHIN ONE COURT DAY".

Page 3, line 19, strike "EXECUTION" and substitute "RESTITUTION".

Page 5, line 5, strike "TWO COURT DAYS" and substitute "THE NEXT COURT DAY".

Page 5, line 6, strike "MOTION." and substitute "MOTION, UNLESS A LATER DATE IS REQUESTED BY THE MOVING PARTY.".

Page 6, line 2, strike "EXECUTION" and substitute "RESTITUTION".

Page 7, line 10, strike "EXECUTION" and substitute "RESTITUTION".

Page 7, line 22, strike "MOTION, UNLESS IT APPEARS FROM" and substitute "MOTION.".

Page 7, strike lines 23 through 27.

Page 8, strike line 1.

Reletter succeeding paragraph accordingly.

Page 8, line 3, strike "EXECUTION" and substitute "RESTITUTION".

Page 8, line 8, strike "EXECUTION" and substitute "RESTITUTION".

Page 8, line 10, strike "WITHIN" and substitute "NO LATER THAN" and strike "HOURS, OR AS SOON AS POSSIBLE," and substitute "HOURS".

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 4, after line 4 insert:

"3. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER GIVEN PERMISSION FOR THE UNAUTHORIZED PERSON OR PERSONS TO ENTER AND REMAIN ON THE PREMISES;

4. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER HAD A WRITTEN OR ORAL AGREEMENT WITH THE UNAUTHORIZED PERSON OR PERSONS REGARDING THE USE OF THE PREMISES;

5. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER IS RELATED TO THE UNAUTHORIZED PERSON OR PERSONS;

6. [ ] NEITHER THE OWNER NOR AN AUTHORIZED AGENT OF THE OWNER HAS EVER ACCEPTED MONEY OR ANYTHING OF VALUE FROM THE UNAUTHORIZED PERSON OR PERSONS REGARDING THE USE OF THE PREMISES;".

Page 4, line 6, strike "3." and substitute "7.".

Page 4, line 9, strike "4." and substitute "8.".

Page 4, strike lines 16 through 19.

Page 4, line 20, strike "6." and substitute "9.".

Page 4, strike line 25 and substitute "THE COUNTY COURT PURSUANT TO THIS SECTION MAY BE:

(a) SUBJECT TO SANCTIONS UNDER THE COLORADO RULES OF COUNTY COURT CIVIL PROCEDURE;

(b) HELD IN CONTEMPT OF COURT; OR

(c) PROSECUTED FOR".

Page 6, lines 11 and 12, strike "**OR OTHER LAW ENFORCEMENT OFFICER**".

Page 8, lines 5 and 6, strike "ANY LAW ENFORCEMENT AGENCY" and substitute "THE SHERIFF".

Page 8, lines 11 and 12, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF, AS DESCRIBED IN SECTION 16-2.5-103 (1) OR (2), WHILE OFF DUTY OR ON DUTY AT RATES CHARGED BY THE EMPLOYING SHERIFF'S OFFICE IN ACCORDANCE WITH SECTION 30-1-104 (1)(gg),".

Page 8, line 20, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF".

Page 8, line 21, strike "PEACE OFFICER" and substitute "SHERIFF, UNDERSHERIFF, OR DEPUTY SHERIFF".

Respectfully submitted,

Senate Committee:	House Committee:
Bob Gardner, Chair	Mike Weissman, Chair
Daniel Kagan	Mike Foote
Owen Hill	Larry Liston

MESSAGE FROM THE HOUSE

May 8, 2018

Mr. President:

The House has passed on Third Reading and returns herewith SB18-245, 253, 013.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1440, 1226, amended as printed in House Journal, May 7, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-259, 271, 269, 223, amended as printed in House Journal, May 7, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-255 and SB18-001 amended as printed in House Journal, May 7, 2018, and amended on Third Reading as printed in House Journal, May 8, 2018.

The Speaker has appointed Representatives Lee, chairman, Weissman, and Wist as House conferees on the First Conference Committee on SB18-252.

The House has voted to grant the House conferees on the Second Conference Committee on SB18-015 to consider matters not at issue between the two houses.

The House has voted to grant the House conferees on the First Conference Committee on SB18-252 to consider matters not at issue between the two houses.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2018

We herewith transmit:

Without comment, as amended, HB18-1226 and 1440.
Without comment, as amended, SB18-001, 223, 255, 259, 269, and 271.

Senate in recess. Senate reconvened.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title and referred to the committees indicated:

HB18-1226 by Representative(s) Everett and Bridges, Lundeen, Beckman, Lewis, Neville P., Saine, Van Winkle, Becker J., McKean, Ransom, Sandridge; also Senator(s) Smallwood and Fenberg--Concerning the review of degree programs offered by state institutions of higher education, and, in connection therewith, making an appropriation.
Finance

HB18-1440 by Representative(s) Valdez; also Senator(s) Todd and Coram--Concerning preneed funeral contract sellers, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS (cont'd)

Appropriations After consideration on the merits, the Committee recommends that **HB18-1424** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1115** be postponed indefinitely.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1364** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate State, Veterans, & Military Affairs Committee Report, dated May 3, 2018, page 3, strike lines 5 and 6 and substitute:

"Page 14, strike lines 19 through 26 and substitute:

"**SECTION 13. Appropriation.** For the 2018-19 state fiscal year, $250,000 is appropriated to the department of human services for use by the executive director's office. This appropriation is from the general fund and is based on the assumption that the department will require an additional 1.0 FTE. To implement this act, the office may use this appropriation for the council for persons with disabilities.".".

Appropriations After consideration on the merits, the Committee recommends that **HB18-1396** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1409** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1064** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB18-1060** 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 12, strike "2020," and substitute "2024,".

Page 2, strike lines 13 through 25.

Page 3, strike lines 1 through 6 and substitute "A QUALIFIED INDIVIDUAL'S

MILITARY RETIREMENT BENEFITS INCLUDED IN FEDERAL ADJUSTED GROSS INCOME, BUT NOT TO EXCEED THE FOLLOWING AMOUNTS:

(A) FOUR THOUSAND FIVE HUNDRED DOLLARS FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2019, BUT PRIOR TO JANUARY 1, 2020;

(B) SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2020, BUT PRIOR TO JANUARY 1, 2021;

(C) TEN THOUSAND DOLLARS FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2021, BUT BEFORE JANUARY 1, 2022; OR

(D) FIFTEEN THOUSAND DOLLARS FOR INCOME TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2022, BUT BEFORE JANUARY 1, 2024.".

Renumber succeeding subparagraph accordingly.

Page 3, line 12, strike "YEAR".

Page 3, strike lines 13 and 14 and substitute "YEAR.".

Appropriations: After consideration on the merits, the Committee recommends that **HB18-1416** be postponed indefinitely.

Finance: After consideration on the merits, the Committee recommends that **HB18-1226** be referred to the Committee on Appropriations with favorable recommendation.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs: After consideration on the merits, the Committee recommends that **HB18-1440** be postponed indefinitely.

Appropriations: After consideration on the merits, the Committee recommends that **HB18-1226** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR18-013 by Senator(s) Grantham and Crowder; also Representative(s) Lewis--Concerning the designation of Highway 207 between Manzanola, Colorado, and Crowley, Colorado, as the "Sgt. Mary Ricard Memorial Highway".

Laid over one day under Senate Rule 30(b).

Committee of the Whole: On motion of Senator Cooke, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1019 by Representative(s) Foote; also Senator(s) Priola--Concerning criteria applied in determining performance ratings for entities in the elementary and secondary public education system, and, in connection therewith, making an appropriation.

(Amended in General Orders as printed in Senate Journal, May 7, page 1166.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1267 by Representative(s) Gray and McKean; also Senator(s) Tate--Concerning an income tax credit for retrofitting a residence to increase the residence's visitability, and, in connection therewith, making an appropriation.

Laid over until Wednesday, May 9, retaining its place on the calendar.

HB18-1427 by Representative(s) Herod and Wist; also Senator(s) Sonnenberg--Concerning a prohibition on conflicts of interest of members of the sex offender management board.

Laid over until Wednesday, May 9, retaining its place on the calendar.

HB18-1433 by Representative(s) Gray; also Senator(s) Tate, Coram--Concerning modifications to the "Naturopathic Doctor Act", and, in connection therewith, requiring a naturopathic doctor to disclose that the naturopathic doctor is registered and updating the terms that a naturopathic doctor may use.

Laid over until Wednesday, May 9, retaining its place on the calendar.

HB18-1236 by Representative(s) McLachlan and Becker J.; also Senator(s) Baumgardner--Concerning the continuation of the Colorado food systems advisory council, and, in connection therewith, implementing the recommendations in the department of regulatory agencies' sunset report.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 4, page 1137 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1426 by Representative(s) Pabon and Melton; also Senator(s) Neville T.--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 4, page 1138 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1019 as amended, HB18-1236 as amended, HB18-1426 as amended.
Laid over until Wednesday, May 9: HB18-1267, HB18-1427, HB18-1433.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Tate will be added as a Senate joint prime sponsor with Senator Neville and Representative Pabon on HB18-1426.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1155 by Representative(s) Singer and Liston, Catlin, Ginal, Hooton; also Senator(s) Martinez Humenik--Concerning the continuation of the physical therapy board, and, in connection therewith, implementing the recommendations contained in the 2017 sunset review and report by the department of regulatory agencies.

Senator Martinez Humenik moved for the adoption of the first report of the first conference committee on HB18-1155, as printed in Senate journal, May 7, page 1144. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-068 by Senator(s) Cooke; also Representative(s) Van Winkle and Bridges--Concerning criminalizing false reports.

Senator Cooke moved for the adoption of the first report of the first conference committee on SB18-068, as printed in Senate journal, May 4, page 1120. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF MEMORIALS

SM18-001 by Senator(s) Crowder and Garcia--Memorializing Congress to actively pursue the return of the U.S.S. Pueblo from the government of the Democratic People's Republic of Korea.

Amendment No. 1(L.004), by Senator Garcia.

Amend printed memorial, page 1, strike lines 1 through 15 and substitute:

"WHEREAS, Recent actions by the Democratic People's Republic of Korea (North Korea) suggest that North Korea and South Korea have entered into a new phase of their relationship; and

WHEREAS, While the Declaration of War between North and South Korea has not yet been rescinded, the recent meeting between the leaders of the two countries - just the second such meeting since 1948 - has resulted in some measure of détente between the parties; and

WHEREAS, The people of Colorado are encouraged and hopeful for continued positive developments on the Korean peninsula, as evidenced by Secretary of State Mike Pompeo's recent meeting with North Korean leader Kim Jong Un and President Donald Trump's planned diplomatic trip; and

WHEREAS, Colorado encourages North Korea to continue to work with South Korea and the United States in making substantial efforts to reform its record of human rights abuses, to release political prisoners, and to return property belonging to other countries; and

WHEREAS, North Korea's human rights record has been considered among the worst in the world and has been globally

condemned, with groups such as the United Nations, Amnesty International, Human Rights Watch, and the European Union all critical of the country's record. Indeed, most international human rights organizations consider North Korea to have no contemporary parallel with respect to violations of liberty; and

WHEREAS, North Korea's human rights abuses include slave labor, no freedom of expression or religion, active persecution of Christians and Buddhists, no free press, no freedom of movement, uneven distribution of food to the privileged and starvation of the poor, forced prostitution, and forced abortion; and

WHEREAS, In North Korea, political crimes are greatly varied, from border crossing to any disturbance of the political order, and they are rigorously punished. Due to the dire prison conditions with hunger and torture, a large percentage of prisoners do not survive their sentence term; and

WHEREAS, North Korea holds three United States citizens as political prisoners. The three political prisoners, Kim Hak-song, Kim Dong-chul, and Kim Sang-duk are three of an estimated 80,000 to 120,000 people in North Korea's six political prison camps, in which the U.S. State Department has found evidence of starvation, forced labor, and torture; and

WHEREAS, Kim Hak-song is a Korean-American who worked at the Pyongyang University of Science and Technology (PUST). Kim was arrested for "hostile acts" against the state; and

WHEREAS, Kim Dong-chul is a South Korea-born businessman and naturalized United States citizen. Kim had been living in China with his wife, and owns a business in a special economic zone of North Korea and is a Christian missionary. Kim was arrested for "espionage" in October 2015; and

WHEREAS, Kim Sang-duk is a Korean-American former professor teaching accounting at the Business Administration School of Yanbian University of Science and Technology (YUST) in the northeastern Chinese city of Yanji, near the Chinese border with North Korea. At the time of his arrest, Kim had completed a one-month assignment as a guest lecturer in international finance and management at the Pyongyang University of Science and Technology (PUST). Kim was arrested for "hostile criminal acts with an aim to subvert the country" in April 2017; and

WHEREAS, The release of these three Americans from North Korean labor camps would be a unique and powerful gesture of peace and reconciliation; and

WHEREAS, Another gesture to thaw relations and bring healing is to return the only U.S. ship currently under the control of a foreign county; and

WHEREAS, The U.S.S. Pueblo was originally launched as a United States Army cargo ship in 1944 and was transferred to the United States Navy and renamed the U.S.S. Pueblo in 1966 in honor of the City of Pueblo and the County of Pueblo, Home of Heros and four National Congressional Medal of Honor recipients; and

WHEREAS, The U.S.S. Pueblo was captured by North Korea on January 23, 1968, while in international waters. During the efforts to escape, one crewmember was killed in action. North Korea captured 80 crewmembers and two oceanographers as well as the U.S.S. Pueblo. The 82 prisoners were thankfully released 11 months later; and

WHEREAS, The North Korean government uses the U.S.S. Pueblo as an exhibit at the Victorious Fatherland War Museum in Pyongyang, filled with propaganda and historical inaccuracies; now, therefore,

Be it resolved by the Senate of the Seventy-first General Assembly of the State of Colorado:

That we, the Senate of the State of Colorado:

(1) Demand the release of the three United States citizens, Kim Hak-song, Kim Dong-chul and Kim Sang-duk;

(2) Request the release of the nearly 120,000 political prisoners from North Korea's six political camps;

(3) Encourage North Korea to engage in meaningful human rights reformations;

(4) Support the recent peaceful actions of North Korea and remain hopeful that the nation will continue on a positive course for the rights of its citizens and for sake of global security;

(5) Believe that the return of the U.S.S. Pueblo to the people of Colorado and the United States would be a good faith action by North Korea in furtherance of improving relations; and

(6) Strongly urge Congress, the President, and the President's Administration to actively pursue the release of North Korea's political prisoners, the return of the three United States citizens being unlawfully detained, and the restoration of the U.S.S. Pueblo to its rightful home.

Be it Further Resolved, that copies of this Memorial be sent to President Donald J Trump; Mike Pompeo, Secretary of State; Marc Knapper, Charge d'Affaires ad interim to South Korea; and Colorado's Congressional delegation.".

Strike page 2.

On motion of Senator Crowder, the amendment was read at length and **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

On motion of Senator Garcia, the memorial, as amended, was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Gardner, Grantham, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

CONSIDERATION OF RESOLUTIONS

SJR18-012 by Senator(s) Holbert, Grantham, Garcia; also Representative(s) Becker K., Duran, Neville P.--Concerning the appointment of a joint committee to notify the governor that the second regular session of the seventy-first general assembly is about to adjourn sine die.

Laid over until Wednesday, May 9, retaining its place on the calendar.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1057, HB18-1208, HB18-1422, HB18-1431, HB18-1291, HB18-1421, HB18-1364, HB18-1396, HB18-1409, HB18-1064, HB18-1060, HB18-1226, HB18-1267, HB18-1427, and HB18-1433 were made Special Orders at 5:34 p.m.

Committee of the Whole

The hour of 5:34 p.m. having arrived, Senator Cooke moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Cooke was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB18-1057 by Representative(s) McKean; also Senator(s) Coram--Concerning the collection of debts, and, in connection therewith, allowing collection agents to add certain expenses to amounts due for collection.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 7, page 1156 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1208 by Representative(s) Duran and Winter; also Senator(s) Martinez Humenik--Concerning the expansion of the income tax credit for child care expenses that is a percentage of a similar federal income tax credit, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 3, pages 1069-1070 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 7, page 1153 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1422 by Representative(s) Gray, Pabon, Singer; also Senator(s) Jahn, Neville T.--Concerning requirements for marijuana testing facilities, and, in connection therewith, making an appropriation.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 7, page 1153 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1291 by Representative(s) Winter and Thurlow; also Senator(s) Sonnenberg--Concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, May 2, pages 1036-1050 and placed in members' bill files.)

Amendment No. 2, Finance Committee Amendment.
(Printed in Senate Journal, May 4, pages 1121-1136 and placed in members' bill files.)

Amendment No. 3(L.014), by Senator Sonnenberg.

Amend the Finance Committee Report dated May 4, 2018, page 3, line 40, after the period add "APPOINTMENTS MADE PURSUANT TO THIS SUBSECTION (1)(e) ARE FOR THREE-YEAR TERMS AND NO MEMBER SHALL SERVE MORE THAN TWO CONSECUTIVE TERMS.".

Page 10, line 24, strike "PRACTICE; AND" and substitute "PRACTICE OR BY COMPLYING WITH THE ADMINISTRATIVE CALCULATION FORMULAS PROMULGATED AND PUBLICIZED BY THE DIVISION; AND".

Page 11, after line 12 insert:

"(c) THE DIRECTOR HAS THE AUTHORITY AND RESPONSIBILITY TO DETERMINE CONFORMANCE WITH THE ADMINISTRATIVE CALCULATION REQUIREMENTS OF SECTION 39-22-522 (3.8).".

Reletter succeeding paragraphs accordingly.

Page 11, line 22, strike "SECTION." and substitute "SECTION OR THE ADMINISTRATIVE CALCULATION OPTION AS DESCRIBED IN SECTION 39-22-522 (3.8).".

Page 11, line 29, strike "APPRAISAL;" and substitute "APPRAISAL OR THE ADMINISTRATIVE CALCULATION;".

Page 15, line 14, strike "COMMISSIONER" and substitute "DIRECTOR".

Page 15, line 21, strike "COMMISSIONER" and substitute "DIRECTOR".

Page 15, strike lines 36 through 38 and substitute:

"(III) THE NAME OF THE ORIGINAL GRANTOR OF THE EASEMENT AND THE NAME OF THE ORIGINAL GRANTEE OF THE EASEMENT.".

Page 15, line 40, strike "12-61-724;" and substitute "12-61-1104;".

Page 16, strike lines 1 through 4 and substitute:

"(VI) IF A TAX CREDIT WAS ISSUED.".

Page 18, line 23, strike "ASSIGNMENT IS" and substitute "APPRAISAL CERTIFICATION IS SIGNED.".

Page 18, strike line 24.

Page 19, strike lines 4 and 5 and substitute "(2), (2.5), (2.7), (3)(d), (3)(e), (3)(f) introductory portion, (3.5)(a)(I), (3.5)(a)(II), (3.5)(b), (3.6)(b), (4)(a)(I), (4)(a)(II), (4)(a)(II.5), and (7)(g); and **add** (3.8) as follows:".

Page 19, strike line 7 and substitute:

"(2) (a) For income tax years commencing on or after January 1, 2000, but prior to January 1, 2014, and, with regard to any credit over the amount of one hundred thousand dollars, for income tax years commencing on or after January 1, 2003, subject to ~~the provisions of~~ subsections (4) and (6) of this section, there shall be allowed a credit with

respect to the income taxes imposed by this ~~article~~ ARTICLE 22 to each taxpayer who donates during the taxable year all or part of the value of a perpetual conservation easement in gross created pursuant to article 30.5 of title 38 ~~C.R.S.~~, upon real property the taxpayer owns to a governmental entity or a charitable organization described in section 38-30.5-104 (2) ~~C.R.S.~~ The credit shall only be allowed for a donation that is eligible to qualify as a qualified conservation contribution pursuant to section 170 (h) of the internal revenue code, as amended, and any federal regulations promulgated in connection with such section OR THE ADMINISTRATIVE CALCULATION OPTION AS DESCRIBED IN SUBSECTION (3.8) OF THIS SECTION. The amount of the credit shall not include the value of any portion of an easement on real property located in another state.

(b) For income tax years commencing on or after January 1, 2014,".

Page 19, line 21, strike "section." and substitute "section OR FOR DONATIONS THAT USE THE ADMINISTRATIVE CALCULATION DESCRIBED IN SECTION 39-22-522 (3.8).".

Page 20, after line 22 insert:

"(d) A summary of a qualified appraisal that meets the requirements set forth in subsection (3.3) of this section; however, if requested by the department of revenue, the taxpayer shall submit the appraisal itself, OR THE CONFIRMATION OF CONFORMANCE TO THE ADMINISTRATIVE CALCULATION FORMULAS DESCRIBED IN SUBSECTION (3.8) OF THIS SECTION AS SET FORTH BY THE DIVISION;

(e) A copy of the appraisal and accompanying affidavit from the appraiser submitted to the division of real estate in the department of regulatory agencies in accordance with ~~the provisions of~~ section 12-61-719, ~~C.R.S.~~, as said section existed prior to its repeal on July 1, 2013, OR THE CONFIRMATION OF CONFORMANCE TO THE ADMINISTRATIVE CALCULATION FORMULAS DESCRIBED IN SUBSECTION (3.8) OF THIS SECTION AS SET FORTH BY THE DIVISION;".

Page 22, strike lines 11 through 17 and substitute "TAX YEAR AND CLAIM A RETROACTIVE TAX CREDIT AS DESCRIBED IN SECTION 39-22-522 (3.8).".

Page 22, after line 31 insert:

"(3.8) (a) AS AN ALTERNATIVE TO THE APPRAISAL REQUIREMENTS SET FORTH IN SUBSECTION (3.3) OF THIS SECTION, A TAXPAYER MAY ELECT TO HAVE THE AMOUNT OF THE TAX CREDIT CALCULATED IN ACCORDANCE WITH THE CONSERVATION EASEMENT TAX CREDIT FORMULA SET FORTH IN THIS SUBSECTION (3.8).

(b) A BASELINE PROPERTY VALUE SHALL BE DETERMINED FROM PUBLICLY AVAILABLE DATA, OR A COMBINATION OF PUBLICLY AVAILABLE DATA, FOR RURAL AND AGRICULTURAL PROPERTIES AS IDENTIFIED IN RULES TO BE PROMULGATED BY THE DIVISION IN CONSULTATION WITH THE CONSERVATION EASEMENT OVERSIGHT COMMISSION. SUCH SOURCES MAY INCLUDE COUNTY ASSESSOR DATA, COLORADO STATE LAND BOARD DATA, UNITED STATES DEPARTMENT OF AGRICULTURE NATIONAL AGRICULTURAL STATISTICS SERVICE, OR OTHER DATA SETS AS IDENTIFIED BY THE DIVISION. SUCH SOURCES DO NOT HAVE TO BE PROPERTY SPECIFIC BUT SHALL BE SUFFICIENT FOR A TAXPAYER TO DETERMINE THEIR BASELINE PROPERTY VALUE FOR PURPOSES OF THIS SUBSECTION (3.8).

(c) WHEN THE BASELINE PROPERTY VALUE IS DETERMINED IN ACCORDANCE WITH SUBSECTION (3.8)(b) OF THIS SECTION, THE ADJUSTMENTS IN VALUE TO BE APPLIED TO THE BASELINE PROPERTY SHALL BE ACCORDING TO THE FOLLOWING FORMULA, WITH THE AMOUNT OF THE TAX CREDIT DETERMINED, SUBJECT TO ANY OTHER LIMITATIONS OF THIS SECTION, BY APPLYING THE ADJUSTMENTS AGAINST THE BASELINE PROPERTY VALUE:

(I) SIXTY PERCENT FOR A MOST RESTRICTIVE EASEMENT;

(II) FORTY-FIVE PERCENT FOR A MEDIUM RESTRICTIVE EASEMENT; AND

(III) THIRTY PERCENT FOR A LEAST RESTRICTIVE EASEMENT.

(d) THE DIVISION SHALL PROMULGATE RULES:

(I) DESCRIBING THE REQUIREMENTS FOR A MOST RESTRICTIVE EASEMENT, A MEDIUM RESTRICTIVE EASEMENT, AND A LEAST RESTRICTIVE EASEMENT, WHICH MAY INCLUDE AN UPWARD ADJUSTMENT OF UP TO TEN PERCENT FOR EACH CATEGORY FOR ENCUMBERING WATER RIGHTS OR APPLYING FUTURE AGRICULTURAL SALE VALUE RESTRICTIONS;

(II) SETTING FORTH THE PROCESS TO APPLY FOR THE ALTERNATIVE VALUATION PROCESS SET FORTH IN THIS SUBSECTION (3.8); AND

(III) SETTING FORTH A PROCESS FOR A TAXPAYER TO REQUEST CONFIRMATION FROM THE DIVISION OF THE BASELINE PROPERTY VALUE OF THE PROPERTY PROPOSED FOR INCLUSION IN A CONSERVATION EASEMENT, AND FOR CONFIRMATION OF THE TERMS OF THE PROPOSED CONSERVATION EASEMENT AS TO THE RESTRICTION LEVEL QUALIFIED FOR PURSUANT TO SUBSECTION (3.8)(c) OF THIS SECTION.

(e) IF NO PUBLIC SOURCE IS AVAILABLE FOR A TAXPAYER TO DETERMINE THE BASELINE PROPERTY VALUE OF THEIR PROPERTY, THEN THE TAXPAYER SHALL DETERMINE THE VALUE OF THE CONSERVATION EASEMENT PURSUANT TO SUBSECTION (3.3) OF THIS SECTION.

(f) A CONSERVATION EASEMENT VALUED IN ACCORDANCE WITH THIS SUBSECTION (3.8) SHALL ONLY BE ALLOWED FOR A DONATION THAT IS ELIGIBLE TO QUALIFY AS A QUALIFIED CONSERVATION CONTRIBUTION PURSUANT TO SECTION 170 (h) OF THE INTERNAL REVENUE CODE, AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION.

(g) THE ALTERNATIVE VALUATION SET FORTH IN THIS SUBSECTION (3.8) SHALL ONLY BE AVAILABLE FOR CONSERVATION EASEMENT DONATIONS COMPLETED ON OR BEFORE DECEMBER 31, 2023.

(h) THE ALTERNATIVE TAX CREDIT CALCULATION DESCRIBED IN THIS SUBSECTION (3.8) MAY NOT BE USED BY A TAXPAYER UNTIL AFTER THE LATTER OF JULY 1, 2019, OR THE ADOPTION OF THE RULES SET FORTH IN SUBSECTION (3.8)(d) OF THIS SECTION.

(i) THE DIVISION SHALL CREATE A COMMITTEE, AND MEMBERS OF THE COMMITTEE SHALL BE SELECTED IN CONSULTATION WITH THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE. THE PURPOSE OF THE COMMITTEE SHALL BE:

(I) TO MAKE RECOMMENDATIONS TO THE DIVISION TO INFORM ITS RULEMAKING AND SPECIFICALLY TO MAKE RECOMMENDATIONS FOR THE MINIMUM REQUIREMENTS FOR A MOST RESTRICTIVE EASEMENT, A MEDIUM RESTRICTIVE EASEMENT, AND A LEAST RESTRICTIVE EASEMENT;

(II) TO ADVISE ABOUT OTHER STATUTORY CHANGES REQUIRED IN THIS SECTION TO PERMIT THE AMOUNT OF THE TAX CREDIT TO BE DETERMINED IN ACCORDANCE WITH THIS SUBSECTION (3.8) WITHOUT THE SUBMISSION OF THE APPRAISAL REQUIRED BY SUBSECTION (3.3) OF THIS SECTION; AND

(III) TO RECOMMEND A MECHANISM FOR A RETROACTIVE TAX CREDIT CALCULATION IN ACCORDANCE WITH THIS SUBSECTION (3.8) FOR CONSERVATION EASEMENTS IN GROSS FOR TAX YEARS COMMENCING ON OR AFTER JANUARY 1, 2000, AND BEFORE DECEMBER 31, 2008, FOR WHICH A CREDIT CLAIMED PURSUANT TO THIS SECTION WAS SUBSEQUENTLY DENIED IN WHOLE OR IN PART BECAUSE THE APPRAISED VALUE OF THE EASEMENT WAS DETERMINED BY THE STATE TO BE TOO HIGH.

(j) ANY RETROACTIVE TAX CREDIT ISSUED IS LIMITED TO THE TRANSACTION CAPS IMPOSED BY SECTION 39-22-522 (4)(a)(I) TO (4)(a)(II.5) AT THE TIME OF THE ORIGINAL DONATION AND FURTHER REDUCED BY THE AMOUNT OF ANY PREVIOUSLY ISSUED TAX CREDIT. THE RETROACTIVE TAX CREDIT IS SUBJECT TO A TEN-YEAR CARRYFORWARD FROM THE TIME THE RETROACTIVE TAX CREDIT IS ISSUED.

(k) THE ALTERNATIVE TAX CREDIT CALCULATION SET FORTH IN THIS SUBSECTION (3.8) IS NOT INTENDED AS AN ALTERNATIVE MEANS OF VALUING THE DONATION OF A CONSERVATION EASEMENT IN GROSS FOR PURPOSES OF A FEDERAL CHARITABLE DEDUCTION PURSUANT TO SECTION 170 (h) OF THE INTERNAL REVENUE CODE, AS AMENDED, AND ANY FEDERAL REGULATIONS PROMULGATED IN CONNECTION WITH SUCH SECTION.

(4) (a) (I) For a conservation easement in gross created in accordance with article 30.5 of title 38 ~~C.R.S.~~, that is donated prior to January 1, 2007, 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 one hundred

percent of the first one hundred thousand dollars of the fair market value OR THE ADMINISTRATIVE CALCULATION of the donated portion of such conservation easement in gross when created, and forty percent of all amounts of the donation in excess of one hundred thousand dollars; except that in no case shall the credit exceed two hundred sixty thousand dollars per donation.

(II) 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, 2007, and prior to 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 fifty percent of the fair market value OR THE ADMINISTRATIVE CALCULATION of the donated portion of such conservation easement in gross when created; except that, in no case shall the credit exceed three hundred seventy-five thousand dollars per donation.

(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 OR THE ADMINISTRATIVE CALCULATION 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 dollars per donation.".

Page 23, strike lines 33 through 41.

Page 24, strike lines 1 through 26.

Renumber succeeding sections accordingly.

Page 25, strike lines 8 through 12 and substitute:

"(a) THE STATE HAS REJECTED THE CLAIM FOR THE CREDIT OR THE TAXPAYER HAS REPAID TO THE STATE ANY AMOUNT PREVIOUSLY ALLOWED BY THE STATE AND CLAIMED BY THE TAXPAYER;

(b) THE EASEMENT WAS DETERMINED BY THE STATE TO HAVE LOWER VALUE THAN ORIGINALLY CLAIMED BY THE TAXPAYER; AND".

Page 25, strike lines 30 through 36 and substitute:

"SUCH NOTIFICATION , THE DIVISION OF CONSERVATION SHALL PROVIDE A COPY OF THE FORM DEVELOPED PURSUANT TO THIS SUBSECTION (3) TO THE LANDOWNER SETTING FORTH THE POTENTIAL CONSEQUENCES OF RELEASING, TERMINATING, OR EXTINGUISHING THE EASEMENT.".

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1421 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert and Tate, Lundberg, Moreno--Concerning the procurement process for major information technology projects undertaken by state agencies, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1364 by Representative(s) Michaelson Jenet and Landgraf, Danielson, Ginal, Hooton, Lontine, Pettersen, Singer; also Senator(s) Martinez Humenik and Zenzinger--Concerning the continuation of the Colorado advisory council for persons with disabilities, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies, and making an appropriation.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment. (Printed in Senate Journal, May 3, pages 1068-1069 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, May 8, page 1188 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1396 by Representative(s) Buckner; also Senator(s) Moreno and Priola--Concerning creation of an advanced placement exam fee grant program in the department of education, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1409 by Representative(s) Lee and Herod; also Senator(s) Lundberg and Fields, Priola--Concerning the creation of the community crime victims grant program, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1064 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Fields--Concerning a training program to prevent child sexual abuse for persons who work with young children in some capacity as part of their employment, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1060 by Representative(s) Danielson and Landgraf, Becker J., Lundeen, McKean, Rankin, Reyher, Thurlow, Williams D., Wilson, Wist; also Senator(s) Crowder and Williams A.--Concerning a state income tax deduction for military retirement benefits for an individual who is under fifty-five years of age.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, May 8, pages 1188-1189 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1226 by Representative(s) Everett and Bridges, Lundeen, Beckman, Lewis, Neville P., Saine, Van Winkle, Becker J., McKean, Ransom, Sandridge; also Senator(s) Smallwood and Fenberg--Concerning the review of degree programs offered by state institutions of higher education, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1267 by Representative(s) Gray and McKean; also Senator(s) Tate--Concerning an income tax credit for retrofitting a residence to increase the residence's visitability, and, in connection therewith, making an appropriation.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1427 by Representative(s) Herod and Wist; also Senator(s) Sonnenberg--Concerning a prohibition on conflicts of interest of members of the sex offender management board.

Ordered revised and placed on the calendar for third reading and final passage.

HB18-1433 by Representative(s) Gray; also Senator(s) Tate, Coram--Concerning modifications to the "Naturopathic Doctor Act", and, in connection therewith, requiring a naturopathic doctor to disclose that the naturopathic doctor is registered and updating the terms that a naturopathic doctor may use.

Amendment No. 1(L.001), by Senator Aguilar.

Amend reengrossed bill, page 2, line 13, after the second "a" insert "MEDICAL DOCTOR OR".

Page 2, line 16, after "patient's" insert "LICENSED".

Page 2, line 18, strike "REGISTERED." and substitute "REGISTERED AND NOT LICENSED.".

Page 3, line 9, strike "STATE;" and substitute "STATE.".

Page 3, strike lines 10 through 14.

As amended, ordered revised and placed on the calendar for third reading and final passage.

HB18-1431 by Representative(s) Ginal; also Senator(s) Smallwood--Concerning updating managed care provisions in the medical assistance program, and, in connection therewith, aligning managed care provisions with new federal managed care regulations, removing obsolete or duplicative statutory language and programs, and updating and aligning statutory provisions to reflect the current statewide managed care system.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 7, page 1157 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

On motion of Senator Cooke, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1057 as amended, HB18-1208 as amended, HB18-1422 as amended, HB18-1291 as amended, HB18-1421, HB18-1364 as amended, HB18-1396, HB18-1409, HB18-1064, HB18-1060 as amended, HB18-1226, HB18-1267, HB18-1427, HB18-1433 as amended, HB18-1431 as amended.

CHANGE IN SPONSORSHIP

Upon announcement of President Grantham, Senator Coram will be added as a Senate joint prime sponsor with Senator Tate and Representative Gray on HB18-1433.

MESSAGE FROM THE HOUSE

May 8, 2018

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB18-1441.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-243 amended as printed in House Journal, May 7, 2018.

The House has postponed indefinitely SB18-260, 273, 238, 258, 274, 263, 222. The bills are returned herewith.

The House has adopted and returns herewith SJR18-009.

MESSAGE FROM THE REVISOR OF STATUTES

May 8, 2018

We herewith transmit:

Without comment, as amended, HB18-1441.
Without comment, as amended, SB18-243.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB18-1441 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Holbert and Guzman--Concerning a limitation on the location of a building in which fermented malt beverages are sold at retail in proximity to certain educational institutions.
Finance

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 **HB18-1441** 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 7, insert:

"**SECTION 2. Effective date.** This act takes effect upon passage only if Senate Bill 18-243 does not become law.".

Renumber succeeding section accordingly.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB18-1441 was made Special Orders--Consent Calendar at 7:31 p.m.

Committee of the Whole The hour of 7:31 p.m. having arrived, Senator Merrifield 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 Merrifield 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:

HB18-1441 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Holbert and Guzman--Concerning a limitation on the location of a building in which fermented malt beverages are sold at retail in proximity to certain educational institutions.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, May 8, page 1202 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB18-1441 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Holbert and Guzman--Concerning a limitation on the location of a building in which fermented malt beverages are sold at retail in proximity to certain educational institutions.

Senator Kerr moved to amend the Report of the Committee of the Whole to show that HB 18-1441 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	8	NO	27	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	N	President	N
Fields	N	Kefalas	Y	Priola	N		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS -- CONSENT CALENDAR

On motion of Senator Merrifield, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB18-1441 as amended.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB18-001, SB18-223, SB18-243, SB18-255, SB18-259, SB18-269, and SB18-271 were made Special Orders--Consideration of House Amendments to Senate Bills at 7:48 p.m.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-001 by Senator(s) Baumgardner and Cooke, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Scott, Sonnenberg, Tate; also Representative(s) Buck and Winter--Concerning transportation infrastructure funding, and, in connection therewith, requiring specified amounts to be transferred from the general fund to the state highway fund, the highway users tax fund, and a new multimodal transportation options fund during state fiscal years 2018-19 and 2019-20 for the purpose of funding transportation projects and to the state highway fund during any state fiscal year from 2019-20 through 2038-39 for state highway purposes and to repay any transportation revenue anticipation notes that may be issued as specified in the bill and, if no citizen-initiated ballot measure that requires the state to issue transportation revenue anticipation notes is approved by the voters of the state at the November 2018 general election, requiring the secretary of state to submit a ballot question to the voters of the state at the November 2019 statewide election, which, if approved, would require the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by funding transportation projects; would exclude note proceeds and investment earnings on note proceeds from state fiscal year spending limits; and would reduce the amount of lease-purchase agreements required by current law to be issued for the purpose of funding transportation projects.

Senator Baumgardner moved that the Senate concur in House amendments to SB18-001, as printed in House journal, May 3, pages 1503-1517, May 7, pages 1636-1654, and May 8, pages 1690-1692. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Aguilar, Fenberg, Guzman, Kagan, and Moreno.

SB18-223 by Senator(s) Gardner, Coram, Fenberg, Fields; also Representative(s) Gray and Carver, Benavidez--Concerning the circumstances under which an autopsy report prepared in connection with the death of a minor may be released to certain parties.

Senator Gardner moved that the Senate concur in House amendments to SB18-223, as printed in House journal, May 4, pages 1530-1531, and May 7, pages 1657-1658. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-243 by Senator(s) Holbert and Guzman; also Representative(s) Esgar and McKean--Concerning the retail sale of alcohol beverages, and, in connection therewith, making an appropriation.

Senator Holbert moved that the Senate not concur in House amendments to SB18-243, as printed in House journal, May 4, pages 1581-1584, and May 7, pages 1631-1632, 1656-1657, and 1678, that a conference committee be appointed, and that the conferees on the first conference committee on SB18-243 be granted permission to go beyond the scope of the differences between the two houses.

On a substitute motion, Senator Hill moved that the Senate concur in House amendments to SB18-243. The motion was **lost** by the following roll call vote:

YES	11	NO	24	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	N
Baumgardner	Y	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	N	Sonnenberg	Y
Coram	N	Hill	Y	Marble	N	Tate	N
Court	N	Holbert	N	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

The motion that a conference committee be appointed, and that the conferees on the first conference committee on SB18-243 be granted permission to go beyond the scope of the differences between the two houses, was **adopted** on the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

SB18-255 by Senator(s) Tate; also Representative(s) Arndt and Hooton--Concerning the use of electronic formats in the issuance of certificates of title for vehicles.

Senator Tate moved that the Senate concur in House amendments to SB18-255, as printed in House journal, May 3, page 1523, and May 8, pages 1686-1687. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-259 by Senator(s) Smallwood, Baumgardner, Marble, Neville T., Sonnenberg, Tate; also Representative(s) Pabon--Concerning the taxation of retail marijuana by local governments, and, in connection therewith, making an appropriation.

Senator Smallwood moved that the Senate not concur in House amendments to SB18-259, as printed in House journal, May 7, page 1634, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Senators Smallwood, Chair, Hill, and Garcia were appointed as Senate conferees on the first conference committee on **SB18-259**.

SB18-269 by Senator(s) Neville T. and Moreno; also Representative(s) Neville P. and Bridges--Concerning providing funding for local education providers to implement school security improvements to prevent incidences of school violence, and, in connection therewith, creating the school security disbursement program.

Senator Moreno moved that the Senate concur in House amendments to SB18-269, as printed in House journal, May 7, pages 1655-1656. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-271 by Senator(s) Marble; also Representative(s) Pabon--Concerning changes to improve funding for marijuana research, and, in connection therewith, making an appropriation.

Senator Marble moved that the Senate concur in House amendments to SB18-271, as printed in House journal, May 7, page 1627. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Holbert, Chair, Guzman, and Scott were appointed as Senate conferees on the first conference committee on **SB18-243**.

MESSAGE FROM THE HOUSE

May 8, 2018

Mr. President:

The House has adopted and transmits herewith HJR18-1016, as printed in House Journal, May 8, 2018.

The House has adopted the First Report of the First Conference Committee on SB18-085, 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 HB18-1270, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on HB18-1155, and has repassed the bill as amended.

The House has adopted the First Report of the Second Conference Committee on SB18-015, and has repassed the bill as so amended. The bill is returned herewith.

The House has voted to recede from its position and discharge the First Conference Committee on HB18-1354. The House voted to concur in Senate amendments, and has repassed the bill as amended. The House requests return of the bill.

The House has voted to concur in the Senate amendments to HB18-1202, 1321, 1379, 1418, 1011 and has repassed the bills as so amended.

The House has adopted and returns herewith SJM18-006.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

SB18-015 by Senator(s) Gardner and Hill; also Representative(s) Williams D. and Liston--Concerning the "Protecting Homeowners and Deployed Military Personnel Act".

Senator Gardner moved for the adoption of the first report of the second conference committee on SB18-015, as printed in Senate journal, May 8, pages 1185-1187. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Kagan and Moreno.

SB18-085 by Senator(s) Todd, Coram, Merrifield, Zenzinger; also Representative(s) McLachlan-- Concerning providing financial incentives for educators to work in rural areas, and, in connection therewith, making an appropriation.

Senator Todd moved for the adoption of the first report of the first conference committee on SB18-085, as printed in Senate journal, May 7, pages 1143-1144. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Gardner, Grantham, and Sonnenberg.

Journal correction:

Page 1165, line 24, strike "SJR18-007 and 010", substitute "SJM18-007; SJR18-010".

On motion of Majority Leader Holbert, the Senate adjourned until 9:00 a.m., Wednesday, May 9, 2018.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second Regular Session

120th Legislative Day — Wednesday, May 9, 2018

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--31
Excused--4, Aguilar, Gardner, Lambert, Moreno.
Present later--4, Aguilar, Gardner, Lambert, Moreno.

Quorum — The President announced a quorum present.

Pledge — By Senator Crowder.

Reading of the Journal — On motion of Senator Fields, reading of the Journal of Tuesday, May 8, 2018, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SJR18-013.
Correctly Engrossed: SM18-001.
Correctly Reengrossed: SB18-222, 262, 276, and 280.
Correctly Revised: HB18-1019, 1057, 1060, 1064, 1208, 1226, 1236, 1267, 1291, 1364, 1396, 1409, 1421, 1422, 1426, 1427, 1431, 1433, and 1441.
Correctly Rerevised: HB18-1002, 1011, 1094, 1315, 1321, 1351, 1379, 1418, 1423, 1430, 1434, 1437; HCR18-1002.
Correctly Enrolled: SB18-013, 022, 086, 145, 219, 230, 231, 233, 234, 245, 249, 250, 251, 253, 266, and 268; SCR18-005.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

HB18-1076 by Representative(s) Salazar; also Senator(s) Moreno and Coram--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.
Appropriations

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of resolutions.

CONSIDERATION OF RESOLUTIONS

SJR18-013 by Senator(s) Grantham and Crowder; also Representative(s) Lewis--Concerning the designation of Highway 207 between Manzanola, Colorado, and Crowley, Colorado, as the "Sgt. Mary Ricard Memorial Highway".

On motion of President Grantham, the resolution was read at length and **adopted** by the following roll call vote:

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	E	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	E	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

SJR18-011 by Senator(s) Grantham and Crowder; also Representative(s) Reyher--Concerning the designation of the portion of Colorado State Highway 50 from the town of Swink to the city of La Junta as the "SSG Brian Cowdrey Memorial Highway".

On motion of President Grantham, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	E	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

On motion of Majority Leader Holbert, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rules 31 and 16 (b) were suspended.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, Senator Lucia Guzman.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order to present a tribute to a departing member, President Kevin J. Grantham.

Call of the Senate. Call raised.

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:

HB18-1441 by Representative(s) Kraft-Tharp and Wist; also Senator(s) Holbert and Guzman--Concerning a limitation on the location of a building in which fermented malt beverages are sold at retail in proximity to certain educational institutions.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: 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:

HB18-1019 by Representative(s) Foote; also Senator(s) Priola--Concerning criteria applied in determining performance ratings for entities in the elementary and secondary public education 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	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Fenberg, Jones, Tate, and Todd.

HB18-1236 by Representative(s) McLachlan and Becker J.; also Senator(s) Baumgardner--Concerning the continuation of the Colorado food systems advisory council, and, in connection therewith, implementing the recommendations in the department of regulatory agencies' sunset report.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Coram, Crowder, and Guzman.

HB18-1426 by Representative(s) Pabon and Melton; also Senator(s) Neville T. and Tate--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Grantham, Hill, Holbert, Lambert, Marble, and Scott.

HB18-1057 by Representative(s) McKean; also Senator(s) Coram--Concerning the collection of debts, and, in connection therewith, allowing collection agents to add certain expenses to amounts due for collection.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

HB18-1208 by Representative(s) Duran and Winter; also Senator(s) Martinez Humenik--Concerning the expansion of the income tax credit for child care expenses that is a percentage of a similar federal income tax credit.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Garcia, Hill, Jones, Kefalas, Kerr, Merrifield, Moreno, Priola, Tate, Todd, Williams A., and Zenzinger.

HB18-1422 by Representative(s) Gray, Pabon, Singer; also Senator(s) Jahn, Neville T.--Concerning requirements for marijuana testing facilities.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Merrifield, Priola, Tate, and Todd.

HB18-1291 by Representative(s) Winter and Thurlow; also Senator(s) Sonnenberg--Concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 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	15	NO	20	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

HB18-1421 by Representative(s) Rankin, Hamner, Young; also Senator(s) Lambert and Tate, Lundberg, Moreno--Concerning the procurement process for major information technology projects undertaken by state agencies, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Martinez Humenik, Priola, and Todd.

HB18-1364 by Representative(s) Michaelson Jenet and Landgraf, Danielson, Ginal, Hooton, Lontine, Pettersen, Singer; also Senator(s) Martinez Humenik and Zenzinger--Concerning the continuation of the Colorado advisory council for persons with disabilities, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies, and making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Crowder, Fields, Jones, Kagan, Kefalas, Kerr, Merrifield, Moreno, Priola, Smallwood, Tate, Todd, and Williams A.

RECONSIDERATION OF HB18-1426

HB18-1426 by Representative(s) Pabon and Melton; also Senator(s) Neville T. and Tate--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

Having voted on the prevailing side, Senator Garcia moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1426.

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:

HB18-1426 by Representative(s) Pabon and Melton; also Senator(s) Neville T. and Tate--Concerning the exemption of virtual currency from regulation under the "Money Transmitters Act".

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	N	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	N
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, the bill was **lost**.

HB18-1396 by Representative(s) Buckner; also Senator(s) Moreno and Priola--Concerning creation of an advanced placement exam fee 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	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Fields, Garcia, Gardner, Guzman, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Todd, and Zenzinger.

HB18-1409 by Representative(s) Lee and Herod; also Senator(s) Lundberg and Fields, Priola--Concerning the creation of the community crime victims 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	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Kefalas, Martinez Humenik, Moreno, Tate, and Todd.

HB18-1064 by Representative(s) Michaelson Jenet; also Senator(s) Coram and Fields--Concerning a training program to prevent child sexual abuse for persons who work with young children in some capacity as part of their 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	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Court, Fenberg, Garcia, Guzman, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Priola, Tate, Todd, and Williams A.

HB18-1060 by Representative(s) Danielson and Landgraf, Becker J., Lundeen, McKean, Rankin, Reyher, Thurlow, Williams D., Wilson, Wist; also Senator(s) Crowder and Williams A.--Concerning a state income tax deduction for military retirement benefits for an individual who is under fifty-five years of age.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	N	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cooke, Coram, Gardner, Grantham, Hill, Kefalas, Lundberg, Martinez Humenik, Moreno, Priola, Sonnenberg, Tate, and Todd.

HB18-1226 by Representative(s) Everett and Bridges, Lundeen, Beckman, Lewis, Neville P., Saine, Van Winkle, Becker J., McKean, Ransom, Sandridge; also Senator(s) Smallwood and Fenberg--Concerning the review of degree programs offered by state institutions of higher education, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Court, Fields, Guzman, Kefalas, Kerr, Martinez Humenik, Moreno, Tate, and Todd.

RECONSIDERATION OF HB18-1291

HB18-1291 by Representative(s) Winter and Thurlow; also Senator(s) Sonnenberg--Concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.

Having voted on the prevailing side, Senator Donovan moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1291.

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:

HB18-1291 by Representative(s) Winter and Thurlow; also Senator(s) Sonnenberg--Concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 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	11	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	N		

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, and Scott.

HB18-1267 by Representative(s) Gray and McKean; also Senator(s) Tate--Concerning an income tax credit for retrofitting a residence to increase the residence's visitability, and, in connection therewith, making an appropriation.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Grantham, Guzman, Jones, Kefalas, Kerr, Lambert, Martinez Humenik, Merrifield, Neville T., and Todd.

HB18-1427 by Representative(s) Herod and Wist; also Senator(s) Sonnenberg--Concerning a prohibition on conflicts of interest of members of the sex offender management board.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Grantham, Guzman, Jahn, and Lundberg.

HB18-1433 by Representative(s) Gray; also Senator(s) Tate and Coram--Concerning modifications to the "Naturopathic Doctor Act", and, in connection therewith, requiring a naturopathic doctor to disclose that the naturopathic doctor is registered and updating the terms that a naturopathic doctor may use.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Kefalas.

HB18-1431 by Representative(s) Ginal; also Senator(s) Smallwood--Concerning updating managed care provisions in the medical assistance program, and, in connection therewith, aligning managed care provisions with new federal managed care regulations, removing obsolete or duplicative statutory language and programs, and updating and aligning statutory provisions to reflect the current statewide managed care system.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	31	NO	4	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Aguilar, Crowder, Jahn, Kefalas, Martinez Humenik, Merrifield, and Tate.

RECONSIDERATION OF HB18-1427

HB18-1427 by Representative(s) Herod and Wist; also Senator(s) Sonnenberg--Concerning a prohibition on conflicts of interest of members of the sex offender management board.

Having voted on the prevailing side, Senator Gardner moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB18-1427.

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:

HB18-1427 by Representative(s) Herod and Wist; also Senator(s) Sonnenberg--Concerning a prohibition on conflicts of interest of members of the sex offender management board.

The question being "Shall the bill pass?", the roll call was taken with the following result:

YES	27	NO	8	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	N	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The Speaker has appointed Representatives Esgar, chairman, McKean, and Kennedy as House conferees on the First Conference Committee on SB18-243.

The Speaker has appointed Representatives Pabon, chairman, Esgar, and Sandridge as House conferees on the First Conference Committee on SB18-259.

The House has adopted and returns herewith SJR18-011, 013.

The House has passed on Third Reading and returns herewith SB18-270, 272, 280, 276.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-191, amended as printed in House Journal, May 8, 2018.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB18-262, amended as printed in House Journal, May 8, 2018, and amended on Third Reading as printed in House Journal, May 9, 2018

The House has passed on Third Reading and transmitted to the Revisor of Statutes SB18-242, amended on Third Reading as printed in House Journal May 9, 2018.

The House has voted to recede from its position on SB18-042 and has repassed the bill. The bill is returned herewith.

The House has voted to adhere to its position on SB18-166. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

May 9, 2018

We herewith transmit:

Without comment, as amended, SB18-191, 242, and 262.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB18-259

****
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 SB18-259, concerning the taxation of retail marijuana by local governments, 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 amendment made to the bill, as the amendment appears in the rerevised bill, with the following changes:

Amend rerevised bill, page 2, line 3, strike "(7), (8), and (9)" and substitute "(7) and (8)".

Page 5, strike lines 21 through 27.

Page 6, strike lines 1 through 10 and substitute:

"(8) (a) THE STATE LICENSING AUTHORITY, AS DEFINED IN SECTION 12-43.4-103 (24), PURSUANT TO ITS EXISTING RULE-MAKING AUTHORITY SPECIFIED IN SECTION 12-43.4-202 (3)(b)(V), SHALL COMPLETE RULE MAKING, IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, NO LATER THAN JANUARY 1, 2019, ON RULES RELATING TO FENCING AND LIGHTING REQUIREMENTS FOR OUTDOOR MARIJUANA GROWS AND GREENHOUSES.

(b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2019.".

Respectfully submitted,

Senate Committee:	House Committee:
Jim Smallwood, Chair	Dan Pabon, Chair
Owen Hill	Daneya Esgar
Leroy Garcia	Shane Sandridge

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1340

****
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 HB18-1340, concerning transfers of money to be used for the state's infrastructure, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendment 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 2, lines 19 and 20, strike "SEVENTY-ONE MILLION FOUR HUNDRED THIRTY-ONE THOUSAND THREE HUNDRED FORTY-FIVE" and substitute "SEVENTY-THREE MILLION NINE HUNDRED SEVENTY-FOUR THOUSAND EIGHT HUNDRED FIFTY".

Page 4, strike lines 19 through 27.

Page 5, strike lines 1 through 4.

Renumber succeeding section accordingly.

Respectfully submitted,

House Committee:	Senate Committee:
Millie Hamner, Chair	Kent Lambert, Chair
Dave Young	Kevin Lundberg
Bob Rankin	Dominick Moreno

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB18-1340 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Lundberg, Moreno- Concerning transfers of money to be used for the state's infrastructure.

Senator Lambert moved for the adoption of the first report of the first conference committee on HB18-1340, as printed in Senate journal, May 9, page 1223. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

CONSIDERATION OF RESOLUTIONS (cont'd)

SJR18-012 by Senator(s) Holbert, Grantham, Garcia; also Representative(s) Becker K., Duran, Neville P.--Concerning the appointment of a joint committee to notify the governor that the second regular session of the seventy-first general assembly is about to adjourn sine die.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

Pursuant to the resolution, Senators Neville, Martinez Humenik, and Guzman were appointed as the Senate members of the joint committee to notify the governor that the second regular session of the seventy-first general assembly is about to adjourn sine die.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB18-191 by Senator(s) Gardner; also Representative(s) Carver and Hooton--Concerning the local government limited gaming impact fund, and, in connection therewith making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB18-191, as printed in House journal, April 30, page 1378, and May 8, pages 1703-1704. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	2	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-242 by Senator(s) Marble; also Representative(s) Leonard and Humphrey--Concerning the swearing of a public official oath of office.

Senator Marble moved that the Senate concur in House amendments to SB18-242, as printed in House journal, May 9, pages 1730-1731. The motion was **adopted** by the following roll call vote:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	N	Priola	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
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	N	Jahn	N	Merrifield	N	Williams A.	Y
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	Y	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

SB18-262 by Senator(s) Gardner; also Representative(s) Duran and Bridges--Concerning targeted funding for public institutions of higher education to help achieve the Colorado commission on higher education master plan goals, and, in connection therewith, making an appropriation.

Senator Gardner moved that the Senate concur in House amendments to SB18-262, as printed in House journal, May 8, pages 1717-1719, and May 9, pages 1727-1730. The motion was **adopted** by the following roll call vote:

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	N
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

RECONSIDERATION OF SB18-242

SB18-242 by Senator(s) Marble; also Representative(s) Leonard and Humphrey--Concerning the swearing of a public official oath of office.

Having voted on the prevailing side, Senator Kagan moved for reconsideration of the last Senate action, Repassage, on SB18-242.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

REPASSAGE

SB18-242 by Senator(s) Marble; also Representative(s) Leonard and Humphrey--Concerning the swearing of a public official oath of office.

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	N	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	N	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	N	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	N	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate granted leave pursuant to Senate Rule 21 (c) for the Committee on Appropriations to meet in the well of the Senate.

Senate in recess. Senate reconvened.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-007, 012, 141, 156, 158, 209, and 225; SM18-001.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The House has voted not to concur in the Senate amendments to HB18-1291 and requests that a conference committee be appointed. The Speaker has appointed Representatives Winter, chairman, J. Becker and Roberts as House conferees on the First Conference Committee on HB18-1291. The House has granted authorization to go beyond the scope of differences. The bill is transmitted herewith.

APPOINTMENTS TO CONFERENCE COMMITTEE

Senators Sonnenberg, Chair, Coram, and Jones were appointed as Senate conferees on the first conference committee on **HB18-1291**.

COMMITTEE OF REFERENCE REPORTS

Appro-priations

After consideration on the merits, the Committee recommends that **HB18-1076** be postponed indefinitely.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The House has voted to concur in the Senate amendments to HB18-1019, 1236, 1208, 1422, 1364, 1060, 1433, 1431, 1057 and has repassed the bills as so amended.

The House has voted to adhere to its position on SB18-044. The bill is returned herewith.

The House has adopted the First Report of the First Conference Committee on HB18-1340, and has repassed the bill as amended.

The House has adopted the First Report of the First Conference Committee on SB18-259, and has repassed the bill as so amended. The bill is returned herewith.

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB18-243

****
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 SB18-243, concerning the retail sale of alcohol beverages, 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 11, line 1, strike "AND" and substitute "AND, AS OF JANUARY 1, 2019,".

Page 13, strike lines 1 and 2 and substitute:

"(II) THE DELIVERY IS MADE BY AN EMPLOYEE OF THE FERMENTED MALT BEVERAGE RETAILER WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO IS USING A VEHICLE OWNED OR LEASED BY THE LICENSEE TO MAKE THE DELIVERY;".

Page 18, line 27, strike "AND" and substitute "AND, AS OF JANUARY 1, 2019,".

Page 26, strike lines 24 and 25 and substitute:

"(II) THE DELIVERY IS MADE BY AN EMPLOYEE OF THE LICENSED RETAIL LIQUOR STORE WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO IS USING A VEHICLE OWNED OR LEASED BY THE LICENSEE TO MAKE THE DELIVERY;".

Page 29, strike lines 17 and 18 and substitute:

"(II) THE DELIVERY IS MADE BY AN EMPLOYEE OF THE LIQUOR-LICENSED DRUGSTORE WHO IS AT LEAST TWENTY-ONE YEARS OF AGE AND WHO IS USING A VEHICLE OWNED OR LEASED BY THE LICENSEE TO MAKE THE DELIVERY;".

Page 32, line 14, after "FINE" insert "AGAINST A RETAIL ESTABLISHMENT LICENSED UNDER SECTION 12-46-107 (1) OR THIS ARTICLE 47".

Page 32, line 16, after "(5)(a)(I)" insert "BY THE LICENSEE".

Respectfully submitted,

Senate Committee:	House Committee:
Chris Holbert, Chair	Daneya Esgar, Chair
Lucia Guzman	Chris Kennedy
Ray Scott	

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1291

****
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 HB18-1291, concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies, 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 3, strike lines 11 through 16.

Reletter succeeding paragraph accordingly.

Page 7, line 27, strike "SEPTEMBER 1, 2025." and substitute "JULY 1, 2019.".

Page 8, strike lines 1 and 2.

Page 13, line 10, strike "SEPTEMBER 1, 2025." and substitute "JULY 1, 2019.".

Page 13, strike lines 11 through 13.

Page 16, strike lines 4 through 6 and substitute "OF PROFESSIONAL APPRAISAL PRACTICE; AND".

Page 17, strike lines 9 through 11.

Reletter succeeding paragraphs accordingly.

Page 17, strike lines 21 and 22 and substitute "SECTION.".

Page 18, line 2, strike "APPRAISAL OR" and substitute "APPRAISAL;".

Page 18, strike line 3.

Page 24, strike lines 7 and 8 and substitute "ASSIGNING, OR TERMINATING THE EASEMENT, INCLUDING THE RECEPTION NUMBERS ON ALL".

Page 26, line 22, strike "ON JULY 1, 2018," and substitute "AS SOON AS PRACTICABLE AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (2),".

Page 29, strike lines 5 and 6 and substitute "(2.5), (2.7), (3)(f) introductory portion, (3.5), (3.6)(a)(I), (3.6)(b), and (7)(g);".

Page 29, strike lines 9 through 27.

Page 30, strike lines 1 through 16.

Page 32, strike lines 3 through 15.

Page 34, strike lines 25 through 27.

Page 35, strike lines 1 through 6.

Page 35, strike lines 21 through 27 and substitute:

"(3.8) (a) THE DIVISION OF CONSERVATION SHALL CONVENE A WORKING GROUP IN CONJUNCTION WITH THE DEPARTMENT OF LAW, THE DEPARTMENT OF REVENUE, AND THE DEPARTMENT OF REGULATORY AGENCIES TO DEVELOP STATUTORY AND REGULATORY RECOMMENDATIONS THAT DO NOT CONFLICT WITH FEDERAL LAW FOR THE FOLLOWING:

(I) AN ALTERNATE METHOD TO THE APPRAISAL PROCESS SET FORTH IN SUBSECTION (3.3) OF THIS SECTION TO ESTABLISH A BASELINE PROPERTY VALUE, USING AGREED UPON PUBLICLY AVAILABLE DATASETS FOR RURAL AND AGRICULTURAL PROPERTIES. THE BASELINE VALUATION WOULD THEN BE SUBJECT TO DIFFERENT LEVELS OF RESTRICTION INCLUDING, BUT NOT LIMITED TO, A MOST RESTRICTIVE, MEDIUM RESTRICTIVE, AND LEAST RESTRICTIVE EASEMENT TO ARRIVE AT A FINAL DETERMINATION ESTABLISHED THROUGH PUBLIC POLICY FROM WHICH THE AMOUNT OF A TAX CREDIT COULD BE CALCULATED PURSUANT TO THIS SECTION. THE ALTERNATE METHOD SHOULD WORK ACROSS THE STATE OF COLORADO.

(II) A RECOMMENDATION FOR A PROCESS TO PETITION A COURT OF COMPETENT JURISDICTION CONSISTENT WITH FEDERAL LAWS AND REGULATIONS TO EXTINGUISH A CONSERVATION EASEMENT, INCLUDING PROPOSED DEFINITIONS FOR THE TERMS "IMPOSSIBLE" AND "IMPRACTICABLE" AS THEY ARE APPLIED FOR PURPOSES OF DETERMINING WHETHER AN EASEMENT MAY BE EXTINGUISHED UNDER STATE AND FEDERAL LAW;

(III) A PROCESS TO PROVIDE RETROACTIVE TAX CREDITS TO TAXPAYERS WHO CLAIMED TAX CREDITS PURSUANT TO THIS SECTION BETWEEN JANUARY 1, 2000, AND DECEMBER 31, 2008, AND WHOSE TAX CREDITS WERE DENIED IN WHOLE OR IN PART, INCLUDING THE DEVELOPMENT OF ELIGIBILITY CRITERIA FOR SUCH RETROACTIVE TAX CREDITS; AND

(IV) THE DEVELOPMENT OF A WRITTEN FORM TO WARN LANDOWNERS WHO HAVE CONSERVATION EASEMENTS ON THEIR PROPERTY OF THE LEGAL AND OTHER CONSEQUENCES OF TERMINATING AN EASEMENT ON THEIR PROPERTY.

(b) THE WORKING GROUP SHALL SUBMIT A REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE SENATE, AND THE TRANSPORTATION COMMITTEE OF THE SENATE NO LATER THAN DECEMBER 1, 2018. THE REPORT MUST INCLUDE ANY RECOMMENDATIONS FOR LEGISLATION OR RULEMAKING TO ADDRESS THE ISSUES ADDRESSED PURSUANT TO THIS SUBSECTION (3.8).".

Strike pages 36 through 39.

Page 40, strike lines 1 through 7.

Page 41, strike lines 23 through 27.

Strike page 42.

Page 43, strike lines 1 through 16.

Renumber succeeding sections accordingly.

Page 43, strike line 18 and substitute "(14)(a)(II) as follows:".
Page 43, strike lines 25 through 27.

Page 44, strike lines 1 through 4.

Respectfully submitted,

House Committee:	Senate Committee:
Faith Winter, Chair	Jerry Sonnenberg, Chair
Jon Becker	Don Coram
Dylan Roberts	Matt Jones

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON HB18-1256

****
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 HB18-1256, concerning continuation of the regulation of civil rights issues, and, in connection therewith, implementing the recommendation in the department of regulatory agencies' 2017 sunset review and report on the Colorado civil rights division and the Colorado civil rights commission to continue the division and commission and making an appropriation, 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, strike line 22.

Page 3, strike lines 1 through 24 and substitute:

"**SECTION 3.** In Colorado Revised Statutes, **add** 2-3-125 as follows:

2-3-125. Periodic performance audits of Colorado civil rights division and commission - reports. BY DECEMBER 15, 2019, AND BY DECEMBER 15, 2024, THE STATE AUDITOR SHALL COMPLETE OR CAUSE TO BE CONDUCTED AND COMPLETED A PERFORMANCE AUDIT OF THE COLORADO CIVIL RIGHTS DIVISION CREATED IN SECTION 24-34-302 AND THE COLORADO CIVIL RIGHTS COMMISSION CREATED IN SECTION 24-34-303. THE STATE AUDITOR SHALL PREPARE A REPORT AND RECOMMENDATIONS ON EACH AUDIT CONDUCTED AND SHALL PRESENT THE REPORT AND RECOMMENDATIONS TO THE COMMITTEE.

SECTION 4. In Colorado Revised Statutes, 24-34-303, **amend** (1) and (2) as follows:

24-34-303. Civil rights commission - membership - repeal. (1) (a) There is hereby created, within the division, the Colorado civil rights commission.

(b) (I) The commission ~~shall consist~~ CONSISTS of seven members ~~who shall be~~ appointed by the governor, with the consent of the senate AS SPECIFIED IN SUBSECTION (1)(b)(IV) OF THIS SECTION, for terms of four years. The governor shall make appointments in such a manner that there are at all times:

(A) Two members of the commission representing the business community, at least one of whom ~~shall be a representative of~~ REPRESENTS small business; EXCEPT THAT, UPON THE EXPIRATION OF THE TERMS OF THE MEMBERS APPOINTED PURSUANT TO THIS SUBSECTION (1)(b)(I)(A) BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (1)(b)(I)(A), AS AMENDED, OR UPON A VACANCY IN EITHER POSITION, WHICHEVER OCCURS FIRST, ONE MEMBER APPOINTED PURSUANT TO THIS SUBSECTION (1)(b)(I)(A) MUST BE A MAJORITY OWNER OF A SMALL BUSINESS THAT EMPLOYS AT LEAST FIVE BUT LESS THAN FIFTY EMPLOYEES AND THE OTHER MEMBER APPOINTED PURSUANT TO THIS SUBSECTION (1)(b)(I)(A) MUST BE A MAJORITY OWNER OF A BUSINESS THAT EMPLOYS MORE THAN FIFTY EMPLOYEES, AND THEREAFTER THE COMPOSITION OF THE COMMISSION MUST CONTINUE TO REFLECT THIS CHANGE;

(B) Two members of the commission representing state or local government entities; EXCEPT THAT, UPON THE EXPIRATION OF THE TERMS OF OFFICE OF THE MEMBERS OF THE COMMISSION APPOINTED PURSUANT TO

THIS SUBSECTION (1)(b)(I)(B) BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (1)(b)(I)(B), AS AMENDED, OR UPON A VACANCY IN EITHER POSITION, WHICHEVER OCCURS FIRST, THE GOVERNOR SHALL APPOINT TO THOSE POSITIONS ONE MEMBER REPRESENTING A STATEWIDE CHAMBER OF COMMERCE OR OTHER STATEWIDE ORGANIZATION REPRESENTING BUSINESS AND INDUSTRY AND ONE MEMBER FROM OR REPRESENTING EMPLOYEE ASSOCIATIONS THAT REPRESENT WORKERS IN COLORADO, AND THEREAFTER THE COMPOSITION OF THE COMMISSION MUST CONTINUE TO REFLECT THIS CHANGE; and

(C) Three members of the commission from the community at large; EXCEPT THAT, UPON THE EXPIRATION OF THE TERM OF OFFICE OF TWO MEMBERS APPOINTED PURSUANT TO THIS SUBSECTION (1)(b)(I)(C) BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (1)(b)(I)(C), AS AMENDED, OR UPON A VACANCY IN A POSITION UNDER THIS SUBSECTION (1)(b)(I)(C), WHICHEVER OCCURS FIRST, THE GOVERNOR SHALL APPOINT TWO MEMBERS FROM OR REPRESENTING EMPLOYEE ASSOCIATIONS THAT REPRESENT WORKERS IN COLORADO, AND THEREAFTER THE COMPOSITION OF THE COMMISSION MUST CONTINUE TO REFLECT THIS CHANGE.

(II) IN ADDITION TO THE QUALIFICATIONS SPECIFIED IN SUBSECTION (1)(b)(I) OF THIS SECTION, the ~~membership~~ MEMBERS of the commission ~~shall~~ MUST at all times ~~be comprised of~~ INCLUDE:

(A) At least four members who are members of groups of people who have been or who might be discriminated against because of disability, race, creed, color, sex, sexual orientation, national origin, ancestry, marital status, religion, or age; AND

(B) NO MORE THAN SIX MEMBERS AFFILIATED WITH A MAJOR POLITICAL PARTY AND NO MORE THAN THREE MEMBERS AFFILIATED WITH THE SAME POLITICAL PARTY. A MEMBER MUST HAVE BEEN REGISTERED WITH THE SAME POLITICAL PARTY OR REGISTERED AS UNAFFILIATED FOR AT LEAST TWO YEARS IMMEDIATELY PRECEDING THE MEMBER'S APPOINTMENT TO THE COMMISSION.

(III) THE GOVERNOR SHALL MAKE appointments ~~shall be made~~ to provide geographical area representation insofar as may be practicable. ~~and no more than four members shall belong to the same political party.~~

(IV) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF, IN ACCORDANCE WITH SECTION 6 OF ARTICLE IV OF THE STATE CONSTITUTION, THE GOVERNOR NOMINATES AN INDIVIDUAL FOR APPOINTMENT TO THE COMMISSION AND THE SENATE REJECTS THE NOMINATION, THE REJECTED INDIVIDUAL IS DEEMED INELIGIBLE TO HOLD THE OFFICE FOR TWO YEARS. DURING THAT TWO-YEAR PERIOD, THE GOVERNOR SHALL NOT NOMINATE THE REJECTED INDIVIDUAL AND, IF THE SENATE IS NOT IN SESSION, SHALL NOT APPOINT THE REJECTED INDIVIDUAL TO TEMPORARILY DISCHARGE THE DUTIES OF THE COMMISSION. FOR PURPOSES OF THIS SUBSECTION (1)(b)(IV), REJECTION BY THE SENATE OF THE NOMINATION OF AN INDIVIDUAL FOR APPOINTMENT TO THE COMMISSION DOES NOT PRECLUDE THE GOVERNOR FROM NOMINATING THE REJECTED INDIVIDUAL FOR ANOTHER OPENING ON THE COMMISSION THAT OCCURS AFTER AN INDIVIDUAL OTHER THAN THE REJECTED INDIVIDUAL HAS FILLED THE IMMEDIATE OPENING ON THE COMMISSION.

(2) THE GOVERNOR SHALL FILL vacancies on the commission ~~shall be filled by the governor~~ by appointment, with the consent of the senate IN ACCORDANCE WITH SUBSECTION (1)(b)(IV) OF THIS SECTION, and the term of a commissioner ~~so~~ appointed ~~shall be~~ TO FILL A VACANCY IS for the unexpired part of the term for which the commissioner is appointed.

SECTION 5. Appropriation. (1) For the 2018-19 state fiscal year, $10,000 is appropriated to the department of regulatory agencies. 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 2018-19 state fiscal year, $10,000 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of regulatory agencies under subsection (1) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of regulatory agencies.".

Renumber succeeding sections accordingly.

Respectfully submitted,

House Committee:

Crisanta Duran, Chair
Leslie Herod
Dave Williams

Senate Committee:

John Cooke
Daniel Kagan

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

SB18-259 by Senator(s) Smallwood, Baumgardner, Marble, Neville T., Sonnenberg, Tate; also Representative(s) Pabon--Concerning the taxation of retail marijuana by local governments, and, in connection therewith, making an appropriation.

Senator Smallwood moved for the adoption of the first report of the first conference committee on SB18-259, as printed in Senate journal, May 9, page 1222. The motion was **adopted** by the following roll call vote:

YES	35		NO	0		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		Y	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	34		NO	1		EXCUSED	0		ABSENT	0	
Aguilar		Y	Garcia		Y	Kerr		Y	Scott		Y
Baumgardner		Y	Gardner		Y	Lambert		Y	Smallwood		Y
Cooke		N	Guzman		Y	Lundberg		Y	Sonnenberg		Y
Coram		Y	Hill		Y	Marble		Y	Tate		Y
Court		Y	Holbert		Y	Martinez Humenik		Y	Todd		Y
Crowder		Y	Jahn		Y	Merrifield		Y	Williams A.		Y
Donovan		Y	Jones		Y	Moreno		Y	Zenzinger		Y
Fenberg		Y	Kagan		Y	Neville T.		Y	President		Y
Fields		Y	Kefalas		Y	Priola		Y			

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

HB18-1291 by Representative(s) Winter and Thurlow; also Senator(s) Sonnenberg--Concerning the continuation of the conservation easement oversight commission, and, in connection therewith, implementing the recommendations of the 2017 sunset report by the department of regulatory agencies.

Senator Sonnenberg moved for the adoption of the first report of the first conference committee on HB18-1291, as printed in Senate journal, May 9, page 1229-1230. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	Y	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	N	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Aguilar, Donovan, Jahn, and Kerr.

HB18-1256 by Representative(s) Duran and Herod, Benavidez, Foote, Lee, Melton, Salazar, Weissman; also Senator(s) Gardner--Concerning continuation of the regulation of civil rights issues, and, in connection therewith, implementing the recommendation in the department of regulatory agencies' 2017 sunset review and report on the Colorado civil rights division and the Colorado civil rights commission to continue the division and commission and making an appropriation.

Senator Cooke moved for the adoption of the first report of the first conference committee on HB18-1256, as printed in Senate journal, May 9, pages 1231-1233. The motion was **adopted** by the following roll call vote:

YES	26	NO	9	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	N
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	Y
Fields	Y	Kefalas	Y	Priola	N		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	N	Lambert	N	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	N	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Fenberg, Garcia, Guzman, Jones, Kerr, Moreno, and Zenzinger.

REPORT OF CONFERENCE COMMITTEES (cont'd)

FIRST REPORT OF FIRST CONFERENCE COMMITTEE
ON SB18-200

****
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 SB18-200, concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years, has met and reports that it has agreed upon the following:

1. That the Senate accede to the amendments made to the bill, as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 20, line 1, after "(a)" insert "(I)".

Page 20, after line 21 insert:

"(II) EFFECTIVE JULY 1, 2019, SUBJECT TO SECTION 24-51-413, THE EMPLOYER AND MEMBER CONTRIBUTION RATES SHALL BE BASED UPON THE RATES FOR THE APPROPRIATE DIVISION AS SET FORTH IN THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE PAYROLL PERIOD:

TABLE B
CONTRIBUTION RATES

DIVISION	MEMBERSHIP	EMPLOYER RATE	MEMBER RATE
STATE	ALL MEMBERS EXCEPT STATE TROOPERS	10.4%	8.75%
		13.1%	10.75%
SCHOOL	ALL MEMBERS	10.4%	8.75%
LOCAL GOVERNMENT	ALL MEMBERS	10.0%	8.75%
JUDICIAL	ALL MEMBERS	13.91%	8.75%
DPS	ALL MEMBERS	10.4%	8.75%

(III) EFFECTIVE JULY 1, 2020, SUBJECT TO SECTION 24-51-413, THE EMPLOYER AND MEMBER CONTRIBUTION RATES SHALL BE BASED UPON THE RATES FOR THE APPROPRIATE DIVISION AS SET FORTH IN THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE PAYROLL PERIOD:

TABLE C
CONTRIBUTION RATES

DIVISION	MEMBERSHIP	EMPLOYER RATE	MEMBER RATE
STATE	ALL MEMBERS EXCEPT STATE TROOPERS	10.4%	9.5%
		13.1%	11.5%
SCHOOL	ALL MEMBERS	10.4%	9.5%
LOCAL GOVERNMENT	ALL MEMBERS	10.0%	9.5%
JUDICIAL	ALL MEMBERS	13.91%	9.5%
DPS	ALL MEMBERS	10.4%	9.5%

(IV) EFFECTIVE JULY 1, 2021, SUBJECT TO SECTION 24-51-413, THE EMPLOYER AND MEMBER CONTRIBUTION RATES SHALL BE BASED UPON THE RATES FOR THE APPROPRIATE DIVISION AS SET FORTH IN THE FOLLOWING TABLE MULTIPLIED BY THE SALARY, AS DEFINED IN SECTION 24-51-101 (42), PAID TO MEMBERS AND RETIREES FOR THE PAYROLL PERIOD:

TABLE D
CONTRIBUTION RATES

DIVISION	MEMBERSHIP	EMPLOYER RATE	MEMBER RATE
STATE	ALL MEMBERS EXCEPT STATE TROOPERS	10.4%	10.0%
		13.1%	12.0%
SCHOOL	ALL MEMBERS	10.4%	10.0%
LOCAL GOVERNMENT	ALL MEMBERS	10.0%	10.0%
JUDICIAL	ALL MEMBERS	13.91%	10.0%
DPS	ALL MEMBERS	10.4%	10.0%".

Page 21, lines 14 and 15, strike "24-51-413 and 24-51-414" and substitute "24-51-413, 24-51-414, and 24-51-415".

Page 22, line 9, strike "AND".

Page 22, line 10, strike "AMOUNTS" and substitute "AMOUNTS, AND THE DIRECT DISTRIBUTION AMOUNT".

Page 22, line 24, strike "(1.7)(a)," and substitute "(1.7)(a)(II),".

Page 22, line 25, strike "AND".

Page 23, line 2, strike "(1.7)(a)," and substitute "(1.7)(a)(IV),".

Page 23, line 3, strike "PERCENT." and substitute "PERCENT; AND

(d) THE AMOUNT OF THE DIRECT DISTRIBUTION PURSUANT TO SECTION 24-51-414, WILL BE INCREASED BY UP TO TWENTY MILLION DOLLARS, BUT AT NO TIME WILL THE AMOUNT OF THE DIRECT DISTRIBUTION EXCEED TWO HUNDRED TWENTY-FIVE MILLION DOLLARS IN A FISCAL YEAR.".

Page 23, line 6, strike "AND".

Page 23, line 7, after "CONTRIBUTIONS," insert "AND, IF APPLICABLE, THE DIRECT DISTRIBUTION AMOUNT,".

Page 23, line 16, strike "AND (3)(c)" and substitute "(3)(c), AND (3)(d)".

Page 23, line 18, strike "THREE" and substitute "FOUR".

Page 23, strike lines 21 through 25 and substitute "MADE TO THAT COMPONENT. ONLY THE ADJUSTMENTS TO THE OTHER THREE COMPONENTS SHALL CONTINUE AS SPECIFIED IN SUBSECTIONS (3) AND (4) OF THIS SECTION, EVEN IF THE FULLY".

Page 24, strike line 15 and substitute "UNDER SECTION 24-51-401 (1.7)(a)(I);".

Page 24, strike line 19 and substitute "UNDER SECTION 24-51-401 (1.7)(a)(I); AND

(d) THE AMOUNT OF THE DIRECT DISTRIBUTION PURSUANT TO

SECTION 24-51-414 WILL BE REDUCED BY UP TO TWENTY MILLION DOLLARS IN A FISCAL YEAR.".

Page 24, line 22, strike "AND".

Page 24, line 23, after "CONTRIBUTIONS," insert "AND, IF APPLICABLE, THE DIRECT DISTRIBUTION AMOUNT,".

Page 25, line 5, strike "AND (6)(c)" and substitute "(6)(c), AND (6)(d)".

Page 25, line 11, strike "YEAR FOR" and substitute "YEAR.".

Page 25, strike line 12.

Page 25, line 13, strike "INCREASES.".

Page 25, line 16, after "2018," insert "AND ON JULY 1 EACH YEAR THEREAFTER UNTIL THERE ARE NO UNFUNDED ACTUARIAL ACCRUED LIABILITIES OF ANY DIVISION OF THE ASSOCIATION THAT RECEIVES THE DISTRIBUTION PURSUANT TO THIS SECTION,".

Page 25, line 19, strike "FUND. ON JULY" and substitute "FUND, OR ANY OTHER FUND, SUBJECT TO SECTION 24-51-413.".

Page 25, strike lines 20 through 27.

Page 26, strike lines 1 through 6.

Page 27, after line 26 insert:

"**24-51-415. Defined contribution supplement.** BEGINNING JANUARY 1, 2021, AND EVERY YEAR THEREAFTER, EMPLOYER CONTRIBUTION RATES WILL BE ADJUSTED TO INCLUDE A DEFINED CONTRIBUTION SUPPLEMENT, WHICH WILL BE CALCULATED SEPARATELY FOR THE STATE AND LOCAL GOVERNMENT DIVISIONS, AS APPLICABLE. THE DEFINED CONTRIBUTION SUPPLEMENT FOR EACH DIVISION WILL BE THE EMPLOYER CONTRIBUTION AMOUNT PAID TO DEFINED CONTRIBUTION PLAN PARTICIPANT ACCOUNTS THAT WOULD HAVE OTHERWISE GONE TO THE DEFINED BENEFIT TRUSTS TO PAY DOWN THE UNFUNDED LIABILITY, PLUS ANY DEFINED BENEFIT INVESTMENT EARNINGS THEREON, EXPRESSED AS A PERCENTAGE OF SALARY ON WHICH EMPLOYER CONTRIBUTIONS HAVE BEEN MADE. THE EMPLOYER CONTRIBUTION AMOUNTS IN THE SUM SHALL ONLY INCLUDE CONTRIBUTIONS MADE ON BEHALF OF ELIGIBLE EMPLOYEES, AS DEFINED IN SECTION 24-51-1502, WHO COMMENCE EMPLOYMENT ON OR AFTER JANUARY 1, 2019.

SECTION 11. In Colorado Revised Statutes, 24-51-504, amend (2) as follows:

24-51-504. Purchase of service credit relating to a paid sabbatical leave. (2) Such member contributions made pursuant to the provisions of subsection (1) of this section may be made concurrently with member contributions on the partial salary paid for such sabbatical leave or after the sabbatical leave has ended at the ~~current~~ APPLICABLE rate of member contributions PURSUANT TO SECTION 24-51-401 (1.7), plus interest from the date the sabbatical leave began until such purchase is complete.".

Renumber succeeding sections accordingly.

Page 29, line 20, strike "60" and substitute "64".

Page 29, line 23, strike "SIXTY" and substitute "SIXTY-FOUR".

Page 30, line 2, strike "NINETY" and substitute "NINETY-FOUR".

Page 42, line 17, strike "NINETY" and substitute "NINETY-FOUR".

Page 42, line 20, strike "SIXTY;" and substitute "SIXTY-FOUR;".

Page 44, line 8, strike "ONE-QUARTER" and substitute "ONE-HALF".

Page 45, line 4, strike "ONE-QUARTER" and substitute "ONE-HALF".

Page 45, after line 20 insert:

"**SECTION 21.** In Colorado Revised Statutes, **add** 24-51-1500.2 as follows:

24-51-1500.2. Legislative declaration. THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE PURPOSE OF THE DEFINED CONTRIBUTION PLAN ESTABLISHED IN THIS PART 15 IS TO PROVIDE ELIGIBLE EMPLOYEES WHO PARTICIPATE IN THE DEFINED CONTRIBUTION PLAN WITH A PATH TOWARD HAVING A SECURE RETIREMENT THROUGH A FOCUS ON LIFETIME RETIREMENT INCOME TO MAINTAIN AN ELIGIBLE EMPLOYEE'S STANDARD OF LIVING FOLLOWING A FULL CAREER OF EMPLOYMENT. THE PROVISIONS OF THIS PART 15 ARE DESIGNED TO AVOID A NEGATIVE IMPACT ON THE DEFINED BENEFIT TRUSTS IN THIS ARTICLE 51. EMPLOYERS ARE RESPONSIBLE FOR ENSURING THAT THEIR EMPLOYEES UNDERSTAND THE ADVANTAGES AND DISADVANTAGES OF THE DEFINED BENEFIT AND DEFINED CONTRIBUTION PLANS.

SECTION 20. In Colorado Revised Statutes, 24-51-1501, **amend** (1) and (4) as follows:

24-51-1501. Defined contribution plan - establishment - creation of fund - definitions. (1) The board is hereby authorized to establish and administer a defined contribution plan for eligible ~~state~~ employees as provided in this part 15. The board shall establish the terms and conditions of the association's defined contribution plan offered to eligible ~~state~~ employees. The assets of the plan shall be held in a separate trust fund of the association created for such purpose.

(4) For purposes of this part 15, "employer" means the state, the general assembly, the office of a district attorney in a judicial district, any state department that employs an eligible employee, ~~and~~ any community college governed by the state board for community colleges and occupational education. EFFECTIVE JANUARY 1, 2019, "EMPLOYER"ALSO INCLUDES ANY EMPLOYER IN THE LOCAL GOVERNMENT DIVISION AND, TO THE EXTENT THAT THEY EMPLOY CLASSIFIED EMPLOYEES IN THE STATE PERSONNEL SYSTEM, ANY STATE COLLEGE OR UNIVERSITY AS DEFINED IN SECTION 24-54.5-102 (7), ANY INSTITUTION UNDER THE CONTROL OF THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO, OR AN INSTITUTION GOVERNED PURSUANT TO PART 5 OF ARTICLE 21 OF TITLE 23. PRIOR TO JANUARY 1, 2019, "employer" shall not include any state college or university as defined in section 24-54.5-102 (7), any institution under the control of the board of regents of the university of Colorado, or an institution governed pursuant to part 5 of article 21 of title 23. ~~C.R.S.~~

SECTION 21. In Colorado Revised Statutes, 24-51-1502, **amend** (2)(a); and **repeal** (3) as follows:

24-51-1502. New eligible employees - election - definitions. (2) (a) For purposes of this part 15, "eligible employee" means, effective July 1, 2009, AND EFFECTIVE JANUARY 1, 2019, FOR LOCAL GOVERNMENT DIVISION EMPLOYEES AND STATE DIVISION EMPLOYEES WHO ARE EMPLOYED ONLY IN A CLASSIFIED POSITION IN THE STATE PERSONNEL SYSTEM BY A STATE COLLEGE OR UNIVERSITY, any employee who commences employment with an employer and who, if not commencing employment in a state elected official's position, has not been a member of the association's defined benefit plan or the association's defined contribution plan or an active participant of the state defined contribution plan established pursuant to part 2 of article 52 of this ~~title~~ TITLE 24, as said part existed prior to its repeal in 2009, during the twelve months prior to the date that he or she commenced employment. "Eligible employee" includes a retiree of the association who is serving in a state elected official's position but does not include any other retiree of the association or a retiree of the association who has suspended benefits.

(3) ~~An eligible employee hired by an employer on or after May 2, 2009, is eligible for the election pursuant to subsection (1) of this section.~~".

Renumber succeeding sections accordingly.

Page 48, line 16, strike "ten representatives, SIX" and substitute "~~ten~~ FIVE representatives, THREE".

Page 48, line 19, strike "FOUR" and substitute "TWO".

Page 50, line 3, strike "The commission study" and substitute "IN ADDITION, THE COMMISSION SHALL STUDY AND DEVELOP PROPOSED LEGISLATION RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION. The commission study OF POLICE OFFICERS' AND FIREFIGHTERS' PENSIONS AND OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION".

Page 50, line 19, strike "AND".

Page 50, line 21, strike "31." and substitute "31; AND

(o) THE PROVISIONS OF ARTICLE 51 OF THIS TITLE 24.".

Page 51, line 13, strike "PERSON" and substitute "PEOPLE".

Page 51, line 16, strike "AND".

Page 51, line 17, strike "TWO PEOPLE" and substitute "ONE PERSON".

Page 51, line 21, strike "ANALYSIS." and substitute "ANALYSIS; AND

(V) THE STATE TREASURER SHALL APPOINT ONE PERSON FROM THE COMMUNITY WITH EXPERIENCE OR KNOWLEDGE OF INVESTMENT MANAGEMENT, CORPORATE OR PUBLIC FINANCE, COMPENSATION AND BENEFIT SYSTEMS, ECONOMICS, ACCOUNTING, PENSION ADMINISTRATION, OR ACTUARIAL ANALYSIS.".

Page 52, strike lines 21 through 27.

Page 53, strike lines 1 through 4 and substitute:

"(IV) REVIEW THE ANNUAL ACTUARIAL VALUATION OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION AND MAKE COMMENTS AS NECESSARY TO THE ASSOCIATION REGARDING THE ACTUARIAL VALUATION; AND

(V) MAKE RECOMMENDATIONS TO THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION REGARDING ASSUMPTIONS, FUNDING POLICY, REPORTING PRACTICES, OR OTHER OPERATIONAL POLICY.

(b) REVIEW SEMI-ANNUALLY THE OVERALL FINANCIAL HEALTH OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION, INCLUDING THE LEVELS OF BENEFITS, ITS SOURCES OF FUNDING, AND ITS OVERALL FINANCIAL VIABILITY BASED ON BOTH THE ASSUMPTIONS OF THE ASSOCIATION BOARD OF DIRECTORS AND THE REQUIREMENTS OF THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD. THE SUBCOMMITTEE MAY REQUEST THAT THE ASSOCIATION PROVIDE GENERAL FINANCIAL REPORTING BASED ON ASSUMPTIONS FOR ECONOMIC AND INVESTMENT FACTORS, INCLUDING, BUT NOT LIMITED TO, INFLATION, ECONOMIC GROWTH, EMPLOYMENT GROWTH, AND RATE OF RETURN, THAT DIFFER FROM BOARD ASSUMPTIONS. IF THE SUBCOMMITTEE DETERMINES THAT THE ASSOCIATION'S BOARD OF DIRECTORS IS USING ASSUMPTIONS THAT ARE TOO CONSERVATIVE OR TOO AGGRESSIVE, THE SUBCOMMITTEE SHALL REQUEST THAT THE ASSOCIATION ADJUST ITS ASSUMPTIONS ACCORDINGLY.

(c) REVIEW ANNUALLY THE CALCULATED NORMAL COSTS THAT WILL COVER CURRENT PENSION BENEFITS AND THE SHARE OF CONTRIBUTIONS GOING TO COVER THE UNFUNDED LIABILITY OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION;

(d) REVIEW SEMI-ANNUALLY THE PLANNED REDUCTION OF THE UNFUNDED LIABILITY OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION. IF FULL FUNDING WILL NOT BE ACHIEVED BY 2048, THE SUBCOMMITTEE SHALL MAKE ADDITIONAL RECOMMENDATIONS TO THE COMMISSION, THE JOINT BUDGET COMMITTEE, AND THE GENERAL ASSEMBLY TO ACHIEVE FULL FUNDING BY 2048. IF, UPON THAT REVIEW, THE SUBCOMMITTEE DETERMINES THAT THE ASSOCIATION DOES NOT HAVE AT LEAST A SIXTY-SEVEN PERCENT LIKELIHOOD OF ACHIEVING FULL FUNDING BY 2048, THEN THE ASSOCIATION SHALL PROVIDE RECOMMENDATIONS TO THE SUBCOMMITTEE FOR POLICY CHANGES THAT WOULD RETURN THE ASSOCIATION TO FULLY FUNDED STATUS BY 2048. NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE SUBCOMMITTEE SHALL ANNUALLY REPORT TO THE GENERAL ASSEMBLY REGARDING WHETHER OR NOT THE ASSOCIATION IS ON TRACK TO ACHIEVE FULL FUNDING BY 2048 AND IF NOT, THE CORRECTIVE ACTIONS RECOMMENDED

BY THE SUBCOMMITTEE OR THE ASSOCIATION TO RECTIFY THE SHORTFALL.

(e) ANNUALLY REPORT IN WRITING TO THE CITIZENS OF COLORADO REGARDING WHETHER OR NOT THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION IS ON TRACK TO ACHIEVE FULL FUNDING BY 2048 AND IF NOT, THE CORRECTIVE ACTIONS RECOMMENDED BY THE SUBCOMMITTEE OR THE ASSOCIATION TO THE GENERAL ASSEMBLY TO RECTIFY THE SHORTFALL. SUCH COMMUNICATION SHALL BE MADE IN A MANNER THAT IS CLEAR, CONCISE, AND ACCESSIBLE TO LAYPEOPLE. THIS COMMUNICATION SHALL QUANTIFY THE NET PRESENT VALUE OF ANY FUNDING DEFICIT ON A PER CITIZEN BASIS. FOR EXAMPLE, FIFTY BILLION DOLLARS ON FIVE MILLION FIVE HUNDRED THOUSAND PEOPLE EQUALS NINE THOUSAND NINETY DOLLARS PER PERSON. THE CERTIFIED ANNUAL FINANCIAL REPORT SHALL NOT SERVE AS THIS COMMUNICATION.

(f) AFTER FULL FUNDING IS ACHIEVED, MAKE RECOMMENDATIONS TO THE COMMISSION, THE JOINT BUDGET COMMITTEE, AND THE GENERAL ASSEMBLY DURING EACH LEGISLATIVE SESSION REGARDING CHANGES TO THE PLAN TO MAINTAIN FULL FUNDING;

(g) ENSURE THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION BOARD IS ADMINISTERING THE ASSOCIATION AS MANDATED AND MAKE RECOMMENDATIONS FOR THE ASSOCIATION BOARD STRUCTURE AS WARRANTED; AND

(h) EVERY THREE YEARS, COMMISSION AN INDEPENDENT REVIEW OF THE ECONOMIC AND INVESTMENT ASSUMPTIONS USED TO MODEL THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION FINANCIAL SITUATION. THE SUBCOMMITTEE SHALL USE EXPERTS OTHER THAN THOSE ALREADY WORKING ON BEHALF OF THE ASSOCIATION.".

Page 53, line 5, strike "(b)" and substitute "(5)".

Page 53, line 6, strike "(I)" and substitute "(a)".

Page 53, line 8, strike "(II)" and substitute "(b)".

Page 53, line 13, strike "(III)" and substitute "(c)".

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 14, after line 8 insert:

"**SECTION 3.** In Colorado Revised Statutes, 24-51-204, **add** (7.5) as follows:

24-51-204. Duties of the board. (7.5) (a) THE BOARD OR ITS DESIGNATED AGENT SHALL PERFORM AN ANNUAL SENSITIVITY ANALYSIS TO DETERMINE WHEN, FROM AN ACTUARIAL PERSPECTIVE, MODEL ASSUMPTIONS ARE MEETING TARGETS AND ACHIEVING SUSTAINABILITY. IN FURTHERANCE OF MAKING THIS DETERMINATION, THE BOARD OR ITS DESIGNATED AGENT SHALL EXAMINE THE DATA THAT THE ASSOCIATION CURRENTLY COLLECTS. THE BOARD OR ITS DESIGNATED AGENT SHALL DELIVER AN ANNUAL REPORT DETAILING THE FINDINGS OF THE ANALYSIS TO THE OFFICE OF THE GOVERNOR, THE JOINT BUDGET COMMITTEE, THE LEGISLATIVE AUDIT COMMITTEE, AND THE FINANCE COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

(b) FOR PURPOSES OF THE ANALYSIS REQUIRED BY SUBSECTION (7.5)(a) OF THIS SECTION, THE ASSOCIATION SHALL PROVIDE ACCESS TO OFFICIAL MEMBER INFORMATION AND DATA UNDER A CONFIDENTIALITY AGREEMENT WITH ITS DESIGNATED AGENT, IF APPLICABLE.

SECTION 4. In Colorado Revised Statutes, 24-51-213, **amend** (3) as follows:

24-51-213. Confidentiality. (3) Information regarding real estate, private equity, private debt, timber, and mortgage investments by the association may be kept confidential until the transaction is completed if it is determined by the board that disclosure of such information would jeopardize the value of the investment; EXCEPT THAT THE ASSOCIATION MAY DISCLOSE SUCH INFORMATION TO LEGISLATIVE MEMBERS OF THE PENSION REVIEW COMMISSION CREATED IN ARTICLE 51.1 OF THIS TITLE 24 WHILE THE COMMISSION IS MEETING IN EXECUTIVE SESSION. IF THE

ASSOCIATION CANNOT DISCLOSE SUCH INFORMATION WITHOUT VIOLATING CONFIDENTIALITY PROVISIONS, THEN THE ASSOCIATION SHALL PROVIDE ENOUGH INFORMATION TO THE LEGISLATIVE MEMBERS OF THE COMMISSION, WHILE THE COMMISSION IS MEETING IN EXECUTIVE SESSION, TO INFORM THE LEGISLATORS REGARDING WHETHER SUCH INVESTMENTS CONTINUE TO BE IN THE PUBLIC INTEREST.".

Renumber succeeding sections accordingly.

Page 24, line 3, strike "TEN" and substitute "TWENTY".

Respectfully submitted,

Senate Committee:	House Committee:
Jack Tate, Chair	KC Becker, Chair
Kevin Priola	Dan Pabon
	Kevin Van Winkle

Senate in recess. Senate reconvened.

On motion of Majority Leader Holbert, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for moments of personal privilege.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The House has adopted and returns herewith SJR18-012.

The House has adopted and transmits herewith HJR18-1022 as printed in House Journal, May 9, 2018.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR18-1022 by Representative(s) Becker K., Duran, Neville P.; also Senator(s) Holbert, Grantham, Garcia--Concerning adjournment sine die.

On motion of Majority Leader Holbert, the resolution was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Gardner, Guzman, Hill, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., and Zenzinger.

REPORT OF CONFERENCE COMMITTEES (cont'd)

FIRST MAJORITY REPORT OF FIRST CONFERENCE COMMITTEE ON SB18-252

****
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 SB18-252, concerning actions related to determinations of competency to proceed, and, in connection therewith, making an appropriation, has met and a majority thereof reports that it has agreed upon the following:

1. That the Senate accede to 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 4, before line 2 insert:

"**SECTION 1. Legislative declaration.** (1) The general assembly determines that it is appropriate for the legislative service agencies to conduct a post-enactment review of this act two years after its enactment in accordance with section 2-2-1201, C.R.S., and to report their findings to the general assembly. It is the intent of the general assembly that the legislative service agencies review, at a minimum, the following desired results and benefits of the act:

(a) Reducing the length of time that defendants wait for competency evaluations to commence, be completed, and be submitted to the court and reducing the amount of time for the court to determine whether the defendant is competent to proceed;

(b) Expanding the information included in competency evaluation reports to better inform the court about the type of restoration services that are clinically appropriate for an individual who is determined to be incompetent to proceed, the availability of such services, and the likelihood that such services will result in the defendant attaining competency within the maximum time allowed by statute;

(c) Reducing the length of time defendants must wait before receiving competency restoration services;

(d) Reducing the number of defendants who are ordered to receive inpatient competency restoration services when inpatient restoration services are not clinically appropriate to restore the defendant to competency;

(e) Increasing the number of defendants who receive competency restoration services in an out-of-custody and outpatient setting;

(f) Ensuring that outpatient competency restoration education services, whether provided in-custody or out-of-custody, are integrated with behavioral health treatment and services;

(g) Reducing the length of time required for a defendant to be restored to competency; and

(h) Reducing the number of defendants who are repeatedly ordered to receive competency evaluations or restoration services.".

Renumber succeeding sections accordingly.

Page 8, line 19, strike "FORTY-FIVE" and substitute "THIRTY".

Page 14, line 4, strike "**incompetency.**" and substitute "**incompetency - repeal.**".

Page 15, line 14, after "(b)" insert "(I)".

Page 15, line 26, strike "SERVICES." and substitute "SERVICES AT THE TIME OF THE ORDER.".

Page 16, after line 4 insert:

"(II) THE COURT SHALL ORDER, AND THE DEPARTMENT SHALL PROVIDE, IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES PURSUANT TO SUBSECTION (2)(b)(I) OF THIS SECTION AS AN ALTERNATIVE TO INPATIENT OR OUT-OF-CUSTODY AND OUTPATIENT RESTORATION TREATMENT AND SERVICES UNDER THE FOLLOWING CIRCUMSTANCES:

(A) THE DEPARTMENT HAS NO AVAILABLE BEDS; AND

(B) THE DEPARTMENT, BASED ON SUBSECTION (2)(b)(II)(A) OF THIS SECTION, RECOMMENDS IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES.

(III) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE MAY 15, 2022.".

Page 16, strike lines 24 and 25 and substitute "IN SIXTY DAYS, PROVIDED THERE IS AN AVAILABLE BED, UNLESS THE COURT EXTENDS THE TIME FOR UP TO AN ADDITIONAL THIRTY DAYS AFTER FINDING THAT:

(A) THE DEFENDANT WILL NOT BE RELEASED TO OUT-OF-CUSTODY AND OUTPATIENT SERVICES THROUGH RECONSIDERATION OF HIS OR HER BOND STATUS;

(B) SUBSTANTIAL PROGRESS HAS BEEN MADE BY THE DEFENDANT TOWARD COMPETENCY RESTORATION; AND

(C) TRANSFER TO AN INPATIENT SETTING IS NOT NECESSARY TO ASSIST THE PROCESS OF RESTORATION TO COMPETENCY;

(IV) IF THE DEFENDANT IS STILL NOT RESTORED TO COMPETENCY AFTER THE ADDITIONAL THIRTY DAYS ALLOWED BY THE COURT PURSUANT TO SUBSECTION (2)(c)(III) OF THIS SECTION, THE COURT SHALL TRANSFER THE DEFENDANT TO THE CUSTODY OF THE DEPARTMENT FOR INPATIENT RESTORATION, UNLESS THE COURT EXTENDS THE TIME FOR IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES FOR A SECOND THIRTY-DAY PERIOD. UPON PRIOR MOTION AND NOTICE TO THE DEFENDANT'S COUNSEL, THE COURT MAY ORDER RESTORATION SERVICES TO CONTINUE FOR THE DEFENDANT ON AN IN-CUSTODY AND OUTPATIENT BASIS IF THE COURT FINDS THAT:

(A) THE DEFENDANT IS LIKELY TO BE RESTORED TO COMPETENCY IN THE NEXT THIRTY DAYS; AND

(B) THERE IS NO AVAILABLE BED FOR INPATIENT RESTORATION SERVICES;

(V) THE TIMELINE SET FORTH IN SUBSECTIONS (2)(c)(III) AND (2)(c)(IV) OF THIS SECTION MUST EXCLUDE TIME".

Page 18, line 6, after "SERVICES," insert "THE DEPARTMENT SHALL COMMENCE RESTORATION SERVICES AS SOON AS PRACTICABLE, AND".

Page 19, after line 2 insert:

"**SECTION 7.** In Colorado Revised Statutes, **add** 16-8.5-113.5 as follows:

16-8.5-113.5. In-custody and outpatient restoration services - rules. (1) IF COMPETENCY RESTORATION SERVICES ARE TO BE PROVIDED BY THE DEPARTMENT ON AN IN-CUSTODY AND OUTPATIENT BASIS PURSUANT TO SECTION 16-8.5-111, THE RESTORATION SERVICES MUST INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

(a) THE USE OF AN INTEGRATED APPROACH THAT PROVIDES CULTURALLY COMPETENT AND DEVELOPMENTALLY APPROPRIATE COMPETENCY RESTORATION SERVICES AND TREATMENT TAILORED TO AN INDIVIDUAL'S UNIQUE NEEDS;

(b) THE DELIVERY OF SERVICES BY COMPETENT AND QUALIFIED COMPETENCY RESTORATION TREATMENT PROVIDERS AND EDUCATORS WITH A MINIMUM OF A BACHELOR'S DEGREE LEVEL OF TRAINING, INCLUDING BUT NOT LIMITED TO FORENSIC PSYCHIATRISTS, PSYCHOLOGISTS, LICENSED SOCIAL WORKERS, AND OTHER EXPERIENCED TREATMENT PROFESSIONALS OPERATING IN CONJUNCTION WITH THE JAIL-BASED BEHAVIORAL HEALTH SERVICES PROGRAM CREATED PURSUANT TO SECTION 27-60-106, AS CREATED IN SENATE BILL 18-250, ENACTED IN 2018. RESTORATION EDUCATORS MUST BE ANNUALLY TRAINED AND MUST UTILIZE THE STANDARDIZED OUTPATIENT CURRICULUM DEVELOPED BY THE DEPARTMENT PURSUANT TO SECTION 27-60-105.

(c) THE DELIVERY OF RESTORATION SERVICES IN A CONTACT AREA IN ANY JAIL OR DETENTION FACILITY THAT IS SEPARATE FROM THE GENERAL POPULATION, PROVIDES APPROPRIATE PRIVACY AND SECURITY TO PROVIDE THE NECESSARY RESTORATION SERVICES, AND ALLOWS FOR ACCESS TO THE DEFENDANT FOR THE NECESSARY TIME PERIODS TO RENDER EFFECTIVE RESTORATION SERVICES, CONSISTENT WITH THE SAFETY AND SECURITY WITHIN THE FACILITY. TELEHEALTH, AS DEFINED IN SECTION 10-16-123 (4)(e), IS SPECIFICALLY AUTHORIZED FOR THE PURPOSES OF THIS SECTION.

(d) THE DELIVERY OF WEEKLY COMPETENCY RESTORATION HOURS, AS DETERMINED BY AN INDIVIDUALIZED PLAN TAILORED TO THE DEFENDANT'S CLINICAL NEEDS TO BE RESTORED TO COMPETENCY; AND

(e) A CLINICAL SCREEN FOR THE DEFENDANT'S PROGRESS BY A BEHAVIORAL HEALTH CLINICIAN EVERY THIRTY DAYS.

(2) COMPETENCY RESTORATION SERVICE PROVIDERS AND THE JAIL-BASED BEHAVIORAL HEALTH SERVICES PROGRAM CREATED PURSUANT TO SECTION 27-60-106, AS CREATED IN SENATE BILL 18-250, ENACTED IN 2018, SHALL WORK COLLABORATIVELY TO PROMOTE CONTINUITY OF CARE FOR THE DEFENDANT UNTIL HE OR SHE IS DETERMINED TO BE RESTORED TO COMPETENCY BY THE COURT.

(3) PRIOR TO THE COMMENCEMENT OF THE PROVISION OF ANY IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES, THE DEPARTMENT SHALL PROMULGATE RULES:

(a) TO ENSURE THAT A DEFENDANT WHO IS RECEIVING SUCH SERVICES RECEIVES THEM AT A LEVEL THAT MEETS HIS OR HER INDIVIDUAL NEEDS; AND

(b) THAT DETAIL THE NECESSARY COORDINATION BETWEEN SERVICE PROVIDERS TO RESTORE THE DEFENDANT TO COMPETENCY IN AN IN-CUSTODY AND OUTPATIENT SETTING.".

Renumber succeeding sections accordingly.

Page 26, after line 1 insert:

"**SECTION 10.** In Colorado Revised Statutes, **add** 16-8.5-120 and 16-8.5-121 as follows:

16-8.5-120. Comprehensive plan for meeting need - reporting requirements. (1) ON OR BEFORE JULY 1, 2019, THE DEPARTMENT SHALL DEVELOP A COMPREHENSIVE PLAN CONCERNING MEETING THE NEED FOR INDIVIDUALS REQUIRING COMPETENCY RESTORATION SERVICES, INCLUDING STEPS AND A TIMELINE FOR IMPLEMENTATION. THE PLAN MUST INCLUDE AN IDENTIFICATION OF AREAS OF NEED, POTENTIAL FOR SERVICE GAPS, AND HOW TO PROVIDE ADEQUATE AND CLINICALLY APPROPRIATE COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES AND RESTORATION SERVICES AS ORDERED BY THE COURT. THE PLAN MUST ADDITIONALLY IDENTIFY THE PROJECTED NEED FOR COMPETENCY EVALUATION AND RESTORATION SERVICES AND HOW THE DEPARTMENT SHALL ENSURE ACCESS TO AND MEASURE PROGRESS OF PROVIDING RESTORATION SERVICES IN THE FOLLOWING CATEGORIES:

(a) OUT-OF-CUSTODY AND OUTPATIENT;

(b) IN-CUSTODY AND OUTPATIENT;

(c) INPATIENT IN A MENTAL HEALTH HOSPITAL; AND

(d) INPATIENT IN A FULL-TIME JAIL-BASED RESTORATION PROGRAM DEVELOPED BY THE DEPARTMENT.

(2) THE DEPARTMENT SHALL REVIEW AND UPDATE THE COMPREHENSIVE PLAN ANNUALLY, BEGINNING JULY 1, 2020.

(3) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), ON OR BEFORE NOVEMBER 1, 2019, AND ANNUALLY THEREAFTER, OR WITH ANY UPDATE TO THE PLAN, THE DEPARTMENT SHALL SUBMIT THE COMPREHENSIVE PLAN TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE; THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES; THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE; AND THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, CREATED IN SECTION 18-1.9-103; OR ANY SUCCESSOR COMMITTEES.

16-8.5-121. Reporting requirements. (1) (a) THE DEPARTMENT SHALL PREPARE INDIVIDUAL REPORTS ON THE IMPLEMENTATION AND IMPACT OF THE PROVISIONS OF THIS ARTICLE 8.5 AND THE JAIL-BASED

BEHAVIORAL HEALTH SERVICES PROGRAM CREATED PURSUANT TO SECTION 27-60-106, AS CREATED IN SENATE BILL 18-250, ENACTED IN 2018.

(b) THE STATE COURT ADMINISTRATOR SHALL PREPARE REPORTS ON THE IMPLEMENTATION AND IMPACT OF THE ALTERNATIVE PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM TO DIVERT INDIVIDUALS WITH A MENTAL HEALTH CONDITION TO COMMUNITY TREATMENT PURSUANT TO SECTION 18-1.3-101.5, AS CREATED IN SENATE BILL 18-249, ENACTED IN 2018.

(2) ON OR BEFORE FEBRUARY 1, 2019, THE DEPARTMENT AND THE STATE COURT ADMINISTRATOR SHALL SUBMIT THE REPORTS PREPARED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE; THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES; THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE; THE JOINT BUDGET COMMITTEE; AND THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, CREATED IN SECTION 18-1.9-103; OR ANY SUCCESSOR COMMITTEES.

SECTION 11. In Colorado Revised Statutes, 27-60-105, **amend** (5) as follows:

27-60-105. Outpatient restoration to competency services - legislative declaration - responsible entity - duties - report. (5) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), on or before January 1, ~~2019~~ 2020, and every January 1 thereafter, the office shall submit an annual written report to the general assembly summarizing the office's provision of competency EVALUATION AND restoration ~~education~~ SERVICES and its efforts toward the coordination of competency restoration ~~education~~ SERVICES with other existing services. The report must include:

(a) Data on the number of individuals ordered ~~to~~ FOR competency ~~restoration services~~ EVALUATIONS, the average time frame ~~for beginning and ending such services~~ IN WHICH EVALUATIONS ARE BEING COMPLETED, the ~~types of~~ settings in which ~~competency restoration services~~ THE EVALUATIONS are provided, ~~and the outcomes of such services~~ THE NUMBER OF EVALUATIONS CONDUCTED IN EACH SETTING, AND THE RECOMMENDATION OF THE OPINION OF THE EVALUATOR SUBMITTED TO THE COURT;

(a.5) DATA ON THE NUMBER OF INDIVIDUALS ORDERED TO COMPETENCY RESTORATION SERVICES, THE LIST OF ALL SETTINGS IN WHICH COMPETENCY RESTORATIONS WERE PROVIDED, THE NUMBER OF INDIVIDUALS SERVED IN EACH OF THE COMPETENCY RESTORATION SETTINGS, THE AVERAGE LENGTH OF TIME FROM BEGINNING TO END FOR RESTORATION TO COMPETENCY IN EACH SETTING, AND THE OUTCOMES OF RESTORATION SERVICES IN EACH SETTING;

(b) A description of the office's engagement with community partners to coordinate competency restoration services in an effective and efficient manner;

(c) Identification of best and promising practices for education and coordination of competency restoration services;

(d) A description of SHORTFALLS IN STAFFING AND FUNDING, AS WELL AS opportunities to maximize and increase available resources and funding; ~~and~~

(e) A description of gaps in and conflicts with existing funding, services, and programming essential to the effective restoration of competency for juveniles and adults;

(f) IDENTIFICATION OF ANY IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES AND PROGRAMS THAT HAVE BEEN OR WILL BE DEVELOPED CONSISTENT WITH THE PROVISIONS OF SECTION 16-8.5-113.5; AND

(g) DATA ON ANY WAITING LIST FOR INPATIENT TREATMENT WITH A DESCRIPTION OF HOW THE WAITING LIST IS MANAGED AND PRIORITIZED FOR RESTORATION SERVICES FOR ALL AVAILABLE SETTINGS.".

Renumber succeeding sections accordingly.

Page 29, strike lines 8 and 9 and substitute:

"**SECTION 17. Accountability.** Two years after the effective date of this section, and in accordance with section 2-2-1201, C.R.S., the

legislative service agencies of the Colorado general assembly shall conduct a post-enactment review of the implementation of this act utilizing the information contained in the legislative declaration set forth in section 1 of this act.

SECTION 18. Effective date. This act takes effect July 1, 2018; except that sections 1 through 9 and section 17 of this act take effect February 1, 2019.".

Renumber succeeding section accordingly.

Page 1, strike line 103 and substitute "**MAKING AN APPROPRIATION AND REQUIRING A POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF THIS ACT.**".

Respectfully submitted,

Senate Committee:	House Committee:
Bob Gardner, Chair	Pete Lee, Chair
Kent Lambert	Cole Wist

FIRST MINORITY REPORT OF FIRST CONFERENCE COMMITTEE ON SB18-252

****
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 SB18-252, concerning actions related to determinations of competency to proceed, and, in connection therewith, making an appropriation, has met and a minority thereof reports that it has agreed upon the following:

1. That the Senate accede to 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 4, before line 2 insert:

"**SECTION 1. Legislative declaration.** (1) The general assembly determines that it is appropriate for the legislative service agencies to conduct a post-enactment review of this act two years after its enactment in accordance with section 2-2-1201, C.R.S., and to report their findings to the general assembly. It is the intent of the general assembly that the legislative service agencies review, at a minimum, the following desired results and benefits of the act:

(a) Reducing the length of time that defendants wait for competency evaluations to commence, be completed, and be submitted to the court and reducing the amount of time for the court to determine whether the defendant is competent to proceed;

(b) Expanding the information included in competency evaluation reports to better inform the court about the type of restoration services that are clinically appropriate for an individual who is determined to be incompetent to proceed, the availability of such services, and the likelihood that such services will result in the defendant attaining competency within the maximum time allowed by statute;

(c) Reducing the length of time defendants must wait before receiving competency restoration services;

(d) Reducing the number of defendants who are ordered to receive inpatient competency restoration services when inpatient restoration services are not clinically appropriate to restore the defendant to competency;

(e) Increasing the number of defendants who receive competency restoration services in an out-of-custody and outpatient setting;

(f) Ensuring that outpatient competency restoration education services, whether provided in-custody or out-of-custody, are integrated with behavioral health treatment and services;

(g) Reducing the length of time required for a defendant to be restored to competency; and

(h) Reducing the number of defendants who are repeatedly ordered to receive competency evaluations or restoration services.".

Renumber succeeding sections accordingly.

Page 8, line 19, strike "FORTY-FIVE" and substitute "THIRTY".

Page 14, line 4, strike "**incompetency.**" and substitute "**incompetency - repeal.**".

Page 15, line 14, after "(b)" insert "(I)".

Page 15, line 26, strike "SERVICES." and substitute "SERVICES AT THE TIME OF THE ORDER.".

Page 16, after line 4 insert:

"(II) THE COURT SHALL ORDER, AND THE DEPARTMENT SHALL PROVIDE, IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES PURSUANT TO SUBSECTION (2)(b)(I) OF THIS SECTION AS AN ALTERNATIVE TO INPATIENT OR OUT-OF-CUSTODY AND OUTPATIENT RESTORATION TREATMENT AND SERVICES UNDER THE FOLLOWING CIRCUMSTANCES:

(A) THE DEPARTMENT HAS NO AVAILABLE BEDS; AND

(B) THE DEPARTMENT, BASED ON SUBSECTION (2)(b)(II)(A) OF THIS SECTION, RECOMMENDS IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES.

(III) THIS SUBSECTION (2)(b) IS REPEALED, EFFECTIVE MAY 15, 2022.".

Page 16, strike lines 24 and 25 and substitute "IN SIXTY DAYS, UNLESS THE COURT EXTENDS THE TIME FOR UP TO AN ADDITIONAL THIRTY DAYS AFTER FINDING THAT:

(A) THE DEFENDANT WILL NOT BE RELEASED TO OUT-OF-CUSTODY AND OUTPATIENT SERVICES THROUGH RECONSIDERATION OF HIS OR HER BOND STATUS;

(B) SUBSTANTIAL PROGRESS HAS BEEN MADE BY THE DEFENDANT TOWARD COMPETENCY RESTORATION; AND

(C) TRANSFER TO AN INPATIENT SETTING WILL NOT ASSIST THE PROCESS OF RESTORATION TO COMPETENCY.

(IV) THE TIMELINE SET FORTH IN SUBSECTION (2)(c)(III) OF THIS SECTION MUST EXCLUDE TIME".

Page 18, line 6, after "SERVICES," insert "THE DEPARTMENT SHALL COMMENCE RESTORATION SERVICES AS SOON AS PRACTICABLE, AND".

Page 19, after line 2 insert:

"**SECTION 7.** In Colorado Revised Statutes, **add** 16-8.5-113.5 as follows:

16-8.5-113.5. In-custody and outpatient restoration services - rules. (1) IF COMPETENCY RESTORATION SERVICES ARE TO BE PROVIDED BY THE DEPARTMENT ON AN IN-CUSTODY AND OUTPATIENT BASIS PURSUANT TO SECTION 16-8.5-111, THE RESTORATION SERVICES MUST INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING COMPONENTS:

(a) THE USE OF AN INTEGRATED APPROACH THAT PROVIDES CULTURALLY COMPETENT AND DEVELOPMENTALLY APPROPRIATE COMPETENCY RESTORATION SERVICES AND TREATMENT TAILORED TO AN INDIVIDUAL'S UNIQUE NEEDS;

(b) THE DELIVERY OF SERVICES BY COMPETENT AND QUALIFIED COMPETENCY RESTORATION TREATMENT PROVIDERS AND EDUCATORS

WITH A MINIMUM OF A BACHELOR'S DEGREE LEVEL OF TRAINING, INCLUDING BUT NOT LIMITED TO FORENSIC PSYCHIATRISTS, PSYCHOLOGISTS, LICENSED SOCIAL WORKERS, AND OTHER EXPERIENCED TREATMENT PROFESSIONALS OPERATING IN CONJUNCTION WITH THE JAIL-BASED BEHAVIORAL HEALTH SERVICES PROGRAM CREATED PURSUANT TO SECTION 27-60-106, AS CREATED IN SENATE BILL 18-250, ENACTED IN 2018. RESTORATION EDUCATORS MUST BE ANNUALLY TRAINED AND MUST UTILIZE THE STANDARDIZED OUTPATIENT CURRICULUM DEVELOPED BY THE DEPARTMENT PURSUANT TO SECTION 27-60-105.

(c) THE DELIVERY OF RESTORATION SERVICES IN A CONTACT AREA IN ANY JAIL OR DETENTION FACILITY THAT IS SEPARATE FROM THE GENERAL POPULATION, PROVIDES APPROPRIATE PRIVACY AND SECURITY TO PROVIDE THE NECESSARY RESTORATION SERVICES, AND ALLOWS FOR ACCESS TO THE DEFENDANT FOR THE NECESSARY TIME PERIODS TO RENDER EFFECTIVE RESTORATION SERVICES, CONSISTENT WITH THE SAFETY AND SECURITY WITHIN THE FACILITY. TELEHEALTH, AS DEFINED IN SECTION 10-16-123 (4)(e), IS SPECIFICALLY AUTHORIZED FOR THE PURPOSES OF THIS SECTION.

(d) THE DELIVERY OF WEEKLY COMPETENCY RESTORATION HOURS, AS DETERMINED BY AN INDIVIDUALIZED PLAN TAILORED TO THE DEFENDANT'S CLINICAL NEEDS TO BE RESTORED TO COMPETENCY; AND

(e) A CLINICAL SCREEN FOR THE DEFENDANT'S PROGRESS BY A BEHAVIORAL HEALTH CLINICIAN EVERY THIRTY DAYS.

(2) COMPETENCY RESTORATION SERVICE PROVIDERS AND THE JAIL-BASED BEHAVIORAL HEALTH SERVICES PROGRAM CREATED PURSUANT TO SECTION 27-60-106, AS CREATED IN SENATE BILL 18-250, ENACTED IN 2018, SHALL WORK COLLABORATIVELY TO PROMOTE CONTINUITY OF CARE FOR THE DEFENDANT UNTIL HE OR SHE IS DETERMINED TO BE RESTORED TO COMPETENCY BY THE COURT.

(3) PRIOR TO THE COMMENCEMENT OF THE PROVISION OF ANY IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES, THE DEPARTMENT SHALL PROMULGATE RULES:

(a) TO ENSURE THAT A DEFENDANT WHO IS RECEIVING SUCH SERVICES RECEIVES THEM AT A LEVEL THAT MEETS HIS OR HER INDIVIDUAL NEEDS; AND

(b) THAT DETAIL THE NECESSARY COORDINATION BETWEEN SERVICE PROVIDERS TO RESTORE THE DEFENDANT TO COMPETENCY IN AN IN-CUSTODY AND OUTPATIENT SETTING.".

Renumber succeeding sections accordingly.

Page 26, after line 1 insert:

"**SECTION 10.** In Colorado Revised Statutes, **add** 16-8.5-120 and 16-8.5-121 as follows:

16-8.5-120. Comprehensive plan for meeting need - reporting requirements. (1) ON OR BEFORE JULY 1, 2019, THE DEPARTMENT SHALL DEVELOP A COMPREHENSIVE PLAN CONCERNING MEETING THE NEED FOR INDIVIDUALS REQUIRING COMPETENCY RESTORATION SERVICES, INCLUDING STEPS AND A TIMELINE FOR IMPLEMENTATION. THE PLAN MUST INCLUDE AN IDENTIFICATION OF AREAS OF NEED, POTENTIAL FOR SERVICE GAPS, AND HOW TO PROVIDE ADEQUATE AND CLINICALLY APPROPRIATE COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES AND RESTORATION SERVICES AS ORDERED BY THE COURT. THE PLAN MUST ADDITIONALLY IDENTIFY THE PROJECTED NEED FOR COMPETENCY EVALUATION AND RESTORATION SERVICES AND HOW THE DEPARTMENT SHALL ENSURE ACCESS TO AND MEASURE PROGRESS OF PROVIDING RESTORATION SERVICES IN THE FOLLOWING CATEGORIES:

(a) OUT-OF-CUSTODY AND OUTPATIENT;

(b) IN-CUSTODY AND OUTPATIENT;

(c) INPATIENT IN A MENTAL HEALTH HOSPITAL; AND

(d) INPATIENT IN A FULL-TIME JAIL-BASED RESTORATION PROGRAM DEVELOPED BY THE DEPARTMENT.

(2) THE DEPARTMENT SHALL REVIEW AND UPDATE THE COMPREHENSIVE PLAN ANNUALLY, BEGINNING JULY 1, 2020.

(3) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), ON OR BEFORE NOVEMBER 1, 2019, AND ANNUALLY THEREAFTER, OR WITH ANY UPDATE TO THE PLAN, THE DEPARTMENT SHALL SUBMIT THE COMPREHENSIVE PLAN TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE; THE PUBLIC

HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES; THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE; AND THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, CREATED IN SECTION 18-1.9-103; OR ANY SUCCESSOR COMMITTEES.

16-8.5-121. Reporting requirements. (1) (a) THE DEPARTMENT SHALL PREPARE INDIVIDUAL REPORTS ON THE IMPLEMENTATION AND IMPACT OF THE PROVISIONS OF THIS ARTICLE 8.5 AND THE JAIL-BASED BEHAVIORAL HEALTH SERVICES PROGRAM CREATED PURSUANT TO SECTION 27-60-106, AS CREATED IN SENATE BILL 18-250, ENACTED IN 2018.

(b) THE STATE COURT ADMINISTRATOR SHALL PREPARE REPORTS ON THE IMPLEMENTATION AND IMPACT OF THE ALTERNATIVE PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM TO DIVERT INDIVIDUALS WITH A MENTAL HEALTH CONDITION TO COMMUNITY TREATMENT PURSUANT TO SECTION 18-1.3-101.5, AS CREATED IN SENATE BILL 18-249, ENACTED IN 2018.

(2) ON OR BEFORE FEBRUARY 1, 2019, THE DEPARTMENT AND THE STATE COURT ADMINISTRATOR SHALL SUBMIT THE REPORTS PREPARED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE; THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES; THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE; THE JOINT BUDGET COMMITTEE; AND THE LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, CREATED IN SECTION 18-1.9-103; OR ANY SUCCESSOR COMMITTEES.

SECTION 11. In Colorado Revised Statutes, 27-60-105, **amend** (5) as follows:

27-60-105. Outpatient restoration to competency services - legislative declaration - responsible entity - duties - report. (5) NOTWITHSTANDING THE PROVISIONS OF SECTION 24-1-136 (11)(a)(I), on or before January 1, ~~2019~~ 2020, and every January 1 thereafter, the office shall submit an annual written report to the general assembly summarizing the office's provision of competency EVALUATION AND restoration ~~education~~ SERVICES and its efforts toward the coordination of competency restoration ~~education~~ SERVICES with other existing services. The report must include:

(a) Data on the number of individuals ordered ~~to~~ FOR competency ~~restoration services~~ EVALUATIONS, the average time frame ~~for beginning and ending such services~~ IN WHICH EVALUATIONS ARE BEING COMPLETED, the ~~types of~~ settings in which ~~competency restoration services~~ THE EVALUATIONS are provided, ~~and the outcomes of such services~~ THE NUMBER OF EVALUATIONS CONDUCTED IN EACH SETTING, AND THE RECOMMENDATION OF THE OPINION OF THE EVALUATOR SUBMITTED TO THE COURT;

(a.5) DATA ON THE NUMBER OF INDIVIDUALS ORDERED TO COMPETENCY RESTORATION SERVICES, THE LIST OF ALL SETTINGS IN WHICH COMPETENCY RESTORATIONS WERE PROVIDED, THE NUMBER OF INDIVIDUALS SERVED IN EACH OF THE COMPETENCY RESTORATION SETTINGS, THE AVERAGE LENGTH OF TIME FROM BEGINNING TO END FOR RESTORATION TO COMPETENCY IN EACH SETTING, AND THE OUTCOMES OF RESTORATION SERVICES IN EACH SETTING;

(b) A description of the office's engagement with community partners to coordinate competency restoration services in an effective and efficient manner;

(c) Identification of best and promising practices for education and coordination of competency restoration services;

(d) A description of SHORTFALLS IN STAFFING AND FUNDING, AS WELL AS opportunities to maximize and increase available resources and funding; ~~and~~

(e) A description of gaps in and conflicts with existing funding, services, and programming essential to the effective restoration of competency for juveniles and adults;

(f) IDENTIFICATION OF ANY IN-CUSTODY AND OUTPATIENT RESTORATION SERVICES AND PROGRAMS THAT HAVE BEEN OR WILL BE DEVELOPED CONSISTENT WITH THE PROVISIONS OF SECTION 16-8.5-113.5; AND

(g) DATA ON ANY WAITING LIST FOR INPATIENT TREATMENT WITH A DESCRIPTION OF HOW THE WAITING LIST IS MANAGED AND PRIORITIZED FOR RESTORATION SERVICES FOR ALL AVAILABLE SETTINGS.".

Renumber succeeding sections accordingly.

Page 29, strike lines 8 and 9 and substitute:

"**SECTION 17. Accountability.** Two years after the effective date of this section, and in accordance with section 2-2-1201, C.R.S., the legislative service agencies of the Colorado general assembly shall conduct a post-enactment review of the implementation of this act utilizing the information contained in the legislative declaration set forth in section 1 of this act.

SECTION 18. Effective date. This act takes effect July 1, 2018; except that sections 1 through 9 and section 17 of this act take effect February 1, 2019.".

Renumber succeeding section accordingly.

Page 1, strike line 103 and substitute "**MAKING AN APPROPRIATION AND REQUIRING A POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF THIS ACT.**".

Respectfully submitted,

Senate Committee:	House Committee:
Irene Aguilar	Mike Weissman

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB18-200, and has repassed the bill as so amended. The bill is returned herewith.

Call of the Senate. Call raised.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

Senator Tate moved for the adoption of the first report of the first conference committee on SB18-200, as printed in Senate journal, May 9, pages 1235-1241. The motion was **adopted** by the following roll call vote:

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	N	Kerr	N	Scott	Y
Baumgardner	Y	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	Y	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	Y	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Y	Merrifield	N	Williams A.	N
Donovan	N	Jones	N	Moreno	Y	Zenzinger	N
Fenberg	N	Kagan	N	Neville T.	Y	President	Y
Fields	N	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Cooke, Coram, Scott, Smallwood, and Sonnenberg.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The House has adopted the First Report of the First Conference Committee on SB18-243, and has repassed the bill as so amended. The bill is returned herewith.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

SB18-243 by Senator(s) Holbert and Guzman; also Representative(s) Esgar and McKean--Concerning the retail sale of alcohol beverages, and, in connection therewith, making an appropriation.

Senator Holbert moved for the adoption of the first report of the first conference committee on SB18-243, as printed in Senate journal, May 9, page 1228. The motion was **adopted** by the following roll call vote:

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	Y	Lambert	Y	Smallwood	Y
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	Y
Coram	Y	Hill	N	Marble	N	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Williams A.	Y
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	N	Garcia	Y	Kerr	N	Scott	Y
Baumgardner	N	Gardner	N	Lambert	Y	Smallwood	N
Cooke	N	Guzman	Y	Lundberg	Y	Sonnenberg	N
Coram	N	Hill	N	Marble	Y	Tate	Y
Court	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	N	Williams A.	Y
Donovan	N	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	Y	President	N
Fields	Y	Kefalas	Y	Priola	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

Co-sponsor(s) added: Priola, Scott, and Tate.

Senate in recess. Senate reconvened.

RECONSIDERATION OF SB18-200

SB18-200 by Senator(s) Tate and Priola, Jahn; also Representative(s) Becker K. and Pabon--Concerning modifications to the public employees' retirement association hybrid defined benefit plan necessary to eliminate with a high probability the unfunded liability of the plan within the next thirty years.

Having voted on the prevailing side, Majority Leader Holbert moved for reconsideration of the last Senate action, Repassage, on SB18-200, the roll call was taken with the following result:

YES	12	NO	23	EXCUSED	0	ABSENT	0
Aguilar	Y	Garcia	Y	Kerr	Y	Scott	N
Baumgardner	N	Gardner	N	Lambert	N	Smallwood	N
Cooke	N	Guzman	N	Lundberg	N	Sonnenberg	N
Coram	N	Hill	N	Marble	N	Tate	N
Court	N	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	N	Merrifield	Y	Williams A.	N
Donovan	Y	Jones	Y	Moreno	Y	Zenzinger	Y
Fenberg	Y	Kagan	Y	Neville T.	N	President	N
Fields	Y	Kefalas	N	Priola	N		

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration was **denied**.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

May 9, 2018

Mr. President:

The House has adopted the First Report of the First Conference Committee on HB18-1291, and has repassed the bill as amended.

The House has adopted the First Majority Report of the First Conference Committee on SB18-252, and has repassed the bill as so amended. The bill is returned herewith.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS (cont'd)

SB18-252 by Senator(s) Gardner and Lambert, Jahn, Lundberg, Moreno; also Representative(s) Lee and Young, Hamner, Rankin, Singer--Concerning actions related to determinations of competency to proceed, and, in connection therewith, making an appropriation.

Senator Gardner moved for the adoption of the first majority report of the first conference committee on SB18-252, as printed in Senate journal, May 9, pages 1242-1246.

Due to adjournment *sine die*, the Senate did not take further action on **SB18-252**.

TRIBUTES

Honoring:

Dave Query -- By Senator Steve Fenberg.
Heidi Ganahl -- By Senator Steve Fenberg.
David Bolduc -- By Senator Steve Fenberg.
Diane Greenlee -- By Senator Steve Fenberg.
Gina Day -- By Senator Steve Fenberg.
oStem -- By Senator Steve Fenberg.
Boxcar Coffee Roasters -- By Senator Steve Fenberg.
Backcountry Pizza & Taphouse -- By Senator Steve Fenberg.
Oskar Blues Grill & Brew -- By Senator Steve Fenberg.
Namaste Solar -- By Senator Steve Fenberg.
Humane Society of Boulder Valley -- By Senator Steve Fenberg.
Boulder Theater -- By Senator Steve Fenberg.
Rayback Collective -- By Senator Steve Fenberg.
Snarf's Sandwiches -- By Senator Steve Fenberg.
Mountain Sun Pubs and Breweries -- By Senator Steve Fenberg.
Illegal Pete's -- By Senator Steve Fenberg.
Stephanie Walsh -- By Senator Nancy Todd.
Superintendent Dr. Harry Bull -- By Senator Nancy Todd.
Douglas K. Wilson -- By Senator Daniel Kagan, Senator Bob Gardner, Representative Pete Lee, and Representative Mike Weissman.
Nicole Hensley -- By Senator Andy Kerr.
Elena Trujillo -- By Senator Leroy Garcia.
Steve Ludwig -- By Senator Kevin Priola.
Kyle Hybl -- By Senator Kevin Priola.
Steve Bosley -- By Senator Kevin Priola.
Dr. Harriet Hall -- By Senator Rachel Zenzinger.
Olivia Walt -- By Senator Rachel Zenzinger.
SAS Manufacturing of Arvada -- By Senator Rachel Zenzinger.
Teri Binder -- By Senator Rachel Zenzinger.
Sepsis Awareness Month -- By Senator Beth Martinez Humenik.

The hour of 12:00 a.m. having arrived, the President declared the Senate of the Second Regular Session of the Seventy-first General Assembly had adjourned *sine die*.

Approved:

Kevin J. Grantham
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

SENATE JOURNAL
Seventy-first General Assembly
STATE OF COLORADO
Second 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
Second Regular Session, Seventy-First General Assembly.

SENATE SERVICES REPORT

Correctly Engrossed: SJR18-011, 012, and 013.
Correctly Revised: HJR18-1022.
Correctly Rerevised: HB18-1019, 1057, 1060, 1064, 1208, 1226, 1236, 1267, 1291, 1364, 1396, 1409, 1421, 1422, 1427, 1431, 1433, and 1441.
Correctly Enrolled: SB18-001, 015, 042, 068, 085, 223, 255, 269, 270, 271, 272, 276, and 280; SM18-001.

MESSAGE FROM THE HOUSE

May 10, 2018

Mr. President:

The House has postponed indefinitely SB18-109. The bill is returned herewith.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-016, 031, 056, 119, 150, 163, 203, 205, 213, 218, 232, 235, 239, 247, 248, and 266; SCR18-003; SJR18-009, 011, 012, and 013.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Friday, May 11, 2018, at 2:30 p.m.:
SB18-007, 012, 031, 033, 056, 108, 119, 141, 156, 158, 205, 209, 213, 225, 235, and 239.

To the Governor for signature on Friday, May 11, 2018, at 3:53 p.m.:
SB18-016, 150, 163, 203, 218, 232, 247, 248, and 266.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-038, 039, and 167.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Tuesday, May 15, 2018, at 10:10 a.m.:
SB18-024, 038, 039, 167, and 230.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-022, 086, 179, 210, 219, 249, 250, 254, 268, and 270; HB18-1007, 1042, 1077, 1146, 1156, 1176, 1189, 1200, 1258, 1266, 1269, 1271, 1285, 1300, 1302, 1303, 1313, 1314, 1335, 1342, 1355, 1362, 1371, and 1388; HJR18-1012, 1013, 1014, 1018, 1019, 1020, 1021, and 1022.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 16, 2018, at 10:40 a.m.:
SB18-022, 086, 179, 210, 219, 249, 250, 254, 268, and 270.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-001, 013, 015, 042, 068, 085, 145, 191, 206, 223, 229, 231, 233, 234, 242, 245, 251, 253, 255, 259, 262, 267, 269, 276, and 280; SCR18-004 and 005; HB18-1002, 1003, 1004, 1020, 1070, 1083, 1108, 1135, 1181, 1184, 1208, 1217, 1224, 1234, 1244, 1251, 1255, 1287, 1295, 1296, 1299, 1306, 1319, 1346, 1349, 1356, 1357, 1360, 1361, 1369, 1374, 1379, 1385, 1389, 1400, 1407, and 1423.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 16, 2018, at 5:05 p.m.:
SB18-042, 145, 206, 229, 231, 234, and 253.

To the Governor for signature on Thursday, May 17, 2018, at 08:20 a.m.:
SB18-001, 013, 015, 068, 085, 191, 223, 233, 242, 245, 251, 255, 259, 262, 267, 269, 276, and 280.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-062, 243, 271, and 272; HB18-1006, 1064, 1128, 1136, 1218, 1226, 1263, 1286, 1294, 1315, 1316, 1320, 1343, 1350, 1363, 1366, 1373, 1393, 1394, 1396, 1402, 1405, 1409, 1410, 1411, 1412, 1413, 1427, 1429, 1434, and 1441; HCR18-1002.

MESSAGE FROM THE GOVERNOR

May 16, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-158: CONCERNING MEASURES TO INCREASE SCHOOL DISTRICT ACCESS TO INTEROPERABLE COMMUNICATION TECHNOLOGY TO IMPROVE SCHOOL SAFETY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 16, 2018 at 4:46 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 18, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-145: CONCERNING THE IMPLEMENTATION OF EMPLOYMENT FIRST ADVISORY PARTNERSHIP RECOMMENDATIONS TO ADVANCE COMPETITIVE INTEGRATED EMPLOYMENT FOR PERSONS WITH DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 18, 2018 at 12:41 pm.

SB 18-254: CONCERNING REFORMS TO CHILD WELFARE SERVICES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

Approved May 18, 2018 at 1:48 pm.

SB 18-039: CONCERNING THE WILDFIRE MATTERS REVIEW COMMITTEE, AND, IN CONNECTION THEREWITH, DEFERRING THE DATE ON WHICH THE COMMITTEE IS SCHEDULED TO REPEAL AND MAKING AN APPROPRIATION.

Approved May 18, 2018 at 4:18 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SENATE SERVICES REPORT

Correctly Enrolled: SB18-191, 200, 242, 243, 259, and 262; SCR18-003, 004, and 005; SJM18-006 and 007; SJR18-009, 010, 011, 012, and 013.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, May 21, 2018, at 12:18 p.m.:
SB18-062, 243, 271, and 272.

MESSAGE FROM THE GOVERNOR

May 21, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-270: CONCERNING ESTABLISHING A STATEWIDE PROGRAM TO COORDINATE REFERRALS OF HIGH-RISK INDIVIDUALS IN NEED OF BEHAVIORAL HEALTH TRANSITION SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 21, 2018 at 2:20 pm.

SB 18-022: CONCERNING CLINICAL PRACTICE MEASURES FOR SAFER OPIOID PRESCRIBING.

Approved May 21, 2018 at 2:18 pm.

SB 18-024: CONCERNING MODIFICATIONS TO THE COLORADO HEALTH SERVICE CORPS PROGRAM ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO EXPAND THE AVAILABILITY OF BEHAVIORAL HEALTH CARE PROVIDERS IN SHORTAGE AREAS IN THE STATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 21, 2018 at 2:19 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 22, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-007: CONCERNING THE COLORADO AFFORDABLE HOUSING TAX CREDIT, AND, IN CONNECTION THEREWITH, RENAMING THE LOW-INCOME HOUSING TAX CREDIT THE COLORADO AFFORDABLE HOUSING TAX CREDIT AND EXTENDING THE PERIOD DURING WHICH THE COLORADO HOUSING AND FINANCE AUTHORITY MAY ALLOCATE AFFORDABLE HOUSING TAX CREDITS.

Approved May 22, 2018 at 2:34pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB18-200; HB18-1011, 1019, 1057, 1060, 1094, 1155, 1185, 1190, 1202, 1236, 1256, 1267, 1270, 1291, 1309, 1321, 1340, 1351, 1353, 1354, 1364, 1375, 1398, 1418, 1421, 1422, 1430, 1431, 1433, and 1437.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, May 23, 2018, at 2:40 p.m.:
SB18-200.

MESSAGE FROM THE GOVERNOR

May 24, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-229: CONCERNING CRIMINAL HISTORY RECORD CHECKS FOR EDUCATOR PREPARATION PROGRAM STUDENTS SEEKING FIELD EXPERIENCES IN SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 24, 2018 at 3:25 pm.

SB 18-085: CONCERNING PROVIDING FINANCIAL INCENTIVES FOR EDUCATORS TO WORK IN RURAL AREAS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION

Approved May 24, 2018 at 3:27 pm.

SB 18-042: CONCERNING THE CREATION OF THE AGRICULTURAL WORKFORCE DEVELOPMENT PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 24, 2018 at 3:23 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 25, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-167: CONCERNING INCREASED ENFORCEMENT OF REQUIREMENTS RELATED TO THE LOCATION OF UNDERGROUND FACILITIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 25, 2018 at 1:12 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 29, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-012: CONCERNING INCLUDING MILITARY ENLISTMENT AS PART OF THE POSTSECONDARY AND WORKFORCE READINESS PERFORMANCE INDICATOR FOR PUBLIC SCHOOLS.

Approved May 29, 2018 at 10:53 am.

SB 18-013: CONCERNING EXPANDING THE GRADES ELIGIBLE FOR THE CHILD NUTRITION SCHOOL LUNCH PROTECTION PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:32 am.

SB 18-031: CONCERNING AN EXTENSION OF THE TITLE 12 RECODIFICATION STUDY BEING CONDUCTED BY THE OFFICE OF LEGISLATIVE LEGAL SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at10:49 am.

SB 18-033: CONCERNING THE CONTINUATION OF THE ANIMAL FEEDING OPERATION PERMIT PROGRAM UNDER THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:50 am.

SB 18-056: CONCERNING MONETARY AMOUNTS IN CIVIL ACTIONS.

Approved May 29, 2018 at 10:51 am.

SB 18-108: CONCERNING THE ISSUANCE OF IDENTIFICATION DOCUMENTS UNDER THE "COLORADO ROAD AND COMMUNITY SAFETY ACT" TO PERSONS WHO ARE NOT LAWFULLY PRESENT IN THE UNITED STATES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:10 am.

SB 18-119: CONCERNING FALSE IMPRISONMENT OF A MINOR, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:51 am.

SB 18-141: CONCERNING VOLUNTARY CONTRIBUTION DESIGNATIONS ON THE COLORADO INDIVIDUAL INCOME TAX RETURN FORM.

Approved May 29, 2018 at 10:50 am.

SB 18-150: CONCERNING MEASURES TO FACILITATE VOTER REGISTRATION OF INDIVIDUALS IN THE CRIMINAL JUSTICE SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:15 am.

SB 18-191: CONCERNING THE LOCAL GOVERNMENT LIMITED GAMING IMPACT FUND, AND, IN CONNECTION THEREWITH MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:50 am.

SB 18-205: CONCERNING THE REGULATION OF INDUSTRIAL HEMP AS AN AGRICULTURAL PRODUCT, AND, IN CONNECTION THEREWITH, IDENTIFYING THE UNPROCESSED SEEDS OF INDUSTRIAL HEMP AS A COMMODITY UNDER THE "COMMODITY HANDLER ACT" AND INDUSTRIAL HEMP AS A FARM PRODUCT UNDER THE "FARM PRODUCTS ACT".

Approved May 29, 2018 at 10:19 am.

SB 18-208: CONCERNING THE CREATION OF THE GOVERNOR'S MANSION MAINTENANCE FUND.

Approved May 29, 2018 at 10:50 am.

SB 18-209: CONCERNING MODIFICATIONS TO THE GOVERNMENT DATA ADVISORY BOARD CREATED IN THE OFFICE OF INFORMATION TECHNOLOGY.

Approved May 29, 2018 at 10:51 am.

SB 18-210: CONCERNING THE REGULATION OF REAL ESTATE APPRAISAL MANAGEMENT COMPANIES, AND, IN CONNECTION THEREWITH, ALIGNING STATE LAW WITH CURRENT FEDERAL LAW AND REGULATIONS.

Approved May 29, 2018 at 10:49 am.

SB 18-213: CONCERNING REQUIRING LOCAL SCHOOL DISTRICTS TO RECOGNIZE ACADEMIC CREDITS EARNED BY STUDENTS IN THE CUSTODY OF THE DIVISION OF YOUTH SERVICES.

Approved May 29, 2018 at 10:52 am.

SB 18-233: CONCERNING TECHNICAL MODIFICATIONS TO MISCELLANEOUS PROVISIONS OF THE "UNIFORM ELECTION CODE OF 1992", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:16 am.

SB 18-235: CONCERNING THE CREATION OF THE COLORADO INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT AUTHORITY.

Approved May 29, 2018 at 10:52 am.

SB 18-239: CONCERNING A LICENSED CHIROPRACTOR'S ABILITY TO PERFORM ANIMAL CHIROPRACTIC ON AN ANIMAL PATIENT.

Approved May 29, 2018 at 10:54 am.

SB 18-253: CONCERNING THE EFFECTIVE DATE TO TRANSITION THE DEPARTMENT OF REVENUE'S CSTARS ACCOUNT TO THE DEPARTMENT OF REVENUE'S DRIVES VEHICLE SERVICES ACCOUNT.

Approved May 29, 2018 at 10:50 am.

SB 18-262: CONCERNING TARGETED FUNDING FOR PUBLIC INSTITUTIONS OF HIGHER EDUCATION TO HELP ACHIEVE THE COLORADO COMMISSION ON HIGHER EDUCATION MASTER PLAN GOALS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 29, 2018 at 10:50 am.

SB 18-266: CONCERNING CONTROLLING COSTS UNDER THE "COLORADO MEDICAL ASSISTANCE ACT", AND, IN CONNECTION THEREWITH, USING DATA AND TECHNOLOGY, CREATING A HOSPITAL REVIEW PROGRAM, AND MAKING AND REDUCING AN APPROPRIATION.

Approved May 29, 2018 at 10:21 am.

SB 18-268: CONCERNING THE SCOPE OF THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO AWARD A DESIGN BID BUILD HIGHWAY PROJECT CONTRACT IN AN AMOUNT THAT EXCEEDS THE ESTIMATE OF THE DEPARTMENT ON THE PROJECT.

Approved May 29, 2018 at 10:50 am.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 30, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-086: CONCERNING THE USE OF CYBER CODING CRYPTOLOGY FOR STATE RECORDS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:04 pm.

SB 18-249: CONCERNING ESTABLISHING ALTERNATIVE PROGRAMS IN THE CRIMINAL JUSTICE SYSTEM TO DIVERT INDIVIDUALS WITH A MENTAL HEALTH CONDITION TO COMMUNITY TREATMENT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:09 pm.

SB 18-062: CONCERNING LIABILITY LIMITS IN SNOW AND ICE REMOVAL CONTRACTS.

Approved May 30, 2018 at 4:51 pm.

SB 18-271: CONCERNING CHANGES TO IMPROVE FUNDING FOR MARIJUANA RESEARCH, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:51 pm.

SB 18-272: CONCERNING SUICIDE PREVENTION TRAINING IN SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:52pm.

SB 18-219: CONCERNING THE RATES A MOTOR VEHICLE DEALER CHARGES A MOTOR VEHICLE MANUFACTURER FOR WORK PERFORMED BY THE DEALER IN ACCORDANCE WITH A WARRANTY OBLIGATION.

Approved May 30, 2018 at 4:52 pm.

SB 18-234: CONCERNING MEASURES TO REDUCE THE SALE WITHOUT CONSENT OF THE REMAINS OF A HUMAN WHO WAS BORN ALIVE, AND, IN CONNECTION THEREWITH, REGISTERING NONTRANSPLANT TISSUE BANKS AND PROHIBITING CERTAIN OWNERS OF NONTRANSPLANT TISSUE BANKS FROM OWNING CERTAIN OTHER BUSINESSES THAT PROVIDE FOR THE FINAL DISPOSITION OF HUMAN REMAINS, AND MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:52 pm.

SB 18-231: CONCERNING A TASK FORCE ON THE TRANSITION OF PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES FROM EDUCATIONAL SERVICES TO HOME- AND COMMUNITY-BASED SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:52 pm.

SB 18-016: CONCERNING THE REPEAL DATE FOR THE TRANSFER OF MONEY FROM COMMUNITY CORRECTIONS TO THE HOUSING ASSISTANCE FOR PERSONS TRANSITIONING FROM THE CRIMINAL OR JUVENILE JUSTICE SYSTEM CASH FUND, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:53 pm.

SB 18-218: CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND, IN CONNECTION THEREWITH, MAKING APPROPRIATIONS.

Approved May 30, 2018 at 4:53 pm.

SB 18-232: CONCERNING A CLARIFICATION OF THE CALCULATION USED TO DETERMINE THE AMOUNT OF MONEY THAT MUST BE SPENT TO ACQUIRE WORKS OF ART FOR CAPITAL CONSTRUCTION PROJECTS THAT ARE THE SUBJECT OF A LEASE-PURCHASE AGREEMENT.

Approved May 30, 2018 at 4:53 pm.

SB 18-248: CONCERNING THE TREATMENT UNDER STATUTORY PROVISIONS GOVERNING TAX INCREMENT FINANCING OF REVENUES RECEIVED BY AN URBAN RENEWAL AUTHORITY FOLLOWING CERTAIN VOTER-APPROVED REVENUE INCREASES.

Approved May 30, 2018 at 4:54 pm.

SB 18-163: CONCERNING AN EXTENSION OF THE REPEAL OF THE EARLY CHILDHOOD AND SCHOOL READINESS LEGISLATIVE COMMISSION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved May 30, 2018 at 4:53 pm.

SB 18-247: CONCERNING THE CREATION OF A FUND TO PAY FOR THE CONTINUATION OF CERTAIN BENEFITS FOR DEPENDENTS OF CERTAIN LOCAL GOVERNMENT PUBLIC SAFETY EMPLOYEES WHO DIE IN A WORK-RELATED DEATH.

Approved May 30, 2018 at 4:54 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

May 31, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-001: CONCERNING TRANSPORTATION INFRASTRUCTURE FUNDING, AND, IN CONNECTION THEREWITH, REQUIRING SPECIFIED AMOUNTS TO BE TRANSFERRED FROM THE GENERAL FUND TO THE STATE HIGHWAY FUND, THE HIGHWAY USERS TAX FUND, AND A NEW MULTIMODAL TRANSPORTATION OPTIONS FUND DURING STATE FISCAL YEARS 2018-19 AND 2019-20 FOR THE PURPOSE OF FUNDING TRANSPORTATION PROJECTS AND TO THE STATE HIGHWAY FUND DURING ANY STATE FISCAL YEAR FROM 2019-20 THROUGH 2038-39 FOR STATE HIGHWAY PURPOSES AND TO REPAY ANY TRANSPORTATION REVENUE ANTICIPATION NOTES THAT MAY BE ISSUED AS SPECIFIED IN THE BILL AND, IF NO CITIZEN-INITIATED BALLOT MEASURE THAT REQUIRES THE STATE TO ISSUE TRANSPORTATION REVENUE ANTICIPATION NOTES IS APPROVED BY THE VOTERS OF THE STATE AT THE NOVEMBER 2018 GENERAL ELECTION, REQUIRING THE SECRETARY OF STATE TO SUBMIT A BALLOT QUESTION TO THE VOTERS OF THE STATE AT THE NOVEMBER 2019 STATEWIDE ELECTION, WHICH, IF APPROVED, WOULD REQUIRE THE STATE, WITH NO INCREASE IN ANY TAXES, TO ISSUE ADDITIONAL TRANSPORTATION REVENUE ANTICIPATION NOTES FOR THE PURPOSE OF ADDRESSING CRITICAL PRIORITY TRANSPORTATION NEEDS IN THE STATE BY FUNDING

TRANSPORTATION PROJECTS; WOULD EXCLUDE NOTE PROCEEDS AND INVESTMENT EARNINGS ON NOTE PROCEEDS FROM STATE FISCAL YEAR SPENDING LIMITS; AND WOULD REDUCE THE AMOUNT OF LEASE-PURCHASE AGREEMENTS REQUIRED BY CURRENT LAW TO BE ISSUED FOR THE PURPOSE OF FUNDING TRANSPORTATION PROJECTS.

Approved May 31, 2018 at 11:52 am.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 1, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-230: CONCERNING MODIFICATION OF THE LAWS GOVERNING THE ESTABLISHMENT OF DRILLING UNITS FOR OIL AND GAS WELLS, AND, IN CONNECTION THEREWITH, CLARIFYING THAT A DRILLING UNIT MAY INCLUDE MORE THAN ONE WELL, PROVIDING LIMITED IMMUNITY TO NONCONSENTING OWNERS SUBJECT TO POOLING ORDERS, ADJUSTING COST RECOVERY FROM NONCONSENTING OWNERS, AND MODIFYING THE CONDITIONS UPON WHICH A POOLING ORDER MAY BE ENTERED.

Approved June 1, 2018 at 10:55 am.

SB 18-003: CONCERNING THE COLORADO ENERGY OFFICE.

Approved June 1, 2018 at 10:44 am.

SB 18-276: CONCERNING AN INCREASE IN THE GENERAL FUND RESERVE.

Approved June 1, 2018 at 10:16 am.

SB 18-242: CONCERNING THE SWEARING OF A PUBLIC OFFICIAL OATH OF OFFICE.

Approved June 1, 2018 at 10:09 am.

SB 18-203: CONCERNING THE PROVISION OF INDEPENDENT COUNSEL TO INDIGENT DEFENDANTS IN MUNICIPAL COURTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 1, 2018 at 10:06 am.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 1, 2018

The Honorable Colorado Senate
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, I vetoed Senate Bill 18-179, "Concerning the Extension of the Credit for Tobacco Products that a Distributor Ships or Transports to an Out-of-state Consumer" at 3:26 pm.

Senate Bill 18-179 ("SB 18-179") permanently lowers taxes on cigars and other non-cigarette tobacco products sold directly to out-of-state customers. Last year, I vetoed similar legislation, Senate Bill 17-139 ("SB 17-139") to extend a tax credit on sales for these products to out-of-state consumers for an additional three years. [1] Although SB 18-179 differs from the 2017 bill by shifting from a tax credit to an adjustment, according to the nonpartisan fiscal analysis of SB 18-179, the effect is the same. [2] Senate Bill 18-179 goes even further by making the tax reduction permanent.

In assessing the bill's economic impact, we note that the Department of Revenue is not permitted to disclose the number of taxpayers that claim this tax credit, as there are not at least three taxpayers claiming this credit or one of them represents more than 80 percent of the total credit claimed. Furthermore, the bill's proponents identified only one company benefiting from the bill. That company cited fewer than a dozen jobs created due to the existing credit.

While the bill's economic benefits appear minimal, the negative health effects of cheaper tobacco are both significant and compelling. These concerns remain from when we vetoed SB 17-139. As we wrote in our letter to the General Assembly last year:

> "It is undisputed that tobacco product consumption is harmful to public health. According to the U.S. Centers for Disease Control and Prevention, 4.6 million middle and high school students use tobacco products. While only five percent of adults use cigars, over eight percent of high school students use these products. Among middle and high school students, use of cigars nearly equals the rate of cigarettes. Cheaper, candy-flavored cigars are particularly attractive to youth and have the potential to turn kids into lifelong smokers. Cigar smoking is not a safer alternative to cigarettes, and is linked to increased risk of cancer and death. In short, taxes on tobacco products have proven to be an effective public health tool. Allowing reductions for retailers and distributors, such as those reauthorized by Senate Bill 17-139, harms Colorado's ability to educate the public on risks associated with tobacco use."

Furthermore, as we noted in our letter regarding SB17-139, "tax uniformity and equity are core foundations for an efficient and fair tax code." However, SB 18-179 does not extend similar tax benefits to other products such as alcohol, marijuana, tobacco, and fuels. Once more, we reaffirm that uniformity and equity are critical principles for a sound tax code; yet are absent in this bill.

Accordingly, Senate Bill 18-179 is vetoed.

Sincerely,
(signed)
John W. Hickenlooper
Governor

1. SB 17-139 Veto Message from John Hickenlooper, Governor, State of Colo., to Colo. Senate (Apr. 28, 2017).
2. SB 18-179 Revised Fiscal Note, *Colo. Legis. Council Staff* (Apr. 9, 2018) ("Changing these tax expenditures from credits to deductions is not expected to *affect the tax benefit available to taxpayers*. Timing of revenue impacts may shift within fiscal years, but the net revenue impact across fiscal years is expected to be minimal." (emphasis added)).

June 1, 2018

The Honorable Colorado Senate
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, I vetoed Senate Bill 18-223, "Concerning the Circumstances Under Which an Autopsy Report Prepared in Connection with the Death of a Minor May be Released to Certain Parties" at 3:36 pm. Senate Bill 18-223 ("SB 18-223") places restrictions on public disclosure, with exceptions, by coroners of an autopsy report for the death of a minor - curbing public and media access to such information.

After reviewing all committee hearing records, visiting with the bill's proponents and opponents, and reviewing comments from families, coroners, and reporters, it is clear that both sides of this debate share the same goal: limiting deaths of Colorado youths and preventing further trauma to families. At its core, the issue before us is the proper balance between protecting grieving families from continued trauma due to public disclosure, and permitting such information disclosure to prevent future tragedies.

History shows that bringing tragedies to the public's attention is the greatest catalyst for public policy change. Transparency can lead to enhanced government protections, greater public and private resources, and heightened public understanding and demand for change. We need not look far for examples in which public disclosure, media scrutiny, and good journalism led to positive changes to prevent tragedies, particularly in areas such as child neglect, abuse, and trafficking. While crafted for the very laudable goal of protecting families from additional pain caused by public knowledge of a child's death, we cannot ignore that SB 18-223 hampers public disclosure. And we are particularly concerned by the bill's broad language limiting disclosure of not only youth suicides, but *any* death of a minor.

Few circumstances can ever match the trauma of losing a child, and we commend the sponsors for their desire to protect families of deceased children from continued pain. For these reasons, we do not issue this veto lightly. We remain persuaded, however, that sunshine on uncomfortable and painful topics such as youth deaths can lead to more positive outcomes for other youths, stemming from how we collectively react to the knowledge of youth deaths. An informed public has societal benefits for all at-risk children, present and future. Accordingly, Senate Bill 18-223 is vetoed.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 4, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-200: CONCERNING MODIFICATIONS TO THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION HYBRID DEFINED BENEFIT PLAN NECESSARY TO ELIMINATE WITH A HIGH PROBABILITY THE UNFUNDED LIABILITY OF THE PLAN WITHIN THE NEXT THIRTY YEARS.

Approved June 4, 2018 at 3:49 pm.

SB 18-243: CONCERNING THE RETAIL SALE OF ALCOHOL BEVERAGES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 4, 2018 at 3:03 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 5, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-206: CONCERNING ENSURING AFFORDABILITY AT PUBLIC RESEARCH UNIVERSITIES IN COLORADO, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 5, 2018 at 3:20pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 5, 2018

The Honorable Colorado Senate
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado Senate:

Today, I vetoed Senate Bill 18-156, "Concerning the Publication of Fiscal Information by a County" at 4:16 pm. Senate Bill 18-156 ("SB 18-156") relaxes requirements for counties to publish various financial reports in newspapers, changing the frequency and manner of how reports are published.

We always look for opportunities to streamline government and implement efficiencies. Senate Bill 18-156 is a laudable effort to do just that. The bill reduces the frequency in which county reports are published in a legal newspaper, driving residents to rely more on cost effective methods of publication such as county websites. According to the nonpartisan fiscal note for the bill, cost savings to counties would range from $100 to $500 per year per county.

The underlying law was enacted in a time when newspapers were the dominant, if not sole, form of public information in all communities. For some communities, this is still the norm. While we recognize that laws must be updated with the times, until all communities have full online access, we should not force Coloradans to the Internet to review public notices when some have no Internet access to do so. Additionally, creating a comprehensive plan to prepare the state for the change this bill seeks, including improving digital literacy, will help to avoid disenfranchising Coloradans from where they have traditionally received their information. We appreciate the bill's delayed effective date so that broadband may further reach rural communities. However, until more certainty exists when full buildout can be achieved and behavior has shifted, we cannot support legislation reducing transparency in one of the few mediums available to communities lacking broadband.

We certainly appreciate the desire of counties to find cost savings and rely more on cost effective online resources. However, SB 18-156 is premature. We continue to pursue full broadband buildout in all rural communities and recently bolstered this effort with Senate Bill 18-002 to shift major funding to support broadband deployment grants. However, the goal of full buildout has yet to be realized. We are persuaded that the sponsors' concept is sound and the bill's time is near. But that time must closely align with full broadband availability throughout the State. To that end, we encourage the sponsors to bring this bill next year with trigger language taking effect not at a date certain, but rather once full broadband buildout is achieved.

Until Colorado achieves full broadband access, we believe that SB 18-156 is ahead of its time. Accordingly, SB 18-156 is vetoed.

Sincerely,
(signed)
John W. Hickenlooper
Governor

June 6, 2018

Colorado Senate
71st General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and will file with the Secretary of State the following Acts:

SB 18-225: CONCERNING THE DEFINITION OF AN EARLY COLLEGE FOR PURPOSES OF THE "CONCURRENT ENROLLMENT PROGRAMS ACT".

Approved June 6, 2018 at 11:56 am.

SB 18-015: CONCERNING THE "PROTECTING HOMEOWNERS AND DEPLOYED MILITARY PERSONNEL ACT".

Approved June 6, 2018 at 11:54 am.

SB 18-038: CONCERNING THE ALLOWABLE USES OF RECLAIMED DOMESTIC WASTEWATER, AND, IN CONNECTION THEREWITH, ALLOWING RECLAIMED DOMESTIC WASTEWATER TO BE USED FOR INDUSTRIAL HEMP CULTIVATION AND MAKING AN APPROPRIATION.

Approved June 6, 2018 at 11:57 am.

SB 18-068: CONCERNING CRIMINALIZING FALSE REPORTS.

Approved June 6, 2018 at 11:57 am.

SB 18-245: CONCERNING REPEAL OF THE PROHIBITION ON THE STATE BOARD OF HEALTH ADOPTING RULES CONCERNING THE DISPOSAL OF NATURALLY OCCURRING RADIOACTIVE MATERIALS UNTIL AFTER THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY HAS ADOPTED RULES CONCERNING THE DISPOSAL OF NATURALLY OCCURRING RADIOACTIVE MATERIALS.

Approved June 6, 2018 at 11:57 am.

SB 18-250: CONCERNING THE PROVISION OF JAIL-BASED BEHAVIORAL HEALTH SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 6, 2018 at 11:58 am.

SB 18-251: CONCERNING ESTABLISHING A STATEWIDE BEHAVIORAL HEALTH COURT LIAISON PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 6, 2018 at 11:58 am.

SB 18-255: CONCERNING THE USE OF ELECTRONIC FORMATS IN THE ISSUANCE OF CERTIFICATES OF TITLE FOR VEHICLES.

Approved June 6, 2018 at 11:59 am.

SB 18-259: CONCERNING THE TAXATION OF RETAIL MARIJUANA BY LOCAL GOVERNMENTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved June 6, 2018 at 11:59 am.

SB 18-267: CONCERNING THE CREATION OF THE JUSTICE CENTER MAINTENANCE FUND.

Approved June 6, 2018 at 12:00 pm.

SB 18-269: CONCERNING PROVIDING FUNDING FOR LOCAL EDUCATION PROVIDERS TO IMPLEMENT SCHOOL SECURITY IMPROVEMENTS TO PREVENT INCIDENCES OF SCHOOL VIOLENCE, AND, IN CONNECTION THEREWITH, CREATING THE SCHOOL SECURITY DISBURSEMENT PROGRAM.

Approved June 6, 2018 at 12:00 pm.

SB 18-280: CONCERNING A TRANSFER FROM THE GENERAL FUND TO THE TOBACCO LITIGATION SETTLEMENT CASH FUND TO BE ALLOCATED TO THE PROGRAMS, SERVICES, AND FUNDS THAT CURRENTLY RECEIVE TOBACCO LITIGATION SETTLEMENT MONEY.

Approved June 6, 2018 at 12:01 pm.

Sincerely,
(signed)
John W. Hickenlooper
Governor