

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

1st Legislative Day Monday, November 30, 2020

- Prayer By Senator Fields.
- 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 Holbert.

MESSAGE FROM THE GOVERNOR

Call for the First Extraordinary Session of the Seventy-Second General Assembly

Pursuant to the authority vested in the Governor of the State of Colorado, and in particular, pursuant to article IV, section 9 of the Colorado Constitution, and as recognized in article V, section 7, I, Jared Polis, Governor of the State of Colorado, hereby find that the following extraordinary occasions exist to convene the 72nd General Assembly to meet in special session.

I. Background

The Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive coronavirus disease 2019 (COVID-19) test result in Colorado on March 5, 2020. I declared a disaster emergency due to the presence of COVID-19 in the State of Colorado on March 11, 2020. Since then, the COVID-19 Pandemic Emergency has cost the lives of over 2,300 of our fellow Coloradans, has strained our public health care system and health care capacity, damaged our economy, and taken a significant toll on our schools and institutions of higher education.

Recent developments in vaccine research are encouraging. We can envision a near future when the COVID-19 Pandemic Emergency is behind us. But while the finish line is in sight, we must continue to protect ourselves and our loved ones from COVID-19. Case counts have steadily climbed through the fall, and it has become clear that we must take extraordinary measures to support Colorado's people and economy. Businesses and families need assistance to get through the challenging winter ahead. To meet this moment, we must make critical investments as soon as possible. Colorado small businesses and families struggling to pay rent and their electric bills cannot afford to wait until the 73rd General Assembly convenes on January 13th, 2021, which is why I am calling this extraordinary session of the General Assembly.

This past fiscal year, the General Assembly passed a responsible budget in a very challenging fiscal environment. Their actions, combined with better than anticipated revenues during the summer months, resulted in surplus funds in the current fiscal year that we can direct to one-time support for businesses and families impacted by the COVID-19 Pandemic Emergency, while also helping to sustain our economy. I am calling this extraordinary session to ask the General Assembly to consider taking action in seven areas:

Small Business

Small businesses, including gyms, restaurants, bars, arts and culture venues, and event-related businesses, such as entertainment venues, have struggled to stay open at lower capacities, making it difficult to pay their staff and rent. While these small businesses saw some recovery over the summer when many were able to provide

walk-up and outdoor service, many still struggle due to lack of consumer confidence and COVID-19 restrictions. These challenges will likely increase through the fall and winter months.

Child Care

The COVID-19 Pandemic Emergency has burdened child care providers, which we know are crucial to building and sustaining a thriving economy by enabling families to work and preparing children for school. Colorado’s fragile child care system is strained and vulnerable to a collapse due to the pandemic. Lower enrollment, required changes to ensure student and worker safety consistent with health requirements, staffing issues including quarantine measures consistent with protecting the public health, sporadic closure of the schools, and other impacts of the pandemic are also impacting the child care system. Based on a recent survey, at least 26% of child care facilities in Colorado may close permanently without financial support, due to the pandemic.

Housing and Direct Assistance

Because of the federal Paycheck Protection Program, loans for small businesses, enhanced unemployment benefits, and direct payments to Americans, we have avoided a significant wave of housing evictions and foreclosures. Now, though, the expiration of these programs leaves vulnerable Coloradans at risk of eviction or foreclosure in the coming months. We must mobilize additional resources to allow Coloradans to stay in their homes in the near term and rebuild their lives in the long term.

Broadband

A Colorado Department of Education and Colorado Education Initiative survey demonstrated that 65,860 children lacked stable internet access at home. While many school districts across Colorado are learning in person, the most recent increase in COVID-19 cases has led other school districts, including many Denver metro area school districts, to switch to remote learning. Without broadband or wi-fi hotspots, these students will face significant learning loss that will have implications for their future academic careers and lifetime earnings.

Food Insecurity

Demand for food assistance via food pantries and food banks has increased as a result of the COVID-19 Pandemic Emergency. The demand appears to be correlated with unemployment and furloughs in the service sector, as well as school and camp closures, and is not anticipated to abate in the short-term. Meanwhile, food pantries’ food resources were often stretched prior to the pandemic and resulting economic fallout. As dollars available for hunger relief through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and Families First Coronavirus Relief Act (FFRCA) end in December 2020, no new federal funding is currently available to replace these funds.

Utilities Assistance

Heading into the winter, many Coloradans are unemployed, underemployed, or unable to find new work. At the same time, these Coloradans may have little to no savings and growing expenses due to the COVID-19 Pandemic Emergency. This segment of the population now qualifies as low-income, and is at risk of being unable to afford their utility bills over the coming months. Energy Outreach Colorado applications are up 25% compared to the same time last year, and funding allocated by the General Assembly during the prior legislative session will be distributed by December 4, 2020.

Public Health Response

As the pandemic has entered its third wave in Colorado, additional funds are needed immediately to continue the State's robust public health response. My budget request set aside funds to ensure the State can continue to protect public health while we await additional federal stimulus and reimbursement from the Federal Emergency Management Agency.

In the face of federal inaction, Colorado must act now to support small businesses, protect renters and homeowners, support child care providers, and enable students to access remote education. We can make one-time, urgently needed investments now to help these crucial sectors of our economy survive the winter and sustain our economy.

I urge the General Assembly to act and am defining the appropriate subject matter for legislative consideration herein. The following section describes the purpose and need for the special session.

II. Purpose and Need

In the coming months, we will need to focus on suppressing the spread of COVID-19 in our communities to conserve our strained healthcare resources. We recognize that the lack of consumer confidence, the reality of the risky health situation, and compliance with

justified public health measures comes at a cost to our business owners, workers, educators, and families. We therefore believe it is right and proper to take all necessary measures to enable our residents to weather the economic and logistical challenges that accompany our mitigation strategies. We are calling on the General Assembly to consider taking action to fund the following support programs to help minimize the disruptions caused by our COVID-19 emergency response:

A. The General Assembly should consider taking legislative action to provide direct support and emergency tax relief to small businesses impacted by the COVID-19 Pandemic Emergency. This includes but is not limited to an expeditious, direct assistance funding mechanism for small businesses that are operating at a significantly reduced capacity or closed under public health orders. Small businesses, including gyms, restaurants, bars, arts and culture venues, and event-related businesses, such as entertainment venues, have struggled to stay open at lower capacities, making it difficult to pay their staff and rent. The General Assembly should also consider providing tax and administrative relief, including sales tax retention, for certain small businesses, including restaurants and bars. The General Assembly should consider allowing these certain small businesses to retain up to \$2,000 per month of the 2.9% gross state sales tax collections they already collect and should allow for the waiver of certain fees associated with the sale of liquor and enforcement and the operation of a restaurant, including retail food establishment licensing fees administered by CDPHE and Colorado Department of Revenue.

B. The General Assembly should consider taking legislative action to provide housing and rental assistance and direct cash assistance for individuals and families who have been impacted both directly and indirectly by the COVID-19 Pandemic Emergency through existing funding mechanisms such as the Property Owner Preservation program (POP), the Emergency Housing Assistance program (EHAP), the Workers Left Behind Fund (WLBFF), the Housing Counseling Assistance Program (HCAP), homeless youth programs, and direct cash assistance.

C. The General Assembly should consider taking legislative action to provide monetary assistance to new and existing child care providers through existing funding mechanisms such as sustainability grants for existing child care providers, and support for child care start-up or expansion costs for providers located in child care deserts, demonstrated need, or areas of the State hardest hit by COVID-19.

D. The General Assembly should consider taking legislative action to expand broadband and wi-fi access for educational purposes, especially for P-12 students and educators.

E. The General Assembly should consider taking legislative action to provide support for food pantries and food banks so that they can provide assistance for those experiencing food insecurity due to the COVID-19 Pandemic Emergency.

F. The General Assembly should consider taking legislative action to provide utility assistance to Coloradans experiencing financial hardship due to the COVID-19 Pandemic Emergency.

G. The General Assembly should consider taking legislative action to appropriate funds to the Disaster Emergency Fund for public health expenses associated with the COVID-19 Pandemic Emergency.

III. Proclamation

I, Jared Polis, Governor of the State of Colorado, with this proclamation find extraordinary occasions exist to convene the 72nd General Assembly of this State and summon the members of the 72nd General Assembly to meet in Special Session at 10:00 AM on November 30, 2020, at the State Capitol, in the City and County of Denver, and designate the following specific subjects for consideration, appropriate legislative action, and funding:

A. Concerning direct support and emergency tax relief to small businesses impacted by the COVID-19 Pandemic Emergency. This includes but is not limited to an expeditious direct assistance funding mechanism for small businesses that are at reduced capacity under public health orders including gyms, restaurants, bars, arts and culture venues, and event-related businesses, such as entertainment venues; emergency sales tax relief for public health order-impacted eating and drinking establishments by allowing them to retain up to \$2,000 per month of the 2.9% gross state sales tax that they already collect, in order to pay for expenses including employee pay, rent, and overhead; and allowing for the waiver of certain licensing fees associated with sale of liquor and fees associated with the establishment or operation of a retail food establishment.

B. Concerning housing and rental assistance to individuals and residential property owners impacted by the COVID-19 Pandemic Emergency through existing funding mechanisms such as the Property Owner Preservation program (POP), the Emergency Housing Assistance program (EHAP), the Workers Left Behind Fund (WLBFF), the Housing Counseling Assistance Program (HCAP), homeless youth organizations, non-profits, and cash assistance.

C. Concerning support for existing and new child care providers impacted by the COVID-19 Pandemic Emergency through existing funding mechanisms such as, but not limited to, sustainability grants for existing child care providers and support for child care start-up or expansion costs for providers located in child care deserts or areas of the State hardest hit by COVID-19.

D. Concerning expanding broadband and wi-fi access for educational purposes, especially for P-12 students and educators impacted by the COVID-19 Pandemic Emergency.

E. Concerning support for the existing food pantry assistance grant program within the Department of Human Services to aid Colorado food pantries and food banks in the purchase and allocation of food to serve those who have experienced financial hardship caused by the COVID-19 Pandemic Emergency.

F. Concerning assistance for individuals unable to pay their utility bills due to financial hardship caused by the COVID-19 Pandemic Emergency, including support to the Energy Outreach Colorado low-income energy assistance program.

G. Concerning appropriating funding to the Disaster Emergency Fund for public health expenses associated with the COVID-19 Pandemic Emergency.

GIVEN under my hand and
the Executive Seal of the State
of Colorado, this nineteenth
day of November, 2020.
(signed)
Jared Polis
Governor

Temporary
Rules

On motion of Majority Leader Fenberg, and with the unanimous consent of the Senate, the Rules of the Second Regular Session of the Seventy-Second General Assembly were made the temporary Rules of the First Extraordinary Session of the Seventy-Second 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 Fenberg, and with the unanimous consent of the Senate, the Senate stood in recess to hear the remarks of Senator Leroy Garcia, President of the Senate. The text of the remarks follow.

Senate in recess.

Remarks of President Garcia:

Good Morning and welcome back to the Senate, where we have been called to serve the people of Colorado during this extraordinary and turbulent time.

2020 been a year of harrowing heartbreak and transformational civil unrest. We have watched our country be torn apart by brutish political in-fighting, while simultaneously, we have suffered the worst threat to our collective health in over a century.

Now, as the pandemic reaches a new level of devastation - to both human life, as well as economic stability - it is our responsibility to meet the immediate needs of Colorado families and get them the relief necessary to weather the storm.

Because the reality is, this storm we are in the midst of is terrifyingly destructive. People all over this state are quite literally fighting for their lives and their livelihoods. Families are on the edge of homelessness, Parents are anxiously balancing work without childcare, and Businesses are closing at unprecedented rates.

Without continued aid from Washington, thousands of Coloradans are facing increasingly desperate situations - their life savings, food security, and education disappearing in front of them. However, despite an embarrassing display of inaction on the federal level, we are here to set a better example - working in a bipartisan manner to address the dire challenges facing Colorado. Because even though our power and resources as a state are limited, they are not nothing.

That's why, for the next three days, we are going to do everything we can to deliver the support families and businesses need to make it through the months ahead. While this task may be enormous, I truly believe that Every Single Person in this room is ready and willing to approach our objective with the focus, cooperation, and humility that hardworking Coloradans deserve.

Because, ultimately, this Special Session is not - and can not - be about us. With every speech we give, every question we ask, and every bill we introduce, let us remember the collective calling we are here to honor - always putting personal agendas and self-serving attitudes aside.

In that spirit, I want to take a moment to recognize the incredible amount of work it has taken to get us here today, as well as the monumental task we have ahead of us. I want to thank the both the Majority Leader and the Minority Leader for their commitment and unreserved partnership during this process. In fact, across the board, I am exceedingly proud and comforted by the bipartisanship and collaboration this chamber has shown in the last few weeks. Dysfunction and political showmanship may be alive and well in the halls of Congress, but here in the Colorado Senate, we are showing yet again, the power of people-first politics.

I also want to thank all of the staff who have worked tirelessly to organize this extraordinary session: drafting bills, outlining safety protocols, and overcoming tech challenges - We wouldn't be here without you.

Lastly, I must call your attention to our state's climbing positivity rate. Right now, 1 out of every 41 people is infected with COVID-19 in Colorado - a number that should serve as a somber reminder that we must keep each other safe. Being in this building presents an undeniable risk to everyone involved, and we need to treat our time here with respect, reverence, and an abundance of caution.

So thank you in advance for your participation and mindfulness during this process. I have faith that we will work quickly, efficiently, and safely to deliver the relief our constituents so urgently need.

With that, let's get to work.

Senate reconvened.

On motion of Majority Leader Fenberg, and with the unanimous consent of those elected to the Senate, the words of President Leroy Garcia were ordered spread upon the pages of the Journal.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, Senators Rodriguez and Lundeen were appointed to the committee to notify the Governor via telephone that the Senate is 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.

With the unanimous consent of the Senate, the Senate heard the remarks of Senator Chris Holbert, Senate Minority Leader. The text of the remarks follow.

Remarks of Minority Leader Holbert:

Thank you, Mr. President.

Thank you for your remarks. I think it is acceptable for me to indicate that our caucus is supportive of why we are here today and probably for the next two.

I ask for this opportunity to maybe speak more to the people outside of the Capitol, because the last several months, as the good senator from Aurora indicated, this has been a very challenging year.

People outside the Capitol have understandably asked, "Why is their state legislature so silent, why haven't we been doing anything?" And it has been an opportunity (you know what I like to do) to explain the history of our Constitution, and decisions that the People of Colorado have made to amend that State Constitution.

In 1988, the people of Colorado voted on what was then known as "Amendment 3". Amendment 3 passed on the ballot, and the people made a significant change to their state legislature.

Last year, the state Supreme Court ruled on a matter regarding that significant change, that change in 1988 created a 120 day session calendar here at the Capitol. We're not allowed to go more than 120 days in general session. But it did more than that. It converted we state legislators here in Colorado from full-time year round elected officials, to part-time citizen legislators.

And what I have found is that when people learn what the voters approved in 1988, they're not alarmed. They're not frustrated. They appreciate knowing that history. Because so many people who live in Colorado now weren't old enough to vote in 1988, didn't live here in 1988, or weren't even born yet in 1988.

That was 32 years ago. There have been many people voting here in Colorado who weren't even born when that decision was made. People have rightly asked, "Why is the governor allowed to do so much on his own?" In large part, it's because of that decision in 1988.

The legislature isn't here for eight months a year, and this year it changed a bit because of the extension due to Covid. We left here June 15th, and since then this branch of our state government, the legislative branch, has been inactive because the people decided 32 years ago that they wanted a part-time citizen legislature. And that's unique because those limitations don't apply to any other elected official in Colorado, whether we look to school board members or town or city council members, mayors, county elected officials, our state-wide electeds, special district board members.

Of course the governor, the secretary of state, the treasurer and the attorney general, our members of Congress can meet year round. But we cannot, unless two-thirds of us agree to call a special session, which certainly has not occurred since 1988 when the voters told us they didn't want us here more than 120 days a year.

So the way special sessions have happened since then, and really, I think every time since 1876, is that we rely on the governor to call a special session. Which is the next thing I want to address.

Understandably, people have been weighing in at least with the Minority Caucus, we Republicans, saying "Now you'll have an opportunity to do this or that, to run a bill to address some topic that is important to those people who are advocating.

But if we go back to our State Constitution, Article IV Section IX says that the governor has the authority to call the legislature into special session, but that topics not specifically identified in the call cannot be "transacted".

Now that's an unusual word because I don't typically use that word in describing the processes here at the Capitol, but I think what it means - I'm not an attorney, but in my layperson mind I think what it means is that topics that the governor has not called us back to address can't pass. And if we were to put a bill on his desk that he thinks is outside his call, he could choose to veto that bill simply because he determines on his own that it is unconstitutional.

All of this information is available to those who take time to read our Constitution, but it may not be obvious because not everyone gets to participate in this fascinating process that we do. But I do appreciate Mr. President, the opportunity to explain some of this because in recent days I've definitely heard from people who say, "Finally - we are going to be able to pass a bill that does this or does that".

There will be bills from our caucus that seek to address some of those issues, but I wanted to take the time to explain the limitations that we have as a legislature and the limitations that we have as a minority in the legislature, and to explain -- not blame, but to simply explain that the answers can be found in a document that very few people ever take time to read; the Constitution of the State of Colorado.

Mr. President, I'm proud to stand with you here today and with our 33 other colleagues, either here in this room, or online. I look forward to hearing what, from the people of Colorado who come here to testify or, I think for the first time do that remotely, by I think Webex, we will learn here. This will give us an opportunity to prepare for January 13th, when the next general session starts. General sessions are when we all get to introduce up to five bills of our own choosing of general concern to the State of Colorado.

But today, Day One of what will likely be a three day session, we are here to focus on special concerns; in a special session. Concerns that have been specifically identified by the governor and brought us back for a very good reason: balanced government. And I want to thank the good senator from Adams County, the Chair, our lead on the Joint Budget Committee for standing up for this branch. For standing up for the legislative branch of our state government. Thank you.

Also to the senator in our caucus from Carbondale, thank you, and by the way, for those listening online, our rules don't allow us to use the names of our fellow senators, so that's why we refer to them by their districts, but what we are doing here today is standing up for our branch, the legislative branch. We're here to represent the people within the limitations of our State Constitution.

Senate Republicans asked months ago for the governor to call a special session. Our interest at that time was to discuss issues surrounding public K - 12 education. Not necessarily to ask for vouchers, but to talk with teachers and school districts, they have local control here in Colorado. Are there things that we could change at least during the pandemic that would make it easier for teachers to connect with students? One idea I had was a question: would a teacher in a public school in Colorado be allowed to get in his or her car and go to a house, or maybe a community center at a homeowners' or association or rec center and teach a small group of kids in that facility?

I don't know the answer to that, and I don't know if a school board would need our help in making that decision. But those were the kinds of conversations that we wanted to have months ago. That was a legitimate request of the one person who can do that on his or her own, the governor. But that was described at the time as a "political stunt". Okay. It wasn't.

Mr. President. Colleagues. Senate Minority Caucus members. We Republicans are here to work together for the people of Colorado and we are proud to do so. We are proud to have the opportunity to represent them and to stand up for balance in government, the legislative branch. And we wouldn't be here if it wasn't for the leadership of our Joint Budget Committee, so gentlemen again, thank you for what you did in that environment.

Mr. President, there are solutions that Senate Republicans will propose, I hope they will be given fair consideration in a hearing. If it means we need to be here for more than three days, then we are prepared to do that.

Mr. President, thank you for your communication, Mr. Majority Leader, thank you also for your communication over the last few weeks in organizing this special session. God bless every member of this General Assembly, the people of Colorado, and the United States of America.

Thank you, Mr. President.

Senate reconvened.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

- SCR20B-001by Senator(s) Lundeen; also Representative(s) McKean--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning legislative oversight of a state of disaster emergency declared by the governor.
Finance
- SJR20B-001by Senator(s) Woodward, Cooke, Lundeen, Marble, Scott, Sonnenberg; also Representative(s) Bockenfeld, McKean, Ransom, Saine--Concerning terminating the governor's authority under the declared state of disaster emergency.
Finance
- SR20B-001by Senator(s) Fenberg--Concerning a change to the rules of the Senate to authorize the President of the Senate to promulgate regulations to allow remote testimony by the public during the proceedings of Senate committees of reference while there is a declared public health disaster emergency.

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

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

Co-sponsor(s) added: Bridges, Danielson, Donovan, Fields, Garcia, Ginal, Gonzales, Hansen, Lee, Moreno, Pettersen, Rodriguez, Story, Todd, Williams A., Winter, and Zenzinger.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB20B-001by Senator(s) Winter and Priola, Bridges; also Representative(s) Herod--Concerning support for entities impacted by severe capacity restrictions due to the COVID-19 pandemic.
Finance
- SB20B-002by Senator(s) Gonzales and Holbert, Ginal, Moreno, Rodriguez; also Representative(s) Exum and Tipper, Bird, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Michaelson Jenet, Mullica, Weissman, Woodrow--Concerning temporary assistance for individuals who are facing a financial hardship due to the COVID-19 pandemic, and, in connection therewith, creating the emergency direct assistance grant program and transferring money to the emergency direct assistance grant program fund and to the housing development grant fund and the eviction legal defense fund for this assistance.
Finance
- SB20B-003by Senator(s) Fields and Crowder; also Representative(s) Duran and Landgraf--Concerning assistance for individuals who are unable to pay their energy utility bills, and, in connection therewith, transferring money from the general fund to the energy outreach Colorado low-income energy assistance fund.
Finance
- SB20B-004by Senator(s) Moreno, Hansen; also Representative(s) McCluskie, Herod--Concerning a transfer from the general fund to the controlled maintenance trust fund of money that will be available to the governor for a limited time for further transfer to the disaster emergency fund for public health and emergency response expenses associated with the COVID-19 pandemic emergency.
Finance
- SB20B-005by Senator(s) Sonnenberg; also Representative(s) Holtorf--Concerning a requirement that a state of disaster emergency declared by the governor expire after sixty days unless the general assembly extends or authorizes the governor to extend the state of disaster emergency.
Finance

- SB20B-006

by Senator(s) Lundeen; also Representative(s) Geitner--Concerning providing financial support for parents whose children participate in remote instruction as a result of the COVID-19 pandemic, and, in connection therewith, creating the remote instruction family stipend program.
Finance
- SB20B-007

by Senator(s) Gardner; --Concerning additional procedural requirements for the issuance of an emergency public health order.
Finance
- SB20B-008

by Senator(s) Crowder; --Concerning the authority of county governments to reject compliance with the imposition of statewide disaster emergency orders having legal effects within the unincorporated portions of the county.
Finance
- SB20B-009

by Senator(s) Woodward, Cooke, Gardner, Hill, Hisey, Holbert, Lundeen, Marble, Rankin, Scott, Sonnenberg, Tate, Zenzinger; also Representative(s) Larson, Buck, Champion, Humphrey, McKean, Ransom, Rich, Soper, Will--Concerning exemptions from orders requiring businesses to close.
Finance
- SB20B-010

by Senator(s) Coram; also Representative(s) Arndt and Catlin--Concerning an amendment to the definition of electric utility in relation to broadband use of an electric easement, and, in connection therewith, defining electric utility to include a generation and transmission cooperative electric association and the western area power administration.
Finance
- SB20B-011

by Senator(s) Tate, Cooke, Lundeen, Rankin, Smallwood, Woodward; also Representative(s) Landgraf and Pelton, Soper, Bockenfeld, Carver, Catlin, Champion, Geitner, Holtorf, Humphrey, Larson, Liston, McKean, Will--Concerning civil immunity for small businesses that comply with applicable guidelines related to COVID-19.
Finance

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

- Finance

After consideration on the merits, the Committee recommends that **SB20B-003** 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 8 and substitute:

"(B) ON OR BEFORE JULY 15, 2021, THE ORGANIZATION SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE THAT INCLUDES, WITH REGARD TO THE MONEY THE ORGANIZATION RECEIVED PURSUANT TO SUBSECTION (2)(a)(II)(A) OF THIS SECTION, INFORMATION ON THE AMOUNT OF MONEY THAT THE ORGANIZATION DISBURSED AND ON THE AMOUNT OF MONEY THAT THE ORGANIZATION RETURNED TO THE STATE. THE COLORADO ENERGY OFFICE MAY CONDUCT AN AUDIT OR REVIEW OF THE ORGANIZATION'S FINANCIAL TRANSACTIONS AND ACCOUNTS REGARDING THE MONEY THAT THE ORGANIZATION RECEIVED PURSUANT TO SUBSECTION (2)(a)(II)(A) OF THIS SECTION.
(C) THIS SUBSECTION (2)(a)(II) IS REPEALED, EFFECTIVE SEPTEMBER 1,".
- Finance

After consideration on the merits, the Committee recommends that **SB20B-004** 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 8 and 9 and substitute:

"(II) IF, AFTER THE DATE OF A TRANSFER TO THE DISASTER EMERGENCY FUND UNDER SUBSECTION (2.7)(b)(I) OF THIS SECTION, THE STATE RECEIVES A

	REIMBURSEMENT FROM THE FEDERAL GOVERNMENT FOR ANY EXPENDITURES FROM THE DISASTER EMERGENCY FUND, THE STATE TREASURER SHALL DEPOSIT THE REIMBURSEMENT INTO THE CONTROLLED MAINTENANCE TRUST FUND; EXCEPT THAT THE DEPOSITED AMOUNT SHALL NOT EXCEED THE AMOUNT TRANSFERRED UNDER SUBSECTION (2.7)(b)(I) OF THIS SECTION."	1 2 3 4 5 6 7
Finance	After consideration on the merits, the Committee recommends that SB20B-002 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	8 9 10 11
	Amend printed bill, page 3, line 2, strike "FORTY-FOUR MILLION FIVE HUNDRED THOUSAND" and substitute "FIFTY-FOUR MILLION".	12 13 14
	Page 6, lines 25 and 26, strike "FIVE HUNDRED THOUSAND" and substitute "ONE MILLION".	15 16 17
Finance	After consideration on the merits, the Committee recommends that SB20B-001 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	18 19 20 21
	Amend printed bill, page 3, line 5, strike "direct".	22 23 24
	Page 3, line 12, strike " Direct relief to small businesses " and substitute " Small business relief ".	25 26 27
	Page 3, lines 14 and 15, strike " counties - exemptions from procurement requirements " and substitute " local governments ".	28 29 30
	Page 3, strike lines 20 through 22.	31 32
	Reletter succeeding paragraphs accordingly.	33 34
	Page 4, line 2, strike "UNDER" and substitute "AS OF DECEMBER 31, 2020, UNDER".	35 36 37
	Page 4, strike lines 3 and 4 and substitute "THROUGH A STATEWIDE OR LOCAL PUBLIC HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR EARLIER AND THAT INCLUDES THE FOLLOWING".	38 39 40 41
	Page 4, strike line 13 and substitute: " (II) IN GOOD-FAITH COMPLIANCE WITH THE EXECUTIVE ORDERS PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND ALL APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS THAT".	42 43 44 45 46
	Page 4, line 14, strike "ESTABLISHES" and substitute "ESTABLISH", and strike "RESTRICTIONS." and substitute "RESTRICTIONS, AS DETERMINED BY THE DIVISION IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND AS DEMONSTRATED BY:	47 48 49 50
	(A) THE COUNTY'S GOOD-FAITH EFFORTS TO ENFORCE OR PROMOTE COMPLIANCE WITH APPLICABLE EXECUTIVE AND PUBLIC HEALTH ORDERS WITHIN THE SCOPE OF ITS AUTHORITY AND IN CONSIDERATION OF AVAILABLE RESOURCES, INCLUDING ENGAGING LAW ENFORCEMENT TO ENFORCE EXECUTIVE AND PUBLIC HEALTH ORDER VIOLATIONS; AND	51 52 53 54 55
	(B) THE COUNTY NOT ADOPTING A PUBLIC HEALTH ORDER OR ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, UNLESS THE COUNTY HAS OBTAINED A VARIANCE OR OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT."	56 57 58 59 60 61 62
	Page 5, after line 15 insert:	63 64
	" (III) BREWERY, LICENSED PURSUANT TO SECTION 44-3-407 (1)(b)(I) AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO SECTION 44-3-407 (1)(b);	65 66 67
	(IV) WINERY, LICENSED PURSUANT TO SECTION 44-3-402 (1) OR 44-3-403 AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO	68 69

SECTION 44-3-402 (2) OR 44-3-403 (2)(e);
(V) DISTILLERY, LICENSED PURSUANT TO SECTION 44-3-402 (1)
AND THAT OPERATES AN ATTACHED SALES ROOM PURSUANT TO SECTION
44-3-402 (7);".
Renumber succeeding subparagraphs accordingly.
Page 5, lines 26 and 27, strike "FEDERAL TAX EMPLOYER IDENTIFICATION"
and substitute "COLORADO INCOME TAX ACCOUNT".
Page 6, line 8, strike "TEN" and substitute "THIRTY-THREE".
Page 6, line 16, strike "DIVISION" and substitute "ELIGIBLE LOCAL
GOVERNMENT TO WHICH THE SMALL BUSINESS APPLIES FOR A RELIEF
PAYMENT UNDER THE DIRECT RELIEF PROGRAM".
Page 6, strike line 18.
Page 6, line 19, strike "PROGRAMS" and substitute "RELIEF PAYMENTS
FROM THE ARTS RELIEF PROGRAM CREATED IN SECTION 24-48.5-316," and
strike "20B-___," and substitute "20B-001,".
Page 6, line 22, strike "ALL STATE" and substitute "THE EXECUTIVE
ORDERS PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO
COVID-19 AND ALL APPLICABLE STATEWIDE".
Page 7, after line 4 insert:
(j) "SMALL BUSINESS RELIEF PROGRAM" OR "RELIEF PROGRAM"
MEANS THE SMALL BUSINESS RELIEF PROGRAM CREATED IN SUBSECTION
(2) OF THIS SECTION."
Page 7, line 5, strike "**Direct relief to small businesses**" and substitute
"**Small business relief**".
Page 7, line 6, strike "DIRECT RELIEF TO SMALL BUSINESSES" and
substitute "SMALL BUSINESS RELIEF".
Page 7, line 11, after "ALLOCATION" insert "OF AVAILABLE MONEY".
Page 7, strike lines 13 through 25 and substitute "OPERATING WITHIN
THEIR BOUNDARIES. AN ELIGIBLE LOCAL GOVERNMENT THAT CHOOSES TO
APPLY TO PARTICIPATE IN THE RELIEF PROGRAM MUST SUBMIT AN
APPLICATION TO THE DIVISION BY JANUARY 8, 2021, AND BY JANUARY 15,
2021, THE DIVISION SHALL ALLOCATE THE MONEY APPROPRIATED
PURSUANT TO SUBSECTION (3) OF THIS SECTION TO ELIGIBLE LOCAL
GOVERNMENTS. EXCEPT AS PROVIDED IN SUBSECTION (2)(a)(II) OF THIS
SECTION, THE DIVISION SHALL ALLOCATE MONEY TO ELIGIBLE LOCAL
GOVERNMENTS BASED ON THE POPULATION OF THE ELIGIBLE LOCAL
GOVERNMENTS, AS DETERMINED PURSUANT TO THE MOST RECENTLY
PUBLISHED POPULATION ESTIMATES FROM THE STATE DEMOGRAPHER
APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL
AFFAIRS.
(II) THE DIVISION SHALL SET ASIDE TEN PERCENT OF THE TOTAL
AMOUNT APPROPRIATED PURSUANT TO SUBSECTION (3) OF THIS SECTION
TO DISTRIBUTE ADDITIONAL AMOUNTS TO ELIGIBLE COUNTIES THAT:
(A) DEMONSTRATE HIGH NEEDS, AS DETERMINED BY THE DIVISION;
(B) HAVE A POPULATION OF NOT MORE THAN ONE HUNDRED
THOUSAND PEOPLE".
Page 7, lines 26 and 27, strike "THIRTY-SEVEN MILLION DOLLARS" and
substitute "THE AMOUNT APPROPRIATED TO THE DIVISION PURSUANT TO
SUBSECTION (3) OF THIS SECTION".
Page 8, line 2, strike "THIRTY-SEVEN MILLION DOLLARS" and substitute
"THE APPROPRIATED AMOUNT".
Page 8, line 4, strike "FOR PURPOSES OF".

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Page 8, strike lines 5 through 13.

Page 8, line 15, after "NECESSARY" insert "BY THE ELIGIBLE LOCAL GOVERNMENT".

Page 8, strike lines 16 and 17 and substitute "THE TOTAL AMOUNT ALLOCATED TO THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION:".

Page 9, line 7, after "ANY" insert "NEW OR".

Page 9, line 9, after "THROUGH" insert "INTERGOVERNMENTAL AGREEMENTS WITH OTHER ELIGIBLE LOCAL GOVERNMENTS OR POLITICAL SUBDIVISIONS AND", and after "WITH" insert "PUBLIC OR".

Page 9, line 10, strike "TO PROVIDE" and substitute "TO:
(A) PROVIDE".

Page 9, strike lines 12 through 22 and substitute "EXPEDITIOUS AND EFFICIENT MANNER; AND
(B) ENCOURAGE AND FACILITATE THE EQUITABLE DISTRIBUTION OF RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES WITHIN THE MUNICIPALITIES AND POLITICAL SUBDIVISIONS LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT.
(II) EACH ELIGIBLE LOCAL GOVERNMENT THAT RECEIVES AN ALLOCATION FROM THE DIVISION PURSUANT TO THE RELIEF PROGRAM SHALL:
(A) ALLOW SMALL BUSINESSES LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT A SPECIFIED PERIOD OF NOT LESS THAN TWENTY-ONE DAYS DURING WHICH TO APPLY FOR RELIEF PAYMENTS;
(B) NOT DISTRIBUTE RELIEF PAYMENTS BASED ON THE ORDER IN WHICH APPLICATIONS ARE SUBMITTED OR RECEIVED; AND
(C) COLLECT SUFFICIENT INFORMATION FROM SMALL BUSINESS APPLICANTS TO ENABLE THE ELIGIBLE LOCAL GOVERNMENT TO ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO AN ELIGIBLE SMALL BUSINESS THAT RECEIVES A RELIEF PAYMENT PURSUANT TO THIS SECTION.
(III) ELIGIBLE LOCAL GOVERNMENTS THAT APPLY TO PARTICIPATE IN THE RELIEF PROGRAM MUST COMMUNICATE INFORMATION ABOUT THE RELIEF PROGRAM IN A MANNER THAT INFORMS SMALL BUSINESSES LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE ELIGIBLE LOCAL GOVERNMENT ABOUT THE RELIEF PROGRAM AND HOW AND WHEN TO APPLY FOR RELIEF PAYMENTS."

Page 9, line 26, after "GOVERNMENT" insert "BASED ON THE PAYMENT AMOUNTS SPECIFIED IN SUBSECTION (2)(b)(II) OF THIS SECTION, REDUCED AS NECESSARY BASED ON THE TOTAL AMOUNT ALLOCATED TO THE ELIGIBLE LOCAL GOVERNMENT PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION,".

Page 10, line 1, strike "26," and substitute "12,".

Page 10, line 1, after "2021." add "AN ELIGIBLE LOCAL GOVERNMENT SHALL PROVIDE AN INTERNAL REVENUE SERVICE FORM 1099 TO EACH ELIGIBLE SMALL BUSINESS TO WHICH IT DISTRIBUTES A RELIEF PAYMENT PURSUANT TO THIS SECTION."

Page 10, line 5, after "PROCESS;" insert "AND".

Page 10, strike lines 6 and 7.

Renumber succeeding subparagraph accordingly.

Page 10, line 15, strike "PAYMENTS, GRANTS,".

Page 10, strike line 16 and substitute "RELIEF PAYMENTS FROM THE ARTS RELIEF PROGRAM CREATED IN SECTION 24-48.5-316, ENACTED BY".

Page 10, line 17, strike "20B-____," and substitute "20B-001,".

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Page 10, line 22, strike "(1)(i)" and substitute "(1)(h)".	1
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Page 10, strike lines 23 through 27 and substitute:	3
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"(3) Funding. FOR THE 2020-21 STATE FISCAL YEAR, THE	5
GENERAL ASSEMBLY SHALL APPROPRIATE THIRTY-SEVEN MILLION	6
DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT OF LOCAL	7
AFFAIRS FOR USE BY THE DIVISION IN ACCORDANCE WITH THIS SECTION."	8
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Page 11, line 27, strike "(1)(h)," and substitute "(1)(g),".	10
	11
Page 12, line 25, strike "GRANT" and substitute "ARTS RELIEF".	12
	13
Page 13, line 15, strike "GRANT" and substitute "ARTS RELIEF".	14
	15
Page 13, line 20, strike " direct ".	16
	17
Page 14, line 6, strike " Direct " and substitute " Arts ".	18
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Page 14, line 19, after "FUNDING." add "THE DIVISION SHALL COLLECT	20
SUFFICIENT INFORMATION FROM APPLICANTS TO ENABLE THE DIVISION TO	21
ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO AN APPLICANT THAT	22
RECEIVES A RELIEF PAYMENT PURSUANT TO THIS SECTION. WHEN ISSUING	23
A RELIEF PAYMENT TO AN APPLICANT, THE DIVISION SHALL PROVIDE THE	24
INTERNAL REVENUE SERVICE FORM 1099 TO THE APPLICANT."	25
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Page 14, strike lines 24 and 25 and substitute "RELIEF PAYMENTS FROM	27
THE SMALL BUSINESS RELIEF PROGRAM CREATED IN SECTION 24-32-129,	28
ENACTED BY SENATE BILL 20B-001, ENACTED IN THE FIRST".	29
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Page 15, line 2, strike "PAYMENTS,".	31
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Page 15, strike line 3 and substitute "RELIEF PAYMENTS FROM THE SMALL	33
BUSINESS RELIEF PROGRAM CREATED IN SECTION 24-32-129, ENACTED".	34
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Page 15, line 4, strike "20B-____," and substitute "20B-001,".	36
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Page 15, line 10, strike "ONE" and substitute "FIVE".	38
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Page 16, line 12, after "HEALTH" insert "AND THE CITY AND COUNTY OF	40
DENVER".	41
	42
Page 16, strike lines 14 through 16 and substitute "AN ANNUAL LICENSING	43
FEE."	44
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Page 16, line 27, after "(1)(j)," insert "(1)(k),".	46
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Page 18, line 2, after "HUNDRED" insert "SEVENTY-EIGHT".	48
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Page 18, line 27, strike " Direct relief " and substitute " Relief ".	50
	51
Page 19, line 5, strike "DIRECT RELIEF" and substitute "RELIEF".	52
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Page 19, after line 27 insert:	54
"(c) THE OFFICE SHALL COLLECT SUFFICIENT INFORMATION FROM	55
MINORITY-OWNED BUSINESSES APPLYING FOR A RELIEF PAYMENT OR	56
GRANT PURSUANT TO THIS SUBSECTION (2) TO ENABLE THE DIVISION TO	57
ISSUE AN INTERNAL REVENUE SERVICE FORM 1099 TO A MINORITY-OWNED	58
BUSINESS THAT RECEIVES A RELIEF PAYMENT OR GRANT. WHEN ISSUING	59
A RELIEF PAYMENT OR GRANT TO A MINORITY-OWNED BUSINESS, THE	60
DIVISION SHALL PROVIDE THE INTERNAL REVENUE SERVICE FORM 1099 TO	61
THE RELIEF PAYMENT OR GRANT RECIPIENT."	62
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Page 20, line 4, after "USED" insert "ANNUALLY".	64
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Page 20, strike lines 19 through 23.	66
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Renumber succeeding subsections accordingly.	68
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	Page 21, after line 10 insert:	1
	"SECTION 9. In Colorado Revised Statutes, 24-46-105, add (6)	2
	as follows:	3
	24-46-105. Colorado economic development fund - creation -	4
	repeal. (6) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO	5
	THE CONTRARY, THE COMMISSION SHALL ALLOCATE MONEY	6
	APPROPRIATED TO THE FUND PURSUANT TO SECTION 24-49.5-106 (4) TO	7
	THE MINORITY BUSINESS OFFICE CREATED IN SECTION 24-49.5-102 FOR USE	8
	IN ACCORDANCE WITH SECTION 24-49.5-106.	9
	(b) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022."	10
	Renumber succeeding section accordingly.	11
	Strike "A DIRECT" and substitute "AN ARTS" on: Page 14, lines 7, 11, 14,	12
	22, and 27.	13
	Strike "DIRECT" and substitute "ARTS" on: Page 15, lines 9, 13, 19, 21,	14
	and 24.	15
	Strike "DIRECT" on: Page 5, line 24; page 6, line 17; page 7, lines 8, 12,	16
	and 24; page 8, lines 1, 4, 14, 16, 20, and 24; page 9, lines 1, 5, 6, 10,	17
	and 24; page 10, lines 3, 13, 14, 15, 19, and 20; page 11, lines 8 and 13;	18
	and page 12, line 2; page 14, lines 8 and 23; page 15, line 2; and page	19
	19, lines 12, 15, 20, 22, and 24.	20
	Strike "(5)" and substitute "(4)" on: Page 19, line 3; and page 20, line 3.	21
Finance	After consideration on the merits, the Committee recommends that SB20B-009 be	22
	postponed indefinitely.	23
Finance	After consideration on the merits, the Committee recommends that SB20B-011 be	24
	postponed indefinitely.	25
	Senate in recess. Senate reconvened.	26
	Call of the Senate. Call raised.	27
	COMMITTEE OF REFERENCE REPORTS	28
Finance	After consideration on the merits, the Committee recommends that SB20B-006 be	29
	postponed indefinitely.	30
Finance	After consideration on the merits, the Committee recommends that SB20B-010 be	31
	postponed indefinitely.	32
Appropriations	After consideration on the merits, the Committee recommends that SB20B-002 be	33
	amended as follows, and as so amended, be referred to the Committee of the Whole with	34
	favorable recommendation and with a recommendation that it be placed on the Consent	35
	Calendar.	36
	Amend printed bill, page 7, after line 5 insert:	37
	"SECTION 4. Appropriation. (1) For the 2020-21 state fiscal	38
	year, \$1,000,000 is appropriated to the judicial department. This	39
	appropriation is from the pandemic subaccount of the eviction legal	40
	defense fund created in section 13-40-127 (7)(a), C.R.S. To implement	41
	this act, the department may use this appropriation for the eviction legal	42
	defense grant program.	43

(2) For the 2020-21 state fiscal year, \$16,751 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 transfer from the general fund to the housing development grant fund within the department of local affairs. To implement this act, the office may use this appropriation to provide information technology services for the department of local affairs."

Renumber succeeding section accordingly.

Page 1, strike lines 104 through 108 and substitute "EMERGENCY DIRECT ASSISTANCE GRANT PROGRAM; AND TRANSFERRING MONEY TO THE EMERGENCY DIRECT ASSISTANCE GRANT PROGRAM FUND, AND TO THE HOUSING DEVELOPMENT GRANT FUND, AND TO THE EVICTION LEGAL DEFENSE FUND FOR THIS ASSISTANCE; AND MAKING AN APPROPRIATION."

Appropriations After consideration on the merits, the Committee recommends that **SB20B-003** 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 **SB20B-004** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Upon request of Majority Leader Fenberg, **SB20B-002** was removed from the General Orders--Second Reading of Bills Consent Calendar, and was placed at the end of the General Orders--Second Reading of Bills Calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, SB20B-003 and SB20B-004 were made Special Orders--Consent Calendar at 7:13 p.m.

Committee of the Whole The hour of 7:13 p.m. having arrived, Senator Gonzales moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Gonzales was called to act as Chair.

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

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

SB20B-003 by Senator(s) Fields and Crowder; also Representative(s) Duran and Landgraf--Concerning assistance for individuals who are unable to pay their energy utility bills, and, in connection therewith, transferring money from the general fund to the energy outreach Colorado low-income energy assistance fund.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, November 30, page 9 and placed in members' bill files.)

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

SB20B-004

by Senator(s) Moreno, Hansen; also Representative(s) McCluskie, Herod--Concerning a transfer from the general fund to the controlled maintenance trust fund of money that will be available to the governor for a limited time for further transfer to the disaster emergency fund for public health and emergency response expenses associated with the COVID-19 pandemic emergency.

Amendment No. 1, Finance Committee Amendment.

(Printed in Senate Journal, November 30, pages 9-10 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 Gonzales, the report of the Committee of the Whole was adopted on the following roll call vote:

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

The Committee of the Whole took the following action:

Passed on second reading: SB20B-003 as amended, SB20B-004 as amended.

Senate in recess.
Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that SB20B-001 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 21, before line 11 insert:

"SECTION 10. In Colorado Revised Statutes, add 35-1-107.5 as follows:

35-1-107.5. Relief program for agriculture events organizations - definitions - report - repeal. (1) Definitions. AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGRICULTURE EVENTS ORGANIZATION" MEANS A NONPROFIT OR FOR-PROFIT ORGANIZATION THAT CONDUCTS ONE OR MORE AGRICULTURE EVENTS IN THE STATE.

(b) "COVID-19" MEANS THE CORONAVIRUS DISEASE CAUSED BY THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO KNOWN AS SARS-CoV-2.

(2) Agriculture events relief program. THE COMMISSIONER SHALL ADMINISTER OR CONTRACT WITH A THIRD PARTY TO ADMINISTER A RELIEF PROGRAM TO PROVIDE RELIEF PAYMENTS TO AGRICULTURE EVENTS ORGANIZATIONS THAT MEET ELIGIBILITY CRITERIA DEVELOPED BY THE DIVISION. WHEN DETERMINING ELIGIBILITY FOR AND THE SIZE OF A RELIEF PAYMENT, THE COMMISSIONER SHALL CONSIDER THE TYPE OF AGRICULTURE EVENTS ORGANIZATION THAT IS APPLYING FOR A RELIEF PAYMENT, THE IMPACT OF THE COVID-19 PANDEMIC ON THE ORGANIZATION'S AGRICULTURAL EVENTS OR BUSINESS MODEL, THE SIZE

OF THE ORGANIZATION, AND THE AVAILABILITY OF AND THE ORGANIZATION'S ACCESS TO OTHER RELIEF OR GRANT FUNDING.

(3) **Funding.** FOR THE 2020-21 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE GENERAL FUND TO THE DEPARTMENT FOR ALLOCATION TO THE COMMISSIONER FOR THE AGRICULTURE EVENTS RELIEF PROGRAM. THE COMMISSIONER MAY USE UP TO ONE PERCENT OF THE AMOUNT APPROPRIATED PURSUANT TO THIS SECTION FOR THE COMMISSIONER'S ADMINISTRATIVE COSTS IN ADMINISTERING OR CONTRACTING WITH A THIRD PARTY TO ADMINISTER THE RELIEF PROGRAM.

(4) **Report.** BY NOVEMBER 1, 2021, THE COMMISSIONER SHALL SUBMIT A REPORT TO THE GOVERNOR, THE AGRICULTURE AND NATURAL RESOURCES COMMITTEE OF THE SENATE OR ITS SUCCESSOR COMMITTEE, AND THE RURAL AFFAIRS AND AGRICULTURE COMMITTEE OF THE HOUSE OF REPRESENTATIVES OR ITS SUCCESSOR COMMITTEE, DETAILING HOW THE MONEY WAS ALLOCATED THROUGH THE AGRICULTURE EVENTS RELIEF PROGRAM, INCLUDING:

(a) THE LIST OF RELIEF PAYMENT RECIPIENTS AND THE AMOUNT ALLOCATED TO EACH RECIPIENT;

(b) THE TYPES OF AGRICULTURE EVENTS ORGANIZATIONS THAT RECEIVED RELIEF PAYMENTS; AND

(c) ANY OTHER INFORMATION DEEMED PERTINENT BY THE COMMISSIONER.

(5) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

SECTION 11. Appropriation. (1) For the 2021-22 state fiscal year, \$37,000,000 is appropriated to the department of local affairs for use by the division of local government. This appropriation is from the general fund and is based on an assumption that the department will require an additional 1.2 FTE. To implement this act, the division may use this appropriation for direct relief to small businesses.

(2)(a) For the 2021-22 state fiscal year, \$7,500,000 is appropriated to the creative industries cash fund created in section 24-48.5-301 (2)(a), C.R.S. This appropriation is from the general fund. The office of the governor is responsible for the accounting related to this appropriation.

(b) For the 2021-22 state fiscal year, \$7,500,000 is appropriated to the office of the governor for use by economic development programs. This appropriation is from reappropriated funds in the creative industries cash fund under subsection (2)(a) of this section. To implement this act, the office may use the appropriation for the council on creative industries.

(3) For the 2021-22 state fiscal year, \$4,000,000 is appropriated to the economic development fund created in section 24-48.5-301 (2)(a), C.R.S. This appropriation is from the general fund. The office of the governor is responsible for the accounting related to this appropriation.

(4)(a) For the 2021-22 state fiscal year, \$6,780,000 is appropriated to the food protection cash fund created in section 25-4-1608 (1), C.R.S. This appropriation is from the general fund. The department of public health and environment is responsible for the accounting related to this appropriation.

(b) For the 2021-22 state fiscal year, \$6,780,000 is appropriated to the department of public health and environment for use by the division of environmental health and sustainability. This appropriation is from reappropriated funds in the food protection cash fund under subsection (4)(a) of this section. To implement this act, the division may use the appropriation for the environmental health programs.

(c) Any money appropriated in this subsection (4)(b) not expended prior to July 1, 2021, is further appropriated to the department for the 2021-22 state fiscal year for the same purpose.

(5) For the 2021-22 state fiscal year, \$1,891,775 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) \$13,775 for the division of taxation for tax administration IT system (GenTax) support; and

(b) \$1,878,000 for use by the liquor and tobacco enforcement division for personal services.

(c) Any money appropriated in this subsection (5)(b) not

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	expended prior to July 1, 2021, is further appropriated to the department for the 2021-22 state fiscal year for the same purpose.	1
	(6) For the 2021-22 state fiscal year, \$3,000,000 is appropriated to the department of agriculture for use by the commissioner's office and administrative services. This appropriation is from the general fund. The department may use this appropriation for the agriculture events relief program in accordance with section 35-1-107.5, C.R.S."	2
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	Renumber succeeding section accordingly.	9
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	Page 1, line 102, strike "PANDEMIC." and substitute "PANDEMIC, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."	11
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	On motion of Majority Leader Fenberg, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, SB20B-002 and SB20B-001 were made Special Orders at 7:23 p.m.	16
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Committee of the Whole	The hour of 7:23 p.m. having arrived, Senator Gonzales moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Gonzales was called to act as Chair.	20
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	SPECIAL ORDERS -- SECOND READING OF BILLS	26
		27
	The Committee of the Whole having risen, the Chair reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:	28
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SB20B-002	by Senator(s) Gonzales and Holbert, Ginal, Moreno, Rodriguez; also Representative(s) Exum and Tipper, Bird, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Michaelson Jenet, Mullica, Weissman, Woodrow--Concerning temporary assistance for individuals who are facing a financial hardship due to the COVID-19 pandemic, and, in connection therewith, creating the emergency direct assistance grant program and transferring money to the emergency direct assistance grant program fund and to the housing development grant fund and the eviction legal defense fund for this assistance.	32
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	<u>Amendment No. 1, Finance Committee Amendment.</u>	40
	(Printed in Senate Journal, November 30, page 10 and placed in members' bill files.)	41
		42
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	43
	(Printed in Senate Journal, November 30, pages 14-15 and placed in members' bill files.)	44
		45
	<u>Amendment No. 3(L.003), by Senator Lundeen.</u>	46
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	Amend printed bill, page 2, line 3, strike "(1.7)(a.5) and (1.7)(g.5)" and substitute "(1.7)(a.5), (1.7)(g.5), and (1.7)(h.5)".	48
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	Page 3, after line 25, insert:	51
		52
	"(h.5) ANY FULL-TIME EMPLOYEE THAT THE DIVISION HIRES OR CONTRACTS WITH FOR THE PURPOSE OF IMPLEMENTING THIS SUBSECTION (1.7) SHALL NOT BE EMPLOYED BY THE DIVISION FOR SUCH PURPOSE AFTER SEPTEMBER 1, 2022."	53
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	Page 6, after line 12, insert:	58
		59
	"(8) ANY FULL-TIME EMPLOYEE THAT THE DIVISION HIRES OR CONTRACTS WITH FOR THE PURPOSE OF IMPLEMENTING THIS SECTION SHALL NOT BE EMPLOYED BY THE DIVISION FOR SUCH PURPOSE AFTER SEPTEMBER 1, 2022."	60
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	Renumber succeeding subsections accordingly.	65
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		67
	As amended, ordered engrossed and placed on the calendar for third reading and final passage.	68
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SB20B-001	by Senator(s) Winter and Priola, Bridges; also Representative(s) Herod and Sandridge--	1
	Concerning support for entities impacted by severe capacity restrictions due to the COVID-	2
	19 pandemic.	3
		4
	<u>Amendment No. 1, Finance Committee Amendment.</u>	5
	(Printed in Senate Journal, November 30, pages 10-14 and placed in members' bill files.)	6
		7
	<u>Amendment No. 2, Appropriations Committee Amendment.</u>	8
	(Printed in Senate Journal, November 30, pages 16-18 and placed in members' bill files.)	9
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	<u>Amendment No. 3(L.026), by Senator Priola.</u>	11
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	Amend the Appropriations Committee Report, dated November 30,	13
	2020, page 1, strike lines 2 through 23.	14
		15
	Page 2, strike lines 1 through 23.	16
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	Renumber succeeding section accordingly.	18
		19
	Page 2, line 24, strike "SECTION" and substitute ""SECTION".	20
		21
	Page 3, line 26, strike "purpose." and substitute "purpose.".	22
		23
	Page 3, strike lines 27 through 31.	24
		25
	<u>Amendment No. 4(L.014), by Senator Winter.</u>	26
		27
	Amend printed bill, page 3, line 26, strike "COUNTY." and substitute	28
	"COUNTY OR, IF APPLICABLE, AT LEAST ONE ELIGIBLE MUNICIPALITY.".	29
		30
	Page 4, line 18, strike "COUNTY." and substitute "COUNTY OR, IF	31
	APPLICABLE, AT LEAST ONE ELIGIBLE MUNICIPALITY.".	32
		33
	Page 5, line 21, strike "DISTRICT." and substitute "DISTRICT; EXCEPT	34
	THAT, IF A COUNTY IS DETERMINED BY THE DIVISION TO BE INELIGIBLE	35
	BASED ON THE COUNTY'S FAILURE TO MEET THE CRITERIA SPECIFIED IN	36
	SUBSECTION (1)(d) OF THIS SECTION, ELIGIBLE MUNICIPALITIES WITHIN	37
	THE INELIGIBLE COUNTY, EITHER ACTING SEPARATELY OR AS A GROUP,	38
	CONSTITUTE AN ELIGIBLE LOCAL GOVERNMENT AND MAY PARTICIPATE IN	39
	THE RELIEF PROGRAM.	40
	(h) "ELIGIBLE MUNICIPALITY" MEANS A MUNICIPALITY THAT IS:	41
	(I) AS OF DECEMBER 31, 2020, UNDER SEVERE CAPACITY	42
	RESTRICTIONS, AS DETERMINED THROUGH A STATEWIDE OR LOCAL PUBLIC	43
	HEALTH ORDER THAT HAS BEEN IN EFFECT SINCE DECEMBER 10, 2020, OR	44
	EARLIER AND THAT INCLUDES THE FOLLOWING RESTRICTIONS:	45
	(A) THE CLOSURE OF RESTAURANTS FOR IN-PERSON, INDOOR	46
	DINING;	47
	(B) THE CLOSURE OF BARS AND THE PROHIBITION OF INDOOR	48
	EVENTS; AND	49
	(C) A LIMIT OF THE LESSER OF TEN PERCENT CAPACITY OR TEN	50
	PEOPLE PER ROOM OR POOL FOR GYMS, RECREATION CENTERS, AND	51
	INDOOR POOLS; AND	52
	(II) IN GOOD-FAITH COMPLIANCE WITH THE EXECUTIVE ORDERS	53
	PERTAINING TO THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19 AND	54
	ALL APPLICABLE STATEWIDE AND LOCAL PUBLIC HEALTH ORDERS THAT	55
	ESTABLISH SEVERE CAPACITY RESTRICTIONS, AS DETERMINED BY THE	56
	DIVISION IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC HEALTH	57
	AND ENVIRONMENT AND AS DEMONSTRATED BY:	58
	(A) THE MUNICIPALITY'S GOOD-FAITH EFFORTS TO ENFORCE OR	59
	PROMOTE COMPLIANCE WITH APPLICABLE EXECUTIVE AND PUBLIC HEALTH	60
	ORDERS WITHIN THE SCOPE OF ITS AUTHORITY AND IN CONSIDERATION OF	61
	AVAILABLE RESOURCES, INCLUDING ENGAGING LAW ENFORCEMENT TO	62
	ENFORCE EXECUTIVE AND PUBLIC HEALTH ORDER VIOLATIONS; AND	63
	(B) THE MUNICIPALITY NOT ADOPTING A PUBLIC HEALTH ORDER	64
	OR ENFORCEMENT POLICY THAT IS LESS RESTRICTIVE THAN A STATEWIDE	65
	PUBLIC HEALTH ORDER ADOPTED BY THE DEPARTMENT OF PUBLIC HEALTH	66
	AND ENVIRONMENT, UNLESS THE MUNICIPALITY HAS OBTAINED A	67
	VARIANCE OR OTHER EXEMPTION FROM THE DEPARTMENT OF PUBLIC	68
	HEALTH AND ENVIRONMENT."	69

Reletter succeeding paragraphs accordingly.

Page 5, line 23, strike "COUNTY," and substitute "COUNTY OR, IF APPLICABLE, AN ELIGIBLE MUNICIPALITY,".

Amend the Finance Committee Report, dated November 30, 2020, page 3, line 22, strike "SUBSECTION (2)(a)(II)" and substitute "SUBSECTIONS (2)(a)(II) AND (2)(a)(III)".

Page 3 of the report, after line 28 insert:

"(II) FOR PURPOSES OF THE ALLOCATION TO AN ELIGIBLE LOCAL GOVERNMENT THAT IS AN ELIGIBLE MUNICIPALITY, THE DIVISION SHALL ALLOCATE THE MONEY TO THE ELIGIBLE MUNICIPALITY BASED ON THE PROPORTION OF THE POPULATION OF THE COUNTY IN WHICH THE ELIGIBLE MUNICIPALITY IS LOCATED THAT IS ATTRIBUTABLE TO THE ELIGIBLE MUNICIPALITY.".

Renumber succeeding subparagraph accordingly.

Page 5 of the report, strike line 29.

Amendment No. 5(L.015), by Senator Winter.

Amend printed bill, page 10, after line 1 insert:

"(V) IF, AFTER DISTRIBUTING RELIEF PAYMENTS TO ALL ELIGIBLE SMALL BUSINESSES IN THE ELIGIBLE LOCAL GOVERNMENT, THE ELIGIBLE LOCAL GOVERNMENT HAS MONEY REMAINING FROM ITS ALLOCATION FROM THE DIVISION, THE ELIGIBLE LOCAL GOVERNMENT MAY ACCEPT APPLICATIONS FROM AND DISTRIBUTE THE REMAINING MONEY TO OTHER BUSINESSES IN THE ELIGIBLE LOCAL GOVERNMENT THAT MEET ALL THE REQUIREMENTS SPECIFIED IN SUBSECTIONS (1)(i) AND (1)(j) OF THIS SECTION EXCEPT SUBSECTION (1)(j)(III) OF THIS SECTION. THE ELIGIBLE LOCAL GOVERNMENT SHALL NOT DISTRIBUTE MORE THAN SEVEN THOUSAND DOLLARS TO ANY BUSINESS THAT IS ELIGIBLE FOR A RELIEF PAYMENT PURSUANT TO THIS SUBSECTION (2)(c)(V).".

Amendment No. 6(L.016), by Senator Winter.

Amend the Finance Committee Report, dated November 30, 2020, page 2, line 29, strike ""THIRTY-THREE"." and substitute ""TWENTY".".

Amendment No. 7(L.019), by Senator Winter.

Amend printed bill, page 6, line 13, after "REQUIREMENTS;" add "EXCEPT THAT THIS SUBSECTION (1)(i)(V) DOES NOT APPLY TO A SMALL BUSINESS THAT BEGAN OPERATING ON OR AFTER JANUARY 1, 2020, AND ON OR BEFORE MARCH 26, 2020;".

Page 7, line 3, strike "(III) FOR THE 2019 CALENDAR YEAR," and substitute "(III) (A) FOR A SMALL BUSINESS THAT WAS OPERATING BEFORE JANUARY 1, 2020,".

Page 7, line 4, strike "DOLLARS." and substitute "DOLLARS FOR THE 2019 CALENDAR YEAR; AND

(B) FOR A SMALL BUSINESS THAT BEGAN OPERATING ON OR AFTER JANUARY 1, 2020, AND ON OR BEFORE MARCH 26, 2020, HAD ANNUAL RECEIPTS OF LESS THAN TWO MILLION FIVE HUNDRED THOUSAND DOLLARS IN THE 2020 CALENDAR YEAR.".

Amendment No. 8(L.020), by Senator Winter.

Amend printed bill, page 7, line 2, after "EMPLOYEE;" insert "EXCEPT THAT THE REQUIREMENT TO HAVE ONE EMPLOYEE DOES NOT APPLY TO A SMALL BUSINESS THAT IS A SOLE PROPRIETORSHIP;".

Amendment No. 9(L.032), by Senator Donovan.

Amend printed bill, page 3, after line 9 insert:

"(2) The general assembly further declares that the executive branch will continue to develop a framework to certify businesses that demonstrate exemplary compliance with public health orders during the pandemic through an evidence-based certification program that is aligned with the state's objectives to contain the COVID-19 virus."

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

SB20B-001 by Senator(s) Winter and Priola, Bridges; also Representative(s) Herod and Sandridge-- Concerning support for entities impacted by severe capacity restrictions due to the COVID-19 pandemic.

Senator Gardner moved to amend the Report of the Committee of the Whole to show that the following Gardner floor amendment, (L.022) to SB 20B-001, did pass.

Amend printed bill, page 8, line 1, strike "FIVE" and substitute "ONE-HALF OF ONE".

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	20	EXCUSED	2	ABSENT	0
Bridges	N	Gardner	Y	Marble	Y	Story	N
Cooke	Y	Ginal	N	Moreno	N	Tate	Y
Coram	Y	Gonzales	N	Pettersen	N	Todd	N
Crowder	E	Hansen	N	Priola	N	Williams A.	N
Danielson	N	Hill	E	Rankin	Y	Winter	N
Donovan	N	Hisey	Y	Rodriguez	N	Woodward	Y
Fenberg	N	Holbert	Y	Scott	Y	Zenzinger	N
Fields	N	Lee	N	Smallwood	Y	President	N
Foote	N	Lundeen	Y	Sonnenberg	Y		

Senators Sonnenberg and Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke and Gardner floor amendment, (L.028) to SB 20B-001, did pass.

Amend printed bill, page 4, line 1, strike "IS:" and substitute "IS,".

Page 4, line 2, strike "(I)".

Page 4, line 6, strike "(A)" and substitute "(I)".

Page 4, line 8, strike "(B)" and substitute "(II)".

Page 4, line 10, strike "(C)" and substitute "(III)".

Page 4, strike line 12 and substitute "POOLS.".

Amend the Finance Committee Report, dated November 30, 2020, page 1, line 8, strike ""As" and substitute ""AS".

Page 1 of the report, strike lines 13 through 16.

Page 2 of the report, strike lines 1 through 15 and substitute:

"Page 4 of the bill, strike lines 13 and 14.".

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	20	EXCUSED	2	ABSENT	0
Bridges	N	Gardner	Y	Marble	Y	Story	N
Cooke	Y	Ginal	N	Moreno	N	Tate	Y
Coram	Y	Gonzales	N	Pettersen	N	Todd	N
Crowder	E	Hansen	N	Priola	N	Williams A.	N
Danielson	N	Hill	E	Rankin	Y	Winter	N
Donovan	N	Hisey	Y	Rodriguez	N	Woodward	Y
Fenberg	N	Holbert	Y	Scott	Y	Zenzinger	N
Fields	N	Lee	N	Smallwood	Y	President	N
Foote	N	Lundeen	Y	Sonnenberg	Y		

Senator Cooke moved to amend the Report of the Committee of the Whole to show that the following Cooke floor amendment, (L.024) to SB 20B-001, did pass.

Amend the Finance Committee Report, dated November 30, 2020, page 3, line 28, after "AFFAIRS." add "NOTHING IN THIS SECTION PROHIBITS THE ALLOCATION OF MONEY TO A COUNTY THAT DOES NOT SATISFY SUBSECTION (1)(d)(II) OF THIS SECTION FOR PURPOSES OF PROVIDING RELIEF PAYMENTS TO ELIGIBLE SMALL BUSINESSES WITHIN THE NONCOMPLYING COUNTY.".

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	20	EXCUSED	2	ABSENT	0
Bridges	N	Gardner	Y	Marble	Y	Story	N
Cooke	Y	Ginal	N	Moreno	N	Tate	Y
Coram	Y	Gonzales	N	Pettersen	N	Todd	N
Crowder	E	Hansen	N	Priola	N	Williams A.	N
Danielson	N	Hill	E	Rankin	Y	Winter	N
Donovan	N	Hisey	Y	Rodriguez	N	Woodward	Y
Fenberg	N	Holbert	Y	Scott	Y	Zenzinger	N
Fields	N	Lee	N	Smallwood	Y	President	N
Foote	N	Lundeen	Y	Sonnenberg	Y		

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- SPECIAL ORDERS

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	Y	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	E	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:
Passed on second reading: SB20B-002 as amended, SB20B-001 as amended.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SCR20B-001** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SJR20B-001** be postponed indefinitely.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SR20B-001.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Tuesday, December 1, 2020.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

2nd Legislative Day Tuesday, December 1, 2020

Prayer By Senator Holbert.

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

Roll Call Present--31
Excused--4, Cooke, Hill, Priola, Story.
Present later--2, Priola, Story.

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, November 30, 2020, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB20B-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, and 011; SCR20B-001; SJR20B-001; SR20B-001.
Correctly Engrossed: SB20B-001, 002, 003, and 004; SR20B-001.
Correctly Enrolled: SR20B-001.

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:

SB20B-003 by Senator(s) Fields and Crowder; also Representative(s) Duran and Landgraf--Concerning assistance for individuals who are unable to pay their energy utility bills, and, in connection therewith, transferring money from the general fund to the energy outreach Colorado low-income energy assistance fund.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Danielson, Donovan, Fenberg, Foote, Garcia, Gardner, Ginal, Gonzales, Hansen, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Smallwood, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

SB20B-004 by Senator(s) Moreno, Hansen; also Representative(s) McCluskie, Herod--Concerning a transfer from the general fund to the controlled maintenance trust fund of money that will be available to the governor for a limited time for further transfer to the disaster emergency fund for public health and emergency response expenses associated with the COVID-19 pandemic emergency.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Lee, Lundeen, Marble, Pettersen, Priola, Rankin, Rodriguez, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, and Woodward.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB20B-002 by Senator(s) Gonzales and Holbert, Ginal, Moreno, Rodriguez; also Representative(s) Exum and Tipper, Bird, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Michaelson Jenet, Mullica, Weissman, Woodrow--Concerning temporary assistance for individuals who are facing a financial hardship due to the COVID-19 pandemic, and, in connection therewith, creating the emergency direct assistance grant program; and transferring money to the emergency direct assistance grant program fund, and to the housing development grant fund, and to the eviction legal defense fund for this assistance; and making an appropriation.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Hansen, Hisey, Lee, Lundeen, Marble, Pettersen, Priola, Rankin, Scott, Smallwood, Sonnenberg, Story, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

SB20B-001 by Senator(s) Winter and Priola, Bridges; also Representative(s) Herod and Sandridge--
Concerning support for entities impacted by severe capacity restrictions due to the COVID-
19 pandemic, and, in connection therewith, making an appropriation.

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

Third Reading Amendment No. 1(L.033), by Senator Priola.

Amend engrossed bill, page 2, line 11, strike "severly" and substitute
"severely".

Page 11, line 6, after the semicolon add "AND".

Page 11, line 13, strike the first "THE".

Page 27, line 3, strike "environement" and substitute "environment".

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

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

YES	31	NO	1	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	*	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	N		

* Abstaining from voting under Senate Rule 17(c) -- Senator Fenberg.

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, Danielson, Donovan, Fields, Foote, Garcia, Ginal,
Gonzales, Hansen, Lee, Moreno, Pettersen, Rankin, Story, Tate, Todd, Williams A., and
Zenzinger.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

December 1, 2020

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB20B-1004.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB20B-1001, 1002, 1003 and 1006 amended as printed in House Journal, November 30,
2020.

The House has passed on Third Reading and transmitted to the Revisor of Statutes
HB20B-1007.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes;
HB20B-1005, amended as printed in House Journal, November 30, 2020, and amended
on Third Reading as printed in House Journal, December 1, 2020.

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MESSAGE FROM THE REVISOR OF STATUTES

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We herewith transmit:

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Without comment, HB20B-1004.
Without comment, as amended, HB20B-1001, 1002, 1003, and 1006.
Without comment, HB20B-1007.
Without comment, as amended, HB20B-1005.

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INTRODUCTION OF BILLS -- FIRST READING

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

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- HB20B-1001 by Representative(s) Young and Soper; also Senator(s) Donovan and Coram, Bridges--
Concerning support for expanding broadband access for preschool through twelfth grade
education, and, in connection therewith, creating the connecting Colorado students grant
program and making an appropriation.
Finance
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- HB20B-1002 by Representative(s) Kipp and Landgraf, McCluskie; also Senator(s) Pettersen and
Sonnenberg, Priola--Concerning the creation of COVID-19 emergency relief grant
programs for the child care sector, and, in connection therewith, making an appropriation.
Finance
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- HB20B-1003 by Representative(s) Cutter and Bockenfeld; also Senator(s) Story and Hisey--Concerning
changes to the food pantry assistance grant program, and, in connection therewith, making
an appropriation.
Finance
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- HB20B-1004 by Representative(s) Valdez A. and Van Winkle, Herod; also Senator(s) Bridges and Tate,
Winter--Concerning a temporary deduction from state net taxable sales for certain retailers
in the state in order to allow such retailers to retain the resulting sales tax collected as
assistance for lost revenue as a result of the economic disruptions due to the presence of
coronavirus disease 2019 (COVID-19) in Colorado.
Finance
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- HB20B-1005 by Representative(s) Bird; also Senator(s) Rodriguez--Concerning authorization for local
governments to enact restrictions relating to fees charged by a third-party food delivery
service to a retail food establishment.
Finance
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- HB20B-1006 by Representative(s) Arndt; also Senator(s) Zenzinger--Concerning modifications to the
insurance premium tax, and, in connection therewith, modifying how credits against
premium tax payments may be claimed or transferred, adjusting how estimated quarterly
taxes are calculated, and allowing a company to claim a refund for overpayments of
estimated premium tax liability.
Finance
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- HB20B-1007 by Representative(s) Singer and Van Winkle; also Senator(s) Fields and Holbert--
Concerning the recreation, with amendments, of the "Occupational Therapy Practice Act",
and, in connection therewith, reestablishing the licensing functions of the director of the
division of professions and occupations in the department of regulatory agencies
regarding occupational therapists and occupational therapy assistants.
Finance
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COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **SB20B-007** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB20B-005** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **SB20B-008** be postponed indefinitely.

Finance After consideration on the merits, the Committee recommends that **HB20B-1001** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 7, after line 18 insert:

"(f) THE TIMELINE BY WHICH THE LOCAL EDUCATION PROVIDER EXPECTS TO SPEND THE GRANT MONEY TO COMPLETE THE PROPOSED PLAN TO MEET THE INTERNET ACCESS NEEDS OF STUDENTS, EDUCATORS, AND OTHER STAFF;"

Reletter succeeding paragraphs accordingly.

Page 8, after line 23 insert:

"(a) THE TIMELINE BY WHICH THE APPLYING LOCAL EDUCATION PROVIDER EXPECTS TO SPEND THE GRANT MONEY AND ESPECIALLY WHETHER THE GRANT MONEY IS LIKELY TO BE SPENT AND THE LOCAL EDUCATION PROVIDER'S PROPOSED PLAN TO MEET THE INTERNET ACCESS NEEDS OF STUDENTS, EDUCATORS, AND OTHER STAFF COMPLETED BY THE END OF THE 2020-21 SCHOOL YEAR;".

Reletter succeeding paragraphs accordingly.

Finance After consideration on the merits, the Committee recommends that **HB20B-1004** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 2, line 16, after "SALES ROOMS," insert "VINTNER'S RESTAURANTS,".

Finance After consideration on the merits, the Committee recommends that **HB20B-1003** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 4, line 16, strike "JUNE 30," and substitute "JULY 31,".

Page 4, line 17, strike "FIFTY" and substitute "SEVENTY".

Page 4, line 24, strike "FEBRUARY 28," and substitute "MARCH 31,".

Page 5, strike lines 23 through 27.

Page 6, strike line 1.

Page 6, line 5, strike "\$3,000,000" and substitute "\$5,000,000".

CHANGE IN SPONSORSHIP

Upon announcement of President Garcia, Senator Tate was added as a Senate Joint Prime Sponsor with Senator Rodriguez and Representative Bird on HB20B-1005.

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

- Finance

After consideration on the merits, the Committee recommends that **HB20B-1005** be **referred** to the Committee of the Whole with favorable recommendation.
- Finance

After consideration on the merits, the Committee recommends that **HB20B-1002** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 9, lines 14 and 15, strike "A CHILD CARE PROVIDER" and substitute "AN ELIGIBLE ENTITY".

- Finance

After consideration on the merits, the Committee recommends that **HB20B-1006** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

- Finance

After consideration on the merits, the Committee recommends that **HB20B-1007** be **postponed indefinitely**.

Senate in recess.

Senate reconvened.

Call of the Senate.

Call raised.

COMMITTEE OF REFERENCE REPORTS

- Appropriations

After consideration on the merits, the Committee recommends that **HB20B-1001** 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 **HB20B-1002** 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 **HB20B-1003** 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 **HB20B-1004** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB20B-1006, HB20B-1001, HB20B-1003, and HB20B-1002, were made Special Orders--Consent Calendar at 4:39 p.m.

Committee of the Whole The hour of 4:39 p.m. having arrived, Senator Moreno moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills--Consent Calendar, and Senator Moreno was called to act as Chair.

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

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

HB20B-1006 by Representative(s) Arndt; also Senator(s) Zenzinger--Concerning modifications to the insurance premium tax, and, in connection therewith, modifying how credits against premium tax payments may be claimed or transferred, adjusting how estimated quarterly taxes are calculated, and allowing a company to claim a refund for overpayments of estimated premium tax liability.

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

HB20B-1001 by Representative(s) Young and Soper; also Senator(s) Donovan and Coram, Bridges--Concerning support for expanding broadband access for preschool through twelfth grade education, and, in connection therewith, creating the connecting Colorado students grant program and making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, December 1, page 29 and placed in members' bill files.)

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

HB20B-1003 by Representative(s) Cutter and Bockenfeld; also Senator(s) Story and Hisey--Concerning changes to the food pantry assistance grant program, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, December 1, page 29 and placed in members' bill files.)

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

HB20B-1002 by Representative(s) Kipp and Landgraf, McCluskie; also Senator(s) Pettersen and Sonnenberg, Priola--Concerning the creation of COVID-19 emergency relief grant programs for the child care sector, and, in connection therewith, making an appropriation.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, December 1, page 30 and placed in members' bill files.)

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

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

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB20B-1006, HB20B-1001 as amended, HB20B-1003 as amended, HB20B-1002 as amended.

On motion of Majority Leader Fenberg, and with a majority of those elected to the Senate having voted in the affirmative, HB20B-1004 and HB20B-1005, were made Special Orders at 4:45 p.m.

Committee of the Whole

The hour of 4:45 p.m. having arrived, Senator Moreno moved that the Senate resolve itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Moreno was called to act as Chair.

SPECIAL ORDERS -- SECOND READING OF BILLS

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

HB20B-1004

by Representative(s) Valdez A. and Van Winkle, Herod; also Senator(s) Bridges and Tate, Winter--Concerning a temporary deduction from state net taxable sales for certain retailers in the state in order to allow such retailers to retain the resulting sales tax collected as assistance for lost revenue as a result of the economic disruptions due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, December 1, page 29 and placed in members' bill files.)

Amendment No. 2(L.006), by Senator Bridges.

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

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

(a) Due to the coronavirus disease 2019 (COVID-19) pandemic and the ongoing public health emergency that Colorado has been battling since March 2020, many retailers in the state, particularly those that are subject to mandatory capacity restrictions, have suffered severe revenue declines;

(b) Many retailers have been forced to choose between closing their doors and laying off employees;

(c) Not all retailers were able to make such a choice for themselves and were instead forced to close, further straining the state's unemployment insurance program, resulting in significant impacts to the state's budget;

(d) As retailers continue to close due to economic strain, local communities and governments are doing their best to deal with the fallout of lost jobs and revenue; and

(e) By providing relief to certain retailers, local businesses can continue to provide valuable services to their community and continue to employ Coloradans who would otherwise lose their jobs.

(2) The general assembly further finds and declares that the alcoholic beverages drinking places industry, the restaurant and other eating places industry, and the mobile food services industry are severely impacted by the COVID-19 pandemic due to mandatory capacity restrictions and by public health orders that required or recommended potential patrons to stay home. These specific industries are in particular need of relief in order to stabilize the economy throughout the state and to better position Colorado's economy to recover from the COVID-19 pandemic."

Renumber succeeding sections accordingly.

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

HB20B-1005 by Representative(s) Bird; also Senator(s) Rodriguez and Tate--Concerning authorization for local governments to enact restrictions relating to fees charged by a third-party food delivery service to a retail food establishment.

Amendment No. 1(L.016), by Senator Tate.

Amend reengrossed bill, page 4, after line 20 insert:

"(4) AS USED IN THIS SECTION, A "DECLARED PUBLIC HEALTH DISASTER EMERGENCY" MEANS THE DECLARED PUBLIC HEALTH DISASTER EMERGENCY TO ADDRESS THE COVID-19 PANDEMIC OF 2020, AS DECLARED BY THE GOVERNOR BY EXECUTIVE ORDER."

Page 6, after line 16 insert:

"(4) AS USED IN THIS SECTION, A "DECLARED PUBLIC HEALTH DISASTER EMERGENCY" MEANS THE DECLARED PUBLIC HEALTH DISASTER EMERGENCY TO ADDRESS THE COVID-19 PANDEMIC OF 2020, AS DECLARED BY THE GOVERNOR BY EXECUTIVE ORDER."

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	Y	Marble	Y	Story	Y
Cooke	E	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	E	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB20B-1004 as amended, HB20B-1005 as amended.

On motion of Majority Leader Fenberg, the Senate adjourned until 9:00 a.m., Wednesday, December 2, 2020.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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

3rd Legislative Day

Wednesday, December 2, 2020

Prayer	By Senator Fields.
Call to Order	By the President at 9:00 a.m.
Roll Call	Present--33 Excused--2, Hill, Marble. Present later--2, Hill, Marble.
Quorum	The President announced a quorum present.
Pledge	By Majority Leader Fenberg.
Reading of the Journal	On motion of Senator Holbert, reading of the Journal of Tuesday, December 1, 2020, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Reengrossed: SB20B-001, 002, 003, and 004.
Correctly Revised: HB20B-1001, 1002, 1003, 1004, 1005, and 1006.

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:

HB20B-1006 by Representative(s) Arndt; also Senator(s) Zenzinger--Concerning modifications to the insurance premium tax, and, in connection therewith, modifying how credits against premium tax payments may be claimed or transferred, adjusting how estimated quarterly taxes are calculated, and allowing a company to claim a refund for overpayments of estimated premium tax liability.

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

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

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

Co-sponsor(s) added: Bridges, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Hansen, Lee, Pettersen, Priola, Rankin, Story, Tate, Todd, Williams A., and Winter.

HB20B-1001 by Representative(s) Young and Soper; also Senator(s) Donovan and Coram, Bridges--Concerning support for expanding broadband access for preschool through twelfth grade education, and, in connection therewith, creating the connecting Colorado students grant 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
Bridges	Y	Gardner	Y	Marble	E	Story	Y
Cooke	Y	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	Y	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

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

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

HB20B-1003 by Representative(s) Cutter and Bockenfeld; also Senator(s) Story and Hisey--Concerning changes to the food pantry assistance 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
Bridges	Y	Gardner	Y	Marble	E	Story	Y
Cooke	Y	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	Y	Rankin	Y	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	Y	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	Y	President	Y
Foote	Y	Lundeen	Y	Sonnenberg	Y		

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

Co-sponsor(s) added: Bridges, Cooke, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hansen, Holbert, Lee, Lundeen, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Winter, Woodward, and Zenzinger.

HB20B-1002 by Representative(s) Kipp and Landgraf, McCluskie; also Senator(s) Pettersen and Sonnenberg, Priola--Concerning the creation of COVID-19 emergency relief grant programs for the child care sector, and, in connection therewith, making an appropriation.

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

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

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

Co-sponsor(s) added: Bridges, Cooke, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hansen, Hisey, Holbert, Lee, Moreno, Rankin, Scott, Smallwood, Story, Tate, Todd, Williams A., Winter, and Zenzinger.

THIRD READING OF BILLS -- FINAL PASSAGE

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

HB20B-1004 by Representative(s) Valdez A. and Van Winkle, Herod; also Senator(s) Bridges and Tate, Winter--Concerning a temporary deduction from state net taxable sales for certain retailers in the state in order to allow such retailers to retain the resulting sales tax collected as assistance for lost revenue as a result of the economic disruptions due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

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

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

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

Co-sponsor(s) added: Cooke, Coram, Crowder, Danielson, Donovan, Fenberg, Fields, Foote, Garcia, Gardner, Ginal, Gonzales, Hansen, Hill, Hisey, Holbert, Lee, Lundeen, Marble, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Smallwood, Sonnenberg, Story, Todd, Williams A., Woodward, and Zenzinger.

HB20B-1005 by Representative(s) Bird; also Senator(s) Rodriguez and Tate--Concerning authorization for local governments to enact restrictions relating to fees charged by a third-party food delivery service to a retail food establishment.

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

YES	23	NO	12	EXCUSED	0	ABSENT	0
Bridges	Y	Gardner	N	Marble	N	Story	Y
Cooke	N	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	Y	Hansen	Y	Priola	N	Williams A.	Y
Danielson	Y	Hill	Y	Rankin	N	Winter	Y
Donovan	N	Hisey	N	Rodriguez	Y	Woodward	N
Fenberg	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	N	President	Y
Foote	Y	Lundeen	N	Sonnenberg	N		

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

Co-sponsor(s) added: Bridges, Danielson, Fenberg, Fields, Foote, Garcia, Ginal, Gonzales, Holbert, Lee, Moreno, Pettersen, Story, Todd, Williams A., Winter, and Zenzinger.

Senate in recess. Senate reconvened.

Call of the Senate.Call raised.

MESSAGE FROM THE HOUSE

December 2, 2020

Mr. President:

The House has passed on Third Reading and returns herewith SB20B-004.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB20B-001 and 003 amended as printed in House Journal, December 1, 2020, and amended on Third Reading as printed in House Journal, December 2, 2020.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB20B-002 amended as printed in House Journal, December 1, 2020.

The House has adopted and transmits herewith HJR20B-1001, as printed in House Journal, December 2, 2020.

MESSAGE FROM THE REVISOR

We herewith transmit:

Without comment, as amended, SB20B-001, 002, and 003.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB20B-001 by Senator(s) Winter and Priola, Bridges; also Representative(s) Herod and Sandridge-- Concerning support for entities impacted by severe capacity restrictions due to the COVID-19 pandemic, and, in connection therewith, making an appropriation.

Senator Priola moved that the Senate concur in House amendments to **SB20B-001**, as printed in House journal, December 1, pages 33-34, 35, and 36-37, and December 2, page 47. The motion was **adopted** by the following roll call vote:

YES	25	NO	8	EXCUSED	2	ABSENT	0
Bridges	Y	Gardner	N	Marble	E	Story	Y
Cooke	N	Ginal	Y	Moreno	Y	Tate	Y
Coram	Y	Gonzales	Y	Pettersen	Y	Todd	Y
Crowder	E	Hansen	Y	Priola	Y	Williams A.	Y
Danielson	Y	Hill	N	Rankin	N	Winter	Y
Donovan	Y	Hisey	Y	Rodriguez	Y	Woodward	Y
Fenberg	Y	Holbert	Y	Scott	N	Zenzinger	Y
Fields	Y	Lee	Y	Smallwood	N	President	Y
Foote	Y	Lundeen	N	Sonnenberg	N		

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

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

SB20B-002 by Senator(s) Gonzales and Holbert, Ginal, Moreno, Rodriguez; also Representative(s) Exum and Tipper, Bird, Gonzales-Gutierrez, Hooton, Jackson, Jaquez Lewis, Michaelson Jenet, Mullica, Weissman, Woodrow--Concerning temporary assistance for individuals who are facing a financial hardship due to the COVID-19 pandemic, and, in connection therewith, creating the emergency direct assistance grant program; and transferring money to the emergency direct assistance grant program fund, and to the housing development grant fund, and to the eviction legal defense fund for this assistance; and making an appropriation.

Senator Gonzales moved that the Senate concur in House amendments to **SB20B-002**, as printed in House journal, December 1, pages 34-35, 36, and 38. The motion was **adopted** by the following roll call vote:

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

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

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

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

SB20B-003 by Senator(s) Fields and Crowder; also Representative(s) Duran and Landgraf--Concerning assistance for individuals who are unable to pay their energy utility bills, and, in connection therewith, transferring money from the general fund to the energy outreach Colorado low-income energy assistance fund.

Senator Fields moved that the Senate concur in House amendments to **SB20B-003**, as printed in House journal, December 1, page 38, and December 2, pages 48-49. The motion was **adopted** by the following roll call vote:

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

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

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

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

Co-sponsor(s) added: Cooke, Scott, and Sonnenberg.

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

HJR20B-1001 by Representative(s) Garnett, Becker, Neville; also Senator(s) Fenberg, Garcia, Holbert--Concerning adjournment sine die of the First Extraordinary Session of the Seventy-second General Assembly.

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

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

Co-sponsor(s) added: Bridges, Cooke, Gardner, Lundeen, Marble, Priola, Rankin, Smallwood, Tate, and Woodward.

On motion of Majority Leader Fenberg, and with the unanimous consent of those elected to the Senate having voted in the affirmative, the First Extraordinary Session of the Seventy-Second General Assembly adjourned *sine die* at 1:13 p.m., Wednesday, December 2, 2020.

Approved:

Leroy M. Garcia
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate