

SENATE JOURNAL
Sixty-eighth General Assembly
STATE OF COLORADO
Second Regular Session

28th Legislative Day

Tuesday, February 7, 2012

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Prayer	By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.	11
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Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	13
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Pledge	By Senator Morse.	15
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Roll Call	Present--28	17
	Excused--7, Aguilar, Harvey, Hudak, Johnston, King S., Mitchell, Shaffer B.	18
	Present later--2, Aguilar, Johnston.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Guzman, reading of the Journal of Monday, February 6, 2012, was dispensed with and the Journal was approved as corrected by the Secretary.	23
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COMMITTEE OF REFERENCE REPORTS

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Judiciary	After consideration on the merits, the Committee recommends that SB12-035 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	32
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	Amend printed bill, page 4, line 15, strike "THE" and substitute "ANY".	37
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	Page 4, line 16, after "DAMAGE," insert "INJURY," and after "THE" insert "SPACEFLIGHT".	39
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	Page 4, line 25, strike "INJURY," and substitute "LOSS," and after "DAMAGE," insert "INJURY,".	42
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	Page 5, line 14, strike "AN" and substitute "ANY LOSS, DAMAGE,".	45
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	Page 5, line 15, strike "TO" and substitute "TO," and before "PARTICIPANT" insert "SPACEFLIGHT".	47
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	Page 5, line 17, strike "INJURY" and substitute "LOSS, DAMAGE, INJURY,".	50
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	Page 5, line 18, strike "ACTIVITY." and substitute "ACTIVITY TO THE SPACEFLIGHT PARTICIPANT.".	52
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	Page 5, strike lines 20 through 23 and substitute "AMONG OTHERS, DEATH OR INJURY TO PERSON OR PROPERTY. I,".	55
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	Page 5, line 25, before "RISK" insert "INHERENT".	58
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	Page 6, line 9, strike "7," and substitute "8,".	60
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Judiciary

After consideration on the merits, the Committee recommends that **SB12-074** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, strike lines 2 through 10.

Renumber succeeding sections accordingly.

Page 2, line 16, strike "DESIGNATED BY" and substitute "A CAREGIVER TO".

Page 3, line 1, strike "DESIGNATED BY" and substitute "A CAREGIVER TO".

Judiciary

After consideration on the merits, the Committee recommends that **SB12-072** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, strike everything below the enacting clause and substitute:

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

(a) The Colorado mounted rangers, also known as the Colorado rangers, have served and protected the territory and the state of Colorado since 1861;

(b) The Colorado rangers comprised the first law enforcement agency in the new territory of Colorado;

(c) The Colorado rangers were called upon by the state's governors to protect the state during the mining strikes and the prohibition period;

(d) In 1923, the Colorado rangers were disbanded, leaving Colorado without a statewide law enforcement organization until the Colorado state patrol was formed;

(e) In 1941, by request of former Governor Teller Ammons, a volunteer group in Bailey, Colorado, formed the Colorado mounted rangers;

(f) Today, the Colorado mounted rangers are available to assist the division of emergency management within the department of local affairs; may train with and assist the office of preparedness, security, and fire safety; may provide security in emergency situations such as airline disasters, search-and-rescue operations, and forest fires; and provide assistance to local, state, and federal authorities upon request;

(g) The Colorado mounted rangers have assisted in natural disasters such as the Big Thompson flood, the Black Ridge fire, and the Hayman fire;

(h) While conducting search-and-rescue efforts during the past seventy years, the Colorado mounted rangers have saved the lives of many lost and injured mountain climbers and bikers; and

(i) During the past year, the Colorado mounted rangers volunteered more than fifty thousand hours of devoted service to the people of Colorado.

(2) Therefore, the general assembly declares that the Colorado mounted rangers should be established as an all-volunteer, unpaid auxiliary unit for the purpose of lending assistance to emergency management, fire-fighting, emergency medical service, search-and-rescue agencies, and law enforcement agencies in the state.

SECTION 2. In Colorado Revised Statutes, 24-32-2222, amend (1), (2) (a), (2) (b), (2) (c), and (2) (d); and add (5) as follows:

24-32-2222. County sheriff - local government - local emergency planning committee - memorandum of understanding with volunteer organizations. (1) Any county sheriff, the director of any local government, any local emergency planning committee, or any state agency may develop and enter into a memorandum of understanding with one or more volunteer organizations, INCLUDING BUT NOT LIMITED TO THE COLORADO MOUNTED RANGERS, to assist the county sheriff, local government, local emergency planning committee, or state agency in

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providing services ~~in the event of a disaster~~ AS REQUIRED.

(2) A memorandum of understanding between a county sheriff, a local government, a local emergency planning committee, or a state agency and a volunteer organization may include the following information:

(a) The circumstances under which the county sheriff, local government, local emergency planning committee, or state agency may request the services of the volunteer organization; ~~in a disaster;~~

(b) The circumstances under which the volunteer organization may accept or refuse the request for assistance by the county sheriff, local government, local emergency planning committee, or state agency; ~~in a disaster;~~

(c) The party that will be responsible for any costs incurred by the volunteer organization in the course of assisting the county sheriff, local government, local emergency planning committee, or state agency; ~~in a disaster;~~

(d) The specific training or certification required for volunteers who are members of the volunteer organization to be authorized to assist the county sheriff, local government, local emergency planning committee, or state agency; ~~in a disaster;~~

(5) A MEMBER OF THE COLORADO MOUNTED RANGERS AND ANY OTHER VOLUNTEER ORGANIZATION LENDING ASSISTANCE TO A COUNTY SHERIFF, LOCAL GOVERNMENT, LOCAL EMERGENCY PLANNING COMMITTEE, OR STATE AGENCY PURSUANT TO THIS SECTION IS AN AUTHORIZED VOLUNTEER FOR THE PURPOSES OF ARTICLE 10 OF THIS TITLE.

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB12-062** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 10, strike "**amend** (1)".

Page 2, strike line 11 and substitute "**repeal** (5) as follows:".

Page 2, strike lines 14 through 21.

Page 3, strike lines 1 through 20.

Page 4, strike lines 12 through 20.

Renumber succeeding section accordingly.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB12-096** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

HB12-1002 by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the rules of state agencies applicable to applications for permits.
Business, Labor and Technology

SENATE SERVICES REPORT

Correctly Engrossed: SB12-009, 010, 013, 030, 033, 048 and 066;
SJR12-009 and 013.

On motion of Senator Morse, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, February 7 was laid over until Wednesday, February 8, retaining its place on the calendar.

Third Reading of Bills -- Final Passage -- Consent Calendar: SB12-009, SB12-066.
Third Reading of Bills -- Final Passage: SB12-033, SB12-030, SB12-048, SB12-010, SB12-013.
General Orders -- Second Reading of Bills -- Consent Calendar: SB12-037.
General Orders -- Second Reading of Bills: SB12-011, SB12-015, SB12-079, SB12-020, SB12-056, SB12-042, SB12-058.
Consideration of Resolutions: SJR12-006, SJR12-007.

On motion of Senator Morse, the Senate adjourned until 10:00 a.m., Wednesday, February 8, 2012.

Approved:

Betty Boyd
President *pro tem* of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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