

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

42nd Legislative Day Tuesday, February 18, 2014

- Prayer 10
 By the chaplain, Pastor Carl Nelson, Director of Pastoral Care at Village Seven
 Presbyterian Church, Colorado Springs. 11
- Call to Order 12
 By the President *pro tem* at 9:00 a.m. 13
- Pledge 14
 By Senator Herpin. 15
- Roll Call 16
 Present--34 17
 Absent--1, Jones. 18
 Present later--1, Jones. 19
- Quorum 20
 The President announced a quorum present. 21
- Reading of Journal 22
 On motion of Senator Kerr, reading of the Journal of Monday, February 17, 2014, was
 dispensed with and the Journal was approved as corrected by the Secretary. 23

COMMITTEE OF REFERENCE REPORTS

- Business, Labor, & Technology 24
 After consideration on the merits, the Committee recommends that **HB14-1146** be
 referred to the Committee of the Whole with favorable recommendation. 25
- Judiciary 26
 After consideration on the merits, the Committee recommends that **SB14-092** be amended 27
 as follows, and as so amended, be referred to the Committee on Appropriations with 28
 favorable recommendation. 29

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

"SECTION 1. In Colorado Revised Statutes, **add** 18-5-211 as follows:

18-5-211. Insurance fraud - definitions. (1) A PERSON COMMITS INSURANCE FRAUD IF THE PERSON DOES ANY OF THE FOLLOWING:

(a) WITH AN INTENT TO DEFRAUD PRESENTS OR CAUSES TO BE PRESENTED AN APPLICATION FOR THE ISSUANCE OR RENEWAL OF AN INSURANCE POLICY, WHICH APPLICATION, OR DOCUMENTATION IN SUPPORT OF SUCH APPLICATION OR RENEWAL, CONTAINS FALSE MATERIAL INFORMATION OR WITHHOLDS MATERIAL INFORMATION THAT IS REQUESTED BY THE INSURER AND RESULTS IN THE ISSUANCE OF AN INSURANCE POLICY OR INSURANCE COVERAGE FOR THE APPLICANT OR ANOTHER;

(b) WITH AN INTENT TO DEFRAUD PRESENTS OR CAUSES TO BE PRESENTED ANY CLAIM FOR A LOSS OR INJURY, WHICH CLAIM CONTAINS FALSE MATERIAL INFORMATION OR WITHHOLDS MATERIAL INFORMATION;

(c) WITH AN INTENT TO DEFRAUD CAUSES OR PARTICIPATES, OR PURPORTS TO BE INVOLVED, IN A VEHICULAR COLLISION, OR ANY OTHER VEHICULAR ACCIDENT, FOR THE PURPOSE OF PRESENTING ANY FALSE OR FRAUDULENT INSURANCE CLAIM;

(d) WITH AN INTENT TO DEFRAUD PRESENTS OR CAUSES TO BE PRESENTED A CLAIM FOR THE PAYMENT OF A LOSS WHERE THE LOSS OR DAMAGE CLAIMED PREEXISTED THE EXECUTION OF THE APPLICABLE

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CONTRACT OF INSURANCE UNLESS OTHERWISE PERMITTED UNDER THE CONTRACT OF INSURANCE OR POLICY; OR

(e) WITH AN INTENT TO DEFRAUD PRESENTS OR CAUSES TO BE PRESENTED ANY WRITTEN, ORAL, OR ELECTRONIC MATERIAL OR STATEMENT AS PART OF, IN SUPPORT OF OR IN OPPOSITION TO, A CLAIM FOR PAYMENT OR OTHER BENEFIT PURSUANT TO AN INSURANCE POLICY, KNOWING THAT THE STATEMENT CONTAINS FALSE MATERIAL INFORMATION OR WITHHOLDS MATERIAL INFORMATION.

(2) AN INSURANCE PRODUCER OR AGENT OF AN INSURANCE PRODUCER COMMITS INSURANCE FRAUD IF HE OR SHE KNOWINGLY MOVES, DIVERTS, OR MISAPPROPRIATES PREMIUM FUNDS BELONGING TO AN INSURER OR UNEARNED PREMIUM FUNDS BELONGING TO AN INSURED OR APPLICANT FOR INSURANCE FROM A PRODUCER'S TRUST OR OTHER ACCOUNT WITHOUT THE AUTHORIZATION OF THE OWNER OF THE FUNDS OR OTHER LAWFUL JUSTIFICATION.

(3) AN INSURANCE PRODUCER OR AGENT OF AN INSURANCE PRODUCER COMMITS INSURANCE FRAUD IF HE OR SHE WITH AN INTENT TO DEFRAUD CREATES, UTTERS, OR PRESENTS A CERTIFICATE OR ANY OTHER EVIDENCE OF INSURANCE CONTAINING FALSE INFORMATION TO ANY PERSON OR ENTITY.

(4) INSURANCE FRAUD COMMITTED IN VIOLATION OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION IS A CLASS 1 MISDEMEANOR. INSURANCE FRAUD COMMITTED IN VIOLATION OF PARAGRAPHS (b) TO (e) OF SUBSECTION (1) OF THIS SECTION OR SUBSECTION (2) OR (3) OF THIS SECTION IS A CLASS 5 FELONY.

(5) THE COMMISSIONER OF INSURANCE SHALL REVOKE THE LICENSE TO CONDUCT BUSINESS IN THIS STATE OF ANY LICENSED INSURANCE PRODUCER UNDER ARTICLE 2 OF TITLE 10, C.R.S., WHO IS CONVICTED OF ANY PROVISION UNDER THIS SECTION.

(6) NOTHING IN THIS SECTION PRECLUDES A PROSECUTOR FROM PROSECUTING ANY OTHER OFFENSE.

(7) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "CLAIM" MEANS A DEMAND FOR MONEY, PROPERTY, OR SERVICES PURSUANT TO A CONTRACT OF INSURANCE AS WELL AS ANY DOCUMENTATION IN SUPPORT OF SUCH CLAIM WHETHER SUBMITTED CONTEMPORANEOUSLY WITH THE CLAIM OR AT A DIFFERENT TIME. A CLAIM AND ANY SUPPORTING INFORMATION MAY BE IN WRITTEN, ORAL, ELECTRONIC, OR DIGITAL FORM.

(b) "INSURANCE" HAS THE SAME MEANING AS DEFINED IN SECTION 10-1-102 (12), C.R.S.

(c) "INSURANCE PRODUCER" HAS THE SAME MEANING AS DEFINED IN SECTION 10-2-103 (6), C.R.S.

(d) "INSURER" HAS THE SAME MEANING AS DEFINED IN SECTION 10-1-102 (13), C.R.S.

(e) "MATERIAL INFORMATION" IS A STATEMENT OR ASSERTION DIRECTLY PERTAINING TO AN APPLICATION FOR INSURANCE OR AN INSURANCE CLAIM THAT A REASONABLE PERSON MAKING SUCH AN ASSERTION KNOWS OR SHOULD KNOW WILL AFFECT THE ACTION, CONDUCT, OR DECISION OF THE PERSON WHO RECEIVES OR IS INTENDED TO RECEIVE THE ASSERTED INFORMATION IN A MANNER THAT WOULD DIRECTLY OR INDIRECTLY BENEFIT THE PERSON MAKING THE ASSERTION.

SECTION 2. In Colorado Revised Statutes, 10-2-801, **amend** (3); and **add** (1.5) as follows:

10-2-801. Licenses - denial, suspension, revocation, termination - reporting of actions - definitions. (1.5) THE COMMISSIONER SHALL REVOKE THE LICENSE OF AN INSURANCE PRODUCER LICENSE IF, AFTER NOTICE TO THE INSURANCE PRODUCER LICENSEE AND AFTER A HEARING HELD IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105, C.R.S., THE COMMISSIONER FINDS THAT THE LICENSEE WAS CONVICTED UNDER SECTION 18-5-211, C.R.S.

(3) (a) A producer or business entity shall report to the commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within thirty days after the final disposition of the matter. This report shall include a copy of the order, consent to order, or other relevant legal document.

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(b) A PRODUCER SHALL REPORT WITHIN THIRTY DAYS AFTER THE CONVICTION TO THE COMMISSIONER IF HE OR SHE IS CONVICTED UNDER SECTION 18-5-211, C.R.S.

SECTION 3. In Colorado Revised Statutes, 10-4-1002, **amend** (1.5) as follows:

10-4-1002. Definitions. As used in this part 10, unless the context otherwise requires:

(1.5) "Fraudulent insurance act" has the meaning set forth in section 10-1-128 OR MEANS THE COMMISSION OF INSURANCE FRAUD PURSUANT TO SECTION 18-5-211, C.R.S.

SECTION 4. Potential appropriation. Pursuant to section 2-2-703, Colorado Revised Statutes, any bill that results in a net increase in periods of imprisonment in the state correctional facilities must include an appropriation of moneys that is sufficient to cover any increased capital construction and operational costs for the first five fiscal years in which there is a fiscal impact. Because this act may increase periods of imprisonment, this act may require a five-year appropriation.

SECTION 5. Effective date - applicability. This act takes effect July 1, 2014, and applies to offenses committed on or after said date.

SECTION 6. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Judiciary After consideration on the merits, the Committee recommends that **HB14-1086** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB14-1035** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **SB14-051** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

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

"SECTION 1. In Colorado Revised Statutes, 19-5-305, **repeal and reenact, with amendments,** (1), (1.5), and (2); and **add** (6) as follows:

19-5-305. Access to adoption records - contact with parties to adoption - contact preference form and updated medical history statement - definitions. (1) **Confidentiality.** ALL ADOPTION RECORDS ARE CONFIDENTIAL FROM THE GENERAL PUBLIC AND MUST REMAIN CONFIDENTIAL EXCEPT AS DESCRIBED IN SUBSECTIONS (1.5) AND (2) OF THIS SECTION OR UPON DEMONSTRATION OF GOOD CAUSE PURSUANT TO SECTION 19-1-309 OR AS OTHERWISE PROVIDED BY LAW.

(1.5) **Contact preference forms and updated medical history statements from birth parents.** (a) THE STATE REGISTRAR SHALL PRESCRIBE AND MAKE AVAILABLE TO A BIRTH PARENT NAMED ON AN ORIGINAL BIRTH CERTIFICATE IN THE RECORDS OF THE STATE REGISTRAR A CONTACT PREFERENCE FORM ON WHICH THE BIRTH PARENT MAY INDICATE A PREFERENCE REGARDING CONTACT BY THE ADULT ADOPTEE, AN ADULT DESCENDANT OF THE ADOPTEE, OR A LEGAL REPRESENTATIVE OF THE ADOPTEE OR DESCENDANT. THE PURPOSE OF THE CONTACT PREFERENCE FORM IS TO ALLOW THE BIRTH PARENT THE OPPORTUNITY TO INDICATE A PREFERENCE TO BE CONTACTED DIRECTLY, TO BE CONTACTED THROUGH A THIRD PARTY, OR NOT TO BE CONTACTED BY OTHER PARTIES.

(b) THE FORM MUST ALSO INCLUDE SPACE FOR A WRITTEN STATEMENT BY THE BIRTH PARENT, WHICH MAY INCLUDE UPDATED MEDICAL HISTORY ABOUT THE BIRTH PARENT OR OTHER BIOLOGICAL RELATIVES, AN EXPLANATION FOR THE STATED CONTACT PREFERENCE, OR OTHER INFORMATION FOR THE PARTY SEEKING RECORDS. THE MEDICAL

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HISTORY STATEMENT FORM MUST INDICATE THAT THE BIRTH PARENT IS WAIVING CONFIDENTIALITY OF ANY MEDICAL INFORMATION SUPPLIED IN THE STATEMENT WITH RESPECT TO THE ADOPTEE, AN ADULT DESCENDANT OF THE ADOPTEE, OR A LEGAL REPRESENTATIVE OF SUCH INDIVIDUAL, AND TO THE STATE REGISTRAR OR HIS OR HER DESIGNEES.

(c) THE STATE REGISTRAR SHALL MAINTAIN THE CONTACT PREFERENCE FORM AND THE MEDICAL HISTORY STATEMENTS, IF ANY, AND MAKE THEM ACCESSIBLE TO AN INDIVIDUAL WHO IS AN ELIGIBLE PARTY ALLOWED TO RECEIVE ADOPTION RECORDS AS DESCRIBED IN SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION AND WHO SUBMITS A WRITTEN APPLICATION FORM, PROOF OF IDENTITY, AND AN EXPLANATION OF THE INDIVIDUAL'S RELATIONSHIP TO THE ADOPTEE, IF APPLICABLE. THE STATE REGISTRAR IS AUTHORIZED TO VERIFY THE SUBMISSION OF A CONTACT PREFERENCE FORM OR AN UPDATED MEDICAL HISTORY STATEMENT AND TO PROVIDE A COPY OF A CONTACT PREFERENCE FORM TO A CONFIDENTIAL INTERMEDIARY APPOINTED PURSUANT TO SECTION 19-5-304 OR TO A DESIGNATED EMPLOYEE OF A CHILD PLACEMENT AGENCY WHO IS SEARCHING PURSUANT TO SUBPARAGRAPH (III) OF PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION. THE STATE REGISTRAR SHALL MAINTAIN AND MAKE AVAILABLE TO THE PUBLIC ACCURATE STATISTICS ABOUT THE NUMBER OF CONTACT PREFERENCE FORMS ON FILE WITH THE STATE REGISTRAR AND HOW MANY OF THE FORMS STATE A PREFERENCE FOR CONTACT, NO CONTACT, OR CONTACT THROUGH A THIRD PARTY.

(d) (I) AS USED IN THIS SECTION, "ELIGIBLE PARTY" MEANS A PERSON WHO IS ELIGIBLE UNDER SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (2) OF THIS SECTION TO HAVE ACCESS TO ADOPTION RECORDS.

(II) THE OPTION ON THE CONTACT PREFERENCE FORM THAT ALLOWS A BIRTH PARENT TO AUTHORIZE OR NOT AUTHORIZE THE RELEASE OF THE ORIGINAL BIRTH CERTIFICATE TO ELIGIBLE PARTIES EXPIRES ON JANUARY 1, 2016. THE STATE REGISTRAR SHALL REVISE THE CONTACT PREFERENCE FORM TO ELIMINATE THIS OPTION, EFFECTIVE JANUARY 1, 2016, AND SHALL NEITHER DISTRIBUTE NOR ACCEPT CONTACT PREFERENCE FORMS ON OR AFTER JANUARY 1, 2016, THAT CONTAIN AN OPTION REGARDING SUCH RELEASE. ON AND AFTER JANUARY 1, 2016, CONTACT PREFERENCE FORMS SHALL ONLY ADDRESS A BIRTH PARENT'S PREFERENCES REGARDING CONTACT AND THE ABILITY TO SUBMIT AN EXPLANATION FOR THE STATED CONTACT PREFERENCE AND TO SUBMIT OR UPDATE MEDICAL HISTORY. A CHILD PLACEMENT AGENCY IS NOT LIABLE TO ANY PERSON FOR THE FAILURE OF A BIRTH PARENT TO SUBMIT A CONTACT PREFERENCE FORM TO THE STATE REGISTRAR. ON AND AFTER JULY 1, 2014, THE STATE REGISTRAR SHALL POST A NOTICE ON THE WEB SITE OF THE OFFICE OF THE STATE REGISTRAR OF VITAL STATISTICS STATING THAT THE CONTACT PREFERENCE FORM WILL BE REVISED TO ELIMINATE THE OPTION TO AUTHORIZE OR OBJECT TO THE RELEASE OF THE ORIGINAL BIRTH CERTIFICATE AND THAT BIRTH PARENTS MAY EXERCISE THIS OPTION PRIOR TO JANUARY 1, 2016.

(III) PRIOR TO ALLOWING ACCESS TO AND PROVIDING A COPY OF AN ORIGINAL BIRTH CERTIFICATE TO AN ELIGIBLE PARTY, THE STATE REGISTRAR MUST PERFORM A DILIGENT SEARCH FOR A CONTACT PREFERENCE FORM EXECUTED PRIOR TO JANUARY 1, 2016, TO ASCERTAIN IF EITHER BIRTH PARENT HAD STATED A PREFERENCE AUTHORIZING OR NOT AUTHORIZING THE RELEASE OF THE ORIGINAL BIRTH CERTIFICATE TO ELIGIBLE PARTIES. IF BOTH BIRTH PARENTS HAVE FILED A CONTACT PREFERENCE FORM EXECUTED PRIOR TO JANUARY 1, 2016, STATING A PREFERENCE TO AUTHORIZE THE RELEASE OF THE ORIGINAL BIRTH CERTIFICATE, THEN THE STATE REGISTRAR MUST RELEASE THE ORIGINAL BIRTH CERTIFICATE TO THE ELIGIBLE PARTY. IF THERE IS NO CONTACT PREFERENCE FORM ON FILE PRIOR TO JANUARY 1, 2016, FROM A BIRTH PARENT NAMED ON THE ORIGINAL BIRTH CERTIFICATE, OR IF A CONTACT PREFERENCE FORM EXECUTED PRIOR TO JANUARY 1, 2016, IS ON FILE THAT STATES A PREFERENCE THAT THE ORIGINAL BIRTH CERTIFICATE NOT BE RELEASED, THEN THE STATE REGISTRAR MAY NOT RELEASE THE ORIGINAL BIRTH CERTIFICATE TO THE ELIGIBLE PARTY PRIOR TO JANUARY 1, 2016, UNLESS THE BIRTH PARENT RESCINDS THE CONTACT PREFERENCE FORM, UPON MUTUAL CONSENT OF TWO OR MORE REUNITED PARTIES, THE

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BIRTH PARENT IS DECEASED, OR THE ELIGIBLE PARTY OBTAINS A COURT ORDER PURSUANT TO SECTION 19-1-309. WHEN ONE BIRTH PARENT HAS AUTHORIZED THE RELEASE OF THE BIRTH CERTIFICATE AND THE OTHER BIRTH PARENT HAS FILED A CONTACT PREFERENCE FORM PRIOR TO JANUARY 1, 2016, NOT AUTHORIZING RELEASE, THE STATE REGISTRAR SHALL ISSUE THE ORIGINAL BIRTH CERTIFICATE TO THE ELIGIBLE PARTY WITH THE NAME OF THE NONCONSENTING PARENT REDACTED.

(2) Legislative declaration - access to adoption records.

(a) THE GENERAL ASSEMBLY TAKES NOTE THAT THE LAW IN COLORADO REGARDING ACCESS TO ADOPTION RECORDS HAS TREATED PERSONS DIFFERENTLY DEPENDING UPON THE LAW IN EFFECT UPON THE DATE OF THE ADOPTION OF THE ADOPTEE AND THAT THE STATUTORY SCHEME HAS BEEN CONFUSING, COMPLICATED, AND AMBIGUOUS. BY REPEALING AND REENACTING PROVISIONS OF THIS SECTION TO REMOVE THOSE VARYING TIME PERIODS AND VARYING LEVELS OF ACCESS OR NONACCESS TO ADOPTION RECORDS BY AN ADULT ADOPTEE OR BY A BIRTH PARENT, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT ACCESS TO ADOPTION RECORDS NO LONGER BE DEPENDENT UPON THE LAW IN EFFECT ON THE DATE OF THE FINALIZATION OF ADOPTION. THE GENERAL ASSEMBLY DECLARES THAT THE PURPOSE OF THE REVISION OF THIS SUBSECTION (2) IS TO MAKE THE ACCESS TO ADOPTION RECORDS BY MEMBERS OF THE ADOPTION TRIAD MORE UNIFORM AS OUTLINED IN THIS SUBSECTION (2). THE GENERAL ASSEMBLY FURTHER DECLARES THAT IT IS THE INTENT OF THE GENERAL ASSEMBLY TO NOT ABROGATE, LIMIT, OR CHANGE THE HOLDING IN OR AFFECT ANY RIGHTS CREATED UNDER *IN RE J.N.H.*, 209 P.3d 1221 (COLO. APP. 2009) WITH RESPECT TO ACCESS BY AN ADULT ADOPTEE TO THE NAMES OF HIS OR HER BIRTH PARENTS AND TO ALL COURT RECORDS AND PAPERS REGARDING THE ADOPTION OF THE ADULT ADOPTEE. THE GENERAL ASSEMBLY FURTHER DECLARES THAT IN CONSTRUING THIS SECTION, THE COURTS SHOULD LIBERALLY CONSTRUE THIS SECTION IN FAVOR OF RELEASING THE RECORDS.

(b) SUBJECT TO THE PROVISIONS OF SUBSECTION (4) OF THIS SECTION AND IN ADDITION TO INFORMATION EXCHANGED IN A DESIGNATED ADOPTION OR INSPECTION AUTHORIZED BY A COURT UPON GOOD CAUSE SHOWN PURSUANT TO SECTION 19-1-309, ACCESS TO ADOPTION RECORDS BY CERTAIN PARTIES IS GOVERNED BY THE FOLLOWING PROVISIONS:

(I) Adult adoptees, their descendants, and adoptive family members. UPON REQUEST, THE CUSTODIAN OF RECORDS SHALL PROVIDE DIRECT ACCESS TO ALL ADOPTION RECORDS, AS DEFINED IN SECTION 19-1-103 (6.5), FOR INSPECTION AND COPYING BY AN ADULT ADOPTEE, AN ADOPTIVE PARENT OF A MINOR ADOPTEE, A CUSTODIAL GRANDPARENT OF A MINOR ADOPTEE, OR THE LEGAL REPRESENTATIVE OF ANY SUCH INDIVIDUAL. IN ADDITION, THE CUSTODIAN OF RECORDS SHALL PROVIDE DIRECT ACCESS TO ADOPTION RECORDS FOR INSPECTION AND COPYING BY A SPOUSE OF AN ADULT ADOPTEE, AN ADULT DESCENDANT OF AN ADOPTEE, AN ADULT SIBLING OR HALF-SIBLING OF AN ADULT ADOPTEE, AN ADOPTIVE PARENT OR GRANDPARENT OF AN ADULT ADOPTEE, OR THE LEGAL REPRESENTATIVE OF ANY SUCH INDIVIDUAL, IF THE INDIVIDUAL REQUESTING ACCESS HAS THE NOTARIZED WRITTEN CONSENT OF THE ADULT ADOPTEE OR IF THE ADULT ADOPTEE IS DECEASED.

(II) Access by a birth parent to the original birth certificate. A BIRTH PARENT WHO RELINQUISHED A CHILD FOR ADOPTION, WHOSE TERMINATION OF THE PARENT-CHILD LEGAL RELATIONSHIP WAS NOT THE RESULT OF A DEPENDENCY AND NEGLECT ACTION, AND WHO SIGNED OR IS NAMED ON THE ORIGINAL BIRTH CERTIFICATE MAY APPLY TO THE STATE REGISTRAR FOR AND OBTAIN A NONCERTIFIED COPY OF THE UNALTERED ORIGINAL BIRTH CERTIFICATE OF THE CHILD HE OR SHE RELINQUISHED IF THE CHILD WAS BORN IN THIS STATE, OR IF THE CHILD'S ADOPTION WAS FINALIZED IN THIS STATE, OR BOTH.

(III) (A) Access to death certificates of deceased parties. UPON REQUEST OF AN ELIGIBLE PARTY OR A BIRTH PARENT AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), THE STATE REGISTRAR SHALL CONDUCT A SEARCH OF DEATH CERTIFICATES TO DETERMINE WHETHER AN ADOPTEE OR A BIRTH PARENT IS DECEASED. IF THE STATE REGISTRAR FINDS A DEATH CERTIFICATE FOR THE ADULT ADOPTEE OR THE BIRTH PARENT, THEN THE STATE REGISTRAR SHALL PROVIDE A COPY TO

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THE ELIGIBLE PARTY. THE STATE REGISTRAR MAY COLLECT A FEE FOR CONDUCTING A SEARCH AND FOR MAKING A COPY OF THE DEATH CERTIFICATE.

(B) Access to records pertaining to a deceased party. IF AN ELIGIBLE PARTY OR A BIRTH PARENT AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (b) APPLIES TO A CUSTODIAN OF RECORDS FOR ACCESS TO RECORDS ABOUT AN ADULT ADOPTEE OR A BIRTH PARENT AND THE CUSTODIAN OF RECORDS DETERMINES THAT THE PERSON WHOSE RECORDS ARE BEING SOUGHT IS DECEASED OR CAN REASONABLY BE PRESUMED TO BE DECEASED BASED ON THE KNOWN OR ESTIMATED DATE OF BIRTH OF THE SOUGHT PARTY, THE CUSTODIAN OF RECORDS SHALL PROVIDE DIRECT ACCESS TO THE RECORDS FOR INSPECTION AND COPYING BY THE ELIGIBLE PARTY.

(IV) Proof of identification and fees. PRIOR TO RELEASING ANY RECORDS TO ANY ELIGIBLE PARTY ALLOWED TO RECEIVE RECORDS PURSUANT TO THIS SUBSECTION (2), THE CUSTODIAN OF RECORDS MUST REQUIRE THE ELIGIBLE PARTY REQUESTING ACCESS TO PROVIDE PROOF OF IDENTIFICATION. THE CUSTODIAN OF RECORDS MAY CHARGE REASONABLE FEES FOR PROVIDING COPIES OF RECORDS. THE STATE REGISTRAR SHALL TRANSMIT ALL MONEYS COLLECTED PURSUANT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH (b) AND THIS SUBPARAGRAPH (IV) TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE VITAL STATISTICS RECORDS CASH FUND CREATED IN SECTION 25-2-121, C.R.S.

(V) Release of records by child placement agencies and prior written statements of birth parents. NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), THE ADOPTION RECORDS, AS DEFINED IN SECTION 19-1-103 (6.5) (a), IN THE POSSESSION OF A CHILD PLACEMENT AGENCY MAY NOT BE OPEN FOR INSPECTION OR MADE AVAILABLE FOR COPYING WITH RESPECT TO ANY IDENTIFYING INFORMATION CONCERNING A BIRTH PARENT IF THE BIRTH PARENT HAS PREVIOUSLY PROVIDED THE COURT AND THE CHILD PLACEMENT AGENCY, IF APPLICABLE, WITH A SIGNED AND NOTARIZED WRITTEN STATEMENT, WITHIN THREE YEARS AFTER THE FINAL ORDER OF RELINQUISHMENT OR TERMINATION OF THE PARENT-CHILD LEGAL RELATIONSHIP, SPECIFYING THAT SUCH PARENT WISHES THE IDENTIFYING INFORMATION CONCERNING THAT PARENT TO REMAIN CONFIDENTIAL; EXCEPT THAT THE ADOPTION RECORDS IN THE POSSESSION OF A CHILD PLACEMENT AGENCY MAY BE OPEN FOR INSPECTION AND MADE AVAILABLE FOR COPYING WITH RESPECT TO IDENTIFYING INFORMATION CONCERNING A BIRTH PARENT IF A BIRTH PARENT PROVIDES A CONSENT FORM, AS DEFINED IN SECTION 19-1-103 (28.5), TO THE CHILD PLACEMENT AGENCY CONSENTING TO THE RELEASE OF IDENTIFYING INFORMATION AND THE RELEASE OF IDENTIFYING INFORMATION IS CONSISTENT WITH THE PROVISIONS OF SUBSECTION (3) OF THIS SECTION. A WRITTEN STATEMENT SPECIFYING THAT A BIRTH PARENT WISHES THE IDENTIFYING INFORMATION CONCERNING THAT PARENT ON FILE WITH A CHILD PLACEMENT AGENCY TO REMAIN CONFIDENTIAL MUST REMAIN IN THE COURT'S AND THE CHILD PLACEMENT AGENCY'S RELINQUISHMENT OR TERMINATION FILE UNLESS LATER WITHDRAWN BY THE PARENT OR SUPERCEDED BY A CONSENT FORM. A CHILD PLACEMENT AGENCY IS NOT LIABLE TO ANY INDIVIDUAL FOR THE FAILURE OF A BIRTH PARENT TO SUBMIT SUCH A WRITTEN STATEMENT TO THE COURT. IN ADDITION TO SUCH A STATEMENT, THE BIRTH PARENT MAY ALSO SUBMIT TO THE COURT AND TO THE CHILD PLACEMENT AGENCY A LETTER OF EXPLANATION THAT THE COURT AND THE CHILD PLACEMENT AGENCY MUST RELEASE TO THE ADOPTEE AT THE TIME THAT THE ADOPTEE MAKES A REQUEST FOR INSPECTION OF THE ADOPTION RECORDS. THIS SUBPARAGRAPH (V) APPLIES ONLY TO ADOPTION RECORDS IN THE POSSESSION OF CHILD PLACEMENT AGENCIES AND DOES NOT APPLY TO ADOPTION RECORDS IN THE POSSESSION OF THE COURT OR ANY OTHER AGENCY, ENTITY, OR PERSON.

(6) Contact between the parties. SUBJECT TO THE PROVISIONS OF SUBSECTION (2) OF THIS SECTION, ANY PARTY MAY SEEK TO MAKE DIRECT CONTACT WITH ANOTHER PARTY OR TO USE THE SERVICES OF A CONFIDENTIAL INTERMEDIARY AS PROVIDED IN SECTION 19-5-304, A LICENSED CHILD PLACEMENT AGENCY AS PROVIDED IN SUBSECTION (3) OF THIS SECTION, OR THE VOLUNTARY ADOPTION REGISTRY MAINTAINED BY

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THE STATE REGISTRAR AS PROVIDED IN SECTION 25-2-113.5, C.R.S.

SECTION 2. In Colorado Revised Statutes, 19-1-103, **amend** (28.7); and **add** (35.3) as follows:

19-1-103. Definitions - repeal. As used in this title or in the specified portion of this title, unless the context otherwise requires:

(28.7) (a) "Contact preference form" means a written statement signed by a birth parent indicating whether the birth parent prefers future contact with an adult adoptee, an adult descendant of the adoptee, or a legal representative of the adoptee or the descendant and, if contact is preferred, whether the contact should be through a confidential intermediary or a designated employee of a child placement agency.

(b) (I) A contact preference form includes an option for a birth parent to authorize the release of an original birth certificate.

(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JANUARY 1, 2016.

(35.3) (a) "CUSTODIAN OF RECORDS", AS USED IN SECTION 19-5-305 (1.5) AND (2), MEANS ANY OF THE FOLLOWING INDIVIDUALS OR ENTITIES THAT HAVE CUSTODY OF RECORDS RELATING TO THE RELINQUISHMENT OR ADOPTION OF A CHILD:

(I) A COURT;

(II) A STATE AGENCY; OR

(III) THE LEGAL AGENT OR REPRESENTATIVE OF ANY ENTITY DESCRIBED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (a).

(b) "CUSTODIAN OF RECORDS", AS USED IN SECTION 19-5-305 (1.5) AND (2), DOES NOT INCLUDE A LICENSED CHILD PLACEMENT AGENCY.

SECTION 3. In Colorado Revised Statutes, 19-5-103, **amend** (2) (g) as follows:

19-5-103. Relinquishment procedure - petition - hearings.

(2) The counseling specified in paragraph (a) of subsection (1) of this section and provided by the department or the child placement agency shall include, but not be limited to, the following:

(g) The confidentiality of all information, except for nonidentifying information as defined in section 19-1-103 (80) that may be accessed as provided in part 4 of this article, obtained by the department and the child placement agency in the course of relinquishment counseling unless the parent provides written permission or a release of information is ordered by a court of competent jurisdiction and except for a copy of an original birth certificate that may be obtained by an adult adoptee, adult descendant of an adoptee, or a legal representative of the adoptee or descendant as authorized by section 19-5-305. The counseling shall also include notice that a birth parent has the opportunity to file a written statement specifying that the birth parent's information remain confidential, an explanation of the rights and responsibilities of birth parents who disagree about consent as set forth in section 19-5-305, (2); and notice that a birth parent has the opportunity to sign and submit a contact preference form and updated medical history statements to the state registrar as set forth in section 19-5-305 (1.5).

SECTION 4. In Colorado Revised Statutes, **amend** 19-5-301 (1) as follows:

19-5-301. Legislative declaration. (1) The general assembly hereby finds and declares that adult adoptees, adoptive parents, biological parents, and biological siblings should have a ~~qualified~~ right of access to ~~any~~ CERTAIN records regarding their or their child's adoption or the adoption of their offspring or siblings AS OUTLINED IN SECTION 19-5-305 and that such a ~~qualified~~ right must coexist with the right of such parties to privacy and confidentiality. The general assembly also finds that an adult adoptee, his biological or adoptive parent, or his biological sibling may desire to obtain information about each other at different points in time. Furthermore, the general assembly finds that confidentiality FROM THE GENERAL PUBLIC is essential to the adoption process and that any procedure to access information which relates to an adoption TO SEARCH FOR UNKNOWN RELATIVES THROUGH A CONFIDENTIAL INTERMEDIARY OR A LICENSED CHILD PLACEMENT AGENCY must be designed to maintain confidentiality and to respect the wishes of all involved parties.

SECTION 5. In Colorado Revised Statutes, 19-5-304, **repeal** (2) (b) (III) as follows:

19-5-304. Confidential intermediaries - confidential

intermediary services. (2) (b) The court-appointed confidential intermediary shall make a diligent search of the adoption records and post-adoption records in an effort to find the sought-after relative. If the confidential intermediary successfully locates the relative sought, the confidential intermediary shall provide that relative with the opportunity to:

(III) ~~Consent to or refuse to authorize disclosure of the adoption records to the person seeking such access.~~

SECTION 6. Effective date - applicability. This act takes effect July 1, 2014, and applies to requests for access to adoption records on or after said date.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB14-116** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB14-074** be **postponed indefinitely**.

State,
Veterans, &
Military
Affairs

The Committee on State, Veterans, & Military Affairs has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

**MEMBERS OF THE
COLORADO BOARD OF VETERANS AFFAIRS**

effective June 30, 2013, for a term expiring June 30, 2015:

Christopher M. Holden of Colorado Springs, Colorado, a Republican and a veteran who has been honorably released or separated from the Armed Forces of the United States, and occasioned by the resignation of Franklin DB Jackson of Denver, Colorado, appointed;

effective June 30, 2013, for terms expiring June 30, 2017:

Jason Anderson Vitley Crow of Denver, Colorado, a Democrat and a veteran who has been honorably released or separated from the Armed Forces of the United States, reappointed;

Rene Joseph Simard of Highlands Ranch, Colorado, a Republican and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

SENATE SERVICES REPORT

Correctly Printed: SB14-147 and 148.

Correctly Engrossed: SB14-101, 112 and 137.

Correctly Reengrossed: SB14-119, 132 and 138.

Correctly Rerevised: HB14-1004, 1031, 1081, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251 and 1252.

MESSAGE FROM THE HOUSE

February 17, 2014

Madam President:

The House has voted to concur in the Senate amendments to HB14-1078, 1164 and has repassed the bills as so amended.

INTRODUCTION OF BILLS -- FIRST READING

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

- HB14-1060** by Representative(s) Mitsch Bush; also Senator(s) Schwartz--Concerning the authority of a municipality to compensate members of a municipal planning commission.
Local Government
- HB14-1117** by Representative(s) Schafer, Ginal, Landgraf, McCann, Singer, Wright, Fields, Becker, Kraft-Tharp; also Senator(s) Roberts--Concerning the creation of the Colorado premature birth commission.
Health & Human Services
- HB14-1125** by Representative(s) Mitsch Bush; also Senator(s) Balmer--Concerning the circumstances under which a unit owners' association may disclose contact information for members and residents under the "Colorado Common Interest Ownership Act".
Local Government
- HB14-1166** by Representative(s) Vigil; also Senator(s) Tochtrop--Concerning the renewal of concealed handgun permits by Colorado county sheriffs.
State, Veterans, & Military Affairs
- HB14-1169** by Representative(s) Dore and Garcia, Exum, Fields, Landgraf, Navarro, Rankin; also Senator(s) Tochtrop--Concerning the repeal of the volunteer firefighter advisory committee.
Local Government
- HB14-1183** by Representative(s) Fields, Garcia, Becker, Buckner, Court, Duran, Exum, Fischer, Foote, Ginal, Labuda, Lee, May, McLachlan, Melton, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Ryden, Salazar, Schafer, Tyler, Vigil, Williams; also Senator(s) Jones--Concerning the reinstatement of the authority for active military personnel to practice professionally.
Business, Labor, & Technology
- HB14-1190** by Representative(s) Ryden; also Senator(s) King, Guzman--Concerning the factors that are used to determine the financial capacity to provide matching moneys of a school district or board of cooperative services that has applied for financial assistance under the "Building Excellent Schools Today Act".
Education

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

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

SB14-097 by Senator(s) Tochtrop; --Concerning the immunity of public agencies against liability arising from the wildfire mitigation activities of insurance companies.

Laid over until Wednesday, February 19, retaining its place on the calendar.

THIRD READING OF BILLS -- FINAL PASSAGE

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

SB14-126 by Senator(s) King; also Representative(s) Sonnenberg--Concerning the reclassification of the state lottery division as a type 1 agency.

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

| YES | 28 | NO | 7 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | N | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | N | Lundberg | Y | Steadman | N |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | N | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | N | Ulibarri | Y |
| Grantham | Y | Jones | N | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | N |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

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

SB14-101 by Senator(s) Kefalas; also Representative(s) Ginal--Concerning establishment of the unauthorized use of certain veterinary technician titles as a deceptive trade practice under the "Colorado Consumer Protection Act".

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

| YES | 18 | NO | 17 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|----|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | N | Scheffel | N |
| Balmer | N | Herpin | N | Lambert | N | Schwartz | Y |
| Baumgardner | N | Hill | N | Lundberg | N | Steadman | Y |
| Brophy | N | Hodge | Y | Marble | N | Tochtrop | Y |
| Cadman | N | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | N | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | N | Jones | Y | Renfroe | N | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | N | President | Y |
| Harvey | N | Kerr | Y | Roberts | N | | |

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

Co-sponsor(s) added: Hodge and Nicholson.

SB14-112 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Duran and Gerou, May-- Concerning a requirement that all financial assistance awarded from the public school capital construction assistance fund under the "Building Excellent Schools Today Act" be subject to annual appropriation.

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

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

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

Co-sponsor(s) added: Crowder.

SB14-137 by Senator(s) Jahn; also Representative(s) McNulty--Concerning certification of workers' compensation insurance forms.

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

| YES | 34 | NO | 1 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | N | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

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

Co-sponsor(s) added: Kefalas and Newell.

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

GENERAL ORDERS -- SECOND READING OF BILLS

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

SB14-017 by Senator(s) Roberts and Hodge; also Representative(s) Vigil and Coram, Fischer--
Concerning a limitation on the approval of real estate developments that use water rights
decreed for agricultural purposes to irrigate lawn grass.

Laid over until Friday, February 21, retaining its place on the calendar.

SB14-043 by Senator(s) Grantham, Tochtrop; also Representative(s) Priola--Concerning the inclusion
of certain land areas used to grow products that originate above the ground within the
classification of "all other agricultural property" for property tax purposes.

Laid over until Wednesday, February 19, retaining its place on the calendar.

SB14-125 by Senator(s) Jahn and Harvey, Baumgardner, Cadman, Crowder, Grantham, Herpin,
Hodge, Johnston, Lambert, Marble, Newell, Rivera, Steadman, Todd, Zenzinger; also
Representative(s) Pabon and Szabo--Concerning the regulation of transportation network
companies, and, in connection therewith, requiring transportation network companies to
carry liability insurance, conduct background checks on transportation network company
drivers, inspect transportation network company vehicles, and obtain a permit from the
public utilities commission.

Laid over until Friday, February 21, retaining its place on the calendar.

SB14-103 by Senator(s) Guzman; also Representative(s) Fischer--Concerning the phase-out of the
sale of certain low-efficiency plumbing fixtures.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, February 14, page(s) 262 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

| YES | 21 | NO | 14 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|----|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | N | Scheffel | Y |
| Balmer | N | Herpin | N | Lambert | N | Schwartz | Y |
| Baumgardner | N | Hill | N | Lundberg | N | Steadman | Y |
| Brophy | N | Hodge | Y | Marble | N | Tochtrop | Y |
| Cadman | N | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | N | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | N | Jones | Y | Renfroe | N | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | N | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

The Committee of the Whole took the following action:

- Passed on second reading: SB14-103 as amended.
- Laid over until Wednesday, February 19: SB14-043.
- Laid over until Friday, February 21: SB14-017, SB14-125.

CONSIDERATION OF RESOLUTIONS

SJR14-013 by Senator(s) Cadman and Carroll; also Representative(s) DelGrosso and Ferrandino-- Concerning support for Denver's bid to host the 2016 Republican National Convention.

On motion of Minority Leader Cadman, the resolution was read at length and **adopted** by the following roll call vote:

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Crowder, Grantham, Guzman, Harvey, Heath, Herpin, Hill, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Marble, Newell, Nicholson, Renfroe, Rivera, Roberts, Scheffel, Schwartz, Steadman, Tochtrop, Todd, Ulibarri and Zenzinger.

HJR14-1002 by Representative(s) Coram, Mitsch Bush, Sonnenberg; also Senator(s) Schwartz, Brophy, Roberts--Concerning a special exemption from interstate highway weight limits for divisible truck loads carrying forest products.

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

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

Co-sponsor(s) added: Guzman, Heath and Newell.

Majority Leader Heath announced that the confirmations of appointees to the following boards and commissions (Hospital Provider Fee Oversight and Advisory Board, Board of Trustees for Adams State University, State Agricultural Commission, State Board of Stock Inspection Commissioners) would be removed from the Consideration of Governor's Appointments calendar of Tuesday, February 18 and placed on the Consideration of Governor's Appointments--Consent Calendar of Tuesday, February 18.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

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

MEMBERS OF THE
HOSPITAL PROVIDER FEE OVERSIGHT AND ADVISORY BOARD

for terms expiring May 15, 2017:

Dr. Jeremiah A. Bartley of Brighton, Colorado, a member of the health care industry who does not represent a hospital or health insurance carrier, reappointed;

Mirna Ramirez-Castro of Thornton, Colorado, a consumer of health care who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity, appointed;

James E. Shmerling of Denver, Colorado, an employee of a safety-net hospital in Colorado, reappointed.

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

MEMBERS OF THE
BOARD OF TRUSTEES FOR ADAMS STATE UNIVERSITY

effective December 31, 2013, for terms expiring December 31, 2017:

Arnold Salazar of Alamosa, Colorado, a Democrat, to serve as a representative of Alamosa County, reappointed;

Kathleen J. Rogers of Alamosa, Colorado, a Republican, to serve as a representative of Alamosa County, appointed;

Randy Wright of Alamosa, Colorado, a Republican, appointed.

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

MEMBER OF THE
STATE AGRICULTURAL COMMISSION

for a term expiring March 1, 2015:

Segundo S. Diaz of Alamosa, Colorado, to serve as an Unaffiliated and Agricultural District Three member, and occasioned by the resignation of Ernest D. Fort of Center, Colorado, appointed.

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

MEMBER OF THE
STATE BOARD OF
STOCK INSPECTION COMMISSIONERS

for a term expiring May 1, 2017:

Daniel Patrick McCarty of Parachute, Colorado, to represent the non-confinement cattle industry, appointed.

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | Y | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | Y |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | Y | Jones | Y | Renfroe | Y | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | Y |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

MESSAGE FROM THE HOUSE

February 18, 2014

Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1080, amended as printed in House Journal, February 17, page 303.
 HB14-1040, amended as printed in House Journal, February 17, page 303.
 HB14-1174, amended as printed in House Journal, February 17, page 303.
 HB14-1107, amended as printed in House Journal, February 17, pages 303-304.

The House has voted to concur in the Senate amendments to HB14-1031 and has repassed the bill as so amended.

The House has voted to concur in the Senate amendments to HB14-1238, 1243, 1251 and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

February 18, 2014

We herewith transmit:

Without comment, as amended, HB14-1040, 1080, 1107, and 1174.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB14-1164.

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Wednesday, February 19, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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