

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

78th Legislative Day

Wednesday, March 26, 2014

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Prayer	By Senator Kefalas.	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 Zenzinger.	15
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Roll Call	Present--32	17
	Excused--3, King, Scheffel, Ulibarri.	18
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Quorum	The President announced a quorum present.	20
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Reading of Journal	On motion of Senator Marble, reading of the Journal of Tuesday, March 25, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	22
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COMMITTEE OF REFERENCE REPORTS

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Finance	After consideration on the merits, the Committee recommends that HB14-1042 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	35
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Finance	After consideration on the merits, the Committee recommends that HB14-1195 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	37
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Local Government	After consideration on the merits, the Committee recommends that HB14-1221 be referred to the Committee on <u>Finance</u> with favorable recommendation.	40
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SENATE SERVICES REPORT

Correctly Printed: SB14-168 and 169; SJM14-002.
Correctly Revised: HB14-1136 and 1271.
Correctly Rerevised: HB14-1047, 1080, 1193, 1210 and 1274.

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:

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HB14-1136	by Representative(s) Primavera, Holbert; also Senator(s) Todd--Concerning exempting a continuing professional education program that is approved by a state professional licensing board from regulation by the division of private occupational schools in the department of higher education.	61
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The question being "Shall the bill pass?", the roll call was taken with the following result:

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YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Heath	Y	King	E	Scheffel	E
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	E
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: Carroll, Crowder, Heath and Kerr.

HB14-1271 by Representative(s) Melton, Buckner, Fields, Williams; also Senator(s) Newell-- Concerning extending a mental health provider's duty to warn to include specific entities that, if purposefully damaged or attacked as a result of a mental health patient's violent behavior, would jeopardize public health and safety.

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Heath	Y	King	E	Scheffel	E
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	E
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: Aguilar, Carroll, Heath, Jones, Kefalas, Kerr, Nicholson, Rivera, Tochtrop and Todd.

Upon request of Majority Leader Heath, **HB14-1277** was removed from the General Orders--Second Reading of Bills Consent Calendar of Wednesday, March 26 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Wednesday, March 26.

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

HB14-1186 by Representative(s) Schafer; also Senator(s) Aguilar--Concerning the release of medical records to a person other than the patient, and, in connection therewith, setting reasonable fees to be paid for the release of the medical records.

Amendment No. 1, Health & Human Services Committee Amendment.
 (Printed in Senate Journal, March 21, page(s) 536-537 and placed in members' bill files.)

Amendment No. 2(L.008), by Senator Aguilar.

Amend reengrossed bill, page 5, line 27, strike "AND".

Page 6, line 3, strike "PART 8." and substitute "PART 8; AND
 (C) THIS PART 8 DOES NOT APPLY TO CORONERS REQUESTING
 MEDICAL RECORDS PURSUANT TO SECTION 30-10-606, C.R.S.".

Page 6, line 9, after "optometrist," insert "OCCUPATIONAL THERAPIST,".

Page 6, line 13, strike the first "of" and substitute "of".

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

SB14-158 by Senator(s) Steadman and Jones; also Representative(s) Hullinghorst--Concerning the harmonization of statutory recall election provisions with the recall provisions in the state constitution to reflect the manner in which contemporary elections are conducted, and, in connection therewith, aligning circulator regulation and petition requirements with initiative and referendum circulator and petition requirements.

Laid over until Thursday, March 27, retaining its place on the calendar.

HB14-1277 by Representative(s) Melton, Lebsock, Buckner, Exum, Fields, Landgraf, May, Nordberg, Rankin, Ryden; also Senator(s) Todd--Concerning eligibility requirements for recipients of grants from the military family relief fund.

Amendment No. 1(L.001), by Senator Todd.

Amend reengrossed bill, page 3, strike lines 17 through 26 and substitute:

"SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

YES	32	NO	0	EXCUSED	3	ABSENT	0
Aguilar	Y	Heath	Y	King	E	Scheffel	E
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	E
Grantham	Y	Jones	Y	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: HB14-1186 as amended, HB14-1277 as amended.
 Laid over until Thursday, March 27: SB14-158.

RECONSIDERATION OF HB14-1089

HB14-1089 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the qualification for a person to use the 10th mountain division license plate.

Having voted on the prevailing side, Majority Leader Heath moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB 14-1089.

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

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

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

HB14-1089 by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the qualification for a person to use the 10th mountain division license plate.

Laid over until Monday, April 7, retaining its place on the calendar.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB 14-1148, 1182.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 14, 2014

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

Ladies and Gentlemen:

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

**MEMBER OF THE
WASTE TIRE ADVISORY COMMITTEE**

for a term expiring September 9, 2014:

Brian S. Cunningham of Pueblo, Colorado, to serve as a tire retailer, and upon the resignation of Michael "Scott" Skorka of Golden, Colorado, appointed.

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Sincerely,
 (signed)
 John W. Hickenlooper
 Governor
 Rec'd: 3/14/2014
 Cindi L. Markwell, Secretary of the Senate
 Committee on Transportation

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LETTERS OF APPOINTMENT

Appointment A letter of designation and appointment was read and assigned to committee as follows:

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March 21, 2014

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The Honorable Morgan Carroll
 President of the Colorado State Senate
 Colorado State Capitol
 200 East Colfax, Room 346
 Denver, Colorado 80203

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Dear President Carroll:

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On behalf of the Board of Regents of the University of Colorado, I am pleased to forward to you the following appointment to the University of Colorado Hospital Authority Board of Directors:

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From the 7th Congressional District: Raymond Baker, for a term effective April 1, 2014 and continuing until March 31, 2017 (or until her successor is appointed by the Board of Regents. This will be Mr. Baker's first term on the Hospital Authority Board of Directors.

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This appointment was approved by the Board of Regents at the March 21, 2014 special board meeting. A copy of the resolution to this effect and biographical information are attached.

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Per C.R.S. §23-21-503(2), appointments to the Hospital Authority Board of Directors from the congressional districts are subject to the advice and consent of the Senate.

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Please let me know if you have any questions.

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Sincerely,
 (signed)
 Cheryl Espinoza
 Assistant Secretary to the Board of Regents
 Rec'd: 3/24/2014
 Cindi L. Markwell, Secretary of the Senate

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Committee on Health & Human Services

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TRIBUTES

Honoring:

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Elizabeth Vinson Grabois, recipient of the Presidential Award for Excellence in Mathematics and Science Teaching -- By Senator Patrick Steadman.
 Medicare Advantage Programs, Recognition of service to enhance the care Medicare Patients receive -- By Senator Irene Aguilar.
 Ann Williams, Named U.S. Professor of the Year by the Carnegie Foundation and CASE -- By Senator Lucia Guzman.
 The Town of Black Hawk, In recognition of the town of Black Hawk's 150th anniversary -- By Senator Jeanne Nicholson.
 Joe McCloskey, Recognized by the National Independent Automobile Dealers Association -- By Senator Bill Cadman.
 Sons of the American Revolution, On the occasion of the 125th anniversary of their formation -- By Senator Bernie Herpin.

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On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Thursday, March 27, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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