

**SENATE JOURNAL**  
Seventieth General Assembly  
**STATE OF COLORADO**  
First Regular Session

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17th Legislative Day

Friday, January 23, 2015

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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 at 9:00 a.m.	13
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Pledge	By Senator Neville.	15
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Roll Call	Present--33	17
	Excused--2, Johnston, Newell.	18
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Holbert, reading of the Journal of Thursday, January 22, 2015, 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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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that <b>SB15-047</b> 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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Health & Human Services	After consideration on the merits, the Committee recommends that <b>SB15-015</b> be amended as follows, and as so amended, be referred to the Committee on <u>Business, Labor, &amp; Technology</u> with favorable recommendation.	43
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	Amend printed bill, page 2, line 5, strike "disorders" and substitute "disorder".	48
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	Page 4, after line 6 insert:	51
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	"(2) Furthermore, the general assembly acknowledges the added expense and difficulty imposed on carriers and state regulators by requiring carriers to adjust health benefit plans they will be issuing, delivering, or renewing for the 2016 plan year and has therefore determined that this act should apply to plans issued, delivered, or renewed on or after January 1, 2017. However, the general assembly recognizes the vital necessity of ensuring access to and full coverage for the range of treatments needed for children diagnosed with autism spectrum disorder and therefore encourages carriers to provide the coverage required by this act as soon as possible."	53
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	Page 4, lines 8 and 9, strike "(5.5) (a) (I),"	64
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	Page 4, line 9, strike "(IV);" and substitute "(IV) (B);".	66
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Page 5, lines 3 and 4, strike "(1.4) as prescribed by the commissioner by rule." and substitute "(1.4). ~~as prescribed by the commissioner by rule.~~".

Page 5, strike lines 7 through 20 and substitute:

"(5.5) **Biologically based mental illness and mental disorders - rules.** (a) (IV) As used in this subsection (5.5):".

Page 5, line 21, strike "(B) (C)" and substitute "(B)".

Page 5, line 23, strike "and" and substitute "and".

Page 5, line 24, strike "disorder." and substitute "disorder, AND AUTISM SPECTRUM DISORDERS, AS DEFINED IN SUBPARAGRAPH (III) OF PARAGRAPH (a) OF SUBSECTION (1.4) OF THIS SECTION.".

Page 6, line 15, strike "2016;" and substitute "2017;".

Health &  
Human  
Services

After consideration on the merits, the Committee recommends that **SB15-012** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation.

Amend printed bill, page 2, line 9, strike "2015," and substitute "2016,".

Page 3, strike line 4 and substitute:

"(II) (A) EFFECTIVE JANUARY 1, 2017, AND UPON THE STATE DEPARTMENT'S NOTIFICATION TO COUNTIES THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING THE AUTOMATED CHILD SUPPORT ENFORCEMENT SYSTEM AND THE COLORADO BENEFITS MANAGEMENT SYSTEM, ARE CAPABLE OF DIRECTLY AND EFFICIENTLY MANAGING THE DISTRIBUTION PROCESS FOR THE CHILD SUPPORT PASS-THROUGH, A COUNTY SHALL PAY FAMILIES".

Page 3, after line 18 insert:

"(B) THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEYS TO THE STATE DEPARTMENT IN A SEPARATE LINE ITEM TO REIMBURSE THE COUNTIES FOR FIFTY PERCENT OF CHILD SUPPORT COLLECTIONS AND THE FEDERAL GOVERNMENT FOR ITS SHARE OF CHILD SUPPORT COLLECTIONS THAT ARE PASSED THROUGH TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) RECIPIENTS PURSUANT TO THIS SUBPARAGRAPH (II). THE STATE DEPARTMENT SHALL ALLOCATE AND DISTRIBUTE THE MONEYS TO THE COUNTIES. NOTWITHSTANDING THE PROVISIONS OF THIS SUBPARAGRAPH (II) TO THE CONTRARY, IN ANY STATE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY DOES NOT APPROPRIATE AN AMOUNT OF MONEYS EQUAL TO A FULL FISCAL YEAR REIMBURSEMENT TO COUNTIES PURSUANT TO THE PROVISIONS OF THIS SUB-SUBPARAGRAPH (B), A COUNTY IS NOT REQUIRED TO IMPLEMENT THE CHILD SUPPORT PASS THROUGH TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) RECIPIENTS.".

Page 3, line 23, after "(3)," insert "AND EXCEPT AS PROVIDED IN SECTION 26-2-108 (1) (b) (II),".

Page 5, strike line 25 and substitute:

"(b) (I) EXCEPT AS PROVIDED IN SECTION 26-2-108 (1) (b) (II) (B), EFFECTIVE JANUARY 1, 2017, A COUNTY SHALL PAY".

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**SENATE SERVICES REPORT**

**Correctly Printed:** SB15-100 and 101; SJR15-004 and 005.  
**Correctly Reengrossed:** SB15-021.

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

**GENERAL ORDERS -- SECOND READING --  
 CONSENT CALENDAR**

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:

**SB15-041** by Senator(s) Holbert; also Representative(s) Van Winkle--Concerning a requirement that local governments regulate amateur radio communications in accordance with an existing federal preemption established by the federal communications commission.  
 Ordered engrossed and placed on the calendar for third reading and final passage.

**SB15-098** by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Young, Hamner, Rankin--Concerning the codification of certain phrases previously included in appropriation clauses.  
Amendment No. 1, Appropriations Committee Amendment.  
 (Printed in Senate Journal, January 21, page(s) 87 and placed in members' bill files.)  
 As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	E	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	E	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB15-041, SB15-098 as amended.

Committee of the Whole On motion of Senator Roberts, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Roberts 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 bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

**SB15-024** by Senator(s) Sonnenberg and Jahn, Guzman; also Representative(s) Ryden, Nordberg, Primavera--Concerning updates to the local government audit law to maintain consistency with audit standards.

Laid over until Monday, January 26, retaining its place on the calendar.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	E	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	E	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Laid over until Monday, January 26: SB15-024.

**CONSIDERATION OF RESOLUTIONS**

**SJR15-005** by Senator(s) Sonnenberg; also Representative(s) Ryden--Concerning the designation of January 23, 2015, Colorado 4-H Day.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	E	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	E	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Roberts, Scheffel, Scott, Steadman, Todd, Ulibarri and Woods.

Senate in recess. Senate reconvened.

**COMMITTEE OF REFERENCE REPORTS**

Education After consideration on the merits, the Committee recommends that **SB15-051** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Education After consideration on the merits, the Committee recommends that **SB15-062** be postponed indefinitely.

**MESSAGE FROM THE HOUSE**

January 23, 2015

Mr. President:

The House has adopted and returns herewith SJR15-005.

**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**SJR15-006** by Senator(s) Crowder and Woods; also Representative(s) Vigil--Concerning recognition and support for the strategic partnership between the United States of America and the Republic of Azerbaijan.

Laid over until Thursday, January 29, retaining its place on the calendar.

**INTRODUCTION OF BILLS -- FIRST READING**

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

**SB15-102** by Senator(s) Holbert, Johnston, Kerr; also Representative(s) Lee--Concerning the continuation of the securities board, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies. Finance

**SB15-103** by Senator(s) Lundberg; also Representative(s) Becker K.--Concerning continuation of the compliance advisory panel, and, in connection therewith, implementing the recommendations of the department of regulatory agencies as contained in the 2014 sunset report. Health & Human Services

<b>SB15-104</b>	by Senator(s) Holbert, Johnston, Kerr; also Representative(s) Lee--Concerning the continuation of the Colorado division of securities, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies. Finance	1 2 3 4 5 6 7
<b>SB15-105</b>	by Senator(s) Martinez Humenik, Aguilar, Newell; also Representative(s) Primavera--Concerning the continuation of the regulation of respiratory therapists by the director of the division of professions and occupations in the department of regulatory agencies, and, in connection therewith, implementing the recommendations of the department in its sunset review of and report on the profession. Health & Human Services	8 9 10 11 12 13 14 15
<b>SB15-106</b>	by Senator(s) Woods, Balmer, Jahn; also Representative(s) Arndt--Concerning the continuation of the regulatory authority granted under the "Barber and Cosmetologist Act", and, in connection therewith, continuing the cosmetology advisory committee and implementing the other recommendations of the department of regulatory agencies as contained in the 2014 sunset report. Business, Labor, & Technology	16 17 18 19 20 21 22 23
<b>SB15-107</b>	by Senator(s) Heath; --Concerning the classification of independent contractors by the department of labor and employment. Business, Labor, & Technology	24 25 26 27 28
<b>SB15-108</b>	by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Hamner, Young, Rankin--Concerning the direct appropriation of moneys for certain programs in the department of education. Education	29 30 31 32 33 34
<b>SB15-109</b>	by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Young, Hamner, Rankin--Concerning the mandatory reporting of mistreatment against an adult with a disability. Health & Human Services	35 36 37 38 39 40
<b>SB15-110</b>	by Senator(s) Baumgardner, Aguilar, Newell; also Representative(s) Ginal--Concerning the continuation of the regulation by the director of the division of professions and occupations of funeral establishments, and, in connection therewith, implementing the recommendations of the department of regulatory agencies as contained in the 2014 sunset report. Business, Labor, & Technology	41 42 43 44 45 46 47
<b>SB15-111</b>	by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning the continuous appropriation to the department of education of moneys in the educator licensure cash fund. Finance	48 49 50 51 52 53
<b>SB15-112</b>	by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner, Young--Concerning the transfer of moneys from the general fund to the building regulation fund. Finance	54 55 56 57 58 59

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On motion of Majority Leader Scheffel, the Senate adjourned until 10:00 a.m., Monday,  
January 26, 2015.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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