

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

20th Legislative Day Monday, January 26, 2015

- Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Cooke.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Merrifield, reading of the Journal of Friday, January 23, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed:SB15-102, 103, 104, 105, 106, 107, 108, 109, 110, 111 and 112.
Correctly Engrossed:SB15-041 and 098; SJR15-005.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB15-113 by Senator(s) Aguilar; also Representative(s) Esgar--Concerning the continuation of the regulation of athletic trainers by the department of regulatory agencies, and, in connection therewith, implementing the recommendations of the 2014 sunset report issued by the department of regulatory agencies, which include repealing the "Athletic Trainer Practice Act" and restoring the exemption in the "Medical Practice Act" for qualified athletic trainers to provide athletic training services.
Business, Labor, & Technology
- SB15-114 by Senator(s) Crowder; --Concerning restrictions on the ability of a county government to exercise its eminent domain powers for the acquisition of open space.
Local Government
- SB15-115 by Senator(s) Hill, Holbert; also Representative(s) Pabon--Concerning the sunset review of the medical marijuana programs.
Finance
- SB15-116 by Senator(s) Steadman; also Representative(s) Garnett--Concerning needle-stick prevention.
Judiciary

SB15-117	by Senator(s) Lambert, Woods, Cooke, Cadman, Baumgardner, Crowder, Grantham, Hill, Holbert, Lundberg, Marble, Neville T., Roberts, Scheffel; also Representative(s) Joshi, Saine, Humphrey, Rankin, Klingenschmitt, Lundeen, Buck, Neville P.--Concerning prohibiting discrimination in public financing of institutions of higher education. Education	1 2 3 4 5 6 7
SB15-118	by Senator(s) Merrifield, Johnston, Todd, Aguilar, Carroll, Garcia, Guzman, Heath, Kerr, Ulibarri; --Concerning the state income tax deductions for contributions to and distributions of investment earnings from the qualified state tuition program established by collegeinvest. Finance	8 9 10 11 12 13 14
SB15-119	by Senator(s) Sonnenberg, Baumgardner; also Representative(s) Becker K.--Concerning continuation of the regulation of pesticide applicators by the department of agriculture, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies. Agriculture, Natural Resources, & Energy	15 16 17 18 19 20 21
SB15-120	by Senator(s) Jones; also Representative(s) Winter--Concerning a requirement that each provider of retail electric service in Colorado develop an electric grid modernization plan. Agriculture, Natural Resources, & Energy	22 23 24 25 26
SB15-121	by Senator(s) Crowder; --Concerning the eligibility for financing provided by the Colorado water resources and power development authority of a public water system that is not owned by a governmental agency. Agriculture, Natural Resources, & Energy	27 28 29 30 31 32
SB15-122	by Senator(s) Newell, Aguilar; also Representative(s) Moreno--Concerning the continuation of the regulation of massage parlors, and, in connection therewith, repealing the regulation of massage parlors. Business, Labor, & Technology	33 34 35 36 37 38
SB15-123	by Senator(s) Crowder; also Representative(s) Primavera--Concerning the ability of a person eligible for prescription drug benefits under a health benefit plan to choose the pharmacy at which to fill a prescription drug order for certain medications. Health & Human Services	39 40 41 42 43 44
SB15-124	by Senator(s) Merrifield; also Representative(s) Lee--Concerning the use of evidence-based practices in response to technical violations of parole. Judiciary	45 46 47 48 49
SB15-125	by Senator(s) Steadman; --Concerning a statewide registry of advance directives. State, Veterans, & Military Affairs	50 51 52 53
SB15-126	by Senator(s) Cooke and Johnston; --Concerning medical tests for victims of crimes of assault. Judiciary	54 55 56 57 58

**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:

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. The question being "Shall the bill pass?", the roll call was taken with the following result:	67 68 69 70 71 72
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YES	35	NO	0	EXCUSED	0	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	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	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: Cooke, Crowder, Grantham, Scheffel, Scott and Woods.

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.

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	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	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

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

**GENERAL ORDERS -- SECOND READING OF BILLS --
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:

SB15-053 by Senator(s) Aguilar; also Representative(s) McCann and Lontine--Concerning the ability to furnish a supply of emergency drugs for purposes of treating individuals who may experience an opiate-related drug overdose event.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 22, page(s) 91 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 Baumgardner, the report of the Committee of the Whole was adopted on the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB15-053 as amended.

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

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.

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

SB15-052
by Senator(s) Crowder; --Concerning the approval of benefits for employees of the Colorado health benefit exchange by the legislative health benefit exchange implementation review committee.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 22, page(s) 91 and placed in members' bill files.)

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

SB15-019
by Senator(s) Sonnenberg and Jahn; also Representative(s) Nordberg--Concerning the authority of the state auditor to conduct a performance audit of the Colorado health benefit exchange.

Amendment No. 1, Health & Human Services Committee Amendment.
(Printed in Senate Journal, January 22, page(s) 92 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 Baumgardner, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB15-024, SB15-052 as amended, SB15-019 as amended.

MESSAGE FROM THE HOUSE

January 26, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1010, 1028, 1071.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1055, amended as printed in House Journal, January 23, 2015.
HB15-1039, amended as printed in House Journal, January 23, 2015.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Tuesday, January 27, 2015.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate