

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

21st Legislative Day Tuesday, January 27, 2015

Prayer By the chaplain, Dan File, Capitol Commission, Lake City.

Call to Order By the President at 9:00 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 Monday, January 26, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Judiciary After consideration on the merits, the Committee recommends that SB15-004 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 3, line 9, strike "(1)" and substitute "(1) and (3)".

Page 3, line 11, after "(1)" insert "(a)".

Page 3, lines 13 through 15, strike "AND FOR A CHILD IN A PROCEEDING PURSUANT TO THE "SCHOOL ATTENDANCE LAW OF 1963", PART 1 OF ARTICLE 33 OF TITLE 22, C.R.S.,".

Page 3, after line 19 insert:

"(b) A JUDGE OR MAGISTRATE MAY APPOINT A CASA VOLUNTEER IN ANY ACTION BROUGHT IN A PROCEEDING PURSUANT TO THE "SCHOOL ATTENDANCE LAW OF 1963", PART 1 OF ARTICLE 33 OF TITLE 22, C.R.S., PROVIDED THAT AT LEAST ONE PARENT OR LEGAL GUARDIAN OF THE CHILD INVOLVED IS PROVIDED WITH NOTICE AND SUBSEQUENTLY PROVIDES THE COURT WITH WRITTEN CONSENT OF THE APPOINTMENT OF A CASA VOLUNTEER.

(3) The CASA volunteer's appointment shall conclude CONCLUDES:

(a) When the court's jurisdiction over the child terminates; or

(b) Upon discharge by the court on its own motion or at the request of the program director of the CASA program to which the CASA volunteer is assigned; OR

(c) AT ANY TIME WHEN A PARENT OR LEGAL GUARDIAN WITHDRAWS HIS OR HER CONSENT THAT WAS PROVIDED PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION."

Judiciary After consideration on the merits, the Committee recommends that SB15-007 be referred to the Committee on Appropriations with favorable recommendation.

Judiciary	After consideration on the merits, the Committee recommends that SB15-013 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1 2 3 4 5
Judiciary	After consideration on the merits, the Committee recommends that SB15-043 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.	6 7 8 9 10
	Amend printed bill, page 2, line 9, strike "CONTRACT" and substitute "INDEPENDENT CONTRACTORS AND NOT".	11 12 13 14
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB15-094 be postponed indefinitely.	15 16 17 18 19
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB15-038 be postponed indefinitely.	20 21 22 23 24 25
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB15-057 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.	26 27 28 29 30
	Amend printed bill, page 2, strike line 15 and substitute "BUSINESS AFFAIRS AND LABOR".	31 32 33 34 35
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB15-034 be postponed indefinitely.	36 37 38 39
Education	The Committee on <u>Education</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	40 41 42 43 44
	MEMBERS OF THE BOARD OF TRUSTEES FOR COLORADO MESA UNIVERSITY	45 46 47 48
	for terms expiring December 31, 2018:	49
	Honorable Jose D.L. Marquez of Englewood, Colorado, a Democrat, reappointed;	50 51 52
	Kathleen S. Eck of Edwards, Colorado, a Republican, reappointed.	53 54 55
	<hr/>	56 57
	SENATE SERVICES REPORT	58 59
	Correctly Printed: SB15-113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125 and 126.	60 61
	Correctly Engrossed: SB15-019, 024, 052 and 053.	62
	Correctly Reengrossed: SB15-041 and 098.	63
	Correctly Enrolled: SJR15-005.	64 65 66 67 68 69

MESSAGE FROM THE REVISOR OF STATUTES

January 26, 2015

We herewith transmit:

Without comment, HB15-1010, 1028, and 1071.
Without comment, as amended, HB15-1039 and 1055.

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:

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.

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**.

Co-sponsor(s) added: Crowder, Guzman, Heath, Jahn, Johnston, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Steadman, Todd and Ulibarri.

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:

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.

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

YES	29	NO	6	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	N	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	N	Jahn	Y	Merrifield	Y	Ulibarri	N
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	N	Kefalas	Y	Roberts	N		

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

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

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	N	Guzman	N	Kerr	N	Scheffel	Y
Balmer	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	Y	Ulibarri	N
Donovan	Y	Johnston	N	Neville T.	Y	Woods	Y
Garcia	N	Jones	Y	Newell	N	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: Balmer, Baumgardner, Cadman, Cooke, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville T., Roberts, Scheffel, Scott, Sonnenberg and Woods.

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.

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**.

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

RECONSIDERATION OF SB15-024

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.

Having voted on the prevailing side, Majority Leader Scheffel moved for reconsideration of the last Senate action, Third Reading of Bills -- Final Passage, on SB15-024.

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:

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.

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

YES	30	NO	5	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	N	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Ulibarri	N
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	N	Kefalas	Y	Roberts	N		

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 Marble, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Marble 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:

SB15-047 by Senator(s) Steadman, Guzman, Johnston; also Representative(s) McCann, Foote, Kagan--Concerning notification to legislators about the adoption of executive branch agency rules that implement newly enacted legislation.

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

SB15-051 by Senator(s) Todd; also Representative(s) Priola--Concerning legal recourse for a student who is sanctioned or found ineligible to participate in an extracurricular activity.

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 Marble, 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: SB15-047, SB15-051.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR15-005.

MESSAGE FROM THE HOUSE

January 27, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1021.

MESSAGE FROM THE REVISOR OF STATUTES

January 27, 2015

We herewith transmit:

Without comment, HB15-1021.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Wednesday,
January 28, 2015.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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