

SENATE JOURNAL
 Seventieth General Assembly
STATE OF COLORADO
 Second Regular Session

92nd Legislative Day Wednesday, April 13, 2016

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Prayer	By the chaplain, Pastor Vern Rempel, Beloved Community Mennonite Church, Littleton.	11
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Call to Order	By the President at 9:00 a.m.	13
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Roll Call	Present--33	16
	Excused--2, Baumgardner, Hill.	17
	Present later--1, Hill.	18
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Quorum	The President announced a quorum present.	20
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Presentation of Colors	By the Adams County Sheriff's Office Honor Guard, accompanied by piper Tim Lambert, playing "Amazing Grace":	22
	Jason Humphrey;	23
	Ian Austin;	24
	Skylar VonFeldt;	25
	Marcellino Ortiz.	26
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Pledge	By Senator Cooke.	29
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Reading of Journal	On motion of Senator Merrifield, reading of the Journal of Tuesday, April 12, 2016, was dispensed with, and the Journal was approved as corrected by the Secretary.	31
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COMMITTEE OF REFERENCE REPORTS

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Finance	The Committee on <u>Finance</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:	39
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MEMBER OF THE
 COLORADO LOTTERY COMMISSION

for a term expiring July 1, 2016:

Stella Peterson of Arvada, Colorado, to serve as a member of the public and as a Democrat and occasioned by the resignation of Frances Ann Koncilja of Littleton, Colorado, appointed.

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Finance	After consideration on the merits, the Committee recommends that SB16-035 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	50
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Amend the State, Veterans, & Military Affairs Committee Report, dated March 28, 2016, page 1, line 19, before "PROFESSIONAL" insert "DIVERSITY IN PARTY AFFILIATION AND".

Page 2 of the report, strike lines 36 through 38 and substitute:

"(III) RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING THE DISTRIBUTION OF INCOME AND INTEREST DESCRIBED IN SECTION 22-41-102 (3) (f) (IV) AND (3) (g) (IV).".

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Page 4 of the report, line 22, strike "IN".

Page 4 of the report, strike lines 23 and 24 and substitute "BY THE GENERAL ASSEMBLY, SUBJECT TO THE RECOMMENDATIONS OF THE PUBLIC SCHOOL FUND INVESTMENT BOARD DESCRIBED IN SECTION 22-41-102.5 (4) (a) (III).".

Page 5 of the report, line 11, strike "IN".

Page 5 of the report, strike lines 12 and 13 and substitute "BY THE GENERAL ASSEMBLY, SUBJECT TO THE RECOMMENDATIONS OF THE PUBLIC SCHOOL FUND INVESTMENT BOARD DESCRIBED IN SECTION 22-41-102.5 (4) (a) (III).".

SENATE SERVICES REPORT

Correctly Printed: SB16-185, 187, 188, and 189; SCR16-006.

Correctly Engrossed: SJR16-031.

Correctly Reengrossed: SB16-113.

Correctly Revised: HB16-1379; HJR16-1016 and 1017.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR16-030 by Senator(s) Cadman and Newell, Cooke; also Representative(s) Sias--Concerning declaring the week of May 15-21, 2016, as Police Week, and, in connection therewith, declaring May 15, 2016, as Peace Officers' Memorial Day.

On motion of Senator Cadman, the resolution was read at length.

Amendment No. 1(L.001), by Senators Cadman, Cooke, and Newell.

Amend printed joint resolution, page 2, line 9, strike "333" and substitute "336".

Page 11, line 10, strike "and".

Page 11, line 13, strike "S.O." and substitute "S.O.; and".

Page 11, after line 13 insert:

"In 2016: Travis Russell of the Las Animas County S.O., Nate Carrigan of the Park County S.O., and Derek Geer of the Mesa County S.O.".

The amendment was **passed** on the following roll call vote:

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

On motion of President Cadman, the resolution, as amended, was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

Twenty-one
Gun Salute

Weld County Sheriff's Office Honor Guard, accompanied by Carla Tatum playing "Taps":
 Aaron McConnaughey;
 Jon Patton;
 Tom Miller;
 Shane Jones;
 Mauricio Gonzalez;
 Guery Martinez-Demorizi;
 Dana Oakes;
 Mike Villegas.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

Upon request of Majority Leader Scheffel, **HB16-1379** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Wednesday, April 13 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Wednesday, April 13.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for expressions of personal privilege.

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

THIRD READING OF BILLS -- FINAL PASSAGE

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

HB16-1379 by Representative(s) Kraft-Tharp; also Senator(s) Martinez Humenik--Concerning the criteria under which the state board of psychologist examiners may award professional development credit for specific activities currently included in the continuing professional development program for licensed psychologists.

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

YES	30	NO	4	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

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

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

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 act as Chair.

GENERAL ORDERS -- SECOND READING OF BILLS

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

- SB16-150** by Senator(s) Steadman; also Representative(s) Esgar--Concerning marriages by individuals who are parties to a civil union, and, in connection therewith, prohibiting marriages in circumstances in which one of the parties is already in a civil union with another individual, addressing the legal effect of parties to a civil union marrying each other, clarifying the dissolution process when parties to a civil union marry, and amending the bigamy statute to include parties to a civil union. 1
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Laid over until Wednesday, April 20, retaining its place on the calendar. 8
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- SB16-142** by Senator(s) Scott; also Representative(s) Ryden--Concerning modernization of election law provisions, and, in connection therewith, correcting statutory citations, updating terms and procedures to reflect modern elections administration, conforming state law to federal law, eliminating redundancies and obsolete references and practices, and harmonizing durational residency requirements for certain local government elections. 11
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(Amended in General Orders as printed in Senate journal, April 12, page(s) 698.) 17
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As amended, ordered engrossed and placed on the calendar for third reading and final passage. 19
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- SB16-169** by Senator(s) Martinez Humenik and Cooke; also Representative(s) Kraft-Tharp and Landgraf--Concerning changes related to the seventy-two-hour emergency mental health procedure. 23
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(Amended in general orders as printed in Senate journal, April 11, page(s) 684.) 27
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Amendment No. 1(L.016), by Senator Aguilar. 29
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Amend printed bill, page 6, line 9, strike "~~no other~~ ANOTHER" and substitute "no other". 31
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Page 6, line 10, strike "and" and substitute "~~and~~ OR". 34
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Page 6, line 11, strike "NOT". 36
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Amendment No. 2(L.020), by Senator Aguilar. 39
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Amend printed bill, page 8, line 13, after "(4)" insert "(a)". 41
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Page 8, line 15, strike "AN" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (4), AN". 43
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Page 8, line 17, strike "SECTION, OR THAT" and substitute "SECTION". 46
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Page 8, strike lines 18 and 19. 48
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Page 8, line 20, strike "THIS SECTION,". 50
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Page 1 of the Judiciary Committee Report, dated March 30, 2016, strike lines 10 and 11 and substitute: 52
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"Page 8, line 25, strike "SCREENING OR" and substitute "STABILIZATION.". 55
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Page 8, strike line 26 and substitute: 57
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"(b) AN EMERGENCY MEDICAL SERVICES FACILITY OR DESIGNATED FACILITY THAT ASSUMES EMERGENCY CUSTODY OF A PERSON AFTER A TRANSFER FROM A LAW ENFORCEMENT FACILITY PURSUANT TO SUBSECTION (2) OF THIS SECTION MUST INCLUDE THE TIME THE PERSON WAS HELD IN THE LAW ENFORCEMENT FACILITY AS PART OF THE SEVENTY-TWO-HOUR PERIOD ALLOWED PURSUANT TO THIS SECTION. THE SEVENTY-TWO-HOUR PERIOD ALSO EXCLUDES SATURDAYS, SUNDAYS, AND HOLIDAYS IF EVALUATION AND TREATMENT SERVICES ARE NOT AVAILABLE ON THOSE DAYS, AND ANY TIME REQUIRED FOR 60
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NON-PSYCHIATRIC MEDICAL STABILIZATION. THE EMERGENCY MEDICAL SERVICES FACILITY MAY INITIATE A SEVENTY-TWO-HOUR HOLD IF MEDICALLY NECESSARY.

(c) A PERSON WHO IS PROVIDED SERVICES UNDER THE".".

As amended, laid over until Thursday, April 14, 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	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Tate	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	Y
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

The Committee of the Whole took the following action:

- Passed on second reading: SB16-142 as amended.
- Laid over until Thursday, April 14: SB16-169 as amended.
- Laid over until Wednesday, April 20: SB16-150.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Wednesday, April 13 was laid over until Thursday, April 14, retaining its place on the calendar.

- Consideration of Resolutions: HJR16-1013.
- Consideration of Governor's Appointments: Members of the Board of Governors of the Colorado State University System.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR16-033 by Senator(s) Martinez Humenik and Kefalas; also Representative(s) Brown and Ginal-- Concerning the designation of August 2016 as "Spinal Muscular Atrophy Awareness Month" in Colorado.

Laid over one day under Senate Rule 30(b).

TRIBUTES

Honoring:

The Aguilar Family -- By President Bill L. Cadman.

Liberty Common High School Seniors -- By Senator Owen Hill, Senator John Kefalas,
and Representative Paul Lundeen.

Jim and Jeanne Pagano -- By Senator Leroy Garcia.

Lori Ann Moriarty -- By Senator Linda Newell.

On motion of Assistant Majority Leader Lundberg, the Senate adjourned until 9:00 a.m.,
Thursday, April 14, 2016.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Effie Ameen
Secretary of the Senate

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