

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

48th Legislative Day

Monday, February 24, 2014

Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.	11
Call to Order	By the President <i>pro tem</i> at 10:00 a.m.	13
Pledge	By Senator Ulibarri.	16
Roll Call	Present--35	18
Quorum	The President announced a quorum present.	20
Reading of Journal	On motion of Senator Crowder, reading of the Journal of Friday, February 21, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	22

SENATE SERVICES REPORT

Correctly Printed: SJR14-016.
Correctly Engrossed: SB14-017, 018 and 110.
Correctly Revised: HB14-1010, 1018, 1056, 1074 and 1111.
Correctly Rerevised: HB14-1035, 1086 and 1146.

MESSAGE FROM THE REVISOR OF STATUTES

February 21, 2014

We herewith transmit:

Without comment, HB14-1208 and 1229.
Without comment, as amended, HB14-1224.
Without comment, as amended, SB14-047.

**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:

HB14-1074 by Representative(s) Court and DelGrosso; also Senator(s) Johnston--Concerning payments that a nonprofit owner of a tax-exempt property may receive for reasonable expenses incurred without affecting the tax-exempt status of the property.

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
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	Y
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: Kefalas.

HB14-1018 by Representative(s) Hamner; also Senator(s) Steadman--Concerning the requirement that the department of revenue prepare a tax profile and expenditure report every two years.

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	Heath	Y	King	Y	Scheffel	Y
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	Y
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: Kefalas.

HB14-1056 by Representative(s) Holbert; also Senator(s) Tochtrop--Concerning clarification of the statutes relating to the registration of collector's item motor vehicles to specify that certain special emission inspection requirements for collector's item motor vehicles registered prior to the enactment of House Bill 13-1071 continue to apply to those vehicles until they are transferred.

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	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	Y	Lundberg	N	Steadman	Y
Brophy	Y	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	Y	Jones	Y	Renfroe	N	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: Harvey, Kerr, Newell, Scheffel and Todd.

HB14-1111 by Representative(s) Foote; also Senator(s) Jones--Concerning the authority for a municipal volunteer firefighter department retiree to serve on a municipal volunteer firefighter pension board.

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	Heath	Y	King	Y	Scheffel	Y
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	Y
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: Guzman, Heath, Johnston, Kerr, Newell, Nicholson, Schwartz, Tochtrop, Todd and Zenzinger.

HB14-1010 by Representative(s) Hamner; also Senator(s) Rivera--Concerning corrections to statutory provisions relating to the prescribed burning program administered by the division of fire prevention and control in the department of public safety.

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	Heath	Y	King	Y	Scheffel	Y
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	Y
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: Guzman, Heath, Jones, Kefalas, King, Newell, Nicholson, Roberts, Schwartz and Todd.

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:

SB14-110 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) Gerou, Duran, May-- Concerning the general assembly's development of recommendations regarding new methods of financing the state's ongoing capital construction needs.

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	Heath	Y	King	Y	Scheffel	Y
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	Y
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: Crowder.

SB14-017 by Senator(s) Roberts and Hodge; also Representative(s) Vigil and Coram, Fischer-- Concerning a limitation on the approval of real estate developments that use water rights decreed for agricultural purposes to irrigate lawn grass.

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	Y	Heath	Y	King	Y	Scheffel	N
Balmer	N	Herpin	N	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	N	Steadman	Y
Brophy	Y	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	N	Jones	Y	Renfroe	N	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	N	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, Guzman, Johnston, Kefalas, Nicholson, Schwartz and Ulibarri.

SB14-018 by Senator(s) Nicholson and Jones; also Representative(s) Hamner and Young--Concerning the prohibition against furnishing nicotine products to persons under eighteen years of age.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	N	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	N	Steadman	Y
Brophy	N	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	N	Jones	Y	Renfroe	N	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	N	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, Newell, Schwartz, Steadman, Todd and Ulibarri.

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

HB14-1059 by Representative(s) Garcia; also Senator(s) Crowder--Concerning clarifying that the ritual discharge of blank ammunition cartridges at a military funeral does not constitute the criminal offense of disorderly conduct.

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

HB14-1079 by Representative(s) Lee; also Senator(s) Zenzinger--Concerning an increase in the monetary amount allowed for the limited offering registration procedure under the "Colorado Securities Act".

Ordered revised 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 Jones, 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	Heath	Y	King	Y	Scheffel	Y
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	Y
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: HB14-1059, HB14-1079.

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

HB14-1073 by Representative(s) Pabon; also Senator(s) Rivera--Concerning the recording of legal documents.

Laid over until Friday, February 28, retaining its place on the calendar.

HB14-1024 by Representative(s) Murray; also Senator(s) Schwartz--Concerning the designation of the claret cup cactus as the state cactus.

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 Jones, 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	Heath	Y	King	Y	Scheffel	Y
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	Y
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: HB14-1024.
Laid over until Friday, February 28: HB14-1073.

Majority Leader Heath announced that the confirmations of appointees to the following boards and commissions (State Personnel Board, State Plumbing Board, State Electrical Board) would be removed from the Consideration of Governor's Appointments calendar of Monday, February 24 and placed on the Consideration of Governor's Appointments--Consent Calendar of Monday, February 24.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Heath, the following Governor's appointments were confirmed by the following roll call votes:

MEMBER OF THE
STATE PERSONNEL BOARD

for a term expiring June 30, 2018:

Neil Peck of Denver, Colorado, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
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	Y
Grantham	Y	Jones	Y	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

MEMBERS OF THE
STATE PLUMBING BOARD

effective July 1, 2013, for a term expiring July 1, 2015:

Robin A. Vidimos of Centennial, Colorado, an Unaffiliated member of the public at large, reappointed;

effective July 1, 2013, for terms expiring July 1, 2017:

Janice K. Snidow of Thornton, Colorado, a Democrat and a journeyman plumber, reappointed;

James Vernon of Fountain, Colorado, a Republican, and member or employee of a local government agency conducting plumbing inspections, reappointed;

for a term expiring July 1, 2017:

Matthew Ray Wagy of Greeley, Colorado, a Republican and a master plumber, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
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	Y
Grantham	Y	Jones	Y	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

MEMBERS OF THE
STATE ELECTRICAL BOARD

for terms expiring July 1, 2016:

Michael Allen Miller of Centennial, Colorado, to serve as an electrical contractor who has a master's license, appointed; and

David Roderick Olson of Niwot, Colorado, a member of the public at large, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
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	Y
Grantham	Y	Jones	Y	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB14-1004, 1031, 1081; HJR14-1002.

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Tuesday, February 25, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26