

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

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30th Legislative Day

Thursday, February 6, 2014

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Prayer	By Senator Guzman.	11
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Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	13
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Pledge	By Senator Marble.	15
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Roll Call	Present--31	17
	Excused--4, Baumgardner, Brophy, Renfroe, Schwartz.	18
	Present later--4, Baumgardner, Brophy, Renfroe, Schwartz.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Zenzinger, reading of the Journal of Wednesday, February 5, 2014, 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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Trans- portation	After consideration on the merits, the Committee recommends that <b>SB14-075</b> be <b>amended</b> as follows, and as so amended, be referred to the Committee on <u>Finance</u> with favorable recommendation.	32
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	Amend printed bill, page 7, lines 2 and 3, strike "CLASS C PERSONAL PROPERTY" and substitute "MOTOR VEHICLE".	36
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	Page 7, lines 10 and 11, strike "CLASS C PERSONAL PROPERTY" and substitute "MOTOR VEHICLE".	39
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Trans- portation	After consideration on the merits, the Committee recommends that <b>HB14-1027</b> be <b>referred</b> to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	43
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Local Government	After consideration on the merits, the Committee recommends that <b>HB14-1020</b> be <b>referred</b> to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	48
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Health & Human Services	After consideration on the merits, the Committee recommends that <b>SB14-095</b> be <b>referred</b> to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	53
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Judiciary	After consideration on the merits, the Committee recommends that <b>SB14-127</b> be <b>amended</b> as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	58
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	Amend printed bill, page 6, line 25, strike "TWENTY" and substitute "TWENTY-ONE".	63
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	Page 7, strike lines 13 through 15 and substitute:	66
	"(E) TWO MEMBERS SELECTED BY THE COLORADO STATE FIRE	67

CHIEFS' ASSOCIATION, ONE OF WHOM REPRESENTS A METROPOLITAN FIRE DEPARTMENT AND THE OTHER OF WHOM REPRESENTS A RURAL FIRE DEPARTMENT; AND".

Judiciary

After consideration on the merits, the Committee recommends that **HB14-1050** be referred to the Committee on Appropriations with favorable recommendation.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE COLORADO HOUSING AND FINANCE AUTHORITY BOARD OF DIRECTORS

for a term expiring July 1, 2017:

James M. Hahn of Englewood, Colorado, to serve as a person experienced in mortgage banking transactions, reappointed.

Business, Labor, & Technology

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

MEMBERS OF THE BOARD OF ASSESSMENT APPEALS

for terms expiring July 1, 2014:

Ann Louesa Maricle of Denver, Colorado, reappointed; and

Gregg A. Near of Lakewood, Colorado, reappointed.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **HB14-1164** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 8 through 15.

Renumber succeeding sections accordingly.

Page 7, line 8, after "THAT" insert "NOTHING PROHIBITS".

Page 7, strike lines 9 through 11 and substitute "GOVERNMENT FROM UTILIZING ANY REQUIREMENTS AND PROCEDURES OF THE "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF THIS TITLE, IN ACCORDANCE WITH SECTION 1-13.5-106.".

Page 50, after line 15 insert:

**"1-13.5-618. Covered voters to receive mail ballots.** NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE CONTRARY, THE DESIGNATED ELECTION OFFICIAL OF A LOCAL GOVERNMENT SHALL MAIL A BALLOT TO EVERY ELIGIBLE ELECTOR OF THE LOCAL GOVERNMENT WHO IS A COVERED VOTER, AS THAT TERM IS DEFINED IN SECTION 1-8.3-102, FOR ANY ELECTION CONDUCTED UNDER THIS ARTICLE."

Page 77, line 19, strike "13.5".

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Page 77, line 21, after "EVERY" insert "ELIGIBLE ELECTOR OF THE LOCAL GOVERNMENT WHO IS A".

Page 104, line 18, after "person" insert "IS A RESIDENT OF THE MUNICIPAL PRECINCT AND".

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB14-113** be **postponed indefinitely**.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB14-096** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State, Veterans, & Military Affairs

After consideration on the merits, the Committee recommends that **SB14-068** be **postponed indefinitely**.

Education

After consideration on the merits, the Committee recommends that **HB14-1078** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike lines 11 through 19.

Page 3, strike lines 1 through 5.

Renumber succeeding section accordingly.

Page 1, strike lines 105 through 107 and substitute "ACCREDITATION STATUTES."

Finance

The Committee on Finance has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

**MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS**

for a term expiring July 10, 2017:

Susan G. Murphy of Denver, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as a Democrat, reappointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB14-029** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 4, after line 2 insert:

"(3) "CURBSIDE SERVICE" MEANS A WASTE COLLECTION, RECYCLING, AND DISPOSAL SERVICE THAT PROVIDES PICKUP OF COVERED ARCHITECTURAL PAINT FROM RESIDENCES, INCLUDING SINGLE- AND MULTI-FAMILY DWELLING UNITS, AND SMALL BUSINESSES IN QUANTITIES THAT A RESIDENCE OR SMALL BUSINESS WOULD REASONABLY

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GENERATE."

Renumber succeeding subsections accordingly.

Page 8, after line 5 insert:

"(d) NOTWITHSTANDING THE REQUIREMENTS OF SUBPARAGRAPHS (I) AND (II) OF PARAGRAPH (c) OF THIS SUBSECTION (2), THE PLAN MAY, IN LIEU OF PROVIDING COLLECTION SITES FOR A SPECIFIED GEOGRAPHIC AREA OR POPULATION, IDENTIFY AN AVAILABLE CURBSIDE SERVICE THAT PROVIDES ACCESS TO RESIDENTS THAT IS AT LEAST AS CONVENIENT AND EQUITABLY ACCESSIBLE AS A COLLECTION SITE.

(e) DESCRIBE HOW THE PAINT STEWARDSHIP PROGRAM WILL INCORPORATE AND FAIRLY COMPENSATE SERVICE PROVIDERS FOR ACTIVITIES THAT MAY INCLUDE:

(I) FOR SERVICES SUCH AS PERMANENT COLLECTION SITES, COLLECTION EVENTS, OR CURBSIDE SERVICES, THE COVERAGE OF COSTS FOR COLLECTING POSTCONSUMER ARCHITECTURAL PAINT AND ARCHITECTURAL PAINT CONTAINERS;

(II) THE REUSE OR PROCESSING OF POSTCONSUMER ARCHITECTURAL PAINT AT A PERMANENT COLLECTION SITE; AND

(III) THE TRANSPORTATION, RECYCLING, AND PROPER DISPOSAL OF POSTCONSUMER ARCHITECTURAL PAINT;"

Reletter succeeding paragraphs accordingly.

Page 10, line 12, strike "(h)" and substitute "(j)".

Page 10, line 17, strike "(h)" and substitute "(j)".

Page 13, line 17, strike "(g):" and substitute "(i):".

Page 13, line 20, strike "(g)" and substitute "(i)".

Page 14, line 2, strike "(d)." and substitute "(f)".

Page 14, line 20, strike "(g)," and substitute "(i)".

Page 15, line 22, strike "(h)," and substitute "(j)".

**SENATE SERVICES REPORT**

**Correctly Printed:** SJR14-007.  
**Correctly Engrossed:** SB14-039 and 058.

**MESSAGE FROM THE HOUSE**

February 5, 2014

Madam President:

The House has voted to concur in the Senate amendments to HJR14-1004 and has repassed the resolution as so amended.

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**INTRODUCTION OF BILLS -- FIRST READING**

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

- SB14-141** by Senator(s) Grantham and Lundberg, Balmer, Baumgardner, Brophy, Cadman, Crowder, Harvey, Herpin, Hill, King, Lambert, Marble, Renfroe, Rivera, Roberts, Scheffel; also Representative(s) Szabo and Murray, Holbert, Humphrey, Buck, Conti, Coram, DelGrosso, Dore, Everett, Gardner, Gerou, Joshi, Landgraf, Lawrence, McNulty, Navarro, Nordberg, Priola, Rankin, Saine, Scott, Sonnenberg, Stephens, Swalm, Waller, Wilson, Wright-- Concerning the harmonization of voter registration systems for elections through a temporary delay in the implementation of the "Voter Access and Modernized Elections Act".  
State, Veterans, & Military Affairs
- 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.  
Local Government
- HB14-1047** by Representative(s) Becker; also Senator(s) Guzman--Concerning restrictions on the publishing of basic identification information on commercial web sites.  
Judiciary
- HB14-1051** by Representative(s) Schafer and Landgraf, Gardner, Ginal, Kraft-Tharp, Murray, Ryden, Stephens, Swalm, Young; also Senator(s) Kefalas and Crowder, Aguilar--Concerning a strategic plan for enrolling all eligible persons with intellectual and developmental disabilities into programs at the time services and supports are needed, and, in connection therewith, requiring the department of health care policy and financing to develop and implement the strategic plan and to report annually on the number of persons waiting for services and supports.  
Health & Human Services
- 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.  
Transportation
- HB14-1069** by Representative(s) Rosenthal; also Senator(s) King--Concerning district commissions on judicial performance.  
Judiciary
- 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".  
Business, Labor, & Technology
- HB14-1083** by Representative(s) Lee; also Senator(s) Crowder--Concerning the authority of a licensed acute treatment unit to receive emergency medications from certain other outlets.  
Health & Human Services
- 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.  
Local Government

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**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:

**SB14-039** by Senator(s) Balmer, Guzman; also Representative(s) McCann and Court--Concerning a grant of limited authority to emergency medical service providers to voluntarily provide preveterinary emergency care to certain domesticated animals.

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

YES	34	NO	0	EXCUSED	1	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	E	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: Aguilar, Crowder, Grantham, Heath, Herpin, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Newell, Nicholson, Steadman, Tochtrop, Todd and Zenzinger.

**SB14-058** by Senator(s) Todd; also Representative(s) Murray--Concerning high school equivalency examinations in Colorado.

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

YES	34	NO	0	EXCUSED	1	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	E	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: Johnston, Jones, Kerr and Nicholson.

On motion of Majority Leader Heath, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, February 6 was laid over until Friday, February 7, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: SB14-024.  
General Orders -- Second Reading of Bills: SB14-098, SB14-031.

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On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Friday,  
February 7, 2014.

Approved:

Morgan Carroll  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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