

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

71st Legislative Day

Wednesday, March 19, 2014

Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver. 10
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Call to Order By the President *pro tem* at 9:00 a.m. 13
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Pledge By Senator Crowder. 16
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Roll Call Present--32 18
Excused-- 3, Harvey, King, Renfroe. 19
Present later--1, Harvey. 20
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Quorum The President announced a quorum present. 22
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Reading of Journal On motion of Senator Kefalas, reading of the Journal of Tuesday, March 18, 2014, was 24
dispensed with and the Journal was approved as corrected by the Secretary. 25
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COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **HB14-1034** be 31
referred to the Committee on Appropriations with favorable recommendation. 32
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Finance After consideration on the merits, the Committee recommends that **HB14-1017** be 35
amended as follows, and as so amended, be referred to the Committee on Appropriations 36
with favorable recommendation. 37
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Amend reengrossed bill, page 8, line 26, after "(d)," insert "(4)". 40
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Page 9, after line 10 insert: 42
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"(4) No credit shall be allocated pursuant to this part 21 unless the 44
qualified development is the subject of a recorded restrictive covenant 45
requiring the development to be maintained and operated as a qualified 46
development, AND IS IN ACCORDANCE WITH THE ACCESSIBILITY AND 47
ADAPTABILITY REQUIREMENTS OF THE FEDERAL TAX CREDITS AND TITLE 48
VIII OF THE "CIVIL RIGHTS ACT OF 1968", AS AMENDED BY THE "FAIR 49
HOUSING AMENDMENTS ACT OF 1988", for a period of fifteen taxable 50
years, or such longer period as may be agreed to between the authority 51
and the owner, beginning with the first taxable year of the credit period." 52
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Page 10, line 24, strike "HOUSING" and substitute "PROVIDE HOUSING". 54
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Finance After consideration on the merits, the Committee recommends that **HB14-1080** be 57
amended as follows, and as so amended, be referred to the Committee of the Whole with 58
favorable recommendation and with a recommendation that it be placed on the Consent 59
Calendar. 60
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Amend reengrossed bill, page 4, strike lines 7 through 16 and substitute: 62
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"SECTION 2. Safety clause. The general assembly hereby finds, 64
determines, and declares that this act is necessary for the immediate 65
preservation of the public peace, health, and safety." 66
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- Finance After consideration on the merits, the Committee recommends that **HB14-1105** be referred to the Committee of the Whole with favorable recommendation. 1
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- Local Government After consideration on the merits, the Committee recommends that **HB14-1210** be referred to the Committee of the Whole with favorable recommendation. 5
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- Local Government After consideration on the merits, the Committee recommends that **HB14-1254** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. 9
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Amend reengrossed bill, page 2, strike lines 4 and 5 and substitute: 13
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"12-61-1004.5. Fees and charges for contracted services and home sales - disclosure required. (1) EVERY MANAGER, AND EVERY AGENT OR OTHER". 15
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Page 2, strike line 17 and substitute: 19
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"(2) (a) NEITHER A MANAGER NOR ANY AGENT OF A MANAGER MAY ENFORCE ANY FEE OR CHARGE, INCLUDING A TRANSFER FEE, AGAINST THE HOA OR ANY BUYER OR SELLER OF PROPERTY SERVED BY THE HOA UNLESS THE FEE OR CHARGE IS: 21
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(I) EXPLICITLY DISCLOSED IN THE MANAGER'S CONTRACT WITH THE HOA OR AN ADDENDUM TO THE CONTRACT; OR 25
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(II) DOCUMENTED BY A CLEARLY IDENTIFIED LINE ITEM. 27
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(3) IN ADDITION TO MAKING THE DISCLOSURES REQUIRED UNDER SUBSECTIONS (1) AND (2) OF THIS SECTION, A MANAGER SHALL DISCLOSE TO THE EXECUTIVE BOARD ALL". 29
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Page 2, line 21, strike "COMMUNITY. THE" and substitute "COMMUNITY. (4) THE". 33
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- Trans- portation After consideration on the merits, the Committee recommends that **HB14-1100** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation. 37
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Amend reengrossed bill, page 3, line 1, after "WITH;" insert "OR". 40
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Page 3, strike line 2. 42
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Reletter succeeding paragraph accordingly. 44
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Page 4, after line 8, insert: 46
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"SECTION 2. In Colorado Revised Statutes, 42-6-102, amend (17) (c) as follows: 48
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42-6-102. Definitions. As used in this part 1, unless the context otherwise requires:". 50
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Reorder succeeding sections accordingly. 53
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Page 4, line 9, before "(c)" insert "(17)". 55
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page 12, line 1, strike "SHALL" and substitute "MAY". 57
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Page 12, line 22, strike "This" and substitute "Except as otherwise provided in this section, this". 59
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Page 13, after line 3, insert: 62
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"(2) Section 2 of this act takes effect only if House Bill 14-1299 becomes law and takes effect either upon the effective date of this act or House Bill 14-1299, whichever is later.". 64
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Reorder succeeding subsection accordingly. 68
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Trans-
portation

The Committee on Transportation has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2015:

Douglas E. Aden of Grand Junction, Colorado, to serve as a commissioner from the Seventh Transportation District, reappointed;

for terms expiring July 1, 2017:

Shannon Margaret Gifford, CFA of Denver, Colorado, to serve as a commissioner from the First Transportation District, appointed;

Gary Michael Reiff of Englewood, Colorado, to serve as a commissioner from the Third Transportation District, reappointed; and

Sidny Kay Zink of Durango, Colorado, to serve as a commissioner from the Eighth Transportation District, appointed.

Trans-
portation

The Committee on Transportation 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:

MEMBER OF THE
TRANSPORTATION COMMISSION

for a term expiring July 1, 2017:

William Thiebaut, Jr., of Pueblo, Colorado, to serve as a commissioner from the 10th Transportation District, appointed.

Trans-
portation

After consideration on the merits, the Committee recommends that **HB14-1089** be **referred** to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB14-161 and 162; SJR14-021.

Correctly Engrossed: SB14-092 and 143.

Correctly Revised: HB14-1030, 1117, 1142, 1160, 1177 and 1222.

Correctly Rerevised: HB14-1082, 1108, 1171, 1191, 1223, 1256 and 1265.

MESSAGE FROM THE REVISOR OF STATUTES

March 18, 2014

We herewith transmit:

Without comment, as amended, HB14-1260 and 1267.

Without comment, as amended, SB14-119.

RECALL OF HB14-1265

Majority Leader Heath moved for the recall of **HB14-1265** from the House for the purpose of reconsideration. A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**. The bill was ordered recalled.

MESSAGE FROM THE HOUSE

March 19, 2014

Madam President:

In response to the request of the Senate for the recall of HB14-1265, the bill is transmitted herewith.

RECONSIDERATION OF HB14-1265

HB14-1265 by Representative(s) Moreno; also Senator(s) Roberts--Concerning the regulation of games of chance.

Having voted on the prevailing side, Majority Leader Heath moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB14-1265.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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:

HB14-1265 by Representative(s) Moreno; also Senator(s) Roberts--Concerning the regulation of games of chance.

A majority of those elected to the Senate having voted in the affirmative, Senator Roberts was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.003), by Senator Roberts.

Amend rerevised bill, page 27, strike lines 13 through 15 and substitute:

"provisions in this act. In Colorado Revised Statutes, **repeal** 12-9-107 (4) and (5) (b), as they existed immediately prior to the passage of this act, and 12-9-107.7."

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

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| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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 | | |

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

| YES | 32 | NO | 1 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | 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 | 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**.

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

Upon request of Majority Leader Heath, **HB14-1117** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Wednesday, March 19, and was placed at the end of the Third Reading of Bills Final Passage Calendar of Wednesday, March 19.

**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:

HB14-1142 by Representative(s) DelGrosso; also Senator(s) Grantham and Nicholson--Concerning a prohibition against the off-site electronic sale of lottery tickets by the Colorado lottery commission.

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

| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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: Crowder and Rivera.

HB14-1177 by Representative(s) Swalm, Labuda, McNulty, Szabo; also Senator(s) Tochtrop-- Concerning requirements governing meetings of the boards of county commissioners of the larger counties.

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

| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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**.

SB14-143 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) May and Gerou, Duran-- Concerning payment of amounts awarded through nursing facility provider reimbursement appeals from the medicaid nursing facility cash fund.

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

| YES | 31 | NO | 2 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | Y |
| Balmer | N | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | 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 | 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 and Tochtrop.

SB14-092 by Senator(s) Rivera; also Representative(s) Williams--Concerning the creation of the crime of insurance fraud, and, in connection therewith, making an appropriation.

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

| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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: Jahn and Todd.

HB14-1160 by Representative(s) Mitsch Bush and Coram, Fischer, Lee, Primavera, Tyler; also Senator(s) Todd and Herpin--Concerning overweight vehicle permits for divisible loads.

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

| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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: Rivera.

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB14-1182 by Representative(s) Hamner; also Senator(s) Kerr--Concerning changes for the 2015-16 school year to certain public education accountability measures specified in the "Education Accountability Act of 2009" to accommodate the transition to administering new statewide assessments.

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

| YES | 19 | NO | 14 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|----|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | N |
| Balmer | N | Herpin | N | Lambert | N | Schwartz | Y |
| Baumgardner | N | Hill | N | Lundberg | N | Steadman | Y |
| Brophy | N | Hodge | Y | Marble | N | Tochtrop | Y |
| Cadman | N | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | N | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | N | Jones | Y | Renfroe | E | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | N | 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: Heath, Johnston, Kefalas, Schwartz, Todd, Ulibarri and Zenzinger.

HB14-1030 by Representative(s) Coram and Mitsch Bush, Fischer, Sonnenberg, Vigil; also Senator(s) Schwartz and Roberts, Hodge--Concerning the establishment of incentives for the development of hydroelectric energy systems.

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

| YES | 26 | NO | 7 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | N |
| Balmer | N | Herpin | Y | 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 | 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: Guzman, Heath, Jahn, Johnston, Jones, Kefalas, Kerr, Newell, Nicholson, Steadman and Ulibarri.

HB14-1222 by Representative(s) McLachlan; also Senator(s) Schwartz and Roberts--Concerning modification of the terms under which a county may issue tax-exempt private activity bonds on behalf of an eligible applicant for the purpose of financing a geothermal energy project on the applicant's property.

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

| YES | 21 | NO | 12 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|----|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | N |
| Balmer | N | Herpin | Y | Lambert | N | Schwartz | Y |
| Baumgardner | N | Hill | N | Lundberg | N | Steadman | Y |
| Brophy | N | Hodge | Y | Marble | N | Tochtrop | Y |
| Cadman | N | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | N | Jones | Y | Renfroe | E | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | N | 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, Heath, Johnston, Jones, Kefalas, Kerr, Newell, Nicholson and Ulibarri.

HB14-1117 by Representative(s) Schafer, Ginal, Landgraf, McCann, Singer, Wright, Fields, Becker, Kraft-Tharp; also Senator(s) Roberts--Concerning the creation of the Colorado premature birth commission.

A majority of those elected to the Senate having voted in the affirmative, Senator Lundberg was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.011), by Senator Lundberg.

Amend revised bill, page 3, line 6, strike "TEN" and substitute "THIRTEEN".

Page 3, line 8, after "FIELD." insert "THE COMMISSION MUST INCLUDE FOUR MEMBERS OF THE GENERAL ASSEMBLY. THE SPEAKER OF THE HOUSE, THE MINORITY LEADER OF THE HOUSE, THE SENATE PRESIDENT, AND THE SENATE MINORITY LEADER WILL EACH CHOOSE ONE OF THE FOUR MEMBERS TO SERVE ON THE COMMISSION. THE FOUR MEMBERS OF THE GENERAL ASSEMBLY CHOSEN FOR THE COMMISSION SHALL NOT BE COMPENSATED BY THE STATE FOR THEIR SERVICE ON THE COMMISSION."

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

| YES | 26 | NO | 7 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | N | King | E | Scheffel | Y |
| Balmer | Y | Herpin | Y | Lambert | Y | Schwartz | Y |
| Baumgardner | Y | Hill | Y | Lundberg | Y | Steadman | N |
| Brophy | Y | Hodge | Y | Marble | Y | Tochtrop | Y |
| Cadman | Y | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | Y | Johnston | N | Nicholson | Y | Ulibarri | N |
| Grantham | Y | Jones | N | Renfroe | E | Zenzinger | N |
| Guzman | Y | Kefalas | Y | Rivera | Y | President | N |
| Harvey | Y | Kerr | Y | Roberts | Y | | |

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

| YES | 24 | NO | 9 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | N |
| Balmer | Y | Herpin | Y | Lambert | N | 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 | Y | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | N | Jones | Y | Renfroe | E | 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, Heath, Jones, Kefalas, Newell, Nicholson, Tochtrop, 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, 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:

HB14-1092 by Representative(s) Vigil, Salazar; also Senator(s) Kefalas--Concerning the voluntary contribution designation benefitting the Colorado Youth Conservation Corps fund that appears on the state individual income tax return forms.

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

SB14-123 by Senator(s) Guzman; also Representative(s) Kagan--Concerning the authority of the peace officers standards and training board, and, in connection therewith, providing additional rule-making authority; raising the maximum fee for certification and skills exams; allowing awarding grants to nonprofit organizations; and denying certification for municipal violations.

Amendment No. 1, Judiciary Committee Amendment.

(Printed in Senate Journal, February 13, page(s) 245-246 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 14, page(s) 483 and placed in members' bill files.)

Amendment No. 3(L.003), by Senator Guzman.

Amend printed bill, page 3, line 19, strike "(1.5) (g), (1.5) (h), and (2) (b) (II);" and substitute "(1.5) (g) and (1.5) (h);".

Page 4, strike lines 4 through 6.

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 Jones, the report of the Committee of the Whole was **adopted** on the following roll call vote:

| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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 | | |

The Committee of the Whole took the following action:

Passed on second reading: SB14-123 as amended, HB14-1092.

RECONSIDERATION OF HB14-1117

HB14-1117 by Representative(s) Schafer, Ginal, Landgraf, McCann, Singer, Wright, Fields, Becker, Kraft-Tharp; also Senator(s) Roberts--Concerning the creation of the Colorado premature birth commission.

Having voted on the prevailing side, Majority Leader Heath moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on HB14-1117.

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:

HB14-1117 by Representative(s) Schafer, Ginal, Landgraf, McCann, Singer, Wright, Fields, Becker, Kraft-Tharp; also Senator(s) Roberts--Concerning the creation of the Colorado premature birth commission.

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was referred to the Committee on Legislative Council.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB14-089 by Senator(s) Schwartz, Jahn; also Representative(s) Fischer, Vigil--Concerning a prohibition for the state to enter into an agreement for a payment in lieu of taxes.

Senator Schwartz moved that the Senate concur in House amendments to **SB14-089**, as printed in House journal, March 14, page(s) 577. The motion was **adopted** by the following roll call vote:

| YES | 33 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|---|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | 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 | | |

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

| YES | 20 | NO | 13 | EXCUSED | 2 | ABSENT | 0 |
|-------------|----|----------|----|-----------|---|-----------|---|
| Aguilar | Y | Heath | Y | King | E | Scheffel | N |
| Balmer | Y | Herpin | N | Lambert | N | Schwartz | Y |
| Baumgardner | N | Hill | N | Lundberg | N | Steadman | Y |
| Brophy | N | Hodge | Y | Marble | N | Tochtrop | Y |
| Cadman | N | Jahn | Y | Newell | Y | Todd | Y |
| Crowder | N | Johnston | Y | Nicholson | Y | Ulibarri | Y |
| Grantham | N | Jones | Y | Renfroe | E | Zenzinger | Y |
| Guzman | Y | Kefalas | Y | Rivera | N | President | Y |
| Harvey | N | Kerr | Y | Roberts | Y | | |

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

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB14-1060, 1077, 1079, 1129, 1163.

TRIBUTES

Honoring:

Bruce Benson, Longest-serving University of Colorado president in more than 50 years -- By Senator Rollie Heath.
Matt Crane, Recent appointment as the Vice President of Colorado County Clerks Association -- By President Morgan Carroll.

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Thursday, March 20, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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