

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

84th Legislative Day

Tuesday, April 1, 2014

Prayer	By the chaplain, Kate Newell, student at Union Theological Seminary and daughter of Senator Linda Newell, Littleton.	11
Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	14
Pledge	By Senator Rivera.	16
Roll Call	Present--33 Excused--2, Baumgardner, Brophy.	19
Quorum	The President announced a quorum present.	22
Reading of Journal	On motion of Senator Todd, reading of the Journal of Monday, March 31, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	24

COMMITTEE OF REFERENCE REPORTS

Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB14-1282 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	32
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB14-169 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	37
Appropriations	After consideration on the merits, the Committee recommends that HB14-1336 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	42
	Amend reengrossed bill, page 596, line 20, strike "\$21,485,672," and substitute "\$14,974,672,".	47
	Page 13, line 9, strike "Services ^{1a} " and substitute "Services" and in the ITEM & SUBTOTAL column strike "7,502,423" and substitute "2,502,423".	50
	Page 13, line 14, in the TOTAL column strike "18,610,946" and substitute "13,610,946" and in the GENERAL FUND column strike "9,302,099" and substitute "4,302,099".	54
	Adjust affected totals accordingly.	58
	Page 20, strike lines 1 and 2.	60
	Page 596, line 20, strike "\$21,485,672," and substitute "\$26,485,672,".	62
	Page 21, strike lines 8 through 12.	64
	Adjust affected totals accordingly.	66

Page 237, strike lines 6 through 9.

Adjust affected totals accordingly.

Page 596, line 20, strike "\$21,485,672," and substitute "\$21,604,068,".

Page 532, strike lines 1 through 3 and substitute:

"SECTION 10. Appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting for the fiscal year beginning July 1, 2013. In Session Laws of Colorado 2013, section 2 of chapter 441, (SB 13-230), **amend** Part IV (1) (B), (4), (5) (B) (1), and the affected totals, as Part IV (1) (B), (5) (B) (1), and the affected totals are amended by Section 1 of HB14-1235, and **add** footnote 7b to Part IV (4), as follows:".

Page 534, strike line 15.

Page 535, strike lines 1 through 10.

Page 539, line 8 strike "~~Expenses~~" and substitute "Expenses".

Page 539, line 9 strike "EXPENSES^{7d}".

Page 539, line 10, in the ITEM & SUBTOTAL column strike "8,527,915" and substitute "8,627,915" and in the GENERAL FUND strike "430,337" and substitute "530,337".

Page 540, line 1, in the ITEM & SUBTOTAL column strike "57,947,616" and substitute "58,047,616".

Page 541, strike lines 11 through 16.

Appropriations

After consideration on the merits, the Committee recommends that **HB14-1341** be **referred** to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that **SB14-153** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 14, after line 20 insert:

"SECTION 30. Appropriation - adjustments to 2014 long bill.

(1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act to the controlled maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased by \$85,690.

(2) For the implementation of this act, appropriations made in the annual general appropriation act to the department of public safety for the fiscal year beginning July 1, 2014, are adjusted as follows:

(a) The general fund appropriation for the division of criminal justice is decreased by \$1,408.

(3) For the implementation of this act, appropriations made in the annual general appropriation act to the department of local affairs for the fiscal year beginning July 1, 2014, are adjusted as follows:

(a) The cash funds appropriation from the local government limited gaming impact fund created in section 12-47.1-1601 (1) (a), Colorado Revised Statutes, for the division of local government, is decreased by \$352.

(4) For the implementation of this act, appropriations made in the annual general appropriation act to the department of state for the fiscal year beginning July 1, 2014, are adjusted as follows:

(a) The cash funds appropriation from the department of state

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cash fund created in section 24-21-104 (3) (b), Colorado Revised Statutes, for the elections division, is decreased by \$2,816.

SECTION 31. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the legislative department, for the fiscal year beginning July 1, 2014, the sum of \$87,098, or so much thereof as may be necessary, to be allocated to the general assembly for the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 102, strike "ENTITIES." and substitute "ENTITIES, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

Appropriations After consideration on the merits, the Committee recommends that **HB14-1340** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB14-1339** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB14-1342** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB14-1337** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **HB14-1308** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Judiciary After consideration on the merits, the Committee recommends that **HB14-1260** be referred to the Committee on Appropriations with favorable recommendation.

SENATE SERVICES REPORT

- Correctly Printed:** SB14-172, 173, 174, 175 and 176.
- Correctly Engrossed:** SB14-160, 163 and 165; SJR14-024.
- Correctly Revised:** HB14-1141 and 1267.
- Correctly Rerevised:** HB14-1195.

MESSAGE FROM THE HOUSE

March 31, 2014

Madam President:

The House has voted to concur in the Senate amendments to HB14-1142, 1100, and has repassed the bills as so amended.

The House has adopted and returns herewith SJR14-024, amended as printed in House Journal, March 31.

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INTRODUCTION OF BILLS -- FIRST READING

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

- SB14-177** by Senator(s) Kerr and Newell; also Representative(s) Young--Concerning the definition of a drug-endangered child for purposes of cases of child abuse or neglect in the children's code.
Judiciary
- SB14-178** by Senator(s) Kerr and Newell; also Representative(s) Young--Concerning the definition of a drug-endangered child for purposes of cases of child abuse or neglect in the criminal code.
Judiciary
- SB14-179** by Senator(s) Nicholson and Renfroe, Lambert, Herpin, Jones, Lundberg, Marble, Schwartz; also Representative(s) Foote and Sonnenberg, DelGrosso, Humphrey, Singer, Young--Concerning the creation of a flood debris cleanup grant account to facilitate watershed cleanup efforts in areas affected by the September 2013 flood, and, in connection therewith, making an appropriation.
Local Government

**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:

- SB14-163** by Senator(s) Steadman and King; also Representative(s) Lee--Concerning clarifying changes to provisions related to the sentencing of persons convicted of drug crimes.

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	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	E	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: Ulibarri.

- SB14-160** by Senator(s) Newell; also Representative(s) Primavera--Concerning removing limitations on a transitional living program for a person with a brain injury.

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	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	E	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: Aguilar, Guzman, Heath, Kefalas, Kerr, Nicholson, Schwartz, Tochtrop 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:

HB14-1267 by Representative(s) Fischer; also Senator(s) Jones--Concerning authorization for a political subdivision of the state to release black-footed ferrets on its land.

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

YES	23	NO	10	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	King	N	Scheffel	N
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	E	Hill	N	Lundberg	N	Steadman	Y
Brophy	E	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	N	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	N		

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

Co-sponsor(s) added: Crowder, Guzman, Kefalas, Rivera, Schwartz and Todd.

SB14-165 by Senator(s) Johnston and Kerr, Todd, Scheffel, Zenzinger; also Representative(s) Murray and Peniston--Concerning the percentage at which to rate the student academic growth standard for the purpose of licensed personnel performance evaluations in the 2014-15 academic year.

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

YES	29	NO	4	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	E	Hill	N	Lundberg	N	Steadman	Y
Brophy	E	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: Aguilar, Heath, Jones, Kefalas, Newell, Nicholson, Schwartz, Steadman and Tochtrop.

HB14-1141 by Representative(s) Coram; also Senator(s) Roberts--Concerning the confidentiality of social security numbers under statutes protecting the privacy of individuals.

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	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	E	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	E	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: Aguilar, Cadman, Crowder, Grantham, Heath, Herpin, Hodge, Jahn, Kefalas, Kerr, King, Lambert, Lundberg, Newell, Nicholson, Rivera, Scheffel, Steadman, Todd, Ulibarri and Zenzinger.

RECONSIDERATION OF SB14-165

SB14-165 by Senator(s) Johnston and Kerr, Todd, Scheffel, Zenzinger; also Representative(s) Murray and Peniston--Concerning the percentage at which to rate the student academic growth standard for the purpose of licensed personnel performance evaluations in the 2014-15 academic year.

Having voted on the prevailing side, Majority Leader Heath moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB14-165.

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:

SB14-165 by Senator(s) Johnston and Kerr, Todd, Scheffel, Zenzinger; also Representative(s) Murray and Peniston--Concerning the percentage at which to rate the student academic growth standard for the purpose of licensed personnel performance evaluations in the 2014-15 academic year.

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

YES	27	NO	6	EXCUSED	2	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	E	Hill	N	Lundberg	N	Steadman	Y
Brophy	E	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	N	Kerr	Y	Roberts	Y		

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

CONSIDERATION OF GOVERNOR'S VETO

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. (Governor's veto message printed in Senate Journal, March 31, page(s) 607.)

Laid over until Thursday, May 8, retaining its place on the calendar.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 31, 2014, at 2:10 p.m.: SB14-022, 058, 098, 109, 110 and 119.

Senate in recess. Senate reconvened.

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Wednesday, April 2, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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