

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

87th Legislative Day

Friday, April 4, 2014

Prayer	By Senator Crowder.	10
Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	11
Pledge	By Senator Rivera.	12
Roll Call	Present--33 Absent--1, Jones Excused--1, Baumgardner. Present later--1, Jones.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Todd, reading of the Journal of Thursday, April 3, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	15

SENATE SERVICES REPORT

Correctly Printed: SB14-180.
Correctly Engrossed: SB14-153 and 169.
Correctly Revised: HB14-1282, 1308, 1336, 1337, 1340, 1341 and 1342.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR14-026 by Senator(s) Zenzinger and Kerr; also Representative(s) Peniston and Duran--Concerning the designation of April 8, 2014, as "Equal Pay Day" in Colorado, and, in connection therewith, acknowledging the persisting problem of wage disparity among various groups.

Laid over until Tuesday, April 8, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

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

SB14-181 by Senator(s) Renfroe and Guzman, Carroll, Grantham, Harvey, Jahn, Marble, Roberts, Scheffel, Tochtrop, Ulibarri, Brophy; also Representative(s) Ferrandino and Humphrey, DelGrosso, Everett, Holbert, Lebsock, McNulty, Melton, Nordberg, Pabon, Pettersen, Saine, Salazar, Waller, Williams--Concerning the elimination of the use of automated vehicle identification systems for traffic law enforcement.
State, Veterans, & Military Affairs

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

HB14-1314 by Representative(s) Pettersen, Priola, Ferrandino, Fields, Hamner, Murray, Peniston, Williams, Young; also Senator(s) Kerr--Concerning cooperation between school districts and charter schools on ballot questions to authorize additional local revenues.
Education

HB14-1345 by Representative(s) Gerou, Duran, May; also Senator(s) Lambert, Hodge, Steadman-- Concerning authority for the department of higher education to transfer moneys allocated to the governing board of an institution of higher education between the governing board's appropriation for its fee-for-service contracts and the governing board's spending authority for college opportunity stipends as a result of increases or decreases in student enrollment at the institution of higher education.
Education

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 expressions of personal privilege.

**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:

HB14-1282 by Representative(s) Pabon; also Senator(s) Tochtrop--Concerning the specification of what materials may be provided in a language other than English by an insurer to a customer.

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	E	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**.

SB14-169 by Senator(s) Lambert, Hodge, Steadman; also Representative(s) May, Duran, Gerou-- Concerning information that the office of information technology is required to provide to certain members of the general assembly in connection with its annual budget requests.

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	E	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**.

HB14-1308 by Representative(s) Gerou, Duran, May; also Senator(s) Steadman, Hodge, Lambert-- Concerning procedures for a department to vary an appropriation.

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

YES	33	NO	1	EXCUSED	1	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	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	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**.

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:

HB14-1341 by Representative(s) May, Duran, Gerou; also Senator(s) Steadman, Hodge, Lambert-- Concerning a transfer of moneys from the state general fund to the department of state cash fund for the purpose of repaying a prior transfer.

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	E	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: Aguilar.

SB14-153 by Senator(s) Heath and Cadman, Carroll; also Representative(s) DelGrosso and Hullinghorst, Ferrandino--Concerning compensation of members of the general assembly appointed to and serving on state entities, and, in connection therewith, making and reducing appropriations.

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	E	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: Aguilar, Lambert, Newell, Nicholson, Schwartz, Steadman, Tochtrop and Todd.

HB14-1340 by Representative(s) Gerou, Duran, May; also Senator(s) Lambert, Hodge, Steadman--Concerning the state toxicology laboratory, and, in connection therewith, making an appropriation.

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

YES	27	NO	7	EXCUSED	1	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	N	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	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**.

Co-sponsor(s) added: Aguilar, Heath, King, Newell, Nicholson, Schwartz, Todd and Zenzinger.

HB14-1342 by Representative(s) Duran, May, Gerou; also Senator(s) Steadman, Hodge, Lambert--Concerning transfers of moneys related to capital construction.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	E	Hill	N	Lundberg	Y	Steadman	N
Brophy	Y	Hodge	Y	Marble	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	N	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: Heath, Jahn, Schwartz and Todd.

HB14-1337 by Representative(s) Duran and Gerou, May; also Senator(s) Steadman, Hodge, Lambert-- Concerning an increase in the general fund reserve.

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

YES	33	NO	1	EXCUSED	1	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	Y	Hodge	Y	Marble	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	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, Balmer, Brophy, Cadman, Grantham, Heath, Herpin, Hill, Jahn, Johnston, Kefalas, Kerr, King, Lundberg, Marble, Newell, Nicholson, Rivera, Roberts, Scheffel, Schwartz, Tochtrop, Todd and Zenzinger.

HB14-1336 by Representative(s) Duran, May, Gerou; also Senator(s) Steadman, Hodge, Lambert-- Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2014, except as otherwise noted.

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

YES	26	NO	8	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	N	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	E	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	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, Heath, Johnston, Jones, Kefalas, Newell, Nicholson, Schwartz, Todd and Ulibarri.

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 moments of personal privilege.

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 Friday, April 4 was laid over until Monday, April 7, retaining its place on the calendar.

General Orders -- Second Reading of Bills -- Consent Calendar: HB14-1176.
General Orders -- Second Reading of Bills: HB14-1299, HB14-1057.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 4, 2014

Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1001, amended as printed in House Journal, April 3, pages 775-776.

The House has passed on Third Reading and returns herewith SB14-103.

The House has postponed indefinitely SB14-032. The bill is returned herewith.

MESSAGE FROM THE REVISOR OF STATUTES

April 4, 2014

We herewith transmit:

Without comment, as amended, HB14-1001.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB14-182** by Senator(s) Hodge; also Representative(s) Peniston--Concerning procedures governing discussions by boards of education of school districts while meeting in executive session.
Education
- SB14-183** by Senator(s) Heath and Scheffel; also Representative(s) Pabon and Holbert--Concerning an increase in the maximum term of a business incentive agreement that a local government enters into with a taxpayer who pays business personal property tax.
Business, Labor, & Technology
- SB14-184** by Senator(s) Schwartz; also Representative(s) Coram--Concerning oversight of the industrial hemp program.
Local Government
- HB14-1280** by Representative(s) Dore, Rankin, Buck, Everett, Fischer, Gerou, Holbert, Landgraf, Lawrence, Navarro, Nordberg, Priola, Scott, Sonnenberg, Swalm, Vigil, Wilson, Wright; also Senator(s) Schwartz--Concerning limits on liability for agritourism.
Agriculture, Natural Resources, & Energy

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
68
69
70
71
72

HB14-1307 by Representative(s) Vigil; also Senator(s) Crowder--Concerning the recategorization of Mineral county for the purpose of statutory provisions fixing the salaries of county officers. Local Government

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

On motion of Majority Leader Heath, the Senate adjourned until 10:00 a.m., Monday, April 7, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate