

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

44th Legislative Day

Thursday, February 20, 2014

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Prayer	By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.	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 Herpin.	15
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Roll Call	Present--34	17
	Excused--1, Hill.	18
	Present later--1, Hill.	19
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Quorum	The President announced a quorum present.	21
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Reading of Journal	On motion of Senator Kerr, reading of the Journal of Wednesday, February 19, 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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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB14-1059 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	32
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Judiciary	After consideration on the merits, the Committee recommends that SB14-010 be postponed indefinitely .	37
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Judiciary	After consideration on the merits, the Committee recommends that HB14-1073 be referred to the Committee of the Whole with favorable recommendation.	41
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Education	After consideration on the merits, the Committee recommends that SB14-086 be postponed indefinitely .	45
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Business, Labor, & Technology	The Committee on <u>Business, Labor, & Technology</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	50
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**MEMBER OF THE
STATE PERSONNEL BOARD**

for a term expiring June 30, 2018:
Neil Peck of Denver, Colorado, appointed.

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
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; and

for a term expiring July 1, 2017:

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

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
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.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **HB14-1079** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture,
Natural
Resources, &
Energy

After consideration on the merits, the Committee recommends that **HB14-1024** be **referred** to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB14-149; SJR14-014 and 015.

Correctly Engrossed: SB14-043 and 135; SJR14-014.

Correctly Reengrossed: SB14-097, 103 and 121.

Correctly Enrolled: SB14-004, 019 and 025.

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MESSAGE FROM THE HOUSE

February 19, 2014

Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1177, 1194, 1121, 1215.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1160, amended as printed in House Journal, February 18, page 311. HB14-1126, amended as printed in House Journal, February 18, page 312.

The House has adopted and returns herewith SJR14-014, SJR14-005, SJR14-013.

MESSAGE FROM THE REVISOR OF STATUTES

February 19, 2014

We herewith transmit:

Without comment, HB14-1121, 1177, 1194, and 1215.
Without comment, as amended, HB14-1126 and 1160.

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 Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR14-012 by Senator(s) Kefalas and Newell, Crowder, Todd, Zenzinger; also Representative(s) McCann, Conti, May, Stephens--Concerning human trafficking awareness advocacy day.

On motion of Senator Kefalas, the resolution was read at length.

Amendment No. 1(L.001), by Senator Kefalas.

Amend introduced joint resolution, page 3, strike lines 10 through 14 and substitute:

"That the General Assembly, in recognition of Human Trafficking Awareness Advocacy Day on February 20, 2014, will build upon the "4Ps"—Prevention, Protection, Prosecution, and Partnerships—as set forth by the United Nations, which are utilized by the United States federal government and serve as a framework for the Laboratory to Combat Human Trafficking's Colorado Project to Comprehensively Combat Human Trafficking (Colorado Project)."

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

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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	E	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		

On motion of Senator Kefalas, the resolution, as amended, was **adopted** by the following roll call vote:

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	E	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		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Grantham, Guzman, Harvey, Heath, Herpin, Hodge, Jahn, Johnston, Jones, Kerr, King, Lambert, Lundberg, Marble, Nicholson, Renfroe, Rivera, Roberts, Scheffel, Schwartz, Steadman, Tochtrop 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 an expression of personal privilege.

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:

SB14-043 by Senator(s) Grantham, Tochtrop; also Representative(s) Priola--Concerning the inclusion of certain land areas used to grow products that originate above the ground within the classification of "all other agricultural property" for property tax purposes.

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	E	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: Baumgardner, Crowder, Herpin, Jahn, Kefalas, King, Lambert, Lundberg, Marble, Rivera, Scheffel, Schwartz and Ulibarri.

SB14-135 by Senator(s) Brophy, Grantham, Harvey, Renfroe, Lambert, Herpin, Scheffel, Rivera, Baumgardner, Cadman, Crowder, King, Lundberg; also Representative(s) Wright, Nordberg, Humphrey, Priola, Dore, Everett, Gardner, Holbert, McNulty, Rankin, Saine, Scott, Sonnenberg, Szabo--Concerning the repeal of certain provisions concerning the purchasing of firearms in states that are contiguous to 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	E	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, Jahn, Johnston, Kefalas, Kerr, Marble, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Todd and Zenzinger.

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

HB14-1086 by Representative(s) Murray, Court; also Senator(s) Jones--Concerning a requirement that a legal notice published in a newspaper is also published on a statewide web site maintained by a majority of Colorado newspapers.

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

HB14-1035 by Representative(s) Gardner; also Senator(s) Johnston--Concerning collection of restitution ordered pursuant to a deferred judgment.

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

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	E	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: HB14-1086, HB14-1035.

Committee of the Whole

On motion of Senator Aguilar, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Aguilar 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 bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB14-1146 by Representative(s) Becker; also Senator(s) Tochtrop--Concerning a prohibition against greyhound racing in Colorado.

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

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	E	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: HB14-1146.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Ulibarri, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE COLORADO BOARD OF VETERANS AFFAIRS

effective June 30, 2013, for a term expiring June 30, 2015:

Christopher M. Holden of Colorado Springs, Colorado, a Republican and a veteran who has been honorably released or separated from the Armed Forces of the United States, and occasioned by the resignation of Franklin DB Jackson of Denver, Colorado, appointed;

effective June 30, 2013, for terms expiring June 30, 2017:

Jason Anderson Vitley Crow of Denver, Colorado, a Democrat and a veteran who has been honorably released or separated from the Armed Forces of the United States, reappointed;

Rene Joseph Simard of Highlands Ranch, Colorado, a Republican and a veteran who has been honorably released or separated from the armed forces of the United States, appointed.

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	E	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		

MESSAGE FROM THE GOVERNOR

February 19, 2014

To the Honorable Senate
Sixty-Ninth General Assembly
Second Regular Session
State Capitol
Denver, Colorado 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB14-007 CONCERNING AUTHORITY FOR A BOARD OF COUNTY COMMISSIONERS TO TRANSFER COUNTY GENERAL FUND MONEYS TO ITS COUNTY ROAD AND BRIDGE FUND AFTER A DECLARED DISASTER EMERGENCY IN THE COUNTY.

Approved February 19, 2014 at 11:08 a.m.

SB14-026 CONCERNING THE REMOVAL OF CERTAIN STATUTORY PRINTING REQUIREMENTS FOR INFORMATION PROVIDED BY THE DIVISION OF WATER RESOURCES.

Approved February 19, 2014 at 11:13 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

Appointment A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

February 10, 2014

To the Honorable
Colorado Senate
Colorado General Assembly
State Capitol Building
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration, the following:

**MEMBER OF THE
JUVENILE PAROLE BOARD**

for a term expiring November 15, 2017:

Patricia J. Kelly of Franktown, Colorado, to serve as a public member/not employed by state government, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/18/2014
Cindi L. Markwell, Secretary of the Senate

Committee on Judiciary

CHANGE IN SPONSORSHIP

Upon announcement of President Carroll, Representative Sonnenberg was removed as a House joint prime sponsor with Representative May and Senator Jahn on SB14-093.

Upon announcement of President Carroll, Representative Navarro will be added as a House joint prime sponsor with Representative Garcia and Senator Crowder on SJR14-015.

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On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Friday,
February 21, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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