

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

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55th Legislative Day Monday, March 3, 2014

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- Prayer 10  
 By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver. 11
- Call to 12  
 Order 13  
 By the President *pro tem* at 10:00 a.m. 14
- Pledge 15  
 By Senator Baumgardner. 16
- Roll Call 17  
 Present--35 18
- Quorum 19  
 The President announced a quorum present. 20
- Reading of 21  
 Journal 22  
 On motion of Senator Jones, reading of the Journal of Friday, February 28, 2014, was 23  
 dispensed with and the Journal was approved as corrected by the Secretary. 24

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**SENATE SERVICES REPORT**

- Correctly Printed:** SB14-151 and 152. 25
- Correctly Reengrossed:** SB14-029. 26
- Correctly Rerevised:** HB14-1022 and 1241. 27

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**MESSAGE FROM THE HOUSE**

- February 28, 2014 28
- Madam President: 29
- The House has passed on Third Reading and transmitted to the Revisor of Statutes 30  
 HB14-1100, amended as printed in House Journal, February 27, page 419. 31
- The House has passed on Third Reading and returns herewith SB14-076. 32
- The House has adopted and returns herewith SJR14-006. 33
- The House has adopted and transmits herewith HJR14-1009. 34

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**MESSAGE FROM THE REVISOR OF STATUTES**

- February 28, 2014 35
- We herewith transmit: 36
- Without comment, as amended, HB14-1100. 37

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

**HB14-1112** by Representative(s) Lebsock, Priola, Exum, Hullinghorst, Kagan, Salazar, Singer; also Senator(s) Ulibarri and Roberts--Concerning limited authorization for a county clerk and recorder to redact the first five digits of a social security number from a public document recorded with the clerk and recorder at the request of the individual to whom the social security number is assigned.

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

**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.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, February 27, page(s) 388 and placed in members' bill files.)

As amended, ordered revised and placed on the calendar for third reading and final passage.

**HB14-1190** by Representative(s) Ryden; also Senator(s) King, Guzman--Concerning the factors that are used to determine the financial capacity to provide matching moneys of a school district or board of cooperative services that has applied for financial assistance under the "Building Excellent Schools Today Act".

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

**HB14-1174** by Representative(s) Mitsch Bush; also Senator(s) Schwartz and Jones--Concerning the sunset review of the natural areas council.

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

YES	35	NO	0	EXCUSED	0	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	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: HB14-1112, HB14-1051 as amended, HB14-1190, HB14-1174.

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

**SB14-125** by Senator(s) Jahn and Harvey, Baumgardner, Cadman, Crowder, Grantham, Herpin, Hodge, Johnston, Lambert, Marble, Newell, Rivera, Steadman, Todd, Zenzinger; also Representative(s) Pabon and Szabo--Concerning the regulation of transportation network companies, and, in connection therewith, requiring transportation network companies to carry liability insurance, conduct background checks on transportation network company drivers, inspect transportation network company vehicles, and obtain a permit from the public utilities commission.

Laid over until Friday, March 7, retaining its place on the calendar.

**SB14-022** by Senator(s) Kefalas, Ulibarri; also Representative(s) Fields, Exum, Pettersen--Concerning certified community development financial institutions, and, in connection therewith, authorizing the investment of public funds in such institutions and allowing the institutions to present a request for full or partial release of collateral pledged without presentation of the original promissory note.

Amendment No. 1, Finance Committee Amendment.  
(Printed in Senate Journal, February 19, page(s) 309-310 and placed in members' bill files.)

Amendment No. 2(L.004), by Senator Kefalas.

Strike the Finance Committee Report, dated February 18, 2014, and substitute:

"Amend printed bill, page 2, strike lines 2 through 16.

Page 3, strike lines 1 through 9.

Renumber succeeding sections accordingly.

Page 3, line 11, strike "(20) (k)" and substitute "(20) (k) and (20) (l)".

Page 3, strike lines 21 through 26 and substitute:

~~"(j) Any entity listed in paragraphs (a) to (i) of this subsection (20) acting in the capacity of agent, nominee except as otherwise specified in subsection (10) of this section, or trustee for another person~~  
COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION THAT HAS BEEN CERTIFIED AND MAINTAINS SUCH CURRENT STATUS FROM THE COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND ADMINISTERED BY THE UNITED STATES DEPARTMENT OF THE TREASURY, REFERRED TO IN THIS SECTION AS THE "FUND". IN ORDER TO BE A QUALIFIED HOLDER UNDER THIS ARTICLE, THE COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION MUST:

- (I) BE A LEGAL ENTITY;
- (II) HAVE A PRIMARY MISSION OF PROMOTING COMMUNITY DEVELOPMENT;
- (III) BE A FINANCING ENTITY;
- (IV) PRIMARILY SERVE ONE OR MORE TARGET MARKETS AS DEFINED BY THE FUND;
- (V) PROMOTE DEVELOPMENT SERVICES IN CONJUNCTION WITH ITS

FINANCING ACTIVITIES;

(VI) MAINTAIN ACCOUNTABILITY TO ITS DEFINED TARGET MARKET; AND

(VII) BE A NONGOVERNMENTAL ENTITY AND NOT BE UNDER THE CONTROL OF ANY GOVERNMENTAL ENTITY; EXCEPT THAT A TRIBAL GOVERNMENT IS EXEMPT FROM THE REQUIREMENTS OF THIS SUBPARAGRAPH (VII).

(k) ANY ENTITY WITH ACTIVE CERTIFICATION UNDER THE FUND THAT ORIGINATES, INSURES, GUARANTEES, OR".

Page 4, line 3, strike "(k)" and substitute "(l)" and strike "(j)" and substitute "(k)".

Page 1, strike lines 103 and 104 and substitute "SUCH INSTITUTIONS TO SERVE AS A QUALIFIED HOLDER AND TO PRESENT A REQUEST FOR FULL".

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

**HB14-1073** by Representative(s) Pabon; also Senator(s) Rivera--Concerning the recording of legal documents.

Amendment No. 1(L.004), by Senator Rivera.

Amend reengrossed bill, page 4, after line 25 insert:

**"SECTION 3.** In Colorado Revised Statutes, 25-2-110, **add** (1) (c) and (10) as follows:

**25-2-110. Certificates of death - repeal.** (1) (c) ONCE A CERTIFICATE OF DEATH HAS BEEN FILED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), A VERIFICATION OF DEATH DOCUMENT MAY BE USED BY LOCAL OFFICES OF VITAL STATISTICS AND THE OFFICE OF THE STATE REGISTRAR OF VITAL STATISTICS WHEN VERIFYING A VITAL EVENT TO A PERSON OR ORGANIZATION THAT HAS REQUESTED A VERIFICATION OF FACT-OF-DEATH. A VERIFICATION OF DEATH DOCUMENT MUST INCLUDE THE NAME AND ADDRESS OF THE DECEDENT, THE DATE OF DEATH, THE PLACE OF DEATH, THE DATE THE DOCUMENT IS FILED, THE STATE FILE NUMBER, AND THE NAME OF ANY SPOUSE OF THE DECEDENT. A VERIFICATION OF DEATH DOCUMENT IS NOT REQUIRED TO CONTAIN A SOCIAL SECURITY NUMBER OF THE DECEASED AS IS OTHERWISE REQUIRED OF A CERTIFICATE OF DEATH UNDER PARAGRAPH (a) OF THIS SUBSECTION (1).

(10) WHENEVER IN THE COLORADO REVISED STATUTES THE TERMS "CERTIFICATE OF DEATH" OR "DEATH CERTIFICATE" ARE USED, EXCEPT AS TO THE INITIAL CERTIFICATE OF DEATH REQUIRED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, THE SAME TWO TERMS INCLUDE A VERIFICATION OF DEATH DOCUMENT THAT IS CERTIFIED BY THE STATE REGISTRAR AND ISSUED PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION."

Renumber succeeding sections accordingly.

Page 6, strike lines 21 through 27 and substitute:

"(2) As used in this part 1, unless the context otherwise requires, a "certificate of death or certified copy thereof" means a certificate of death ~~meeting~~ AS CONSTRUED IN SECTION 25-2-110 (10), C.R.S., THAT MEETS the requirements set forth in section 38-35-112 to be admitted as evidence or a copy of such a certificate of death certified by the public office that issued it."

As amended, **lost** on second reading.

(For further action, see amendments to the report of the Committee of the Whole.)

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- HB14-1021** by Representative(s) Mitsch Bush and Hamner, Fischer, Tyler; also Senator(s) Schwartz--  
Concerning the penalty for violating a road restriction for vehicle combinations over thirty-  
five feet in length traveling on Independence Pass. 1  
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Ordered revised and placed on the calendar for third reading and final passage. 6  
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- HB14-1065** by Representative(s) Moreno, Priola; also Senator(s) Hodge, Steadman, Tochtrop--  
Concerning limits on indemnification provisions in motor carrier transportation contracts. 9  
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Laid over until Tuesday, March 4, retaining its place on the calendar. 11  
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- HB14-1052** by Representative(s) Fischer; also Senator(s) Jones--Concerning an increase in the  
enforcement authority of ground water management districts. 15  
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Amendment No. 1, Local Government Committee Amendment. 17  
(Printed in Senate Journal, February 26, page(s) 366 and placed in members' bill files.) 18  
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As amended, ordered revised and placed on the calendar for third reading and final  
passage. 21  
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- SB14-023** by Senator(s) Schwartz; --Concerning an authorization of the voluntary transfer of water  
efficiency savings to the Colorado water conservation board for instream use purposes in  
water divisions that include lands west of the continental divide. 25  
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Laid over until Thursday, March 6, retaining its place on the calendar. 29  
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- HB14-1122** by Representative(s) Kagan; also Senator(s) Newell--Concerning provisions to keep legal  
marijuana from underage persons. 32  
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Amendment No. 1, Judiciary Committee Amendment. 35  
(Printed in Senate Journal, February 27, page(s) 377-378 and placed in members' bill  
files.) 36  
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As amended, ordered revised and placed on the calendar for third reading and final  
passage. 39  
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- SB14-032** by Senator(s) Lundberg; --Concerning elimination of restrictions on the ability of  
alternative health care providers to treat children. 43  
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Laid over until Friday, March 7, retaining its place on the calendar. 46  
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- SB14-149** by Senator(s) Johnston; also Representative(s) Young--Concerning the minimum standards  
that a private occupational school must satisfy before being issued a certificate of approval  
to operate in Colorado. 49  
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Ordered engrossed and placed on the calendar for third reading and final passage. 53  
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- HB14-1166** by Representative(s) Vigil; also Senator(s) Tochtrop--Concerning the renewal of concealed  
handgun permits by Colorado county sheriffs. 56  
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Ordered revised and placed on the calendar for third reading and final passage. 59  
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- AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE** 63  
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- HB14-1073** by Representative(s) Pabon; also Senator(s) Rivera--Concerning the recording of legal  
documents. 67  
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Senator Rivera moved to amend the Report of the Committee of the Whole to show that  
HB14-1073, as amended, did pass. 70  
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A majority of all members elected to the Senate having voted in the affirmative, the amendment to the report of the Committee of the Whole was **passed** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE**

On motion of Senator Hodge, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	35	NO	0	EXCUSED	0	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	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: SB14-022 as amended, SB14-149, HB14-1073 as amended, HB14-1021, HB14-1052 as amended, HB14-1122 as amended, HB14-1166.
- Laid over until Tuesday, March 4: HB14-1065.
- Laid over until Thursday, March 6: SB14-023.
- Laid over until Friday, March 7: SB14-125, SB14-032.

**SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS**

The President has signed: HB14-1056, 1146.

**DELIVERY TO THE GOVERNOR**

To the Governor for signature on Friday, February 28, 2014, at 11:40 a.m.: SJR14-004.

**MESSAGE FROM THE HOUSE**

March 3, 2014

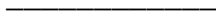
Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1171.

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The House has passed on Third Reading and transmitted to the Revisor of Statutes  
 HB14-1002, amended as printed in House Journal, February 28, page 439.  
 HB14-1003, amended as printed in House Journal, February 28, page 439.  
 HB14-1006, amended as printed in House Journal, February 28, page 439.  
 HB14-1293, amended as printed in House Journal, February 28, pages 439-440.

The House has passed on Third Reading and returns herewith SB14-039, SB14-048.



On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Tuesday,  
 March 4, 2014.

Approved:

Morgan Carroll  
 President of the Senate

Attest:

Cindi L. Markwell  
 Secretary of the Senate

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