

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

62nd Legislative Day Monday, March 10, 2014

- Prayer 10
 By the chaplain, Chaplain Jeff Williams, Colorado Wing, Civil Air Patrol, Colorado Springs. 11
- Call to Order 12
 By the President *pro tem* at 10:00 a.m. 13
- Presentation of Colors 14
 Valkyrie Cadet Squadron Color Guard: 15
 Cadet Kyle Hericks; 16
 Cadet Kelton Erickson; 17
 Cadet Durga Niroula; and 18
 Cadet Daniel Pershing. 19
- Pledge 20
 By Cadet Samuel Robinson. 21
- Roll Call 22
 Present--35 23
- Quorum 24
 The President announced a quorum present. 25
- Reading of Journal 26
 On motion of Senator Hill, reading of the Journal of Friday, March 7, 2014, was dispensed with and the Journal was approved as corrected by the Secretary. 27

COMMITTEE OF REFERENCE REPORTS

- Appropriations 31
 After consideration on the merits, the Committee recommends that **SB14-051** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. 32

Amend the Senate Judiciary Committee Report, dated February 17, 2014, page 8, after line 23 insert:

"SECTION 6. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the vital statistics records cash fund created in section 25-2-121 (2) (b) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2014, the sum of \$34,120 and 0.6 FTE, or so much thereof as may be necessary, to be allocated to health statistics and vital records for the implementation of this act as follows:

personal services	\$28,847 and 0.6 FTE
operating expenses	5,273."

Renumber succeeding sections accordingly.

Page 8 of the committee report, line 29, strike "safety." and substitute "safety."

Page 8 of the committee report, after line 29 insert "Page 1 of the bill, line 102, strike "CHILDREN." and substitute "CHILDREN, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

- Appropriations 33
 After consideration on the merits, the Committee recommends that **SB14-117** be **referred** to the Committee of the Whole with favorable recommendation. 34

Finance

After consideration on the merits, the Committee recommends that **HB14-1103** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance

After consideration on the merits, the Committee recommends that **SB14-099** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, line 13, after "THERAPIST" insert "ACTIVELY".

Page 2, strike line 14 and substitute "IN THIS STATE.".

Page 2, line 16, after the period insert "A PROVISIONAL LICENSE MAY ONLY BE ISSUED ONE TIME AND IS NOT SUBJECT TO SECTION 12-41-112."

SECTION 2. In Colorado Revised Statutes, 12-41-115, amend (1) (e) as follows:

12-41-115. Grounds for disciplinary action. (1) The board may take disciplinary action in accordance with section 12-41-116 against a person who has:

(e) Failed to provide adequate or proper supervision when utilizing unlicensed persons OR PERSONS WITH A PROVISIONAL LICENSE in a physical therapy practice;"

Renumber succeeding section accordingly.

Finance

After consideration on the merits, the Committee recommends that **HB14-1077** be referred to the Committee of the Whole with favorable recommendation.

SENATE SERVICES REPORT

Correctly Printed: SB14-153 and 154.
Correctly Engrossed: SB14-125; SJR14-017.
Correctly Revised: HB14-1172.
Correctly Rerevised: HB14-1183, 1215, and 1229.

MESSAGE FROM THE HOUSE

March 7, 2014

Madam President:

The House has adopted and returns herewith SJR14-017.

MESSAGE FROM THE REVISOR OF STATUTES

March 7, 2014

We herewith transmit:

Without comment, HB14-1257.
Without comment, as amended, HB14-1042.

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INTRODUCTION OF BILLS -- FIRST READING

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

- SB14-155** by Senator(s) Steadman, Hodge, Lambert; also Representative(s) May and Duran, Gerou--
Concerning grant funding for medical marijuana health effects studies.
Health & Human Services
- HB14-1089** by Representative(s) Hamner; also Senator(s) Schwartz--Concerning the qualification for a
person to use the 10th mountain division license plate.
Transportation
- HB14-1148** by Representative(s) Fields; also Senator(s) Jahn--Concerning guidelines for ensuring the
rights of victims of crime to participate in the criminal justice system.
Judiciary
- HB14-1186** by Representative(s) Schafer; also Senator(s) Aguilar--Concerning the release of medical
records to a person other than the patient, and, in connection therewith, setting reasonable
fees to be paid for the release of the medical records.
Health & Human Services
- HB14-1274** by Representative(s) Kraft-Tharp and Holbert; also Senator(s) Jahn--Concerning the
modification of certain limitations on the managers of a bank chartered by Colorado.
Business, Labor, & Technology

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

- SJR14-018** by Senator(s) Lambert; also Representative(s) Ryden--Concerning celebration of Colorado
Civil Air Patrol Day.

On motion of Senator Lambert, the resolution was read at length and **adopted** by 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		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Brophy, Cadman, Carroll, Crowder,
Grantham, Guzman, Harvey, Heath, Herpin, Hill, Hodge, Jahn, Johnston, Jones, Kefalas,
Kerr, King, Lundberg, Marble, Newell, Nicholson, Renfroe, Rivera, Roberts, Scheffel,
Schwartz, Steadman, Tochtrop, Todd, Ulibarri and Zenzinger.

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:

SB14-125

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; and making an appropriation.

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

Third Reading Amendment No. 1(L.025), by Senator Hill.

Amend engrossed bill, strike everything below the enacting clause and substitute the following:

"SECTION 1. In Colorado Revised Statutes, 40-10.1-103, **add** (3) as follows:

40-10.1-103. Subject to control by commission. (3) THE PUBLIC UTILITIES COMMISSION HAS NO AUTHORITY TO REGULATE TRANSPORTATION NETWORK COMPANIES.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.".

The amendment **lost** on the following roll call vote:

YES	12	NO	23	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	King	N	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	N
Brophy	Y	Hodge	N	Marble	Y	Tochtrop	N
Cadman	N	Jahn	N	Newell	N	Todd	N
Crowder	Y	Johnston	N	Nicholson	N	Ulibarri	N
Grantham	Y	Jones	N	Renfroe	Y	Zenzinger	N
Guzman	N	Kefalas	N	Rivera	N	President	N
Harvey	Y	Kerr	N	Roberts	N		

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

YES	29	NO	6	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	Y	Hill	N	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	N	Ulibarri	Y
Grantham	Y	Jones	N	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	N	Rivera	Y	President	Y
Harvey	Y	Kerr	N	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.

HB14-1172 by Representative(s) Lawrence; also Senator(s) Steadman--Concerning exempting certain public safety departments from certain statutory requirements related to the impact of a criminal conviction on state employment opportunities.

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

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		

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

Co-sponsor(s) added: Carroll, Guzman and Ulibarri.

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

SB14-016 by Senator(s) Aguilar; also Representative(s) Moreno--Concerning the ability of certain health care facilities to provide emergency services outside a hospital setting.

Laid over until Friday, March 14, retaining its place on the calendar.

SB14-032 by Senator(s) Lundberg; --Concerning elimination of restrictions on the ability of alternative health care providers to treat children.

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 engrossed and placed on the calendar for third reading and final passage.

HB14-1108 by Representative(s) Primavera, Landgraf, Singer; also Senator(s) Tochtrop, Roberts--Concerning limits on copayments made by a covered person for physical rehabilitation services.

Laid over until Friday, March 14, retaining its place on the calendar.

HB14-1224 by Representative(s) Gardner; also Senator(s) Herpin--Concerning a set aside goal in state procurement for service-disabled veteran owned small businesses.

Lost on second reading.

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

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB14-1224 by Representative(s) Gardner; also Senator(s) Herpin--Concerning a set aside goal in state procurement for service-disabled veteran owned small businesses.

Senator Herpin moved to amend the Report of the Committee of the Whole to show that HB14-1224 did pass.

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 Kerr, 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: SB14-032 as amended, HB14-1224.
Laid over until Friday, March 14: SB14-016, HB14-1108.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB14-059 by Senator(s) Guzman; also Representative(s) Lawrence--Concerning eliminating the statute of limitations for offenses that accompany sex offenses that are not subject to a statute of limitations.

Senator Guzman moved that the Senate concur in House amendments to **SB14-059**, as printed in House journal, March 5, page(s) 475-476. The motion was **adopted** by 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 question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	30	NO	5	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	Y	Hill	N	Lundberg	N	Steadman	N
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, as amended, was **repassed**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

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

MEMBERS OF THE
COLORADO WATER CONSERVATION BOARD

effective February 12, 2014, for terms expiring February 12, 2017:

April D. Montgomery of Norwood, Colorado, a resident of the San Miguel-Dolores-San Juan drainage basin and a Democrat, reappointed;

Travis L. Smith of Del Norte, Colorado, to serve as a representative from the Rio Grande drainage basin and as a Republican, reappointed; and

Alan C. Hamel of Pueblo, Colorado, to serve as a representative from the Arkansas drainage basin and as a Republican, reappointed.

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		

MESSAGE FROM THE HOUSE

March 10, 2014

Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1141, amended as printed in House Journal, March 7, pages 499-500. HB14-1105, amended as printed in House Journal, March 7, page 500.

The House has passed on Third Reading and returns herewith SB14-095, 112, 024, 031, 097, 138, 121, 096.

MESSAGE FROM THE REVISOR OF STATUTES

March 10, 2014

We herewith transmit:

Without comment, as amended, HB14-1105 and 1141.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB14-039, 047, 048, 052, 076 and 083; HB14-1051, 1073, 1121 and 1122.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 10, 2014, at 9:12 a.m.: SB14-039, 047, 048, 052, 076 and 083.

MESSAGE FROM THE GOVERNOR

March 7, 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 Joint Resolution:

SJR14-004: CONCERNING APPROVAL OF WATER PROJECT REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY.

Approved March 7, 2014 at 1:58 p.m.

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Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Tuesday, March 11, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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