

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

79th Legislative Day Thursday, March 27, 2014

Prayer	By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.	1 2 3 4 5 6 7 8 9 10 11
Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	12 13 14 15
Pledge	By Senator Zenzinger.	16 17
Roll Call	Present--35	18 19
Quorum	The President announced a quorum present.	20 21
Reading of Journal	On motion of Senator Marble, reading of the Journal of Wednesday, March 26, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	22 23 24 25 26 27

COMMITTEE OF REFERENCE REPORTS

Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB14-1267 be referred to the Committee of the Whole with favorable recommendation.	28 29 30 31 32 33 34 35
Judiciary	After consideration on the merits, the Committee recommends that SB14-163 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.	36 37 38 39

Amend printed bill, page 6, line 24, strike "14-____," and substitute "14-163,".

Page 8, strike lines 23 and 24 and substitute "A MISDEMEANOR OFFENSE, AS DESCRIBED IN ARTICLE 18 OF THIS TITLE, originally charged as a ~~drug~~ felony DRUG offense, AS DESCRIBED IN ARTICLE 18 OF THIS TITLE.".

Page 20, after line 18 insert:

"SECTION 23. In Colorado Revised Statutes, 16-5-301, **amend** (1) (b) (I) as follows:

16-5-301. Preliminary hearing or waiver - dispositional hearing. (1) (b) (I) No person accused of a class 4, 5, or 6 felony OR LEVEL 3 OR LEVEL 4 DRUG FELONY by direct information or felony complaint, except those which require mandatory sentencing or which are crimes of violence as defined in section 18-1.3-406, C.R.S., or which are sexual offenses under part 4 of article 3 of title 18, C.R.S., shall have the right to demand or receive a preliminary hearing; except that such person shall participate in a dispositional hearing for the purposes of case evaluation and potential resolution.

SECTION 24. In Colorado Revised Statutes, 18-18-406.5, **amend** (1) and (2) as follows:

18-18-406.5. Unlawful use of marijuana in a detention facility. (1) A person confined in a detention facility in this state who possesses or uses ~~up to eight ounces of~~ marijuana commits a level 1 drug misdemeanor.

~~(2) Any person confined in any detention facility in this state who~~

~~possesses or uses eight ounces or more of marijuana shall be subject to the provisions of section 18-18-406 (4) (b)."~~

Renumber succeeding sections accordingly.

Page 20, line 20, strike "and 22" and substitute "22, 23, and 24".

Judiciary

After consideration on the merits, the Committee recommends that **HB14-1141** 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.

Amend reengrossed bill, page 2, strike lines 2 through 4 and substitute:

"SECTION 1. In Colorado Revised Statutes, **add 8-2-128** as follows:

8-2-128. Prohibitions of employer - requiring social security number - exceptions."

Page 2, line 5, strike "(1.5)" and substitute "(1)".

Page 2, strike lines 11 and 12 and substitute:

"(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1), A CURRENT OR PROSPECTIVE BOARD MEMBER MAY BE REQUIRED TO DISCLOSE HIS OR HER SOCIAL SECURITY NUMBER:

(I) TO AN ENTITY THAT IS REQUIRED BY LAW, RULE, OR A "

Page 3, line 1, change the period to a semicolon.

Page 3, after line 1 insert:

"(II) IF THE BOARD MEMBER WOULD DIRECTLY SERVE A CLIENTELE THAT INCLUDES MINORS, THE ELDERLY, VICTIMS OF ABUSE, PERSONS WITH DEVELOPMENTAL DISABILITIES, OR OTHER VULNERABLE INDIVIDUALS AND THAT HAS AN ESTABLISHED POLICY OF USING A PROFESSIONAL EMPLOYMENT SCREENING SERVICE TO CONDUCT BACKGROUND CHECKS, UTILIZING SOCIAL SECURITY NUMBERS, TO SCREEN ITS PERSONNEL, BOARD MEMBERS, OR VOLUNTEERS; OR

(III) IF THE BOARD MEMBER WOULD BE AUTHORIZED TO SIGN CHECKS OR ENGAGE IN OTHER TRANSACTIONS INVOLVING THE ENTITY'S ASSETS OR ACCOUNTS, AND THE FINANCIAL INSTITUTION HOLDING THOSE ASSETS OR ACCOUNTS REQUIRES A SOCIAL SECURITY NUMBER TO VERIFY THE IDENTITY OF PERSONS SO AUTHORIZED.

(c) AN ENTITY THAT REQUIRES AN INDIVIDUAL TO PROVIDE HIS OR HER SOCIAL SECURITY NUMBER FOR ONE OF THE REASONS LISTED IN PARAGRAPH (b) OF THIS SUBSECTION (1.5) SHALL STATE THE REASON AND SPECIFY WHAT USES WILL BE MADE OF THE INDIVIDUAL'S SOCIAL SECURITY NUMBER."

Page 3, line 2, strike "(3.5)" and substitute "(2)".

Page 3, line 6, strike "OR STATE LAW" and substitute "LAW, STATE LAW OR RULE, OR A RULE, ORDER, OR DIRECTIVE OF A COURT".

Page 3, line 9, after "NUMBER" insert "WHEN THE DISCLOSURE IS NOT REQUIRED BY FEDERAL OR STATE LAW".

Page 3, strike lines 13 through 16.

Page 1, strike line 102 and substitute **"UNDER STATUTES PROTECTING THE PRIVACY OF INDIVIDUALS."**

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Education	After consideration on the merits, the Committee recommends that SB14-165 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4
Health & Human Services	After consideration on the merits, the Committee recommends that SB14-160 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	5 6 7 8 9
Health & Human Services	After consideration on the merits, the Committee recommends that HB14-1257 be postponed indefinitely .	10 11 12 13 14
Health & Human Services	After consideration on the merits, the Committee recommends that HB14-1207 be referred to the Committee on <u>Finance</u> with favorable recommendation.	15 16 17 18 19
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB14-1185 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	20 21 22 23 24

SENATE SERVICES REPORT

Correctly Revised: HB14-1186 and 1277.
Correctly Rerevised: HB14-1136 and 1271.
Correctly Enrolled: SB14-022, 058 and 098; SJR14-011 and 020.

MESSAGE FROM THE HOUSE

March 26, 2014

Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1289.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1187, amended as printed in House Journal, March 25, page 681.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB14-131, amended as printed in House Journal, March 21, page 659 and amended on March 25, page(s) 681.

The House has adopted and transmits herewith HJR14-1014.

MESSAGE FROM THE REVISOR OF STATUTES

March 26, 2014

We herewith transmit:

Without comment, HB14-1289.
Without comment, as amended, HB14-1187.
Without comment, as amended, SB14-131.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title and referred to the committee indicated:

SJR14-023 by Senator(s) Lundberg, Grantham, Lambert, Cadman, Scheffel, Baumgardner, Crowder, Herpin, King, Marble, Rivera; also Representative(s) Saine and Wright, Humphrey, Murray, Lawrence, Landgraf, Joshi, Rankin, Swalm, Nordberg, Scott, Priola, Wilson, Conti, DelGrosso, Everett, Szabo--Concerning an application to the United States Congress for an article V constitutional convention of the states for proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.
 State, Veterans, & Military Affairs

INTRODUCTION OF BILLS -- FIRST READING

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

SB14-170 by Senator(s) Todd and King; also Representative(s) Kraft-Tharp and Coram--Concerning the authority of a vehicle that is being used to escort a funeral.
 Judiciary

SB14-171 by Senator(s) Schwartz and Jones; also Representative(s) Tyler--Concerning the ability of the Colorado new energy improvement district to arrange financing for water conservation fixtures.
 Agriculture, Natural Resources, & Energy

HB14-1216 by Representative(s) Sonnenberg; also Senator(s) Brophy--Concerning required safety markings for certain towers over fifty feet in height that are located in unincorporated areas of the state.
 Agriculture, Natural Resources, & Energy

HB14-1286 by Representative(s) Melton; also Senator(s) Steadman--Concerning authorization for the state treasurer to loan to the state historical society for public display items presented to the governor as gifts to the state.
 Education

HB14-1288 by Representative(s) Pabon, Court, Gardner, Gerou, Ginal, Labuda, McCann, McNulty, Peniston, Schafer; also Senator(s) Aguilar, Guzman, Todd, Ulibarri--Concerning personal belief exemptions to immunization requirements for children prior to attending school.
 State, Veterans, & Military Affairs

HB14-1295 by Representative(s) McCann, Williams, Exum, Fields, Labuda, Lebsock, Lee, Rosenthal, Ryden, Salazar; also Senator(s) Ulibarri--Concerning residential mortgage foreclosures, and, in connection therewith, requiring a single point of contact and prohibiting dual tracking.
 Judiciary

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HB14-1312 by Representative(s) Williams, Labuda, Salazar, Garcia, Lebsock, Becker, Buckner, Court, Duran, Exum, Fields, Foote, Ginal, Hullinghorst, Kraft-Tharp, Lee, McCann, Melton, Moreno, Peniston, Pettersen, Rosenthal, Ryden, Schafer, Singer, Tyler, Vigil, Young; also Senator(s) Ulibarri--Concerning efforts to reduce the number of foreclosures in Colorado, and, in connection therewith, continuing the foreclosure deferment program.
 Judiciary

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:

SB14-156 by Senator(s) Kefalas and Heath; also Representative(s) Lee--Concerning a requirement that a public benefit corporation file an annual report.

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

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	N	Herpin	N	Lambert	N	Schwartz	Y
Baumgardner	N	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	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: Schwartz.

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.

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

YES	24	NO	11	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	N
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	N	Steadman	Y
Brophy	Y	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	N	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: Nicholson.

HB14-1277 by Representative(s) Melton, Lebsock, Buckner, Exum, Fields, Landgraf, May, Nordberg, Rankin, Ryden; also Senator(s) Todd--Concerning eligibility requirements for recipients of grants from the military family relief fund.

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: Aguilar, Carroll, Crowder, Guzman, Heath, Herpin, Hill, Hodge, Johnston, Jones, Kefalas, Kerr, King, Newell, Nicholson, Rivera, Roberts, Schwartz, Tochtrop, Ulibarri and Zenzinger.

Upon request of Majority Leader Heath, **HB14-1100** was removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, March 27 and was placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 27.

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:

SB14-158 by Senator(s) Steadman and Jones; also Representative(s) Hullinghorst--Concerning the harmonization of statutory recall election provisions with the recall provisions in the state constitution to reflect the manner in which contemporary elections are conducted, and, in connection therewith, aligning circulator regulation and petition requirements with initiative and referendum circulator and petition requirements.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 24, page(s) 547 and placed in members' bill files.)

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

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

HB14-1149 by Representative(s) Conti; also Senator(s) Marble--Concerning making acts related to the advertisement of children for the purposes of transferring their care to others trafficking in children.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 25, page(s) 559 and placed in members' bill files.)

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

HB14-1100 by Representative(s) Swalm and Pabon, Wilson, McCann, Fields, Gardner, Holbert, McNulty, Navarro, Rosenthal, Scott, Tyler, Williams; also Senator(s) Grantham-- Concerning the use of title documents to give notice of characteristics of motor vehicles that affect a vehicle's value, and, in connection therewith, making an appropriation.

Amendment No. 1, Transportation Committee Amendment.
(Printed in Senate Journal, March 19, page(s) 518 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 25, page(s) 558 and placed in members' bill files.)

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

SB14-115 by Senator(s) Roberts and Schwartz; also Representative(s) Fischer and Coram-- Concerning procedural requirements applicable to state water plans.

Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment.
(Printed in Senate Journal, February 14, page(s) 259-261 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 25, page(s) 557 and placed in members' bill files.)

Amendment No. 3(L.004), by Senator Roberts.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated February 13, 2014, page 3, line 17, after "RULE," insert "AND".

Page 3, line 18, strike everything after "OF" and substitute "LAW.".

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

Majority Leader Heath moved that the Committee of the Whole rise, report progress, and beg leave to sit again. A majority of those elected to the Senate having voted in the affirmative, the motion was adopted.

Committee of the Whole in recess.

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CONSIDERATION OF RESOLUTIONS

SJR14-021 by Senator(s) Todd, Aguilar, Carroll, Guzman, Heath, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Newell, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Ulibarri, Zenzinger; also Representative(s) Labuda, Becker, Conti, Court, Duran, Fields, Ginal, Hamner, Hullinghorst, Kraft-Tharp, Lawrence, McCann, Mitsch Bush, Murray, Navarro, Peniston, Pettersen, Primavera, Ryden, Saine, Schafer, Stephens, Szabo, Williams--Concerning the recognition of National Women's History Month, and, in connection therewith, designating March as Colorado Women's History Month.

On motion of Senator Todd, the resolution 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		

Co-sponsor(s) added: Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, Harvey, Herpin, Hill, King, Lambert, Renfroe, Rivera and Scheffel.

HJR14-1009 by Representative(s) Williams, Buckner, Exum, Fields, Melton, Salazar, Becker, Court, Duran, Ferrandino, Fischer, Foote, Garcia, Ginal, Hamner, Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsack, Lee, May, McCann, McLachlan, Mitsch Bush, Moreno, Pabon, Peniston, Pettersen, Primavera, Rosenthal, Ryden, Schafer, Singer, Tyler, Vigil, Young; also Senator(s) Ulibarri--Concerning a request that Congress restore the federal "Voting Rights Act of 1965", as amended.

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

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR14-024 by Senator(s) Guzman and Aguilar; also Representative(s) Pabon, Duran, Garcia, Moreno, Salazar, Vigil--Concerning recognition of "César Chávez Day".

Laid over until Monday, March 31, retaining its place on the calendar.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Heath, the following Governor's appointments were confirmed by a roll call vote:

MEMBERS OF THE
COLORADO COMMISSION ON JUDICIAL DISCIPLINE

for a term expiring June 30, 2015:

Yolanda Regina Lyons of Monument, Colorado, to serve as a non-attorney, and occasioned by the resignation of Albus Brooks, appointed;

for terms expiring June 30, 2017:

Richard O. Campbell of Denver, Colorado, to serve as an attorney, reappointed;

Kathleen S. Kelley of Meeker, Colorado, to serve as a non-attorney, 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		

CONSIDERATION OF GOVERNOR'S APPOINTMENTS

On motion of Senator Aguilar, the following Governor's appointment was confirmed by a roll call vote:

**MEMBER OF THE
SOLID AND HAZARDOUS WASTE COMMISSION**

for a term expiring August 1, 2016:

Randall Mack Weiner of Boulder, Colorado, to serve as a member of the public and as a Democrat, appointed.

YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	N	Scheffel	N
Balmer	N	Herpin	N	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	N	Steadman	Y
Brophy	N	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	N	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	N	Jones	Y	Renfroe	N	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	N	President	Y
Harvey	N	Kerr	Y	Roberts	N		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR14-011 and 020; HB14-1108, 1152, 1160, 1184, 1265.

Committee of the Whole reconvened.

GENERAL ORDERS -- SECOND READING OF BILLS - cont'd

SB14-161 by Senator(s) Ulibarri and Johnston; also Representative(s) Hulinghorst--Concerning the modernization of provisions of the "Uniform Election Code of 1992" that ensure voter access for eligible electors, and, in connection therewith, reducing the deadline by which a voter registration application must be submitted via certain methods, altering procedures pertaining to national change-of-address searches, allowing emergency ballots to be obtained for nonmedical reasons, amending provisions relating to military and overseas voters, increasing the penalty for providing false residential information, and making the aiding or abetting the provision of false residential information a new felony offense.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, March 24, page(s) 548 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, March 25, page(s) 557-558 and placed in members' bill files.)

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

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

Senate in recess. Senate reconvened.

Call of the Senate. Call raised.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

SB14-158 by Senator(s) Steadman and Jones; also Representative(s) Hulinghorst--Concerning the harmonization of statutory recall election provisions with the recall provisions in the state constitution to reflect the manner in which contemporary elections are conducted, and, in connection therewith, aligning circulator regulation and petition requirements with initiative and referendum circulator and petition requirements.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to SB14-158 did pass.

Amend printed bill, page 5, line 26, strike "NO" and substitute "EXCEPT WHERE HE OR SHE REASONABLY DETERMINES THAT DOING SO WOULD BE IMPOSSIBLE OR WOULD VIOLATE LAW OR COURT ORDER, NO".

Less than 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 **lost** on the following roll call vote:

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YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	N
Brophy	Y	Hodge	N	Marble	Y	Tochtrop	N
Cadman	Y	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	Y	President	N
Harvey	Y	Kerr	N	Roberts	Y		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to SB14-158 did pass.

Amend printed bill, page 4, line 26, strike "(3.5),".

Page 5, strike lines 6 through 12.

Less than 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 **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	N
Brophy	Y	Hodge	N	Marble	Y	Tochtrop	N
Cadman	Y	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	Y	President	N
Harvey	Y	Kerr	N	Roberts	Y		

SB14-161

by Senator(s) Ulibarri and Johnston; also Representative(s) Hullinghorst--Concerning the modernization of provisions of the "Uniform Election Code of 1992" that ensure voter access for eligible electors, and, in connection therewith, reducing the deadline by which a voter registration application must be submitted via certain methods, altering procedures pertaining to national change-of-address searches, allowing emergency ballots to be obtained for nonmedical reasons, amending provisions relating to military and overseas voters, increasing the penalty for providing false residential information, making the aiding or abetting the provision of false residential information a new felony offense, and making and reducing an appropriation.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.009) to SB14-161, did pass, and that SB14-161, as amended, did pass.

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

"SECTION 12. In Colorado Revised Statutes, **amend 1-5-401** as follows:

1-5-401. Method of voting. (1) For all general, primary, congressional vacancy, coordinated, odd-year, and recall elections conducted on or after July 1, 2013, and for any election in which the governing body of a political subdivision other than a county determines that an election shall be by mail ballot, the county clerk and recorder or designated election official for the political subdivision, as applicable, shall conduct the election by mail ballot; except that votes cast at voter service and polling centers may be by paper ballots or by electronic or electromechanical voting systems.

(2) (a) ALL VOTER SERVICE AND POLLING CENTERS, INCLUDING THOSE EMPLOYING ELECTROMECHANICAL VOTING SYSTEMS, MUST ALLOW

AN ELIGIBLE ELECTOR TO VOTE BY MARKING A PAPER BALLOT AND SUBMITTING SUCH BALLOT IN AN ENVELOPE THAT DOES NOT CONTAIN THE ELECTOR'S NAME OR ANY OTHER INFORMATION THAT IDENTIFIES THE ELECTOR.

(b) ANY ELIGIBLE ELECTOR MAY VOTE IN PERSON AT A VOTER SERVICE AND POLLING CENTER WITHOUT BEING REQUIRED TO IDENTIFY HIS OR HER BALLOT."

Renumber succeeding sections accordingly.

Less than 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 **lost** on the following roll call vote:

YES	17	NO	18	EXCUSED	0	ABSENT	0	
Aguilar		N	Heath	N	King	Y	Scheffel	Y
Balmer		Y	Herpin	Y	Lambert	Y	Schwartz	N
Baumgardner		Y	Hill	Y	Lundberg	Y	Steadman	N
Brophy		Y	Hodge	N	Marble	Y	Tochtrop	N
Cadman		Y	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	Y	President	N
Harvey		Y	Kerr	N	Roberts	Y		

SB14-158

by Senator(s) Steadman and Jones; also Representative(s) Hullinghorst--Concerning the harmonization of statutory recall election provisions with the recall provisions in the state constitution to reflect the manner in which contemporary elections are conducted, and, in connection therewith, aligning circulator regulation and petition requirements with initiative and referendum circulator and petition requirements.

Senators Steadman and Jones moved to amend the Report of the Committee of the Whole to show that the following amendment to SB 14-158 did pass, and that SB 14-158, as amended, did pass.

Amend printed bill, page 8, line 5, strike "ENFORCEMENT OF" and substitute "APPLICATION TO RECALL ELECTIONS, NOR THE ENFORCEMENT OF,".

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

YES	19	NO	16	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	N	Scheffel	N
Balmer	N	Herpin	N	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	N	Steadman	Y
Brophy	Y	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	N	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	N	Jones	Y	Renfroe	N	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	N	President	Y
Harvey	N	Kerr	Y	Roberts	N		

The Committee of the Whole took the following action:

Passed on second reading: SB14-158 as amended, SB14-115 as amended, SB14-161 as amended, HB14-1149 as amended, HB14-1100 as amended.

IMMEDIATE RECONSIDERATION OF ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Having voted on the prevailing side, Majority Leader Heath moved for immediate reconsideration of the last Senate action, adoption of the report of the Committee of the Whole, as printed in Senate Journal, March 27, page 588. The roll call was taken with the following result:

YES	17	NO	18	EXCUSED	0	ABSENT	0
Aguilar	N	Heath	N	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	N
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	N
Brophy	Y	Hodge	N	Marble	Y	Tochtrop	N
Cadman	Y	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	Y	President	N
Harvey	Y	Kerr	N	Roberts	Y		

Less than a majority of all members elected to the Senate having voted in the affirmative, reconsideration failed.

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Friday, March 28, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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