

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

34th Legislative Day

Monday, February 10, 2014

Prayer	By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.	11
Call to Order	By the President <i>pro tem</i> at 10:00 a.m.	13
Pledge	By Senator Kefalas.	16
Roll Call	Present--34 Excused--1, King. Present later--1, King.	18
Quorum	The President announced a quorum present.	22
Reading of Journal	On motion of Senator Herpin, reading of the Journal of Friday, February 7, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	24

SENATE SERVICES REPORT

Correctly Printed: SB14-142 and 143; SJR14-008, 009 and 010.
Correctly Engrossed: SB14-024, 031, 083, 089, 098 and 102; SJR14-007.

MESSAGE FROM THE HOUSE

February 7, 2014

Madam President:

The House has adopted and returns herewith SJR14-007.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR14-011 by Senator(s) Lambert; also Representative(s) Swalm--Concerning the one hundred fourth anniversary of the Boy Scouts of America.

Laid over until Wednesday, February 12, retaining its place on the calendar.

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INTRODUCTION OF BILLS -- FIRST READING

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

HB14-1052 by Representative(s) Fischer; also Senator(s) Jones--Concerning an increase in the enforcement authority of ground water management districts.
Local Government

HB14-1146 by Representative(s) Becker; also Senator(s) Tochtrop--Concerning a prohibition against greyhound racing in 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 an expression 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 Senate proceeded out of order for Consideration of Resolutions.

CONSIDERATION OF RESOLUTIONS

SJR14-006 by Senator(s) Jones and Nicholson, Tochtrop; also Representative(s) Exum--Concerning the Granite Mountain Interagency Hotshot firefighting crew, and, in connection therewith, honoring the service and sacrifice of the 19 members of the crew who lost their lives on June 30, 2013, while battling the Yarnell Hill Fire in Arizona.

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

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

Amend printed joint resolution, page 4, line 9, strike "the" and substitute "Eric Kriwer," and after "Arizona" insert "interim".

Page 4, line 10, strike "and".

Page 4, line 11, strike "Safety." and substitute "Safety; Sheriff James Casias, President, County Sheriffs of Colorado; Mike Rogers, President, Colorado Professional Fire Fighters; Steve Trujillo, President, Colorado State Fire Fighters Association; Todd Richardson, State FMO, Bureau of Land Management Colorado State Office; Willie Thompson, Fire Director, U.S. Forest Service Rocky Mountain Region; Paul Cerda, Superintendent, Alpine Interagency Hotshot Crew; Shawn Telford, Superintendent, Craig Interagency Hotshot Crew; Bob Ayotte, Acting Superintendent, Pike Interagency Hotshot Crew; Jay Godson, Superintendent, San Juan Interagency Hotshot Crew; and Larry Money, Superintendent, Roosevelt Interagency Hotshot Crew."

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	E	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		

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	E	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, Kefalas, Kerr, Lambert, Lundberg, Marble, Newell, Renfroe, Rivera, Roberts, Scheffel, Schwartz, Steadman, Todd, Ulibarri and Zenzinger.

Senate in recess. Senate reconvened.

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 --
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:

SB14-024 by Senator(s) Tochtrop; also Representative(s) Scott, Court, Dore, Peniston, Rosenthal, Schafer, Wright--Concerning the responsibilities of certain entities in managing volunteer firefighter pension plans that are affiliated with the fire and police pension association.

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	E	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: Newell.

SB14-083

by Senator(s) Crowder; also Representative(s) Ferrandino--Concerning reimbursement to be paid by a county to the state for costs incurred by the state in connection with the reappraisal of property in the county.

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	E	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: Grantham and Jones.

SB14-102

by Senator(s) Ulibarri; also Representative(s) Gardner and Rosenthal--Concerning the addition of employment positions held at financial institutions to the circumstances under which an employer may use consumer credit information for employment 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	E	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: Guzman.

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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:

SB14-098 by Senator(s) Zenzinger; also Representative(s) Foote and Schafer--Concerning clarifications to statutory language on crimes against at-risk elders.

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	E	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, Guzman, Heath, Herpin, Hodge, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Newell, Nicholson, Rivera, Tochtrop and Todd.

SB14-031 by Senator(s) Tochtrop; also Representative(s) Rosenthal, Court, Schafer--Concerning modifications to the administration of old hire police officers' and firefighters' pension plans.

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	E	Scheffel	Y
Balmer	N	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	Y	Hill	Y	Lundberg	N	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**.

Co-sponsor(s) added: Aguilar, Guzman, Heath, Herpin, Jones, Kefalas, Kerr, Newell, Rivera, Roberts, Schwartz, Todd and Ulibarri.

SB14-089 by Senator(s) Schwartz, Jahn; also Representative(s) Fischer, Szabo, Vigil--Concerning a prohibition for the state to enter into an agreement for a payment in lieu of taxes.

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

YES	21	NO	13	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	E	Scheffel	N
Balmer	N	Herpin	N	Lambert	N	Schwartz	Y
Baumgardner	Y	Hill	N	Lundberg	N	Steadman	Y
Brophy	N	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: Guzman.

NOTICE OF INTENT TO MOVE FOR RECONSIDERATION OF SJR14-006

Senator Cadman gave notice of intent to reconsider SJR14-006.

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

HB14-1027 by Representative(s) Fischer, Lee, Mitsch Bush, Primavera, Tyler; also Senator(s) Jones, Todd--Concerning the clarification of the definition of a plug-in electric motor vehicle.

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

HB14-1020 by Representative(s) Lebsock; also Senator(s) Balmer and Nicholson--Concerning the consolidation of two reports on taxable property that county assessors submit to their boards of equalization.

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

SB14-095 by Senator(s) Kefalas; also Representative(s) McCann--Concerning the ability of a prescription drug outlet to compound drugs for distribution to a Colorado hospital.

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

SB14-096 by Senator(s) Crowder, Todd; also Representative(s) Exum and Pettersen--Concerning renaming state veterans nursing homes to veterans community living centers to more accurately reflect the wide array of services provided to state veterans.

Ordered engrossed 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 Steadman, 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	E	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: SB14-095, SB14-096, HB14-1027, HB14-1020.

Committee of the Whole

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

HB14-1078 by Representative(s) Pettersen; also Senator(s) Johnston--Concerning changes to the public education accreditation statutes as a result of legislative review of the rules of the state board of education, and, in connection therewith, clarifying the term "public school" in the accreditation statutes and allowing automatic renewal of the accreditation contract for an entity with an improvement plan.

Amendment No. 1, Education Committee Amendment.
(Printed in Senate Journal, February 6, page(s) 175 and placed in members' bill files.)

Lost on second reading.

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

HB14-1164 by Representative(s) Hullinghorst; also Senator(s) Ulibarri--Concerning nonpartisan elections not coordinated by a county clerk and recorder, and, in connection therewith, creating the "Colorado Local Government Election Code" for the conduct of such elections by special districts, harmonizing residency requirements for voter registration, modifying the "Colorado Municipal Election Code of 1965", and clarifying when elections are coordinated by county clerk and recorders.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, February 6, page(s) 174-175 and placed in members' bill files.)

Amendment No. 2(L.041), by Senator Balmer.

Amend reengrossed bill, page 30, after line 13 insert:

"1-13.5-504.5. Accessibility of polling places to persons with disabilities. (1) EACH POLLING PLACE SHALL BE FULLY ACCESSIBLE TO "DISABLED VETERANS", AS DEFINED IN SECTION 39-3-202 (3.5), C.R.S., AND NO BARRIER SHALL IMPEDE THE PATH OF ELECTORS WITH DISABILITIES TO THE VOTING BOOTH.
(2) EMERGENCY POLLING PLACES ARE EXEMPT FROM COMPLIANCE WITH THIS SECTION.
(3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, A DESIGNATED ELECTION OFFICIAL SHALL ONLY SELECT AS POLLING PLACES SUCH SITES THAT MEET THE STANDARDS OF ACCESSIBILITY SET FORTH IN SUBSECTION (1) OF THIS SECTION."

Amendment No. 3(L.042), by Senator Ulibarri.

Amend Balmer floor amendment (HB1164_L.041), page 1, strike lines 3 and 4 and substitute:

"disabilities. (1) EACH POLLING PLACE SHALL COMPLY FULLY WITH THE CURRENT "ADA STANDARDS FOR ACCESSIBLE DESIGN" SET FORTH IN 28 CFR 36 AND PROMULGATED IN ACCORDANCE WITH THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", AS AMENDED, 42 U.S.C. SEC. 12101 ET SEQ.,".

Amendment No. 4(L.029), by Senator Harvey.

Amend reengrossed bill, page 80, line 26, strike "A".

Page 80, strike line 27 and substitute:

"THE FOLLOWING SELF-AFFIRMATION:

"STATE OF, LOCAL GOVERNMENT OF

I,, AFFIRM AND SAY THAT I AM A REGISTERED ELECTOR IN THE STATE OF COLORADO AND AM QUALIFIED TO VOTE IN THE STATE AND THE LOCAL GOVERNMENT OF; THAT MY RESIDENTIAL ADDRESS IS; AND THAT I HEREIN ENCLOSE MY BALLOT IN ACCORDANCE WITH THE PROVISIONS OF THE "COLORADO LOCAL GOVERNMENT ELECTION CODE". I REALIZE THAT IF ANY FALSE STATEMENTS ARE CONTAINED HEREIN THAT I AM SUBJECT TO PROSECUTION FOR CRIMINAL ACTION."

.....
DATE

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SIGNATURE OF VOTER".

Page 111, strike lines 13 through 18 and substitute:

"STATE OF MUNICIPALITY OF, COUNTY OF

I,, AFFIRM AND SAY THAT I AM A QUALIFIED AND REGISTERED ELECTOR IN PRECINCT NO., MUNICIPALITY OF AND STATE OF COLORADO; THAT MY RESIDENTIAL ADDRESS IS; AND THAT I HEREIN ENCLOSE MY BALLOT IN ACCORDANCE WITH THE PROVISIONS OF THE "COLORADO MUNICIPAL ELECTION CODE OF 1965". I REALIZE THAT IF ANY FALSE STATEMENTS ARE CONTAINED HEREIN THAT I SHALL BE SUBJECT TO PROSECUTION FOR CRIMINAL ACTION."

Amendment No. 5(L.038), by Senator Lundberg.

Amend reengrossed bill, page 84, after line 4 insert:

"1-13.5-1105.5. Voting by electors at group residential facilities. FOR INDEPENDENT MAIL BALLOT ELECTIONS CONDUCTED UNDER THIS PART 11, UPON THE REQUEST OF ANY ELIGIBLE ELECTOR OF THE LOCAL GOVERNMENT RESIDING IN A FACILITY DESCRIBED IN SECTION 1-7.5-113 (1), THE DESIGNATED ELECTION OFFICIAL SHALL APPOINT A COMMITTEE FOR DELIVERY OF MAIL BALLOTS TO, AND RETURN OF VOTED MAIL BALLOTS FROM, THE FACILITY IN ACCORDANCE WITH SECTION 1-7.5-113."

Page 127, after line 11 insert:

"SECTION 37. In Colorado Revised Statutes, **amend** 1-7.5-113 as follows:

1-7.5-113. Voting at group residential facilities. (1) If a group residential facility does not have mail boxes in which a representative of the United States postal service may directly deposit mail, and more than seven mail ballots are to be sent to that group residential facility, a committee consisting of one employee of the county clerk and recorder of the county in which the facility is located and, where available, a

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representative appointed by each of the major political parties shall deliver the mail ballots and return ~~those~~ THE VOTED ballots to the office of the county clerk and recorder.

(2) For nonpartisan elections, INCLUDING INDEPENDENT MAIL BALLOT ELECTIONS CONDUCTED PURSUANT TO PART 11 OF ARTICLE 13.5 OF THIS TITLE, the designated election official ~~may~~ SHALL appoint a committee that consists of two or more election judges or employees or representatives of the designated election official. THE VOTED BALLOTS MUST BE RETURNED TO THE OFFICE OF THE DESIGNATED ELECTION OFFICIAL. "

Renumber succeeding sections accordingly.

Amendment No. 6(L.044), by Senator Cadman.

Amend reengrossed bill, page 81, line 10, strike "NOT".

Amendment No. 7(L.043), by Senator Scheffel

Amend reengrossed bill, page 10, line 2, after "(1)" insert "(a)".

Page 10, after line 6 insert:

"(b) (I) IF A LOCAL GOVERNMENT ELECTS TO UTILIZE ANY OF THE REQUIREMENTS AND PROCEDURES OF THE "UNIFORM ELECTION CODE OF 1992", THE RESOLUTION ADOPTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) MUST INCLUDE:

(A) SPECIFIC PROVISIONS ADDRESSING ACCESSIBILITY FOR ELECTORS WITH DISABILITIES, DEPLOYED MILITARY VOTERS, AND VOTERS WHO LIVE AT GROUP RESIDENTIAL FACILITIES; AND

(B) THE ANTICIPATED LOCATIONS OF VOTER SERVICE AND POLLING CENTERS AS REQUIRED BY SECTION 1-5-102, IF THE LOCAL GOVERNMENT IS USING VOTER SERVICE AND POLLING CENTERS.

(II) A RESOLUTION ADOPTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) MUST BE ADOPTED NO LATER THAN NINETY DAYS PRIOR TO THE DATE OF AN ELECTION TO WHICH IT APPLIES AND MUST INCORPORATE A LIST OF EACH PROVISION OF THE "UNIFORM ELECTION CODE OF 1992" AND THE "COLORADO LOCAL GOVERNMENT ELECTION CODE" THAT THE LOCAL GOVERNMENT IS USING TO CONDUCT THE REFERENCED ELECTION. A COPY OF THE RESOLUTION SHALL BE FILED WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN EIGHTY-NINE DAYS PRIOR TO THE ELECTION. THE LOCAL GOVERNMENT MUST ALSO POST THE RESOLUTION ON ITS WEB SITE AND DELIVER BY UNITED STATES MAIL A COPY OF THE RESOLUTION TO EACH CANDIDATE AND ISSUE COMMITTEE AFTER NOMINATION DOCUMENTS OR PETITIONS ARE FILED WITH THE DESIGNATED ELECTION OFFICIAL. "

Amendment No. 8(L.046), by Senator Ulibarri.

Amend Harvey floor amendment (HB1164_L.029), page 1, strike lines 3 through 15.

Page 1, line 19, strike "PRECINCT NO.," and substitute "THE".

Page 1, after line 26, insert:

"Page 118, after line 9 insert:

"**SECTION 23.** In Colorado Revised Statutes, 31-10-1003, amend (1) as follows:

31-10-1003. Self-affirmation on return envelope. (1) The return envelope shall have printed on its face a self-affirmation substantially in the following form:

"State of Municipality of, County of

I,, affirm and say that I am a qualified and registered elector in ~~precinct no.~~, THE municipality of and state of Colorado; that my residence and post-office address is; and that I herein enclose my ballot in accordance with the provisions of the "Colorado Municipal Election Code of 1965". I realize that if any false statements are

contained herein that I shall be subject to prosecution for criminal action.

.....
Signature of voter""."

As amended, ordered revised 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.)

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB14-1164 by Representative(s) Hullinghorst; also Senator(s) Ulibarri--Concerning nonpartisan elections not coordinated by a county clerk and recorder, and, in connection therewith, creating the "Colorado Local Government Election Code" for the conduct of such elections by special districts, harmonizing residency requirements for voter registration, modifying the "Colorado Municipal Election Code of 1965", and clarifying when elections are coordinated by county clerk and recorders.

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.022) to HB 14-1164, did pass.

Amend reengrossed bill, page 100, strike lines 21 through 27.

Page 101, strike lines 1 and 2.

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		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 14-1164 did pass.

Amend reengrossed bill, page 99, line 22, strike "WITHIN FIVE CALENDAR DAYS".

Page 99, strike line 23.

Page 99, line 24, strike "WHEN" and substitute "WHEN".

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		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.025) to HB14-1164, did pass.

Amend reengrossed bill, page 9, lines 11 and 12, strike "LOCAL GOVERNMENT" and substitute "STATE".

Page 35, line 22, after "ELECTOR" insert "REGISTERED TO VOTE IN COLORADO".

Page 36, line 23, strike "ELECTORS," and substitute "ELECTORS REGISTERED TO VOTE IN COLORADO,".

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		

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.034) to HB14-1164, did pass.

Amend reengrossed bill, page 30, after line 3 insert:

"(3) A POLLING PLACE FOR A LOCAL GOVERNMENT ELECTION MUST BE LOCATED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE LOCAL GOVERNMENT WHENEVER PRACTICABLE. IF SUITABLE POLLING PLACE FACILITIES ARE UNAVAILABLE WITHIN THOSE BOUNDARIES, THE GOVERNING BODY OF THE LOCAL GOVERNMENT, OR THE LOCAL GOVERNMENT'S DESIGNATED ELECTION OFFICIAL IF AUTHORIZED BY THE GOVERNING BODY, SHALL SELECT A LOCATION OR LOCATIONS IN THE COUNTY SEAT OF THE COUNTY OR AT LEAST ONE OF THE COUNTIES IN WHICH THE DISTRICT IS LOCATED."

Renumber succeeding subsections accordingly.

Page 30, line 10, strike "(3)" and substitute "(4)".

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		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following Harvey floor amendment, (L.031) to HB 14-1164, did pass.

Amend reengrossed bill, page 84, line 22, strike "FIFTEEN DAYS PRIOR TO THE ELECTION" and substitute "AT 7 P.M. ON ELECTION DAY".

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		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB 14-1164 did pass.

Amend reengrossed bill, page 84, after line 17 insert:

"1-13.5-1106.5. Verification of signatures - rules. (1) IN EVERY INDEPENDENT MAIL BALLOT ELECTION CONDUCTED UNDER THIS PART 11, TWO ELECTION JUDGES SHALL COMPARE EACH SIGNATURE ON THE SELF-AFFIRMATION ON EACH RETURN ENVELOPE WITH THE SIGNATURE OF THE ELIGIBLE ELECTOR OBTAINED FROM THE COUNTY CLERK AND RECORDER IN ACCORDANCE WITH THIS SECTION.

(2) (a) IF, UPON COMPARING THE SIGNATURE OF AN ELIGIBLE ELECTOR ON THE SELF-AFFIRMATION ON THE RETURN ENVELOPE WITH THE SIGNATURE OF THE ELIGIBLE ELECTOR OBTAINED FROM THE COUNTY CLERK AND RECORDER, THE ELECTION JUDGES DETERMINE THAT THE SIGNATURES DO NOT MATCH, TWO OTHER ELECTION JUDGES SHALL SIMULTANEOUSLY COMPARE THE SIGNATURES. IF BOTH OTHER ELECTION JUDGES AGREE THAT THE SIGNATURES DO NOT MATCH, THE DESIGNATED ELECTION OFFICIAL SHALL, WITHIN ONE DAY AFTER THE SIGNATURE DEFICIENCY HAS BEEN CONFIRMED, SEND TO THE ELIGIBLE ELECTOR AT THE ADDRESS INDICATED IN THE REGISTRATION RECORDS A LETTER EXPLAINING THE DISCREPANCY IN SIGNATURES AND A FORM FOR THE ELIGIBLE ELECTOR TO CONFIRM THAT THE ELECTOR RETURNED A MAIL BALLOT TO THE DESIGNATED ELECTION OFFICIAL.

(b) (I) IF THE ELECTOR RETURNS THE FORM TO THE DESIGNATED ELECTION OFFICIAL WITHIN EIGHT DAYS AFTER ELECTION DAY WITH A SIGNATURE MATCHING THAT CONTAINED IN THE VOTER REGISTRATION SYSTEM CONFIRMING THAT THE ELECTOR RETURNED HIS OR HER BALLOT TO THE DESIGNATED ELECTION OFFICIAL AND ENCLOSING A COPY OF THE ELECTOR'S IDENTIFICATION AS DEFINED IN SECTION 1-1-104, AND THE BALLOT IS OTHERWISE VALID, THE BALLOT MUST BE COUNTED.

(II) IF THE ELIGIBLE ELECTOR RETURNS THE FORM INDICATING THAT HE OR SHE DID NOT MAIL A VOTED BALLOT, OR IF THE ELIGIBLE ELECTOR DOES NOT RETURN THE FORM WITHIN EIGHT DAYS AFTER

ELECTION DAY, THE DESIGNATED ELECTION OFFICIAL SHALL CATEGORIZE THE SELF-AFFIRMATION ON THE RETURN ENVELOPE AS INCORRECT, THE BALLOT SHALL NOT BE COUNTED, AND THE DESIGNATED ELECTION OFFICIAL SHALL SEND COPIES OF THE ELIGIBLE ELECTOR'S SIGNATURE ON THE RETURN ENVELOPE AND THE SIGNATURE OBTAINED FROM THE STATEWIDE VOTER REGISTRATION SYSTEM TO THE APPROPRIATE DISTRICT ATTORNEY FOR INVESTIGATION.

(c) AN ORIGINAL RETURN ENVELOPE WITH AN ENCLOSED SECRECY ENVELOPE CONTAINING A VOTED BALLOT THAT IS NOT COUNTED IN ACCORDANCE WITH SUBPARAGRAPH (II) OF PARAGRAPH (b) OF THIS SUBSECTION (2) MUST BE STORED UNDER SEAL IN THE OFFICE OF THE DESIGNATED ELECTION OFFICIAL IN A SECURE LOCATION SEPARATE FROM VALID RETURN ENVELOPES AND MAY BE REMOVED ONLY UNDER THE AUTHORITY OF THE DISTRICT ATTORNEY OR BY ORDER OF A COURT HAVING JURISDICTION.

(d) IN THE CASE OF A DISAGREEMENT AMONG THE ELECTION JUDGES AS TO WHETHER THE SIGNATURE OF AN ELIGIBLE ELECTOR ON THE SELF-AFFIRMATION ON THE RETURN ENVELOPE MATCHES THE SIGNATURE OF THE ELIGIBLE ELECTOR OBTAINED FROM THE COUNTY CLERK AND RECORDER PURSUANT TO THE PROCEDURES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2), THE SIGNATURES ARE DEEMED TO MATCH AND THE ELECTION JUDGE SHALL FOLLOW THE PROCEDURES SPECIFIED IN SECTION 1-7.5-107 CONCERNING THE QUALIFICATION AND COUNTING OF MAIL BALLOTS.

(3) IF THE ELECTION JUDGES DETERMINE THAT THE SIGNATURE OF AN ELIGIBLE ELECTOR ON THE SELF-AFFIRMATION MATCHES THE ELECTOR'S SIGNATURE OBTAINED FROM THE STATEWIDE VOTER REGISTRATION SYSTEM, THE ELECTION JUDGE SHALL FOLLOW THE PROCEDURES SPECIFIED IN SECTION 1-7.5-107 CONCERNING THE QUALIFICATION AND COUNTING OF MAIL BALLOTS.

(4) (a) AN ELECTION JUDGE SHALL NOT DETERMINE THAT THE SIGNATURE OF AN ELIGIBLE ELECTOR ON THE SELF-AFFIRMATION DOES NOT MATCH THE SIGNATURE OF THAT ELIGIBLE ELECTOR OBTAINED FROM THE COUNTY CLERK AND RECORDER SOLELY ON THE BASIS OF SUBSTITUTION OF INITIALS OR USE OF A COMMON NICKNAME.

(b) THE COUNTY CLERK AND RECORDER OR OTHER QUALIFIED OFFICIAL MAY PROVIDE TRAINING IN THE TECHNIQUE AND STANDARDS OF SIGNATURE COMPARISON TO ELECTION JUDGES WHO COMPARE SIGNATURES PURSUANT TO THIS SECTION."

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		

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.033) to HB14-1164, did pass.

Amend reengrossed bill, page 77, line 7, strike "**exception.**" and substitute "**exception - opt-out permitted.**".

Page 77, after line 23 insert:

"(5) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN ELIGIBLE ELECTOR MAY OPT OUT OF RECEIVING MAIL BALLOTS FOR ANY ELECTION CONDUCTED UNDER THIS PART 11 BY SUBMITTING A WRITTEN REQUEST AT LEAST THIRTY DAYS PRIOR TO THE ELECTION TO THE DESIGNATED ELECTION OFFICIAL RESPONSIBLE FOR CONDUCTING THE ELECTION. THE DESIGNATED ELECTION OFFICIAL SHALL

IDENTIFY TWO OR MORE ACCEPTABLE METHODS FOR SUBMITTING THE REQUEST, INCLUDING ELECTRONIC MAIL, SECURE ON-LINE FORM, FACSIMILE, UNITED STATES MAIL, OR IN-PERSON. UPON RECEIPT OF SUCH REQUEST, THE DESIGNATED ELECTION OFFICIAL SHALL DETERMINE IF THE ELECTOR'S REQUEST IS COMPLETE AND, IF SO, SHALL RECORD THE ELECTOR'S PREFERENCE IN THE REGISTRATION RECORDS.

(b) A REQUEST TO OPT OUT OF MAIL BALLOTS MAY BE MADE FOR A SPECIFIC ELECTION OR MAY APPLY TO ALL INDEPENDENT MAIL BALLOT ELECTIONS CONDUCTED UNDER THIS PART 11.

(c) AN ELECTOR WHO, PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (5), OPTS OUT OF RECEIVING MAIL BALLOTS MAY CHANGE HIS OR HER PREFERENCE IN ORDER TO RECEIVE MAIL BALLOTS AGAIN BY MAKING A WRITTEN REQUEST TO HIS OR HER DESIGNATED ELECTION OFFICIAL AT LEAST THIRTY DAYS PRIOR TO THE DATE OF THE ELECTION USING ANY METHOD SPECIFIED BY THE DESIGNATED ELECTION OFFICIAL. UPON RECEIPT, THE DESIGNATED ELECTION OFFICIAL SHALL DETERMINE IF THE ELECTOR'S REQUEST IS COMPLETE AND, IF SO, SHALL RECORD THE ELECTOR'S PREFERENCE IN THE REGISTRATION RECORDS.

(d) NOTHING IN THIS SECTION PRECLUDES AN ELECTOR WHO HAS OPTED OUT OF RECEIVING A MAIL BALLOT FROM CASTING A BALLOT IN PERSON AT A POLLING PLACE."

Page 108, line 27, strike "**process.**" and substitute "**process - opt-out permitted.**".

Page 109, after line 10 insert:

"(3) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN ELIGIBLE ELECTOR MAY OPT OUT OF RECEIVING MAIL BALLOTS FOR ANY MAIL BALLOT ELECTION CONDUCTED UNDER THIS ARTICLE BY SUBMITTING A WRITTEN REQUEST AT LEAST THIRTY DAYS PRIOR TO THE ELECTION TO THE CLERK RESPONSIBLE FOR CONDUCTING THE ELECTION. THE CLERK SHALL IDENTIFY TWO OR MORE ACCEPTABLE METHODS FOR SUBMITTING THE REQUEST, INCLUDING ELECTRONIC MAIL, SECURE ON-LINE FORM, FACSIMILE, UNITED STATES MAIL, OR IN-PERSON. UPON RECEIPT OF SUCH REQUEST, THE CLERK SHALL DETERMINE IF THE ELECTOR'S REQUEST IS COMPLETE AND, IF SO, SHALL RECORD THE ELECTOR'S PREFERENCE IN THE REGISTRATION RECORDS.

(b) A REQUEST TO OPT OUT OF MAIL BALLOTS MAY BE MADE FOR A SPECIFIC ELECTION OR MAY APPLY TO ALL MAIL BALLOT ELECTIONS CONDUCTED UNDER THIS ARTICLE.

(c) AN ELECTOR WHO, PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), OPTS OUT OF RECEIVING MAIL BALLOTS MAY CHANGE HIS OR HER PREFERENCE IN ORDER TO RECEIVE MAIL BALLOTS AGAIN BY MAKING A WRITTEN REQUEST TO HIS OR HER CLERK AT LEAST THIRTY DAYS PRIOR TO THE DATE OF THE ELECTION USING ANY METHOD SPECIFIED BY THE CLERK. UPON RECEIPT, THE CLERK SHALL DETERMINE IF THE ELECTOR'S REQUEST IS COMPLETE AND, IF SO, SHALL RECORD THE ELECTOR'S PREFERENCE IN THE REGISTRATION RECORDS.

(d) NOTHING IN THIS SECTION PRECLUDES AN ELECTOR WHO HAS OPTED OUT OF RECEIVING A MAIL BALLOT FROM CASTING A BALLOT IN PERSON AT A POLLING PLACE."

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		

Senator Ulibarri moved to amend the Report of the Committee of the Whole to show that the following Scheffel floor amendment, (L.043) to HB 14-1164, did not pass.

Amend reengrossed bill, page 10, line 2, after "(1)" insert "(a)".

Page 10, after line 6 insert:

"(b) (I) IF A LOCAL GOVERNMENT ELECTS TO UTILIZE ANY OF THE REQUIREMENTS AND PROCEDURES OF THE "UNIFORM ELECTION CODE OF 1992", THE RESOLUTION ADOPTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) MUST INCLUDE:

(A) SPECIFIC PROVISIONS ADDRESSING ACCESSIBILITY FOR ELECTORS WITH DISABILITIES, DEPLOYED MILITARY VOTERS, AND VOTERS WHO LIVE AT GROUP RESIDENTIAL FACILITIES; AND

(B) THE ANTICIPATED LOCATIONS OF VOTER SERVICE AND POLLING CENTERS AS REQUIRED BY SECTION 1-5-102, IF THE LOCAL GOVERNMENT IS USING VOTER SERVICE AND POLLING CENTERS.

(II) A RESOLUTION ADOPTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1) MUST BE ADOPTED NO LATER THAN NINETY DAYS PRIOR TO THE DATE OF AN ELECTION TO WHICH IT APPLIES AND MUST INCORPORATE A LIST OF EACH PROVISION OF THE "UNIFORM ELECTION CODE OF 1992" AND THE "COLORADO LOCAL GOVERNMENT ELECTION CODE" THAT THE LOCAL GOVERNMENT IS USING TO CONDUCT THE REFERENCED ELECTION. A COPY OF THE RESOLUTION SHALL BE FILED WITH THE SECRETARY OF STATE AND THE DEPARTMENT OF LOCAL AFFAIRS NO LATER THAN EIGHTY-NINE DAYS PRIOR TO THE ELECTION. THE LOCAL GOVERNMENT MUST ALSO POST THE RESOLUTION ON ITS WEB SITE AND DELIVER BY UNITED STATES MAIL A COPY OF THE RESOLUTION TO EACH CANDIDATE AND ISSUE COMMITTEE AFTER NOMINATION DOCUMENTS OR PETITIONS ARE FILED WITH THE DESIGNATED ELECTION OFFICIAL."

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	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		

Senator Harvey moved to amend the Report of the Committee of the Whole to show that the following amendment to HB14-1164 did pass.

Amend reengrossed bill, page 127, after line 20 insert:

"SECTION 38. In Colorado Revised Statutes, 1-8.3-103, **add** (1) (d) as follows:

1-8.3-103. Elections covered. (1) The voting procedures in this article apply to:

(d) AN ELECTION CONDUCTED UNDER ARTICLE 13.5 OF THIS TITLE."

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		

HB14-1078 by Representative(s) Pettersen; also Senator(s) Johnston--Concerning changes to the public education accreditation statutes as a result of legislative review of the rules of the state board of education, and, in connection therewith, clarifying the term "public school" in the accreditation statutes and allowing automatic renewal of the accreditation contract for an entity with an improvement plan.

Senator Johnston moved to amend the Report of the Committee of the Whole to show that HB14-1078, as amended, 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		

HB14-1164 by Representative(s) Hullinghorst; also Senator(s) Ulibarri--Concerning nonpartisan elections not coordinated by a county clerk and recorder, and, in connection therewith, creating the "Colorado Local Government Election Code" for the conduct of such elections by special districts, harmonizing residency requirements for voter registration, modifying the "Colorado Municipal Election Code of 1965", and clarifying when elections are coordinated by county clerk and recorders.

Senator Lundberg moved to amend the Report of the Committee of the Whole to show that the following Lundberg floor amendment, (L.047) to HB14-1164, did pass.

Amend Balmer floor amendment (HB1164_L.041), page 1, line 8, after "BOOTH." insert "EACH POLLING PLACE SHALL BE LOCATED WITHIN THE LOCAL GOVERNMENT CONDUCTING THE ELECTION OR REASONABLY CLOSE TO THE LOCAL GOVERNMENT'S BORDERS.".

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		

Senator Ulibarri moved to amend the Report of the Committee of the Whole to show that the following amendment to HB14-1164 did pass.

Amend Harvey floor amendment, (HB1164_L.029), page 1, strike lines 1 and 2.

Page 1, line 16, strike "Page" and substitute "Amend reengrossed bill, page".

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

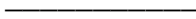
YES	18	NO	17	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	N	Scheffel	N
Balmer	N	Herpin	N	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	N	Steadman	Y
Brophy	N	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	N	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	N	Jones	Y	Renfroe	N	Zenzinger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

The Committee of the Whole took the following action:

Passed on second reading: HB14-1078 as amended, HB14-1164 as amended.

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 Monday, February 10 was laid over until Tuesday, February 11, retaining its place on the calendar.

Consideration of Governor's Appointments: 1
 Member of the Colorado Housing and Finance Authority Board of Directors. 2
 Members of the Board of Assessment Appeals. 3
 Member of the Public Employers' Retirement Benefit Plans. 4



MESSAGE FROM THE HOUSE

February 10, 2014 10
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Madam President: 12
13

The House has passed on Third Reading and transmitted to the Revisor of Statutes 14
 HB14-1073, amended as printed in House Journal, February 7, pages 141-142. 15
16

The House has passed on Third Reading and returns herewith SB14-007. 17
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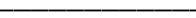


MESSAGE FROM THE REVISOR OF STATUTES

February 10, 2014 20
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We herewith transmit: 23
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Without comment, as amended, HB14-1073. 26
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On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Tuesday, 33
 February 11, 2014. 34
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Approved: 38
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Morgan Carroll 40
 President of the Senate 41
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Attest: 45
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Cindi L. Markwell 48
 Secretary of the Senate 49
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