

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

31st Legislative Day Friday, February 7, 2014

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| Prayer | By the chaplain, Rabbi Keren Gorban, Temple Sinai, Denver. | 10 |
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| Call to Order | By the President <i>pro tem</i> at 9:00 a.m. | 12 |
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| Pledge | By Senator Marble. | 15 |
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| Roll Call | Present--35 | 17 |
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| Quorum | The President announced a quorum present. | 19 |
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| Reading of Journal | On motion of Senator Zenzinger, reading of the Journal of Thursday, February 6, 2014, was dispensed with and the Journal was approved as corrected by the Secretary. | 21 |
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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.

COMMITTEE OF REFERENCE REPORTS

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| Finance | After consideration on the merits, the Committee recommends that SB14-002 be referred to the Committee on <u>Appropriations</u> with favorable recommendation. | 36 |
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| Finance | After consideration on the merits, the Committee recommends that SB14-054 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. | 41 |
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| Health & Human Services | After consideration on the merits, the Committee recommends that SB14-130 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation. | 46 |
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Amend printed bill, page 2, lines 10 and 11, strike "July 1, 2015, AND EACH JULY 1" and substitute "JANUARY 1, 2015, AND EACH JANUARY 1".

Page 2, strike lines 12 and 13 and substitute "ANNUALLY BY THE SAME PERCENTAGE APPLIED TO THE GENERAL FUND SHARE OF THE AGGREGATE STATEWIDE AVERAGE OF THE PER DIEM NET OF PATIENT PAYMENT PURSUANT TO SECTION 25.5-6-202 (9) (b) (I). COMMENCING WITH THE FISCAL YEAR BEGINNING JULY 1, 2014, AND EACH FISCAL YEAR THEREAFTER, THE REDUCTION TO PATIENT PAYMENTS RECEIVED BY NURSING FACILITIES RESULTING FROM AN INCREASE IN THE BASIC MINIMUM AMOUNT SHALL BE FUNDED IN FULL BY GENERAL FUND AND APPLICABLE FEDERAL FUNDS.".

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Health & Human Services

After consideration on the merits, the Committee recommends that **SB14-122** be **postponed indefinitely**.

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Health & Human Services

After consideration on the merits, the Committee recommends that **SB14-087** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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Amend printed bill, page 2, strike lines 4 through 10 and substitute:

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"42-1-229. Report. (1) ON OR BEFORE JULY 1, 2015, AND EVERY YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT TO THE TRANSPORTATION LEGISLATION REVIEW COMMITTEE A REPORT CONCERNING THE EFFECTIVENESS OF EXCEPTIONS PROCESSING, INCLUDING:

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(a) THE NUMBER OF INDIVIDUALS ISSUED OR DENIED AN IDENTIFICATION CARD OR DRIVER'S LICENSE ON HIS OR HER FIRST VISIT TO AN OFFICE AND THE NUMBER OF INDIVIDUALS ADVISED TO PROVIDE MORE DOCUMENTS;

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(b) THE AVERAGE LENGTH OF TIME BETWEEN AN UNSUCCESSFUL FIRST VISIT AND ULTIMATE APPROVAL;

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(c) THE NUMBER OF INDIVIDUALS WHO FAIL TO RETURN;

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(d) THE BREAKDOWN BY EACH OFFICE OF APPROVAL AND DENIAL RATES;

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(e) THE NUMBER OF INDIVIDUALS WHO REQUEST EXCEPTIONS PROCESSING EACH MONTH AND THE OUTCOMES OF THOSE REQUESTS BY EACH OFFICE;

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(f) THE NUMBER OF HEARINGS REQUESTED AFTER NOTICE OF DENIAL AND THE OUTCOMES OF THE HEARINGS; AND

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(g) A SUMMARY OF THE MAIN REASONS FOR DENIAL UNDER EXCEPTIONS PROCESSING."

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Page 2, strike line 16 and substitute:

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"(I) WAS BORN ON OR BEFORE DECEMBER 1, 1964;"

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Page 3, strike lines 7 through 24 and substitute:

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"(b) THE DEPARTMENT MAY ACCEPT ANY RELIABLE, CONSISTENT, AND VERIFIABLE DOCUMENT TO ESTABLISH LAWFUL PRESENCE IF AN APPLICANT SIGNS AN AFFIDAVIT THAT A CERTIFIED UNITED STATES BIRTH CERTIFICATE EITHER DOES NOT EXIST OR CANNOT BE OBTAINED WITHIN TWENTY WORKING DAYS."

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Reletter succeeding paragraph accordingly.

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Page 4, strike line 8 and substitute:

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"(I) IF THE PETITIONER ATTEMPTED TO OBTAIN A FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND RESULTS WERE INCONCLUSIVE OR UNREADABLE, MAY SUBMIT, IN LIEU OF A FINGERPRINT-BASED CRIMINAL"

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Page 4, strike lines 22 through 24 and substitute:

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"(II) BE AT LEAST SEVENTY YEARS OF AGE."

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Health & Human Services

After consideration on the merits, the Committee recommends that **HB14-1053** be **referred** to the Committee of the Whole with favorable recommendation.

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Appropriations

After consideration on the merits, the Committee recommends that **SB14-021** 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 printed bill, page 2, strike line 18 and substitute:

"(d) (I) ~~Notwithstanding the provisions of section 2-2-307, C.R.S.,~~ MEMBERS OF".

Page 3, strike lines 1 through 6 and substitute "actual and necessary expenses authorized pursuant to said section and any other direct or indirect costs associated with the duties of the committee set forth in this article only from moneys appropriated from the examination of the treatment of persons with mental illness in the criminal justice system cash fund created in section 18-1.9-106 SECTION 2-2-307, C.R.S.".

Page 4, line 6, strike "(3), and (5);" and substitute "and (3);".

Page 7, strike lines 4 through 12.

Page 8, strike lines 3 and 4 and substitute:

"SECTION 5. In Colorado Revised Statutes, 18-1.9-106, amend (1); and add (1.5) as follows:".

Page 9, strike lines 3 through 11.

Page 9, after line 15 insert:

"SECTION 7. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the legislative department, for the fiscal year beginning July 1, 2014, the sum of \$3,366, or so much thereof as may be necessary, to be allocated for per diem and reimbursement of members of the legislative oversight committee created in section 18-1.9-103, Colorado Revised Statutes.".

Renumber succeeding sections accordingly.

Page 1, line 102, strike "SYSTEMS." and substitute "SYSTEMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

Appropriations

After consideration on the merits, the Committee recommends that **SB14-027** 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 printed bill, page 4, after line 3 insert:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado bureau of investigation identification unit fund created in section 24-33.5-426, Colorado Revised Statutes, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2014, the sum of \$68,636 and 0.3 FTE, or so much thereof as may be necessary, to be allocated to the Colorado crime information center for criminal history record checks related to the implementation of this act as follows:

- (a) \$14,916 and 0.3 FTE for personal services; and
- (b) \$53,720 for operating and capital outlay expenses.".

Renumber succeeding section accordingly.

Page 1, line 103, strike "COURT." and substitute "COURT, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

Appropriations

After consideration on the merits, the Committee recommends that **SB14-030** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, after line 9 insert:

"SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$824, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer programming services related to the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$824, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 103, strike "VALOR." and substitute "VALOR, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that **SB14-036** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, after line 15 insert:

"SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$4,120, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer programming services related to the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$5,920, or so much thereof as may be necessary, for allocation to the division of motor vehicles for the purchase of special license plates related to the implementation of this act.

(3) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$4,120, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section."

Renumber succeeding section accordingly.

Page 1, line 102, strike "VEHICLES." and substitute "VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

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| Appropriations | After consideration on the merits, the Committee recommends that SB14-041 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. | 1 2 3 4 |
| | Amend printed bill, page 2, line 14, strike "COLORADO." and substitute "COLORADO (SSN-788).". | 5 6 7 |
| | Page 2, line 16, after "COLORADO" insert "(SSN-788)". | 8 9 |
| | Page 2, line 20, after "COLORADO" insert "(SSN-788)". | 10 11 |
| | Page 2, after line 21 insert: | 12 13 |
| | "SECTION 2. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$4,120, or so much thereof as may be necessary, to be allocated to the information technology division for the purchase of computer programming services related to the implementation of this act. | 14 15 16 17 18 19 20 21 22 23 |
| | (2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2014, the sum of \$1,658, or so much thereof as may be necessary, for allocation to the division of motor vehicles for the purchase of special license plates related to the implementation of this act. | 24 25 26 27 28 29 30 |
| | (3) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$4,120, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section." | 31 32 33 34 35 36 37 38 39 |
| | Renumber succeeding section accordingly. | 40 41 |
| | Page 1, line 102, strike " VEHICLES. " and substitute " VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION. ". | 42 43 44 |
| Appropriations | After consideration on the merits, the Committee recommends that SB14-062 be referred to the Committee of the Whole with favorable recommendation. | 45 46 47 |
| Appropriations | After consideration on the merits, the Committee recommends that SB14-104 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. | 48 49 50 51 52 |
| Appropriations | After consideration on the merits, the Committee recommends that SB14-105 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. | 53 54 55 56 57 |
| Appropriations | After consideration on the merits, the Committee recommends that SB14-106 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. | 58 59 60 61 62 |
| | Amend printed bill, page 3, after line 18 insert: | 63 64 |
| | "SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the local government permanent fund created in section 34-63-102 (5.3) (a) (I) (A), Colorado Revised Statutes, not otherwise appropriated, to the | 65 66 67 68 69 |

department of local affairs, for the fiscal year beginning July 1, 2013, the sum of \$4,304,072, for direct distribution to counties, federal mineral lease districts, and municipalities pursuant to section 34-63-102 (5.4) (c), Colorado Revised Statutes."

Renumber succeeding section accordingly.

Page 1, line 103, strike "AFFAIRS." and substitute "AFFAIRS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

Appropriations

After consideration on the merits, the Committee recommends that SB14-107 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that SB14-108 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that SB14-109 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Appropriations

After consideration on the merits, the Committee recommends that SB14-110 be referred to the Committee of the Whole with favorable recommendation.

Appropriations

After consideration on the merits, the Committee recommends that SB14-120 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Agriculture, Natural Resources, & Energy

The Committee on Agriculture, Natural Resources, & Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

MEMBER OF THE COLORADO WILDLIFE HABITAT STAMP COMMITTEE

effective December 31, 2013, for a term expiring December 31, 2017:

Patricia Dorsey of Bayfield, Colorado, a representative of the Division of Parks and Wildlife who is also a wildlife biologist, appointed.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that SJR14-004 be referred to the Senate for final action.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that SB14-017 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, line 21, after the period add "IF THE DEVELOPMENT INCLUDES A COMMON INTEREST COMMUNITY, THE LOCAL GOVERNMENT MAY DELEGATE THE ENFORCEMENT OF THIS PARAGRAPH (b) WITHIN THAT COMMUNITY TO THE BOARD OF DIRECTORS OF THE UNIT OWNER'S ASSOCIATION OF THE COMMON INTEREST COMMUNITY, AS THOSE TERMS ARE DEFINED IN SECTION 38-33.3-103, C.R.S."

Page 3, line 21, after the period add "A LOCAL GOVERNMENT HAS THE SOLE DISCRETION TO DETERMINE THE STAGE IN THE DEVELOPMENT

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PERMIT APPROVAL PROCESS AT WHICH THE LIMITATION SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) APPLIES."

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that **SB14-072** be postponed indefinitely.

SENATE SERVICES REPORT

Correctly Printed: SB14-141.
Correctly Reengrossed: SB14-039 and 058.

MESSAGE FROM THE HOUSE

February 6, 2014

Madam President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1052, amended as printed in House Journal, February 5, page 174.
HB14-1146, amended as printed in House Journal, February 5, page 174.

MESSAGE FROM THE REVISOR OF STATUTES

February 6, 2014

We herewith transmit:

Without comment, as amended, HB14-1052 and 1146.

INTRODUCTION OF RESOLUTIONS

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

SJR14-008 by Senator(s) Cadman and Carroll; also Representative(s) McNulty--Concerning Purple Star Veterans and Families and the establishment of a homecoming-preparedness program in the department of defense.

Laid over until Thursday, February 13, retaining its place on the calendar.

SJR14-009 by Senator(s) Roberts and Nicholson, Tochtrop; also Representative(s) Exum--Concerning the Colorado National Guard and, in connection therewith, honoring guard members for their firefighting efforts.

Laid over until Tuesday, February 25, retaining its place on the calendar.

SJR14-010 by Senator(s) Guzman, Steadman, Ulibarri; also Representative(s) Kagan, Lee--Concerning requesting the chief justice of the Colorado supreme court to take certain actions concerning adjudication of juvenile delinquency petitions.

Laid over until Monday, April 7, retaining its place on the calendar.

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HJR14-1002 by Representative(s) Coram, Mitsch Bush, Sonnenberg; also Senator(s) Schwartz, Brophy, Roberts--Concerning a special exemption from interstate highway weight limits for divisible truck loads carrying forest products.

Laid over until Tuesday, February 18, retaining its place on the calendar.

INTRODUCTION OF BILLS -- FIRST READING

The following bills were read by title:

SB14-142 by Senator(s) Schwartz, Guzman, Harvey, Hodge, Jones, Roberts, Tochtrop; also Representative(s) Fischer--Concerning an exception for certain water system facilities from the facilities that the commissioner of agriculture has a duty to inspect regarding pesticide storage.

Agriculture, Natural Resources, & Energy

SB14-143 by Senator(s) Steadman, Hodge, Lambert; also Representative(s) May and Gerou, Duran--Concerning payment of amounts awarded through nursing facility provider reimbursement appeals from the medicaid nursing facility cash fund.

Health & Human Services

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

SJR14-007 by Senator(s) Aguilar; also Representative(s) Hullinghorst and Szabo--Concerning awareness of heart disease, and, in connection therewith, declaring February 7, 2014, as "National Wear Red Day".

On motion of Senator Aguilar, the resolution was read at length and **adopted** by the following roll call vote:

| YES | 35 | NO | 0 | EXCUSED | 0 | ABSENT | 0 |
|----------|----|-----------|---|----------|---|-------------|---|
| Harvey | Y | Hodge | Y | Grantham | Y | Baumgardner | Y |
| Renfroe | Y | Lundberg | Y | Roberts | Y | Marble | Y |
| Schwartz | Y | Steadman | Y | Jahn | Y | Kefalas | Y |
| Cadman | Y | Johnston | Y | Ulibarri | Y | Balmer | Y |
| Tochtrop | Y | Guzman | Y | Jones | Y | King | Y |
| Brophy | Y | Carroll | Y | Todd | Y | Rivera | Y |
| Newell | Y | Aguilar | Y | Crowder | Y | Herpin | Y |
| Heath | Y | Nicholson | Y | Hill | Y | Zenzinger | Y |
| Scheffel | Y | Lambert | Y | Kerr | Y | | |

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

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--Consent Calendar, and Senator Kerr 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:

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.

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

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.

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

SB14-102 by Senator(s) Ulibarri; --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.

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 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: SB14-024, SB14-083, SB14-102.

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:

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

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, February 4, page(s) 163 and placed in members' bill files.)

Amendment No. 2(L.003), by Senator Zenzinger.

Amend printed bill, page 3, line 8, after "SHE" insert "KNOWINGLY".

Lost on second reading.

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

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.

Amendment No. 1(L.002), by Senator Rivera.

Amend printed bill, page 7, strike lines 25 through 27.

Page 8, strike lines 1 through 6 and substitute:

"(4) A governing body providing a state-assisted old hire pension plan THAT IS REQUIRED TO CONTRIBUTE AN AMOUNT IN 2014 THAT IS LESS THAN THE CONTRIBUTION REQUIRED BY SUBSECTION (2) OF THIS SECTION BEGINNING IN 2015 AND that determines that the minimum annual rate of municipal, fire protection district, or county improvement district contributions provided in subsection (2) of this section would place an undue initial hardship on the taxpayers of such municipality, fire protection district, or county improvement district may adopt a resolution to that effect. Any municipality, fire protection district, or county improvement district that has adopted such resolution may make AN annual ~~contributions in accordance with the following schedules:~~ CONTRIBUTION IN THE YEAR 2015, IN AN AMOUNT THAT IS NOT LESS THAN THE AMOUNT THAT THE MUNICIPALITY, FIRE PROTECTION DISTRICT, OR COUNTY IMPROVEMENT DISTRICT IS REQUIRED TO CONTRIBUTE IN 2014. BEGINNING IN 2016, SUCH MUNICIPALITY, FIRE PROTECTION DISTRICT, OR COUNTY IMPROVEMENT DISTRICT SHALL MAKE THE FULL AMOUNT OF THE ANNUAL CONTRIBUTION REQUIRED BY SUBSECTION (2) OF THIS SECTION."

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

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.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, February 5, page(s) 167-168 and placed in members' bill files.)

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

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AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

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

Senator Zenzinger moved to amend the Report of the Committee of the Whole to show that SB 14-098, 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 | | |

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: SB14-098 as amended, SB14-031 as amended, SB14-089 as amended.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB14-1019, HJR14-1004, 1005, 1006, 1007, 1008.

MESSAGE FROM THE GOVERNOR

February 6, 2014

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

Ladies and Gentlemen:

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

**MEMBER OF THE
BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM**

for a term expiring December 31, 2017:

Jane Robbe Rhodes of Pueblo West, Colorado, to serve as a Republican, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/6/2014
Cindi L. Markwell, Secretary of the Senate

Committee on Education

On motion of Majority Leader Heath, the Senate adjourned until 10:00 a.m., Monday, February 10, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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