

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

80th Legislative Day

Friday, March 28, 2014

Prayer	By the chaplain, Rabbi Adam Morris, Temple Micah, Denver.	1
Call to Order	By the President <i>pro tem</i> at 9:00 a.m.	2
Pledge	By Senator Zenzinger.	3
Roll Call	Present--35	4
Quorum	The President announced a quorum present.	5
Reading of Journal	On motion of Senator Marble, reading of the Journal of Thursday, March 27, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.	6

SENATE SERVICES REPORT

Correctly Printed: SB14-170 and 171; SJR14-023 and 024.
Correctly Engrossed: SB14-115, 158 and 161; SJR14-021.
Correctly Reengrossed: SB14-156.
Correctly Revised: HB14-1100 and 1149.
Correctly Rerevised: HB14-1186 and 1277.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR14-1014 by Representative(s) Sonnenberg; also Senator(s) Brophy--Concerning the designation of March 26, 2014, as Agriculture Day in Colorado.

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

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 Memorials.

CONSIDERATION OF MEMORIALS

SJM14-002 by Senator(s) Tochtrop; also Representative(s) Lebsack--Concerning memorializing former Senator Eldon W. "Coop" Cooper.

On motion of Senator Tochtrop, the memorial was read at length.

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On motion of Majority Leader Heath, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 31 (a) was suspended to allow former Representatives to speak in the well of the Senate and to allow current registered lobbyists to enter the Senate chamber and also to speak in the well.

Senate in recess. Senate reconvened.

On motion of Senator Tochtrop, the memorial 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: Aguilar, 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, 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 expressions of personal privilege.

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.

Call of the Senate. Call raised.

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:

HB14-1007 by Representative(s) Hamner; also Senator(s) Crowder--Concerning the authority of county governments to limit certain forms of fire, and, in connection therewith, permitting county governments to restrict agricultural burning during periods of high fire danger.

Laid over until Thursday, May 8, retaining its place on the calendar.

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.

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

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		

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, Johnston and Ulibarri.

IMMEDIATE RECONSIDERATION OF SB14-158

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.

Majority Leader Heath moved for immediate reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on **SB14-158**. 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.

THIRD READING OF BILLS -- FINAL PASSAGE (cont'd)

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

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.

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, Baumgardner, Brophy, Cadman, Grantham, Guzman, Heath, Herpin, Hill, Jahn, Johnston, Jones, Kefalas, Kerr, King, Lambert, Lundberg, Newell, Nicholson, Renfroe, Rivera, Roberts, Scheffel, Schwartz, Tochtrop, Todd and Zenzinger.

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.

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: Crowder, Heath, Hodge, Jahn, Jones, King, Nicholson, Rivera, Tochtrop and Todd.

SB14-115 by Senator(s) Roberts and Schwartz; also Representative(s) Fischer and Coram--
Concerning procedural requirements applicable to state water plans, and, in connection
therewith, making and reducing an appropriation.

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

YES	28	NO	7	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	N	Herpin	Y	Lambert	Y	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	N	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, Guzman, Kefalas and Todd.

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.

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

YES	22	NO	13	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	N
Balmer	N	Herpin	Y	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	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: Aguilar, Guzman, Heath, Jones, Schwartz and Steadman.

IMMEDIATE RECONSIDERATION OF SB14-161

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, making the aiding or abetting the provision of false residential information a new felony offense, and making and reducing an appropriation.

Having voted on the prevailing side, Majority Leader Heath moved for immediate reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on **SB14-161**.

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

Committee of the Whole On motion of Senator Guzman, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Guzman 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 bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB14-1195 by Representative(s) Gerou, Duran, May; also Senator(s) Lambert, Hodge, Steadman--Concerning the diversion of revenue collected by the division of insurance to cash funds.

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

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

The Committee of the Whole took the following action:

Passed on second reading: HB14-1195.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB14-131 by Senator(s) King; also Representative(s) Wright--Concerning the removal of certain identifying information from a motor vehicle registration card.

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

MESSAGE FROM THE GOVERNOR

March 27, 2014

To the Honorable Senate
Sixty-Ninth General Assembly
Second Regular Session
State Capitol
Denver, Colorado 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

SB14-142: CONCERNING AN EXCEPTION FOR CERTAIN WATER SYSTEM FACILITIES FROM THE FACILITIES THAT THE COMMISSIONER OF AGRICULTURE HAS A DUTY TO INSPECT REGARDING PESTICIDE STORAGE.

Approved March 27, 2014 at 12:01 p.m.

SB14-063: CONCERNING THE MANDATORY REVIEW OF EXISTING EXECUTIVE BRANCH AGENCY RULES CONDUCTED BY EACH PRINCIPAL DEPARTMENT.

Approved March 27, 2014 at 12:12 p.m.

SB14-060: CONCERNING THE AUTHORIZATION OF THE DEPARTMENT OF TRANSPORTATION TO CONDUCT FLAGPERSON TRAINING.

Approved March 27, 2014 at 12:16 p.m.

SB14-009: CONCERNING A DISCLOSURE OF POSSIBLE SEPARATE OWNERSHIP OF THE MINERAL ESTATE IN THE SALE OF REAL PROPERTY.

Approved March 27, 2014 at 12:42 p.m.

SB14-106: CONCERNING THE APPROPRIATION OF FEDERAL MINERAL LEASE MONEYS FROM THE LOCAL GOVERNMENT PERMANENT FUND TO THE DEPARTMENT OF LOCAL AFFAIRS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Approved March 27, 2014 at 12:46 p.m.

SB14-095: CONCERNING THE ABILITY OF A PRESCRIPTION DRUG OUTLET TO COMPOUND DRUGS FOR DISTRIBUTION TO A COLORADO HOSPITAL.

Approved March 27, 2014 at 12:49 p.m.

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SB14-062: CONCERNING REINSTATEMENT OF THE PARENT-CHILD LEGAL RELATIONSHIP

Approved March 27, 2014 at 12:53 p.m.

SB14-137: CONCERNING CERTIFICATION OF WORKERS' COMPENSATION INSURANCE FORMS

Approved March 27, 2014 at 12:56 p.m.

SB14-055: CONCERNING MORE PRECISE SPECIFICATION OF THE CLASS OF VEHICLES SUBJECT TO THE DAILY VEHICLE RENTAL FEE

Approved March 27, 2014 at 1:01 p.m.

SB14-080: CONCERNING THE ELIMINATION OF THE LIST OF CERTAIN ADDITIONAL QUALIFICATIONS THAT APPLY TO PROPERTY VALUATION APPEAL ARBITRATORS.

Approved March 27, 2014 at 1:01 p.m.

SB14-120: CONCERNING THE CONTINUOUS APPROPRIATION OF CERTAIN AMOUNTS IN THE STATE EMPLOYEE WORKERS' COMPENSATION ACCOUNT IN THE RISK MANAGEMENT FUND.

Approved March 27, 2014 at 1:01 p.m.

SB14-149: CONCERNING THE MINIMUM STANDARDS THAT A PRIVATE OCCUPATIONAL SCHOOL MUST SATISFY BEFORE BEING ISSUED A CERTIFICATE OF APPROVAL TO OPERATE IN COLORADO.

Approved March 27, 2014 at 1:02 p.m.

SB14-102: 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.

Approved March 27, 2014 at 1:02 p.m.

SB14-104: CONCERNING THE DISPOSITION OF DISPUTED PAYMENTS OF TOBACCO LITIGATION SETTLEMENT MONEYS RECEIVED BY THE STATE.

Approved March 27, 2014 at 1:02 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

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On motion of Majority Leader Heath, the Senate adjourned until 10:00 a.m., Monday, March 31, 2014.

Approved:

Morgan Carroll
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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