

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

65th Legislative Day

Thursday, March 12, 2015

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Prayer	By the chaplain, Rabbi Eliot Baskin, Jewish Family Services of Colorado, Denver.	11
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Call to Order	By the President at 9:00 a.m.	13
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Pledge	By Senator Holbert.	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 Sonnenberg, reading of the Journal of Wednesday, March 11, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.	21
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COMMITTEE OF REFERENCE REPORTS

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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1015 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	30
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that SB15-079 be postponed indefinitely .	36
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Judiciary	After consideration on the merits, the Committee recommends that HB15-1035 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 HB15-1106 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	47
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Health & Human Services	After consideration on the merits, the Committee recommends that HB15-1188 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	52
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Business, Labor, & Technology	After consideration on the merits, the Committee recommends that SB15-194 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	57
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Amend printed bill, page 3, strike lines 19 through 25 and substitute "be a member of the joint technology committee created in section 2-3-1702, C.R.S."

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Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB15-202** 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 3, strike "and (7)".

Page 2, strike lines 22 through 24.

Page 3, strike lines 1 through 9 and substitute:

"SECTION 2. In Colorado Revised Statutes, 12-58-113, **amend** (5) as follows:

12-58-113. Exemptions. (5) Nothing in this article shall be construed to require:

(a) Either that employees of the federal government who perform plumbing work on federal property shall be required to be licensed before doing plumbing work on such property or that the plumbing work performed on such property shall be regulated pursuant to this article; OR

(b) A CONTRACTOR REGISTRATION FOR RETAILERS OR SUPPLIERS WHO ADVERTISE, SELL, INSTALL, OR CONTRACT FOR THE INSTALLATION OF A WATER CONDITIONING APPLIANCE CONNECTED TO A POTABLE WATER SYSTEM WITH A PIPE THAT IS TWO INCHES OR LESS NOMINAL DIAMETER."

Renumber succeeding Section accordingly.

Business,
Labor, &
Technology

After consideration on the merits, the Committee recommends that **SB15-193** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

SENATE SERVICES REPORT

Correctly Printed: SB15-205, 206, 207, 208, 209, 210 and 211; SJR15-013 and 014.

Correctly Engrossed: SJR15-012.

Correctly Reengrossed: SB15-046, 137 and 178.

Correctly Rerevised: HB15-1012, 1032, 1075, 1078, 1144 and 1207.

MESSAGE FROM THE HOUSE

March 11, 2015

Mr. President:

The House has adopted and returns herewith SJR15-012.

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SJR15-015 by Senator(s) Sonnenberg; also Representative(s) Brown and Coram--Concerning the designation of March 18, 2015, as Agriculture Day in Colorado.

Laid over until Wednesday, March 18, retaining its place on the calendar.

SJR15-016 by Senator(s) Grantham; also Representative(s) Williams--Concerning recognition of "Single Parents' Day".

Laid over until Thursday, March 19, 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:

HB15-1254 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning the elimination of the general appropriations act limitation in the definition of "total governing board appropriation" for the treatment of higher education appropriations.
Appropriations

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB15-180, SB15-175) of Thursday, March 12 was laid over until Monday, March 16, retaining its place on the calendar.

CONSIDERATION OF RESOLUTIONS

SJR15-011 by Senator(s) Todd and Martinez Humenik; also Representative(s) Primavera and Navarro--Concerning the recognition of March as Colorectal Cancer Awareness Month.

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Ulibarri and Woods.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

SB15-013 by Senator(s) Balmer, Guzman; also Representative(s) Court and Coram--Concerning extending the deadline for peace officers to complete dog encounter training to June 30, 2015.

Senator Balmer moved that the Senate concur in House amendments to **SB15-013**, as printed in House journal, March 9, page(s) 437. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

SB15-047

by Senator(s) Steadman, Guzman, Johnston; also Representative(s) McCann, Foote, Kagan--Concerning notification to legislators about the adoption of executive branch agency rules that implement newly enacted legislation.

Senator Steadman moved that the Senate concur in House amendments to **SB15-047**, as printed in House journal, March 9, page(s) 434. The motion was **adopted** by the following roll call vote:

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

YES	34	NO	1	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

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

On motion of Majority Leader Scheffel, the following Governor's appointment was confirmed by the following roll call vote:

**MEMBER OF THE
SPECIAL FUNDS BOARD FOR
WORKERS' COMPENSATION SELF INSURERS**

for a term expiring July 1, 2018:

Victoria McColm of Colorado Springs, Colorado, a manager or employee of self-insured employers in good standing, with knowledge of risk management and finance, appointed.

YES	35	NO	0	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB15-1029, 1034, 1070, 1094, 1122, 1174; HJR15-1015.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Thursday, March 12, 2015, at 8:25 a.m.: SB15-057, 142 and 159.

MESSAGE FROM THE HOUSE

March 12, 2015

Mr. President:

The House has passed on Third Reading and returns herewith SB15-128.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB15-116, amended as printed in House Journal, March 11, 2015.

MESSAGE FROM THE REVISOR OF STATUTES

March 12, 2015

We herewith transmit:

Without comment, as amended, SB15-116.

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

March 12, 2015

Mr. President:

The House has adopted and returns herewith SJR15-011.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB15-212** by Senator(s) Sonnenberg; also Representative(s) Winter--Concerning a determination that water detention facilities designed to mitigate the adverse effects of storm water runoff do not materially injure water rights.
Agriculture, Natural Resources, & Energy
- HB15-1026** by Representative(s) Roupe; also Senator(s) Todd--Concerning the issuance of military license plates with an identifying figure notifying the public that the holder may use reserved parking for people with disabilities, and, in connection therewith, making an appropriation.
State, Veterans, & Military Affairs
- HB15-1095** by Representative(s) Carver, Joshi, Lundeen, Saine, Tate; also Senator(s) Lundberg--Concerning the extension of an exemption under the "Colorado Common Interest Ownership Act" for certain small common-interest communities to include communities created before July 1, 1992, whose declarations limit their annual common expense liability to no more than three hundred dollars.
Local Government
- HB15-1104** by Representative(s) Navarro; also Senator(s) Johnston--Concerning the creation of a state income tax deduction for certain unreimbursed expenses incurred by eligible educators.
Finance
- HB15-1149** by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning the respondent parents' counsel, and, in connection therewith, making and reducing appropriations.
Judiciary

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- HB15-1153** by Representative(s) Young, Hamner, Rankin; also Senator(s) Steadman, Grantham, Lambert--Concerning oversight of child and family investigators, and, in connection therewith, making and reducing appropriations.
Judiciary
- HB15-1183** by Representative(s) Fields, Conti, Klingenschmitt, Lebsock, Tate; also Senator(s) Guzman--Concerning the admission of a child's statements describing attempted acts of an unlawful sexual offense.
Judiciary
- HB15-1197** by Representative(s) Tate, Conti, Dore; also Senator(s) Jahn--Concerning limitations on indemnity obligations in public construction contracts.
Judiciary
- HB15-1211** by Representative(s) Young; also Senator(s) Sonnenberg--Concerning license requirements for durable medical equipment suppliers.
Health & Human Services
- HB15-1213** by Representative(s) Tate and Tyler, Singer; also Senator(s) Martinez Humenik and Neville T., Newell--Concerning clarifications in connection with the responsibilities of the office of information technology.
Business, Labor, & Technology
- HB15-1217** by Representative(s) Singer; also Senator(s) Holbert--Concerning the ability of a local licensing authority to provide input to the state licensing authority on applications for approval to operate a sales room submitted by certain persons licensed under the "Colorado Liquor Code", and, in connection therewith, making an appropriation.
Business, Labor, & Technology
- HB15-1223** by Representative(s) Williams, Nordberg; also Senator(s) Balmer and Jahn--Concerning the extension of current standards regarding home service contracts to new homes.
Business, Labor, & Technology
- HB15-1225** by Representative(s) Rankin and Becker K.; also Senator(s) Roberts and Donovan--Concerning the provision of state assistance to local governments for the purpose of improved coordination in federal land management decision-making, and, in connection therewith, making an appropriation.
Local Government

MESSAGE FROM THE GOVERNOR

March 11, 2015

Colorado Senate
Seventieth General Assembly
State Capitol
Denver, CO 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:

SB15-143: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE.

Approved March 11, 2015, at 2:40 p.m.

SB15-144: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

Approved March 11, 2015, at 2:41 p.m.

SB15-145: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF EDUCATION.

Approved March 11, 2015, at 2:42 p.m.

SB15-146: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR, AND STATE PLANNING AND BUDGETING.

Approved March 11, 2015, at 2:42 p.m.

SB15-147: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

Approved March 11, 2015, at 2:42 p.m.

SB15-148: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION.

Approved March 11, 2015, at 2:42 p.m.

SB15-149: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES.

Approved March 11, 2015, at 2:43 p.m.

SB15-150: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE JUDICIAL DEPARTMENT.

Approved March 11, 2015, at 2:43 p.m.

SB15-151: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LABOR AND EMPLOYMENT.

Approved March 11, 2015, at 2:43 p.m.

SB15-152: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LAW.

Approved March 11, 2015, at 2:43 p.m.

SB15-153: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LEGISLATURE.

Approved March 11, 2015, at 2:44 p.m.

SB15-154: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF LOCAL AFFAIRS.

Approved March 11, 2015, at 2:44 p.m.

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SB15-155: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.

Approved March 11, 2015, at 2:44 p.m.

SB15-156: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES.

Approved March 11, 2015, at 2:44 p.m.

SB15-157: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PERSONNEL.

Approved March 11, 2015, at 2:45 p.m.

SB15-158: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

Approved March 11, 2015, at 2:45 p.m.

SB15-160: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF REGULATORY AGENCIES.

Approved March 11, 2015, at 2:46 p.m.

SB15-162: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF STATE.

Approved March 11, 2015, at 2:46 p.m.

SB15-163: CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION.

Approved March 11, 2015, at 2:46 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Friday, March 13, 2015.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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