

SENATE JOURNAL  
Seventieth General Assembly  
STATE OF COLORADO  
First Regular Session

55th Legislative Day Monday, March 2, 2015

- Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.
- Call to Order By the President at 10:00 a.m.
- Pledge By Senator Garcia.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Scott, reading of the Journal of Friday, February 27, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

SENATE SERVICES REPORT

Correctly Printed: SB15-187, 188, 189, 190 and 191.  
Correctly Engrossed: SB15-138; SJR15-010.  
Correctly Revised: HB15-1022, 1031, 1064 and 1069.  
Correctly Rerevised: HB15-1023 and 1029.

Upon request of Majority Leader Scheffel, **SB15-102** was removed from the Third Reading of Bills--Final Passage--Consent Calendar of Monday, March 2 and was placed at the end of the Third Reading of Bills Final Passage Calendar of Monday, March 2.

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:

**HB15-1069** by Representative(s) Ryden; also Senator(s) Holbert--Concerning information required to be included in recorded written instruments filed with the county clerk and recorder to claim a homestead exemption.

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	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 was **passed**.

**HB15-1022** by Representative(s) McCann; also Senator(s) Steadman and Cooke--Concerning juveniles charged with certain minor offenses.

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	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 was **passed**.

Co-sponsor(s) added: Aguilar, Carroll, Donovan, Garcia, Guzman, Heath, Jahn, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Todd and Ulibarri.

**HB15-1064** by Representative(s) Nordberg; also Senator(s) Holbert--Concerning access to the safe deposit box of a decedent, and, in connection therewith, limiting the obligations of custodians who access the box.

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	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 was **passed**.

Co-sponsor(s) added: Lambert, Lundberg and Woods.

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:

**SB15-100** by Senator(s) Steadman, Guzman, Johnston; also Representative(s) Foote and McCann, Kagan--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

Laid over until Friday, March 6, retaining its place on the calendar.

**SB15-104** by Senator(s) Holbert, Johnston, Kerr; also Representative(s) Lee--Concerning the continuation of the Colorado division of securities, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies.

Laid over until Friday, March 6, retaining its place on the calendar.

**SB15-138** by Senator(s) Donovan, Garcia, Hill, Kerr, Merrifield; also Representative(s) Wilson--Concerning funding for the accelerating students through concurrent enrollment program.

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	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 was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Crowder, Grantham, Guzman, Heath, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Lundberg, Marble, Martinez Humenik, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Todd, Ulibarri and Woods.

**HB15-1031** by Representative(s) Windholz; also Senator(s) Todd--Concerning a ban on powdered alcohol.

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	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	N	Heath	Y	Lambert	Y	Scott	N
Baumgardner	N	Hill	N	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	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 was **passed**.

**SB15-102** by Senator(s) Holbert, Johnston, Kerr; also Representative(s) Lee--Concerning the continuation of the securities board, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies. 1  
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Laid over until Friday, March 6, retaining its place on the calendar. 5  
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Committee On motion of Senator Lambert, the Senate resolved itself into the Committee of the 10  
of the Whole Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, 11  
and Senator Lambert was called to the Chair to act as Chairman. 12  
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**GENERAL ORDERS -- SECOND READING OF BILLS --** 14  
**CONSENT CALENDAR** 15  
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The Committee of the Whole having risen, the Chairman reported that the following bills, 17  
reading at length having been dispensed with by unanimous consent, had been considered 18  
and action taken thereon as follows: 19  
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**HB15-1010** by Representative(s) Kraft-Tharp and Nordberg; also Senator(s) Jahn--Concerning a 21  
presumption that a trustee has notified a beneficiary when the trustee has adopted a 22  
beneficiary notification procedure, and, in connection therewith, clarifying that a trustee 23  
may deliver information to beneficiaries electronically. 24  
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Ordered revised and placed on the calendar for third reading and final passage. 26  
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**HB15-1028** by Representative(s) Keyser; also Senator(s) Jahn--Concerning repeal of the mercantile 29  
licensing standards. 30  
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Ordered revised and placed on the calendar for third reading and final passage. 32  
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**HB15-1071** by Representative(s) Keyser; also Senator(s) Hill--Concerning clarification that, following 35  
a merger of entities, the surviving entity is entitled to control the premerger attorney-client 36  
privileges of a constituent entity. 37  
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Ordered revised and placed on the calendar for third reading and final passage. 39  
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**HB15-1059** by Representative(s) Garnett; also Senator(s) Guzman--Concerning the board of directors 42  
of the Denver health and hospital authority. 43  
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Upon request of Majority Leader Scheffel, removed from the General Orders--Second 45  
Reading of Bills Consent Calendar of Monday, March 2 and placed at the end of the 46  
General Orders--Second Reading of Bills Calendar of Monday, March 2. 47  
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**SB15-171** by Senator(s) Hill, Marble, Merrifield, Todd; also Representative(s) Moreno--Concerning 50  
the continuation of the "Private Occupational Education Act of 1981", and, in connection 51  
therewith, implementing the recommendations of the 2014 sunset review by the department 52  
of regulatory agencies. 53  
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Ordered engrossed and placed on the calendar for third reading and final passage. 55  
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ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Lambert, 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	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 Committee of the Whole took the following action:

Passed on second reading: SB15-171, HB15-1010, HB15-1028, HB15-1071.  
Laid over to the end of the General Orders -- Second Reading of Bills calendar, Monday, March 2: HB15-1059.

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

**SB15-135** by Senator(s) Martinez Humenik and Jahn, Hodge, Holbert, Todd; --Concerning modifications to statutory provisions governing urban redevelopment affecting public bodies in connection with urban renewal projects.

Laid over until Friday, March 6, retaining its place on the calendar.

**HB15-1062** by Representative(s) Melton and Lebsock; also Senator(s) Balmer and Sonnenberg--Concerning increasing the penalties for persons who engage in animal fighting.

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

**HB15-1059** by Representative(s) Garnett; also Senator(s) Guzman--Concerning the board of directors of the Denver health and hospital authority.

Amendment No. 1, Health & Human Services Committee Amendment.  
(Printed in Senate Journal, February 26, page(s) 345 and placed in members' bill files.)

Amendment No. 2(L.003), by Senators Lundberg and Newell.

Amend the Health and Human Services Committee Report, dated February 25, 2015, page 1, line 6, strike "OR" and substitute "OF".

As amended, 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 Lambert, 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	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 Committee of the Whole took the following action:

Passed on second reading: HB15-1062, HB15-1059 as amended.  
Laid over until Friday, March 6: SB15-135.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS

**SB15-085** by Senator(s) Martinez Humenik, Ulibarri; also Representative(s) Winter and Buck-- Concerning the expansion of the "Colorado Cottage Foods Act," and, in connection therewith, increasing the net revenue a producer can earn under the act.

Senator Martinez Humenik moved that the Senate not concur in House amendments to **SB15-085**, as printed in House journal, February 24, page(s) 322-323, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on 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 President appointed Senators Martinez Humenik, Chair, Crowder, and Ulibarri as Senate conferees on the first conference committee on **SB15-085**.

Senate in recess. Senate reconvened.

CONFERENCE COMMITTEE GRANTED FURTHER POWERS

**SB15-085** by Senator(s) Martinez Humenik, Ulibarri; also Representative(s) Winter and Buck-- Concerning the expansion of the "Colorado Cottage Foods Act," and, in connection therewith, increasing the net revenue a producer can earn under the act.

Senator Martinez Humenik moved that the Senate conferees on the first conference committee on **SB15-085** be granted permission to go beyond the scope of the differences between the two houses.



A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted**.

**SB15-161** by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of revenue.

Senator Lambert moved that the Senate not concur in House amendments to **SB15-161**, as printed in House journal, February 24, page(s) 319, and that a conference committee be appointed.

A majority of all members elected to the Senate having voted in the affirmative, the motion was **adopted** on 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 President appointed Senators Lambert, Chair, Grantham, and Steadman as Senate conferees on the first conference committee on **SB15-161**.

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

On motion of Majority Leader Scheffel, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE  
BOARD OF REAL ESTATE APPRAISERS

for terms expiring July 1, 2017:

Richard L. Shields of Centennial, Colorado, to serve as a licensed or certified appraiser, appointed;

Mark Douglas Chapin of Eagle, Colorado, to serve as a county assessor in office, appointed;

Bruce Warren Willard of Greeley, Colorado, to serve as a licensed or certified appraiser, reappointed;

Deane Lawrence Davenport of Arvada, Colorado, to serve as an officer or employee of a commercial bank experienced in real estate lending, reappointed.

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		

MEMBER OF THE

PUBLIC EMPLOYEES' RETIREMENT BENEFIT PLANS

for a term expiring July 10, 2018:

Lynn E. Turner of Broomfield, Colorado, to serve as a representative with experience and competence in investment, management, finance, banking, economics, accounting, pension administration, or actuarial analysis, and as a Democrat, reappointed.

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		

MESSAGE FROM THE HOUSE

March 2, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1188, amended as printed in House Journal, February 25.

The House has passed on Third Reading and returns herewith SB15-057.

MESSAGE FROM THE REVISOR OF STATUTES

March 2, 2015

We herewith transmit:

Without comment, as amended, HB15-1188.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Tuesday, March 3, 2015.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate