SENATE JOURNAL Seventieth General Assembly **STATE OF COLORADO** First Regular Session

SENATE JOURNAL Seventieth General Assembly STATE OF COLORADO	
First Regular Session	
114th Legislative Day	Thursday, April 30, 2015
By the chaplain, Pastor Brian Henderson, First Baptist Ch	urch of Denver.
By the President at 9:00 a.m.	
By Madeline Hayden, Miss Junior Teen Colorado.	
Present35	
The President announced a quorum present.	
On motion of Senator Woods, reading of the Journal of W dispensed with and the Journal was approved as corrected	Vednesday, April 29, 2015, was by the Secretary.
COMMITTEE OF REFERENCE REPOI	RTS
After consideration on the merits, the Committee recomm postponed indefinitely.	ends that HJR15-1023 be
After consideration on the merits, the Committee recomm postponed indefinitely.	ends that HB15-1235 be
After consideration on the merits, the Committee recomm postponed indefinitely.	ends that HB15-1165 be
After consideration on the merits, the Committee recomm to the Committee of the Whole with favorable recommend recommendation that it be placed on the Consent Calenda	dation and with a
After consideration on the merits, the Committee recomm to the Committee of the Whole with favorable recommend	
After consideration on the merits, the Committee recomm referred to the Committee on <u>Appropriations</u> with favorab	
After consideration on the merits, the Committee recomm	ends that HR15-1327 be

By the chaplain, Pastor Brian Henderson, First Baptist Church of Denver. Prayer Call to By the President at 9:00 a.m. Order Pledge By Madeline Hayden, Miss Junior Teen Colorado. Present--35 Roll Call The President announced a quorum present. Quorum On motion of Senator Woods, reading of the Journal of Wednesday, April 29, 2015, was dispensed with and the Journal was approved as corrected by the Secretary. Reading of Journal

COMMITTEE OF REFERENCE REPORTS

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HJR15-1023 be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1235 be postponed indefinitely.
State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1165 be postponed indefinitely.
Judiciary	After consideration on the merits, the Committee recommends that SB15-283 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
Judiciary	After consideration on the merits, the Committee recommends that SB15-284 be referred to the Committee of the Whole with favorable recommendation.
Judiciary	After consideration on the merits, the Committee recommends that HB15-1341 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Judiciary	After consideration on the merits, the Committee recommends that HB15-1327 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

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Judiciary	After consideration on the merits, the Committee recommends that HB15-1305 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Judiciary	After consideration on the merits, the Committee recommends that HB15-1303 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
Business, Labor, & Technology	After consideration on the merits, the Committee recommends that HB15-1366 be referred to the Committee on <u>Finance</u> with favorable recommendation.
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Business, Labor, & Technology

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After consideration on the merits, the Committee recommends that **HB15-1316** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 2, strike line 5 and substitute "**protest judicial review - legislative declaration.** (2) (b) (II) (A) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT HOUSE BILL 15-1316 MAY OPEN THE DOOR TO MULTIPLE TAXICAB COMPANIES ENTERING THE TAXICAB SERVICE MARKET WITHIN THE METROPOLITAN AREAS OF COLORADO AND WILL LEAD TO FREE MARKET COMPETITION, EXPANDED CONSUMER CHOICE, AND IMPROVED QUALITY OF SERVICE.

(B) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT NOTHING IN THIS SUBPARAGRAPH (II) REQUIRES OR PROHIBITS A TAXICAB COMPANY APPLYING FOR A CERTIFICATE TO FORM A LABOR UNION NOR REQUIRES ANY TAXICAB DRIVER TO JOIN A LABOR UNION.

(C) In an application for a certificate".

SENATE SERVICES REPORT

Correctly Printed: SB15-287; SJR15-031. **Correctly Engrossed:** SB15-141 and 260; SJM15-001; SJR15-021 and 029. **Correctly Reengrossed:** SB15-278. **Correctly Revised:** HB15-1290. **Correctly Rerevised:** HB15-1129, 1170, 1181, 1219, 1229, 1249, 1274, 1275 and 1344. **Correctly Enrolled:** SJR15-027.

On motion of Majority Leader Scheffel, 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 Scheffel, 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.

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:

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

Laid over until Friday, May 1, retaining its place on the calendar.

SB15-257 by Senator(s) Hill and Merrifield, Holbert, Marble, Neville T., Todd, Woods; also Representative(s) Becker J. and Singer, Lebsock--Concerning accountability in public schools, and, in connection therewith, making and reducing appropriations.

Laid over until Friday, May 1, retaining its place on the calendar.

SB15-141 by Senator(s) Scheffel; also Representative(s) Thurlow--Concerning the expansion of eligibility for the state income tax credit to reimburse personal property taxes paid in the state, and, in connection therewith, making an appropriation.

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

YES 25		NO	10	EXCUSED 0		ABSENT	0
Aguilar Balmer	Y	Guzman		Kerr	Ν	Scheffel	Y
	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Ν	Hodge		Marble	Y	Steadman	Ν
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Ν
Crowder	Y	Jahn	Y	Merrifield	Ν	Ulibarri	Ν
Donovan	Y	Johnston	Ν	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Ν	Newell	Ν	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: Baumgardner, Cadman, Cooke, Crowder, Garcia, Jahn, Lambert, Lundberg, Marble, Roberts and Woods.

SB15-260 by Senator(s) Aguilar, Kerr; also Representative(s) Ginal--Concerning medical marijuana product testing, and, in connection therewith, making an appropriation.

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

YES 34		NO	1		EXCUSED ()	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			Marble		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: Crowder, Guzman, Heath, Johnston, Jones, Kefalas, Merrifield, Newell, Steadman, Todd and Ulibarri.

HB15-1290 by Representative(s) Salazar and Esgar, Lundeen, Priola, Pettersen, Buckner, Duran, Everett, Garnett, Kagan, Lee, Lontine, Melton, Pabon, Saine, Tate, Tyler, Vigil, Williams; also Senator(s) Guzman and Balmer, Ulibarri--Concerning prohibiting a peace officer from interfering with a person lawfully recording a peace officer-involved incident.

A majority of those elected to the Senate having voted in the affirmative, Senator Guzman was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.017), by Senator Guzman.

Amend revised bill, page 6, line 5, strike "UNTIL A SEARCH WARRANT CAN BE OBTAINED" and insert "FOR NO LONGER THAN SEVENTY-TWO HOURS TO OBTAIN A SEARCH WARRANT".

The amendment was **passed** on the following roll call vote:

YES 32		NO	3		EXCUSED ()	ABSENT	0
Aguilar	Y	Guzman		Y	Kerr	N	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	Ν	Holbert		Y	Martinez Humenik	Y		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	Ν		

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

YES 35		NO	0		EXCUSED (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 **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Donovan, Garcia, Heath, Hill, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Newell, Scott, Steadman, Todd and Woods.

On motion of Majority Leader Scheffel, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, HB15-1357, SB15-281, HB15-1355, HB15-1359, and HB15-1350 were made Special Orders -- Second Reading of Bills -- Consent Calendar at 9:55 a.m.

Senate in recess.

Senate reconvened.

Committee of the Whole of the Whole itself into the Committee of the Whole for consideration of Special Orders -- Second Reading of Bills -- Consent Calendar, and Senator Cooke was called to the Chair to act as Chairman.

SPECIAL 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:

HB15-1357 by Representative(s) Court and DelGrosso; also Senator(s) Neville T. and Johnston--Concerning the establishment of the ratio of valuation for assessment for residential real property.

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

SB15-281 by Senator(s) Hill; --Concerning parent engagement in institute charter schools.

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

HB15-1355 by Representative(s) Saine and Singer, Conti, Danielson, Joshi, Melton, Moreno, Primavera, Sias, Windholz; also Senator(s) Marble and Newell--Concerning access to personal records relating to a person's family history.

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

HB15-1359 by Representative(s) Danielson and Landgraf; also Senator(s) Kefalas and Martinez Humenik--Concerning the creation of the achieving a better life experience (ABLE) savings program for individuals with disabilities.

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

HB15-1350 by Representative(s) Pettersen, Wilson; also Senator(s) Hill--Concerning performance measures for accrediting an alternative education campus.

<u>Amendment No. 1, Education Committee Amendment</u>. (Printed in Senate Journal, April 29, page(s) 985 and placed in members' bill files.)

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--CONSENT CALENDAR

On motion of Senator Cooke, 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	Ţ	Y	Kerr	Y	Scheffel		Y
Balmer	Y	Heath	Ţ	Y	Lambert	Y	Scott		Y
Baumgardner	Y	Hill	Ţ	Y	Lundberg	Y	Sonnenberg		Y
Carroll	Y	Hodge	Ţ	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	Ţ	Y	Neville T.	Y	Woods		Y
Garcia	Y	Jones	,	Y	Newell	Y	President		Y
Grantham	Y	Kefalas	N	Y	Roberts	Y			

The Committee of the Whole took the following action:

Passed on second reading: SB15-281, HB15-1357, HB15-1355, HB15-1359, HB15-1350 as amended.

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

HB15-1083 by Representative(s) Primavera, Duran, Singer; also Senator(s) Crowder--Concerning patient financial contributions for physical rehabilitation services.

A majority of all members elected to the Senate having voted in the affirmative, the bill was referred to the Committee on <u>Appropriations</u>.

HB15-1282 by Representative(s) Saine, Humphrey, Nordberg; also Senator(s) Newell, Marble--Concerning the creation of crimes involving deception about material information in connection with the preparation of birth certificates.

> <u>Amendment No. 1, State, Veterans & Military Affairs Committee Amendment</u>. (Printed in Senate Journal, April 28, page(s) 946 and placed in members' bill files.)

Amendment No. 2(L.012), by Senator Sonnenberg.

Amend the State, Veterans, and Military Affairs Committee Report, dated April 27, 2015, page 1, strike lines 8 through 10.

Amend the reengrossed bill, page 5, line 1, strike "CLASS 2".

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

HB15-1283 by Representative(s) Lebsock, Singer; also Senator(s) Holbert--Concerning marijuana testing, and, in connection therewith, creating a reference lab by December 31, 2015, that will house a library of testing methodologies and making an appropriation.

Amendment No. 1(L.004), by Senator Steadman.

Amend reengrossed bill, page 5, after line 13 insert:

"SECTION 5. Effective date. This act takes effect upon passage except that section 3 of this act only takes effect if House Bill 15-1367 does not pass and become law.".

Renumber succeeding section accordingly.

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

HB15-1013 by Representative(s) Coram, Mitsch Bush, Vigil; also Senator(s) Sonnenberg and Hodge--Concerning the implementation of recommendation number one set forth in the study of the South Platte river alluvial aquifer prepared by the Colorado water institute pursuant to House Bill 12-1278, and, in connection therewith, making an appropriation.

> <u>Amendment No. 1, Agriculture, Natural Resources, & Energy Committee Amendment</u>. (Printed in Senate Journal, April 23, page(s) 887 and placed in members' bill files.)

Amendment No. 2(L.010), by Senator Hodge.

Amend the Agriculture, Natural Resources, and Energy Committee Report, dated April 23, 2015, page 1, strike line 4 and substitute:

"Page 5 of the reengrossed bill, strike lines 20 through 27.

Page 6, strike lines 1 through 18.

Renumber succeeding section accordingly.

Page 1, strike lines 104 and 105 and substitute "INSTITUTE PURSUANT TO HOUSE BILL 12-1278."."

As amended, **lost** on second reading.

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

HB15-1307 by Representative(s) Esgar, Dore; also Senator(s) Steadman, Crowder, Garcia--Concerning a modification in the definition of the term "qualified commercial structure" as the term is used in the "Colorado Job Creation and Main Street Revitalization Act".

Lost on second reading.

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

SB15-276 by Senator(s) Balmer and Carroll, Baumgardner, Cadman, Cooke, Grantham, Guzman, Hill, Holbert, Jahn, Lambert, Lundberg, Marble, Scheffel, Sonnenberg, Woods; --Concerning a requirement that the use of red light cameras be approved by the voters of the government using the cameras.

> Amendment No. 1, Business, Labor & Technology Committee Amendment. (Printed in Senate Journal, April 28, page(s) 951 and placed in members' bill files.)

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

HB15-1261 by Representative(s) Young, Hamner, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning the maximum reserve for a cash fund with fee revenue.

Amendment No. 1, Finance Committee Amendment. (Printed in Senate Journal, April 28, page(s) 952 and placed in members' bill files.)

Amendment No. 2(L.018), by Senator Grantham.

Amend reengrossed bill, page 3, line 3, strike "(5) (hh),".

Page 9, line 5, after "2017;" insert "AND".

Page 9, strike lines 6 through 8.

Reletter succeeding paragraph accordingly.

Page 9, line 10, strike "(hh)" and substitute "(gg)".

Page 13, strike lines 23 through 27.

Page 14, strike lines 1 through 25.

Renumber succeeding sections accordingly.

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

SB15-275 by Senator(s) Lambert and Carroll, Cadman, Scheffel, Steadman; also Representative(s) Hullinghorst and Young, DelGrosso--Concerning protections for information given to members of the general assembly in the course of official duties.

Laid over until later in the day, retaining its place on the calendar.

AMENDMENTS TO THE REPORT OF THE COMMITTEE OF THE WHOLE

HB15-1013 by Representative(s) Coram, Mitsch Bush, Vigil; also Senator(s) Sonnenberg and Hodge--Concerning the implementation of recommendation number one set forth in the study of the South Platte river alluvial aquifer prepared by the Colorado water institute pursuant to House Bill 12-1278, and, in connection therewith, making an appropriation.

Senator Hodge moved to amend the Report of the Committee of the Whole to show that 34 HB15-1013, as amended, did pass.

A majority of all members elected to the Senate having voted in the affirmative, the 37 amendment to the report of the Committee of the Whole was **passed** on the following roll call 38 vote: 39

YES 20		NO	15		EXCUSED 0		ABSENT	0
Aguilar	Y	Guzman		Y	Kerr	Y	Scheffel	γ
Balmer	Ν	Heath		Y	Lambert	Ν	Scott	N
Baumgardner	Ν	Hill		Ν	Lundberg	Ν	Sonnenberg	N
Carroll	Y	Hodge		Y	Marble		Steadman	Σ
Cooke	Ν	Holbert		Y	Martinez Humenik	Ν	Todd	Ŋ
Crowder	Ν	Jahn		Y	Merrifield	Y	Ulibarri	γ
Donovan	Y	Johnston		Y	Neville T.	Ν	Woods	N
Garcia	Y	Jones		Y	Newell	Y	President	N
Grantham	Ν	Kefalas		Y	Roberts	Y		

HB15-1307 by Representative(s) Esgar, Dore; also Senator(s) Steadman, Crowder, Garcia--Concerning a modification in the definition of the term "qualified commercial structure" as the term is used in the "Colorado Job Creation and Main Street Revitalization Act".

Senator Steadman moved to amend the Report of the Committee of the Whole to show that 58 HB15-1307 did pass.

A majority of all members elected to the Senate having voted in the affirmative, the 61 amendment to the report of the Committee of the Whole was **passed** on the following roll call 62 vote:

YES 35		NO	0	EXCUSED 0		ABSENT	0
Aguilar	Y	Guzman	_	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	Ŷ	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		

Senate in recess.

Senate reconvened.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Cooke, 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: SB15-276 as amended, HB15-1282 as amended, HB15-1283 as amended, HB15-1013 as amended, HB15-1307, HB15-1261 as amended. Laid over until later in the day on Thursday, April 30: SB15-275. Referred to Committee on Appropriations: HB15-1083.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Resolutions Calendar of Thursday, April 30 (SJR15-028, SJR15-030, SJR15-031) was laid over until Friday, May 1, retaining its place on the calendar.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of Memorials Calendar of Thursday, April 30 (SJM15-002) was laid over until Friday, May 1, retaining its place on the calendar.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar of Thursday, April 30 (SB15-173) was laid over until Friday, May 1, retaining its place on the calendar.

RECONSIDERATION OF SB15-272

SB15-272 by Senator(s) Baumgardner, Marble, Cooke, Cadman, Scheffel, Crowder, Lundberg; also Representative(s) DelGrosso, Coram, Saine, Buck, Brown, Nordberg, Humphrey--Concerning infrastructure funding, and, in connection therewith, authorizing the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by financing transportation projects, excluding note proceeds and investment earnings on note proceeds from state fiscal year spending limits, and requiring additional automatic transfers from the general fund to cash funds for state infrastructure if currently scheduled statutory transfers to such cash funds are automatically reduced by operation of current law.

Having voted on the prevailing side, Senator Hill moved for reconsideration of the last Senate action, Third Reading of Bills--Final Passage, on SB15-272.

A majority of all members elected to the Senate having voted in the affirmative, reconsideration was granted.

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

On third reading, the of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

SB15-272 by Senator(s) Baumgardner, Marble, Cooke, Cadman, Scheffel, Crowder, Lundberg; also Representative(s) DelGrosso, Coram, Saine, Buck, Brown, Nordberg, Humphrey--Concerning infrastructure funding, and, in connection therewith, authorizing the state, with no increase in any taxes, to issue additional transportation revenue anticipation notes for the purpose of addressing critical priority transportation needs in the state by financing transportation projects, excluding note proceeds and investment earnings on note proceeds from state fiscal year spending limits, and requiring additional automatic transfers from the general fund to cash funds for state infrastructure if currently scheduled statutory transfers to such cash funds are automatically reduced by operation of current law.

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

YES 18	3	NO	17	EXCUSED 0		ABSENT	0
Aguilar	Ν	Guzman	N	Kerr	Ν	Scheffel	Y
Balmer	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Ν	Hodge	Ν	Marble		Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	Ν	Merrifield	Ν	Ulibarri	N
Donovan	Ν	Johnston	N	Neville T.		Woods	Y
Garcia	Ν	Jones	N	Newell	Ν	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**.

CONSIDERATION OF GOVERNOR'S APPOINTMENTS --CONSENT CALENDAR

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

MEMBERS OF THE <u>ADVISORY COMMITTEE ON</u> <u>GOVERNMENTAL ACCOUNTING</u>

effective May 18, 2015, for terms expiring May 18, 2019:

Kevin F. Collins of Franktown, Colorado, to serve as a representative of special services districts, reappointed;

Patricia Jeanne Soderberg of Thornton, Colorado, to serve as a representative of city and county government, appointed;

James Edward Rae of Windsor, Colorado, to serve as a certified public accountant, appointed.

YES 35		NO	0		EXCUSED ()	ABSENT	0
Aguilar Balmer	Y	Guzman		Y	Kerr	Y	Scheffel	Y
	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		

REPORT OF CONFERENCE COMMITTEES

FIRST REPORT OF FIRST CONFERENCE COMMITTEE ON HB15-1130

To the President of the Senate and the Speaker of the House of Representatives:

Your first conference committee appointed on HB15-1130, concerning voting by military and overseas voters in municipal elections, and, in connection therewith, extending certain deadlines that govern the conduct of municipal elections to ensure that such voters have the same ability to vote in such elections as they do in federal, state, and county elections, has met and reports that it has agreed upon the following:

1. That the House accede to the Senate amendments made to the bill as the amendments appear in the rerevised bill, with the following changes:

Amend rerevised bill, page 5, line 22, strike "**Military**" and substitute "**Active military**" and strike "**transmission**," and substitute "**mailing**,".

Page 5, line 23, strike "SECTION:".

Page 5, strike line 24 and substitute "SECTION, "BALLOT MATERIALS" MEANS THE STANDARDIZED".

Page 6, strike lines 1 through 10 and substitute "C.R.S.".

Page 6, line 12, strike "(2) AND SUBSECTION (7) OF THIS SECTION," and substitute "(2),".

Page 6, line 13, strike "OR TRANSMIT".

Page 6, line 14, strike "A" and substitute "AN ACTIVE".

Page 6, line 15, strike "DATABASE" and substitute "LIST".

Page 6, line 18, strike "REGISTRATION FROM A" and substitute "REGISTRATION, NOTIFICATION OF CHANGE OF ADDRESS, OR NOTIFICATION OF OTHER CHANGE IN STATUS FROM AN ACTIVE".

Page 6, line 20, strike "OR TRANSMIT A BALLOT" and substitute "A BALLOT AND BALLOT MATERIALS".

Page 6, line 23, strike "OR TRANSMIT".

Page 6, line 24, after "BALLOT" insert "AND BALLOT MATERIALS" and strike "A" and substitute "AN ACTIVE".

Page 6, line 25, strike "DATABASE" and substitute "LIST".

Page 6, line 27, strike "A" and substitute "AN ACTIVE".

Page 7, strike lines 1 through 3 and substitute "THE BALLOT VIA POSTAL MAIL AND COMPLETE THE SIGNED AFFIRMATION, AS SPECIFIED IN SECTION 1-8.3-114, C.R.S., NOT LATER".

Page 7, line 4, strike "THE".

Page 7, strike lines 5 and 6 and substitute "THE VOTE OF ANY ACTIVE MILITARY OR OVERSEAS VOTER WHO VOTES AS AUTHORIZED BY THIS SECTION MAY BE CHALLENGED IN THE MANNER SPECIFIED IN SECTION 31-10-1008.".

Page 7, line 14, after "AS" insert "ACTIVE".

Page 7, line 16, strike "DATABASE." and substitute "LIST.".

Page 7, strike lines 17 through 27.

Page 8, strike lines 1 through 14.

Renumber succeeding subsection accordingly.

Page 8, line 15, strike "A" and substitute "AN ACTIVE".

Page 8, line 17, strike "DATABASE" and substitute "LIST".

Page 8, line 21, strike "TITLE." and substitute "SECTION.".

2. That, under the authority granted the committee to consider matters not at issue between the two houses, the following amendments be recommended:

Page 8, strike lines 22 through 27.

Page 9, strike lines 1 through 13.

Renumber succeeding sections accordingly.

Page 10, strike lines 9 through 22.

Renumber succeeding sections accordingly.

Page 1, line 101, after "BY" insert "ACTIVE".

Respectfully submitted,

House Committee: (signed) Dan Nordberg, chairman Su Ryden Dianne Primavera Senate Committee: (signed) Owen Hill, chairman Leroy M. Garcia Tim Neville

CHANGE IN SPONSORSHIP

Upon announcement of President Cadman, Senator Steadman was added as a Senate joint prime sponsor with Senator Grantham and Representative Young on HB15-1261.

MESSAGE FROM THE HOUSE

April 30, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1273, amended as printed in House Journal, April 29, 2015. HB15-1364, amended as printed in House Journal, April 29, 2015. HB15-1382, amended as printed in House Journal, April 29, 2015. HB15-1373, amended as printed in House Journal, April 29, 2015. HB15-1236, amended as printed in House Journal, April 29, 2015. HB15-1301, amended as printed in House Journal, April 29, 2015. HB15-1309, amended as printed in House Journal, April 29, 2015. HB15-1336, amended as printed in House Journal, April 29, 2015. HB15-1336, amended as printed in House Journal, April 29, 2015. HB15-1365, amended as printed in House Journal, April 29, 2015.

The House has passed on Third Reading and returns herewith SB15-226, 220, 262, 225, 195, 207, 217.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB15-020, amended as printed in House Journal, April 29, 2015. SB15-109, amended as printed in House Journal, April 29, 2015. SB15-205, amended as printed in House Journal, April 29, 2015. SB15-256, amended as printed in House Journal, April 29, 2015. SB15-270, amended as printed in House Journal, April 29, 2015. SB15-267, amended as printed in House Journal, April 29, 2015. SB15-267, amended as printed in House Journal, April 29, 2015. SB15-267, amended as printed in House Journal, April 29, 2015. SB15-267, amended as printed in House Journal, April 29, 2015. SB15-267, amended as printed in House Journal, April 29, 2015.

The House has postponed indefinitely SB15-227. The bill is returned herewith.

The House has voted to concur in the Senate amendments to HB15-1016, 1233, 1270, 1310, 1129, 1219, 1249, 1274, 1275, 1344, and has repassed the bills as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

April 30, 2015

We herewith transmit:

Without comment, as amended, HB15-1236, 1273, 1301, 1309, 1336, 1364, 1365, 1373, and 1382. Without comment, as amended, SB15-020, 109, 205, 256, 267, and 270.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HJR15-1017, 1019, 1020, 1021, 1022, 1024.

COMMITTEE OF REFERENCE REPORTS

State, After consideration on the merits, the Committee recommends that HB15-1194 be veterans, & Military Affairs

Business, After consideration on the merits, the Committee recommends that HB15-1343 be Labor, & Amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.

Amend reengrossed bill, page 3, line 9, after "(4)" insert "(a)".

Page 3, line 12, strike "(a)" and substitute "(I)".

Page 3, line 18, strike "(b)" and substitute "(II)".

Page 3, line 21, strike "(c)" and substitute "(III)".

Page 3, line 25, strike "(d)" and substitute "(IV)".

Page 3, line 27, strike "(e)" and substitute "(V)".

Page 4, line 3, strike "(f)" and substitute "(VI)".

Page 4, line 7, strike "(g)" and substitute "(VII)".

Page 4, line 10, strike "(h)" and substitute "(VIII)".

Page 4, after line 13 insert:

"(b) "COMMUNITY ASSOCIATION MANAGEMENT" DOES NOT MEAN THE PERFORMANCE OF ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION.".

Page 6, strike lines 3 and 4 and substitute:

"(VII) AN INDEPENDENT CONTRACTOR WHO:

(À) PERFORMS ANY CLERICAL, MINISTERIAL, ACCOUNTING, OR MAINTENANCE FUNCTION; OR

(B) IS NOT OTHERWISE ENGAGED IN THE PERFORMANCE OF COMMUNITY ASSOCIATION MANAGEMENT; OR".

Senate in recess.

Senate reconvened.

On motion of Assistant Majority Leader Lundberg, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Thursday, April 30 was laid over until Friday, April 1, retaining its place on the calendar.

General Orders -- Second Reading of Bills: SB15-275.

Senate in recess.

Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Transportation After consideration on the merits, the Committee recommends that **HB15-1345** 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 **SB15-273** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, before line 2 insert:

"SECTION 4. Appropriation. (1) For the 2015-16 state fiscal year, \$62,200 is appropriated to the department of state. This appropriation is from the department of state cash fund created in section 24-21-104 (3) (b), C.R.S. To implement this act, the department may use this appropriation as follows:

(a) \$41,200 for personal services in the information technology services division; and

(b) \$21,000 for operating expenses in the elections division.

(2) For the 2015-16 state fiscal year, \$56,789 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the general fund. To implement this act, the division may use this appropriation for operating expenses related to the driver services section.

(3) For the 2015-16 state fiscal year, \$16,789 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of revenue under subsection (2) of this section. To implement this act, the office may use this appropriation to provide information technology services to the department of revenue.".

Renumber succeeding section accordingly.

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

Appropriations After consideration on the merits, the Committee recommends that **SB15-056** be referred to the Committee of the Whole with favorable recommendation.

Appropriations After consideration on the merits, the Committee recommends that **SB15-277** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 5, after line 21 insert:

	"SECTION 2. Appropriation. For the 2015-16 state fiscal year, \$150,000 is appropriated to the department of state for use by the information technology services division. This appropriation is from the department of state cash fund created in section 24-21-104 (3) (b), C.R.S. To implement this act, the division may use this appropriation for personal services.".	
	Renumber succeeding section accordingly.	
	Page 1, line 102, strike "INFORMATION." and substitute "INFORMATION, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.".	1 1 1
Appro- priations	After consideration on the merits, the Committee recommends that SB15-279 be postponed indefinitely.	1 1 1 1
Appro- priations	After consideration on the merits, the Committee recommends that SB15-274 be referred to the Committee of the Whole with favorable recommendation.	$ \begin{array}{c} 1 \\ 1 \\ 1 \\ 2 \\ 2 \\ 2 \end{array} $
Appro- priations		
	Amend the Senate Business, Labor, & Technology Committee report, dated April 22, 2015, page 3, line 21, strike "PAYMENT FOR ALL".	222
	Page 3, strike line 22.	23
	Page 5, line 11, strike "C.R.S."" and substitute:	3
	by the division of insurance. This appropriation is from the division fund	222222233333333333333
	Renumber succeeding section accordingly.".	4 4 4
Trans- portation		4 4
Finance	After consideration on the merits, the Committee recommends that HB15-1333 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	44445555555555666666
Finance	After consideration on the merits, the Committee recommends that HB15-1340 be referred to the Committee of the Whole with favorable recommendation.	5 5 5 5 5
Finance	After consideration on the merits, the Committee recommends that HB15-1226 be referred to the Committee of the Whole with favorable recommendation.	5 5 5 5 5 5 5
Finance	After consideration on the merits, the Committee recommends that HB15-1313 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	5 6 6 6
Finance	After consideration on the merits, the Committee recommends that HB15-1371 be referred to the Committee of the Whole with favorable recommendation.	6 6 6 6 6
		0

Finance	After consideration on the merits, the Committee recommends that HB15-1370 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.
	Amend reengrossed bill, page 3, strike line 25 and substitute "(1) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY AND SUBJECT TO PARAGRAPH (b) OF THIS SUBSECTION (1), A".
	Page 4, after line 5 insert:
	"(b) A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES SHALL NOT MAKE INFORMATION AVAILABLE IF THE RELEASE WOULD VIOLATE A FEDERAL CONFIDENTIALITY OR PRIVACY LAW.".
Finance	After consideration on the merits, the Committee recommends that HB15-1158 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Finance	After consideration on the merits, the Committee recommends that HB15-1043 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Finance	After consideration on the merits, the Committee recommends that HB15-1366 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
Health & Human Services	After consideration on the merits, the Committee recommends that HB15-1358 be referred to the Committee of the Whole with favorable recommendation.
Health & Human Services	After consideration on the merits, the Committee recommends that HB15-1360 be referred to the Committee of the Whole with favorable recommendation.
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB15-1247 be referred to the Committee on Finance with favorable recommendation.
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB15-076 be postponed indefinitely.
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB15-1178 be amended as follows, and as so amended, be referred to the Committee on <u>Appropriations</u> with favorable recommendation.
	Amend reengrossed bill, page 2, strike line 10 and substitute "LEVELS IN THE AREAS OF GILCREST, COLORADO, AND STERLING, COLORADO, ARE DAMAGING CROPS".
	Page 2, line 15, strike "AREA" and substitute "AREAS" and after "GILCREST," insert "COLORADO, AND STERLING,".
	Page 2, line 23, strike "AREA" and substitute "AREAS" and after "GILCREST," insert "COLORADO, AND STERLING,".
	Page 3, strike lines 5 and 6 and substitute "2015-16 FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS FROM THE GENERAL FUND TO THE ACCOUNT AND FOR THE 2016-17 FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER TWO HUNDRED NINETY THOUSAND DOLLARS FROM THE GENERAL FUND TO

THE".

Page 3, line 12, after "GILCREST," insert "COLORADO, OR WITHIN OR NEAR STERLING,".

Page 3, line 19, after "GILCREST," insert "COLORADO, AND WITHIN AND NEAR STERLING,".

Page 1, strike lines 102 through 104 and substitute "USERS TO LOWER THE WATER TABLE IN AN AREA THAT THE STATE ENGINEER DETERMINES IS EXPERIENCING DAMAGING HIGH GROUNDWATER LEVELS, AND, IN CONNECTION THEREWITH, ESTABLISHING AN EMERGENCY DEWATERING GRANT PROGRAM FOR THE PURPOSE OF LOWERING THE WATER TABLE IN AREAS OF GILCREST, COLORADO, AND STERLING, COLORADO.".

Health & The Committee on <u>Health & Human Services</u> has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE <u>STATE BOARD OF HEALTH</u>

effective March 1, 2015, for terms expiring March 1, 2019:

Nadeen Muaatasem Ibrahim of Aurora, Colorado, a resident of the 4th Congressional District, a Democrat and as an at-large representative, appointed;

Janelle Katherine Orsborn of Broomfield, Colorado, a resident of the 2nd Congressional District and a Republican, appointed;

Ricky Lynn Brown of Lakewood, Colorado, a resident of the 7th Congressional District and an Unaffiliated, reappointed.

INTRODUCTION OF BILLS -- FIRST READING

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

- **SB15-288** by Senator(s) Baumgardner and Hodge, Cadman, Lundberg, Marble, Scheffel, Steadman, Grantham, Aguilar, Guzman, Heath, Jahn, Kerr, Lambert, Newell; also Representative(s) Hamner and Rankin, DelGrosso, Hullinghorst, Rosenthal, Lebsock--Concerning the compensation paid to certain public officials. Judiciary
- SB15-289 by Senator(s) Crowder; --Concerning a limitation on the amount of an increase in fees assessed against assisted living residences by the department of public health and environment. Health & Human Services
- **HB15-1236** by Representative(s) Winter; also Senator(s) Martinez Humenik and Donovan--Concerning income tax credits for improving energy efficiency in certain buildings, and, in connection therewith, making an appropriation. Finance
- **HB15-1273** by Representative(s) Lawrence; also Senator(s) Newell--Concerning additional comprehensive reporting requirements for school discipline reports, and, in connection therewith, requiring a post-enactment review of the implementation of this act. Education

- HB15-1301 by Representative(s) Williams, Kagan, Melton, Pabon; also Senator(s) Grantham and Hill--Concerning the creation of a credit for tobacco products that a distributor ships or transports to an out-of-state consumer, and, in connection therewith, creating the "Cigar On-line Sales Equalization Act" and making an appropriation. Finance
- **HB15-1309** by Representative(s) Ginal; also Senator(s) Crowder--Concerning the placement of interim therapeutic restorations by dental hygienists, and, in connection therewith, ensuring medicaid and children's basic health plan reimbursement for services provided through the use of telehealth related to interim therapeutic restoration procedures and making an appropriation.

Health & Human Services

HB15-1336 by Representative(s) Lee and Fields; also Senator(s) Crowder--Concerning the "Colorado Veterans' Service to Career Pilot Program", and, in connection therewith, creating a grant program through the department of labor and employment to aid work force centers in supporting veterans and their spouses seeking new employment and careers, and making an appropriation. State, Veterans, & Military Affairs

Appropriations

- **HB15-1364** by Representative(s) Coram and Mitsch Bush; also Senator(s) Sonnenberg and Donovan-Concerning a limitation on the scope of an inspection of a small hydroelectric energy facility conducted by the state electrical board. Agriculture, Natural Resources, & Energy
- HB15-1365 by Representative(s) McCann, Lee, Primavera, Singer; also Senator(s) Crowder--Concerning adding two youth members to the Tony Grampsas youth services board, and, in connection therewith, making an appropriation. Local Government
- **HB15-1373** by Representative(s) Singer; also Senator(s) Aguilar--Concerning the creation of a provisional certification to practice speech-language pathology. Health & Human Services
- **HB15-1382** by Representative(s) Duran and DelGrosso; also Senator(s) Heath and Martinez Humenik, Cadman, Scheffel, Newell, Jahn--Concerning the alignment of the Colorado statutes with the federal "Workforce Innovation and Opportunity Act". Business, Labor, & Technology

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

March 12, 2015

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:

MEMBERS OF THE COLORADO CIVIL RIGHTS COMMISSION

for terms expiring March 13, 2019:

Anthony R. Aragon of Denver, Colorado, to serve as a representative for local (or state) government entities, and as a Democrat, appointed;

Rita Renae Lewis, JD of Denver, Colorado, to serve as representative of the business community, and as a Democrat, appointed;

Carol Fabrizio of Denver, Colorado, to serve as a representative of the business community and as an Unaffiliated, appointed.

Sincerely, (signed) John W. Hickenlooper Governor Rec'd: 3/18/2015 Cindi L. Markwell, Secretary of the Senate

Committee on State, Veterans, & Military Affairs

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Friday, May 1, 2015.

Approved:

Bill L. Cadman President of the Senate

Attest:

Cindi L. Markwell Secretary of the Senate