

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

58th Legislative Day Thursday, March 5, 2015

Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.

Call to Order By the President at 9:00 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 Wednesday, March 4, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Local Government After consideration on the merits, the Committee recommends that HB15-1092 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 5, line 1, after "names of" insert "AND CONTACT INFORMATION FOR".

Local Government The Committee on Local Government has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
ADVISORY COMMITTEE TO THE PROPERTY
TAX ADMINISTRATOR

for a term expiring September 1, 2018:

Corbin Sakdol of Littleton, Colorado, to serve as an assessor from a county with a population over 75,000 and as a Republican, appointed.

Local Government After consideration on the merits, the Committee recommends that HB15-1192 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 HB15-1117 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 SB15-122 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

The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed:

MEMBER OF THE
WORKERS' COMPENSATION COST
CONTAINMENT BOARD

effective December 31, 2014 for a term expiring December 13, 2017:

Jeffrey Michael Citrone of Denver, Colorado, to serve as an executive with good risk management experience in the insurance industry, reappointed.

Judiciary

After consideration on the merits, the Committee recommends that **HB15-1060** 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 **HB15-1072** be **referred** to the Committee on Business, Labor, & Technology with favorable recommendation.

Judiciary

After consideration on the merits, the Committee recommends that **HB15-1122** be **referred** to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

State,
Veterans, &
Military
Affairs

After consideration on the merits, the Committee recommends that **SB15-092** be **postponed indefinitely**.

SENATE SERVICES REPORT

Correctly Printed: SB15-202.
Correctly Enrolled: SB15-057 and 142.

MESSAGE FROM THE HOUSE

March 3, 2015

Mr. President:

The Speaker has appointed Representatives Winter, chairman, Buck, and Kraft-Tharp as House conferees on the First Conference Committee on SB15-085.

March 4, 2015

Mr. President:

The Speaker has appointed Representatives Hamner, Chair, Young, and Rankin as House conferees on the First Conference Committee on SB15-161.

The House has voted to concur in the Senate amendments to HB15-1029, 1059 and has repassed the bills as so amended.

The House has voted to recede from its position on SB15-159 and has repassed the bill. The bill is returned herewith.

The House has voted to grant the House conferees on the First Conference Committee on SB15-085 to consider matters not at issue between the two houses.

Upon request of Majority Leader Scheffel, **SB15-182** and **SB15-186** were removed from the General Orders--Second Reading of Bills Consent Calendar of Thursday, March 5 and were placed at the end of the General Orders--Second Reading of Bills Calendar of Thursday, March 5.

Committee of the Whole On motion of Senator Holbert, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Holbert was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS --
CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

HB15-1070 by Representative(s) Buckner; also Senator(s) Martinez Humenik--Concerning changes to the crime profits distribution statute.

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

HB15-1094 by Representative(s) Lee, Arndt, Becker K., Court, Esgar, Foote, Garnett, Ginal, Kagan, Nordberg, Rosenthal, Roupe, Vigil; also Senator(s) Cooke and Newell--Concerning restorative justice.

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

HB15-1137 by Representative(s) Becker K.; also Senator(s) Cooke--Concerning requests for multiple booking photographs.

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

HB15-1174 by Representative(s) Carver, McCann, Windholz, Danielson, Saine, Dore, Roupe; also Senator(s) Woods, Newell--Concerning the confidentiality of personal information for participants in the address confidentiality program, and, in connection therewith, protecting victims of domestic violence, sexual assault, and stalking.

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

HB15-1034 by Representative(s) Vigil; also Senator(s) Crowder--Concerning an increase in the number of district court judges in the twelfth judicial district, and, in connection therewith, making an appropriation.

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

SB15-189 by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner, Young--Concerning the repeal of consolidated tobacco settlement program monitoring and reporting requirements.

Amendment No. 1, Appropriations Committee Amendment.
(Printed in Senate Journal, March 3, page(s) 381 and placed in members' bill files.)

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

SB15-190

by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning the repeal of the requirement that the executive director of the department of personnel promulgate rules to establish state archives' fees.

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

SB15-110

by Senator(s) Baumgardner, Aguilar, Newell; also Representative(s) Ginal--Concerning the continuation of the regulation by the director of the division of professions and occupations of funeral establishments, and, in connection therewith, implementing the recommendations of the department of regulatory agencies as contained in the 2014 sunset report.

Amendment No. 1, Business, Labor & Technology Committee Amendment.

(Printed in Senate Journal, February 24, page(s) 333-334 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.

(Printed in Senate Journal, March 3, page(s) 381 and placed in members' bill files.)

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

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE --
CONSENT CALENDAR

On motion of Senator Holbert, 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: SB15-189 as amended, SB15-190, SB15-110 as amended, HB15-1070, HB15-1094, HB15-1137, HB15-1174, HB15-1034.

Committee of the Whole

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

HB15-1055

by Representative(s) Esgar; also Senator(s) Grantham--Concerning the participation of people who are not state employees in the state employee assistance program established by the state personnel director.

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

SB15-137 by Senator(s) Balmer; also Representative(s) DelGrosso and Ginal, Kraft-Tharp--
Concerning business entities permitted to provide the program of all-inclusive care for the
elderly.

Laid over until Tuesday, March 10, retaining its place on the calendar.

SB15-188 by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner,
Young--Concerning the use of the first tier of statutorily allocated tobacco litigation
settlement money, and, in connection therewith, making an annual statutory allocation of
such money to the tobacco settlement defense account of the tobacco litigation settlement
cash fund and making an offsetting reduction in the annual statutory allocation of such
money to the children's basic health plan trust, authorizing the department of revenue to use
money in the tobacco settlement defense account for settlement enforcement related
activities, and making an appropriation.

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

SB15-191 by Senator(s) Scheffel and Carroll, Cadman; also Representative(s) Duran and DelGrosso,
Hullinghorst--Concerning payment of expenses of the legislative department.

Amendment No. 1(L.001), by Senators Lambert, Cadman, Scheffel, and Carroll.

Amend printed bill, page 2, line 2, strike "\$40,420,144" and substitute
"\$40,450,144".

Page 2, line 3, strike "\$39,326,144" and substitute "\$39,356,144".

Page 2, line 26, strike "\$8,238,680" and substitute "\$8,268,680".

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

SB15-187 by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Young, Hamner,
Rankin--Concerning authorization for the high-performance transportation enterprise to
deposit money received as a loan from the state highway fund to a separate account within
the statewide transportation enterprise special revenue fund.

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

SB15-182 by Senator(s) Garcia and Crowder; also Representative(s) Navarro and Esgar--Concerning
allowing the department of corrections to transfer certain offenders to the youthful offender
system to participate in age-appropriate programs.

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

SB15-186 by Senator(s) Woods, Guzman, Holbert, Jahn, Martinez Humenik; also Representative(s)
Dore and Garnett, Priola, Rankin, Becker J., Lundeen, Klingenschmitt, Lawrence, Lebsock,
Neville P., Nordberg, Pabon, Sias, Tate, Van Winkle--Concerning the exemption of yoga
teacher training from regulation under statutes governing private occupational education.

Amendment No. 1, Appropriations Committee Amendment.

(Printed in Senate Journal, March 3, page(s) 380 and placed in members' bill files.)

As amended, ordered engrossed 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 Holbert, 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: SB15-188, SB15-191 as amended, SB15-187, SB15-182, SB15-186 as amended, HB15-1055.
Laid over until Tuesday, March 10: SB15-137.

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.

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:

MEMBER OF THE
STATEWIDE INTERNET PORTAL AUTHORITY

for a term expiring June 1, 2018:

Mary Kay Hogan of Denver, Colorado, as a representative of the private sector, 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
PINNACOL ASSURANCE BOARD OF DIRECTORS

effective January 1, 2015, for a term expiring January 1, 2020:

Mark David Goodman of Denver, Colorado, an employer whose liability is insured by Pinnacol Assurance, 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: HB15-1021, 1023, 1047, 1121.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Wednesday, March 4, 2015, at 10:30 a.m.:
SB15-010, 021, 023, 024, 025, 026, 027, 028, 041, 082, 108, 112, 143, 144, 145, 146,
147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 160, 162, 163, 164, 165, 166,
167, 168, 169 and 170.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Friday, March 6, 2015.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate