

**SENATE JOURNAL**  
Sixty-third General Assembly  
**STATE OF COLORADO**  
First Regular Session

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Ninth Legislative Day

Thursday, January 18, 2001

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Prayer By the chaplain, Father Dennis Woerter, St. Dominic Catholic Parish

Call to Order By the President at 9:00 a.m.

Roll Call Present--Total, 29.  
Absent/Excused-- Evans, Gordon, Lamborn, Reeves, Tate, Windels--Total 6.  
Present later--Evans, Reeves, Windels, Lamborn.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Cairns, reading of the Journal of January 17, 2001 was dispensed with and the Journal stands approved as corrected by the Secretary.

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**SENATE SERVICES REPORT**

Senate Services Correctly printed: SB 01-108, 109, 110, SJR 01-006.  
Correctly engrossed: SJR 01-006.

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**INTRODUCTION OF BILLS--FIRST READING**

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

**SB01-109** By Senators Hagedorn and Hernandez--Concerning motor vehicle insurance, and, in connection therewith, continuing the motorist insurance identification database program and the "Colorado Auto Accident Reparations Act".  
Public Policy and Planning

**SB01-110** By Senators Takis and Lamborn--Concerning continuation of the workers' compensation classification appeals board.  
Business, Labor and Finance

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On motion of Senator Thiebaut, and with a majority of those elected to the Senate having voted in the affirmative, the Second Reading calendar of Thursday, January 18, was laid over until Friday, January 19, retaining its place on the calendar.

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**CONSIDERATION OF RESOLUTIONS**

**SJR 01-003** by Senators Thiebaut and Matsunaka; also Representatives Spradley and Dean--  
Concerning oversight responsibilities of committees of reference.

Laid over until January 19, 2001, retaining its place on the calendar.

**HJR 01-1005** By Senators Anderson, Andrews, Owen, Pascoe and Tate; also Representatives Dean, Coleman, King, Smith, Williams T.--Concerning Changes to Joint Rule 36 of the Rules of the Senate and the House of Representatives.

Laid over until January 19, 2001, retaining its place on the calendar.

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Senate in Recess--Senate Reconvened

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**COMMITTEE OF REFERENCE REPORTS**

The committees recommend the following:

- Judiciary      After consideration on the merits, the committee recommends that the following **SB01-058** 1  
be referred favorably to the Committee of the Whole. 2
- Judiciary      After consideration on the merits, the committee recommends that the following **SB01-013** 3  
be referred favorably to the Committee on Health, Environment, Children and Families. 4
- Judiciary      After consideration on the merits, the committee recommends that the following **SB01-014** 5  
be referred favorably to the Committee on Health, Environment, Children and Families. 6
- Judiciary      After consideration on the merits, the committee recommends that the following **SB01-015** 7  
be amended as follows, and as so amended, be favorably referred to the Committee of the 8  
Whole. 9
- Amend printed bill, page 2, line 24, strike "THIRTY" and substitute "NO LATER THAN 10  
THIRTY". 11
- Agriculture,    After consideration on the merits, the committee recommends that **SB01-044** be amended 12  
and Natural    as follows and, as so amended be referred to the Committee of the Whole with favorable 13  
Resources      recommendation. 14
- Amend printed bill, page 2, line 19, strike "2005." and substitute "2003.". 15
- Page 3, line 7, strike "2005." and substitute "2003."; 16
- line 19, strike "2005;" and substitute "2003;". 17

**INTRODUCTION OF RESOLUTIONS**

The following resolutions were read by title:

- SR01-006**      by Senator Thiebaut--Concerning consent calenders. 18
- Be It Resolved by the Senate of the Sixty-third General Assembly of the State of Colorado:* 19
- That the Rules of the Senate are amended BY THE ADDITION OF A NEW RULE to 20  
read: 21

**25A. CONSENT CALENDAR**

(a)(1)EXCEPT AS OTHERWISE PROVIDED IN THIS RULE, IF A BILL IS REPORTED OUT OF A COMMITTEE OF REFERENCE FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE AND THE MAJORITY LEADER DETERMINES THE BILL TO BE NONCONTROVERSIAL IN NATURE, THE BILL MAY BE PLACED ON THE CONSENT CALENDAR IN THE SOLE DISCRETION OF THE MAJORITY LEADER. ANY BILL THAT IS REPORTED OUT OF A COMMITTEE OF REFERENCE FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE LESS THAN SEVENTY-TWO HOURS PRIOR TO THE APPLICABLE DEADLINE FOR FINAL PASSAGE OF SUCH BILL IN THE SENATE OR PRIOR TO THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION CANNOT BE PLACED ON THE CONSENT CALENDAR.

(2)BILLS INCLUDED ON THE CONSENT CALENDAR SHALL BE PRINTED AND POSTED IN THE SENATE CALENDAR AT LEAST FORTY-EIGHT HOURS PRIOR TO THE TIME OF CONSIDERATION. IF ANY MEMBER FILES A WRITTEN OBJECTION TO THE INCLUSION OF A BILL ON THE CONSENT CALENDAR WITH THE SECRETARY AFTER ITS PLACEMENT THEREON, THE BILL SHALL BE REMOVED FROM THE CONSENT CALENDAR AND PLACED AT THE END OF THE GENERAL ORDERS CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY BILL OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY FOR PASSAGE OF SUCH BILL IN THE SENATE IN ACCORDANCE WITH APPLICABLE DEADLINES SHALL BE PLACED AT THE END OF THE GENERAL ORDERS CALENDAR FOR THAT DAY. THE CONSENT CALENDAR SHALL APPEAR ON THE DAILY CALENDAR UNDER THE TITLE OF "GENERAL ORDERS", AND IT SHALL BE CLEARLY DESIGNATED BY THE WORDS "CONSENT CALENDAR".

(b)ALL BILLS ON THE CONSENT CALENDAR SHALL BE CONSIDERED ON SECOND READING BY THE COMMITTEE OF THE WHOLE IN THE SAME MANNER AS OTHER BILLS; EXCEPT THAT:

(1)NO SUBSTANTIAL DEBATE OR FLOOR AMENDMENTS, OTHER THAN COMMITTEE OF REFERENCE REPORTS, SIMPLE COMMENTS OR QUESTIONS, OR SIMPLE OR TECHNICAL FLOOR AMENDMENTS, SHALL BE PERMITTED FOR BILLS ON THE CONSENT CALENDAR; AND

(2)THE COMMITTEE OF THE WHOLE SHALL TAKE A SINGLE VOTE COVERING ALL SUCH BILLS. THE VOTE SHALL HAVE THE EFFECT OF ADOPTING ALL SUCH BILLS ON SECOND READING.

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(c) A BILL SHALL BE REMOVED FROM THE CONSENT CALENDAR UPON THE OBJECTION OF ANY MEMBER MADE AT ANY TIME AFTER THE SENATE BEGINS TO CONSIDER THE BILL ON SECOND READING OR THIRD READING. IF THE OBJECTION IS MADE PRIOR TO THE ADOPTION OF THE COMMITTEE OF THE WHOLE REPORT, THE BILL SHALL BE DEEMED AS NOT HAVING BEEN CONSIDERED ON SECOND READING AND SHALL BE PLACED ON THE GENERAL ORDERS CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY BILL OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY FOR PASSAGE OF SUCH BILL IN THE SENATE IN ACCORDANCE WITH APPLICABLE DEADLINES OR ON THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION SHALL BE PLACED AT THE END OF THE GENERAL ORDERS CALENDAR FOR THAT DAY. IF THE OBJECTION IS MADE AFTER THE ADOPTION OF THE COMMITTEE OF THE WHOLE REPORT BUT PRIOR TO THE PASSAGE OF THE BILL ON THIRD READING, THE BILL SHALL BE PLACED ON THE THIRD READING CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY BILL OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY FOR PASSAGE OF SUCH BILL IN THE SENATE IN ACCORDANCE WITH APPLICABLE DEADLINES OR ON THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION SHALL BE PLACED AT THE END OF THE THIRD READING CALENDAR FOR THAT DAY.

(d) ALL BILLS ON THE CONSENT CALENDAR THAT HAVE BEEN PASSED ON SECOND READING SHALL BE INCLUDED ON THE CALENDAR UNDER THE TITLE "THIRD READING OF BILLS" AND SHALL BE CLEARLY DESIGNATED BY THE WORDS "CONSENT CALENDAR". NO SUBSTANTIAL DEBATE OR THIRD READING AMENDMENTS SHALL BE PERMITTED FOR BILLS ON THE CONSENT CALENDAR. THERE SHALL BE A SINGLE VOTE COVERING ALL BILLS APPEARING ON THE CONSENT CALENDAR. THE VOTE SHALL BE BY AYES AND NOES AND ENTERED IN THE JOURNAL SEPARATELY FOR EACH BILL.

(e) THE WORD "BILL" AS USED IN THIS RULE SHALL BE DEEMED TO INCLUDE CONCURRENT RESOLUTIONS.

That Rule No. 30 (b) and 30 (e) of the Rules of the Senate are amended, and the said Senate Rule No. 30 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

### 30. RESOLUTIONS AND MEMORIALS

(b) Senate joint resolutions, which pertain to:

- (1) The transaction of the business of both houses.
- (2) The establishment of investigating committees composed of members of both houses.
- (3) An expression of the will of both houses on any matter not mentioned in Rule 30A.

Any such resolution shall be printed as a bill and placed in the members' bill books, and only its title shall be printed in the journal. The number of printed copies shall be determined by the secretary. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (g) OF THIS RULE, at the discretion of the President, it shall then either lay over one day before being acted upon or be referred to a committee of reference, where it shall be considered as Senate bills are considered.

(e) House joint resolutions and House joint memorials, upon introduction, shall be read by title. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (g) OF THIS RULE, at the discretion of the President, they shall then either lay over one day before being acted upon or be referred to a committee of reference, where they shall be considered as bills originating in the House are considered. Former members of the Senate may address the members of the Senate pursuant to Rule 31 (g) regarding a House joint memorial expressing sentiment on the death of any person who served as a member of the Senate.

(g)(1)(A) EXCEPT AS OTHERWISE PROVIDED IN THIS RULE, ANY SENATE JOINT RESOLUTION, SENATE RESOLUTION, SENATE JOINT MEMORIAL, SENATE MEMORIAL, HOUSE JOINT RESOLUTION, OR HOUSE JOINT MEMORIAL THAT THE MAJORITY LEADER DETERMINES TO BE NONCONTROVERSIAL IN NATURE MAY BE PLACED ON THE CONSENT CALENDAR IN THE SOLE DISCRETION OF THE MAJORITY LEADER. NO RESOLUTION OR MEMORIAL SHALL BE PLACED ON THE CONSENT CALENDAR WITHIN SEVENTY-TWO HOURS OF THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION.

(B) RESOLUTIONS OR MEMORIALS INCLUDED ON THE CONSENT CALENDAR SHALL BE PRINTED AND POSTED IN THE SENATE CALENDAR AT LEAST FORTY-EIGHT HOURS PRIOR TO THE TIME OF CONSIDERATION. IF ANY MEMBER FILES A WRITTEN OBJECTION TO THE INCLUSION OF A RESOLUTION OR MEMORIAL ON THE CONSENT CALENDAR WITH THE

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SECRETARY AFTER ITS PLACEMENT THEREON, THE RESOLUTION OR MEMORIAL SHALL BE REMOVED FROM THE CONSENT CALENDAR AND PLACED ON THE CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY RESOLUTION OR MEMORIAL OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION SHALL BE PLACED AT THE END OF THE CALENDAR FOR THAT DAY. THE CONSENT CALENDAR SHALL APPEAR ON THE CALENDAR UNDER THE TITLE OF "CONSIDERATION OF RESOLUTIONS" OR "CONSIDERATION OF MEMORIALS", AS APPLICABLE, AND IT SHALL BE CLEARLY DESIGNATED BY THE WORDS "CONSENT CALENDAR".

(2)ALL RESOLUTIONS AND MEMORIALS ON THE CONSENT CALENDAR SHALL BE CONSIDERED ON FINAL PASSAGE BY THE SENATE IN THE SAME MANNER AS OTHER RESOLUTIONS AND MEMORIALS; EXCEPT THAT:

(A)NO SUBSTANTIAL DEBATE OR FLOOR AMENDMENTS, OTHER THAN COMMITTEE OF REFERENCE REPORTS, SIMPLE COMMENTS OR QUESTIONS, OR SIMPLE OR TECHNICAL FLOOR AMENDMENTS, SHALL BE PERMITTED FOR RESOLUTIONS AND MEMORIALS ON THE CONSENT CALENDAR; AND

(B)THE SENATE SHALL TAKE A SINGLE VOTE COVERING ALL RESOLUTIONS APPEARING ON THE CONSENT CALENDAR AND A SINGLE VOTE COVERING ALL MEMORIALS APPEARING ON THE CONSENT CALENDAR. THE VOTE SHALL HAVE THE EFFECT OF ADOPTING ALL SUCH RESOLUTIONS AND MEMORIALS ON FINAL PASSAGE. THE VOTE SHALL BE BY AYES AND NOES AND ENTERED IN THE JOURNAL SEPARATELY FOR EACH RESOLUTION OR MEMORIAL, AS APPLICABLE.

(3)A RESOLUTION OR MEMORIAL SHALL BE REMOVED FROM THE CONSENT CALENDAR UPON THE OBJECTION OF ANY MEMBER MADE AT ANY TIME AFTER THE SENATE BEGINS TO CONSIDER THE RESOLUTION OR MEMORIAL. IF THE OBJECTION IS MADE PRIOR TO THE VOTE ON THE RESOLUTIONS AND MEMORIALS ON THE CONSENT CALENDAR, THE RESOLUTION OR MEMORIAL SHALL BE DEEMED AS NOT HAVING BEEN CONSIDERED AND SHALL BE PLACED ON THE CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY RESOLUTION OR MEMORIAL OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION SHALL BE PLACED AT THE END OF THE CALENDAR FOR THAT DAY.

That Rule No. 36 (c) of the Rules of the Senate is amended, and the said Senate Rule No. 36 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

**36. CONFIRMATIONS**

(c)The report of the committee on any such appointment may recommend that the Senate conduct an executive session to consider the appointment, otherwise the consideration thereof shall be in open session of the Senate. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (d) OF THIS RULE, consideration of any such appointment shall be placed on the Senate calendar for the second day of actual session next following receipt of the committee report thereon.

(d)(1)(A)EXCEPT AS OTHERWISE PROVIDED IN THIS RULE, ANY CONFIRMATION REPORTED OUT BY THE COMMITTEE THAT THE MAJORITY LEADER DETERMINES TO BE NONCONTROVERSIAL IN NATURE MAY BE PLACED ON THE CONSENT CALENDAR IN THE SOLE DISCRETION OF THE MAJORITY LEADER. NO CONFIRMATION SHALL BE PLACED ON THE CONSENT CALENDAR WITHIN SEVENTY-TWO HOURS OF THE LAST DAY OF ANY REGULAR OR SPECIAL SESSION.

(B)CONFIRMATIONS INCLUDED ON THE CONSENT CALENDAR SHALL BE PRINTED AND POSTED IN THE SENATE CALENDAR AT LEAST FORTY-EIGHT HOURS PRIOR TO THE TIME OF CONSIDERATION. IF ANY MEMBER FILES A WRITTEN OBJECTION TO THE INCLUSION OF A CONFIRMATION ON THE CONSENT CALENDAR WITH THE SECRETARY AFTER ITS PLACEMENT THEREON, THE CONFIRMATION SHALL BE REMOVED FROM THE CONSENT CALENDAR AND PLACED ON THE CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY CONFIRMATION OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION SHALL BE PLACED AT THE END OF THE CALENDAR FOR THAT DAY. THE CONSENT CALENDAR SHALL APPEAR ON THE CALENDAR UNDER THE TITLE OF "CONSIDERATION OF GOVERNOR'S APPOINTMENTS", AND IT SHALL BE CLEARLY DESIGNATED BY THE WORDS "CONSENT CALENDAR".

(2)ALL CONFIRMATIONS ON THE CONSENT CALENDAR SHALL BE CONSIDERED BY THE SENATE IN THE SAME MANNER AS OTHER CONFIRMATIONS; EXCEPT THAT:

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(A)NO SUBSTANTIAL DEBATE, OTHER THAN SIMPLE COMMENTS OR QUESTIONS, SHALL BE PERMITTED FOR CONFIRMATIONS ON THE CONSENT CALENDAR; AND

(B)THERE SHALL BE A SINGLE VOTE COVERING ALL CONFIRMATIONS APPEARING ON THE CONSENT CALENDAR. THE VOTE SHALL HAVE THE EFFECT OF CONFIRMING ALL SUCH APPOINTMENTS. THE VOTE SHALL BE BY AYES AND NOES AND ENTERED IN THE JOURNAL SEPARATELY FOR EACH CONFIRMATION.

(3)A CONFIRMATION SHALL BE REMOVED FROM THE CONSENT CALENDAR UPON THE OBJECTION OF ANY MEMBER MADE AT ANY TIME AFTER THE SENATE BEGINS TO CONSIDER THE CONFIRMATION. IF THE OBJECTION IS MADE PRIOR TO THE VOTE ON THE CONFIRMATIONS ON THE CONSENT CALENDAR, THE CONFIRMATION SHALL BE DEEMED AS NOT HAVING BEEN CONSIDERED AND SHALL BE PLACED ON THE CALENDAR FOR THE NEXT DAY OF ACTUAL SESSION FOLLOWING THE DAY ON WHICH IT WAS REMOVED FROM THE CONSENT CALENDAR; HOWEVER, ANY CONFIRMATION OBJECTED TO AND REMOVED FROM THE CONSENT CALENDAR ON THE FINAL DAY OF ANY REGULAR OR SPECIAL SESSION SHALL BE PLACED AT THE END OF THE CALENDAR FOR THAT DAY.

That Rule No. 15 (c) of the Rules of the Senate is amended to read:

### 15. CALENDAR

(c)Bills, resolutions, and memorials referred to the committee of the whole or to the Senate by committees of reference shall, EXCEPT AS OTHERWISE PROVIDED IN RULES 25A, 30 (g), AND 36 (d), be placed on the calendar the second actual day of session following the day on which the committee report is delivered to the Senate.

That Rule No. 24 (a) of the Rules of the Senate is amended to read:

### 24. REPORTS

(a)Reports of committees of reference, except such as do not propose final action, and reports of committees of conference, shall, unless otherwise ordered OR AS OTHERWISE PROVIDED IN RULES 25A, 30 (g), AND 36 (d), be placed upon the calendar for the day next succeeding that on which they are presented to the Senate; but a report of a committee referring a bill or concurrent resolution to the committee of the whole shall be placed on the calendar for the second actual day of session following that on which such report is presented to the Senate.

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by Senator Thiebaut--Concerning revision of Senate rules to amend or delete outdated provisions and preserve Senate practices and traditions.

*Be It Resolved by the Senate of the Sixty-third General Assembly of the State of Colorado:*

That Rule No. 1 (a) and 1 (c) of the Rules of the Senate are amended to read:

### 1. HOUR OF MEETING - PRESIDING OFFICER

(a)UNLESS OTHERWISE ORDERED, the regular hour of meeting of the Senate ~~unless otherwise ordered~~ shall be 10 o'clock a.m. daily. ~~and The regular hour of adjournment shall be 6:00 p.m. AS ORDERED. In the event the Senate or the committee of the whole is in session at 6:00 p.m., such session shall continue until adoption of an adjournment motion, but in such event no action shall be taken on any motion having the effect of passing any bill or resolution on second or third reading, except if such motion shall have first been made prior to 6:00 p.m. and except for a motion to adopt the report of the committee of the whole, nor shall it be in order to offer or debate any motion on which action is precluded by this rule.~~

(c)If at the hour for the convening of the Senate, the President and the President pro tempore shall be absent, the senior Senator present shall call the Senate to order and ~~the first order of business thereafter shall be the election, by all members present, of a Senator to act as presiding officer, and such acting presiding officer, when elected, shall continue to preside, with all the powers, and privileges, AND DUTIES of the President, until the President or President pro tempore shall appear.~~

That Rule No. 3 (a) of the Rules of the Senate is amended to read:

### 3. ORDER OF BUSINESS

(a)The order of business of the Senate shall be as follows:

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- (1)Reading, correction, and approval of the journal. 1
- (2)Reports of committees of reference. 2
- (3)Reports of special committees. 3
- (4)Messages from the House of Representatives. 4
- (5)Messages from the Revisor. 5
- (6)Introduction of ~~resolutions and memorials~~ **BILLS AND FIRST READING BY TITLE.** 6
- (7)Introduction of ~~bills and first reading by title~~ **RESOLUTIONS AND MEMORIALS.** 7
- (8)Third reading of bills. 8
- (9)General orders. 9
- (10)Consideration of resolutions and memorials. 10
- (11)Messages from the Governor and other state officers. 11
- (12)Other business. 12

That Rule No. 12 (b) of the Rules of the Senate is amended to read: 13

**12. PRESIDENT AND PRESIDING OFFICERS** 14

(b)At the beginning of each regular session convening after a general election and at such other times as may be necessary, the Senate shall, by a majority vote of all members elected, elect one of its members as President, and another member as President pro tempore, who shall, during the absence or inability of the President to serve, preside over the Senate and exercise and perform all the powers, PRIVILEGES, and duties of the President. 15

That Rule No. 13 (a) (5) of the Rules of the Senate is amended to read: 16

**13. SECRETARY** 17

(a)A secretary of the Senate shall be elected at the commencement of each session, and at such other times as may be necessary, to hold his office at the pleasure of the Senate. In addition to other duties imposed by these rules, he shall: 18

(5)UNLESS OTHERWISE DIRECTED BY THE PRESIDENT, have general supervision over all employees of the Senate and report to the Senate services committee any misconduct or neglect of duty on the part of any such employee. 19

That Rule No. 16 (a) of the Rules of the Senate is amended to read: 20

**16. SENATORS** 21

(a)Every Senator shall be present within the Senate chamber during sessions of the Senate unless duly excused, or necessarily prevented from attendance. No members shall be excused without the consent ~~previously obtained of a majority of all members voting thereon~~ **OF THE PRESIDENT.** 22

That Rule No. 17 (d), 17 (e), and 17 (f) (5) of the Rules of the Senate are amended to read: 23

**17. VOTING** 24

(d)Every Senator present, when the question is put, shall vote, unless the Senate, for special reasons, excuses him, or unless he shall have a personal or private interest in the matter. A request to be excused from voting shall be determined without debate by a ~~majority of members voting thereon~~ **THE PRESIDENT.** Any Senator present and not excused from voting who refuses to vote on any question, if the vote be by ayes and noes, shall be noted in the journal as "present but refusing to vote." 25

(e)Any Senator has the right to demand the ayes and noes upon any question and upon such demand, the President shall direct the ~~secretary~~ **READING CLERK** to call the names of Senators in their alphabetical order, and before the result is declared, the ~~secretary~~ **READING CLERK** shall read over the names of those voting in the affirmative, and those 26

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voting in the negative. After the alphabetical roll call of the ayes and noes has commenced, no debate on the measure before the Senate shall ensue, except that any Senator may be allowed one minute to explain his vote at the time his vote is recorded. No Senator shall be permitted to vote, under any circumstances, after the decision on the voting has been announced by the chair.

(f) Any matter may be passed by a majority vote of a quorum except:

~~(5) This rule has been repealed~~ A MOTION TO ADJOURN SINE DIE SHALL REQUIRE 18 VOTES.

That Rule No. 18 (d) of the Rules of the Senate is amended to read:

### 18. RECONSIDERATION

(d) Upon notice being given by any Senator of his intention to move a reconsideration of any vote taken, the secretary shall enter the same in the journal, and shall retain the bill or other paper with reference to which the vote was taken (except petitions, enacted bills, and orders of inquiry), until the time for reconsideration has expired; but the operation of this rule shall be suspended during the last ~~week~~ THREE DAYS of the session.

That Rule No. 20 (a) and 20 (c) of the Rules of the Senate are amended to read:

### 20. CALL OF THE SENATE

(a) Any five Senators may demand a call of the Senate, and require absent Senators to be sent for; but a call of the Senate cannot be made after alphabetical roll call has commenced; and the call of the Senate being in order, the President shall order that the doors of the Senate be closed, and that no Senator be allowed to leave the Senate chamber until the pending motion is voted upon, and shall direct the ~~secretary~~ READING CLERK to call the roll and note the absentees; after which the names of the absentees shall be again called, and those absent shall be sent for and taken into custody by the sergeant-at-arms, or his ~~assistant~~ ASSISTANTS, and brought before the bar of the Senate, where, unless excused by a majority of the Senate present, those for whose absence no excuse or an insufficient excuse is made shall be reprimanded by the President for neglect of duty, and fined, respectively, at least to the extent of the expenses incidental to their apprehension AND RETURN. The roll call shall be entered in the journal unless the call shall be raised before the President announces the result of the roll call.

(c) UPON THE MOTION OF ANY SENATOR WHO DEMANDED THE CALL, a call of the Senate may be raised by a majority VOTE of those members present in the chambers.

That Rule No. 21 (j) of the Rules of the Senate is repealed as follows:

### 21. COMMITTEES

~~(j) A calendar committee of at least five members may be nominated and elected by vote of the Senate at any time, which committee shall be authorized to arrange all general and special orders and prepare calendars for same, provided that special orders may be made at any time by vote of the Senate, in accordance with the provisions of Rule 4 (a).~~

That Rule No. 22A (a) and 22A (b) of the Rules of the Senate are amended to read:

### 22A. PROTECTION OF DELIBERATIONS

(a) This rule is adopted pursuant to the constitutional, statutory, and inherent powers of the Senate and is intended to protect the deliberations of THE SENATE, Senate committees, Senate party caucuses, and other official meetings from undue disruption and interruption.

(b) Audible electronic devices and audible telephone devices used for transmitting and receiving communications shall be rendered inoperable IN THE SENATE CHAMBERS, in the hearings of Senate committees, in Senate party caucuses, or in any other official meetings of Senate members held in the Capitol or the Legislative Services Building.

That Rule No. 25 (c), 25 (f), 25 (k), and 25 (m) of the Rules of the Senate are amended to read:

### 25. BILLS

(c) Every Senate bill, upon introduction, shall be assigned to the appropriate committee of reference OR COMMITTEES OF REFERENCE, and shall be printed, unless previously printed under Rule 38 or unless the Senate orders otherwise or unless the sponsor thereof requests

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otherwise. Following the printing of any bill, the original bill shall be delivered to the chairman of the committee of reference by the docket clerk, taking his receipt therefor.

If there be no objection, the report of a committee of reference referring a bill or resolution to the committee of the whole, shall be deemed automatically adopted, except in case of:

(1)An adverse report.

(2)Recommendation for tabling or indefinite postponement.

(3)Majority and minority reports on the same bill, in which case a vote shall be taken for adoption or rejection, and for such purposes a minority report shall be deemed a proposed amendment to the majority report.

The adoption of such report shall not preclude amendments to such report by the Senate.

(f)The final question upon the second reading of every bill or concurrent resolution shall be whether it shall be engrossed or revised and considered on third and final reading. After the Senate shall adopt, by a majority of all members elected, any report of the committee of the whole, the President of the Senate shall publicly make a declaration that all bills included in the report which were adopted were adopted by the required constitutional majority, and such declaration shall be noted in the journal. Prior to the adoption of the committee of the whole report any member may request a roll call on any bill considered in the committee of the whole and such bill shall receive 18 votes before it is ordered passed. Prior to adoption of THE committee of the whole report, amendments submitted thereto, WHETHER CONSIDERED BY THE COMMITTEE OF THE WHOLE OR NOT, shall first be considered.

(k)In the event a substantial amendment is presented to any bill on third reading, said amendment shall be ~~printed in the journal~~ or reproduced and placed on the members' desks; action on the amendment and final consideration of said bill on third reading shall be laid over until the next legislative day. ALL THIRD READING AMENDMENTS AND THE VOTES THEREON SHALL BE RECORDED IN THE JOURNAL WHETHER THEY ARE ADOPTED OR NOT.

(m)After the introduction of a bill, a member's name may be added OR REMOVED as a co-sponsor thereof only if such member, immediately following the adoption thereof on third reading, rises and indicates to the presiding officer that he wishes his name to be added OR REMOVED as co-sponsor.

That Rule No. 26 (c) of the Rules of the Senate is amended to read:

**26. CONFERENCE COMMITTEES**

(c)When a conference committee has reached a decision, at least three of its members shall go to the ~~Legislative Drafting~~ Office OF LEGISLATIVE LEGAL SERVICES and explain the findings and agreements of the committee. No report of a conference committee shall be returned unless drafted by the ~~Legislative Drafting~~ Office OF LEGISLATIVE LEGAL SERVICES.

That Rule No. 31 (a) of the Rules of the Senate is amended to read:

**31. USE OF SENATE CHAMBER AND PRIVILEGES**

(a)No person not a member of the General Assembly or an officer or employee required to be on the floor of the Senate in the course of legislative business, other than the judges of the district and supreme courts, the Governor and elected state officers, members of the congressional delegation, ex-members of the Senate, duly accredited representatives of the state press, and such other persons as may be invited by the President or members of the Senate and families of members of the Senate, shall be admitted to the Senate chamber and adjoining cloak rooms OR ANTECHAMBERS, and any such persons shall only be entitled to the quiet and orderly occupancy of the seats provided for visitors or for representatives of the press, and in no event to the privileges of the floor; except that former members of the Senate may address the members of the Senate regarding a Senate memorial, Senate joint memorial, or House joint memorial expressing sentiment on the death of any person who served as a member of the Senate pursuant to subsection (g) of this rule. Persons invited by members of the Senate shall occupy the seats in the rear of the floor of the Senate and on the sides, ~~back of the first column~~, and any five Senators may demand that the Senate floor be cleared of persons invited by members of the Senate. Other persons shall be admitted to the galleries of the Senate or ~~behind the railing~~ TO THE LOBBY located at the main entrance of the chamber. It shall be the duty of the sergeant-at-arms to enforce this rule.



**SR01-007**

The desks, materials, and papers of Senators are not to be touched by any person other than Senate employees under the direction of the sergeant-at-arms or the secretary of the Senate. Lobbyists and other persons, except in official state capacity, visiting Senate chambers are not permitted to place material upon the desks of Senators. Any material which any person desires to have distributed to the desks of one or more Senators, except through the mail, must be delivered to the sergeant-at-arms. Such material must bear the name of the organization or person who was responsible for its preparation and distribution. It should be constructively stated and courteously expressed. If facts or statistics from other sources are used, such sources should be identified. Lobbyists and the public are encouraged to communicate with their Senators and to furnish to them factual data concerning the merits of legislative proposals. If the sergeant-at-arms has any question as to the propriety of the material which he is asked to distribute to the members of the Senate, he shall consult the President of the Senate, or in his absence the President pro tempore, or in the absence of both, the majority and minority floor leaders.

~~Guest cards heretofore and hereafter issued shall not permit lobbyists to the main room of the Senate chamber but are designed to facilitate and encourage the admission of guests interested as observers in the Senate chamber.~~

Lobbyists shall not be permitted on the floor of the Senate between 9:00 a.m. and adjournment except on the invitation of a Senator.

That Rule No. 32 (a) of the Rules of the Senate is amended to read:

### 32. PRESENTING PETITIONS, MEMORIALS, ETC.

(a) In presenting a petition, memorial, remonstrance, or other communication addressed to the Senate, the Senator ~~from his place~~, shall make a brief verbal statement of the general purport of it, and, if it be not insulting, profane, or obscene, it shall be received.

That Rule No. 37 (b) of the Rules of the Senate is amended to read:

### 37. MISCELLANEOUS

(b) Questions of privilege shall be first, those affecting the rights of the Senate, collectively, its safety, dignity, and integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their senatorial capacity only; and third, public affairs.

Expressions of personal privilege shall be made after the conclusion of business as called for on the printed calendar, except by a majority vote of members present; provided, that SENATE RULE NO. 31 (f) SHALL GOVERN THE introduction of guests. ~~may be made at any time with the consent of the presiding officer except during deliberations of the committee of the whole.~~ Any Senator who speaks on privilege shall be the sole judge as to whether his remarks are privileged and shall be limited to ten minutes to present his remarks, except that they may be extended by consent of the Senate.

That Rule No. 39 (a) of the Rules of the Senate is amended to read:

### 39. DEMAND

(a) Upon the affirmative vote of 24 members, a bill or other measure may be withdrawn from a committee of reference, ~~or the calendar committee~~, and, upon such withdrawal, the chairman of the committee which holds the bill or other measure shall forthwith deliver the bill to the secretary of the Senate, and it shall be placed on the calendar as a general order on the second day of actual session following the vote.

**SR01-006** and **SR01-007** were laid over one day under Senate Rule 30(c).

### MESSAGE FROM THE HOUSE

January 18, 2001

Mr. President:

The House has adopted and transmits herewith HJR01-1007.

**INTRODUCTION OF RESOLUTIONS**

The following resolution was read by title:

**HJR01-1007** By Senator Matsunaka; also Representative Dean--Concerning the appointment of members of the Colorado Commission on Uniform State Laws.

Laid over one day under Senate Rule 30(e).

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**MESSAGE FROM THE GOVERNOR**

Appointments Letters of designation and appointment from Governor Owens were read and assigned to the Committees as follows:

October 25, 2000

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:

EXECUTIVE DIRECTOR  
OF THE  
DEPARTMENT OF PUBLIC SAFETY

effective August 15, 2000, for a term expiring at the pleasure of the Governor:

C. Suzanne Mencer of Littleton, Colorado, to replace Aristedes W. Zavaras who resigned, appointed.

Sincerely,  
(Signed)  
Bill Owens  
Governor

Rec'd 11/16/00  
P. Dicks, Secretary

Committee on Judiciary.

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On motion of Senator Thiebaut, the Senate adjourned until 9:00 a.m., January 19, 2001.

Approved:

Stan Matsunaka  
President of the Senate

Attest:

Karen Goldman  
Secretary of the Senate

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