

SENATE JOURNAL
Sixty-second General Assembly
STATE OF COLORADO
Second Regular Session

2nd Legislative Day Thursday, January 6, 2000

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

Prayer By the chaplain, Reverend Glen Hamlyn, Rocky Mountain Cathedral, Denver.

Roll Call Present--Total, 31.
Absent/Excused--Evans, Owen, Sullivant, Wham--4
Present later--Evans, Owen, Sullivant.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Anderson, reading of the Journal of January 5th was dispensed with and the Journal stands approved as corrected by the Secretary.

SENATE SERVICES REPORT

Senate Services Correctly printed: SB 00-1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19, 20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43, 44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67, 68,69,70,71,72,73,74,75; SCR 00-1.

Correctly printed: SR 00-1, 2; SJR 00-1, 2.

Correctly printed: SB 00-76, 77.

Correctly engrossed: SJR 00-1, 2.

INTRODUCTION OF BILLS--FIRST READING

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

- SB 00-078 By Senators Arnold, Andrews, Chlouber, Dennis, Evans, Hillman, Musgrave, and Teck; also Representative Mitchell--Concerning the assignment of the city and county of Broomfield to a judicial district.
State, Veterans, & Military Affairs
- SB 00-079 by Senator Teck; also Representative Larson--Concerning the failure to provide travelers with accommodations that have been secured in advance by credit card, and, in connection therewith, enacting the "Traveler's Bill of Rights Act".
State, Veterans, & Military Affairs
- SB 00-080 by Senator Perlmutter; also Representative Spradley--Concerning protections against unfair business practices.
Business Affairs & Labor
- SB 00-081 by Senator Hernandez;--Concerning additional permanent partial disability benefits under the "Workers' Compensation Act of Colorado" for an employee who is disabled so that the employee is rendered unable to meet the employee's occupational demands.
Business Affairs & Labor
- SB 00-082 by Senator Dyer;--Concerning voluntary self-evaluations conducted by regulated insurers.
Business Affairs & Labor
- SB 00-083 by Senator Evans;--Concerning damage to underground utility facilities.
Business Affairs & Labor

On motion of Senator Blickensderfer, and with a two-thirds majority of those elected to the Senate having voted in the affirmative, Senate Rule 30(c) was suspended for Consideration of Governor’s appointment.

CONSIDERATION OF GOVERNOR’S APPOINTMENT

On motion of Senator Tebedo, the following Governor’s appointment was confirmed by a roll call vote:

SECRETARY OF STATE

effective July 22, 1999:

Donetta Davidson of Arapahoe County, Colorado, appointed.

YES	33	NO	0	EXCUSED	2	ABSENT	0
Anderson	Y	Evans	E	Musgrave	Y	Tanner	Y
Andrews	Y	Feeley	Y	Nichol	Y	Tebedo	Y
Arnold	Y	Hernandez	Y	Owen	Y	Teck	Y
Blickensderfer	Y	Hillman	Y	Pascoe	Y	Thiebaut	Y
Chlouber	Y	Lacy	Y	Perlmutter	Y	Wattenberg	Y
Congrove	Y	Lamborn	Y	Phillips	Y	Weddig	Y
Dennis	Y	Linkhart	Y	Reeves	Y	Wham	E
Dyer	Y	Martinez	Y	Rupert	Y	Mr. President	Y
Epps	Y	Matsunaka	Y	Sullivant	Y		

Senate in recess.

Senate reconvened.

SENATE SERVICES REPORT

Senate
Services

Correctly printed: SB 00-78, 79, 80, 81, 82, 83.

Correctly enrolled: SR 00-1, 2; SJR 00-1, 2.

COMMITTEE OF REFERENCE REPORTS

Agriculture,
Natural
Resources
and Energy

The Committee on Agriculture, Natural Resources and Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

STATE BOARD OF
LAND COMMISSIONERS

for terms effective June 30, 1999 and expiring June 30, 2003:

Dennis V. Brinker, of Coalmont, Colorado, to serve as a representative of public, primary or secondary education, and as a Republican, appointed;

Phyllis "Diane" Evans of Elbert, Coloado, to serve as a representative of local government and land use planning, and as a Republican, appointed.

Agriculture, Natural Resources and Energy The Committee on Agriculture, Natural Resources and Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

GROUND WATER COMMISSION

for a term expiring May 1, 2003:

- Robert R. Loose of Wiggins, Colorado, (R) to serve as a resident agriculturist and as a representative of Upper Black Squirrel designated ground water basin, appointed;
- Charles “Max” Smith of Walsh, Colorado, (D) to serve as a resident agriculturist and a representative of the Southern High Plains designated ground water basin, appointed.

Agriculture, Natural Resources and Energy The Committee on Agriculture, Natural Resources and Energy has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:

COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2000:

- Frank A. Self, Craig, Colorado, (R) to serve as a Colorado coal mine owner, operator, or manager engaged in surface mining industry, and to fill a vacancy occasioned by the resignation of Edgar F. Bolton, (U), appointed.

Agriculture, Natural Resources and Energy The Committee on Agriculture, Natural Resources and Energy has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

OIL AND GAS CONSERVATION COMMISSION
OF THE STATE OF COLORADO

for terms expiring July 1, 2003:

- in
- Stephen A. Sonnenberg, Lakewood, Colorado, to serve as a member with a college degree geological engineering and experience in the oil and gas industry, from the Sixth Congressional District, and as a Republican, re-appointed;
 - Brian J. Cree, Littleton, Colorado, to serve as a member with experience in the oil and gas industry, from the Fifth Congressional District, and as a Republican, appointed.

Education The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:

BOARD OF TRUSTEES FOR THE
UNIVERSITY OF NORTHERN COLORADO

effective June 30, 1999, for terms expiring June 30, 2003:

- Peter H. Coors of Golden, Colorado, appointed;
- Christine Kadlub of Fort Collins, Colorado, reappointed;
- Michael Muftic, M.D., of Denver, Colorado, appointed;
- Richard E. Poole of Denver, Colorado, appointed;
- Kevin R. Smith of Littleton, Colorado, appointed.

Education	The Committee on Education has had under consideration and has had a hearing on the following appointment and recommends that the appointment be confirmed:	1 2 3
	<u>STATE STANDARDS AND ASSESSMENTS</u> <u>DEVELOPMENT AND IMPLEMENTATION COUNCIL</u>	4 5 6
	effective June 16, 1999, for terms expiring September 1, 2001:	7 8
	Ron J. Marquez of Northglenn, Colorado, as a member with expertise in addressing the needs of exceptional students, appointed.	9 10 11 12
Education	The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	13 14 15 16
	<u>COLORADO COMMISSION ON</u> <u>HIGHER EDUCATION</u>	17 18 19
	effective July 1, 1999, for a term expiring July 1, 2003:	20 21
	Ralph J. Nagel of Denver, Colorado, to serve as a representative of the First Congressional District, and as a Republican, reappointed;	22 23 24
	Raymond T. Baker of Lakewood, Colorado, to serve as a representative of the Sixth Congressional District, and as a Republican, appointed.	25 26 27
	effective July 1, 1999, for terms expiring June 30, 2002:	28 29
	William B. Vollbracht of Denver, Colorado, to serve as a representative from the First Congressional District, and as a Republican, appointed.	30 31 32 33
Education	The Committee on Education has had under consideration and has had a hearing on the following appointments and recommends that the appointments be confirmed:	34 35 36 37
	<u>MEMBERS</u> <u>STATE BOARD FOR COMMUNITY COLLEGES</u> <u>AND OCCUPATIONAL EDUCATION</u>	38 39 40 41
	for a term expiring July 1, 2003:	42 43
	Greg W. Romberg of Evergreen, Colorado, to serve as a representative of the Sixth Congressional District and as a Democrat, appointed;	44 45 46 47
	for a term expiring July 1, 2000:	48 49
	James M. Stewart of Colorado Springs, Colorado, to serve as a representative of the Fifth Congressional District and as a Republican, appointed.	50 51 52 53
	INTRODUCTION OF BILLS	54 55
	The following bills were read by title and referred to the committees indicated:	56 57 58
SB	00-084 by Senator Chlouber;--Concerning an authorization of multistate lottery games. Business Affairs & Labor Appropriations	59 60 61 62
SB	00-085 by Senator Dennis; also Representative Dean--Concerning the establishment of a program of state grants to publicly-supported libraries for the purchase of educational resources, and making an appropriation therefor. Education Appropriations	63 64 65 66 67 68
SB	00-086 by Senator Hillman; also Representative Larson--Concerning the withdrawal of the Colorado compensation insurance authority from the state risk management system. State, Veterans, & Military Affairs	69 70 71 72

SB 00-087 by Senator Epps; also Representative Gotlieb--Concerning the elimination of blood testing as an option for drivers under twenty-one years of age to determine blood alcohol levels. Transportation

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title:

SR 00-003 by Senators Blickensderfer, Powers and Feeley--Concerning categories of senate committees.

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

That Rule No. 22 (l) (1) of the Rules of the Senate is amended to read:

22. COMMITTEE RULES

(1) The committees of reference as listed in Rule 21 (a) shall be placed in the following categories:

CategoryCommittee

1 Business Affairs and Labor.
FINANCE.
Judiciary.
~~State, Veterans, and Military Affairs.~~

2 ~~Agriculture, Natural Resources, and Energy.~~
Education.

Health, Environment, Welfare, and Institutions.
LOCAL GOVERNMENT.

3 AGRICULTURE, NATURAL RESOURCES, AND ENERGY.
~~Finance.~~
~~Local Government.~~
STATE, VETERANS, AND MILITARY AFFAIRS.
Transportation.

4 Appropriations.

That the amendment to Rule 22 (l) (1) of the Rules of the Senate as contained in this resolution shall take effect on the first day of the First Regular Session of the Sixty-third General Assembly; except that said rule shall only take effect if Rule 25 (k) (1) of the Rules of the House of Representatives is amended to make the same changes to the categories of Senate committees of reference.

Laid over one day under Senate Rule 30(c), and placed on the calendar of Friday, January 7, 2000.

SR 00-004 by Senators Blickensderfer, Powers and Feeley--Concerning senate committees of reference.

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

That Rule No. 22 (f) and 22 (m) of the Rules of the Senate are amended to read:

22. COMMITTEE RULES

(f)After a committee of reference has taken its final action on a measure, the chairman of the committee shall make a report of such action to the secretary of the Senate within five legislative days. HOWEVER, DURING THE LAST THREE DAYS OF A LEGISLATIVE SESSION, THE CHAIRMAN OF THE COMMITTEE SHALL MAKE ANY COMMITTEE OF REFERENCE REPORT AS SOON AS POSSIBLE. Final action shall consist of reporting a measure out of committee, with or without amendments, for consideration by the committee of the whole, a recommendation for reference to another committee of reference, ~~a report that the measure~~ ~~not pass~~, or postponing the measure indefinitely. A motion to postpone consideration of a

SR 00-004 (CON'T)	measure for more than 30 days OR UNTIL A DATE BEYOND THE DATE FOR ADJOURNMENT	1
	SINE DIE OF THE LEGISLATIVE SESSION shall be considered a motion to postpone	2
	indefinitely. IN ADDITION, A MEASURE SHALL BE CONSIDERED POSTPONED INDEFINITELY	3
	WHEN THERE HAS BEEN A TIE VOTE ON A MOTION THAT WOULD CONSTITUTE FINAL ACTION	4
	AND THE APPLICABLE DEADLINE FOR SENATE COMMITTEES OF REFERENCE TO REPORT BILLS	5
	HAS PASSED WITHOUT ACTION BY THE SENATE COMMITTEE ON DELAYED BILLS TO EXTEND	6
	THE DEADLINE FOR THE MEASURE. THE CHAIRMAN SHALL MAKE A REPORT TO THE	7
	SECRETARY OF THE SENATE INDICATING THAT ANY SUCH MEASURE IS DEEMED POSTPONED	8
	INDEFINITELY. FOLLOWING THE DATE OF THE APPLICABLE COMMITTEE DEADLINE, THE	9
	CHAIRMAN SHALL HAVE FIVE LEGISLATIVE DAYS IN WHICH THE GENERAL ASSEMBLY IS IN	10
	ACTUAL SESSION TO MAKE SUCH REPORT. Every bill shall be reported out of committee for	11
	consideration by the committee of the whole or indefinitely postponed by a committee of	12
	reference prior to the adjournment sine die of the legislative session, and a report to that	13
	effect shall be delivered to the secretary. No further action may be taken on any bill that	14
	has been indefinitely postponed by a committee of reference and delivered to the	15
	secretary.	16
		17
	(m) Roll call votes shall be taken and recorded in each committee on final action and ON	18
	proposed amendments TO WHICH ONE OR MORE COMMITTEE MEMBERS HAVE VOICED	19
	OBJECTION. The record shall include the names of those voting on motions to amend and	20
	on final action, and how they voted. Said record shall be available for public inspection.	21
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	Laid over one day under Senate Rule 30(c), and placed on the calendar of Friday,	23
	January 7.	24
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SR 00-005	by Senators Blickensderfer, Powers and Feeley--Concerning creation of a senate	29
	committee on ethics.	30
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	<i>Be It Resolved by the Senate of the Sixty-second General Assembly of the State of</i>	33
	<i>Colorado:</i>	34
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	That the Rules of the Senate are amended BY THE ADDITION OF A NEW RULE to	36
	read:	37
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	<u>43. COMMITTEE ON ETHICS</u>	39
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	(a) ANY PERSON WHO HAS KNOWLEDGE CONCERNING MISCONDUCT INVOLVING	41
	LEGISLATIVE DUTIES BY A MEMBER OF THE SENATE, INCLUDING BUT NOT LIMITED TO THE	42
	ALLEGED VIOLATION OF THE RULES OF THE SENATE OR OF SECTION 40 OF ARTICLE V OF THE	43
	STATE CONSTITUTION, MAY FILE A WRITTEN, SIGNED COMPLAINT WITH THE PRESIDENT	44
	SETTING FORTH THE FACTS THAT CONSTITUTE THE ALLEGED MISCONDUCT AND SPECIFYING	45
	THE STATUTES, RULES, CONSTITUTIONAL PROVISIONS, OR OTHER ETHICAL PRINCIPLES	46
	ALLEGED TO HAVE BEEN VIOLATED. THE PRESIDENT SHALL PROVIDE THE MEMBER	47
	COMPLAINED AGAINST WITH A COPY OF THE COMPLAINT. THE PRESIDENT SHALL CONSULT	48
	WITH THE MAJORITY LEADER AND THE MINORITY LEADER ABOUT THE COMPLAINT. THE FACT	49
	THAT A COMPLAINT HAS BEEN FILED AND ANY DOCUMENTS RELATING THERETO SHALL BE	50
	KEPT CONFIDENTIAL BY THE PRESIDENT, THE MAJORITY LEADER, AND THE MINORITY	51
	LEADER. IF AT LEAST TWO OF THE THREE LEADERS CONCLUDE THAT THE COMPLAINT DOES	52
	NOT STATE AN ETHICAL VIOLATION, THE COMPLAINT SHALL BE DISMISSED, AND THE	53
	COMPLAINANT AND THE MEMBER COMPLAINED AGAINST SHALL BE SO NOTIFIED. IF THE	54
	COMPLAINT IS DISMISSED, IT SHALL REMAIN CONFIDENTIAL.	55
		56
	(b) IF THE COMPLAINT IS NOT DISMISSED PURSUANT TO SUBSECTION (a) OF THIS RULE, A	57
	COMMITTEE ON ETHICS SHALL BE APPOINTED, WHICH SHALL CONSIST OF NOT LESS THAN FIVE	58
	NOR MORE THAN SEVEN MEMBERS. THE PARTY REPRESENTATION ON THE COMMITTEE SHALL	59
	BE IN PROPORTION GENERALLY TO THE RELATIVE NUMBER OF MEMBERS OF THE TWO MAJOR	60
	POLITICAL PARTIES IN THE SENATE. THE MAJORITY PARTY MEMBERS OF THE COMMITTEE	61
	SHALL BE APPOINTED BY THE PRESIDENT FROM AMONG THE CHAIRMEN OF COMMITTEES OF	62
	REFERENCE OF THE SENATE. THE MINORITY PARTY MEMBERS OF THE COMMITTEE SHALL BE	63
	APPOINTED BY THE MINORITY LEADER FROM AMONG THE MEMBERS OF THE SENATE WHO	64
	ARE SENIOR IN SERVICE AND EXPERIENCE. THE PRESIDENT SHALL DESIGNATE THE	65
	CHAIRMAN AND VICE-CHAIRMAN OF THE COMMITTEE FROM AMONG ITS MEMBERS.	66
		67
	(c) THE PERSON COMPLAINED AGAINST MAY SUBMIT A WRITTEN ANSWER TO THE	68
	COMMITTEE WITHIN TEN DAYS AFTER APPOINTMENT OF THE COMMITTEE. THE COMMITTEE	69
	SHALL MAKE A PRELIMINARY INVESTIGATION OF THE COMPLAINT. THE PRELIMINARY	70
	INVESTIGATION SHALL CONSIST OF AN EXAMINATION OF THE COMPLAINT, THE ANSWER, IF	71
	ANY, AND ANY OTHER EVIDENCE COMPILED PURSUANT TO THE REQUEST OF THE COMMITTEE,	72

BUT THE COMMITTEE SHALL NOT RECEIVE TESTIMONY OR OTHER EVIDENCE FROM OTHER SOURCES. THE PRELIMINARY INVESTIGATION SHALL BE COMPLETED WITHIN THIRTY DAYS AFTER APPOINTMENT OF THE COMMITTEE. IF, AFTER THE PRELIMINARY INVESTIGATION, THE COMMITTEE DETERMINES NO VIOLATION HAS OCCURRED, THE COMPLAINT SHALL BE DISMISSED.

(d) IF, AFTER THE PRELIMINARY INVESTIGATION, THE COMMITTEE DETERMINES PROBABLE CAUSE EXISTS TO FIND THAT A VIOLATION MAY HAVE OCCURRED, IT SHALL SO NOTIFY THE PERSON COMPLAINED AGAINST. WITHIN SEVEN DAYS AFTER SUCH NOTIFICATION, SUCH PERSON MAY REQUEST A HEARING BEFORE THE COMMITTEE, AT WHICH HE OR SHE SHALL BE ENTITLED TO APPEAR, PRESENT EVIDENCE, CROSS-EXAMINE WITNESSES, AND BE REPRESENTED BY COUNSEL. THE COMMITTEE SHALL HAVE THE POWER TO TAKE TESTIMONY UNDER OATH AND TO ISSUE SUBPOENAS AND SUBPOENAS DUCES TECUM IN THE MANNER PROVIDED BY JOINT RULE NO. 33 (b), (c), AND (d) OF THE JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES. THE HEARING SHALL COMMENCE WITHIN FOURTEEN DAYS AFTER RECEIPT OF THE REQUEST FOR A HEARING.

(e) ALL PROCEEDINGS OF THE COMMITTEE SHALL BE GOVERNED BY THE PROVISIONS OF PART 4 OF ARTICLE 6 AND PART 2 OF ARTICLE 72 OF TITLE 24, COLORADO REVISED STATUTES.

(f) AFTER A HEARING HELD PURSUANT TO SUBSECTION (d) OF THIS RULE, THE COMMITTEE MAY DISMISS THE COMPLAINT, OR, IF IT FINDS THAT ACTION SHOULD BE TAKEN AGAINST THE MEMBER COMPLAINED AGAINST, IT SHALL MAKE APPROPRIATE RECOMMENDATIONS TO THE SENATE, INCLUDING REPRIMAND, CENSURE, OR EXPULSION. EXPULSION OF A SENATE MEMBER SHALL REQUIRE THE AFFIRMATIVE VOTE OF TWO-THIRDS OF THE MEMBERS ELECTED TO THE SENATE. REPRIMAND OR CENSURE OF A MEMBER SHALL REQUIRE THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS ELECTED TO THE SENATE.

(g) ACTION OF THE LEADERSHIP, THE ETHICS COMMITTEE, OR THE SENATE PURSUANT TO THIS RULE IS FINAL AND NOT SUBJECT TO COURT REVIEW. NOTHING IN THIS RULE SHALL PROHIBIT THE SENATE FROM TAKING ANY ACTION BASED UPON ITS AUTHORITY TO JUDGE THE QUALIFICATIONS OF ITS MEMBERS PURSUANT TO SECTION 10 OF ARTICLE V OF THE STATE CONSTITUTION.

(h) THE COMMITTEE MAY RETAIN SUCH COUNSEL AND MAY HIRE SUCH INVESTIGATORS AS IT DEEMS NECESSARY FOR THE PERFORMANCE OF ITS DUTIES UNDER THIS RULE. ALL EXPENDITURES INCURRED PURSUANT TO THIS SUBSECTION (h) SHALL BE APPROVED BY THE PRESIDENT AND PAID BY VOUCHERS AND WARRANTS DRAWN AS PROVIDED BY LAW FROM APPROPRIATIONS MADE TO THE GENERAL ASSEMBLY.

(i) THE COMMITTEE MAY ADOPT RULES OF PROCEDURE FOR THE ORDERLY CONDUCT OF ITS MEETINGS, INVESTIGATIONS, AND HEARINGS, WHICH RULES SHALL BE CONSISTENT WITH THIS RULE AND OTHER APPLICABLE RULES AND STATUTES.

(j) IF THE COMPLAINT CONCERNS MISCONDUCT OF THE PRESIDENT, THEN THE DUTIES OF THE PRESIDENT IN THIS RULE SHALL BE THE DUTIES OF THE MAJORITY FLOOR LEADER AND THE DUTIES OF THE MAJORITY FLOOR LEADER SHALL BE THE DUTIES OF THE ASSISTANT MAJORITY LEADER. IF THE COMPLAINT CONCERNS MISCONDUCT OF THE MAJORITY FLOOR LEADER OR THE MINORITY LEADER, THEN THE DUTIES OF SUCH LEADER IN THIS RULE SHALL BE THE DUTIES OF THE ASSISTANT MAJORITY LEADER OR THE ASSISTANT MINORITY LEADER, AS THE CASE MAY BE.

Laid over one day under Senate Rule 30(c), and placed on the calendar of Friday,. January 7.

SR 00-006 by Senators Blickensderfer, Powers and Feeley--Concerning reconsideration.

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

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

18. RECONSIDERATION

(a.) When a question has been decided by the Senate, any Senator voting on the prevailing side may, on the same day, or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a

majority vote of those elected, without debate, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

(b) When a bill, resolution, memorial, report, amendment, order, or message upon which a vote has been taken, shall have gone out of the possession of the Senate, and been communicated to the House, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

(c) This rule has been repealed.

(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 of the session.

(e) AFTER A QUESTION HAS BEEN DECIDED BY A COMMITTEE OF REFERENCE, ANY MEMBER VOTING ON THE PREVAILING SIDE MAY MOVE TO RECONSIDER. A MOTION TO RECONSIDER SHALL REQUIRE THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE COMMITTEE. SUCH A MOTION MAY BE MADE AT THE MEETING AT WHICH THE DECISION WAS MADE BY THE COMMITTEE OR AT THE NEXT MEETING OF THE COMMITTEE. HOWEVER, SUCH A MOTION MAY NOT BE MADE IF A COMMITTEE REPORT REGARDING THE DECISION OF THE COMMITTEE HAS ALREADY BEEN SIGNED BY THE CHAIRMAN OF THE COMMITTEE AND DELIVERED TO THE SECRETARY OF THE SENATE.

(f) WHEN THERE HAS BEEN A TIE VOTE ON A QUESTION DECIDED BY THE SENATE OR BY A COMMITTEE OF REFERENCE, FOR PURPOSES OF THE MAKING OF A MOTION TO RECONSIDER, A MEMBER WHO VOTED "NO" SHALL BE DEEMED TO HAVE VOTED ON THE PREVAILING SIDE.

That Rule No. 22 of the Rules of the Senate is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22. COMMITTEE RULES

(o) RECONSIDERATION IN A COMMITTEE OF REFERENCE SHALL BE GOVERNED BY THE PROVISIONS OF RULE 18 (e) AND (f).

Laid over one day under Senate Rule 30(c), and placed on the calendar of Friday, January 7.

APPOINTMENTS BY THE PRESIDENT

6/29/99

Lori Cameron
Executive Director
The Energy Council
122 W. John Carpenter Freeway #525
Irving, Texas 75039

Dear Ms. Cameron:

I am pleased to appoint State Senator Jim Dyer to the vacant seat previously held by Senator Ben Alexander to the Energy Council. I will also be making another appointment as soon as possible, thus filling the assigned quota from Colorado.

Sincerely,
(Signed)
Ray Powers

6/30/99

Mr. Charles Brown
Executive Director
Legislative Council

State Capitol Building
Denver, Co. 80203

Dear Mr. Brown:

In accordance with 24-30-1701, C.R.S., and the passage of HB99-1372, I am pleased to make the following appointment to the Information Management Commission:

Senator Ron Teck

Because of the resignation of Senator Jim Congrove, and in accordance with 24-30-1701, C.R.S., and the passage of HB99-1372, I am pleased to appoint the following individual to fill the vacancy on the Information Management Commission.

Senator Mark Hillman

Sincerely,
(Signed)
Ray Powers

REPORTS

Pursuant to CRS 12-47.1-203 (i), the Division of Gaming has submitted its statement of gaming revenues, gaming taxes and expenditures for the eleven months ended May 31, 1999. A copy of this report is on file with the Legislative Council Library.

Pursuant to CRS 12-9-202(I)(c), the Colorado Bingo-Raffle Advisory Board has submitted its 1999 annual report. A copy of this report is on file with the Secretary of the Senate.

Pursuant to CRS 39-2-119, the Department of Local Affairs, Division of Property Taxation has submitted their Twenty-eighth annual report dated 1998. A copy of this report is on file with the Legislative Council Library.

Pursuant to Senate Bill 98-177, the Colorado Public Utilities Commission has submitted their report for the operation of the telephone high cost support mechanism during calendar year 1998 and the estimate of the mechanism's operation for calendar year 1999 and its proposed operation for calendar year 2000. A copy of this report is on file with the Legislative Council Library.

The Department of the Treasury has submitted its statement of financial condition as of June 30, 1999. A copy of this report is on file with the Legislative Council Library.

The Department of the Treasury has submitted its annual report and analysis of the Tax Deferral Program for the Elderly for Fiscal Year 1998-1999. A copy of this report is on file with the Legislative Council Library.

Pursuant to CRS 24-75-212, the Office of the State Controller has submitted its schedule of federal funds transaction for all state agencies for fiscal year ended June 30, 1999. A copy of this report is on file with the Legislative Council Library.

Pursuant to Senate Bill 98-152, the Colorado Public Utilities Commission and the Electricity Advisory Panel has submitted its draft evaluation study report. A copy of this report is on file with the Legislative Council Library.

The Department of Corrections has submitted its statistical report for fiscal year 1998. A copy of this report is on file with the Legislative Council Library.

The Department of Health Care Policy & Financing has submitted the fourth quarterly report on the administrative costs, enrollment and health care delivery systems for the Colorado Children's Basic Health Plan. This report is in response to the requirements of

Long Bill Footnote 51a. A copy of this report is on file with the Legislative Council Library.

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Pursuant to CRS 12-47-601(8), the Department of Revenue, Liquor Enforcement Division, has submitted its report of enforcement actions for all licensing authorities for calendar year 1998. A copy of this report is on file with the Legislative Council Library.

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On motion of Senator Blickensderfer, the Senate adjourned until 9:00 a.m., Friday, January 7, 2000.

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Approved:

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Ray Powers
President of the Senate

Attest:

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Patricia K. Dicks
Secretary of the Senate

