



SENATE RESOLUTION 01-006

BY SENATOR(S) Thiebaut, Dyer (Durango), Fitz-Gerald, Hernandez, Matsunaka, Perlmutter, Phillips, and Tate.

CONCERNING CONSENT CALENDARS.

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

That the Rules of the Senate are amended BY THE ADDITION OF A NEW RULE to read:

25A. CONSENT CALENDAR

- (a) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS RULE, IF A BILL PASSES OUT OF COMMITTEE BY A UNANIMOUS VOTE, IF A BILL HAS NO RECOMMENDED COMMITTEE AMENDMENTS, IF ALL COMMITTEES OF REFERENCE CONSIDERING A BILL RECOMMEND THAT THE BILL BE PLACED ON THE CONSENT CALENDAR FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE OR THE MAJORITY LEADER DETERMINES A BILL TO BE NONCONTROVERSIAL IN NATURE, THE BILL MAY BE PLACED ON THE CONSENT CALENDAR IN THE SOLE DISCRETION OF THE MAJORITY LEADER, AFTER CONSULTATION WITH THE MINORITY LEADER AND THE APPROPRIATE COMMITTEE CHAIR. 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.**

- (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 NOT 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, AFTER CONSULTATION WITH THE MINORITY LEADER AND THE APPROPRIATE COMMITTEE CHAIR, IF APPLICABLE. 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 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, AFTER CONSULTATION WITH THE MINORITY LEADER AND THE APPROPRIATE COMMITTEE CHAIR. 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:
 - (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. 22 (f) of the Rules of the Senate is 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, REPORTING A MEASURE OUT OF COMMITTEE, WITH OR WITHOUT AMENDMENT, FOR CONSIDERATION BY THE COMMITTEE OF THE WHOLE WITH A RECOMMENDATION THAT THE BILL BE PLACED ON THE CONSENT CALENDAR, a recommendation for reference to another committee of reference, or postponing the measure indefinitely. A motion to postpone consideration of a measure for more than 30 days or until a date beyond the date for adjournment sine die of the legislative session shall be considered a motion to postpone indefinitely. In addition, a measure shall be deemed postponed indefinitely when there has been a tie vote on a motion that would constitute final

action and subsequently the applicable deadline for Senate committees of reference to report bills passes without action by the Senate Committee on Delayed Bills to extend the deadline for the measure. The chairman shall make a report to the Secretary of the Senate indicating that any such measure is deemed postponed indefinitely. Following the date of the applicable committee deadline, the chairman shall have five legislative days in which the General Assembly is in actual session to make such report. Every bill shall be reported out of committee for consideration by the Committee of the Whole or indefinitely postponed by a committee of reference prior to the adjournment sine die of the legislative session, and a report to that effect shall be delivered to the secretary. No further action may be taken on any bill that has been indefinitely postponed by a committee of reference and delivered to the secretary.

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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