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## 0201 Legislator's Handbook

Colorado Legislative Council

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## 0201 Legislator's Handbook

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**Colorado  
Legislator's Handbook**

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**COLORADO LEGISLATOR'S  
HANDBOOK**

**These rules are current  
as of December, 1973**

## PREFACE

This handbook was originally prepared under the provisions of Section 1, House Joint Resolution No. 22, which was passed by the Forty-first General Assembly in the 1957 session:

The Legislative Council is hereby directed to prepare for the use of legislators a handbook of information as a convenient reference guide to procedures and practices of Colorado's General Assembly, as well as the statutory and constitutional provisions relating thereto. In addition, there should be included such other information as will assist individuals in their day-to-day functioning as members of the General Assembly. This material is to be prepared in such form that it may be kept up-to-date from year to year.

Members of the General Assembly are provided with a loose-leaf binder containing dividers to separate each section of the handbook. This paper-backed edition, prepared for general distribution, does not contain dividers. Therefore, we have prepared a brief guide to the organization and contents of the handbook. We hope that the guide will add to the usefulness of this document.

Lyle C. Kyle, Director  
Colorado Legislative  
Council

## ORGANIZATION AND CONTENTS OF HANDBOOK

The handbook is divided into eight sections, "a" through "h". Each section is numbered individually. To find the section you want, note the small letter which is part of the page number given at the bottom of each page.

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# RULES OF THE HOUSE OF REPRESENTATIVES

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RULES OF THE HOUSE OF REPRESENTATIVES  
OF THE COLORADO GENERAL ASSEMBLY

1. CONVENING

- (a) At 10 o'clock a.m. on the first Wednesday after the first Tuesday of January of each odd numbered year, the House of Representatives shall be called to order by the Speaker of the next preceding session of the House or, in his absence, by the person or one of them holding a certificate issued by the Secretary of State under the authority of the state canvassing board as a member and having served the longest continuous time in the House of Representatives, and the House shall proceed to organize as hereinafter provided for in Rule 2.
- (b) At 10 o'clock a.m. on the first Wednesday after the first Tuesday of January of each even numbered year, and at such time as the General Assembly is convened in special session by the Governor the House of Representatives shall be called to order by the Speaker, as provided for in Rule 4 hereof.

2. ORGANIZATION

Upon convening pursuant to Rule 1(a) hereof, the order of business or organization shall be:

- (a) Election of a clerk for the time being.
- (b) Reading of the official announcement and designation of all members elected to the

House of Representatives as certified by the Secretary of State.

- (c) Calling of the roll.
- (d) Consideration of and action upon the credentials of the persons entitled to membership in the House of Representatives.
- (e) Administration of the oath of office.
- (f) Election of a presiding officer, who shall be called the Speaker and who shall hold office until his successor shall be elected and qualified.

### 3. POWERS AND DUTIES OF THE SPEAKER

- (a) All officers of the House shall be subordinate to the Speaker in all that relates to the prompt, efficient, and correct discharge of their official duties under his supervision.
- (b) Possessing the powers and performing the duties herein described, the Speaker shall:
  - (1) Take the chair at the hour to which the House stands adjourned, call the members to order, and upon the appearance of a quorum, proceed to business.
  - (2) Preserve order and decorum and have general direction of the chamber of the House and the approaches thereto, and in the event of any disturbance or disorderly conduct therein, order the same to be cleared.

- (3) Decide all questions of order, subject to a member's right to appeal to the House. On appeal from such decisions, the Speaker shall have the right, in his place, to assign the reason for his decision.
- (4) Rise to put a question, but may state it while sitting. He shall announce the result promptly on the completion of every vote, but if he be in doubt, or if a division of the House be called for before the announcement of the result, the House shall divide; those voting in the affirmative shall first rise from their seats to be counted; afterward those voting in the negative.
- (5) Have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond three days of actual session.
- (6) When the House shall resolve itself into committee of the whole, name a chairman to preside thereover, and shall call him to the chair.
- (7) Have the power to accredit the persons who shall act as representatives of the public, press, radio, and television, and assign them seats.
- (8) Appoint all committees, whether reference, joint, or special.
- (9) Refer each bill, and may refer any joint resolution, joint memorial, resolution, or memorial upon introduction, to the appropriate committee of reference of

the House.

- (10) Sign all bills, resolutions, memorials passed by the General Assembly, in the presence of the House, immediately after announcement to that effect and public reading of their numbers and titles, which facts shall be entered in the journal.
  - (11) Sign all writs, warrants, and subpoenas issued by order of the House or by any committee thereof, and the same shall be attested by the chief clerk.
  - (12) Administer all oaths required in the discharge of the business of the House.
  - (13) Receive all messages and communications from other departments of the government and announce them to the House.
  - (14) Represent the House, declare its will, and in all things obey its commands.
  - (15) Vote upon all questions except upon appeals from his decisions.
  - (16) Be a member of the committee on rules.
- (c) The Speaker may, in addition to the exercise of the above powers and duties:
- (1) Speak to points of order in preference to other members, rising from his chair for that purpose.
  - (2) Speak as other members on general questions when he shall call some other member to the chair.

4. HOUR OF MEETING -- PRESIDING  
OFFICER -- ATTENDANCE OF MEMBERS

- (a) The regular hour of meeting of the House of Representatives shall be 10:00 a.m. daily, unless otherwise ordered.
- (b) Every member shall be present in his place at the hour to which the House was last adjourned, unless he shall have been excused by the House, or unless he shall be sick and unable to attend.
- (c) The Speaker shall take the chair each day promptly at the hour to which the House stands adjourned. He shall call the House to order and upon ascertainment of a quorum shall proceed to business.
- (d) If at the hour of meeting of the House the Speaker shall be absent, and if the Speaker shall not have designated a member to perform the duties of the Speaker, then the chief clerk shall call the House to order and the first order of business thereafter shall be the election by all members present of a member to act as presiding officer, and, when elected, such acting presiding officer shall continue to preside with all the powers and privileges of the Speaker until the Speaker shall appear.

5. QUORUM

- (a) A majority of all members elected to the House of Representatives shall constitute a quorum, but a smaller number may adjourn from day to day, or for less than a day, and may compel the attendance of absent members.

## 6. ORDER OF BUSINESS

- (a) The House shall be called to order at the hour to which it shall have adjourned.
- (b) Before proceeding to business, the roll of the members shall be called, the names of those absent recorded in the journal and the Speaker shall declare the presence or absence of a quorum. The foregoing procedure shall in no event be postponed or omitted.
- (c) If a quorum be present, the journal of the preceding day or the second preceding day shall be corrected and approved, and the House shall then take up business in the following order:
  - (1) Special orders, if any, unfinished on previous legislative day.
  - (2) Reports of committees of reference.
  - (3) Reports of special committees.
  - (4) Messages from the Senate, messages from the Governor, messages from the revisor, and communications from state officers.
  - (5) Introduction of bills, first reading, by title.
  - (6) Introduction of resolutions and memorials.
  - (7) Third reading of bills.
  - (8) General orders.
  - (9) Conference committee reports - majority

and minority reports.

(10) Consideration of resolutions and  
    memorials.

After having considered business in the above order the House may as necessary return to take up reports, introduction of measures, messages, and consideration of resolutions and memorials.

(d) When the House shall have proceeded to consideration of general orders, no other business, unless it be a special order, shall be in order until general orders shall have been disposed of, except upon the affirmative vote of a majority of all members elected.

(e) After a bill has been returned to the House by a committee of reference for consideration by the House sitting as a committee of the whole, such bill may be made a special order for a particular day or hour. Whenever any bill shall be so made a special order for a particular day or hour and consideration thereof shall not be completed at that sitting, such bill shall retain its place as a special order and shall be considered again as a special order immediately following approval of the journal on the next day of actual session. Whenever a special order shall be under consideration, it shall take precedence over any special order for a subsequent hour of the same day, but such subsequent special order may be taken up immediately after the previous special order shall have been disposed of.

(f) Except as provided in paragraph (b) of this rule, the House may, upon the affirmative

vote of a majority of all members present, proceed out of order to any order of business or return to an order already passed, but should any business be set for consideration on a certain day and hour, it shall in no event be considered at an earlier day or hour.

- (g) Notice of recall of a bill by the Senate shall be read immediately upon receipt if such bill shall then be under consideration by the House, otherwise upon conclusion of the business then before the House, and thereafter the House shall take no action on such bill except to return it to the Senate.

## 7. MOTIONS

- (a) No motion shall be debated until it has been seconded and put by the chair; if requested by any member the motion shall be reduced to writing, delivered to the chief clerk's desk, and read.
- (b) Any motion, other than a motion to reconsider, may be withdrawn or modified by the mover, with the consent of the second, at any time before amendment, decision, or ordering of the ayes and noes; a motion to reconsider may not be withdrawn except upon a motion adopted by a majority of all members elected.
- (c) When a question shall be under debate, the Speaker shall entertain no motion except:
  - (1) To call the House.
  - (2) To adjourn.



- (3) To recess.
  - (4) To reconsider.
  - (5) To strike the enacting clause.
  - (6) To close debate at a specified time.
  - (7) For the previous question.
  - (8) To postpone to a day certain.
  - (9) To refer to committee.
  - (10) To amend.
- (d) Subject to Rules 8, 14, and 16, such motions shall take precedence in the order named and, except for differing amendments, only one each of such motions may be entertained in the course of the disposition of the main question, unless a vote on some other motion has intervened.
- (e) No motion on a subject different from that under consideration shall be admitted under color of amendment.

8. MOTIONS TO ADJOURN OR RECESS

- (a) A motion to adjourn, except when an appeal from a decision of the chair is pending, and a motion to recess shall always be in order; but, having been decided in the negative, such a motion shall not be entertained again unless some motion other than for a call of the house, to adjourn, or to recess, shall have intervened.

## 9. MOTION TO REFER

Motions to refer shall take precedence in the following order:

- (a) To a committee of reference of the House.
- (b) To a special committee of the House.
- (c) To a joint committee of reference or to a joint special committee.

## 10. QUESTIONS OF ORDER

- (a) Questions of order shall not be debatable except in the course of an appeal from the decision of the chair.

## 11. APPEAL

- (a) An appeal may be taken from any decision of the chair, in which event the member appealing shall state his reason therefor, taking not more than ten minutes for such purpose, to which the Speaker may respond. Such appeal shall be acted upon immediately, and no motion other than a motion to recess shall be entertained until the question "Shall the decision of the chair be overruled?" be directed by the vote of a majority of all members elected.

## 12. DIVISION OF QUESTION

- (a) A question containing two or more propositions capable of division shall be divided whenever requested by any member. A

motion to strike out and insert shall be divisible, but a motion to strike out having been decided in the negative, such action shall neither preclude amendment nor a motion to strike out and insert a different proposition.

13. RECOGNITION -- SPEAKING --  
LIMITATION ON SPEAKING

- (a) No member rising to speak, debate, give a notice, make a motion, submit a report, or for any other purpose, shall proceed until he shall have addressed the chair and shall have been recognized, whereupon he may proceed to address the House from the central microphone, or from his desk, confining his remarks to the purpose for which he rose.
- (b) When two or more members shall rise at once, the Speaker shall name the one who shall speak first.
- (c) While a member is speaking, no one shall pass in front of him or otherwise interfere with his remarks or with the ability of others to hear them.
- (d) No member shall speak more than twice upon the same question without consent of the House, except the chairman of the committee of reference or the mover of the question, who may close the debate; and no member shall speak longer than ten minutes without consent of the House.

#### 14. LIMITING DEBATE

- (a) Upon the affirmative vote of a majority of all members elected, debate may be closed at a time not less than one hour from the adoption of a motion to that effect, and such motion having been made, no other motion except to adjourn or to take recess shall be entertained until the motion to close debate and fix an hour for the vote upon the pending question shall have been decided.

#### 15. QUESTIONS DECIDED WITHOUT DEBATE

The following questions shall be decided without debate:

- (a) Adjournment to a day certain.
- (b) Taking a recess.
- (c) Questions relating to the priority of business.
- (d) Suspension of the rules.
- (e) Previous questions, and motions to limit or to extend the limits of, or to close debate.
- (f) Amending or reconsidering an undebatable question.
- (g) Considering the orders of the day.
- (h) Resolving into committee of the whole.
- (i) Calling the House.

## 16. PREVIOUS QUESTION

- (a) The previous question may be moved upon all recognized motions or amendments which are debatable; it may be moved upon a single motion or amendment pending, or upon a series of motions and amendments pending, or upon part of them.
- (b) The previous question shall be stated in this manner: "Shall the main question be now put?" and, until it be decided, it shall preclude all amendments or debate; if decided in the negative, the main question shall be considered as still remaining under debate, but if decided in the affirmative by a majority vote of all members elected, it shall put an end to all debate and bring the House to a direct vote upon all motions and amendments involved, in the inverse order in which they were offered.
- (c) When a motion for the previous question has prevailed, and prior to a decision upon the main question upon which it was ordered, it shall not be in order to move for a call of the House, unless it shall appear by the ayes and noes on the main question that a quorum is not present.

## 17. SECRET SESSION

- (a) When in the opinion of any member, the business before the House requires that the discussion thereof be carried on in secret, such member may move that the House proceed in executive session, and when such motion shall have been adopted by the affirmative vote of a majority of all members elected,

the Speaker shall direct all persons in the House chamber, except members, the chief clerk, and the sergeant-at-arms, to withdraw and the doors of the House chamber to be closed and to remain closed until such executive session shall have been completed; and every member and officer shall keep secret all such proceedings, matters, and things whereof secrecy shall be enjoined by order of the House, and for divulging the same before the order of secrecy shall be revoked by the House, they shall be subject to expulsion or dismissal, as the case may be.

#### 18. ABSENCE

- (a) No member shall absent himself from a session of the House unless he shall be sick and unable to attend, or unless he shall have secured consent of the House to be excused from the session. If absent without being sick or having been excused, the sergeant-at-arms may be sent for him and may take him into custody and bring him forthwith to the House chamber; and the expense thereof shall be assessed to such member, and a reprimand, fine, or other disciplinary measure may be imposed upon him.

#### 19. CALL OF THE HOUSE

- (a) Ten members may require a call of the House and cause absent members to be sent for, but a call of the House shall not be moved after voting shall have commenced.
- (b) Whenever a call of the House is properly

sustained, the Speaker shall order the doors of the House chamber to be closed, and no member shall be permitted to leave the House chamber until the call shall be lifted.

- (c) The Speaker shall direct the chief clerk to call the roll and note the names of those absent; the names of the absentees shall again be called, and those members who shall not have been excused, or whose excuse is insufficient, shall be sent for and taken into custody by the sergeant-at-arms, or his assistants, and brought before the chair, where they shall be reprimanded by the Speaker for neglect of duty, and fined, respectively, at least the amount of the expenses incurred in their apprehension and return.
- (d) Notwithstanding a call of the House, a motion to adjourn or to take a recess may be made at any time pursuant to Rule 8.

## 20. VOTING

- (a) Voting shall be by ayes and noes, and the names of those voting for and against entered in the journal, in the following instances:
  - (1) Upon all bills and concurrent resolutions upon third reading and final passage.
  - (2) Upon concurrence by the House in amendments made by the Senate to House bills.
  - (3) Upon the adoption of conference committee reports.

- (b) All other votes shall be taken viva voce, but any member shall have the right to demand the ayes and noes upon any question before the decision shall be announced by the chair; upon such demand, the Speaker shall direct the chief clerk to call the names of the members in order, and before the result be declared the chief clerk shall, upon demand, read over the names of those voting in the affirmative and of those voting in the negative.
- (c) On any vote upon which the ayes and noes are to be called, any member may be allowed one minute during which to explain his vote.
- (d) No member or other person or persons shall visit with the chief clerk or remain by his desk while the ayes and noes are being called.

21. WHEN MEMBERS SHALL VOTE --  
PERSONAL INTEREST -- CHANGING VOTE

- (a) Every member who shall be within the House chamber when a question shall be stated from the chair shall vote thereon, unless he shall be directly interested in the question or shall have been excused from voting by the House; but no member shall be obliged to vote upon any question unless he shall be within the House chamber when his name shall be called.
- (b) A request by a member to be excused from voting shall be made before the call for the ayes and noes has begun; any member desiring to be excused from voting on a question shall make a brief statement of his reasons, and



the question shall be put without further debate.

- (c) A member who has an immediate personal or financial interest in any bill or measure proposed or pending before the General Assembly shall disclose the fact to the House, and shall not vote upon such bill or measure.
- (d) A member shall be allowed to change his vote before the result has been announced, but not thereafter.

## 22. PERSONAL PRIVILEGE

- (a) Any member may, as a matter of personal privilege, speak for a period not longer than five minutes upon such matters as may collectively affect the House, its rights, its dignity, and the integrity of its proceedings, or the rights, reputation, and conduct of its individual members in their respective capacities only.
- (b) In no event shall any member be permitted to utilize personal privilege to debate any motion, bill, resolution, memorial, or other business pending before the House.

## 23. DECORUM

- (a) No member shall walk across or out of the House chamber while the Speaker is putting the question.
- (b) No member shall engage in loud private discourse or commit any other act tending to

distract the attention of the House from the business before it.

- (c) Should any member, in speaking or otherwise, transgress the rules of the House, the Speaker on his own initiative, or upon the objection of another member, may call him to order whereupon, subject to his right to appeal from a decision of the chair as in other cases, he shall immediately sit quietly in his place.
- (d) When speaking or debating before the House, a member shall confine his remarks to the question under discussion or debate, avoiding personalities.

#### 24. PROTEST

- (a) Any member shall have the right to protest any action of the House, stating his reasons therefor, and having obtained consent of the House and reduced his reasons to writing, he may have the same entered in the journal, provided such reasons do not impugn the motives or character of any member of the General Assembly.

#### 25. COMMITTEES

- (a) Committees of reference of the House shall be:
  - (1) Agriculture and Livestock.
  - (2) Appropriations.
  - (3) Business Affairs.

- (4) Education.
  - (5) Finance.
  - (6) Game, Fish, and Parks.
  - (7) Health, Welfare, and Institutions.
  - (8) Judiciary.
  - (9) Labor and Employment Relations.
  - (10) Local Government.
  - (11) Natural Resources.
  - (12) State Affairs.
  - (13) Transportation and Highways.
- (b) Other permanent committees of the House shall be:
- (1) Rules.
  - (2) House Services.
- (c) All of the committees specified in (a) and (b) above shall be appointed at the commencement of the first regular session of the General Assembly convening after a general election and shall remain constituted as such committees until the first regular session of the General Assembly convening after the next ensuing general election.
- (d) The first member appointed shall be the chairman and the second member appointed shall be the vice-chairman of each committee.

- (e) The rules committee shall consist of ten members, including the Speaker, and, except as limited by Rule 30, shall arrange all general and special orders and prepare calendars. Whenever possible, calendars listing general orders shall be posted on the bulletin board at least 24 hours prior to consideration by the House.
- (f) The house services committee shall consist of five members. It shall authorize and review all expenditures for equipment, supplies, and services necessary for the efficient conduct of the business of the House, and shall employ such officers and employees of the House as may be authorized and assign them to their duties, filling any vacancies that may occur from time to time. It shall have full power to summarily remove any officer or employee of the House, but shall be excused from making reports thereon unless requested by some member. It shall attend to the revision, engrossment, and enrollment of all bills, as directed by the House and its committees, reporting thereon from time to time as occasion requires.
- (g) All other committees shall consist of not less than eleven nor more than nineteen members, as determined by the Speaker.
- (h) The party representation on committees shall be in proportion generally to the relative number of members of the two major political parties in the House.
- (i) All committees specified in (a) and (b) above shall not:
  - (1) Take action upon any bill or other

matter before it unless a quorum be present, a quorum being a majority of the entire membership of the committee.

- (2) Sit or meet while the House is in session without first having obtained consent of the House upon a showing of special need.
  - (3) Occupy the House chamber at any time without prior consent of the Speaker.
- (j) All committees of reference, as listed in (a) above, shall observe the following rules of procedure:
- (1) (A) The committees of reference of the House shall meet at the times and places specified in the Schedule of Committee Meetings adopted by the House at the beginning of each regular session of the General Assembly.
  - (B) A committee of reference may hold a special committee meeting at a time and place other than is provided in the Schedule of Committee Meetings, provided the chairman publicly announces the special meeting to the House as much in advance of the actual meeting as possible and provided the announcement is made while the House is in actual session.
  - (C) If a regularly scheduled committee meeting is cancelled, the chairman shall announce such cancellation while the House is in actual

session prior to the time the meeting is scheduled to take place.

(D) The chairman of each committee of reference shall determine the order of business for each committee meeting, including the measures that will be considered at each meeting, and shall announce on the floor of the House the measures that are to be considered. However, at least seven days after a measure has been delivered to the chairman, two-thirds of all members appointed to the committee may petition the chairman in writing that a specific measure be considered, such petition to be submitted at a regularly scheduled committee meeting. Upon receipt of the petition, the chairman shall announce such fact to the committee and shall have the petitioned measure listed on the subsequent daily calendar for consideration by the committee, such consideration to be no later than seven days after receipt of the petition.

(E) Each measure assigned to a committee shall be set for committee consideration at a scheduled meeting.

(2) Proxies, either written or oral, shall not be permitted for any purpose.

(3) 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 chief clerk of the House within three legislative days. 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, or postponing the measure indefinitely. A motion to postpone consideration of a measure for more than 30 days shall be considered a motion to postpone indefinitely.

- (4) The staff assistant assigned to each committee of reference shall be responsible to the chairman of the committee for the proper preparation of all reports.
- (5) Upon receipt of a measure by the chairman of a committee of reference, he shall be responsible for the safekeeping of the measure, but he may give custody of the measure to a staff assistant.
- (6) The chairman of a committee of reference shall have the right to vote on every question coming before the committee.
- (7) If a member of a committee of reference is absent from three consecutive scheduled committee meetings without being excused, the committee chairman shall report such fact to the floor leader of the party to which the member belongs.
- (8) A recommendation of any committee of reference to amend a measure shall not

become an integral part of the measure in question until adopted by the committee of the whole.

- (9) Roll call votes shall be taken and recorded in each committee on final action and proposed amendments. The record shall include the names and numbers of those voting on motions to amend and on final action. Said record shall be available for public inspection.

## 26. RESOLUTIONS AND MEMORIALS

(a) Resolutions and memorials originating in the House shall be of the following classes:

- (1) House concurrent resolutions, which shall propose amendments to the constitution of the state of Colorado or recommend the holding of constitutional conventions, and ratify proposed amendments to the federal constitution.
- (2) House joint resolutions, which shall pertain to transaction of the business of both the House and the Senate, establishment of committees comprised of members of both houses, or express the will or sentiment of both houses on any matter.
- (3) House resolutions, which shall relate solely to matters concerning the House.
- (4) House memorials or House joint memorials, which shall express sentiment on the death of any person or persons.



- (b) House concurrent resolutions as well as Senate concurrent resolutions shall be treated in all respects as bills, and all provisions of these rules applying to bills shall apply to concurrent resolutions, except that the affirmative vote of two-thirds of all members elected shall be required for adoption of House and Senate concurrent resolutions upon third reading and final passage.
- (c) House resolutions, House joint resolutions, House memorials, and House joint memorials, upon introduction shall be read at length and ordered printed. At the discretion of the Speaker they shall then either:
- (1) Lay over one day before being acted upon; or
  - (2) Be referred to a committee of reference, where they shall be considered as House bills are considered, with referral to the rules committee for placement on the calendar.
- (d) Senate joint resolutions and Senate joint memorials upon introduction shall be read at length. At the discretion of the Speaker they shall then either:
- (1) Lay over one day before being acted upon; or
  - (2) Be referred to a committee of reference, where they shall be considered as bills originating in the Senate are considered.
- (e) No measure governed by the provisions of this

rule shall be considered by the House unless and until it shall have been printed.

## 27. INTRODUCTION OF BILLS, RESOLUTIONS, AND MEMORIALS

- (a) Any member may introduce a bill, resolution, or memorial at such times as the introduction of bills, resolutions, and memorials is the order of business, and such bill, resolution, or memorial shall be numbered in the order introduced. No bill shall be introduced by title only.
- (b) Every bill shall be read by title when introduced, which shall constitute first reading, and at length on two different days prior to its being finally passed. Reading before the House sitting as committee of the whole shall constitute second reading. Unless a member shall request the reading of a bill in full when it is being considered on second or on third reading, it shall be read by title only, and the unanimous consent of the members present to dispense with the reading of the bill at length shall be presumed.
- (c) The House, by the affirmative vote of a majority of all members elected, may adopt a resolution fixing a date after which a bill may not be introduced except as provided in said resolution.

## 28. AMENDMENT

- (a) Any bill, resolution, or memorial shall be subject to amendment, but all amendments

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shall relate to the same subject as the original bill, resolution, or memorial.

- (b) All substantial amendments shall be printed, and all House and Senate bills which have been substantially amended shall be reprinted on order of the Speaker and laid upon the desks of the members before final vote is taken.

### 29. COURSE OF BILLS

The course of every bill in its introduction, reference, consideration, and passage through the House shall be as follows:

- (a) Introduction of the bill, in quadruplicate, and first reading, by title.
- (b) Reference of the bill by the Speaker, by number only, to the appropriate standing committee, not later than the close of the next day of actual session. The Speaker may refer the bill to two separate standing committees in succession if in his judgment the subject matter of the bill so requires.
- (c) Docketing of the bill by the docket clerk.
- (d) Every House bill, if not printed under House Rule 45, shall be ordered printed, upon introduction, by the chief clerk.
- (e) Delivery of the bill by the docket clerk to the chairman of the committee of reference, taking his receipt therefor.
- (f) Consideration of the bill upon its merits by the committee, and the committee after such

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consideration shall recommend either that:

- (1) The bill lay on the table.
- (2) The bill be favorably recommended for consideration by the House sitting as a committee of the whole.
- (3) The bill be amended and, as amended, be favorably recommended for consideration by the House sitting as a committee of the whole.
- (4) Consideration of the bill be indefinitely postponed.
- (5) The bill be referred to another committee of reference.

- (g)
- (1) If the bill be favorably recommended as provided for in Rule 29 (f) (2) and Rule 29 (f) (3) above, or consideration thereof be indefinitely postponed as provided for in Rule 29 (f) (4), or recommended for reference to another committee of reference as provided in Rule 29 (f) (5), a report to that effect, together with the bill, shall be delivered by the chairman to the chief clerk.
  - (2) No further action may be taken on any bill indefinitely postponed and delivered to the chief clerk.
  - (3) The chief clerk shall deliver all other bills to the rules committee for arrangement either as a general order or a special order, to be placed on the calendar for consideration by the House

sitting as committee of the whole.

- (4) The rules committee may refer a bill to a standing committee, including the original committee of reference, for further study and consideration and shall report such action to the House.
- (h) Consideration of the bill, on second reading, by the House sitting as committee of the whole, during which the following motions shall be in order:
- (1) That the enacting clause of the bill be stricken.
  - (2) That the bill be recommitted to any committee of reference for further study and consideration.
  - (3) That the bill be passed over and retain its place on the calendar.
  - (4) That the bill be amended.
  - (5) That the bill be adopted, be referred to the House services committee for revision or engrossment, and be placed on the calendar for third reading and final passage.
  - (6) That the committee rise, report progress, and ask leave to sit again.
  - (7) That the committee rise and report.
- (i) Action by the House, either by adopting, by amending, or by rejecting the report of the committee of the whole.

- (j) Printing of all substantial amendments made to the bill by committee of the whole, which amendment shall be laid upon the desk of each member.
- (k) Consideration of the bill by the House on third reading and final passage, during which the following motions shall be in order:
- (1) That the enacting clause of the bill be stricken.
  - (2) That the bill be adopted.
  - (3) That the bill be returned to the rules committee.
  - (4) That the bill be recommitted to any committee of reference.
  - (5) That the bill be laid over.
  - (6) That the bill be amended, consent to consider such amendment having first been given by a majority of members elected to the House.

### 30. DEMAND

- (a) Three days after reference of any bill to a committee of reference other than the rules committee, and upon a 24-hour demand by any member for a report, the committee of reference may be required to report such bill back to the House upon a motion adopted by the affirmative vote of a majority of all members elected.
- (b) After having been returned to the House by

the committee of reference for consideration by the House sitting as committee of the whole, any bill in possession of the rules committee may be made a special order, upon a 24-hour demand by any member for a report from the rules committee by a motion adopted by the affirmative vote of two-thirds of all members elected. Such motion shall include only one bill, for which no other bill shall be substituted, and in the discussion of such motion, debate shall be limited to thirty minutes for each side, and no member shall speak more than once, nor for more than ten minutes, except the mover, who shall be allowed an additional ten minutes for closing.

### 31. CONSIDERATION BY COMMITTEE OF THE WHOLE

- (a) Every bill on general or special orders shall be considered by the House sitting as committee of the whole. The title of every bill shall be read in any event, but reading at length may be dispensed with in accordance with the provisions of Rule 27 (b) of these rules, or in the event the committee votes to recommend that the enacting clause be stricken.

### 32. COMMITTEE OF THE WHOLE

- (a) Committee of the whole shall be formed upon motion, and upon adoption of such motion the Speaker shall appoint a chairman, who shall, for the time being exercise all the powers of the Speaker necessary to conduct the business of the committee of the whole. Such chairman

shall not be entitled to vote unless the committee be evenly divided on a question.

- (b) The rules of the House shall govern the proceedings of the committee of the whole insofar as practical, except that a member may speak more than twice upon the same subject, a call for the ayes and noes may not be made, a motion for the previous question shall not be in order, a motion for reconsideration shall not be in order, and there shall be no appeal from the decision of the chair.
- (c) A motion to strike out the enacting clause of a bill shall be in order and shall have precedence to any other motion relating to the bill; such motion shall open the question of passage of the bill to general debate and, if adopted, shall be equivalent to rejection of the bill.
- (d) The final question upon consideration of any bill or concurrent resolution shall be whether it shall be adopted, engrossed, and placed on the calendar for third reading and final passage.
- (e) Deliberations of the committee of the whole shall be terminated by a motion to rise and report, but if the work of the committee shall not have been completed and resumption of deliberations is desired, the motion shall be to rise and report progress, asking leave to sit again, and the adoption of such motion shall constitute consent by the House for the committee to sit again, when deliberations shall be resumed exactly where suspended. Such motions shall always be in order and shall be decided without debate.



- (f) A motion may be in order, during deliberations of the committee of the whole, that a bill be laid over and proposed amendments which have been offered to such a bill be printed and placed on the desks of the members.
- (g) When the work of the committee shall be completed, a report of the recommendations of the committee, containing all amendments to bills considered by the committee, shall be signed by the chairman and submitted to the House. The chairman of the committee shall move for adoption of such report.
- (h) Reports of the committee of the whole shall be adopted by a majority vote of the members elected, and the vote taken on the adoption of the report of the committee of the whole shall constitute passage on second reading of each bill considered and approved by the committee of the whole.
- (i) Members shall refrain from interrupting the deliberations of the committee of the whole for the introduction of guests or visitors.

### 33. THIRD READING AND FINAL PASSAGE OF BILLS

- (a) Upon third reading, a motion to strike out the enacting clause of a bill shall be in order only after the title of the bill has been read.
- (b) No amendment to a bill on third reading shall be in order except with the consent of a majority of all members elected.

- (c) The final vote shall be taken by ayes and noes, and the names of those members voting for and against the bill shall be entered in the journal.
- (d) No bill shall be declared passed, or signed by the Speaker, unless a majority of all members elected shall be recorded as voting for the same.

#### 34. ACTION FINAL

- (a) When any bill, resolution, memorial, amendment, report, order, or other matter shall have been finally acted upon by the House or by the committee of the whole, either by having been adopted or rejected, no further action may be had thereon in the same body that will have the effect of defeating or resurrecting the same, except as provided for hereinafter in Rule 35. For the purpose of this rule, each committee of the whole shall be considered a separate body. Nothing herein shall prevent the introduction of a new bill on the same subject.

#### 35. RECONSIDERATION

- (a) After a question has been decided by the House, any member recorded as having voted on the prevailing side may, at any time before adjournment of the current legislative day, move to reconsider or may give notice of intention to move to reconsider. Notice having been given, such member may move to reconsider on the same day or before 12 o'clock noon of the next day of actual session, but after the adoption of a

resolution fixing the time for adjournment sine die, any member may so move.

- (b) A motion to reconsider shall require the affirmative vote of two-thirds of the members elected to be adopted, and if such motion be defeated, no further motion to reconsider shall be in order; but during the last two days of a session, such a motion shall require only a majority vote of those elected to the House, and reconsideration may be had concerning any bill acted on during the previous two days.
- (c) Notice of intention to move to reconsider any bill, resolution, or memorial having been given, the chief clerk shall retain such bill, resolution, or memorial in the possession of the House until such time as a motion to reconsider shall have been made and acted upon, or until the time for making such motion shall have expired; and should such bill, resolution, or memorial have been transmitted to the Senate or to the Governor, such notice shall constitute a mandate upon the chief clerk to request its return to the House, unless said bill, resolution, or memorial has already been introduced in the Senate.
- (d) Adoption of the report of the committee of the whole or any amendment thereto and re-adoption of vetoed bills shall not be subject to reconsideration upon this rule.

### 36. DISAGREEMENT

- (a) No amendment made by the Senate to a House bill shall be concurred in by the House

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except by a vote of a majority of members elected, taken by ayes and noes and the names of those voting for and against entered in the journal.

- (b) In case of a disagreement between the House and the Senate, the House may either adhere to its position, recede from its position and concur with the position of the Senate, or request a conference on the matter at issue.
- (c) The House may recede from any matter of difference existing between it and the Senate at any time prior to consideration of a conference committee report by either the House or the Senate, or after rejection of the conference committee report by the Senate, not later than the next day of actual session following the rejection of the report.
- (d) In the event the House shall vote to request a conference, the Speaker shall appoint a committee of three members to represent the House. No vote on concurring in any amendment made by the Senate to a House bill or on the adoption of a report of a conference committee shall be taken until such amendment or report shall have been placed on the desk of each member, and particularly referred to in the calendar, but this rule may be suspended during the last three days of session.

### 37. VETOED BILLS

- (a) In the event of the veto of any bill passed by the General Assembly, the veto message of the Governor shall be read, together with the

bill vetoed.

- (b) It shall then be in order to proceed to consideration of the bill, in which event the motions shall be:
- (1) That the bill do pass notwithstanding the veto, and the affirmative vote of two-thirds of all members elected shall be required for the adoption of such motion.
  - (2) That the bill be referred to committee.
  - (3) That the bill lay on the table.
  - (4) That consideration of the bill be postponed to a day certain.
- (c) The merits of the bill may be debated before the vote be taken, but the vote on a vetoed bill shall not be reconsidered. In the case of a bill containing several items or sections, one or more of which has been vetoed, and approval given to the remaining items or sections, each item or section so vetoed shall be separately voted upon by the House.
- (d) Action by the House upon all vetoed bills shall be endorsed on the bill and certified by the Speaker.

### 38. ADMITTANCE TO THE FLOOR

In addition to members and officers and employees of the House, the following persons shall be entitled to admittance to the floor of the House chamber and to House committee rooms:

- (a) Members of the Senate and elective officers of the state.
- (b) Persons exercising official duties concerned directly with the business of the House.
- (c) Representatives of the press and radio.
- (d) Former members of the House or Senate not advocating any proposed or pending legislation.
- (e) The immediate families of members.
- (f) Such other persons as may be invited by members.

### 39. LOBBYISTS

- (a) A lobbyist is hereby defined to be any person other than a member of the General Assembly who, by his acts, seeks to influence in any manner the vote of any member or members of the House, or the action of any of its committees, upon any bill, resolution, or other measure pending before the House or any of its committees.
- (b) No lobbyist shall be admitted to the floor of the House:
  - (1) At any time the House is in session, including while it is sitting as a committee of the whole.
  - (2) Under any circumstances prior to 12 o'clock noon of any day the House is in session.

#### 40. REGISTRATION OF LOBBYISTS

- (a) Any lobbyist desiring to observe the session of the House or to appear before any committee of the House shall apply to the sergeant-at-arms and express his desire to register as a lobbyist.
- (b) The sergeant-at-arms shall thereupon conduct said person to the desk of the chief clerk, where said person shall register in the record kept for that purpose, entering thereon his name, address, and the interest or interests he represents, and also the bill or bills upon which he desires to be heard. The chief clerk shall thereupon issue a card to said person, which card shall permit said person to appear before the committee or committees to which said bill or bills have been referred.
- (c) At any meeting of any committee of the House, the chairman thereof, or a majority of the committee, may permit any interested person to address the committee upon said person's stating to the chairman his name and address and the subject upon which he desires to be heard.

#### 41. MATERIAL DISTRIBUTED TO MEMBERS

- (a) No member, lobbyist, department, organization, or person shall distribute or cause to be distributed any material in the House chamber without having indicated on such material clearly the name, identification, and address of the person, department, or organization publishing or

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sponsoring such distribution; and in all cases the Speaker at his discretion may prohibit distribution of any material whatsoever.

#### 42. MESSAGES

- (a) Messages from the House shall be sent by the chief clerk or his assistants.
- (b) Messages from the Senate, the Governor, or other branches of government may be received at any time.

#### 43. CHIEF CLERK

- (a) The chief clerk of the House shall attend to the orderly conduct of the business of the House, under direction of the Speaker.
- (b) He shall keep a journal of each day's proceedings and business, in which shall be correctly entered:
  - (1) The result of the roll call taken each day at the hour of convening.
  - (2) The full titles of all bills and the full texts of all resolutions and memorials introduced.
  - (3) Reports of reference, permanent, special, or conference committees.
  - (4) Proposed amendments to bills, resolutions, and memorials.
  - (5) Each report of the committee of the

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whole.

- (6) Messages from the Senate and the Governor and communications from other state officers and departments.
  - (7) The result of every vote taken, with the ayes and noes, if such were demanded or required.
  - (8) The ayes and noes and the names of those voting for and against every bill and concurrent resolution on third reading and final passage, the concurrence by the House in amendments made by the Senate to House bills, and the adoption of all reports of conference committees.
  - (9) An enumeration of the bills introduced, sent to the printer, and returned from the printer each day, and he shall attest to the fact that bills returned from the printer have been correctly printed.
  - (10) Such other matters as the House may direct.
- (c) He shall keep a record called the docket, in which shall be entered the number, title, and sponsor or sponsors of each and every House or Senate bill, and the number and sponsor or sponsors of each and every resolution or memorial with proper indexing and continuing notations relative to the status and progress of each of the same until final disposition thereof.
- (d) He shall cause any Senate bill, resolution, or memorial not appearing in the records of

the House in the form in which passed by the Senate to appear in correct form in the journal or otherwise, as the House may direct.

- (e) He shall deliver all bills and concurrent resolutions returned to the House by committees of reference, with the recommendations thereon, to the rules committee.
- (f) He shall prepare a list of all bills and concurrent resolutions arranged by the rules committee as general or special orders.
- (g) He shall prepare a list of all bills and concurrent resolutions, adopted by the House on second reading, entering same in the order in which adopted, which list shall be called "Third Reading -- Final Passage."
- (h) He shall cause the lists hereinabove specified, together with such other matters as the House may direct, to be posted on a bulletin board, and also printed and laid upon the desks of the members, and such shall constitute the calendar.
- (i) He shall also prepare and cause to be printed and laid upon the desks of the members at appropriate times a supplement to the calendar containing a list of conference committee reports, resolutions, memorials, and other matters, in the order named.
- (j) He shall guard all documents and records of the House and shall permit no bill or record of any nature to be taken from his desk or out of his custody, except in the regular course of business of the House, and he shall

not, at any time or place, allow the same to be handled or examined by any persons other than the Speaker, members, officers and employees of the House, or the authorized printer in the necessary performance of their official duties.

- (k) He shall take a receipt for every document which may pass from his custody in the regular course of the business of the House, and between the House and Senate, and shall keep record thereof; should any bill or other record in his custody be missing, he shall report the fact to the Speaker, immediately upon discovery.
- (l) All officers and employees at the chief clerk's desk and in the enrolling room shall be under his direction, and shall perform such duties as he may from time to time assign to them.

#### 44. OTHER OFFICERS AND EMPLOYEES

- (a) The sergeant-at-arms shall attend the House during its sittings, shall maintain order in the House chamber and the approaches thereto at all times, under the direction of the clerk pending the election of the Speaker, and under direction of the Speaker thereafter, and shall at all times execute the commands of the House and all processes issued by its authority, as directed to him by the Speaker.
- (b) The sergeant-at-arms shall supervise the assistant sergeants-at-arms and clerks in the performance of their duties in the prompt

delivery of mail to the members, distribution of stationery and supplies, placing of journals, bills, and calendars on the desks of members in the binders provided for such purposes, and such other duties as may from time to time be assigned to them.

- (c) The chaplain shall be present each day at the hour to which the House stands adjourned and, following the call to order, he shall offer prayer.
- (d) All officers and employees of the House shall be present each day as directed by the chief clerk.
- (e) No expense shall be incurred by any officer or employee of the House in its behalf except upon authority and written order of the chief clerk or the chairman of the House services committee.
- (f) Any officer or employee of the House who shall invite, solicit, or urge any member to vote for or against any bill or other measure or to use his influence for or against any bill or measure before the House or any of its committees shall be summarily dismissed from service or employment.

#### 45. PRINTING OF BILLS PRIOR TO SESSION

- (a) Any time after December 1st but preceding the convening of the General Assembly at its next regular session, a member or member-elect of the House of Representatives may pre-file a bill for introduction with the chief clerk or the chief clerk-designate. Prior to the

convening of any legislative session, the Speaker shall order the printing of any bill pre-filed for introduction in order to facilitate the business of the pending session of the General Assembly.

#### 45A. ACTING SPEAKER - SUCCESSION

- (a) In the event of the death, resignation, disability, or absence from the state of the Speaker, the majority floor leader, as acting Speaker, shall exercise all the powers and duties of the Speaker when the General Assembly is not in session, but the exercise of such powers and duties by the acting Speaker shall continue only until the General Assembly shall meet or until the disability or absence from the state of the Speaker is removed, whichever shall first occur. In the event of the death, resignation, disability, or absence from the state of such majority floor leader, then the following persons shall succeed to the office of acting Speaker: The chairman of each of the committees of reference of the House in the order listed in Rule 25 (a) of these rules.

#### 46. MATTERS NOT COVERED BY RULES

- (a) Any matter not covered by these rules shall be governed by the decision of the Speaker, subject to the right of appeal by any member as in these rules provided for.

#### 47. AMENDMENT OF RULES

- (a) These rules or any part thereof may be

suspended, amended, subtracted from, added to, or rescinded by the affirmative vote of two-thirds of all members elected.

#### 48. CODE OF ETHICS

- (a) No later than February 14, 1973, and in subsequent years not more than thirty days after his taking office, reelection, appointment, or retention in office, each member of the House of Representatives shall file written disclosure with the Speaker, as follows:
- (1) The major source or sources of private income of the person making disclosure, his spouse, and minor children residing with him, but no dollar amounts need be stated.
  - (2) Any investment which the person making disclosure, his spouse, or minor children residing with him have in any corporation or other business organization in excess of the lesser of ten thousand dollars or ten percent of the net worth of any of said family members, but neither dollar amounts nor percentages need be stated.
  - (3) (A) Except for a dwelling occupied by a member or his family, interest in real property, by broad general categories of residential, commercial, industrial, agricultural, or held for investment, in which the person making disclosure, his spouse, or minor children residing with him

have, the gross market value of which is in excess of ten thousand dollars, but the total dollar value need not be stated.

- (B) Interest in mineral rights or royalties in which the person making disclosure, his spouse, or minor children residing with him have, the gross value of which is in excess of ten thousand dollars, but the total dollar value need not be stated.
- (4) The offices, directorships, and salaried employments of the person making disclosure, his spouse, and minor children residing with him, but no dollar amounts need be stated.
- (5) Any person, firm, or organization employing any relative or economic associate of the person making disclosure, of his spouse, or of his minor children residing with him, for the purpose of lobbying at sessions of the General Assembly, or any firm engaged in compensated lobbying for others in which the person making disclosure, his spouse, or minor children hold any interest, including in such disclosure the terms of any such employment and the measure or measures to be supported or opposed.
- (6) In general terms by areas of the client's interest, the entities to which professional services, such as those of an attorney, accountant, or architect, are furnished by the person making

disclosure or his spouse.

- (7) Such additional information as the person making disclosure might desire.
- (b) Any disclosure statement shall be amended within thirty days after the time conditions change because of the termination or acquisition of interests as to which disclosure is required.
- (c) As long as any person required by this rule to file a disclosure statement retains his office or employment he shall, within the first ten days of each calendar year, file an amended statement with the Speaker or notify the Speaker in writing that he has had no change of condition which requires an amended statement.
- (d) Each disclosure statement, amended statement, or notification that no amendment is required shall be public information.
- (e) Any person who willfully files a false or incomplete disclosure statement, amendment, or notice that no amendment is required, or who willfully fails to make any filing required by this section shall be in contempt of the General Assembly and shall be punished as provided by the House.

#### 49. SPONSOR'S NOTE

- (a) Every bill, resolution, or memorial which is introduced shall be accompanied by a sponsor's note explaining the purpose of the measure and giving a brief summary thereof.



- (b) Such note shall be typed using single-spacing and shall not exceed one page in length.
- (c) Each member of the House shall be furnished a binder in which each such note shall be inserted according to numerical order.

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RULES OF THE SENATE OF THE

COLORADO GENERAL ASSEMBLY

1. HOUR OF MEETING -- PRESIDING OFFICER

- (a) 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. 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.
- (b) The President of the Senate, or in his absence the President pro tempore, shall take the chair every day promptly at the hour to which the Senate stands adjourned, shall call the Senate to order, and on the ascertainment of a quorum, shall proceed to business.
- (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 of the President, until the

President or President pro tempore shall appear.

## 2. QUORUM

- (a) A majority of all Senators elected shall constitute a quorum, but a smaller number may adjourn from day to day, or for less than a day, and compel the attendance of absent members.

## 3. ORDER OF BUSINESS

- (a) The order of business of the Senate shall be as follows:
- (1) Reading, correction, and approval of the journal.
  - (2) Reports of committees of reference.
  - (3) Reports of special committees.
  - (4) Third reading of bills.
  - (5) General orders.
  - (6) Consideration of resolutions and memorials.
  - (7) Messages from the Governor.
  - (8) Communications from state officers.
  - (9) Messages from the House of Representatives.
  - (10) Presentation of petitions and memorials.

- (11) Introduction of resolutions and memorials.
- (12) Introduction of bills and first reading by title.
- (b) When the Senate has proceeded to the general orders of the day, no other business, unless it be a special order, shall be in order until the general orders have been disposed of.
- (c) Except as otherwise provided in Rules 3 (b), 6,7,9 (b), 9 (c), and 25 (b), the Senate may at any time, by the affirmative vote of a majority of all members present, proceed out of order to any order of business or return to an order already passed.
- (d) Notice of recall of a bill by the House shall be read immediately upon receipt if such bill then be under consideration by the Senate, otherwise upon conclusion of the business then before the Senate, and thereafter the Senate shall take no action on such bill. Such bill shall automatically be returned to the House without the necessity of a motion or vote.

#### 4. SPECIAL ORDERS

- (a) No bill or bills, or any other measure which takes the same course as a bill, may be made a special order unless approved by the affirmative vote of two-thirds of all members elected. In discussion of a motion to make a special order, no Senator shall speak more than once, nor longer than ten minutes, and a vote shall thereafter immediately be taken.

Whenever any bill or other measure is made a special order for a particular day and hour, and the consideration thereof shall not be completed at that sitting, it shall retain its place as a special order and be considered immediately following the reading and approval of the journal on the next succeeding day of actual session. When a special order is under consideration, it shall take precedence over any special order for a subsequent hour of the same day, but such subsequent special order may be taken up immediately after the previous special order has been disposed of.

#### 5. MOTIONS AND AMENDMENTS

- (a) No second shall be required of any motion presented to the Senate. When a motion is made it shall be stated by the President, or, being in writing, shall be handed to the secretary and read aloud before debate. A motion shall be reduced to writing if the President or any Senator so requests.
- (b) Any motion or resolution except a concurrent resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the ayes and noes, except a motion to reconsider, which shall not be withdrawn except by a majority vote of all members elected.
- (c) When a question is under debate, the President shall receive no motion except:
  - (1) To adjourn.
  - (2) To take a recess.

- (3) To question the presence of a quorum or request a call of the Senate.
- (4) To strike the enacting or resolving clause.
- (5) To lay on the table.
- (6) For the previous question.
- (7) To close debate at a specified time.
- (8) To postpone to a day certain.
- (9) To commit.
- (10) To amend.
- (11) To postpone indefinitely.

Such motions shall take precedence in the order named; but no one motion may be made more than once at any stage of any particular bill or proposition.

- (d) No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.
- (e) A motion to postpone to a day certain, or indefinitely, being decided, shall not again be allowed at the same stage of the bill or proposition; and if a bill or proposition be set for consideration on a certain day, it shall not be considered at an earlier day.
- (f) No person other than a Senator shall present any petition, memorial, or address while the Senate is in session.



- (g) All so-called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto, except such matters as may be reported by committee.
- (h) All amendments to bills, resolutions, and memorials, to reports of the committee of the whole, or to reports of committees of reference, must be typed on appropriate amendment forms and presented to the secretary, who shall number such amendments as received, and when presented in this manner each such amendment shall be deemed to be pending and shall be considered in the order received. Each amendment should be checked for technical errors by the sponsor of the amendment before it is presented to the secretary.

#### 6. QUESTIONS OF ORDER -- APPEAL

- (a) All questions of order shall be decided by the President without debate, but any decision of the chair shall be subject to an appeal to the Senate by any Senator. The Senator making such appeal shall state his reasons therefor, using not more than ten minutes for such purpose, to which the President may respond. Such appeal shall be acted upon immediately, and no motion or other business, except a motion to adjourn or to take a recess, shall be entertained, until the question be determined by a majority vote of the members present.

## 7. MOTIONS TO ADJOURN OR RECESS

- (a) A motion to adjourn, or a motion to take a recess shall always be in order, but being decided in the negative, shall not be again entertained unless some motion other than a call of the Senate, motion to adjourn, or motion for recess shall have taken place.

## 8. DIVISION OF QUESTION

- (a) If the question in debate contains two or more points, any Senator may have the same divided; but on motion to strike out and insert, it shall not be in order to move for a division of the question; but a rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition.
- (b) Amendments of the House to a Senate bill, resolution, or memorial, shall not be divisible.

## 9. DEBATE

- (a) The following questions shall be decided upon without debate; but any Senator making such a motion shall be given three minutes to explain his motion:
- (1) Fix the time to which to adjourn, except the fixing of sine die adjournment.
  - (2) Adjourn.
  - (3) Take a recess.

- (4) Call for orders of the day and questions relating to priority of business.
  - (5) Suspension of the rules.
  - (6) Objection to the consideration of a question.
  - (7) Previous question, and motions to close, limit, or extend the limits of debate.
  - (8) Amend or reconsider an undebatable motion.
  - (9) Dispense with reading of the journal.
- (b) The previous question shall be stated in this form: "Shall the main question be now put?" and, until it is decided, shall preclude all amendments or debate. When it is decided that the main question shall not be put, the main question shall be considered as still remaining under debate. When, by the affirmative vote of a majority of all members elected, it is decided that the main question shall be put, it shall put an end to all debate and bring the Senate to a direct vote; first, upon all amendments reported or pending, in the inverse order in which they are offered. After the motion for the previous question has prevailed, it shall be in order to move for a call of the Senate, but it shall not be in order to move to adjourn, prior to a decision on the main question.
- (c) Upon a majority vote of the members elected, debate may be closed at any time not less than one hour after the adoption of a motion

to that effect, and an hour may be fixed for a vote upon the pending measure. No other motion shall be entertained until the motion to close debate, or to fix an hour for the vote on the pending question, shall have been determined.

#### 10. LEGISLATIVE DAY

- (a) Each calendar day shall be considered a legislative day.

#### 11. READING OF BILLS

- (a) Unless a member shall request the reading of a bill in full when the bill is being considered by the committee of the whole or on third and final reading, it shall be read by title only, and the unanimous consent of the members present to dispense with the reading of the bill in full shall be presumed.

#### 12. PRESIDENT AND PRESIDING OFFICERS

- (a) The President shall:
  - (1) Preside over all sessions of the Senate, except as otherwise provided in these rules.
  - (2) Appoint all committees except those enumerated in Rule 21 (a), (b), and (j), unless otherwise ordered by the majority vote of all members elected.
  - (3) Cast his vote only when the Senate is

equally divided on any question, and his vote shall decide the question.

- (4) Administer all oaths required in the discharge of his duties; and issue, under his hand and attested by the secretary, all writs, warrants, and subpoenas ordered by the Senate or any committee thereof.
  - (5) Sign, in the presence of the Senate, all bills and concurrent resolutions passed by the General Assembly after their titles have been publicly read immediately before such signing; and sign all other resolutions, memorials, and orders.
  - (6) Have general direction of the Senate chamber and of approaches thereto, and preserve order and decorum, and in case of any disturbance or disorderly conduct in the lobby or galleries, have power to order the same to be cleared.
  - (7) Designate, when he desires to leave the chair for a brief period and the President pro tempore is absent, a Senator to act as temporary presiding officer, who shall be invested during such time only with the duty of presiding over the Senate and preserving order, and such appointment shall not extend beyond the return of the President pro tempore or beyond an adjournment.
- (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 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 and duties of the President.

- (c) Neither the President pro tempore nor any acting or temporary presiding officer shall be excused from voting on any question because of so presiding, but he shall not vote on appeals from his decision.

### 13. SECRETARY

- (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:

- (1) Have custody and care of every bill, resolution, and memorial, and other papers coming into his possession, and of all records of the Senate, none of which shall he permit to be examined or to be taken from his custody except by the President, Senators, and officers and employees of the Senate, and the printer of Senate papers, acting in the necessary performance of their official duties.
- (2) Take a receipt for every document which passes from his possession in the due course of business of the Senate, and keep a record book of all such receipts.

- (3) Report in writing to the President if any papers in his charge shall be missing, which report shall be publicly announced to the Senate.
- (4) Keep a docket book of all bills, resolutions, and memorials introduced in the Senate or received from the House, in which shall be entered the number, title, and introducers of all such bills, resolutions, and memorials, and every action taken thereon and the date thereof, until final disposition of the same shall be made.
- (5) 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.
- (6) Attend to the printing and distribution of all bills, journals, calendars, and documents or other papers printed by the Senate, and to the purchase of all Senate supplies, under the direction of the Senate services committee.
- (7) Enter in the journal on a daily basis an enumeration of the bills or other measures ordered printed each day, an enumeration of the bills or other measures returned from the printer each day, and attest to the fact that the bills or other measures have been correctly printed.

#### 14. JOURNAL

- (a) The secretary shall keep a correct journal of each day's proceedings, which shall be printed after the close of each day's session, and before the convening of the next day's session, one copy shall be placed on the desk of each Senator.
- (b) Before proceeding to any other order of business each day, the journal of the preceding day shall be corrected and approved, and on the last day of the session, immediately preceding the hour fixed for final adjournment, the journal of that day shall be read, corrected, and approved. On any day, the journal for the preceding day shall be read at the request of any Senator. No corrections of the original journal after it is approved shall be made without consent of the Senate.
- (c) After the journal for any particular day has been approved, the President shall sign, and the secretary shall attest, six copies as corrected and approved, one of which shall be filed in the office of the Governor and one in the office of the Secretary of State, the remaining four copies to be retained for the use of the Senate, or for such disposition as the Senate shall direct.

#### 15. CALENDAR

- (a) The secretary shall prepare a calendar for each day's order of business, and unless the Senate shall otherwise direct, have the same printed and distributed to the members before the convening of the day's session. Such



calendar shall include:

- (1) All bills and concurrent resolutions which are committed to a committee of the whole Senate and which are not made the order of the day for any particular day or hour, shall be listed under the title of "general orders," in the order in which they were reported from committees.
  - (2) All bills, resolutions, reports of committees, and other business of the Senate, which have, by order of the Senate, been set down for consideration at some particular day and hour, shall be listed under the title of "special orders."
  - (3) All bills and concurrent resolutions which may be upon their third reading, shall be listed under the title of "third reading of bills," in the order in which they were ordered upon third reading unless the Senate shall, by a majority vote of members elected, otherwise direct.
  - (4) Miscellaneous orders which require action of the Senate, including "consideration of resolutions and memorials," "house amendments to Senate bills," "reports of conference committees," shall each be listed under their respective titles.
- (b) The secretary shall include on the calendar any references or explanatory notes which, in his judgment, will be of aid to the members, and when a bill or resolution coming from the

House does not appear in print in the form in which it was passed in the House, the secretary may have the amendments to the bill or resolution printed on the calendar.

- (c) Bills, resolutions, and memorials referred to the committee of the whole or to the Senate by committees of reference shall be placed on the calendar the second actual day of session following the day on which the committee report is delivered to the Senate.
- (d) Any objection to the calendar shall be made and disposed of before the Senate proceeds to the consideration of the orders of the day.

## 16. SENATORS

- (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.
- (b) Any Senator rising to speak in debate or to present any matter, shall, before proceeding, first address the President and be recognized by him. If two or more Senators rise at the same time, the President shall name the Senator who is to speak first. No Senator shall speak longer than one hour at any one time without the consent of the Senate, and he shall confine himself to the question under debate and avoid personalities.
- (c) Any Senator may call for a statement of the question. No Senator shall in any manner interrupt the business of the Senate while

the President is putting the question or while journals, bills, or other papers are being read, nor when any Senator is speaking, except to raise a question of order, or, with the consent obtained through the chair of the speaking Senator to make a personal explanation or propound an inquiry.

- (d) (1) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the President shall, or any member may, call him to order, in which case he shall immediately sit down, and shall not speak, except in explanation, until it shall have been determined whether or not he is in order.
- (2) If any Senator is called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be reduced to writing by the secretary; but no Senator shall be held to answer or be subject to censure of the Senate therefor if further debate or other business has intervened after the words spoken and before exception to them shall have been made.
- (e) Any Senator shall have the right to protest or remonstrate against any action of the Senate, and such protest or remonstrance, with the reasons therefor, if reduced to writing, shall without alteration or delay be, with the consent of the Senate, entered in the journal if the protest or remonstrance is not personal in its nature.

## 17. VOTING

- (a) All votes shall be taken viva voce, except as otherwise provided in these rules. If the President is in doubt as to the result of any vote, or if a division is called for by any Senator, the Senators shall divide and those in the affirmative shall first rise and be counted, then those in the negative; and if the President is still in doubt, he shall direct that the roll be called.
- (b) The vote shall be by ayes and noes and entered in the journal:
  - (1) Upon the final passage of a bill or of a concurrent resolution.
  - (2) Upon consideration of amendments to Senate bills or concurrent resolutions made by the House of Representatives.
  - (3) Upon consideration of reports of conference committees.
  - (4) On any question at the desire of any Senator.
- (c) Any Senator having a personal or private interest in any question or bill pending, shall disclose such fact to the Senate and shall not vote thereon, and if the vote be by ayes and noes, such fact shall be entered in the journal.
- (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. 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."

- (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 to call the names of Senators in their alphabetical order, and before the result is declared, the secretary shall read over the names of those voting in the affirmative, and those 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:
  - (1) Any bill on second or on third reading shall require 18 votes for passage, except as provided in (8).
  - (2) Any simple or joint resolution or memorial shall require 18 votes.
  - (3) Concurrent resolutions on second reading, which propose amendments to the state constitution or recommend the calling of a constitutional convention,

shall require 18 votes for passage. However, on third reading such concurrent resolutions shall require 24 votes for passage.

- (4) Concurrent resolutions which ratify proposed amendments to the United States Constitution shall require 18 votes for passage on both second and third readings.
- (5) This rule has been repealed.
- (6) To suspend the rules shall require 24 votes, except upon three days' notice, in which event 18 votes shall be required.
- (7) The confirmation of Governor's appointments shall require 18 votes for confirmation.
- (8) Bills to increase or diminish the number of district judges or increase or diminish the number of judicial districts shall require 18 votes for passage on second reading and 24 votes for passage upon third reading.
- (9) To reconsider any action of the Senate shall require 18 votes for passage. To recall from the House anything acted upon by the Senate shall require 18 votes for passage.
- (10) Passage on third or final reading of any measure, following concurrence in House amendments, shall require the same number of votes as is required on third reading for the original instrument for

passage.

- (11) Overriding Governor's veto shall require 24 votes for passage.
- (12) An amendment to the report of a committee of the whole which amendment in effect shows that a bill or concurrent resolution did pass shall require 18 votes showing passage of such bill or concurrent resolution.
- (13) To make a bill or other measure a special order shall require 24 votes.
- (14) To amend or repeal rules requires 18 votes if three days' prior notice is given; without such notice, 24 votes are required.

#### 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.

#### 19. DISAGREEMENT BETWEEN SENATE AND HOUSE

- (a) In case of a disagreement between the Senate and House of Representatives, the Senate may adhere to its position, recede from its position and concur with the position of the House, or request a conference on the matter at issue.

#### 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 to call the roll and note the absentees; after which the names of the absentees shall be again called, and those for whose absence no excuse or an insufficient excuse is made, shall be sent for and taken into custody by the sergeant-at-arms, or his assistant, and brought before the bar of the Senate, where, unless excused by a majority of the Senate present, they 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. 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.

- (b) No more than two calls of the Senate may be made at any particular stage of any proceeding, except by the unanimous consent of the members present.
- (c) A call of the Senate may be raised by a majority of those members present in the chamber.

## 21. COMMITTEES

- (a) The committees of reference of the Senate shall be:

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- (1) Agriculture, Livestock, and Natural Resources.
  - (2) Appropriations.
  - (3) Business Affairs and Labor.
  - (4) Education.
  - (5) Finance.
  - (6) Game, Fish, and Parks.
  - (7) Health, Environment, Welfare, and Institutions.
  - (8) Judiciary.
  - (9) Local Government.
  - (10) State Affairs.
  - (11) Transportation.
- (b) The following committees shall be appointed by resolution at the beginning of each regular session of the General Assembly convening after a general election, and shall remain constituted as such committees until the first regular session convening after the next ensuing general election:
- (1) Senate Services.
  - (2) Joint Budget Committee (Established by 63-2-17, C.R.S. 1963, as amended).
- (c) No committee shall sit during the sessions of the Senate nor at any time occupy the Senate chamber without leave granted by the Senate.

- (d) Committees shall report upon all matters referred to them without unnecessary delay, and in case of an adverse report, shall at all times state explicitly reasons therefor, in which case such adverse report shall not be acted upon until the following day. They shall return all petitions and other papers referred to them with the bill or resolution, if any, to which they relate.
- (e) If a committee of reference decides that a bill referred to it should be referred to another committee it shall do so by means of a committee of reference report.
- (f) The committee on Senate services shall examine and engross all bills, joint resolutions, joint memorials, and amendments, or other papers which are required to be engrossed before they go out of the possession of the Senate, and make report when they find them correctly engrossed before they are read a third time; they shall also compare such amendments as shall be made in the House to Senate bills, that are concurred in by the Senate, for the purpose of seeing if they are correct for enrollment in the bill. No bill shall have its third reading unless it shall have been printed, nor until it has been engrossed and report made thereon by the committee that it has been correctly engrossed. The said committee shall examine all bills before third reading and final passage, for the purpose of avoiding repetitions, unconstitutional provisions, securing proper title and of insuring accuracy in the text and references and consistency with the language of existing statutes, and as to whether any amendments adopted by the Senate, if not already

printed, are of that material character required by the constitution to be printed. The committee shall report the nature of errors, with a concise suggestion as to the change necessary to correct the same.

- (g) The committee on Senate services shall examine all bills originating in the Senate and which have passed both houses; see that they are correctly enrolled, signed by the President of the Senate and Speaker of the House, and shall make a report to the Senate that the bill has been presented to the Governor for signature.
- (h) This rule has been repealed.
- (i) The committee on Senate services shall examine and audit all requisitions and bills for supplies and expenditures of the Senate, of its members and committees, for stationery and other purposes, and shall certify to the correctness of the same; and no such requisition shall be made, nor bill be audited or paid, by any officer of the Senate or of the state, unless so certified by the chairman or other member of the committee. The committee on Senate services shall have leave to report at any time.
- (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) and (b).

## 22. COMMITTEE RULES

- (a) (1) The committees of reference of the Senate shall meet at the times and places specified in the Schedule of Committee Meetings adopted by the Senate at the beginning of each regular session of the General Assembly.
- (2) A committee of reference may hold a special committee meeting at a time and place other than is provided in the Schedule of Committee Meetings, provided the chairman publicly announces the special meeting to the Senate as much in advance of the actual meeting as possible and provided the announcement is made while the Senate is in actual session.
- (3) If a regularly scheduled committee meeting is cancelled, the chairman shall announce such cancellation while the Senate is in actual session prior to the time the meeting is scheduled to take place.
- (b) A majority of the members of each committee of reference shall constitute a quorum.
- (c) Proxies, either written or oral, shall not be permitted for any purpose.
- (d) No final committee action shall be taken upon a measure unless notice of the measures that are to be considered is posted at least one calendar day prior to the scheduled meetings at which the measures are to be considered. The numbers, prime sponsor, and abbreviated title shall be included in the posted

announcement and shall be printed in the appropriate daily calendar of the Senate. Failure of the chairman to post such notice shall not preclude the committee of reference from taking any action on a measure if such action shall receive a favorable vote of a majority of the members of the committee.

- (e) The chairman of each committee of reference shall determine the order of business for each committee meeting, including the measures that will be considered at each meeting. However, at least seven days after a measure has been delivered to the chairman, upon the request of a majority of all members of the committee of reference that a specific measure be considered, such request to be made at a regularly scheduled committee meeting, the chairman of the committee shall announce such fact, have it listed on the subsequent daily calendar of the Senate, and schedule such measure for consideration at the next regularly scheduled meeting of the committee.
- (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 three legislative days. 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, or postponing the measure indefinitely. A motion to postpone consideration of a measure for more than 30 days shall be considered a motion to postpone indefinitely.

- (g) The staff assistant assigned to each committee of reference shall be responsible to the chairman of the committee for the proper preparation of all reports.
- (h) Upon receipt of a measure by the chairman of a committee of reference, he shall be responsible for the safekeeping of the measure, but he may give custody of the measure to a staff assistant.
- (i) The chairman of a committee of reference shall have the right to vote on every question coming before the committee, but he shall not vote twice, as in the case to make a tie and then to cast the deciding vote.
- (j) If a member of a committee of reference is absent from three consecutive scheduled committee meetings without being excused, the committee chairman shall report such fact to the floor leader of the party to which the member belongs.
- (k) A recommendation of any committee of reference to amend a measure shall not become an integral part of the measure in question until adopted by the committee of the whole.

### RULE 23

Rule 23 has been repealed.

### 24. REPORTS

- (a) Reports of committees of reference, except such as do not propose final action, and reports of committees of conference, shall,

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unless otherwise ordered, 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.

- (b) In reports and other communications addressed to the President of the Senate, the words "State of Colorado, Senate Chamber," shall not be included as a part of the address; and in the journal the date shall be printed upon the same line as the words "Mr. President," and the word "Chairman" shall be printed on the same line as the name of the chairman.
- (c) Reports of interim committees or other committees made pursuant to request or direction of the General Assembly or the Senate shall be referred to the appropriate standing committee for consideration at the discretion of the President.

## 25. BILLS

- (a) At the time of introduction of a bill, resolution, or memorial, the secretary shall be furnished with the original and four copies thereof, one of which copies shall be returned to the sponsor thereof.
- (b) Every bill shall be read by title when introduced, and by title or at length when the bill is being considered by the committee of the whole or on third and final reading, in accordance with the provisions of Rule 11



of these rules. All substantial amendments thereto shall be printed and laid on the desks of Senators before third reading and final passage of the bill. The final vote shall be taken by ayes and noes, and the names of those voting for and against the same be entered in the journal. No bill shall be declared passed, or signed by the President, unless a majority of all the Senators elected to the Senate shall be recorded as voting for the same; nor shall any bill be signed by the President or secretary of the Senate until it has been properly enrolled and initialed to so indicate by the bill proof readers of both the Senate and the House.

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

- (d) (1) Notwithstanding any other provisions of these rules, each bill which provides directly for the increase of any salary or which causes an appropriation from the state treasury, shall be referred to the appropriations committee prior to its consideration either by the Senate or by the committee of the whole, and no such bill shall be considered by the committee of the whole or by the Senate until it has been so referred; but this paragraph shall not be construed to compel such reference of any bill merely be reason of the fact that it provides for the re-enactment without change of any continuing appropriation or salary.
- (2) Notwithstanding any other provisions of these rules, each bill which provides directly that any money or revenue under the control of the state shall be devoted to any purpose other than that to which it is devoted under existing law shall be referred to the finance committee prior to its consideration either by the Senate or by the committee of the whole, and no such bill shall be considered by the committee of the whole or by the Senate until it has been so referred.

- (e) This rule has been repealed.
- (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 committee of the whole report amendments submitted thereto shall first be considered.
- (g) No amendments to bills, concurrent resolutions, joint resolutions, or joint memorials by the House shall be concurred in by the Senate except by the vote of a majority of the members elected thereto, taken by ayes and noes, and the names of those voting for and against recorded in the journal.
- (h) A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried shall be equivalent to its rejection.
- (i) This rule has been repealed.
- (j) The word "bill" as used in these rules shall be deemed to include concurrent resolutions.

- (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.
- (l) The physical loss or misplacement of a bill shall not deem the bill lost. Should a bill or any other Senate document be lost or misplaced at any stage of action the secretary of the Senate shall report same to the President under Rule 13 (a) (3). He shall then under the direction of the Senate services committee have reproduced a true and correct copy of the bill, entering thereon from the docket book all action and date of such action taken up to the time of misplacement or loss of the bill. He shall further certify on the bill, along with the President of the Senate, that it is a true and correct copy of the original lost or misplaced bill. Should the bill be a House bill, or if a Senate bill and the House has taken action thereon, the Speaker and chief clerk of the House shall also certify as to its being an exact copy. The Senate services committee shall then report by committee of reference report to the effect that such duplicated bill shall hereafter be considered in place of the original bill.
- (m) After the introduction of a bill, a member's name may be added 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 as co-sponsor.

## 26. CONFERENCE COMMITTEES

- (a) Every report of a committee of conference shall be reproduced for use of the members, before action shall be had on such report.
- (b) The vote on concurring in bills amended in the House or on adopting reports of committees of conference, shall not be taken until said bills and reports have been placed in the files of Senators, and particularly referred to in their calendars; but this rule shall be suspended during the last three days of the session.
- (c) When a conference committee has reached a decision, at least three of its members shall go to the Legislative Drafting Office 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.

## 27. SECRET AND EXECUTIVE SESSIONS

- (a) On a motion being made and seconded to close the doors of the Senate on the discussion of any business which may, in the opinion of any Senator require secrecy, or on motion being made and carried that the Senate go into executive session, the President shall direct all except the Senators and secretary and sergeant-at-arms to withdraw, and during the executive session and the discussion of said motion the doors shall remain shut, and every member and officer shall keep secret all matters, words, and proceedings that have transpired during the course of said executive session.

(b) Whenever the Senate shall go into the consideration of executive business the proceedings of the Senate in such business shall be kept in a separate journal, which shall not be inspected by any others than the members of the Senate and the Lieutenant Governor unless otherwise ordered by the Senate. The Governor shall, from day to day, be notified by the secretary of the action of the Senate, upon executive nominations, but no further extract from the executive journal shall be furnished, published, or otherwise communicated, except by special order of the Senate.

(c) When nominations shall be made in writing by the Governor to the Senate, the members of the Senate shall be informed in executive session of said nomination at least two legislative days prior to action thereon and shall be furnished a written statement outlining the qualifications of said nominee for the office in question.

Said appointments shall be referred immediately to the appropriate committee and acted upon at the next executive session, unless the Senate by a majority vote otherwise directs.

(d) Any Senator, and officer of the Senate convicted of disclosing any words, statements, matters, or proceedings occurring during an executive session shall be liable, if a Senator, to expulsion, and if an officer, to dismissal from the service of the Senate. All matters, words, discussions, and proceedings, save for exception set forth in paragraph (b) of this rule shall be deemed to be secret and in confidence, unless the

Senate shall by a majority vote during an executive session direct otherwise.

## 28. COMMITTEE OF THE WHOLE

- (a) Upon the adoption of a motion to go into the committee of the whole Senate, the President, unless otherwise ordered by the Senate, shall appoint the chairman thereof, who shall for the time being exercise all the powers of the President necessary to the conduct of the business of the committee.
- (b) The rules of the Senate shall govern, as far as practicable, the proceedings of the committee, except that a member may speak more than twice on the same subject, that a call for the ayes and noes cannot be made, nor can an appeal from the decision of the chair be taken.
- (c) The committee may rise, report progress, and beg leave to sit again on the same day or on the following day.
- (d) A motion that the committee rise shall always be in order, and shall be decided without debate.
- (e) All bills shall be considered in committee of the whole; all amendments made therein shall be reported by the chairman to the Senate, and shall by him be moved to be entered in the journal. Every bill shall be read at length in committee of the whole if any Senator shall request such reading.
- (f) In committee of the whole, amendments recommended by committees of reference shall

be considered as adopted if there is no objection.

- (g) Any amendments to the report of the committee of the whole adopted shall be entered in the journal, together with the vote thereon. Any amendments which are defeated may, if requested by five members of the Senate, by either printed in the journal or reproduced and placed on the members' desks and specifically referred to in the journal. The vote on such amendment shall also be recorded in the journal.

### 29. MESSAGES

- (a) Messages shall be sent to the House by the secretary or assistant secretary, the secretary having previously endorsed the final determination of the Senate thereon.
- (b) Messages from the Governor or House of Representatives may be received at any time.

### 30. RESOLUTIONS AND MEMORIALS

Resolutions and memorials shall be of the following classes:

- (a) Senate concurrent resolutions, which shall:
- (1) Propose amendments to the state constitution or recommend the holding of a constitutional convention.
  - (2) Ratify proposed amendments to the federal constitution.



Such resolutions shall be treated in all respects as bills, except that they shall not be limited as to the time of introduction, and they shall be entered in full in the journal when a record vote thereon is taken. All other provisions of these rules or the joint rules applying to bills, shall also apply to concurrent resolutions.

(3) Concurrent resolutions of either house shall be referred to an appropriate committee of reference.

(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 or sentiment of both houses on any matter.

Any such resolution, upon request of its sponsor, shall be printed as a bill and placed in the members' bill books. The number of printed copies shall be determined by the secretary. If such resolution be printed and placed in the bill books, it shall not be printed in the journal except by title only. After its introduction, a resolution shall be referred to a committee of reference. Upon being reported out of committee, such resolution shall be placed upon the calendar for final reading the second actual day of session following the day on which the committee report is delivered to the Senate.

- (c) Senate resolutions, which shall not require the concurrence of the House, and shall cover any purpose similar to a joint resolution, but relate solely to the Senate. Such resolutions shall be treated in all respects as joint resolutions.
- (d) Senate joint memorials or Senate memorials, which shall pertain to resolutions memorializing the Congress of the United States on any matter, or to an expression of sentiment on the death of any person or persons. Such memorials shall be treated in all respects as joint resolutions, except that Senate memorials shall not require the concurrence of the House.
- (e) House joint resolutions and House joint memorials shall be referred to a standing committee upon introduction into the Senate, and upon being reported out of committee, such resolutions and memorials shall be placed upon the calendar for final reading.

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, 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. 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 located at the main entrance of the chamber. It shall be the duty of the sergeant-at-arms to enforce this rule.

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.

- (b) No committee of the Senate shall occupy the Senate chamber for public hearings on any matter, without permission having been granted by the consent of a majority of the members elected.
- (c) At no time, whether the Senate be in session or not, shall any employee of the Senate, or any persons whatsoever other than the President or a Senator or a Representative be permitted to occupy the chair or use the desk of the President or that of any Senator.
- (d) Any employee of the Senate or of its committees, soliciting or inviting any Senator to vote or use his influence for any bill or matter before the Senate shall be at once dismissed from service and employment; and any person entitled to the privileges of the floor of the Senate who shall while on

the floor during the session of the Senate, solicit or invite any Senator to vote or use his influence for any bill or matter before the Senate, shall forfeit his privilege.

- (e) Any person commonly known as a lobbyist desiring to appear before any committee of the Senate shall signify such intention by registering as a lobbyist with the secretary of the Senate. Such person shall register in a book kept for that purpose, entering his name, address, and the interest he represents, together with the matters upon which he desires to be heard. The secretary shall issue a card to such person which will entitle said person to appear before the committee to which any bill or matter has been referred. This amendment to the rule shall supersede any Senate rule, regulation, or resolution to the contrary.
- (f) There shall be no introduction of visitors or groups in the Senate gallery. Introduction of guests on the floor of the Senate shall be limited to the immediate families of members, former members of the Senate, present or former elected state officials, members of Congress, elected officials of other states or the United States, and foreign dignitaries. No introductions shall be made during deliberations by the committee of the whole or when the Senate is engaged in third reading of bills.

### 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.

- (b) Every petition, memorial, remonstrance, resolution, bill, and report of committee shall be endorsed with its appropriate title, and immediately thereunder the name of the Senator presenting the same shall be written.
- (c) Every petition, memorial, and other paper shall be referred, as of course, without putting the question, unless the reference be objected to when presented.

### 33. CONTESTED ELECTIONS

- (a) All contests of the election of a Senator, and all questions affecting or relating to the qualification or eligibility of a Senator, or the right of any Senator to a seat or membership in the Senate, shall be referred to the committee on state affairs, which shall proceed to hear and determine said matters, and each of them, in such manner, at such times, in such places, and under such rules, as said committee may adopt, for the purpose of facilitating such hearing.

### 34. AMENDMENT OR REPEAL OF THE RULES

- (a) To amend or repeal one or more rules shall require a majority vote of all members elected provided three days' notice thereof

shall have been given. To amend or repeal one or more rules without such prior notice shall require two-thirds vote of all members elected.

- (b) Two certified copies of the revised rules, as amended from time to time, shall be kept at the desk of the secretary of the Senate, which shall be the official rules of the Senate. The certification above provided for shall be by the President and secretary of the Senate.

### 35. ON VETOED BILLS

- (a) In the event of the veto of any bill passed by the General Assembly, the veto message of the Governor shall be read together with the bill vetoed.
- (b) It shall then be in order to proceed to consideration of the bill, in which event the motions shall be:
  - (1) That the bill do pass notwithstanding the veto, and the affirmative vote of two-thirds of all members elected shall be required for the adoption of such motion.
  - (2) That consideration of the bill be postponed to a day certain.
- (c) The merits of the bill may be debated before the vote be taken, but the vote on a vetoed bill shall not be reconsidered. In the case of a bill containing several items or sections, one or more of which has been vetoed, and approval given to the remaining

items or sections, each item or section so vetoed shall be separately voted upon by the Senate.

- (d) Action by the Senate upon all vetoed bills shall be endorsed on the bill and certified by the President. The bill shall then be filed immediately with the Secretary of State by the secretary of the Senate.

### 36. CONFIRMATIONS

- (a) Appointments by the Governor which require confirmation by the Senate shall be received and read in open session of the Senate and shall then be referred to one or more committees of reference. Consideration of any such appointment by a committee of reference shall be listed on the Senate calendar at least one week prior to such consideration so as to permit public comment and information concerning such appointment to be submitted to the committee, its chairman, or the staff thereof.
- (b) On the date stated on the Senate calendar, the committee shall consider the appointment in open session and without conducting a public hearing thereon, unless the committee, in open session and upon the vote of a majority of the members present, determines otherwise.
- (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. 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.

### 37. MISCELLANEOUS

- (a) When the reading of any paper is called for, and not as a part of the remarks of any Senator, and objection is made, it shall be determined by a vote of the Senate, without a debate.
- (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 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.

- (c) It shall be improper on roll call for any Senator to state or attempt to state the vote or sentiments of any absent Senator, or for the clerks of the Senate to make any

reference in the journal to such attempt.

38. PRINTING OF BILLS  
PRIOR TO SESSION

- (a) Any time after December 1st but preceding the convening of the General Assembly at its next regular session, a member or member-elect of the Senate may pre-file a bill for introduction with the secretary of the Senate or the secretary-designate. Prior to the convening of any legislative session, the President of the Senate shall order the printing of any bill pre-filed for introduction in order to facilitate the business of the pending session of the General Assembly.

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.

40. PARLIAMENTARY AUTHORITY

- (a) The latest edition of Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which it is not inconsistent with these rules and the joint rules of the

41. ETHICS

(a) Definitions. As used in this rule, unless the context otherwise requires:

- (1) "Close economic associate" or "close economic association" means the Senator's employer, client, employee, or partner or associate in business or professional activities; enterprises of which a Senator as a director or officer; corporations in which a Senator owns more than ten percent of the outstanding capital stock; an enterprise which is his significant unsecured creditor or of which he is a significant creditor; or a trust of which he is a beneficiary. It does not mean a bank or savings and loan association in which his interest is in the form of an account; nor an officership, directorship, or employment in a political, religious, charitable, or educational entity which returns compensation to him of less than one thousand dollars per year.
- (2) "Close relative" means the spouse of the Senator and the following natural, adoptive, and adopted members of the Senator's family and the family of his spouse: mother, father, children, brothers, and sisters.
- (3) "Enterprise" means corporation, partnership, proprietorship, association, or other legal entity

(other than an estate or trust) engaged in business for profit.

(4) "Lobbyist" means any person employed by or representing another person having a personal special interest, who seeks to influence the action of any member of the General Assembly, or any of its committees, concerning any measure proposed or pending before the General Assembly. The term does not include a member of the executive or judicial department or an officer of any political subdivision of the state furnishing information or expressing the official views of his agency or political subdivision, nor does it include a constituent seeking to influence his own Senator or Representative, nor an individual speaking or writing to an individual Senator or Representative, nor an expert witness appearing before a committee of the General Assembly, nor any officer of a political party speaking or writing to legislators from his party.

(5) "Person" and "another" means an individual, partnership, association, corporation, or other legal entity.

(6) "State agency" means every department, commission, board, division, office, council, or other agency created as part of the state government pursuant to law and supported by state moneys.

(b) Conflicts of interest - personal or private interests versus public interest - definition. (1) Subject to article V,

section 43, of the state constitution, a Senator has the right to vote upon all questions before the Senate and to participate in the business of the Senate and its committees, and, in so doing, he is presumed to act in good faith and in the public interest. When a Senator's personal interest conflicts with the public interest and tends to affect his independence of judgment, his legislative activities are subject to limitations. Where any such conflict exists, it disqualifies him from voting upon any question and from attempting to influence any legislation to which it relates.

(2) A question arises as to whether a personal or private interest tends to affect a Senator's independence of judgment if the Senator:

(A) Has or acquires a substantial economic interest by reason of his personal situation, distinct from that held generally by members of his occupation, profession, or business, in a measure proposed or pending before the General Assembly; or has a close relative or close economic associate with such an interest.

(B) Has or acquires a financial interest in an enterprise, direct or indirect, which enterprise or interest would be affected by proposed legislation differently from like enterprises.

(C) Has or acquires a close economic

association with, or is a close relative of, a person who has a financial interest in an enterprise, direct or indirect, which enterprise or interest would be affected by proposed legislation differently from like enterprises.

- (D) Has or acquires a close economic association with, or is a close relative of, a person who is a lobbyist or who employs or has employed a lobbyist to propose legislation or to influence proposed legislation on which the Senator has or may be expected to vote.
- (E) Accepts a gift, loan, service, or economic opportunity of significant value from a person who would be affected by or who has an interest in an enterprise which would be affected by proposed legislation. This provision shall likewise apply where such gift, loan, service, or opportunity is accepted by a close relative of the Senator. It shall not normally apply in the following cases: A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of this state to engage in the business of making loans; an occasional nonpecuniary gift, insignificant in value; a nonpecuniary award publicly presented by a nonprofit organization in recognition of public service; or payment of or

reimbursement for actual and necessary expenditures for travel and subsistence for a Senator's personal attendance at a convention or other meeting at which he is scheduled to participate and for which attendance no reimbursement is made by the state of Colorado.

(c) Undue influence - definition. (1) A Senator, by reason of his office, is or may be in a position to bring undue influence on other legislators, public officials, or private persons. To use this potential for economic or private gain is an abuse of office and a matter of concern to the Senate, whether or not the act is also punishable under the criminal laws.

(2) The following limitations shall apply to legislative conduct and violations are declared to constitute undue influence:

(A) A Senator shall not use his public position, intentionally or otherwise, to obtain or attempt to obtain any confidential information or special advantage for himself, a close relative, or a close economic associate.

(B) A Senator shall not sell goods or services to a state agency in a transaction not governed by the laws relating to public purchasing by competitive bidding, or intercede for or represent another in so doing; nor shall he in any way be interested in any contract to furnish supplies, printing,

repairs, or furnishings to the General Assembly or any other state agency, contrary to section 29 of article V of the state constitution.

(C) A Senator shall not solicit, receive, offer, or give any bribe, contrary to the state constitution and the provisions of sections 40-8-302 to 40-8-308, 40-8-401, 40-8-402, 40-8-404, 40-8-405, and 40-8-407, C.R.S. 1963; nor shall he accept or give any compensation, gratuity, or reimbursement for voting upon any question or for attempting to influence legislation.

(D) A Senator shall not give or offer to give his vote in consideration of the vote of another member, contrary to the provisions of section 40 of article V of the state constitution.

(E) A Senator shall not attempt to influence any public official by deceit or threat, contrary to section 42 of article V of the state constitution and section 40-8-306, C.R.S. 1963.

(d) When Senator permitted to vote. Nothing in this rule shall be construed as prohibiting a Senator from voting for a bill or other measure whose passage would adversely affect his personal or private interest or from voting against a bill or other measure whose defeat would adversely affect his personal or



private interest; and nothing in this rule shall be construed to prevent a Senator from voting on the report of the committee of the whole, unless such vote is conducted solely on the bill or measure in which he has a personal or private interest.

- (e) Applicability of rule. The provisions of this rule shall not apply as the basis for the recall of any measure by either house nor otherwise constitute the basis to contest the validity of any legislative action on any bill or other measure on which a vote was cast by any member of the Senate in violation of this rule.

JOINT RULES OF THE  
SENATE AND HOUSE OF REPRESENTATIVES

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JOINT RULES OF THE SENATE AND  
HOUSE OF REPRESENTATIVES

JOINT RULE NO. 1

Each house shall transmit to the other all papers on which any bill or resolution shall be founded.

JOINT RULE NO. 2

When a bill or resolution which shall have passed in one house shall be rejected in the other, notice thereof shall be given to the house in which the same may have passed.

JOINT RULE NO. 3

Message from one house to the other shall be communicated by the secretary of the Senate and the chief clerk of the House, unless the house transmitting the message shall specifically direct otherwise, but after one house has passed a bill or a concurrent resolution, it shall be transmitted to the Office of the Revisor of Statutes for suggestions or revisions before being sent to the other house; and such bill or concurrent resolution shall also be submitted to the Office of the Revisor of Statutes if it is amended and passed in the second house, before transmission back to the house of origin.

JOINT RULE NO. 4

- (a) In any case of difference between the two houses upon any measure, and prior to

adoption of a motion to adhere by a majority of those elected to either house, either house may request a conference and appoint a committee for that purpose and the other house shall also appoint a similar committee.

- (b) Each such committee shall consist of three members of the house appointing the same, with a chairman designated, and the two committees jointly shall constitute a conference committee. A majority of the members of each committee appointed by each house shall be necessary to approve a majority report of any conference committee submitted to the General Assembly; but any lesser number of such members may submit a minority report.
- (c) The conference committee shall meet at such time and place as shall be designated by the chairman of the committee on the part of the house requesting such conference. The conferees shall confer fully on the reasons of their respective houses concerning the differences between the two houses on the measure before them.
- (d) With the consent of a majority of members elected to each of the two houses, the conference committee may consider and report on matters beyond the scope of the differences between the two houses; otherwise the committee shall consider and report only on matters directly at issue between the two houses.
- (e) When a conference committee has reached a decision, at least one member from each house shall meet with the Legislative Drafting Office staff and submit the findings and

agreements of the committee. Every conference committee report shall be in writing, and shall not be presented to either house unless drafted by the Legislative Drafting Office.

- (f) All documents shall be left with the conferees of the house assenting to such conference, and they shall present the report of the conference committee to their house. When such house shall have acted thereon, it shall transmit the same and the papers relating thereto to the other house, with a message certifying its action thereon.
- (g) Every report of a conference committee shall be read through in each house before a vote is taken on the same.

#### JOINT RULE NO. 5

It shall be in order for either house to recede from any subject matter of difference existing between the two houses at any time prior to the consideration of a conference committee report by either house, whether the papers on which such differences arose are before the house receding, formally or informally, and on such vote to recede, the same number shall be required to constitute a quorum to act thereon, and to assent to such a receding, as was required on the original question out of which the difference arose.

#### JOINT RULE NO. 6

If a conference committee report is rejected by one house, it shall be in order for either house

to recede from its position on the bill which is the subject of the conference and pass the bill; but such action to recede must be taken not later than the next legislative day after such conference committee report is rejected.

#### JOINT RULE NO. 7

Every conference committee which shall not have previously reported shall report during the last five days before the day fixed for final adjournment. After the expiration of one day of actual session after the day when a bill has been referred to a conference committee, it shall be in order for either house to demand, by a vote of a majority of all members elected, that a report be made by the conference committee not later than the second legislative day after such demand is made; but in the last five days of the session, such report must be made before the close of the legislative day during which the demand is made. If any conference committee shall fail to make such report within the time specified, such committee shall be deemed to be automatically discharged and a new conference committee shall be appointed.

#### JOINT RULE NO. 8

After each house shall have adhered to their disagreement, the bill which is the subject of difference shall be deemed lost and shall not again be reviewed during the same session in either house.

### JOINT RULE NO. 9

Unless otherwise specially ordered by joint resolution, all joint committees of the two houses, other than conference committees, shall consist of two Senators and three Representatives, and all conference committees shall consist of three Senators and three Representatives.

### JOINT RULE NO. 10

There shall be printed 600 copies of all bills ordered printed by the secretary of the Senate or chief clerk of the House. More than 600 copies may be initially ordered with the approval of the President of the Senate or Speaker of the House, as the case may be.

### JOINT RULE NO. 11

When the same document shall, by separate orders, be directed to be printed by both houses, it shall be regarded as but one order unless otherwise expressly directed by either house.

### JOINT RULE NO. 12

There shall be a joint bill room to be staffed by such employees as shall be required at the discretion of the chief clerk of the House and the secretary of the Senate; and there shall be delivered to the secretary of the Senate and the chief clerk of the House sufficient copies of each printed bill, journal, and calendar to supply each member of the General Assembly with a copy thereof, and to supply all officers, clerks, and other persons requiring the use of such printed



matter within the chambers or by committees.

JOINT RULE NO. 13

Whenever a motion to reconsider a measure and a motion to request the other house to return the same has been adopted, the other house shall return said bill to the house making the request.

JOINT RULE NO. 14

Communications of notice of recall of a bill by the other house shall preclude any subsequent valid action thereon except to return the bill in accordance with the notice of recall.

JOINT RULE NO. 15

All bills shall be proofread by the Legislative Drafting Office. In addition, all engrossed and enrolled bills shall be proofread by employees of the house in which they were initially introduced.

JOINT RULE NO. 16

- (a) Errors in spelling, punctuation, grammar, and matters of form, where no change of meaning will occur, may be corrected by the Revisor of Statutes, secretary of the Senate, or the chief clerk of the House of Representatives prior to the engrossing or enrolling of any bill, resolution, or memorial, and such corrections shall be noted on a standard Correction Schedule attached to the measure itself.

- (b) Recommended substantive changes or corrections of a bill or concurrent resolution, notice of conflicting provisions in another measure, and other similar matters shall be contained in a Revisor's preliminary comment and shall be delivered to the prime sponsors of the measures and the chairman of the committee of reference to which the measure was assigned, at any time prior to second or third reading.
  
- (c) Substantive changes or corrections of a bill or concurrent resolution, which will change the meaning thereof, shall be recommended by comment of the Revisor of Statutes attached to the measure after its passage by one house and prior to its introduction in the second house. Such comment made at any other time shall be attached to the measure by the house having custody thereof, and its receipt shall be noted in the journal. No such changes or corrections shall be effective until adopted by the second house.

JOINT RULE NO. 17

Generally, capitals should be used only for:

- (a) The first word of a sentence or following a colon.
  
- (b) The first word of each entry of an enumeration paragraphed after a colon.
  
- (c) The short title of a particular act.
  
- (d) Proper names, such as names of counties, rivers, Colorado Revised Statutes, etc.

Generally capitals should not be used for:

- (a) The titles of federal, state, county, municipal or other public officers, or substitutes for such titles, such as "the commissioner," "the director," etc.
- (b) The titles of federal, state, county, municipal or other public departments, agencies, institutions, boards or funds, or substitutes for such titles, such as "the department," "the university," etc.
- (c) Laws on a particular subject, such as "insurance statutes."
- (d) The words "federal" and "state."
- (e) The words "article," "act," "chapter," "section," and "subsection."

JOINT RULE NO. 18

When any bill shall have been passed by both houses, the enrolling clerk of the originating house shall furnish the Legislative Drafting Office the bill as passed in final form and shall order such bill to be printed or typed in the form which shall appear in the session laws of Colorado for the current year. Bills so printed or typed shall further be prepared in the form necessary for signature by the President and secretary of the Senate, the Speaker and the chief clerk of the House of Representatives, and for the approval and signature of the Governor. At the time the correctly enrolled bill is printed or typed by the Legislative Drafting Office, it shall deliver the enrolled bill and sufficient additional copies to the enrolling clerk of the originating house.

Prior to the time the final enrolled bill is presented to the President of the Senate or the Speaker of the House for signature, a copy of the final enrolled bill shall be delivered to the original sponsor.

#### JOINT RULE NO. 19

When any bill shall pass on second reading without amendment, the original bill shall be accepted as the engrossed bill by stamping on the outside cover thereof the words "original bill -- not amended. Accepted as engrossed bill."

Further, when any bill shall pass on second reading and shall have been amended, the printed bill shall be prepared by the enrollment clerk to reflect such amendment and "engrossed bill" shall be stamped on the outside of the cover. However, in the event any such amendment shall have been substantial as to length or form, the bill, as amended, shall be retyped to reflect such changes. These amendments shall be indicated distinctively on the engrossed bill.

When any bill, resolution, or memorial has numerous or substantial amendments, the chief clerk of the House or the secretary of the Senate may direct that a necessary number of copies of the bill, resolution, or memorial be reproduced as amended.

#### JOINT RULE NO. 20

After an enrolled bill has been signed by the President and secretary of the Senate, and the Speaker and chief clerk of the House of Representatives, the enrolled bill shall be

immediately returned to the house in which it was originally introduced. The enrolled bill shall then be delivered and presented to the Governor within twenty-four hours.

JOINT RULE NO. 21

- (a) Bills which would amend existing law shall show the specific changes to be made to existing law in the following manner:
- (1) All new material shall be capitalized except that where a new article, section, or subsection is added to existing law such new material need not be capitalized if the addition of said new article, section, or subsection is specifically stated in the text of the act to be new material.
  - (2) All material which is to be omitted from existing law shall be shown in its proper place in cancelled letter type; such material, however, shall not be deemed a part of the bill.
  - (3) The bill as printed shall show the following explanation at the bottom of the first page: 1) "Capital letters indicate new material to be added to existing statute;" 2) "Dashes through words indicate deletions from existing statute."

The foregoing shall not apply to those bills or sections of bills which repeal and reenact existing law with amendments, or where compliance is not feasible in the discretion of the Legislative Drafting Office.

- (b) All bills before being introduced shall be submitted to the Legislative Drafting Office for approval as to form pursuant to the provisions of this rule.
- (c) If through error or omission any change in existing law is not shown in compliance with this rule, such error or omission shall not affect the validity of any bill enacted into law.
- (d) Bills approved by both houses of the General Assembly shall be enrolled in final form by the respective houses, in accordance with section 109-2-4, Colorado Revised Statutes, 1963.

JOINT RULE NO. 22

- (a) The joint bill room of the Senate and the House of Representatives shall furnish one copy of each printed bill introduced in either house to the Executive Budget Office for review of its fiscal implications.
- (b) The Executive Budget Office is requested to review each such printed bill, except appropriations measures carrying specific dollar amounts, and if such review indicates that any bill would have a significant effect on the revenues, expenditures, or fiscal liability of the state or any of its political subdivisions, the Executive Budget Office shall advise the chairman of the committee of reference to which the bill was assigned of such fact, and prior to committee consideration shall prepare a fiscal note giving its estimate of such effect. The committee chairman shall provide copies of

the fiscal note for all members of the committee of reference.

- (c) If a bill be referred by the committee of reference for action by the whole house, it shall be accompanied by an appropriate fiscal note, which shall be reproduced for use of all members of both houses, together with the committee report.
- (d) The joint budget committee staff shall also review each printed bill and the fiscal note, if any, and prepare comments, if appropriate. Such comments shall be delivered to the chairman of the committee of reference of the house having possession of the bill and be duplicated for use of all members of both houses.
- (e) A fiscal note shall cite the statutes affected, any estimated increases or decreases in revenue or expenditures, any costs which may be absorbed without additional funding, and to the extent possible, the long range fiscal implications of the bill. No comment or opinion relative to the merits of any bill shall be included in any fiscal note, but attention shall be called to omissions and technical or mechanical defects.
- (f) In the case of a resolution, other than a concurrent resolution or a resolution relating to the legislative department, which has any fiscal implication, the sponsor thereof may request a fiscal note from the Executive Budget Office prior to its introduction, or if such resolution, upon introduction, be referred to a committee of reference, such committee may request a

fiscal note, identifying the resolution by reference to the pages of the journal wherein it appears.

- (g) No measure having a significant effect on the revenues, expenditures, or fiscal liability of the state or any political subdivision thereof, for which a pertinent fiscal note has not been delivered under (b) and (c), shall be passed on second reading until an appropriate fiscal note is delivered if so requested in the House by at least ten members, or in the Senate by at least five members.
  
- (h) In case the Executive Budget Office fails to furnish a fiscal note on any bill or resolution, it shall submit a report stating when such fiscal note will be available, or that a fiscal note cannot be provided. In such event, or upon five days notice, the requirement for a fiscal note may be waived by a majority vote of members of the house then considering such measure, and such waiver shall be noted in the journal of such house at the time of second reading of a bill or adoption of a resolution. Any waiver of such requirement by one house shall not constitute a waiver by the other house.

#### JOINT RULE NO. 23

- (a) Except for appropriation bills, or as otherwise provided in paragraphs (c) and (d) of this Joint Rule, no bill shall be introduced in either house of the General Assembly unless the bill request therefor shall have been submitted to the Legislative Drafting Office no later than the close of



business on the fortieth calendar day of any regular session.

- (b) Except for appropriation bills, or as otherwise provided in paragraphs (d) and (e) of this Joint Rule, no bill shall be initially introduced in either house of the General Assembly after the close of business on the sixtieth calendar day of any regular session.
- (c) The provisions of paragraph (a) of this Joint Rule shall not apply from the close of business on the fortieth calendar day of a regular session until that on the sixtieth calendar day thereof if the sponsor first obtains consent to introduce a bill upon the affirmative vote of a majority of the members elected to the house of initial introduction.
- (d) The provisions of paragraphs (a) and (b) of this Joint Rule shall not apply after the close of business on the sixtieth calendar day of a regular session if the sponsor first obtains consent to introduce the bill upon the affirmative vote of a majority of the members elected to the house of initial introduction.
- (e) Any bill delivered by the Legislative Drafting Office after the close of business on the fifty-fifth calendar day of a regular session may nevertheless be introduced at any time prior to the close of business on the fifth calendar day after such delivery.

JOINT RULE NO. 24

A bill may be introduced in either house by one or

more members of that house and the joint sponsorship of one or more members of the other house.

JOINT RULE NO. 25

- (a) It shall be the duty of committees of reference of the House and Senate to keep themselves advised of the activities, functions, problems, new developments, opments, and budgets of the principal department or departments of the executive department of state government which are within the subject-matter jurisdiction of each committee, as provided in paragraph (b) of this rule. The chairman of a committee shall, from time to time, invite the principal personnel of the respective department or departments under the committee's jurisdiction to appear before the committee to keep members so advised. Such personnel shall also furnish the committee with additional information as may be requested.
  
- (b) For purposes of implementing paragraph (a) of this rule, the division of responsibilities among House and Senate committees of reference shall be as follows:

| <u>Department</u> | <u>Senate Committee</u> | <u>House Committee</u> |
|-------------------|-------------------------|------------------------|
| Administration    | Appropriations          | Appropriations         |
| Revenue           | Finance                 | Finance                |
| Treasury          | Finance                 | Finance                |

| <u>Department</u>       | <u>Senate<br/>Committee</u>                                 | <u>House<br/>Committee</u>                |
|-------------------------|---|---|
| Education               | Education   | Education                                 |
| Higher<br>Education     | Education   | Education                                 |
| Health                  | Health, Envi-<br>ronment, Wel-<br>fare, and<br>Institutions | Health, Welfare,<br>and Institu-<br>tions |
| Social<br>Services      | Health, Envi-<br>ronment, Wel-<br>fare, and<br>Institutions | Health, Welfare,<br>and Institu-<br>tions |
| Institutions            | Health, Envi-<br>ronment, Wel-<br>fare, and<br>Institutions | Health, Welfare,<br>and Institu-<br>tions |
| Highways                | Transportation  | Transportation<br>and Highways            |
| State                   | State Affairs   | State Affairs                             |
| Military Af-<br>fairs   | State Affairs   | State Affairs                             |
| Labor and<br>Employment | Business<br>Affairs and<br>Labor                            | Labor and<br>Employment<br>Relations      |
| Regulatory<br>Agencies  | Business<br>Affairs and<br>Labor                            | Business Affairs                          |

| <u>Department</u> | <u>Senate Committee</u>  | <u>House Committee</u>                   |
|-------------------|--|--|
| Agriculture       | Agriculture, Livestock, and Natural Resources                        | Agriculture and Livestock                |
| Law               | Judiciary  | Judiciary                                |
| Local Affairs     | Local Government   | Local Government                         |
| Natural Resources | Agriculture, Livestock, and Natural Resources; Game, Fish, and Parks | Natural Resources; Game, Fish, and Parks |

(c) Committees of reference shall also be kept advised by staff members assigned thereto and by personnel of departments under their jurisdiction of new or proposed federal legislation, proposed uniform or model acts, suggested state legislation and compacts, and efforts in the area of interstate cooperation, which may affect their areas of responsibility, as provided in paragraph (b) of this rule.

JOINT RULE NO. 26

If after amendment and passage of a bill by the second house, the Office of Revisor of Statutes finds an error, conflict, or inconsistency created by said amendment which cannot be corrected pursuant to Joint Rule No. 16, said office shall clearly indicate such fact upon said bill and

return it and the necessary correction to the second house for consideration of the correction as soon as practicable and without the necessity of a motion for reconsideration or the matter being placed on the calendar. On receipt of such bill and the necessary correction, the second house shall consider only the motion: "To amend the bill by the adoption of the correction and the re-passage of the bill as so amended." If the motion passes, the bill shall be considered as re-passed on third reading as so amended and shall be returned to the house of introduction. If the motion fails, the bill shall be returned to the house of introduction. No other action may be taken by the second house. This Joint Rule shall be an alternative procedure to the rules of each house and these Joint Rules concerning reconsideration and recall of bills and the consideration of bills by conference committees.

#### JOINT RULE NO. 27

Each member of the General Assembly shall be entitled to a telephone credit card for use in connection with his official duties during his term of office.

#### JOINT SESSION RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

#### JOINT SESSION RULE NO. 1

Joint sessions shall be held in the chamber of the House of Representatives, and the President of the Senate shall preside.

## JOINT SESSION RULE NO. 2

The secretary of the Senate and the chief clerk of the House of Representatives shall be secretaries of the joint session, and the proceedings of the convention shall be published with the journals of the House, and the final result, as announced by the President on return of the Senate to their chamber, shall be entered in the journals of the Senate.

## JOINT SESSION RULE NO. 3

The rules of the House of Representatives, so far as the same may be applicable, shall govern the proceedings in joint session.

## JOINT SESSION RULE NO. 4

Whenever a President pro tempore presides, he shall be entitled to vote upon all occasions, and in case of a tie the question shall be declared lost.

## JOINT SESSION RULE NO. 5

Joint sessions shall have the power to compel the attendance of absent members in the mode and under the penalties prescribed by the rules of the house to which such members respectively belong, and for that purpose the sergeant-at-arms of each house shall attend.

## JOINT SESSION RULE NO. 6

Joint session may adjourn from time to time, as

may be found necessary; and it shall be the duty of the House of Representatives to prepare to receive the Senate, and of the Senate to proceed to the hall of the House of Representatives at the time fixed by law or resolution, or to which the joint session may have adjourned.

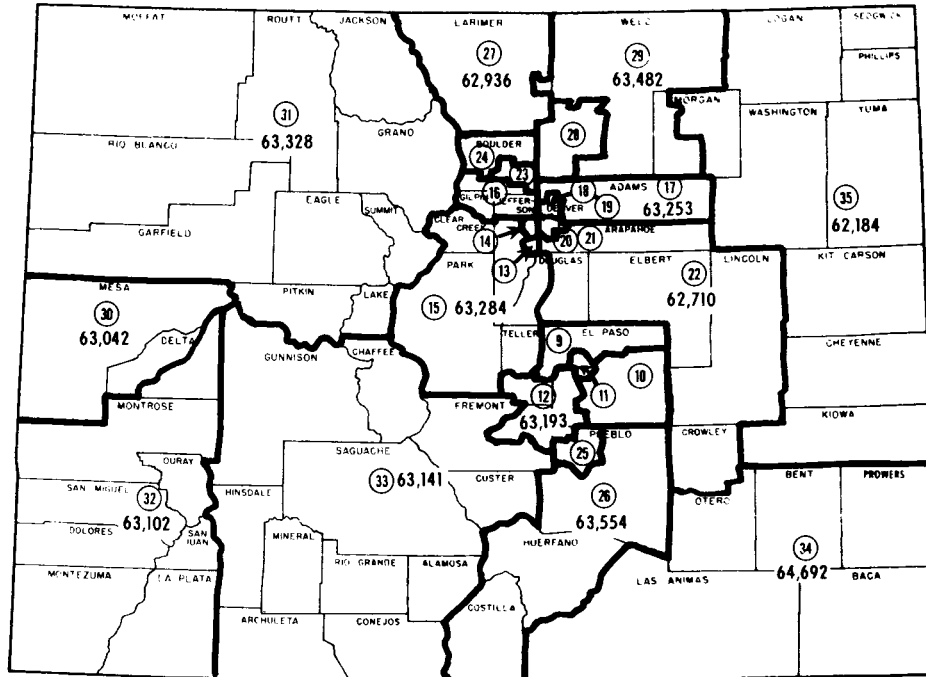
## MAPS, CHARTS AND PLATS

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| Senate Floor Plat                              | 11d         |
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# STATE OF COLORADO, SENATORIAL DISTRICTS

SESSION LAWS OF COLORADO 1972. ALSO AMENDED, 1973.

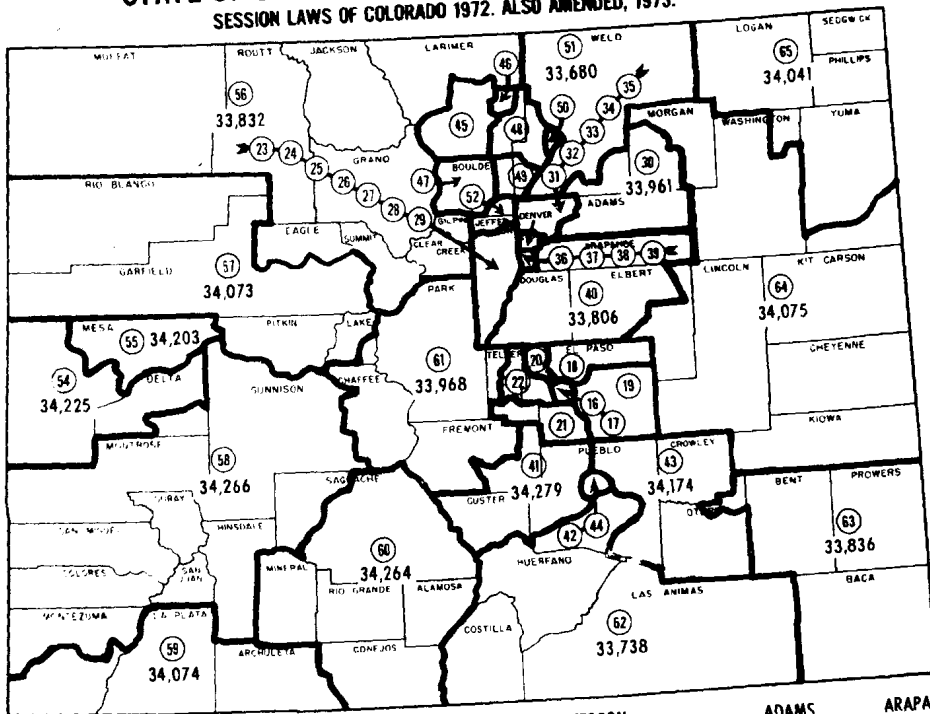


| DENVER |        |   | EL PASO |    | JEFFERSON |    | ADAMS  |    | ARAPAHOE |    | BOULDER |    | PUEBLO |    |        |
|--------|--------|---|---------|----|-----------|----|--------|----|----------|----|---------|----|--------|----|--------|
| 1      | 63,173 | 4 | 62,948  | 7  | 63,147    | 9  | 62,908 | 13 | 62,821   | 18 | 63,278  | 20 | 62,735 | 23 | 63,285 |
| 2      | 62,946 | 5 | 63,050  | 8  | 63,090    | 10 | 63,250 | 14 | 63,467   | 19 | 62,763  | 21 | 62,711 | 24 | 63,052 |
| 3      | 63,068 | 6 | 62,927  | 11 | 63,086    | 16 | 63,123 | 25 | 63,662   | 28 | 63,285  | 29 | 63,482 | 35 | 62,184 |

36.  
December, 1973

# STATE OF COLORADO, REPRESENTATIVE DISTRICTS

## SESSION LAWS OF COLORADO 1972. ALSO AMENDED, 1973.



- PUEBLO**  
 42 34,097  
 44 34,149
- LARIMER**  
 45 33,983  
 46 33,925

- LARIMER-WELD**  
 48 34,104

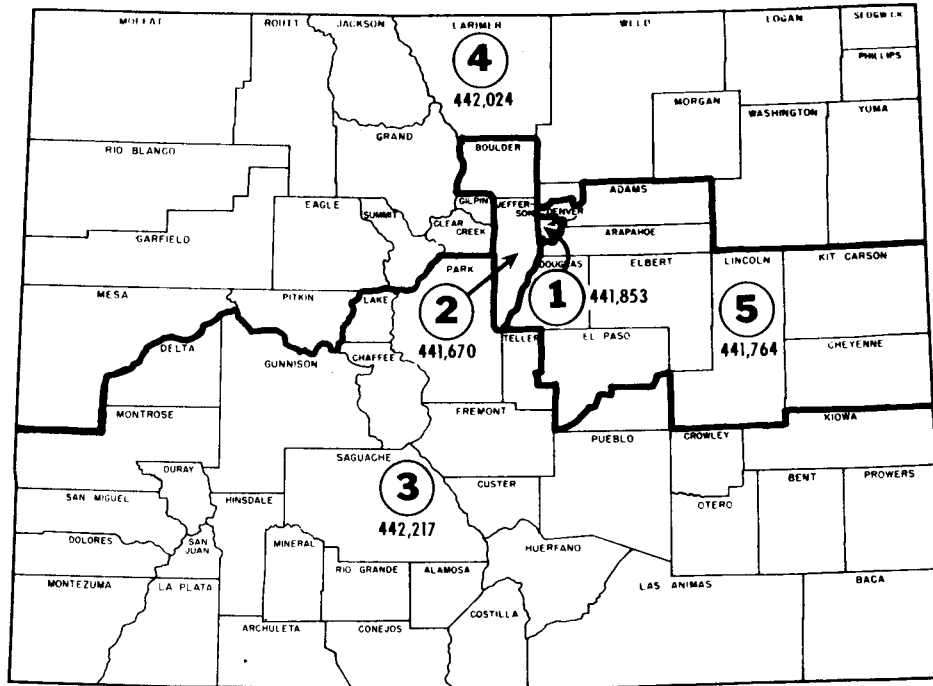
- WELD**  
 49 33,623  
 50 33,382

|               |          |           |           |           |                |           |           |           |           |                  |          |          |           |           |              |           |           |                 |           |           |                |          |           |           |           |           |           |           |           |          |          |           |           |           |           |           |           |          |           |           |           |           |           |           |
|---------------|----------|-----------|-----------|-----------|----------------|-----------|-----------|-----------|-----------|------------------|----------|----------|-----------|-----------|--------------|-----------|-----------|-----------------|-----------|-----------|----------------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>DENVER</b> |          |           |           |           | <b>EL PASO</b> |           |           |           |           | <b>JEFFERSON</b> |          |          |           |           | <b>ADAMS</b> |           |           | <b>ARAPAHOE</b> |           |           | <b>BOULDER</b> |          |           |           |           |           |           |           |           |          |          |           |           |           |           |           |           |          |           |           |           |           |           |           |
| 1 33,923      | 6 34,090 | 11 33,967 | 16 34,197 | 21 34,225 | 22 33,895      | 23 33,994 | 28 33,899 | 31 33,783 | 36 33,913 | 41 34,324        | 2 33,965 | 7 33,930 | 12 34,015 | 17 34,207 | 22 33,895    | 24 33,809 | 29 33,994 | 32 33,769       | 37 34,084 | 52 33,948 | 3 34,037       | 8 33,954 | 13 33,947 | 18 34,043 | 23 33,804 | 27 33,971 | 33 33,900 | 38 34,104 | 53 33,910 | 4 34,037 | 9 34,066 | 14 34,014 | 19 34,155 | 24 33,804 | 26 33,971 | 34 33,815 | 39 34,093 | 5 34,072 | 10 34,027 | 15 34,038 | 20 34,021 | 25 33,804 | 27 34,040 | 35 33,791 |

4d.  
December, 1973

# CONGRESSIONAL DISTRICTS IN COLORADO

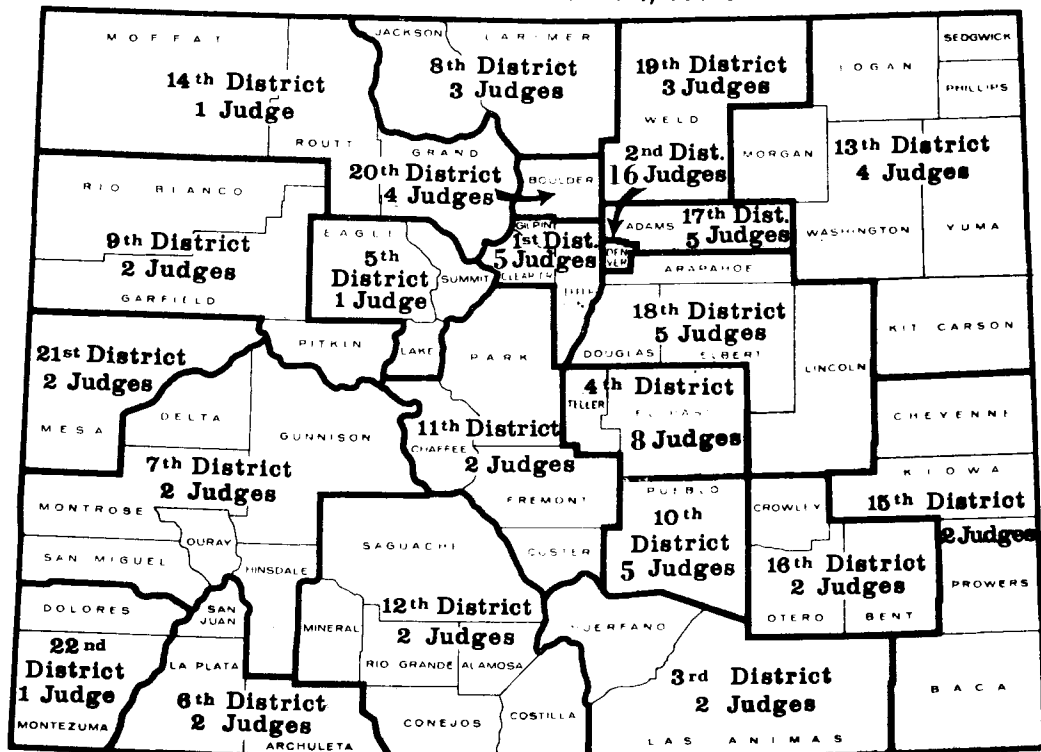
## AS ADOPTED BY THE 48th GENERAL ASSEMBLY



5d.  
December, 1972

# JUDICIAL DISTRICTS OF COLORADO

## EFFECTIVE JANUARY 1, 1974



6d.  
December, 1973

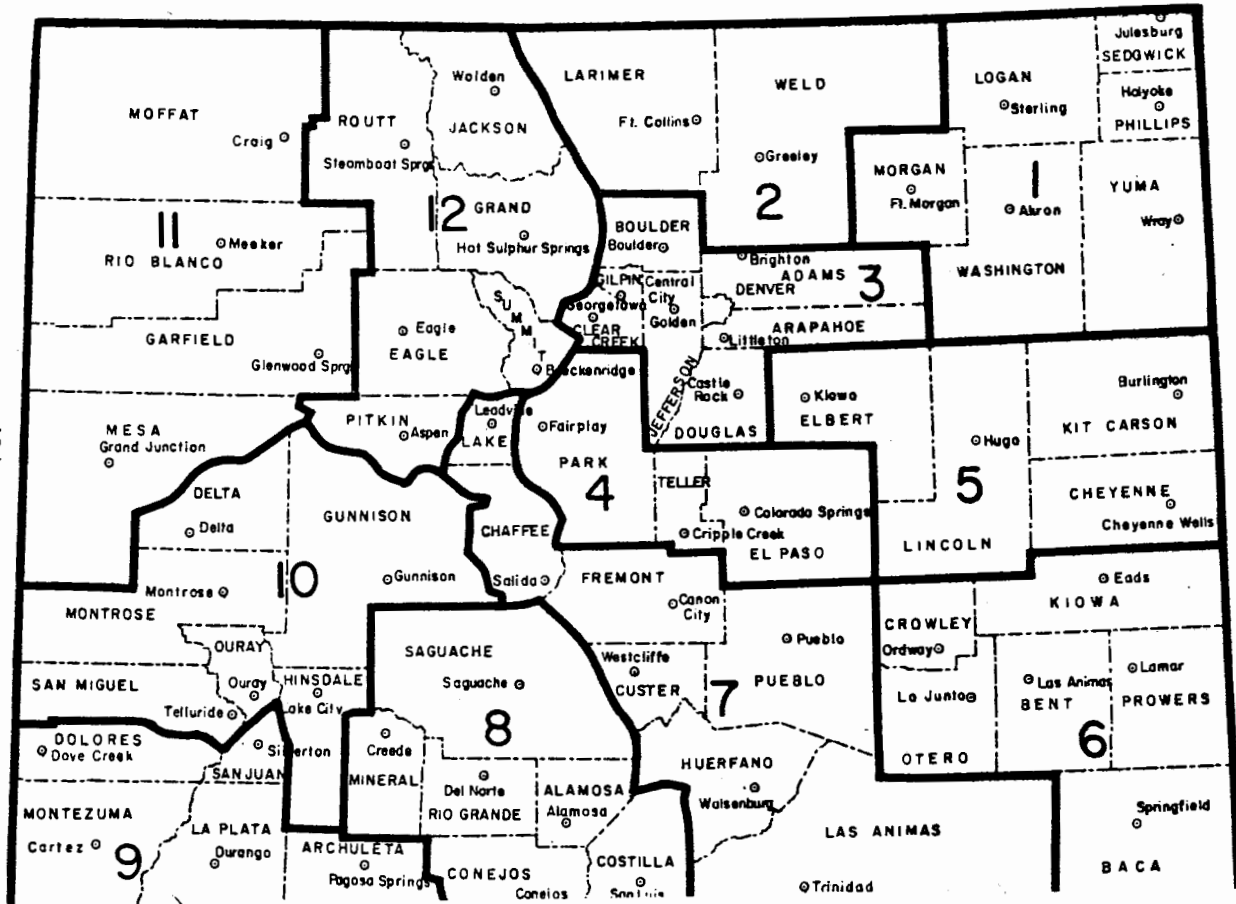


COLORADO POPULATION OF COUNTIES  
IN 1960 AND 1970

| <u>Counties</u> | <u>1970</u> | <u>1960</u> |
|-----------------|-------------|-------------|
| Adams           | 185,779     | 120,296     |
| Alamosa         | 11,422      | 10,000      |
| Arapahoe        | 162,053     | 113,426     |
| Archuleta       | 2,733       | 2,629       |
| Baca            | 5,674       | 6,310       |
| Bent            | 6,493       | 7,419       |
| Boulder         | 131,889     | 74,254      |
| Chaffee         | 10,162      | 8,298       |
| Cheyenne        | 2,396       | 2,789       |
| Clear Creek     | 4,819       | 2,793       |
| Conejos         | 7,846       | 8,428       |
| Costilla        | 3,091       | 4,219       |
| Crowley         | 3,086       | 3,978       |
| Custer          | 1,120       | 1,305       |
| Delta           | 15,286      | 15,602      |
| Denver          | 514,793     | 493,887     |
| Dolores         | 1,641       | 2,196       |
| Douglas         | 8,407       | 4,816       |
| Eagle           | 7,498       | 4,677       |
| Elbert          | 3,903       | 3,708       |
| El Paso         | 235,972     | 143,742     |
| Fremont         | 21,942      | 20,196      |
| Garfield        | 14,821      | 12,017      |
| Gilpin          | 1,272       | 685         |
| Grand           | 4,107       | 3,557       |
| Gunnison        | 7,578       | 5,477       |
| Hinsdale        | 202         | 208         |
| Huerfano        | 6,590       | 7,867       |
| Jackson         | 1,811       | 1,758       |
| Jefferson       | 235,284     | 127,520     |
| Kiowa           | 2,029       | 2,425       |
| Kit Carson      | 7,530       | 6,957       |
| Lake            | 8,282       | 7,101       |
| La Plata        | 19,199      | 19,225      |
| Larimer         | 89,900      | 53,343      |

| <u>Counties</u> | <u>1970</u>      | <u>1960</u>      |
|-----------------|------------------|------------------|
| Las Animas      | 15,744           | 19,983           |
| Lincoln         | 4,836            | 5,310            |
| Logan           | 18,852           | 20,302           |
| Mesa            | 54,374           | 50,715           |
| Mineral         | 786              | 424              |
| Moffat          | 6,525            | 7,061            |
| Montezuma       | 12,952           | 14,024           |
| Montrose        | 18,366           | 18,286           |
| Morgan          | 20,105           | 21,192           |
| Otero           | 23,523           | 24,128           |
| Ouray           | 1,546            | 1,601            |
| Park            | 2,185            | 1,822            |
| Phillips        | 4,131            | 4,440            |
| Pitkin          | 6,185            | 2,381            |
| Prowers         | 13,258           | 13,296           |
| Pueblo          | 118,238          | 118,707          |
| Rio Blanco      | 4,842            | 5,150            |
| Rio Grande      | 10,494           | 11,160           |
| Routt           | 6,592            | 5,900            |
| Saguache        | 3,827            | 4,473            |
| San Juan        | 831              | 849              |
| San Miguel      | 1,949            | 2,944            |
| Sedgwick        | 3,405            | 4,242            |
| Summit          | 2,665            | 2,073            |
| Teller          | 3,316            | 2,495            |
| Washington      | 5,550            | 6,625            |
| Weld            | 89,297           | 72,344           |
| Yuma            | 8,544            | 8,912            |
|                 | <u>2,209,528</u> | <u>1,753,947</u> |

# PLANNING AND MANAGEMENT DISTRICTS



104  
December, 1973



LAWS OF INTEREST TO GENERAL ASSEMBLY

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GENERAL ASSEMBLY -- MEMBERSHIP  
AND APPORTIONMENT

Article 8 and Article 9, Chapter 63,  
C.R.S. 1963, As Amended

63-8-1. Number of members of general assembly - election from districts. (1) The senate of the general assembly shall consist of thirty-five members and the house of representatives thereof shall consist of sixty-five members, with one member of the senate to be elected from each senatorial district and one member of the house of representatives to be elected from each representative district, as hereinafter established.

(2) The definition of areas to be included in each senatorial and representative district is by reference to counties and to official census tracts, census divisions, census block groups, census blocks, and enumeration districts created by the United States bureau of the census to which fixed population counts have been assigned as of the year 1970.

63-8-2. Senatorial districts - number - composition. (See Chapter 63, Session Laws of Colorado 1972. Also amended, 1973.)

63-8-3. Election of senators. (1) Senators from the following senatorial districts shall be elected at the general election held in November, 1972, and every four years thereafter: 3, 4, 5, 7, 10, 12, 14, 16, 17, 19, 20, 21, 22, 23, 24, 25, 29, and 31.

(2) Senators from the following senatorial districts shall be elected at the general election held in November, 1974, and every four years thereafter: 1, 2, 6, 8, 9, 11, 13, 15, 18, 26, 27, 28, 30, 32, 33, 34, and 35.

63-8-4. Holdover senators keep office - vacancies. Nothing in this article shall be construed to cause the removal of any senator from his office for the term for which he was elected, but each such senator shall serve the term for which he was elected. In the event of a vacancy in the senate, such vacancy shall be filled as provided by law; if any senator elected at the 1970 general election shall vacate his seat prior to the expiration of his term of office in January, 1975, such vacancy shall be filled from the district from which he was elected.

63-8-5. Legislative declaration - findings of legislative fact. (1) The general assembly declares it to be necessary to meet the equal population requirements of section 46 of article V of the state constitution, and it has therefore been necessary, in some instances, to add part of one county to all or part of another county in forming senatorial districts under this article.

(2) The general assembly further declares that some senatorial districts are not comprised of areas whose boundaries are equidistant from the geographic center of the respective areas, but that variations therefrom were necessitated by population density and distribution, boundaries of enumeration districts and other identifiable census units of area, natural boundaries, and county lines in order to define senatorial districts having population as nearly equal as may be.

(3) Pursuant to the requirements of article V, section 47, of the Colorado constitution, the senatorial districts established by this article are based upon the following factors: (1) Equal population; (2) a minimum split of counties; and (3) compactness based upon geographic areas whose boundaries are as nearly equidistant from a center as possible, limited by variances caused by the shape of county boundary lines, census enumeration lines, natural boundaries, population density, and the need to retain compactness of adjacent districts.

63-8-6. Attachments and detachments. (1) (a) If any area of this state is omitted from the provisions of this article, inadvertently or by virtue of the complexities of the information supplied to the general assembly, the secretary of state, upon discovery of such omission, shall attach such area to the appropriate senatorial or representative district as follows:

(b) If the area is surrounded by a senatorial or representative district, the area shall be attached to such district;

(c) If the area is contiguous to two or more senatorial or representative districts, the area shall be attached to the district that has the least population according to the last preceding national census of the United States bureau of the census.

(2) If any area of this state is included in two or more senatorial or representative districts established by this article, inadvertently or by virtue of the complexities of the information supplied to the general assembly, the secretary of state, upon discovery of such inclusion, shall detach such area from the senatorial or representative district or districts having the largest population and shall designate such area as being included in the senatorial or representative district having the least population; except that if such area is wholly surrounded by a senatorial or representative district and by inadvertence is also included in another senatorial or representative district, the secretary of state shall designate such area as included in the district wholly surrounding such area, regardless of population.

(3) (a) If any annexation occurring on or after May 1, 1972, changes a county boundary which constitutes any portion of the

boundary of a senatorial district defined by this article, and if the population of the area annexed is one hundred seventy persons or less according to the 1970 federal census, the secretary of state shall detach the area annexed from the senatorial district in which it is included pursuant to this article and shall attach such area to the adjacent senatorial district in the county to which the area was annexed; except that if such attachment would result in any area in one senatorial district being wholly surrounded by area in another senatorial district, no adjustment in senatorial district boundaries shall be made. If the area annexed is adjacent to two or more senatorial districts in the county to which it is annexed, the area shall be attached to the senatorial district having the least population. The area so attached shall also be attached to any general election precinct adjacent to such area in the county to which the area was annexed.

(b) If any annexation occurring on or after May 1, 1972, changes a county boundary which constitutes any portion of the boundary of a senatorial district defined by this article, and if the population of the annexed area is more than one hundred seventy persons according to the 1970 federal census, no adjustment in the boundaries of senatorial districts shall be made, but the area annexed shall constitute a separate general election precinct.

(4) Any attachment or detachment made pursuant to the provisions of subsections (1) to (3) of this section shall be certified in writing by and kept on file with the secretary of state. No change may be made in any such attachment or detachment until the senatorial or representative districts are again reapportioned.

63-8-7. Maps of legislative districts. The legislative council shall prepare and file with the secretary of state copies of census maps showing thereon each senatorial and representative district and showing the population of each district according to the official census lines, maps, and statistics as described in this article. The legislative council shall retain on file in its office copies of official census maps and population statistics.

63-8-8. Applicability of article. This article shall apply to the forty-ninth and subsequent general assemblies.

63-9-1. Number of members of general assembly - election from districts. (1) The house of representatives of the general assembly shall consist of sixty-five members, with one member of the house of representatives to be elected from each representative district, as hereinafter established.

(2) The definition of areas to be included in each representative district is by reference to counties and to official

census tracts, census divisions, census block groups, census blocks, and enumeration districts created by the United States bureau of the census to which fixed population counts have been assigned as of the year 1970.

63-9-2. Representative districts - number - composition. (See Chapter 63, Session Laws of Colorado 1972. Also amended, 1973.)

63-9-3. Legislative declaration - findings of legislative fact.

(1) The general assembly declares it to be necessary to meet the equal population requirements of section 46 of article V of the state constitution in some instances to add part of one county to all or part of another county in forming representative districts under this article.

(2) The general assembly further declares that some representative districts are not comprised of areas whose boundaries are equidistant from the geographic center of the respective areas, but that variations therefrom were necessitated by population density and distribution, boundaries of enumeration districts and other identifiable census units of area, natural boundaries, and county lines in order to define representative districts having population as nearly equal as may be.

(3) Pursuant to the requirements of article V, section 47, of the Colorado constitution, the representative districts established by this article are based upon the following factors: (1) Equal population; (2) a minimum split of counties; and (3) compactness based upon geographic areas whose boundaries are as nearly equidistant from a center as possible, limited by variances caused by the shape of county boundary lines, census enumeration lines, natural boundaries, population density, and the need to retain compactness of adjacent districts.

63-9-4. Attachments and detachments. (1) (a) If any area of this state is omitted from the provisions of this article, inadvertently or by virtue of the complexities of the information supplied to the general assembly, the secretary of state, upon discovery of such omission, shall attach such area to the appropriate representative district as follows:

(b) If the area is surrounded by a representative district, the area shall be attached to such district;

(c) If the area is contiguous to two or more representative districts, the area shall be attached to the district that has the least population according to the last preceding national census of the United States bureau of the census.

(2) If any area of this state is included in two or more

representative districts established by this article, inadvertently or by virtue of the complexities of the information supplied to the general assembly, the secretary of state, upon discovery of such inclusion, shall detach such area from the representative district or districts having the largest population and shall designate such area as being included in the representative district having the least population; except that, if such area is wholly surrounded by a representative district and by inadvertence is also included in another representative district, the secretary of state shall designate such area as included in the district wholly surrounding such area, regardless of population.

(3) (a) If any annexation occurring on or after May 1, 1972, changes a county boundary which constitutes any portion of the boundary of a representative district defined by this article, and if the population of the area annexed is one hundred seventy persons or less according to the 1970 federal census, the secretary of state shall detach the area annexed from the representative district in which it is included pursuant to this article and shall attach such area to the adjacent representative district in the county to which the area was annexed; except that if such attachment would result in any area in one representative district being wholly surrounded by area in another representative district, no adjustment in representative district boundaries shall be made. If the area annexed is adjacent to two or more representative districts in the county to which it is annexed, the area shall be attached to the representative district having the least population. The area so attached shall also be attached to any general election precinct adjacent to such area in the county to which the area was annexed.

(b) If any annexation occurring on or after May 1, 1972, changes a county boundary which constitutes any portion of the boundary of a representative district defined by this article, and if the population of the annexed area is more than one hundred seventy persons according to the 1970 federal census, no adjustment in the boundaries of representative districts shall be made, but the area annexed shall constitute a separate general election precinct.

(4) Any attachment or detachment made pursuant to the provisions of subsections (1) to (3) of this section shall be certified in writing by and kept on file with the secretary of state. No change may be made in any such attachment or detachment until the representative districts are again reapportioned.

63-9-5. Maps of legislative districts. The legislative council shall prepare and file with the secretary of state copies of census maps showing thereon each representative district and showing the population of each district according to the official census lines, maps, and statistics as described in this article. The legislative council shall retain on file in its office copies of

official census maps and population statistics.

63-9-6. Severability. If one or more of the representative districts defined by this article are found to violate any provision of the state or federal constitution, the remaining districts defined by this article which do not violate any such provision may stand as defined, and the general assembly shall redefine the boundaries of those districts held invalid in such a manner that said districts will comply with constitutional requirements.

63-9-7. Applicability of article. This article shall apply to the forty-ninth and subsequent general assemblies.



GENERAL ASSEMBLY -- ORGANIZATION AND OPERATION

Article 2, Chapter 63, C.R.S. 1963, As Amended

63-2-1. Call of houses to order. At the time fixed by the constitution for the meeting of the first regular session of the general assembly next after the general election, the holdover senators and senators elect shall meet in the hall of the senate, and the members elect of the house of representatives shall meet in the hall of the house of representatives. The lieutenant governor, or in case of his absence the president pro tem of the next preceding session of the senate, or in case of his absence the holdover senator or one of them having served the longest continuous time in the senate, shall call the senate to order. The speaker of the next preceding session of the house of representatives, or in his absence the person or one of them holding a certificate issued by the secretary of state under the authority of the state canvassing board as a member and having served the longest continuous time in the house of representatives, shall call the house of representatives to order.

63-2-2. Clerks to file certificates - roll - officers. The clerks of each house shall file the certificates presented by the members, each for his own house, and make a roll of the members who thus appear to be elected, and the persons thus appearing to be elected members shall proceed to elect such other officers as may be required for the time being.

63-2-3. Committee on credentials - permanent organization. When the houses are temporarily organized, the presiding officer in each house with the consent of said house shall appoint a committee of three members thereof which committee shall report upon the credentials of those claiming to be elected members of their respective houses. When such report is made, those reported as elected shall proceed to the permanent organization of their respective houses. Each house shall be the sole judge of the election returns and qualifications of its own members.

63-2-4. Members not to be questioned. No members of the legislative assembly shall be questioned in any other place for any speech or word spoken in debate in either house.

63-2-5. Legislative employees - compensation. Until otherwise provided for, the officers and employees of each house of the general assembly of the state of Colorado and their compensation shall be as determined by joint resolution of both houses, and such officers and employees shall be appointed irrespective of and without regard to the classified service of the civil service of the state.

63-2-6. Appointment - qualifications - duties. All such officers and employees, except as otherwise provided in this article, shall be selected by the house employing them, and they shall perform the duties usually performed by like officers and employees, and such other duties as may be required of them by the house employing them. All clerks herein provided for shall be assignable and all printing clerks shall be skilled and competent proofreaders.

63-2-7. Compensation of members. (1) (a) Each member of the general assembly shall receive as compensation for his services:

(b) The sum of two hundred dollars per month for each month of the term to which he shall have been elected;

(c) The further sum of four thousand eight hundred dollars for each legislative biennial period, payable at the rate of thirty dollars per day during both regular and special sessions, the remainder, if any, payable on the first day of the last month of such biennial period; and

(d) All actual and necessary expenses incurred in traveling to the state capital for one round trip for each regular or special session of the general assembly, such expenses to be paid after the same shall have been incurred and audited. The mileage allowance shall not exceed fifteen cents per mile.

(e) The general assembly may provide by joint resolution to suspend its compensation, or any portion thereof, during a period of adjournment to a day certain.

(f) The compensation of members of the general assembly as fixed in subsections (1) (b) and (1) (c) shall apply to all members of the senate and all members of the house of representatives elected at the 1968 general election and thereafter, and to members appointed to fill vacancies for the unexpired terms of any such members. Members of the senate elected at the 1966 general election, and members appointed to fill vacancies for the unexpired terms of any such members, shall continue to receive the same compensation for the remainder of the terms for which elected or appointed, under laws in effect at the time of their election or appointment.

(2) (a) In addition to the compensation specified in subsection (1) of this section, the members of the general assembly shall be entitled to:

(b) The further sum of twenty dollars per day, not to exceed six hundred dollars in any calendar year, for necessary attendance while the general assembly is not in session at meetings of the

legislative council, or committees established by the legislative council, or interim committees authorized by law, or by joint resolution of the two houses, except as provided in paragraphs (c) and (d) of this subsection (2); together with all actual and necessary traveling expenses to be paid after the same shall have been incurred and audited. Mileage rates shall not exceed those authorized for the executive department;

(c) The further sum of twenty dollars per day, not to exceed two thousand dollars per calendar year, for members of the joint budget committee for attendance at meetings of the joint budget committee while the general assembly is not in session; together with all actual and necessary traveling expenses to be paid after the same shall have been incurred and audited. Mileage rates shall not exceed those authorized for the executive department;

(d) The further sum of twenty-five dollars per day, not to exceed six hundred dollars in any calendar year, for necessary attendance by the speaker of the house, while the general assembly is not in session, to matters concerning the general assembly, together with all actual and necessary traveling expenses to be paid after the same shall have been incurred and audited. Mileage rates shall not exceed those authorized for the executive department.

(3) The state controller, upon taking official notice of the existing membership of the general assembly, shall issue vouchers and draw warrants for the monthly and semimonthly per diem compensation and for reimbursement of traveling expenses due each member as specified in this section.

(4) (a) Each member of the general assembly shall receive as compensation for his services:

(b) The sum of seven thousand six hundred dollars per annum for each year of the term for which elected, payable as follows: In the months of January, February, March, and April of each year, a member shall be compensated at the rate of one thousand dollars per month; during the remaining eight months of each year, a member shall be compensated at the rate of four hundred fifty dollars per month. Of such annual compensation for a member of the general assembly who is away from his principal place of business and his home while serving during a legislative session, twenty dollars per day for each legislative day during each regular and special session of the general assembly in each year shall be considered as a per diem expense allowance, and shall be in addition to the lodging and travel allowance provided for in section 63-2-29;

(c) All actual and necessary expenses incurred in traveling to the state capitol for one round trip for each regular or special session of the general assembly, such expenses to be paid after the

same shall have been incurred. The mileage allowance shall not exceed the rates authorized for the executive department;

(d) The further sum of six hundred dollars for each legislative biennial period payable at the rate of thirty dollars per day during special sessions only, the remainder, if any, payable on the first day of the last month of such biennial period;

(e) The general assembly may provide by joint resolution to suspend its compensation, or any portion thereof.

(5) (a) In addition to the compensation specified in subsection (4) of this section, the members of the general assembly shall be entitled to:

(b) The further sum of thirty-five dollars per day, not to exceed one thousand and fifty dollars in any calendar year, for necessary attendance while the general assembly is not in session at meetings of the legislative council, or committees established by the legislative council, or interim committees authorized by law or by joint resolution of the two houses, except as provided in paragraphs (c) and (d) of this subsection (5), together with all actual and necessary travel and subsistence expenses to be paid after the same shall have been incurred. Mileage rates shall not exceed those authorized for the executive department;

(c) The further sum of thirty-five dollars per day, not to exceed three thousand five hundred dollars per calendar year, for members of the joint budget committee for attendance at meetings of the joint budget committee while the general assembly is not in session, and, with the approval of the chairman, for necessary attendance at state functions and state institutions and agencies at which matters concerning the joint budget committee are considered, together with all actual and necessary travel and subsistence expenses to be paid after the same shall have been incurred. Mileage rates shall not exceed those authorized for the executive department;

(d) The further sum of thirty-five dollars per day, not to exceed eight hundred and forty dollars each in any calendar year, for necessary attendance by the speaker of the house of representatives and the senate and house majority and minority leaders, while the general assembly is not in session, to matters concerning the general assembly, together with all actual and necessary travel and subsistence expenses to be paid after the same shall have been incurred. Mileage rates shall not exceed those authorized for the executive department.

(6) The compensation of the general assembly as fixed in subsections (4) and (5) of this section shall apply to all members

of the senate and all members of the house of representatives elected at the 1970 general election and thereafter, to members appointed to fill vacancies for the unexpired terms of any such members, and to members appointed on or after January 6, 1971, to fill vacancies of senators elected at the 1968 general election. Members of the senate elected at the 1968 general election shall continue to receive the compensation for the remainder of the terms for which elected under laws in effect at the time of their election.

(7) (a) Before incurring any expense for which reimbursement may be claimed, other than those incurred under subsection (4) (c) and subsection (5) (b), (c), and (d) of this section, a member of the house of representatives shall obtain the approval of the speaker of the house of representatives and a senator shall obtain the approval of the majority leader of the senate. Vouchers for the payment of such expenses of members of the house of representatives shall be approved by the speaker of the house of representatives, and vouchers for the payment of such expenses of senators shall be approved by the majority leader of the senate.

(b) The director of research of the legislative council shall approve payroll vouchers and vouchers for per diem payments incurred in connection with attendance by members of both houses at meetings of the legislative council, the committee on legal services, the joint budget committee, the legislative audit committee, the commission on interstate cooperation, the commission on uniform state laws, a committee of any such agency, or any interim committee authorized by law, by joint resolution, or by resolution of either house.

(c) Prior approval of expenses incurred by members of any legislative committee created by law in connection with the activities of any national or regional organization in which Colorado officially participates shall be obtained from the chairman of the appropriate committee.

(d) The state controller shall draw warrants upon such vouchers for the payment of expenses as specified in this section.

63-2-8. Officers and employees - pay ceases, when - exceptions. (1) The compensation of officers and employees of each house of the general assembly shall cease upon final adjournment of each session, but prior to final adjournment of a session, each house may by resolution designate such officers and employees as shall be deemed necessary to complete the clerical work and records of the proceedings of such session and fix their terms of service; also, prior to adjournment of a session to a day certain, the general assembly may by joint resolution terminate the compensation of its officers and employees during such period of

adjournment, but each house may by resolution designate such officers and employees as shall be deemed necessary to complete to the extent possible during such period of adjournment the clerical work and records of the proceedings of such session and fix their terms of service.

(2) The presiding officer of either house is hereby authorized to recall such officers or employees of his house as may be required to render clerical or other services to committees of his house, or joint committees of both houses, meeting between sessions of the general assembly.

63-2-9. Method of payment. The presiding officer of each house semimonthly during each session and at such times as may be necessary thereafter, shall certify the number of days of service rendered by each officer and employee of his respective house and the amount payable for such service, and the state controller, upon receipt of such certification, shall issue vouchers and draw warrants for the compensation due each officer and employee, without certification from the civil service commission, and the state treasurer shall pay the same out of the moneys appropriated for the purpose.

63-2-10. Repealed by Laws of 1965.

63-2-11. Senate and house journals published. The speaker of the house of representatives and the president of the senate shall cause copies of each of the journals of the house of representatives and the senate to be published as soon as practicable after the adjournment of each session of the general assembly. The journals covering regular sessions and special sessions may be combined in a single volume for this purpose. The chief clerk of the house of representatives and the secretary of the senate shall as soon as possible after adjournment of any session of the general assembly deliver to the secretary of state the original journals of their respective houses. They shall also deliver to the printer a complete and accurate copy of the same, indexed and ready for printing, and also a brief index of all bills, resolutions, and memorials introduced in each of their respective houses during the session. The speaker of the house of representatives and the president of the senate shall certify to the correctness of the published copies of said journals, which certificates shall be included in and made a part of such publications. Said journals, when printed and certified as aforesaid, together with all former printed volumes of house and senate journals of preceding sessions of general assemblies of the state of Colorado published by authority of the state of Colorado, shall be taken and held as prima facie evidence of the originals thereof.

63-2-12. Disposition of journals. The secretary of the

senate and the chief clerk of the house of representatives shall deliver one copy of each of the published journals to the county clerks of the several counties of the state who shall keep them on file for public inspection, one copy to each member of the general assembly, and one copy to the supreme court library. The secretary of the senate and the chief clerk of the house of representatives shall retain sufficient copies for other official uses.

63-2-13. Cost of publication. The cost of the publication of said journals shall be paid out of any money available and appropriated for the payment of the incidental and contingent expenses of the general assembly.

63-2-14. Witnesses - attendance before assembly. The general assembly, or either house thereof, by resolution or otherwise, as it deems best, may prescribe the conditions under which and the manner in which a witness may be summoned to attend, with or without documents in his possession or under his control, before any committee of said general assembly or of either house thereof.

63-2-15. Violation - penalty. Any person failing or refusing to obey any such summons so issued shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars, or imprisonment in the county jail for a term not exceeding one year, or by both such fine and imprisonment.

63-2-16. Member may administer oath. The chairman or any member of any committee, appointed by either branch of the legislative assembly of this state, or any member of any joint committee, appointed by the two houses of the legislative assembly, shall be authorized to administer oaths and affirmations to witnesses, touching any matter or thing which may be under the consideration or investigation of the committee.

63-2-17. Joint budget committee established. (1) There is hereby established a joint committee of the senate and house of representatives to be officially known as the joint budget committee, and to consist of the chairman of the house appropriations committee plus one majority party member and one minority party member thereof, and the chairman of the senate appropriations committee plus one majority party member and one minority party member thereof. Members of the joint committee shall be chosen in each house in the same manner as members of other standing committees are chosen. The committee shall function during the legislative sessions and during the interim between sessions.

(2) In order to expedite the work of the committee, appointees may be designated by the respective majority and minority parties prior to the convening of the general assembly at which such

committee is to serve, whether such appointees are members of the then current general assembly or members-elect of the next general assembly, or both; and such appointees shall have all the powers and duties and be entitled to the same compensation and expense allowance as members duly appointed under the provisions of subsection (1) of this section.

(3) The committee shall elect a chairman and a vice-chairman, one from the senate membership of the committee and one from the house membership of the committee. The chairman so elected shall serve as chairman for the first regular session of the general assembly at which the committee is to serve, and as vice-chairman for the second regular session; the vice-chairman so elected shall serve as chairman for the second regular session of said general assembly.

63-2-18. Organization and meetings. The committee may prescribe its own rules of procedure and may appoint subcommittees from the membership of the general assembly, and shall meet as often as is necessary to perform its functions.

63-2-19. Powers and duties. (1) (a) The joint budget committee shall have the following powers and duties:

(b) To study the management, operations, programs and fiscal needs of the agencies and institutions of Colorado state government;

(c) To hold hearings as required and to review the executive budget and the budget requests of each state agency and institution, including proposals for construction of capital improvements, and to make appropriation recommendations to the house appropriations and senate appropriations committees;

(d) To make estimates of revenue from existing and proposed taxes and to make its staff facilities available, upon request, to the finance committee of either house for the development and analysis of proposed revenue measures;

(e) To study, and from time to time review the state's fund structure, financial condition, fiscal organization, and its budgeting, accounting, reporting, personnel and purchasing procedures.

63-2-20. Staff director, assistants and consultants. The committee shall appoint a staff director who shall be responsible to the committee for the collection and assembling of all data and the preparation of reports and recommendations. The staff director shall also be responsible for preparing for consideration of the committee analyses of all requests for funds. With the approval of the committee, he may appoint such additional professional,



technical, clerical or other employees necessary to perform the functions assigned to the committee. The staff director and such additional personnel shall be appointed without reference to party affiliation and solely on the basis of ability to perform the duties of the position. They shall be employees of the general assembly and shall not be subject to the civil service provisions of the state of Colorado. The committee shall establish appropriate qualifications and compensation for all positions. With the consent of the committee the chairman may contract for professional services by private consultants as needed.

63-2-21. Expenses - vouchers. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon vouchers signed by the chairman or, in his absence or unavailability, the vice-chairman, or by the staff director upon instruction by the chairman in each instance, and drawn on funds appropriated generally for legislative expenses, and allocated to the joint budget committee.

63-2-22. Recommendations and findings. The committee may issue a written report setting forth its recommendations, findings, and comments as to each appropriation recommendation which it submits to the house appropriations and senate appropriations committees. Other reports may be issued from time to time by the committee as it deems appropriate or as requested by the general assembly.

63-2-23 to 63-2-27. Repealed by Law.

63-2-28. Legislative declaration. Considering the greatly improved highways and airways of this state, which permit greater mobility with less cost in money and time; considering the increasing length of legislative sessions, the increasing complexity and importance of the problems presented, and the benefits to be derived from frequent contact between legislator and constituents; and considering the desirability of preserving the concept of part time citizen-legislators and, therefore, the need to allow them a reasonable opportunity to attend to their own personal, family, and business affairs even during sessions of the general assembly; it is hereby declared to be necessary within the meaning of the constitution and in the best interests of the general assembly and the state of Colorado that members of the senate and house of representatives travel to their homes and back to Denver as often as once a week during sessions of the general assembly when the house to which they belong is in adjournment for periods not exceeding seventy-two hours.

63-2-29. Lodging in Denver during sessions - per diem allowance for certain members. In any case where the residence of a member of the general assembly is more than twenty-five miles by

road from the state capitol, it is hereby declared that the necessary traveling expenses of such individual shall be considered to include a reasonable sum not exceeding ten dollars per night of actual occupancy, for lodging in Denver during sessions of the general assembly, or, in lieu thereof, for traveling expenses to and from his home for each night that he does not spend in Denver. In addition, each member of the general assembly shall be reimbursed for traveling expenses for travel to his home and back to Denver as often as once a week, pursuant to section 63-2-28.

Editor's note: The provisions of this section apply to the forty-eighth and subsequent general assemblies. The effective date of this section is January 6, 1971.

63-2-30. Members to be reimbursed for traveling expenses. Each member of the general assembly shall be reimbursed for traveling expenses actually incurred pursuant to sections 63-2-28 and 63-2-29. In auditing any mileage claim of members of the general assembly, the state controller is hereby authorized to accept without further substantiating evidence the expense voucher of the member duly signed by him, if the mileage in such claim does not exceed the authorized rate at which employees of the executive branch are reimbursed. In addition, he may accept without such further evidence the member's certification as to the number of nights of actual occupancy under section 63-2-29.

63-2-31. Sections 63-2-28 to 63-2-31 provide no increase in compensation or mileage. The general assembly hereby declares that the provisions of sections 63-2-28 to 63-2-31 relate not to compensation but to the necessity of certain traveling expenses and that the purpose is neither to increase compensation nor mileage.

LEGISLATIVE DRAFTING OFFICE AND  
OFFICE OF REVISOR OF STATUTES

Article 3, Chapter 63,  
C.R.S. 1963, AS Amended

63-3-1. Legal services in legislative department. In order to better provide for the legal services for the general assembly, including the drafting of legislation and the revision and publication of the laws of this state, and to provide for the best technical advice and information to be available to the general assembly, agencies of state government, and the people of this state, and to provide for the professional preparation, drafting, revision, and publication of laws, there is hereby created in the legislative department a committee on legal services, a legislative drafting office, and an office of revisor of statutes, hereinafter referred to, respectively, as the "committee", the "office", and the "revisor".

63-3-2. Committee on legal services - membership - duties.

(1) The committee shall supervise and direct the operations of the legislative drafting office and the office of revisor of statutes.

(2) The committee may designate one or more subcommittees from among its membership to perform any duties of the committee with respect to the supervision and direction of the legislative drafting office, the office of revisor of statutes, or both.

(3) (a) The membership of the committee shall consist of eight members of the general assembly. The eight legislative members of the committee shall be as follows: The majority and minority leaders of the house of representatives, or their respective designees, and the majority and minority leaders of the senate or their respective designees; the respective chairmen of the house and senate committees on judiciary or their respective designees; one member from the minority party in the house of representatives who shall be an attorney at law and appointed by the speaker of the house of representatives; and one member of the minority party in the senate who shall be an attorney at law and appointed by the president of the senate.

(b) Except for the members initially appointed to the committee, the two appointive members of the committee shall be appointed no later than ten days after the convening of the first regular session of each general assembly. Membership on the committee of each such appointive member shall terminate upon the appointment of his successor or upon termination of office in the general assembly, whichever first occurs. The membership of any other member of the committee shall terminate upon the termination of his respective designated position.

(4) The committee shall select from among its members a chairman and a vice-chairman. The committee may meet as often as may be necessary, but it shall meet at least twice in each calendar year.

(5) Members of the committee shall be reimbursed for necessary expenses incurred in the performance of their duties, and the legislative members of the committee shall be paid the same per diem compensation as provided by law for members of interim legislative committees for each day of attendance.

(6) Whenever any law or other document of this state refers to the legislative drafting committee or to the committee on statute revision, said law or other document shall be deemed to refer to the committee on legal services.

63-3-3. Function of committee. (1) (a) It shall be the function of the committee:

(b) To appoint a director of the office who shall be an attorney at law, and who shall be responsible to the committee for the administration of the office. The director, with the approval of the committee, may appoint such attorneys at law, technical, and clerical personnel as may be necessary for the efficient operation of the office. The director and all employees of the office shall be appointed without regard to party affiliation, and solely on the basis of their ability to perform their duties. The committee shall fix the compensation of all personnel so employed;

(c) To continually review the operation and activities of the office; to coordinate the functions of the office with other legislative service agencies of the state; and to permit any member of the general assembly to attend any of the meetings of the committee and to present his views on any of the activities of the office.

63-3-4. Duties of office. (1) (a) The office shall:

(b) Upon the request of any member of the general assembly or the governor, draft or aid in drafting legislative bills, resolutions, memorials, amendments thereto, conference reports, and such other legislative documents and papers as may be required in the legislative process;

(c) Prepare a digest of laws enacted by the general assembly, and approved or vetoed by the governor, immediately upon the adjournment of any regular or special session;

(d) In interims between sessions of the general assembly, prepare drafts of proposed legislation for legislative interim

committees appointed by the legislative council or otherwise;

(e) Prepare, at the request of any legislative committee, summaries of existing laws affected by proposed legislation, compilations of laws in other states relating to the subject matter of such legislation, and statements on the operation and effect of such laws;

(f) Keep on file records concerning legislative bills and the proceedings of the general assembly with respect to such bills; subject indexes of bills introduced at each session of the general assembly; files on each bill prepared for members of the general assembly and the governor; and such documents, pamphlets, or other literature relating to proposed or pending legislation, without undue duplication of material contained in the office of the legislative council or in the supreme court library. All such records and documents shall be made available in the office at reasonable times to the public for reference purposes, unless such records shall be classed as confidential under this article;

(g) Cooperate with legislative drafting offices or corresponding services of other states, and with other legislative drafting service agencies, either public or private.

63-3-5. Requests for drafting bills - confidential nature thereof - lobbying for bills. All requests made to the office for the drafting of bills shall be submitted, either in writing or orally, by the legislator, or the governor or his representative, making the request, with a general statement respecting the policies and purposes which the person making the request desires the bill to accomplish. The office shall draft each bill to conform to the purposes so stated or to supplementary instructions of the person making the original request. Prior to the introduction of a bill in the general assembly, no employee of the office shall reveal to any person outside the office the contents or nature of such bill except with the consent of the person making the request, nor shall any employee of the office lobby, personally or in any other manner, directly or indirectly, for or against any pending legislation before the general assembly.

63-3-6. Use of supreme court library. The librarian of the supreme court library shall facilitate the work of the office by permitting the liberal withdrawal of materials and data therefrom, subject to such reasonable rules as may be necessary for the proper operation of the library.

63-3-7. Office space in capitol - office hours - appropriations. (1) The office shall be provided with suitable office space in the state capitol, so situated as to be convenient for the members of the general assembly. Throughout the year, the

office shall be kept open during the hours prevailing in other offices in the state capitol, and at such other times in order to efficiently serve the general assembly.

(2) Adequate appropriations shall be made to carry out the purposes of this article, to be included in the appropriation to the legislative department. The state controller is authorized and directed to draw warrants monthly in payment of the salaries of personnel, and in payment of expenditures of the office, on vouchers signed by the chairman of the committee.

63-3-8. Substitution for legislative reference office.

Whenever any law of this state refers ~~to the legislative reference office~~, said law shall be construed as referring to the legislative drafting office, it being the intent of the general assembly to substitute the legislative drafting office for the legislative reference office.

63-3-9. Transfer of employees and property of legislative reference office - name change. (1) On July 1, 1968, all

~~employees of the legislative reference office~~ who were employed in said office on an annual or permanent basis shall be transferred to the legislative drafting office, to perform such duties and functions as shall be assigned to them by the committee. Such employees shall retain all accrued rights to retirement and annual and sick leave benefits under the laws of the state and their service shall be deemed to have been continuous in such transfer.

(2) On July 1, 1968, all property, including office furniture and fixtures, books, documents, and records of the legislative reference office shall be transferred to the legislative drafting office.

63-3-10. Omitted for expansion.

63-3-11. Function of committee - statute revision. (1) (a)

With respect ~~to statute revision~~, it shall be the function of the committee:

(b) To appoint a revisor of statutes who shall be an attorney at law and who shall be responsible to the committee for the administration of the office of revisor of statutes. The revisor, with the approval of the committee, may appoint such attorneys at law, technical, and clerical personnel as may be necessary for the efficient operation of said office of revisor. The revisor and all employees of said office shall be appointed without regard to party affiliation, and solely on the basis of their ability to perform their duties. The committee shall fix the compensation of all personnel so employed;

(c) To supervise and direct the activities of the revisor; and to exercise the powers and to perform the duties and functions prescribed in chapter 135, C.R.S. 1963, as amended, concerning the preparation and publication of the statutes of this state and other materials, and as prescribed in article 2 of chapter 109, C.R.S. 1963, as amended, concerning the preparation and publication of the session laws of this state.

63-3-12. Revisor of statutes - duties. The revisor shall compile, edit, arrange, and prepare for publication the declaration of independence, the constitutions of the United States and the state of Colorado, the act admitting Colorado into the union, and all laws of the state of Colorado of a general and permanent nature, together with a complete index thereto and comparative tables of such statutes with prior compilations. The statutory laws shall be arranged into appropriate and convenient volumes, titles, chapters, articles, and sections, so collated and in such form as the committee shall direct. At the end of each section, reference shall be made to the statutory history of such section. Annotations of decisions of the supreme court of the United States, the supreme court of the state of Colorado, and such other state and federal courts as are appropriate, construing, applying, or interpreting each section, or relating to the subject matter thereof, and such other matter as the committee shall deem advisable or advantageous shall also be prepared for publication with such statutory laws.

63-3-13. Revision - editorial work. In the course of collating, compiling, editing, arranging, and preparing such statutes, the revisor, with the approval of the committee, shall adopt a uniform system of punctuation, capitalization, numbering, and wording; eliminate all obsolete and redundant words; correct obvious errors and inconsistencies; eliminate duplications and laws repealed directly or by implication; correct defective section structure in arrangement of the subject matter of existing statutes; clarify existing laws and such other similar matter as the committee shall direct. The foregoing duties shall be performed in such form and manner as to preserve the intent, effect, and meaning of any and every such statute revised.

63-3-14. Revisor to aid in bill drafting. The revisor of statutes, together with so many of his permanent staff as may be necessary, shall aid and assist the legislative drafting office in bill drafting services, and shall aid and assist in the enrolling and engrossing of bills and such other services as the general assembly may require.

63-3-15. Distribution of statutes. The distribution of the statutes of this state shall be in such numbers and to such offices and persons as the general assembly shall direct at the time of approval for publication of such statutes; but the committee shall

be able to distribute such additional statutes of this state to such offices and persons as it may from time to time deem necessary.

63-3-16. Successor to committee on statute revision. (1) The committee on legal services and the office of revisor of statutes, under the legislative department, shall be deemed the successors, respectively, in every way, of the committee on statute revision and the revisor of statutes, under the judicial department, and every contract, agreement, or other document entered into by the latter prior to May 7, 1969, shall be deemed to have been entered into by their successors. The revisor and the employees of his office shall retain all accrued rights to retirement and annual and sick leave benefits under the laws of the state and their service shall be deemed to have been continuous in such transfer.

(2) The office of revisor of statutes, and the employees, property, and records of such office, together with any appropriations made to the office or the committee on statute revision, shall be transferred to the office of revisor of statutes under the legislative department on May 7, 1969.



LEGISLATIVE COUNCIL

Article 4, Chapter 63,  
C.R.S. 1963, As Amended

63-4-1. Legislative council created. (1) There is hereby created a legislative council, which shall consist of six senators to be appointed by the president of the senate with the approval of a majority vote of the members elected to the senate and six representatives to be appointed by the speaker of the house of representatives with the approval of a majority vote of the members elected to the house of representatives. The majority leader of the senate and the speaker of the house shall be ex officio members with all the powers, privileges, and duties of other members.

(2) Appointments are to be made to the council not less than twenty days prior to the close of the regular session of the general assembly held in 1953. Thereafter appointments or reappointments of all members of the council shall be made not less than twenty days prior to the close of the regular session of the general assembly held in odd numbered years. Membership on the council shall terminate with the appointment of a member's successor or upon the termination of a member's term of office in the general assembly, whichever shall first occur. A member may be appointed to succeed himself.

(3) The party representation of the council shall be in proportion generally to the relative number of members of the two major political parties in each house of the general assembly, but in no event shall a minority party be represented by less than one council member from the senate and two council members from the house of representatives.

(4) Vacancies in the membership of the council shall be filled in the same manner as original appointments are made.

63-4-2. Organization - meetings. (1) The council shall select its chairman and vice-chairman from among its membership; and it shall prescribe its own rules of procedure, and may appoint subcommittees from the membership of the general assembly and other persons to assist the council in carrying out its functions.

(2) The council shall meet as often as may be necessary to perform its functions, but it shall not meet less frequently than once in each quarter of the calendar year.

(3) Seven members shall constitute a quorum, and a majority thereof, or of the number of members present if more than a quorum, shall have authority to act on any matter within the jurisdiction of the council.

63-4-3. Functions. It shall be the function of the council to collect information concerning the government and general welfare of the state, to examine the effects of constitutional provisions and statutes and recommend desirable alterations, to consider important issues of public policy and questions of statewide interest, and to prepare for presentation to the members and various sessions of the general assembly such reports, bills, or otherwise, as the welfare of the state may require, and to expend moneys or authorize the expenditure of moneys to accomplish the functions contained in this section out of moneys appropriated to the council by the general assembly.

63-4-4. Director of research - assistants. The council shall appoint a director of research who shall be responsible to the council for the collection and assembling of all data, and for the preparation of reports, recommendations, and bills. He shall, subject to the general policies of the council, have administrative direction over the activities of the council. He shall be paid a salary to be determined by the council. He shall be an employee of the general assembly and shall not be subject to the civil service provisions of the state of Colorado. He shall be appointed without reference to party affiliation and solely on the basis of his ability to perform the duties of the position. The director of research, with approval of the council, may appoint such additional professional, technical, clerical, or other employees necessary to perform the functions assigned to the director of research by the council.

63-4-5. Requests of the governor. The governor may present, at any meeting of the council, in person or in writing, requests, recommendations, reports, and explanations of the policies of the administration, or any other matters pertaining to the government of the state or its policies.

63-4-6. Authority to subpoena witnesses. The council shall have the power to subpoena witnesses, take testimony under oath, and to assemble records and documents, by subpoena duces tecum or otherwise, with the same power and authority as courts of record, and may apply to courts of record for the enforcement of these powers. The sheriff of any county shall serve any subpoena on written order of the council in the same manner as process is served in civil actions. Witnesses subpoenaed to appear before the council shall receive the same fees and expenses as witnesses in civil cases.

63-4-7. Minutes of council. The council shall keep minutes of its meetings which shall be available to all members of the general assembly upon request. Any member of the general assembly shall have the right to attend any of the meetings of the council and may present his views on any subject which the council may be

considering.

63-4-8. Recommendations and findings. The recommendations and findings of the council shall be sent to each member of the general assembly, to the governor, and to the state library at least thirty days prior to any regular session of the general assembly, or at such other times as the council deems necessary or as requested by the general assembly.

63-4-9. Reimbursement of members for expenses. Members of the council shall be reimbursed for necessary expenses in connection with the performance of their duties.

63-4-10. Centralized legislative accounting service. (1) The legislative council shall establish and maintain a centralized legislative accounting service under the supervision of the director of research of the council, which service shall maintain all accounting records, process all vouchers, and prepare all related documents for the legislative department of state government, including all offices and agencies thereof. The council may authorize any and all of such offices and agencies to maintain subsidiary accounting records and to prepare vouchers, but such records and vouchers shall conform to the system of accounting established by said accounting service, and each such office and agency shall make such reports to said service as may be necessary for it to maintain current and complete records for the legislative department.

(2) The provisions of this section shall not apply to the procurement and budgetary functions of offices and agencies in the legislative department.

COMMISSION ON INTERSTATE CO-OPERATION

Article 1, Chapter 74,  
C.R.S. 1963, As Amended

74-1-1. Colorado commission on interstate co-operation. (1)

(a) There is hereby established a commission on interstate co-operation to be known as the "Colorado commission on interstate co-operation." The commission shall be composed of fifteen members, namely:

(b) Five members of the senate, to consist of the president pro tem, the majority and minority leaders, and two members to be appointed by the lieutenant governor, one from the majority and one from the minority party;

(c) Five members of the house of representatives to consist of the speaker, the majority and minority leaders, and two members to be appointed by the speaker, one from the majority and one from the minority party;

(d) Five members to be appointed by the governor from administrative officials and employees of the state.

(2) Appointments of members to the commission shall be made on or as soon as possible after the convening of the first regular session of a general assembly, provided that appointments of members first appointed to the commission shall be made as soon as possible after the effective date of this section. Membership on the commission shall terminate upon the convening of the first regular session of the general assembly held next after appointment to membership. A member of the commission may be appointed to succeed himself, and vacancies in the membership shall be filled in the same manner as original appointments are made.

(3) The commission shall meet as often as may be necessary to perform its functions, but it shall not meet less frequently than once in each quarter of the calendar year. The commission shall function during sessions of the general assembly and also during the interim periods between such sessions. The commission shall elect from its membership a chairman and vice-chairman, and the director of the legislative council shall serve as secretary of the commission, without a vote. Eight members shall constitute a quorum, and a majority thereof, or of the number of members present at any meeting if more than a quorum, shall have authority to act on any matter within the jurisdiction of the commission.

74-1-2. Functions. It shall be the function of this commission:

(1) To carry forward the participation of this state as a member of the council of state governments.

(2) To encourage and assist the legislative, executive, administrative and judicial officials and employees of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with officials and employees of the other states of the federal government, and of local units of government.

(3) (a) To endeavor to advance co-operation between this state and other units of government whenever it seems advisable to do so by formulating proposals for, and by facilitating:

(b) The adoption of compacts;

(c) The enactment of uniform or reciprocal statutes;

(d) The adoption of uniform or reciprocal administrative rules and regulations;

(e) The informal co-operation of governmental offices with one another;

(f) The personal co-operation of governmental officials and employees with one another, individually;

(g) The interchange and clearance of research and information; and

(h) Any other suitable process.

(4) In short, to do all such acts as, in the opinion of this commission, will enable this state to do its part or more than its part in forming a more perfect union among the various governments in the United States and in developing the council of state governments for that purpose.

74-1-3. Establishment of delegations and committees. The commission shall establish such delegations and committees as it deems advisable, in order that they may confer and formulate proposals concerning effective means to secure intergovernmental harmony, and may perform other functions for the commission in obedience to its decisions. Subject to the approval of the commission, the member or members of each such delegation or committee shall be appointed by the chairman of the commission. State officials or employees who are not members of the commission on interstate co-operation may be appointed as members of any such delegation or committee, but private citizens holding no governmental position in this state shall not be eligible. The commission may provide such other rules as it considers appropriate

concerning the membership and the functioning of any such delegation or committee. The commission may provide for advisory boards for itself and for its various delegations and committees, and may authorize private citizens to serve on such boards.

74-1-4. Report - expenses. (1) The commission shall prepare and transmit annually, in the form and manner prescribed by the controller pursuant to the provisions of section 3-3-17, C.R.S. 1963, a report accounting to the governor and to the general assembly for the efficient discharge of all responsibilities assigned by law or directive to the commission.

(2) Legislative members serving on the commission shall be considered members of an interim committee of the general assembly under the provisions of section 63-2-7 (2) (b), C.R.S. 1963, as amended, and shall be compensated and reimbursed for necessary expenses incurred in accordance therewith. Other members of the commission and the members of all delegations and committees which it establishes shall serve without specific compensation for such service, but they shall be paid their necessary expenses in carrying out their obligations under this article.

(3) The commission may employ such personnel and may incur such other expenses as may be necessary for the proper performance of its duties, and, by contributions to the council of state governments, it may participate with other states in maintaining the council's district and central secretariats, and its other governmental services. Vouchers covering expenses of the commission shall be signed by the chairman, and warrants shall be drawn by the state controller in payment thereof as provided by law.

74-1-5. Council as joint governmental agency. The council of state governments is hereby declared to be a joint governmental agency of this state and of the other states which co-operate through it.

74-1-6. Conference as joint governmental agency. The national conference of state legislative leaders is hereby declared to be a joint governmental agency of this state and of other states which cooperate through it. The general assembly is hereby authorized to subscribe to membership in the national conference of state legislative leaders and pay the membership fee of one thousand dollars per annum from appropriations made to the legislative department of the state government.

COLORADO COMMISSION ON UNIFORM STATE LAWS  
Article 7, Chapter 63,  
C.R.S. 1963, As Amended

63-7-1. Commission on uniform state laws - creation. (1)

There is hereby created the Colorado commission on uniform state laws which shall consist of four members who shall be appointed for terms of two years each, and until their successors are appointed, and in addition thereto any citizen of this state, who because of long service in the cause of the uniformity of state legislation, shall have been elected a life member of the national conference of commissioners on uniform state laws.

(2) The four members shall be appointed or reappointed by joint resolution of the general assembly no later than ten days after the convening of the first regular session of the general assembly held in each odd-numbered year. Two commissioners shall be appointed from the general assembly and two commissioners from the public at large. Appointments to fill vacancies shall be made by the committee on legal services for the unexpired term of the vacant office.

(3) The four members of the commission shall be attorneys admitted to practice law in the state of Colorado.

63-7-2. Compensation - expenses. The members of the commission shall receive a per diem of twenty dollars for each day actually spent in the transaction of official business of the commission in the state of Colorado. In addition thereto, each member shall be reimbursed for expenses incurred in the performance of official duties.

63-7-3. Meetings - organization. The commissioners shall meet at least once a year and shall organize by the election of a chairman who shall hold office for a term of one year and until his successor is elected. The director of the legislative drafting office shall be ex officio the secretary of the commission.

63-7-4. Duties of commissioners. Each commissioner shall attend the meeting of the national conference of commissioners on uniform state laws, and both in and out of such national conference shall do all in his power to promote uniformity in state laws where uniformity may be deemed desirable and practicable; said commission shall prepare and transmit a report and their recommendations to the general assembly on or before January 1 of each year concerning subjects of legislation upon which uniformity among the states may be deemed desirable, and concerning the proceedings and recommendations of the most recent meeting of the national conference of commissioners on uniform state laws.

63-7-5. Repealed by Chapter 100, Session Laws of Colorado  
1972.



**INITIATED LAW OF 1972**  
**Colorado Sunshine Law**

Editor's note: As originally drafted, this Act added Articles 32 and 33 to Chapter 3, C.R.S. 1963, and an Article 8 to Chapter 63, C.R.S. 1963. In order to incorporate this Act into C.R.S. 1963 correctly and to keep it together, the article and section numbering has been changed to add a new Article 37 to Chapter 3, in four parts.

3-37-101. Short title. This act shall be known and may be cited as the "~~Colorado Sunshine Act of 1972~~".

3-37-102. Effective date. This act shall take effect January 1, 1973.

PUBLIC OFFICIAL DISCLOSURE LAW

As Adopted by the People  
November 7, 1972

3-37-201. Declaration. In order to continue the public confidence in the integrity of government officials and to promote trust of the people in the objectivity of their public servants, this open disclosure law is adopted.

~~3-37-202.~~ Disclosure - contents - filing - false or incomplete filing - penalty. (1) (a) ~~Not later than forty-five days after the passage of this part 2, and thereafter not more than thirty days after their election, reelection, appointment, or retention in office, written disclosure, in such form as the attorney general shall prescribe, stating the interests named in subsection (2) of this section, shall be made to and filed with the attorney general of Colorado by:~~

- (b) Each member of the general assembly;
- (c) The governor, lieutenant governor, secretary of state, attorney general, and state treasurer; and
- (d) Each justice or judge of a court of record.

(2) (a) Disclosure shall be made of:

(b) The names of any source or sources of any income including capital gains, whether or not taxable, of the person making disclosure, his spouse, and minor children residing with him;

(c) The name of each business, insurance policy, or trust in which he, his spouse, or minor children residing with him has a financial interest, in excess of five thousand dollars;

(d) The legal description of any interest in real property including an option to buy, in the state, in which the person making disclosure, his spouse, or minor children residing with him have any interest, direct or indirect, the market value of which is in excess of five thousand dollars;

(e) The identity, by name of all offices, directorships, and fiduciary relationships held by the person making disclosure, his spouse, and minor children residing with him;

(f) The identity by name of any person, firm, or organization for whom compensated lobbying is done by any person associated with the person making disclosure if the benefits of such compensation are or may be shared by the person making disclosure, directly or indirectly;

(g) The name of each creditor to whom the person making disclosure, his spouse, or minor children owes moneys in excess of one thousand dollars and the interest rate;

(h) A list of businesses with which the person making disclosure or his spouse are associated that do business with or are regulated by the state and the nature of such business or regulation;

(i) Such additional information as the person making disclosure might desire.

(3) Any disclosure statement shall be amended no more than thirty days after any termination or acquisition of interests as to which disclosure is required.

(4) Any person required by this section to file a disclosure statement shall on or before January 10 of each calendar year file an amended statement with the attorney general or notify the attorney general in writing that he has had no change of condition since the previous filing of a disclosure statement.

(5) Each disclosure statement, amended statement, or notification that no amendment is required shall be public information, available to any person upon request during normal working hours.

(6) Any person subject to the provisions of this section may elect to file with the attorney general annually a copy of his federal income tax return and any separate federal income tax return filed by his spouse or minor children residing with him together with a certified statement of any investments held by him, his spouse, or minor children residing with him which are not reflected by the income tax returns, in lieu of complying with the provisions

of subsections (1) to (4) of this section, which tax return and any statement filed under the provisions of this subsection shall be public information.

(7) Any person who willfully files a false or incomplete disclosure statement, amendment, or notice that no amendment is required, or who willfully files a false or incomplete copy of any federal income tax return or a false or incomplete certified statement of investments, or who willfully fails to make any filing required by this section, shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than one thousand dollars and not more than five thousand dollars.

### REGULATION OF LOBBYISTS

As Adopted by the People  
November 7, 1972

3-37-301. Definitions. (1) As used in this part 3:

(2) "Contribution" means a gift, subscription, loan, advance, deposit, or gift of money or anything of value; and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

(3) "Expenditure" means a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(4) "Legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in either house of the general assembly, and includes any other matter which may be the subject of action by either house.

(5) "Person" means an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(6) "Political committee" means any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice-presidential electors, or any duly authorized committee or subcommittee of a national, state, or local political party.

3-37-302. Statement of contributions and expenditures - applicability. (1) (a) Every person receiving any contribution or making any expenditure for any of the purposes designated in subsection (3) of this section shall file a statement with the

secretary of state within ten days after the close of each calendar month, in which such contribution is received or expenditure made, and shall file a cumulative statement on or before January 15 for the preceding calendar year, containing:

(b) The name and address of each person who has made a contribution or contributions totaling twenty-five dollars or more since the effective date of this part 3 or since the last report required by this act;

(c) The total sum of the contributions made to or for such person during the calendar year and not stated under paragraph (b) of this subsection (1);

(d) The total sum of all contributions made to or for such person during the calendar year;

(e) The name and address of each person to whom an expenditure in the aggregate amount or value of twenty-five dollars or more has been made by or on behalf of such person within the calendar year, and the amount, date, and purpose of such expenditure;

(f) The total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under paragraph (e) of this subsection (1);

(g) The total sum of all expenditures made by or on behalf of such person during the calendar year;

(2) The statements required to be filed under subsection (1) of this section shall be cumulative during the calendar year to which they relate, but only the amount need be carried forward if there has been no change in an item reported in a previous statement.

(3) (a) The provisions of subsections (1) and (2) of this section shall apply to any person, except a political committee, who by himself or through any agent, employee, or other person in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used in any manner to aid in or to influence.

(b) The passage or defeat of any legislation by the general assembly or the approval or veto of any legislation by the governor of this state;

(c) The adoption or defeat of any standard, rule, rate, or decision of any board or commission of this state which has been delegated rule-making authority by the general assembly.

3-37-303. Preservation of statement - public inspection. Any statement required by this part 3 to be filed with the secretary of state shall be preserved by the secretary of state for a period of five years from the date of filing, shall constitute part of the public records of that office, and shall be open and readily accessible for public inspection.

3-37-304. Registration as lobbyist - filing of information - public inspection - certificate of registration. (1) Any person who shall engage himself or be engaged by any other people for pay or for any consideration for any of the purposes described in section 3-37-302 (3) shall, before doing anything in furtherance of such purposes, register with the secretary of state. The registrant shall state in writing his full legal name and business address, the name and address of the person by whom he is employed, all persons in whose interest he appears or works, the duration of such employment, how much he is paid and is to receive for such services, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Any person who is not engaged solely for the purposes described in section 3-37-302 (3) but whose regular gainful employment includes such activities, shall state the proportion of his employed time which he spends or intends to spend in such activities and the like percentage of his regular pay that supports these activities described in section 3-37-302 (3). Such person shall file an updated statement on or before January 15 of each year unless he at that time is no longer engaged for pay or other consideration for the purposes specified in section 3-37-302 (3).

(2) Each person so registering shall, ten days after the close of each calendar month, in which he has been engaged in any of the activities described in section 3-37-302 (3) file with the secretary of state a detailed report under oath of all contributions received and each expenditure of twenty-five dollars or more during the preceding calendar quarter in carrying on his work; to whom paid; for what purposes; the total of all expenditures during the preceding calendar quarter, and the names and expenditures for or contributions to any papers, periodicals, magazines, or other publications in which he or his employer, his agent, or the agent of his employer has caused to be published any advertisements, articles, or editorials relating to purposes described in section 3-37-302 (3) and the proposed legislation, standard, rule, rate, or decision of any board or commission designated in section 3-37-302 (3) that he is employed to support or oppose. The provisions of this section shall not apply to any person who merely appears before a committee of the general assembly or board or commission in support of or opposition to legislation or rule-making, but is not directly or indirectly compensated therefore, or to any state official acting in his official capacity or any elected public official acting in his official capacity.

(3) All information required to be filed under the provisions of this section with the secretary of state and not previously published shall be compiled by the secretary of state within thirty days after the close of the calendar month for which such information is filed and shall be organized alphabetically according to the name of the persons filing statements or registering, and such files shall be open and accessible for public inspection during normal working hours.

(4) In addition to the requirements of subsection (1) of this section, no person subject to such requirements shall act in furtherance of the purposes designated in section 3-37-302 (3) unless he shall have received a certificate of registration as provided in section 3-37-305 (1).

3-37-305. Granting and revocation of certificates - referrals and reports to attorney general. (1) (a) It shall be the duty and responsibility of the secretary of state:

(b) To grant a certificate of registration as a lobbyist to any person registering under the provisions of this section and who supplies the information herein required.

(c) To revoke the certificate of registration of any person who has been convicted of violating any of the provisions of this article.

(d) To refer on his own motion or on the verified complaint of any member of the general assembly or board or commission designated in section 3-37-302 (3), or on the verified complaint of any other person, to the attorney general of Colorado for investigation the activities of any person who he has reason to believe or who is or has been allegedly acting as a lobbyist and who may be in violation of the requirements of this part 3.

(e) To report to the attorney general any violation of this part 3.

(2) In addition to any other powers conferred by this section, the secretary of state may revoke the certificate of registration required by section 3-37-304 (4) for failure to file the reports required by section 3-37-304 (2); but no certificate may be revoked within ninety days after the failure to file such a report if, prior to the last day for filing such reports, the secretary of state has been informed in writing of extenuating circumstances justifying such failure.

3-37-306. Employment of legislators, legislative employees, or state employees - filing of statement. If any person registered or required to be registered under section 3-37-304 employs or causes

his employer to employ any member of the general assembly, any member of a board or commission designated in section 3-37-302 (3), any employee of the general assembly, or any full-time state employee who remains in the partial employ of the state or any agency thereof, the new employer shall file a statement under oath with the secretary of state within ten days after such employment. The statement shall specify the nature of the employment, the name of the person to be paid thereunder, the amount of pay or consideration to be paid thereunder.

3-37-307. Employment of unregistered persons. It shall be unlawful for any person to employ for pay or any consideration, or pay or agree to pay any consideration to, a person to engage in activities for the purposes designated in section 3-37-302 (3) who is not registered except upon condition that such person register forthwith.

3-37-308. Contingent agreement prohibited. No person may make any agreement under which any compensation or thing of value is to be given, transferred, or paid to any person contingent upon the passage or defeat of any legislation; the making of any rule, standard, rate, or decision by any board or commission designated in section 3-37-302 (3); or the approval or veto of any legislation by the governor of this state.

3-37-309. Offenses - penalties. (1) Any person who violates any of the provisions of this part 3, willfully files any document provided for in this part 3 that contains any materially false statement or material omission, or willfully fails to comply with any material requirement of this part 3 shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than five thousand dollars, or by imprisonment in the county jail for not more than twelve months, or by both such fine and imprisonment.

(2) In addition to the penalties provided for in subsection (1) of this section, any person convicted of the misdemeanor specified therein is prohibited for a period of three years from the date of conviction from attempting to influence for pay or consideration, directly or indirectly, the passage or defeat of any proposed legislation; from appearing for pay or consideration before a committee of the general assembly in support of or opposition to proposed legislation; or attempting for pay or consideration to influence the passage or defeat of any rule, standard, rate, or decision by any board or commission designated in section 3-37-302 (3). Any person who violates any provision of this subsection (2) shall be guilty of a felony and shall, upon conviction thereof, be punished by a fine of not more than ten thousand dollars or by imprisonment in the state penitentiary for not more than three years, or by both such fine and imprisonment.

OPEN MEETINGS LAW

As Adopted by the People  
November 7, 1972

3-37-401. Declaration. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

3-37-402. Meetings - open - procedure. (1) (a) All meetings of two or more members of any board, committee, commission, or other policy-making or rule-making body of any state agency or authority or of the legislature, at which any public business is discussed, or at which any formal action is taken by such board, committee, commission, or other policy-making or rule-making body, are declared to be public meetings open to the public at all times, except as may be otherwise provided in the constitution.

(b) Any such meetings at which the decision or adoption of any proposed resolution, rule, regulation, or formal action occurs, or at which a majority or quorum of the body is in attendance shall be held only after full and timely notice to the public.

(c) The secretary or clerk of each such board, committee, commission, or other policy-making or rule-making body shall maintain a list of persons who request notification of all meetings, or of meetings when certain specified policies will be discussed, and shall provide such reasonable advance notification.

(d) No resolution, rule, regulation, ordinance or formal action of a board, committee, commission or other policy-making body shall be valid unless taken or made at a meeting that meets the requirements of subsections (a) and (b) of this subsection (1).

(e) The minutes of a meeting of any such board, committee, commission or other policy-making body shall be promptly recorded and such records shall be open to the public inspection.

(f) The courts of record of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.



## LEGISLATIVE AUDITOR

### Section 21 of Article IV and Section 49 of Article V, Colorado Constitution

At the election in November, 1964, the voters of Colorado adopted an amendment to the Colorado Constitution to replace the elected Auditor of State with a State Auditor appointed by the General Assembly. The pertinent sections are given below.

Section 21. Elected auditor of state - powers and duties. The auditor of state elected at the general election in 1962 shall hold his office until the second Tuesday of January of 1967. In case of a vacancy in the office prior to said date, such vacancy shall be filled by the governor. The provisions of this amendment shall not affect the powers and duties of such auditor of state during his term of office, but thereafter such powers and duties as prescribed by this constitution and by statute law, and not by this amendment specifically transferred to other state officers, shall devolve upon such state officers as the general assembly may prescribe.

Section 49. Appointment of state auditor - term - qualifications - duties. The general assembly, by a majority vote of the members elected to and serving in each house, shall appoint, without regard to political affiliation, a state auditor, who shall be a certified public accountant licensed to practice in this state, to serve for a term of five years and until his successor is appointed and qualified. He shall be ineligible for appointment as state auditor for more than two consecutive terms, or for appointment or election to any other public office in this state from which compensation is derived while serving as state auditor and for two years following the termination of his services as such state auditor. He may be removed for cause at any time by a two-thirds vote of the members elected to and serving in each house. It shall be his duty to conduct post audits of all financial transactions and accounts kept by or for all departments, offices, agencies, and institutions of the state government, including educational institutions notwithstanding the provisions of section 14 of article IX of this constitution, and to perform similar or related duties with respect to such political subdivisions of the state as shall from time to time be required of him by law.

Not more than three members of the staff of the state auditor shall be exempt from the classified civil service.

LEGISLATIVE AUDIT COMMITTEE

C.R.S. 1963, As Amended, 1965

~~3-21-1. Legislative audit committee - membership - meetings - powers and duties:~~ (1) There is hereby created a legislative audit committee, hereinafter referred to as "committee". The membership of the committee shall consist of four senators, two from each major political party, to be appointed by the president of the senate with the approval of a majority of the members elected to the senate, and four representatives, two from each major political party, to be appointed by the speaker of the house of representatives with the approval of a majority of the members elected to the house of representatives. Appointments to the committee shall be made no later than sixty days after the convening of the first regular session of the general assembly held in each odd-numbered year. Membership on the committee shall terminate with the appointment of a member's successor or upon the termination of a member's term of office in the general assembly, whichever occurs first, and any member may be appointed to succeed himself on the committee. Vacancies in the committee's membership shall be filled in the same manner as original appointments except that the approval of the members elected to the general assembly is not necessary if any such appointment is made when the general assembly is not in session.

(2) The committee shall select its chairman and vice-chairman from among its membership, and it shall prescribe its own rules of procedure. The committee may appoint subcommittees from the membership of the general assembly and other persons to assist the committee in carrying out its functions. The committee may meet as often as may be necessary to perform its functions, but it shall meet at least once in each quarter of the calendar year.

(3) (a) It shall be the function of the committee:

(b) To examine persons applying for the position of state auditor as to qualifications and ability, but without regard to political affiliation, and to place the name of the most qualified candidate or candidates in nomination before the general assembly for the position of state auditor;

(c) To review the activities and reports of the state auditor relating to post audits of the financial transactions and accounts of all departments, institutions, and agencies of the state government, and of other public agencies, and to submit its reports and recommendations thereon to the general assembly, the governor, and other interested officials within ten days after the convening of each regular session of the general assembly and at such other

times as the committee considers necessary;

(d) To keep minutes of its meetings which shall be available to all members of the general assembly upon request, and to allow any member of the general assembly to attend any of the meetings of the committee and to present his views on any subject which the committee may be considering; and

(e) To conduct such other activities as may be required by law or by joint resolution of the general assembly.

(4) Members of the committee shall be reimbursed for necessary expenses in connection with the performance of their duties, and shall be paid the same per diem as other members of interim committees in attendance at meetings.

3-21-2. State auditor - qualifications and appointment - term of office. The state auditor shall be a certified public accountant licensed to practice in this state. He shall be appointed without regard to political affiliation by a majority vote of the members elected to and serving in each house of the general assembly to serve for a term of five years and until his successor is appointed and qualified, with the first such term beginning on July 1, 1966. If a vacancy occurs in the position of state auditor when the general assembly is not in session, the committee may designate a temporary state auditor until a replacement is appointed by the general assembly.

3-21-3. Duties of state auditor. (1) It shall be the duty of the state auditor to conduct or cause to be conducted post audits of all financial transactions and accounts kept by or for all departments, institutions, and agencies of the state government, including educational institutions, to conduct performance post audits thereof, and to perform similar or related duties with respect to such political subdivisions of the state as may be required by law.

(2) The state auditor shall prepare for the committee reports and recommendations on the post audits conducted, and, under the direction of the committee, he shall prepare an annual report to contain, among other things, copies of, or the substance of, audit reports on the various departments, institutions, and agencies, as well as a summary of recommendations made in regard thereto. All reports shall be open to public inspection after they have been filed with the committee, the governor, and the department, institution, or agency concerned; provided, that that portion of any report containing recommendations, comments, and any narrative statements shall be released only upon the approval of a majority vote of the committee.

(3) The state auditor shall keep a complete and accurate set of records on the fiscal transactions of his office, and he shall also keep a complete file of copies of all audit reports, including work papers, and copies of examinations, investigations, and any other reports or materials issued by him, his staff, or by the committee.

(4) All expenses incurred by the office of the state auditor, including salaries and expenses of employees, shall be paid upon vouchers signed by the chairman of the committee and drawn on funds appropriated for legislative expenses and allocated to the office of the state auditor, except that any payroll voucher or any other voucher which does not exceed one thousand dollars may be signed by the state auditor or by his authorized designee.

3-21-4. Salary and staff of state auditor. The state auditor shall be paid a salary to be determined by the committee. The state auditor, with the approval of the committee, may appoint such additional professional, technical, clerical, or other employees, or to contract for such services, necessary to perform the functions assigned to the state auditor. No more than three members of the staff of the state auditor shall be exempt from the classified civil service.

3-21-5. Transfer of property, records, funds, and employees.

(1) On the second Tuesday in January, 1967, all property, equipment, records, and funds belonging or assigned to, and remaining to the credit of, the elected auditor of state shall be transferred, assigned, and credited to the state auditor. Until said second Tuesday in January, 1967, the state auditor appointed by the general assembly under the provisions of this article shall work in conjunction with the elected auditor of state, and may be assigned office space in the office of said auditor of state.

(2) On the second Tuesday in January, 1967, all employees of the department of auditing who are under the classified civil service of the state shall become employees of the state auditor appointed by the general assembly, and such employees so transferred shall retain all rights to civil service and retirement benefits under the laws of the state, and their services shall be deemed to be continuous.

3-21-6. Bond. Within ten days following his appointment, or within ten days after assuming the office of state auditor, whichever occurs later, the state auditor shall execute a bond in the sum of thirty thousand dollars, payable to the state of Colorado, conditioned for the faithful discharge of the duties of his office. Said bond shall be approved by the president of the senate and the speaker of the house of representatives, and shall be filed in the office of secretary of state. The premium on such bond shall be paid by the state.

3-21-7. Authority to subpoena witnesses - access to records.

(1) For the purposes of this article the committee shall have the power to subpoena witnesses, take testimony under oath, and to assemble records and documents, by subpoena duces tecum or otherwise, with the same power and authority as courts of record, and may apply to courts of record for the enforcement of these powers. The sheriff of any county shall serve any subpoena on written order of the committee in the same manner as process is served in civil actions. Witnesses subpoenaed to appear before the committee shall receive the same fees and expenses as witnesses in civil cases.

(2) The state auditor or his designated representative shall have access at all times except as provided by sections 137-1-16, 137-4-3, and 137-5-20, C.R.S. 1963, as amended, to all of the books, accounts, reports, confidential or otherwise, vouchers, or other records or information in any department, institution, or agency. Nothing in this subsection shall be construed as authorizing or permitting the publication of information now or hereafter prohibited by law. Any officer or employee who shall fail or refuse to permit such access or examination for audit, or who shall in any way interfere with such examination, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars nor more than one thousand dollars, or be imprisoned in the county jail for not less than one month nor more than twelve months, or be punished by both such fine and imprisonment.

(3) In verifying any of the audits made, the state auditor shall have the right to ascertain the amounts on deposit, in any bank or other depository, belonging to any department, institution, or agency required to be audited, and he shall have the right to audit said account on the books of any such bank or depository. No bank or other depository shall be liable for making available to the state auditor any of the information required under the provisions of this subsection.

3-21-8. Special audits. Any member of the general assembly or the governor may request the committee to direct a special audit of any department, institution, or agency, and upon the vote of the majority of the committee approving such request, the state auditor shall make or cause to be made such audit.

3-21-9. Emergency reports. (1) If the state auditor finds, in the course of an audit, evidence of improper practices of financial administration or inadequacy of fiscal records, he shall report the same immediately to the committee, and to the general assembly when in session. With the approval of the committee, the state auditor shall also report the same to the governor and the head or heads of any department, institution, or agency affected

thereby.

(2) If the state auditor, in the course of an audit, shall find evidence of apparently illegal transactions or misuse or embezzlement of public funds, or property, he shall forthwith report such transactions to the committee, and to the general assembly when in session; moreover, with the approval of the committee, he shall file a written copy of such report with the governor and also give notice thereof to the district attorney of the district wherein such transactions are reported to have taken place.

3-21-10. Change in title to effectuate transfer in functions.

(1) As of the second Tuesday in January, 1967, wherever in the following sections of the Colorado Revised Statutes 1963, the title "auditor" or "auditor of state" shall appear, it shall mean the state auditor appointed by the general assembly under the provisions of this article, and the revisor of statutes is hereby directed to indicate such change by editorial note accordingly: 3-7-6; 3-9-1 (1) (b), as amended; 81-15-23, as amended; 24-1-7; 62-3-9; 92-11-3; 109-2-28, 109-2-29, and 109-2-30; 111-1-3; and 120-13-32.

(2) As of the second Tuesday in January, 1967, wherever in the following sections of the Colorado Revised Statutes 1963, the title "state auditor" shall appear, it shall mean the state auditor appointed by the general assembly under the provisions of this act: 19-1-4; 94-1-64; 120-13-20; 137-6-6; 137-9-1 and 137-9-5 (2), as amended.

(3) As of the second Tuesday in January, 1967, the state auditor appointed by the general assembly under the provisions of this article shall replace the auditor of state as a member of the public employees' retirement board; the board of claims of the game, fish, and parks department; and the state board of equalization as provided by section 15 of article X of the state constitution.

3-21-11. Reimbursement of general fund for certain audits.

(1) Whenever the state auditor is required by law or the Colorado constitution to audit or cause to be audited a state department, institution, or agency or other governmental or organizational entity for nonappropriated activities, including but not limited to associated students' accounts, auxiliary enterprise funds, nonprofit corporations, contracts with the federal government, federal grants-in-aid, or federal assistance programs, the state general fund shall be reimbursed by the entity or entities for which the audit is in whole or in part performed.

(2) The reimbursement amount from such entity or entities shall be a pro rata share of the total state auditor's cost, based upon a time-spent factor, if the total audit of the entity includes the audit of state appropriated funds. If state appropriated funds are

not involved in such audits, the reimbursement shall be not less than the average hourly cost of the operations of the state auditor's office nor more than the average rate attainable from certified public accounting firms performing similar services for the state of Colorado. Reimbursement charges may be negotiated with the state auditor's office within the above limitations.

INTERFERENCE WITH THE LEGISLATIVE PROCESS

Article 10, Chapter 63, Session Laws  
of Colorado, 1973

63-10-1. Legislative declaration. The general assembly finds and declares that in addition to the protections against interference with the legislative process afforded by the provisions of sections 40-4-401, 40-4-501, 40-8-102, 40-8-306, and 40-9-110, C.R.S. 1963, there is a need for legislation under which appropriate action may be taken to prevent the commission of acts prohibited under said sections.

63-10-2. Chief security officers. (1) Each house of the general assembly may appoint a chief security officer to ensure the orderly operation of each house and committees thereof. Such chief security officers shall perform the duties of the house employing them and shall be under the direction of one or more members or officers of such house as may be designated in the rules of each house.

(2) Such chief security officers are hereby designated to be peace officers and shall have jurisdiction to act as such in the performance of their duties anywhere within the state.

(3) Each house may adopt rules regarding the organization, supervision, and operations of its security staff, prescribing the qualifications, training, and duties of its security officers and all other matters relating to the performance of their responsibilities.

63-10-3. Indemnification of members, officers, and employees of the legislature. (1) The state shall save harmless and indemnify all members, officers, and employees of the general assembly, either house thereof, or committees of the general assembly or either house thereof from financial loss arising out of any claim, demand, suit, or judgment by reason of alleged negligence or other act by such member, officer, or employee, as long as such member, officer, or employee at the time damages were sustained was performing duties relating to the maintenance of order in connection with the operation of the general assembly, either house thereof, or any committee of the general assembly or either house thereof, or involving the security, health, or safety of any member, officer, or employee of the general assembly, either house or a committee thereof, or the general public, and as long as such damage did not result from the willful and wrongful act or gross negligence of such member, officer, or employee; except that such member, officer, or employee shall, within five days after the time he is served with any summons, complaint, process, notice, demand, or pleading, deliver the original or a copy thereof to the attorney general.



(2) Upon such delivery the attorney general may assume control of the representation of such member, officer, or employee. Such member, officer, or employee shall cooperate fully with the attorney general's defense.

(3) This section shall not in any way impair, limit, or modify the rights or obligations of any insurer under any policy of insurance.

(4) The benefits of this section shall inure only to such members, officers, and employees and shall not enlarge or diminish the rights of any other party.

63-10-4. Legislative rules and regulations. (1) The senate and the house of representatives shall each have the power to adopt rules or joint rules, or both, for the orderly conduct of its affairs and to preserve and protect the health, safety, and welfare of its members, officers, and employees in the performance of their official duties, as well as that of the general public in connection therewith, and to preserve and protect property and records under the jurisdiction of the general assembly or either house thereof, consistent with public convenience, the public's rights of freedom of expression and to peaceably assemble and petition government, and the established democratic concepts of the openness of the legislative process.

(2) In lieu of or in addition to the adoption of such rules, the senate and the house of representatives may each, by rule, authorize its presiding officer to promulgate regulations for any or all such purposes.

(3) (a) Rules or regulations may be adopted with respect to the following matters, among others, without limitation by reason of such specification:

(b) Regulating admission to the legislative chambers, galleries, lobbies, offices, and other areas of the buildings wherein they are located which provide access thereto;

(c) Limiting the size of groups of persons permitted within such areas, for reasons of health and safety and in case of fire or other emergency;

(d) Prohibiting or restricting the bringing of signs, banners, placards, or other display materials into any such areas, or possessing them therein, without proper authorization;

(e) Prohibiting or restricting the bringing of radio or television equipment, recording equipment, sound-making or amplifying equipment, and photographic equipment into any such areas, or possessing them therein, without proper authorization;

(f) Prohibiting or restricting the bringing of packages, bags, baggage, or briefcases into any such areas, or possessing them therein, without proper authorization;

(g) Establishing rules of conduct for visitors to the galleries;

(h) Authorizing the clearing of the public from the chambers, lobbies, and galleries or from any room in which a public legislative hearing or meeting is being conducted in the event of any disturbance therein which disrupts legislative proceedings or endangers any member, officer, or employee of the general assembly or the general public, or where reasonable grounds exist for believing that such a disturbance or danger may occur; except that duly accredited representatives of the news media not participating in any such disturbance shall be permitted to remain therein. The closing of such areas to the public shall continue only so long as necessary to avoid disruption of the legislative proceedings or to preserve and protect the safety of the members, officers, or employees of the general assembly or the general public;

(i) Authorizing the construction of safety barriers and other protective measures for the galleries and other areas under the jurisdiction of the general assembly and the acquisition of security equipment, all within the funds made available therefor;

(j) Protecting the records and property of the general assembly from unlawful damage or destruction;

(k) Any and all other matters which may be necessary or appropriate to the orderly conduct of the affairs of the general assembly and the protection of the health, safety, and welfare of the members, officers, and employees of the general assembly and the general public in connection therewith.

(4) In lieu of or in addition to the adoption of separate rules, the senate and the house of representatives may adopt joint rules applicable to both houses.

(5) In lieu of or in addition to the promulgation of separate regulations, the senate and the house of representatives may promulgate joint regulations applicable to both houses.

(6) All such rules of the senate and the house of representatives or either house and regulations of the senate and the house of representatives shall be filed in the offices of the clerks thereof, and a copy of such rules and regulations shall be made available to any person upon request, without charge.

(7) Such rules and regulations shall have the force and effect

of law. Any person who willfully violates any such rule or regulation is guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for a period not exceeding thirty days, or by a fine not exceeding one hundred dollars, or by both such fine and imprisonment.

63-10-5. Injunctions. If the presiding officer of either the senate or the house of representatives has reasonable grounds for believing that any person or persons is then committing an unlawful act or is about to do so, which act is interfering or will interfere with any proceedings or other business of the general assembly, either house thereof, or any committee of the general assembly or either house thereof, he may seek injunctive relief in accordance with the Colorado rules of civil procedure.

63-10-6. Contempt of either house. (1) The senate and the house of representatives may each punish by imprisonment not extending beyond the same session of the general assembly, as and for a contempt, disorderly conduct of its members, officers, employees, or others committed in the immediate view of the senate or the house of representatives and tending to interrupt its proceedings. Imprisonment for contempt shall be effected by a warrant in the name of the people of the state, signed by the presiding officer of the house in which the contempt occurred, directed to the chief security officer of such house or the state police and ordering the apprehension of the contemnor and the delivery of him to the sheriff of the county in which the alleged contempt occurred for detention by said sheriff in accordance with such warrant, subject to such bail as may be set by the district court of the county in which the alleged contempt occurred. A finding of contempt and imprisonment therefor shall not constitute a bar to any other proceeding, civil or criminal, for the same act.

(2) (a) Notice of the proposed contempt citation shall be published in a resolution of the house in which the contempt occurred approved first by a majority of a committee and then of the house itself. If the contempt is committed before the house itself rather than a committee thereof, a resolution of the house itself shall be sufficient. Persons actually named in the resolution shall be either personally served or otherwise be given notice in the same manner as is provided by law and the Colorado rules of civil procedure for acquisition of jurisdiction over the person in civil actions. The notice shall include:

(b) A statement of the terms or substance of the offense or offenses which caused the citation to be issued;

(c) A statement of the time and place of the hearing before the committee which first passed the contempt resolution or before the house in which the contempt occurred, as the case may be. The

person to be cited shall be required to show cause why he should not be found in contempt. The time and place for hearing shall allow reasonable time to give the person to be cited notice of the charges against him and to prepare an appropriate defense concerning them.

(3) The contempt hearing shall give the person to be cited an opportunity for an oral presentation before the committee or before the house in which the contempt occurred, whichever is holding the hearing, for submission of written arguments, and for the right to counsel at the hearing.

(4) A person to be cited shall be found in contempt and shall be punished therefor only after a majority of the committee which initiated the contempt proceeding finds, after notice and a hearing which satisfies the provisions of subsections (2) and (3) of this section, that the person cited has been proven beyond a reasonable doubt to have committed a contempt as defined in this section. The committee shall state in a report to the full house the reasons for its finding. If the full house affirms by a majority vote the finding of the committee, the cited person shall be held in contempt.

(5) If the contempt citation is initiated by the house itself because of a contempt committed before the house, the person to be cited shall be punished for contempt if the house itself finds, by a majority vote, after notice and a hearing which satisfies the provisions of subsections (2) and (3) of this section, that the person cited has been proven beyond a reasonable doubt to have committed a contempt as defined in this section.

CONGRESSIONAL DISTRICTS

Article 1, Chapter 28,  
C.R.S. 1963, As Amended

28-1-1. Congressional districts. (1) (a) For the election of representatives to congress, the state of Colorado is divided into five congressional districts ..... (For the description of the congressional districts, see Chapter 40 of the 1972 Session Laws.)

ORGANIZATION OF THE GENERAL ASSEMBLY

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## ORGANIZATION OF THE GENERAL ASSEMBLY

Convening of the Senate and House: The General Assembly meets in regular session at 10 o'clock a.m. on the first Wednesday after the first Tuesday in January of each year. The Senate is called to order by the ranking officer present, in this order: the Lieutenant Governor of the preceding session; the president pro tem of the preceding session; the Senator having the longest continuous service in the Senate. The House is called to order by the Speaker of the preceding session, or in his absence, the member who has served the longest continuous time in the House. Following the call to order in each house, the respective chaplains lead the Senate and House in prayer.

Procedure of Business in the General Assembly on the Opening Day of the First Regular Session: With slight variations, a similar order of business is followed in both houses:

1. Reading of transmittal letter from the Secretary of State together with membership lists. In the Senate, this includes hold-overs and members-elect; in the House, members-elect.
2. Roll call.
3. Committee on Credentials: The presiding officer of each house appoints a three-member credentials committee. Both houses recess while these committees prepare reports upon the credentials of those claiming to be elected members of their respective houses. Upon reconvening the reports are read and adopted.
4. Administration of Oath to Members: The presiding officers of both houses appoint three-member committees to escort the Chief Justice (and/or associate justices) to each chamber, to administer the oath of office to the members-elect.
5. Election of Presiding Officers: Nominations are taken from the floor, and votes are cast by all members for the President pro tem of the Senate and the Speaker of the House.
6. Election or Appointment of the Secretary of the Senate and Chief Clerk in the House.
7. Adoption of Temporary Rules (Rules of the previous session).
8. The President pro tempore of the Senate appoints a committee of three to notify the House that the Sen-

ate is organized and ready for business; the Speaker of the House takes similar action to notify the Senate.

9. Introduction and Consideration of Resolutions:

- a. A Senate Joint Resolution is adopted by both houses to appoint a joint committee to notify the Governor that the \_\_\_\_\_ Regular Session of the \_\_\_\_\_ General Assembly is organized and ready for business, and to inquire of the Governor if he has any communication to present to the Assembly in Joint Session.
- b. A Senate Joint Resolution is adopted, providing for appointment of a joint committee to arrange for the inauguration of the Governor-elect and other elected state officials. (Inaugural years)
- c. A Senate Joint Resolution is adopted for a joint session, to canvass the votes cast for certain state officials elected at the last general election.
- d. Separate resolutions are adopted in each house, authorizing employment of individuals to fill specific service and clerical positions in the General Assembly for the duration of the session.

10. Joint Session for Governor's Message: Both houses are recessed for a joint session in the House. The call to order by the President of the Senate is followed by a roll call. The joint committee escorts the Governor to the rostrum from which he addresses the General Assembly. His address is ordered printed in the House Journal by the assembled legislators. The joint session dissolves, and both houses reconvene in their respective chambers for consideration of other business, introduction of additional resolutions, reading of further communications, etc.

11. Adjournment or Recess.

Daily Order of Business: The regular hour of meeting of both the Senate and the House is 10:00 a.m. daily, unless otherwise ordered. The President of the Senate and the Speaker of the House call their respective bodies to order.

Attendance: Each member must answer the roll call, unless he has been properly excused, and he is expected to remain until adjournment at the close of day. To be excused, a member must request permission of the President of the Senate or the



Speaker of the House. If he is unable to do this in person, he may ask another member to request his excuse.

Quorum: It is necessary to have a quorum present in order to transact business. A quorum consists of a majority of all members elected -- eighteen members in the Senate and thirty-three members in the House. However, a smaller number may adjourn from day to day, or for less than a day, and compel the attendance of absent members.

Daily Calendar: A copy of the Daily Calendar, showing the business to come before the General Assembly, is placed on each member's desk early in the morning. The business on the Daily Calendar usually takes place in the mornings; afternoons are devoted to scheduled committee meetings. Each house proceeds with the order of business as follows:

1. Reading, correction, and approval of the Journal. (The Constitution requires that a correct Journal of each day's proceedings be kept. Each day's Journal is printed following adjournment for the day, and a copy of the previous day's proceedings is placed on each legislator's desk the next morning.)

| <u>House</u>  | <u>Senate</u>                                 |
|---|---|
| 2. Special orders, if any, unfinished on previous legislative day   | 2. Reports of committees of reference         |
| 3. Reports of committees of reference   | 3. Reports of special committees              |
| 4. Reports of special committees  | 4. Third reading of bills                     |
| 5. Messages from the Senate, messages from the Governor, messages from the revisor, and communications from state officers. | 5. General orders                             |
| 6. Introduction of bills, first reading, by title   | 6. Consideration of resolutions and memorials |
| 7. Introduction of resolutions and memorials  | 7. Messages from the Governor                 |
| 8. Third reading of bills   | 8. Communications from state officers         |

- |  |  |
|--|--|
| <p>9. General orders</p> <p>10. Conference committee reports - majority and minority reports</p> <p>11. Consideration of resolutions and memorials</p> | <p>9. Messages from the House of Representatives</p> <p>10. Presentation of petitions and memorials</p> <p>11. Introduction of resolutions and memorials</p> <p>12. Introduction of bills and first reading by title</p> |
|--|--|

Committees of Reference: The members of each house are assigned to various committees of reference, to which all bills are referred immediately following the first reading by title. House committees of reference are appointed by the Speaker, and Senate committees of reference are appointed by resolution. Committees of reference in both houses are appointed at the beginning of each regular session following a general election and the members serve until after the next general election. The Speaker is responsible for referring bills to committees in the house; similarly, in the senate, bills are referred to committees by the President of the Senate. These Committees, which deal with particular subject areas, are listed in the table below.

The committee system makes it possible for a smaller group to give more detailed study to a bill than would be practicable were the full body of each house to consider all bills. The committees of reference meet in open session.

COLORADO GENERAL ASSEMBLY  
COMMITTEES OF REFERENCE

HOUSE:

Agriculture and Livestock  
 Appropriations  
 Business Affairs  
 Education  
 Finance  
 Game, Fish, and Parks  
 Health, Welfare, and Institutions  
 Judiciary  
 Labor and Employment Relations  
 Local Government

HOUSE: (cont'd.)

Natural Resources  
State Affairs  
Transportation and Highways

SENATE:

Agriculture, Livestock, and Natural Resources  
Appropriations  
Business Affairs and Labor  
Education  
Finance  
Game, Fish, and Parks  
Health, Environment, Welfare, and Institutions  
Judiciary  
Local Government  
State Affairs  
Transportation

OTHER COMMITTEES

HOUSE:

House Services  
Rules

SENATE:

Senate Services

The House Rules Committee, consisting of ten members, including the Speaker, decides which bills reported out of the committees of reference will be presented to the Committee of the Whole for second reading. The Rules Committee prepares a calendar which is to be posted on the bulletin board at least twenty-four hours prior to consideration by the House, whenever possible. In the absence of a rules committee in the Senate, bills appear on the calendar in the order in which they were reported out of the committees of reference with one intervening day between the day of the report and the day the bill appears on the calendar.

In accordance with Senate Rule 21 (j), a Calendar Committee of at least five (5) 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.

Committee of the Whole: In each house, every bill scheduled for general orders (second reading) or special orders (scheduled out of usual order) must be considered by such house sitting as a Committee of the Whole. The Committee of the Whole is the entire membership of either house sitting as a committee. The purpose of sitting as the Committee of the Whole is to allow a greater latitude in debate than is permitted under legislative rules. The committee is formed in each house upon adoption of a motion; the President of the Senate and the Speaker of the House appoint the respective chairmen who exercise the powers of the respective presiding officers during Committee of the Whole deliberations. When the Committee of the Whole "rises" to report, the formalities of the house are resumed and a record vote is taken on the adoption of the Committee of the Whole report.

Conference Committees: In case the Senate and House cannot agree on an amendment to a bill, the question is referred to a Conference Committee for further consideration. A separate conference committee is appointed to consider each bill on which there is disagreement. A conference committee is composed of six members -- three appointed by the President of the Senate and three by the Speaker of the House. The vote on acceptance of the conference committee report is taken following distribution of the conference committee report to the members of both houses.

Special Committees: In addition to the committees already mentioned which assist in various ways with the conduct of legislative business, there are many special committees such as interim committees appointed to study or investigate certain problems or areas of interest; the committees which notify the Governor that the General Assembly is in session and assist with inaugurations; funeral and flower committees, etc. In the Senate these special committees are appointed by the President unless otherwise ordered by the majority vote of all members elected; the Speaker appoints all special committees in the house.

Summoning of Witnesses: Committees of the General Assembly, whether created by law, resolution, or rule, and meeting during, or in the interim of a session of the General Assembly, have the authority to summon witnesses. The summons, in the form of a written subpoena, requires that a specified person with specified documents, if requested, appear before a committee at a designated time and place. The subpoena is issued

by the chairman of the committee following a motion approved by a majority of members of the committee at a meeting of the committee called by the chairman. The subject of the testimony or documents must pertain to the business of the committee.

Editors Note: The power to summon witnesses is pursuant to section 63-2-14, C.R.S. 1963.

### Officers and Employees of the General Assembly

Presiding Officers: The Lieutenant Governor is the President of the Senate; in his absence the President pro tempore serves in this capacity. The Speaker is elected by the House members to preside over the House; he designates a member to serve in his absence.

The presiding officer of each house preserves order; decides all questions of order, subject to a member's right of appeal; refers legislative proposals to committees of reference; and signs in open session all bills, resolutions, memorials and orders.

The Speaker of the House makes all committee appointments in that body, and the Lieutenant Governor appoints all committees in the Senate except committees of reference, senate services and the Calendar Committee, unless otherwise ordered by the majority vote of all members elected.

In both houses, the majority and minority parties each choose a floor leader whose function it is to lead his party and to expedite legislative business. The majority floor leaders assume the responsibility of maintaining the flow of legislative business.

Secretary of the Senate and Clerk of the House: These are the chief administrative officers of their respective Houses. They have general supervision over the legislative procedures, including:

1. Introduction of bills and resolutions.
2. Preparation of daily calendar and daily journal (where voting results are recorded).
3. Floor amendments.
4. Engrossing and enrolling procedures.

5. Messages to and from the Governor and the House of Representatives; also communications from other state officers and departments.
6. Custody of all documents and records; permit same to be used and examined only by authorized personnel. Missing papers will be reported immediately to the presiding officer.
7. Maintenance of pay records for all personnel employed by the General Assembly.

Assistant Secretary of the Senate and Clerk of the House:

1. Keep a record of all officers and employees and prepare pay records.
2. Perform other assigned duties and serve in the absence of the Secretary of the Senate or the Chief Clerk of the House, as applies.

Amendment Clerk:

Is responsible for the accurate preparation of proposed amendments to such measures as come before the houses. This is an extremely critical operation and the members are requested to have their proposed amendments prepared in advance of debate if at all possible.

Docket Clerk:

1. Keeps record, called "docket", in which he registers the numbers, titles, and sponsors of all legislative bills, resolutions, and memorials, with record of all action taken on these documents.
2. Distributes to the proper committees or officers all bills or other documents referred by the presiding officers.

Reporter:

Makes record of, collates, and transcribes in logical order information required for the official journal.

Reading Clerk:

1. Calls the roll.

2. Reads aloud, from the rostrum, all matters that come before the two houses -- journals, bills, committee reports, papers, etc., -- as designated by the Secretary of the Senate or Chief Clerk of the House.

#### Historian:

Is hired by the House of Representatives and is responsible for the preparation of the daily status sheet, the subject index of all measures introduced and the committee chairmen's weekly bill list. This information is prepared to cover both houses.

#### Enrolling Clerk:

1. Engrosses all bills. After passage of a bill on second reading in the house of origin, it is given to the engrossing clerk. To "engross" means to prepare an exact copy of the bill, with amendments, as it stands after second reading in the house of origin. If no amendment is made on second reading, the original bill itself is accepted as the engrossed bill.
2. Revises all bills originating in the other house. When the bill passes on second reading in the second house, with amendments, it is revised. To "revise" means to type amendments on slips of paper and clip these to the bill in appropriate places so that the bill reads exactly as it passed the second house on second reading.
3. Prepares a true copy of each bill in its final form for enrollment after it has been approved by both houses. The original is transmitted to the Governor for his action, and a copy is given to the sponsor. It is most important that the sponsor review very carefully the enrolled bill.

#### Printing Clerk:

1. Keeps record of all bills assigned to him while in the process of printing. The Printing Clerk is responsible for recording this information and sending the bill to the printer.
2. Proofreads the Journals and calendars.
3. Receives the printed copies and maintains record of quantities printed.

### Bill Clerk:

1. Maintains stock of all printed legislative documents and arranges for distribution of bills, journals, calendars, etc., to authorized persons and agencies.
2. Prepares for mailing packets of bills and other documents to authorized persons and agencies.

### Sergeant-at-Arms:

1. Has charge of all police regulations.
2. Supervises lighting, ventilation, and other house-keeping services.
3. Serves subpoenas and warrants.
4. Distributes materials to legislators as requested.
5. Keeps order in the lobby, and seats authorized visitors on the floor of either house.

### Visitors Aides and Gallery Matron:

1. Are stationed on the third floor and act as hostesses and information clerks in dealing with school groups and other visitors to the legislative galleries. They will notify members of the presence of visitors from their legislative districts.

### Assignable Clerks:

1. Receipt for and distribute the mails under the supervision of the Sergeant-at-Arms Department.
2. Arrange in each legislator's desk file printed bills, resolutions, journals, etc., as they are printed.
3. Perform such other duties as assigned by the Secretary of the Senate or the Chief Clerk of the House.

### Telephone Messengers:

Handle incoming and outgoing calls for the legislators in both houses.

### Stenographic and Typing Pool:

Stenographers and typists are assigned to pools in both houses to assist legislators in handling of correspondence, reports and other clerical tasks.



Legislative Printing Room:

The Legislative Council operates a legislative printing room where legislators may have copies of official material reproduced for distribution or personal use, within reason. A Xerox machine and a multi-lith machine, which can turn out a sufficient number of copies of material necessary for legislative use, are in the print room. The photographic equipment available can be used to reproduce materials as is or enlarge or reduce such materials in size.

LEGISLATIVE SERVICES

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## LEGISLATIVE SERVICES

### The Legislative Council

Created in 1953, the Legislative Council serves as the fact-finding and information-collecting agency of the General Assembly. This 14-member body consists of the majority leader of the Senate and the Speaker of the House, who serve ex officio, and 12 appointed legislators -- six senators and six representatives.

The council concept in Colorado grew out of a need for a continuing and permanent research staff to work directly for the legislature -- a need for a "leg man" to get facts for individual legislators and committees of reference during the session and to coordinate the work of specific study committees between sessions.

The Council appoints a Director of Research who, with the approval of the Council, may appoint such additional professional, technical, clerical, and other employees as are necessary to perform the functions assigned. The Council also appoints committees which concentrate on specific legislative study assignments with the assistance of the professional members of the staff. The staff member, in addition to doing the research, also serves as committee coordinator, initiates necessary correspondence, arranges meetings, compiles minutes, and prepares memorandums and reports on findings. Progress on these committee projects is effected through a series of periodic meetings or hearings and culminates in published reports which give pertinent data in the form of facts, figures, arguments, and alternatives, and usually include recommendations for action. Staff services are often provided for interim committees not directly under the Legislative Council, as well as for Council committees.

The offices of the Legislative Council are located in Room 46 in the basement at the north end of the State Capitol. In addition to research and fact-finding services, the Council fulfills other needs and demands which, with passage of but a few years, have become numerous and varied:

Individual Legislative Requests: Individual legislators who are interested in obtaining specific facts or in developing certain information may request council staff assistance, either in person or through correspondence. These requests are assigned to the professional staff, who, through the director, furnish the legislator with the desired information or material. The staff attempts to answer all individual re-

search requests as quickly as possible. Only those involving extensive research are submitted to the Council for specific approval.

Library Service: The Council maintains a sizable reference library of documents relating to governmental functions which is at the disposal of interested legislators. The Council staff, at the request of an individual legislator, will assemble or order reference material suitable to his needs. This material may be checked out for a reasonable length of time. Other state agencies and departments often utilize the Council library material and are encouraged to do so.

Information Service: When information is received which the director feels will be of value or interest to members of the General Assembly, it is reproduced and distributed to them. In addition, representatives of many clubs, organizations, and student groups, as well as interested citizens, visit the Council offices in search of information and material which they can utilize in pursuit of study projects concerning governmental affairs. Many telephone requests covering a multitude of legislative topics are handled from a wide range of sources.

Staffing Committees of Reference: The Legislative Council instituted a program of staffing committees of reference during the 1967 session. The Council's objectives during legislative sessions are:

- (1) To provide research assistance directly to all committees of reference;
- (2) To assist committee chairmen in administrative matters so as to expedite committee business; and
- (3) To make available individual staff members for the purposes of providing spot research and other duties so as to facilitate readily legislative informational services required by the committees under this arrangement.

General Assembly Documentary: In 1966, the General Assembly appropriated funds to the Legislative Council for the production of a motion picture concerning the legislative process for public distribution. Thus, COLOPADO: THE LEGISLATIVE PROCESS, a 28 1/2 minute, 16mm., sound, color motion picture, was produced in 1967.

The Legislative Council has arranged for the distribution of the motion picture through the State Historical Society of Colorado, and inquiry on loan should be directed to:

STATE HISTORICAL SOCIETY OF COLORADO  
200 East 14th Avenue  
Denver, Colorado 80203

The motion picture is available to members of the General Assembly at no charge other than return postage and insurance coverage for a value of \$150, which costs approximately \$1.50.

Since the motion picture has gained wide popularity, members of the General Assembly are advised to make arrangement for loan several weeks in advance of their plans for a showing. Loan period is for one week.

Public Appearances: Members of the staff make themselves available upon request for public appearance before various civic and professional groups in order to discuss the legislative aspects of state governmental topics which have been assigned to the Council for study and which are pertinent to the interest of the requesting group.

Correspondence: The Legislative Council, as a member of the Council of State Governments, is called upon to furnish information for compilation of material on matters of immediate interest to other governmental jurisdictions. Also, the Council, on a reciprocal basis, conducts an interchange of information and reports and completion of forms and questionnaires circulated by similar agencies in other states. Other correspondence processed by the Council includes requests from business and industrial firms relative to legislative provisions which affect individual situations, etc.

Reports: Each legislator receives a copy of every report published by the Council. A limited number of reports are distributed upon request, if available, to interested state officials, civic and professional organizations, and study groups. The Council has also arranged for exchange of reports with research agencies of other states, tax associations, etc.

Analysis of Ballot Proposals: In conformance with provisions of Chapter 63-4-3, C.R.S. 1963, the Legislative Council, among other duties, examines "the effects of constitutional provisions..." The Council, prior to each general election, distributes several thousand pamphlets which contain a summary of the provisions, comments, arguments for,

and arguments against each of the ballot proposals appearing on the ballot.

Duplicating Service: The Legislative Council maintains its own print room and duplicating equipment. Memorandums and reports for legislators and legislative committees are reproduced by the Council's duplicating department. Similar services are sometimes provided for other agencies.

Centralized Legislative Accounting Service: Under the supervision of the director of the Council, a centralized accounting service is maintained for the legislative department of government, including all offices and agencies thereof.

### Joint Budget Committee

The Joint Budget Committee is the permanent fiscal and budget review agency of the Colorado General Assembly, appointed by the presiding officers of both houses. The Joint Budget Committee consists of the chairman of the House Appropriations Committee plus one majority party member and one minority party member of the House Appropriations Committee, and the chairman of the Senate Appropriations Committee plus one majority member and one minority member of the Committee.

The Committee elects a chairman and a vice-chairman, one from the Senate membership of the Committee and one from the House membership of the Committee. The chairman so elected serves as chairman for the first regular session of the General Assembly at which the Committee is to serve, and as vice-chairman for the second regular session; the vice-chairman so elected serves as chairman for the second regular session of said General Assembly.

Established by statute in 1959, the Committee succeeded the former Joint Subcommittee on Appropriations. The Subcommittee was established on a year-round operating basis, with permanent staff, in 1956.

The Committee's offices are located in Room 341 of the State Capitol.

The Committee studies the programs, management, operations and fiscal needs of all state agencies. It reviews agency and executive budget requests, conducts budget hearings, and prepares appropriation recommendations to the House and Senate Appropriations Committees. The Committee travels to state institutions and colleges to hold budget hearings.

The Committee prepares the appropriation bills for introduction in the legislature. The annual "Appropriation Report" by the Committee, following the legislative session, expresses legislative intent and program guidance for state agencies.

Interim studies focus on selected management and fiscal needs.

The Committee files are available to all members of the General Assembly and members are invited to attend Committee hearings.

### The Legislative Drafting Office

The Legislative Drafting Office is under the direction of the Committee on Legal Services, and is the successor to the Legislative Reference Office, created in 1927, under the Department of Law.

The Committee on Legal Services consists of eight members of the General Assembly. The eight legislative members are the majority and minority leaders of the House of Representatives or their respective designees, the majority and minority leaders of the Senate, or their respective designees, the respective chairmen of the House and Senate committees on judiciary or their respective designees, one member from the minority party in the House of Representatives who is also an attorney at law, and one member of the minority party in the Senate who is an attorney at law.

The Committee on Legal Services appoints a director of the Legislative Drafting Office who is an attorney at law. The director appoints a regular professional staff which includes attorneys at law, and technical and clerical personnel to assist in the operation of the office. The Legislative Drafting Office is located in Room 30, State Capitol.

The Director of the Legislative Drafting Office also serves ex officio as secretary to the Colorado Commission on Uniform State Laws, and is presently designated also as Revisor of Statutes.

A new computer system was installed in the Legislative Drafting Office in 1970.

Drafting Services: The Legislative Drafting Office drafts most and types all of the bills, resolutions, and mem-

orials introduced in the General Assembly.\* In addition, all conference committee reports must be prepared by the Legislative Drafting Office.

Under the law establishing the Office, no bill can be drafted without the request of a member of the General Assembly or the Governor. All requests received by the Office are held in confidence and not discussed or released outside the Office without the prior permission or instruction of the member making the request. The Office maintains an attorney-client relationship with each member of the General Assembly and with the Governor.

Legislative Records: The Office maintains complete legislative records on bills, resolutions, and memorials considered and enacted by the General Assembly, and on other legislative actions, such as appointment of interim committees, rule changes, reports submitted, etc. During a session of the General Assembly, a comprehensive subject index is maintained of all bills and resolutions introduced, and a progress report is kept daily following the consideration and passage of a bill through the General Assembly. Copies of enrolled bills are available for reference purposes soon after passage.

Copies of all bills drafted by the Office and all bills printed by the General Assembly are kept on file for reference purposes. Such copies go back several years. Following adjournment, the Office prepares a Digest of Bills Enacted summarizing the major provisions of each bill passed during the preceding session.

Legislative Reference Services: The Office maintains a legislative informational service for members of the General Assembly. The purpose of this service is to make available information on legislative subjects and laws of other states. A small but selective legislative library is maintained. The Office works closely with the office of the Legislative Council, the Revisor of Statutes, and the Supreme Court Library so as to eliminate unnecessary duplication of legislative or law library facilities.

Other Services: In addition to the above services, the Legislative Drafting Office gives assistance to Legislative Council committees and interim committees not working directly under the Council. The Office also works closely with the Revisor of Statutes in checking enacted bills before insertion in the Session Laws and Supplement.

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\*Under Joint rule, no bill may be introduced in either house unless first approved as to form by the Drafting Office.



## Office of Revisor of Statutes

The Committee on Legal Services and the Office of Revisor of Statutes in the legislative branch are the successors respectively to the Committee on Statute Revision and the Revisor of Statutes which existed prior to May, 1969, under the judicial branch.

The Committee on Legal Services appoints a Revisor of Statutes, who is an attorney, to administer the Office of Revisor of Statutes. The Revisor appoints attorneys and clerical help to assist in the operation of the office. The Office of the Revisor of Statutes is located in Room 32, State Capitol.

Revising of Statutes: The Revisor is responsible for compiling, editing, arranging, and preparing for publication all the laws of the State of Colorado. The Colorado Revised Statutes of 1953 and 1963, with index and supplements, were prepared by this office. The 1973 revision is underway and will involve major changes in arrangement and format.

Editing of Statutes: The Revisor is required to adopt a uniform system of punctuating, capitalization, and wording; to eliminate duplication and laws repealed directly or by implication; to correct faulty section structure of existing statutes; and to clarify existing laws as the committee deems proper.

Preparing Supplements to Statutes: The Revisor of Statutes prepares supplements to the statutes. Laws enacted by the Colorado General Assembly in the two prior sessions are edited, collated and revised, with annotations, and are submitted to the General Assembly for re-enactment as the statutory law of Colorado of a general and permanent nature.

Session Laws: The Revisor is responsible for arranging and preparing for publication, immediately after the adjournment of each session of the General Assembly, bound volumes containing all the laws and concurrent resolutions passed at that session, together with those resolutions and memorials as are designated by the House and the Senate for publication.

## State Auditor and Legislative Audit Committee

The State Auditor is appointed by a majority vote of the members of the General Assembly to serve for a term of five years. He must be a certified public accountant licensed in Colorado.

The duties of the State Auditor are to conduct post audits of all financial transactions and accounts of all state departments, institutions, and agencies of the state government; prepare an annual report which contains audit reports of the various departments, institutions, and agencies, as well as recommendations concerning each department; and conduct special audits upon the request of the Governor or the General Assembly of any department, institution, or agency.

The Legislative Audit Committee is made up of four Senators, two from each major political party, and four Representatives, two from each major political party.

The function of the committee is to examine the qualifications of each person applying for the position of state auditor and place the name of the most qualified person before the General Assembly. The Committee also reviews the reports of the state auditor relating to post audits and submits its recommendations concerning the post audit reports to the General Assembly.

#### Clerk of the House and Secretary of the Senate

The Clerk of the House of Representatives and the Secretary of the Senate are year-round legislative employees. Their duties during the legislative session are described elsewhere in this handbook. Between sessions, they provide access to legislative records and handle administrative details for the General Assembly. Copies of bills are available in their offices.

#### Commission on Interstate Cooperation

Membership of the Colorado Commission on Interstate Cooperation consists of five senators -- President pro tem, majority and minority leaders, and two additional members, one each from the majority and minority parties; five representatives -- Speaker of the House, majority and minority leaders, and two additional members, one each from the majority and minority parties; and five administrative officials appointed by the Governor. The staff director of the Legislative Council serves as secretary to the Commission. The legislative members of the Commission also are considered as members of an interim committee of the General Assembly and are reimbursed for necessary expenses incurred while serving with the Commission.

The primary duties of the Commission are to participate in formulating, developing, and facilitating enactment of legislation to advance cooperation between governmental units,

including review of proposals for interstate compacts and uniform or reciprocal statutes, as well as the standardization of administrative rules and regulations. In addition, through regional and national meetings, correspondence, etc., Commission members endeavor to promote informal cooperation of governmental officials, provide an interchange of research and information, and generally attempt to improve the union among the various governments of the United States.

### Commission on Uniform State Laws

The Colorado Commission on Uniform State Laws is a part of the legislative department of state government. Each of the four members of the commission must be an attorney admitted to practice law in the state of Colorado and two of the four members must be members of the General Assembly. The Colorado Commission represents the state of Colorado at the National Conference of Commissioners on Uniform State Laws. The Director of the Legislative Drafting Office is designated by law to serve as the secretary to the Colorado Commission.

The purpose of the National Conference is to promote uniformity of state laws on all subjects where uniformity is deemed desirable and practicable; to draft model acts on subjects suitable for interstate compacts or subjects in which uniformity will make more effective the exercise of state powers and promote interstate cooperation; and to encourage the uniformity of judicial decisions.

Generally, the National Conference drafts and recommends uniform and model acts for consideration by state legislatures. In order for such acts to receive support of the conference, they must conform to the following requirements:

1. obvious need on a particular subject, including need for uniformity among the states;
2. reasonable probability of acceptance or, if not, will lessen diversity, at least indirectly;
3. lack of uniformity on the subject tends to mislead or adversely affect the citizens of a state dealing with other states;
4. non-controversial for political, trade, or professional reasons;
5. remove objectionable conflicts in existing laws; and
6. deal with law, not administrative procedure.

Tentative drafts of acts are referred from year to year to the National Conference, at which time the proposed legislation is reviewed section by section. When finally approved by the National Conference, the uniform acts are recommended for general adoption throughout the United States and submitted to the American Bar Association for its approval. File copies of current uniform acts promulgated by the National Conference are maintained in the Legislative Drafting Office for inspection by the public.

The Colorado Commissioners give an account of their transactions and recommendations to the Governor and the General Assembly prior to each regular session of the General Assembly.

### The Supreme Court Library

The Supreme Court Library, located on the second floor of the State Capitol, between the elevators, contains more than 50,000 volumes of law reports, text books, court reports, statutes of the fifty states, and other legal publications. The library is under the supervision of the Supreme Court, through a librarian appointed by the Court. The librarian and his assistants are paid from the general fund of the state but are not subject to civil service regulations. All fees collected by the clerk of the Supreme Court, including fees for the admission to the Bar, are deposited to the "Supreme Court Library Fund," to be used for the purchase of books, binding of documents, and purchase and maintenance of equipment and fixtures. While the Supreme Court Library does not furnish any reference service, the facilities are available to members of the General Assembly.

### The Colorado State Library

The Colorado State Library within the Department of Education offers a number of legislative reference services to members of the General Assembly. The legislative reference services include: information on subjects of special interest; research materials for articles or speeches; bibliographies and reading lists on specific subjects; vital, commercial, financial, and other statistics; information from public agencies when the member prefers not to deal directly with the agency; information on educational, medical, scientific, religious, and other institutions; and information from published federal and state documents.

Facilities and materials used to provide such services include the following: books, periodicals, and pamphlets on subjects of interest to state government; a depository of

over 500,000 federal documents; selected documents from Colorado and other states; and access for Colorado state government into the national teletype network connecting libraries, which permits the Colorado State Library to locate and to borrow needed library materials from anywhere in the United States if not available in Colorado.

The Colorado State Library is located at 1362 Lincoln Street and is open Monday through Friday, from 8:00 a.m. to 5:00 p.m. Members, in making a request, may visit the library or send a representative or may telephone such request at 892-2177.

## GENERAL INFORMATION

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## GENERAL INFORMATION FOR LEGISLATORS

Many bits of information concerning the routine affairs of legislative activity, which are taken for granted by the seasoned legislator, may present somewhat of an enigma to the newly-elected official who comes to the Capitol for his initial term of service with the General Assembly. It is felt that the following information will be valuable to new and experienced legislators alike.

Certification of Election: On the thirty-first day after any general election at which votes have been cast for candidates for the General Assembly, the Secretary of State proceeds to canvass the votes for state senators and state representatives.

Upon completion of the canvass, the Secretary of State certifies statements and determination of election made by him, and transmits to each person thereby declared elected to the General Assembly a certificate of election certified by him under his seal. Also, the Secretary of State arranges to have printed a copy of such certified statement and determination in a newspaper published at the seat of government.

### Post-Election Organizational Meeting:

Majority Party - Shortly after the November general election, the State Central Committee of the party in control -- known as the majority party -- notifies all duly elected members of the General Assembly of an organizational meeting which is usually held in Denver prior to Thanksgiving. At this meeting, incoming members of the General Assembly join with party leaders to select, informally, the principal officers of each house. Representatives and Senators meet separately, with the former selecting the Speaker, Majority Floor Leader, and Caucus Chairman, and the latter selecting the President pro tempore, Majority Floor Leader, and Caucus Chairman.

While the House Speaker is selected informally in the manner related, he is elected formally by all members of the House on the first day of the session. Tentative designation of a speaker at the November meeting enables the person so selected to devote one month's time to appointments of chairmen and members of the House committees of reference. House members who are interested in serving on certain committees may submit personally their preferences to the designated Speaker. The Speaker may or may not consult with older members or correspond with a prospective committeeman in order to evaluate his background and qualifications for particular committee assignments.

The Senate, by a majority vote of all members elected, selects a member as President pro tempore. In the Senate, Committee assignments are delegated usually to the Committee on Committees, which is appointed at the November organizational meeting. Appointments to Senate committees of reference are made by resolution at the beginning of each regular session and remain constituted as such until the first regular session convening after the ensuing general election.

Minority Party - The minority party usually holds its organizational meeting on the same day as does the majority party; leaders selected are the Minority Floor Leaders and Caucus Chairmen for each House.

Employment of Personnel: The majority party has charge of appointments of personnel to the various positions necessary to the operation of the General Assembly. These positions include the established offices in both houses, together with stenographers, typists, clerks and messengers in sufficient number to handle administrative and clerical detail. On the opening day of the session, these employees are assigned by resolutions to specified positions with designated compensation per calendar day, to serve for the duration of the session. Certain positions may be continued throughout the remainder of the year by resolution passed toward the close of the session.

Assignment of Seats: Seats are usually assigned by a committee appointed for that purpose in each chamber. The majority and minority leaders of either house occupy the two front row center seats. No established order is followed for assignment of other seats; however, in the Senate, seniority usually governs choice of seats.

Cloakroom Space: Space is assigned to each legislator in cloakrooms adjoining the House and Senate chambers, as designated by attached name card.

Materials Furnished to Legislators: The following materials and supplies are placed on each legislator's desk on the opening day of the session or within the first several days of convening:

1. Stationery: Letterheads and return address envelopes;
2. Identification Decal: To be placed on car window;
3. Six Looseleaf Binders: One each for Senate bills, House bills, Senate journals and calendars, and



House journals and calendars. These are kept current by legislative clerks. Binders are turned in at the end of each session.

State Constitution: A copy of the Constitution may be obtained from the Chief Clerk or the Secretary of the Senate upon request. The Secretary of State has charge of publishing copies of the Constitution, and a reasonable supply for distribution is maintained in his office.

Statutes: Each legislator receives one set of the Statutes during his legislative service. Statutes are available from the Secretary of State, through the Chief Clerk (in the House) or the Secretary (in the Senate). In addition, each legislator receives supplements published during his term of service. Any legislator desiring supplements subsequent to his leaving the General Assembly may purchase them from Ford-Robinson Printing Company, Denver. Cost of the eight-volume set of 1963 Statutes is \$63.13; the cost of cumulative supplement varies depending on the amount of printing involved.

Session Laws: Each legislator is furnished, through the Secretary of State, a copy of the Session Laws which are published following his service in each ordinary or special session of the General Assembly.

General Supplies: Requests for general supplies should be given to legislative clerks.

Stenographic Services: Both the Senate and the House maintain typing pools during legislative sessions where stenographers are available for dictation and typing. Legislators should contact the printing clerk of the House in arranging for this service, and in the absence of the printing clerk, the Chief Clerk. In the Senate, legislators should make arrangements with the Secretary. Stenographers will deliver completed work to the legislator's desk.

Mailing and Postage: Outgoing mail baskets are at the Chief Clerk's desk in the House and at the Secretary's desk in the Senate. Incoming mail is distributed to the Legislator's desks by the Sergeant-at-Arms.

Telephone Service: There are two dial phones installed on either side of each house and several booths with dial phones in the hall near the telephone console. Also there are three

dial phones on both the third and ground floors near the committee rooms. Incoming calls are taken by the operator at the console and messengers deliver them to legislators at their desks, as well as call legislators to the telephone to take calls when such action does not interfere with the order of business. Legislators may make outgoing calls or return incoming calls by using any of the dial phones. Pursuant to Joint Rule No. 27, a telephone credit card is issued to each member for long-distance calls for use in connection with his official duties during his term of office.

Parking: Each legislator receives a special legislative identification decal and a special license plate to attach to the rear license plate of his car. These are distributed from the Sergeant-at-Arms' desk at the beginning of the session. Parking space on the Capitol circle drive not already assigned or metered will accommodate approximately 122 cars. Space is reserved for legislators around the Capitol circle. Assignment of parking spaces is supervised by the Buildings Manager. Denver city police are furnished with a list of license numbers of legislative cars, in order to keep parking difficulties and ticketing to a minimum. It is important that Representatives inform the Chief Clerk of the House, and Senators inform the Secretary of the Senate of license plate changes.

Visitors. Visitors who wish to contact a particular legislator should check with one of the Sergeants-at-Arms who are stationed at the rear of each chamber. Also, the telephone messengers at the switchboard may be asked to notify members of the General Assembly of visits by constituents. Legislators may procure visitors' cards from the Clerk of the House or the Secretary of the Senate to distribute to guests. The visitors' card serves to facilitate admittance to the floor of the Chambers.

For rules concerning visitors and use of galleries and chamber floors, please see: House Rules 38 and 41; Senate Rule 31.

Press: Representatives of the press, radio, and television have access to the floor of either chamber, where tables for their use are provided in front of the Clerk's desk in the House and in front of the Secretary's desk in the Senate. Representatives of the various news media who desire admittance to the floor of either chamber must be approved and accredited by the respective presiding officers. The press room is No. 327 on the third floor of the State Capitol.

Regulation of Lobbyists: At the November, 1972 General Election, the electorate adopted "The Colorado Sunshine Act of 1972", and one part of the act provides for the regulation of lobbyists, businesses, organizations, and other persons who either contribute or receive money to influence legislation by the General Assembly, the approval or veto of legislation by the Governor, or the policy-making or rule-making of any board or commission.

A lobbyist is now required to register the following information with the Secretary of State: the names of persons in whose interest he works, length of employment, how much and by whom he is paid, how much he receives for expenses, what is considered an expense, the proportion of his time spent lobbying, and the percentage of his regular pay that supports lobbyist activities.

Each month, and annually, a lobbyist, organization, or person soliciting money to influence legislation must file a list of expenditures made, an account of the total of individual contributions received amounting to less than \$25 and a list of contributors providing \$25 or more. The required filings must contain an explanation of to whom and for what purpose contributions or expenditures were made during the preceding calendar quarter; the identity of publications to which expenditures are made for advertisements, articles, or editorials relating to lobbying; and the identity of the measure for whose opposition or support a lobbyist is employed. All statements are open to public inspection.

These regulations do not apply to citizens appearing before legislative committees on an uncompensated basis or to state or elected officials acting in their official capacities.

Under the statute, if a lobbyist or his employer hires a legislator, a legislative or state employee, or a member of a state policy-making or rule-making board or commission, he shall so state under oath to the Secretary of State within 10 days, specifying the nature of employment, the name of the person hired, and the amount of compensation to be paid. The statute prohibits agreements under which compensation to a person is contingent upon the passage or defeat of measures before the Governor, the General Assembly, or a state board or commission.

According to the Office of the Secretary of State, 515 persons are registered as lobbyists under the provisions of the Sunshine Act.

In addition to the Sunshine Act, House and Senate rules require a lobbyist to register before he appears before committees of the General Assembly, giving his name, and address, the identity of interests he represents, and the bill upon which he wishes to be heard; however, due to the passage of the act in 1972, such rules have not been enforced.

The following table shows the number of lobbyists registered during the sessions from 1951 through 1972 and the number of lobbyists registered as of this date in 1973. Prior to 1973, lobbyists were only required to register if they appeared before a legislative committee during the session; however, after 1973, lobbyist registration is a continual process since such registration has been expanded to include those who attempt to influence any policy-making or rule-making board or commission.

| <u>Year</u> | <u>House</u>  | <u>Senate</u> |
|-------------|---------------|---------------|
| 1951        | 63            | Not available |
| 1953        | 73            | 60            |
| 1955        | 150           | 122           |
| 1957        | 215           | 208           |
| 1959        | 298           | 266           |
| 1961        | 316           | 217           |
| 1963        | 226           | 208           |
| 1964        | Not Available | 94            |
| 1965        | 206           | 208           |
|             | (approx)      |               |
| 1966        | 57            | 74            |
| 1967        | 186           | 225           |
| 1968        | 93            | 88            |
| 1969        | 255           | 203           |
| 1970        | 130           | 129           |
| 1971        | 230           | 225           |
| 1972        | 196           | 176           |
| 1973        | 515           | 515           |