Report to the
Colorado General Assembly

DRAFT

Legislative Emergency Preparedness, Response, and Recovery Committee

Prepared by

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Legislative Emergency Preparedness, Response, and Recovery Committee

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Senator Jeanne Nicholson, Vice-Chair

Representative Leroy Garcia
Mr. Matt Devlin
Ms. Debbie Haskins
Mr. Manish Jani
Mr. John Ziegler

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November 2013

To Members of the Sixty-ninth General Assembly:

Submitted herewith is the 2013 Legislative Emergency Preparedness, Response, and Recovery Committee (LEPRRC) final report. The 2013 final report provides a complete summary of all LEPRRC activity in 2013.

Created pursuant to Senate Bill 07-229, the committee is required to develop a plan for the response by, and continuation of operations of, the General Assembly and the legislative service agencies in the event of an emergency epidemic or disaster. The committee is required to meet at least annually to review and amend the Continuity of Operations (COOP) plan as necessary and shall provide any updated plan to the Speaker of the House of Representatives, the President of the Senate, the Executive Director of the Department of Public Health and Environment, the Governor's Disaster Emergency Council, the Director of the Division of Emergency Management in the Department of Public Safety, and the Governor's Expert Emergency Epidemic Response Committee.

The LEPRRC final report serves as a permanent record of the legislative branch's COOP plan. The report also serves as an information document for any other entity or individual interested in emergency preparedness for the legislative branch of state government.

Respectfully submitted,

/s/ Michael Mauer
Director

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This report is also available on line at:

http://www.colorado.gov/lcs/LEPRRC

Committee Charge

The Legislative Emergency Epidemic Response Committee (LEERC) was established by Senate Bill 07-229 in Sections 2-3-1501 through 2-3-1503, C.R.S. These provisions require the committee to "develop a plan for the response by, and the continuation of operations of, the General Assembly and the legislative branch in the event of an epidemic emergency." That plan is now known as the Legislative Continuity of Operations Plan (COOP), and is described in Appendices A through C of this report.

House Bill 10-1080 amended Section 2-3-1503, C.R.S., expanding the scope of the committee to include disaster preparation and authorizing the committee to recommend legislation. In addition, the bill changed the title of the committee from the Legislative Emergency Epidemic Response Committee (LEERC) to the Legislative Emergency Preparedness, Response, and Recovery Committee (LEPRRC).

In addition to its statutory charge, the committee is authorized to convene, in the event of an emergency epidemic or Governor-declared disaster emergency, as rapidly and as often as necessary to advise the Speaker, the President, and the legislative service agencies regarding reasonable and appropriate measures to be taken by the General Assembly and the legislative service agencies to respond to the emergency epidemic or disaster and to protect public health.

The legislative committee is also required to communicate, cooperate, and seek advice from the Governor's Disaster Emergency Council, the Department of Public Health and Environment, the Governor's Expert Emergency Epidemic Response Committee and, as of 2012, the Division of Homeland Security and Emergency Management within the Department of Public Safety, which was established under House Bill 12-1283 to consolidate Colorado's homeland security operations.

The 11-member legislative committee is comprised of 2 members of the Senate, 2 members of the House, the Secretary of the Senate, the Chief Clerk of the House, and 5 members representing legislative staff agencies. In 2013, the committee is comprised of the following individuals:

Senator Kent Lambert, Chair
Senator Jeanne Nicholson, Vice-Chair
Representative Leroy Garcia
Representative Lori Saine
Mr. Matt Devlin, Office of the State Auditor
Ms. Marilyn Eddins, Chief Clerk of the House
Ms. Debbie Haskins, Assistant Director, Office of Legislative Legal Services
Mr. Todd Herreid, Fiscal Director, Legislative Council Staff
Mr. Manish Jani, Senior IT Manager, Legislative Council Staff
Ms. Cindi Markwell, Secretary of the Senate
Mr. John Ziegler, Director, Joint Budget Committee

Recent Committee Activities

2008 Activities

The LEERC met four times during the 2008 legislative session. The focus of the committee's activity fell into four general categories: fact finding and collection of information about the state's existing structure of emergency epidemic response planning; examination of other states' activities with regard to emergency response planning, specifically in the area of pandemic events; a review of Colorado's constitutional, statutory, and requirements by rule governing legislative operations; and a proposed legislative continuity of operations plan, including interactions with executive branch departments and agencies. Among the groups providing testimony and background information were the following:

- Colorado Department of Public Health and Environment, including the Pandemic Preparation Annex and the Division of Emergency Services
- Office of Legislative Legal Services
- National Conference of State Legislatures
- Office of the Governor

2008 Recommendations

The committee recommended four resolutions and one bill for consideration during the 2009 legislative session. Two of the resolutions were introduced as legislation.

Senate Resolution A — Concerning the Authority of the President of the Senate to Address Matters Not Covered by the Senate Rules. This resolution provides the Senate President with the same power currently held by the Speaker of the House to exercise authority over any matter not covered specifically by the Senate rules. These matters shall be governed by the decision of the President, subject to the right of appeal by any member as provided in these rules.

Senate Resolution B — Concerning the Line of Succession for the Secretary of the Senate. This resolution provides for the line of succession in the event of the death, resignation, disability, or absence from the state of the Secretary of the Senate. The resolution provides for the appointment of the assistant to the secretary as acting secretary until a new secretary can be appointed or until the secretary is able to return. The order of succession in the Senate after the assistant secretary is the docket clerk and the calendar clerk.

House Resolution C — Concerning the Line of Succession for the Chief Clerk of the House of Representatives. Resolution C provides for the line of succession in the event of the death, resignation, disability or absence from the state of the Chief Clerk of the House of Representatives. The resolution provides for the appointment of the assistant to the chief clerk as acting chief clerk until a new chief clerk can be appointed or until the assistant chief clerk is able to return. The order of succession in the House after the assistant chief clerk is the journal clerk, the reading/docket clerk, and the bill status clerk.

House Joint Resolution D — Concerning a Provision of the Joint Rules of the Senate and the House of Representatives of the Colorado General Assembly for Use in the Event of Declared Disaster Emergency. The final resolution adopted by the committee adds a new Joint Rule 43 which details the rules of procedure for both houses during a declared disaster emergency. The joint resolution stipulates that the new rule shall apply if the governor issues an executive order that declares a state of disaster emergency caused by a public health emergency. The rule would apply to either a regular session or special session in addition to any other applicable rules of the House, Senate, or joint rules.

House Bill E — Concerning the Filling of Vacancies in the Colorado General Assembly During a Declared Disaster Emergency. Bill E addresses the issue of filling vacancies for members of the General Assembly during a declared disaster emergency. The bill authorizes the Governor to make a temporary appointment to fill a vacancy when a member's seat is vacant due to death, illness, or resignation. The bill also requires that the person appointed by the Governor shall be from the same political party as that of the former member whose seat is vacant; for unaffiliated members, the measure requires the appointment of an unaffiliated person. The person appointed in this manner shall serve only during the disaster emergency. Once the disaster emergency is declared over, a vacancy committee shall be formed to appoint a replacement to fill the vacant seat.

2009 Activities

In 2009, the LEERC met five times to discuss pending matters that were not resolved in 2008 and to gather information about the possibility of an imminent influenza pandemic and the state's preparedness for such an event.

Continuity of government. The committee reviewed the 2008 final report of the committee to determine whether additions or revisions were required. The discussions specifically focused on continuity of government, relocation of the seat of government, filling legislative vacancies, and the legislative recommendations made by the committee in 2008. The committee received a thorough status report on state government continuity planning from General Mason Whitney of the Governor's Office of Homeland Security. The committee also discussed the status of individual continuity of operations plans for each legislative agency.

As a result of committee deliberations, the committee recommended a Senate Resolution concerning the replacement of the Secretary of the Senate in the event of an emergency. The resolution also addressed the authority of the Senate President. The committee also recommended a House Resolution, which amended House Rule 43 (n) to eliminate the line of succession for the Chief Clerk of the House. Lastly, the committee recommended a House Joint Resolution, which made a technical change to Joint Rule 44 to resolve an inconsistency in the language of the rule.

Legislative vacancies. The committee heard a presentation about the process of filling legislative vacancies in other states. Colorado law covers legislative vacancies that occur due to death or resignation, but it does not address extended absences that can occur because of illness or statewide disaster. Several other states require legislators to designate a list of successors. Others allow a majority of the legislative body to vote to fill a vacancy. The committee discussed various scenarios when legislators may need to be replaced, the current law in Colorado, and the need for a more comprehensive statute to address legislative vacancies in the case of

emergencies. Although the committee discussed potential statutory or rule changes, no action was taken by the committee on this topic.

State emergency management. To help educate members of the committee on emergency management in Colorado, the LEERC toured the Department of Public Health and Environment's (CDPHE) Emergency Operations Center and the Multi-Agency Coordination Center run by the Division of Emergency Management in the Department of Local Affairs. At each stop, the committee heard presentations about emergency management operations and procedures across the state.

H1N1 influenza virus. A panel of state medical experts briefed the committee regarding the H1N1 influenza virus, also known as swine flu. The briefing covered outbreaks of H1N1 in Colorado and state and local response to such outbreaks. The briefing also discussed strategies for stopping the spread of the virus and the statewide planning process for the upcoming flu season. Finally, the briefing addressed testing for the virus, vaccination efforts, and reporting of flu cases to the CDPHE.

Additional committee discussion. The committee discussed the subject of temporarily relocating the seat of government and the authority to relocate the General Assembly during a declared emergency. The committee considered, but declined to make recommendations.

2009 Recommendations

The committee made three legislative recommendations for consideration during the 2010 legislative session, all three of which were introduced as legislation and adopted.

Senate Resolution A, introduced as Senate Resolution 10-005 — Concerning the Line of Succession for the Secretary of the Senate and the Authority of the President of the Senate to Address Matters Not Covered by the Senate Rules. The committee combined two resolutions (Senate Resolution A and Senate Resolution B) that were previously recommended by the 2008 LEERC, but not adopted during the 2009 legislative session.

This Senate resolution amends Senate Rule 40 to provide the President the authority over any matter not covered specifically by the Senate rules, subject to the right of appeal by any member of the Senate. Additionally, this resolution amends Senate Rule 13 to provide a line of succession for the Secretary of the Senate in the event of the death, resignation, disability, or absence from the state. The resolution provides for the assistant to the secretary to serve as acting secretary until a new secretary can be appointed or until the current secretary is able to return. If the assistant to the secretary is unable to serve, the President has the authority to appoint a new acting secretary.

House Resolution B, introduced as House Resolution 10-1004 — Concerning the Line of Succession for the Chief Clerk of the House of Representative. This House resolution amends House Rule 43 (n) that was previously suggested by the 2008 LEERC and adopted through House Resolution 09-1005. House Resolution 09-1005 designated the line of succession for the Chief Clerk of the House of Representatives in the event of the chief clerk's death, resignation, disability, or absence from the state. This rule currently provides that the following persons must succeed the chief clerk in the following order: the assistant chief clerk, the journal clerk, the reading clerk, and the bill status clerk.

The new resolution amends House Rule 43 (n) to eliminate the line of succession for the chief clerk. Instead, the Speaker has the authority to appoint a new acting chief clerk in the event that the assistant clerk is unable to serve as an acting chief clerk.

Joint Resolution C, introduced as House Joint Resolution 10-1017 — Concerning Technical Changes to Joint Rule 44 (c) (2). This joint resolution amends Joint Rule 44 (c) (2), concerning rules of procedure during a declared disaster emergency. This is a technical amendment to clarify that there would be a limit on the number of bills House or Senate members could request or introduce during a declared disaster emergency.

Summary of 2010 Legislation Concerning Emergency Planning

In addition to the recommendations made in committee during the 2009 interim, members of the LEERC individually sponsored several measures that made changes to legislative rules, state statutes, and the constitution to address emergency planning for the General Assembly.

***House Bill 10-1080* — Concerning the Expansion of Duties of the Legislative Emergency Epidemic Response Committee.** House Bill 10-1080 changed the title of the committee from the Legislative Emergency Epidemic Response Committee (LEERC) to the Legislative Emergency Preparedness, Response, and Recovery Committee (LEPRRC). The bill also amended Section 2-3-1503 C.R.S., to expand the scope of the committee to include disaster preparation and authorized the committee to recommend legislation.

House Concurrent Resolution 10-1004 — Submitting an Amendment to the Colorado Constitution Concerning a Process for Temporarily Moving the Seat of Government in a Disaster Emergency. House Concurrent Resolution 10-1004 submitted a ballot measure (Amendment Q) to amend the state constitution at the 2010 general election. Amendment Q, which was adopted, created a process for temporarily moving the seat of government if a disaster emergency affects the ability of state government to operate in Denver.

This measure also defined the seat of government as the location of the legislative, executive, and judicial branches of the state of Colorado, and authorized the Governor to designate a temporary meeting location for the state legislature after declaring a disaster emergency, and after consulting with the Chief Justice of the Colorado Supreme Court, the President of the Senate, and the Speaker of the House of Representatives. According to the measure, a declared disaster emergency would require the legislature to meet at that location and decide whether to pass a bill designating a temporary location for the seat of government outside of Denver, and indicate when the temporary location of the seat of government would expire.

2010 Activities

The LEERC only met once in May 2010 due to the adoption of Senate Bill 10-213, which suspended the activities of most interim committees, including LEERC, during the 2010 interim. The committee discussed the interim schedule in response to Senate Bill 10-213. The committee also reviewed legislative recommendations from the committee that were adopted during the 2010 legislative session. Specifically, the committee discussed House Concurrent Resolution 10-1004, and reviewed changes to the committee under House Bill 10-1080.

2011 Activities

The LEPRRC met on May 6, 2011, to elect a new committee chair and vice-chair for the 2011 interim. The committee reviewed the committee's charge, response plan, and annual reporting requirements. The committee also reviewed House Bill 10-1080 and House Concurrent Resolution 10-1004, and discussed possible meetings during the 2011 interim.

The committee did not meet again during the 2011 interim, but did satisfy the statutory requirement for the committee to submit the emergency response plan to the Speaker of the House of Representatives, the President of the Senate, the Governor, the Executive Director of the Department of Public Health and Environment, the Governor's Disaster Emergency Council, the Director of the Division of Emergency Management in the Department of Local Affairs, and the Governor's Expert Emergency Epidemic Response Committee by July 1, 2011.

2012 Activities

The LEPRRC met on May 8, 2012, to receive a status report on state emergency management and continuity planning from members of the Governor's Office of Preparedness and the Department of Public Safety. The committee reviewed the committee's charge, response plan, and annual reporting requirements and made no changes. The committee satisfied its statutory obligations by meeting at least once and review the Continuity of Operations Plan.

2013 Activities

The LEPRRC met on April 23, 2013, to review the committee's charge. The committee received status reports from the Department of Public Safety (DPS), the Office of Information Technology (OIT), and the Colorado State Patrol (CSP).

Department of Public Safety. DPS leadership provided a status report on State Emergency and Continuity Planning in Colorado. The Office of Preparedness, the Office of Emergency Management, and the Office of Prevention and Security is now consolidated under the Division of Homeland Security and Emergency Management (DHSEM) in DPS, pursuant to House Bill 12-1283. DPS offered to advise the committee on best practices and assist in planning efforts for its work on the Continuity of Operations Plan (COOP) and Continuation of Government (COG) plan through its Office of Preparedness. DPS is overseeing a statewide update of COOP-COG plans, which includes revitalizing, training, and exercising plans for all state agencies.

Office of Information Technology. OIT's director discussed his office's prevention and mitigation efforts related to malicious cyber events.

Colorado State Patrol. CSP representatives discussed the agency's role in informing and training members of the Capitol staff on the emergency action plan and also in securing the Capitol.

The LEPRRC met again on August 28, 2013, to listen to a presentation on the State Capitol's Emergency Action Plan from the Colorado State Patrol. The committee then toured Department of Public Safety facilities, including the Colorado Information Analysis Center in Lakewood and the Emergency Operations Center in Centennial.

Capitol Emergency Action Plan. CSP representatives gave an overview of the Colorado State Capitol Building's Emergency Action Plan. The plan is a living document updated every fiscal year based on feedback from floor wardens and pertinent developments. CSP also discussed its role in the building, which includes acting as the Capitol's 9-1-1 alert system by responding to medical calls, suspicious packages, fights, and all other incidents that require police attention.

Colorado Information Analysis Center. Located in Lakewood, Colorado, the CIAC is an integrated multi-agency, multi-jurisdictional information-sharing network whose mission is to collect, analyze, and disseminate information in a timely manner. The CIAC partners with public and private safety entities, including: the Colorado Department of Public Health and Environment (CDPHE); local police, sheriff, and fire departments; Emergency Medical Services (EMS); Colorado Bureau of Investigation (CBI); and the National Guard. Members also received a briefing from the Colorado Auto Intelligence Coordination Center, which uses auto intelligence to charge criminals involved not only with auto theft, but a multitude of crimes, including identity theft, prostitution, and drug trafficking.

Emergency Operations Center and ReadyOp. Located in Centennial, Colorado, the Department of Homeland Security and Emergency Management houses the state's Emergency Operations Center (EOC), a large conference area where agencies can collaborate in the event of an emergency, like a wildfire. At the EOC, the members were given a demonstration of Collabria Software's ReadyOp, which DHSEM is implementing throughout state agencies. ReadyOp is a cloud-based, next generation communication platform that stores a variety of data sets, like contact lists, operational plans, and personnel rosters, which are integrated with communication formats like cell phones, push-to-talk devices, radios, text messages, and e-mail.

The LEPRRC held its final meeting on October 31, 2013, to discuss ReadyOp implementation at the State Capitol and to consider and approve amendments to the COOP-COG plans and the LEPRRC Final Report.

Resource Materials

Summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-4900). Meeting summaries are also available on our website at:

http://www.colorado.gov/lcs/LEPRRC

Meeting Date and Topics Discussed

April 23, 2013

- Elections of Committee Leadership
- Review of Committee Charge and Committee Response Plan
- Status Report on State Emergency Management and Continuity Planning
- Presentation on State Cybersecurity
- Capitol Emergency Response Plan
- Discussion of Interim Schedule

August 28, 2013

- Presentation of the Emergency Action Plan for the State Capitol
- Other Business
- Off-site Tour of the Department of Public Safety facilities including the Colorado Information Analysis Center (CIAC) and the Division of Homeland Security and Emergency Management (DHSEM) Emergency Operations Center

Executive Summary:
Continuity of Operations Plan (COOP)
For Legislative Agencies

The Continuity of Operations Plan addresses the logical flow of events to respond to major disruptions in essential functions, mission critical services, and technology infrastructure. Specifically, each legislative agency (Legislative Council Staff, Office of Legislative Legal Services, Joint Budget Committee Staff, Office of the State Auditor, Legislative Information Services, the House, and the Senate) has a plan to address the events to:

- Continue or resume time-sensitive operations of the essential functions identified by the agency, including the identification of minimum staffing requirements needed to perform those essential functions.

- Activate the resumption and support of the essential functions, including the documentation of the agency's chain of command structure and the identification of the decision makers and the positions that will perform the work needed to resume the necessary work operations.

- Identify the responsibilities of the key staff members assigned to perform the essential functions and the steps necessary to progress towards resumption of the normal business operations of the agency.

- Describe how the agency will communicate and coordinate with the its staff members through the use of agency-specific emergency contact lists and telephone call trees. In addition, the members of the Legislative Management Team will utilize their established procedure for communicating with each other in order to share information between the legislative service agencies and the House and the Senate.

- Achieve each of the above objectives in a timely, efficient, and cost-effective manner.

- Return to a permanent operating environment.

Adopted by the Legislative Management Team on June 4, 2009
REVIEWED BY THE LEPRRC ON OCTOBER 31, 2013

DRAFT
10.25.13

~~Appendix A~~
APPENDIX B

Continuity of Operations Plans for Colorado Government

Continuity of Operations Plans, or COOPS, are created to identify an organization's response to a wide range of potential emergencies. These plans address issues of communication, staffing, facilities, and decision-making in order for the organization to meet critical responsibilities. Plans also provide steps for an immediate reaction to an emergency and for a long-term response when circumstances prohibit resuming normal business functions.

In Colorado, the ~~Governor's Office~~ DIVISION of Homeland Security AND EMERGENCY MANAGEMENT IN THE COLORADO DEPARTMENT OF PUBLIC SAFETY coordinates the development and execution of COOPs for state departments. The ~~office~~ DIVISION is also available to assist and coordinate COOP activities with the legislative and judicial branches. After developing the COOP, departments are encouraged to exercise the plan and identify personnel within groups that are responsible for maintaining the COOP on a regular basis. All 19 state departments have developed a COOP, and a majority of these have exercised the plan in training. The COOP for the legislative branch was developed by the legislative staff directors. Additionally, each legislative service agency maintains its own COOP, which can be obtained from each individual agency.

In 2008, the ~~LEERC~~ LEGISLATIVE EMERGENCY EPIDEMIC RESPONSE COMMITTEE, SINCE RENAMED THE LEGISLATIVE EMERGENCY PREPAREDNESS, RESPONSE, AND RECOVERY COMMITTEE, (LEPRRC) developed an emergency plan that involves activation of the legislative COOP and the process outlined in Joint Rule 44, which was adopted by the General Assembly during the 2009 legislative session. Activation of the legislative COOP and the use of Joint Rule 44 depends on the timing of the emergency — whether during session or not — and the nature of the emergency. The LEPRRC Decision Tree, found in Appendix C, maps the legislature's responses to an emergency during and out of session.

Legislative Continuity of Operations Plan (COOP)

This is the continuity of operations plan for the General Assembly and the Legislative Department. The response plan differs in some attributes based on whether the legislature is in or out of session ~~at the time that an~~ WHEN THE GOVERNOR ISSUES AN EXECUTIVE ORDER OR PROCLAMATION DECLARING A DISASTER emergency ~~disaster declaration is issued~~. Other variables, such as length and severity of the ~~emergency or pandemic~~ DISASTER OR EMERGENCY EPIDEMIC, impact the manner in which the plan is executed. The COOP is based on the following assumptions:

1) The General Assembly would continue to meet at the State Capitol and would not relocate to a pre-designated alternative site, unless the Capitol was declared uninhabitable by the CDPHE. The first choice for an alternative site would be in the Denver metro region.

2) A virtual electronic session would be too costly and has too many logistical difficulties for consideration at this time. A "last resort" option might include

suspending restrictions on legislators participating in committee meetings via telephone or another electronic connection.

3) The length of the legislative session may need to be adjusted in the event of a ~~pandemic occurrence~~ DECLARED DISASTER EMERGENCY.

4) Because of GENERAL SAFETY CONCERNS IN THE EVENT OF A DISASTER AND the expected absenteeism and the risk of further spreading the disease IN THE EVENT OF AN EMERGENCY EPIDEMIC, one of the first questions to be resolved by the Executive Committee and the Governor is whether there is truly a reason for the General Assembly to meet and when it is safe to assemble in public during a legislative session.

COOP Planning

The Governor and the legislative leadership must decide if the General Assembly needs to meet during a DECLARED disaster emergency ~~declaration~~. If the General Assembly does need to meet, the Governor and the legislative leadership will have to determine how the timing of the legislative session can occur with the least risk to members, staff, and the general public. The two scenarios detailed below are contingent upon whether the General Assembly is in or out of session at the time of a DECLARED disaster emergency ~~declaration~~.

Scenario I: General Assembly in Session at the Time of a DECLARED Disaster Emergency ~~Declaration~~

If the General Assembly is in session at the time of notification of the Governor's declaration of a disaster emergency, the following protocols would ensue.

1) The Executive Committee of the Legislative Council shall meet and set forth the following:

   A. The list of items or topics on which members of the General Assembly may submit requests for bills to address the particular DECLARED disaster emergency and the prioritization of any pending legislation that the Executive Committee deems necessary to enact prior to adjournment or recess of the regular session.

   B. The Executive Committee shall determine what budgetary issues still need to be addressed and identify the critical responsibilities of the General Assembly in light of the declared DISASTER emergency. Among the legislative items to be considered are:

      - ~~the revenue resolution specified in Section 24-75-201.3, C.R.S.;~~
      - the annual general appropriation act;
      - the annual legislative appropriation bill;
      - any supplemental appropriation bills;
      - the school finance bill; and
      - any other issues that, in the estimation of the Executive Committee are critical to address prior to recess or adjournment.

   C. The Executive Committee shall determine a limit on the number of bill

requests that the members of the House or Senate may request and introduce.

D. In addition, the Executive Committee shall adopt a deadline schedule including the dates when the General Assembly shall convene or resume meeting.

E. If necessary, the President and the Speaker or their designees shall activate the critical information call tree of the General Assembly (if the legislature is in recess or adjourned for less than three days).

2) If it is determined that there is an increased health risk to the members of the General Assembly or to the public of meeting in the Capitol Building, the Executive Committee will make other arrangements to have the General Assembly meet on a temporary emergency basis at an alternate location within or outside the city and county of Denver.

3) Upon convening of the General Assembly, the House and Senate shall adopt by a simple majority vote the rules of the House and Senate and the joint rules as temporary rules.

4) New, smaller committees of reference shall be appointed by resolution to serve during the period of the DECLARED disaster emergency in both the House and the Senate. The committees shall be in existence only during the ~~period to the~~ declared disaster emergency.

5) During the declared disaster emergency, rules prohibiting electronic participation in committees of reference may be suspended. Any member who participates in a committee of reference by telephone or other electronic connection shall be required to provide a password verification prior to being allowed to participate in the deliberations of the committee.

6) Nothing in the emergency rule shall change the constitutional requirements for the number of legislators required to pass a bill by majority vote.

7) The number of working days shall be counted as one hundred twenty separate calendar days as opposed to one hundred twenty consecutive days during a declared disaster emergency.

8) The Secretary of the Senate and the Chief Clerk of the House shall have additional powers and authority in a declared disaster emergency to implement new or streamlined methods of operation and may suspend requirements set forth in the rules of the Senate or House and the joint rules.

Scenario II: The General Assembly is not in Session at the Time of a DECLARED Disaster Emergency ~~Declaration~~

The primary difference between Scenario I and Scenario II is the use of the critical information call tree of the legislature to notify members of changes to the legislative schedule and the plan for modification of the legislative rules. Scenario II contemplates enough advance notice of a ~~pandemic event~~ DISASTER OR EMERGENCY EPIDEMIC to provide a planned response in

conjunction with the Governor's Office and Department of Public Health and Environment.

COOP Implementation

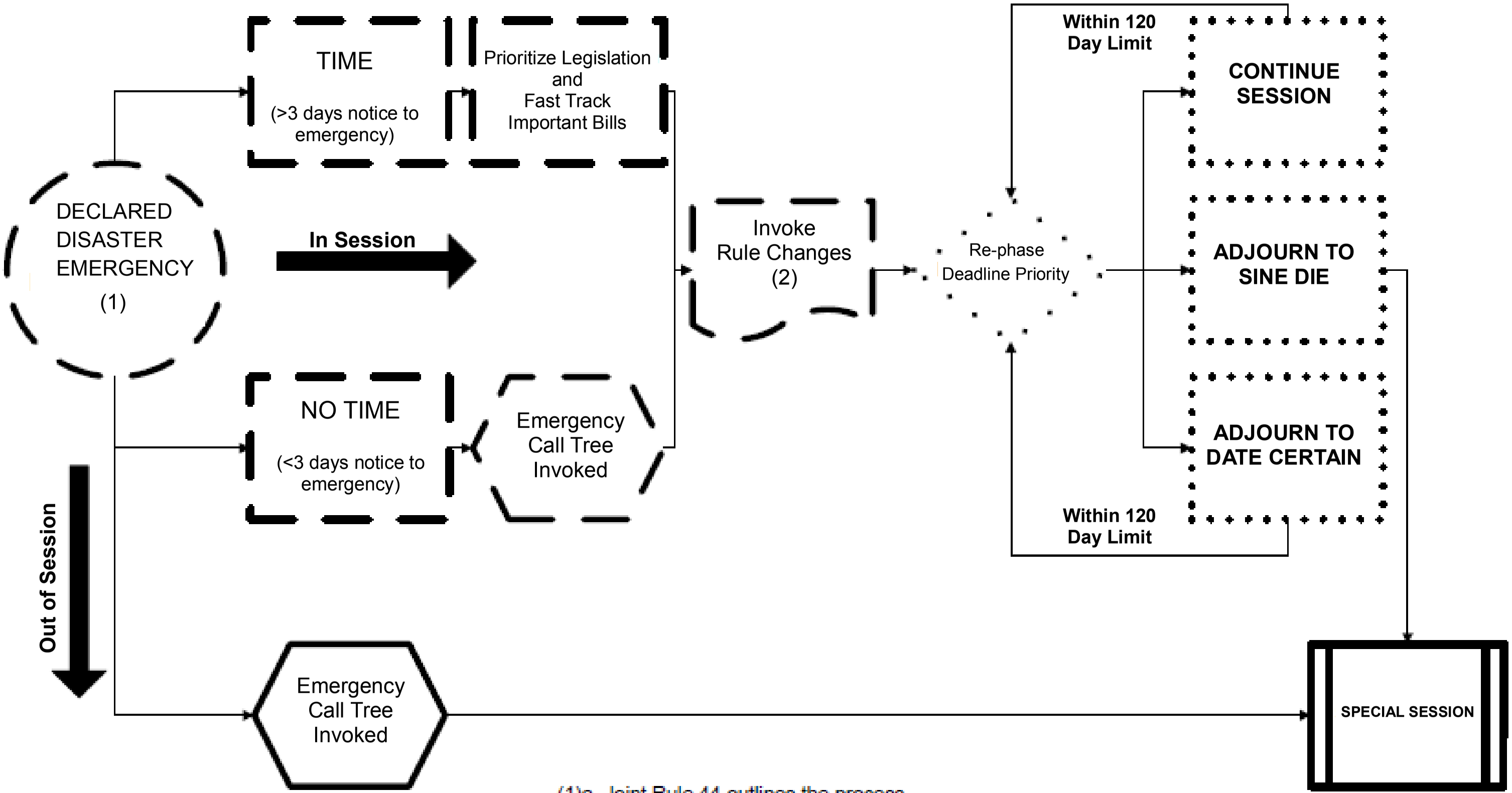
The implementation of the legislative Continuity of Operation Plan is dependent upon a high degree of cooperation between the executive and legislative branches of government and interagency cooperation among the staff agencies serving the General Assembly. In order to implement the COOP, each legislative agency would streamline methods of operation to reduce staffing in each agency to the minimum number of employees needed to conduct critical and essential business. Generally, staff agencies would enact their COOP as follows:

- ***Chief Clerk of the House and Secretary of the Senate:*** House and Senate staffing would be reduced to a minimum number of employees needed to complete the responsibilities of the Chief Clerk of the House and the Secretary of the Senate. Front desk staff would be reduced to the Chief Clerk and Assistant Clerk in the House and the Secretary of the Senate and Assistant Secretary in the Senate, as well as one sergeant-at-arms and one amendment clerk in each house. Most document production would be in electronic format, including the calendars and journals. The enrolling rooms in each House would be reduced to a minimum number, and the bill information center and the legislative print shop would be closed.
- ***Legislative Council and the Office of Legislative Legal Services:*** These agencies would reduce the number of committee staff, fiscal analysts, attorneys, and support personnel to staff the reduced number of committees and to draft the reduced number of bills. Legislative financial transactions would be processed by a reduced staff complement in the Legislative Council accounting section.
- ***The Joint Budget Committee staff, the Office of the State Auditor, and Legislative Information Services***. These agencies would make similar assessments to determine the minimum number of staff needed to conduct essential business.

It should be noted that each individual agency has a continuity of operations plan that will provide staffing guidance in the event of a declared disaster emergency. In addition, practical guidance by the Department of Public Heath and Environment would be employed in areas such as use of face masks and hand washing stations and methods of isolating members and staff to the degree possible. The key determinant in implementing the legislative continuity of operations plan would remain the Executive Committee's decision as to whether to call a legislative session, when to call a legislative session, what business to conduct, and how to assure that a majority of members are able to participate effectively.

CREATED: OCTOBER 30, 2009
REVISED: OCTOBER 31, 2013

LEPRRC DECISION TREE
Revised 10/31/2013



(1)a. Joint Rule 44 outlines the process

(1)b. Review of Governor's emergency executive order powers has already occurred.

(2)a. Rule Changes drafted and vetted in advance

= In Session

= Out of Session

Appendix C