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Senate Chamber
State of Colorado
Denver

EDUCATION COMMITTEE
CHAIR

STATE AFFAIRS COMMITTEE
MEMBER

MEMORANDUM

January 9, 2013

TO: Members of the Senate Education Committee

FROM: Senator Evie Hudak, Chair

SUBJECT: Organization and Procedures for the Senate Education Committee

I. Meetings and Attendance

A. Senate Education Committee will meet at the following times:

- Wednesdays upon adjournment; and
- Thursdays at 1:30 p.m.

On occasion, Thursday afternoon meetings will run past 5:00 p.m. depending on the amount of testimony and members' questions. In addition, Friday afternoon meetings from 2:30 to 4:00 p.m. may be scheduled as necessary. The committee will meet in Senate Committee Room 356 unless otherwise scheduled. Every effort will be made to start the meetings on time, and your cooperation in being on time for meetings would be appreciated.

In addition, Representative Hamner, Chair of the House Education Committee, and I will continue the tradition of Joint Senate and House Education Committee "Lifelong Learning" meetings on Wednesday mornings at 7:45 a.m. in House Committee Room 0112.

- B. Prompt and reliable attendance will expedite committee business and help eliminate the need for Friday afternoon meetings.
- C. Please notify the Chair or our staff person, Rachel Kurtz-Phelan (303-866-3028), of any absences so that you may be excused. Failure to notify the Chair or staff will result in an unexcused absence. Pursuant to Senate rules, three unexcused absences must be reported to a member's floor leader.

- D. The sound on computers, cell phones, and pagers must be turned off.
- E. Please notify the Chair or staff of your whereabouts if you must leave during a committee hearing and wish to be retrieved for a final vote on a bill.
- F. Changes to the schedule of calendared bills and canceled meetings will be announced on the Senate floor.

II. **Bills, Amendments, and Fiscal Notes**

- A. The Chair is responsible for scheduling hearings on all bills before the committee. Legislative Council Staff will maintain an up-to-date list of all bills assigned to the committee and the current status of their disposition. Staff will provide you a copy of this status sheet upon request.
- B. Committee members are strongly encouraged to bring copies of bills, amendments, and fiscal notes under consideration by the committee to each meeting. Please notify staff if you do not have a bill or fiscal note for a bill that is under consideration.
- C. Amendments should be tendered in written form whenever possible. Verbal amendments should be in as specific language as possible. If, when hearing a bill, the bill sponsor or committee cannot arrive at specific language, the bill may be laid over at the discretion of the chair.
- D. If a member plans to offer any major amendment to substantively amend a bill, it is strongly requested that you distribute it to all committee members at least 24 hours prior to the committee hearing. Failure to do so may result in the bill being laid over until the next scheduled committee hearing.
- E. Whenever possible, prepare and submit proposed amendments to staff prior to the appropriate committee meeting. At least 12 copies should be submitted for distribution.
- F. On or before hearing days, each committee member will receive a copy of a fiscal note on pink paper for each bill on the day's calendar. The statement will indicate what fiscal impact the measure will likely have on the state and local governments, or whether the measure will have no fiscal impact. If a committee member is interested in seeing a fiscal note statement prior to a meeting, staff may provide a copy in advance, if it is available.
- G. Whenever possible, those bills requiring a significant amount of discussion or amendments, or that may attract a large number of witnesses, will be scheduled for Thursday afternoon committee meetings.

III. **Testimony**

- A. All persons testifying before the committee are to sign in prior to the start of each meeting and must turn off the sound on their computers, cell phones, and pagers.

- B. All witnesses will be required to orally identify themselves and the organization they represent, if any, for the taped record of each meeting.
- C. Testimony may be limited at the discretion of the chair. In general, testimony which duplicates prior testimony will be discouraged.
- D. Be courteous to those who come to testify. Part of courtesy is being present and listening to what they have to say.
- E. In the past, many witnesses have wanted to present lengthy information on their areas of concern. It is strongly suggested that these persons speak to the bill under consideration and, if they want to impart more information to the committee, schedule an informational presentation to the Joint Education Committee at a Wednesday morning joint meeting. Prime sponsors will be asked to request that witnesses observe this protocol.

IV. Committee Procedures and Voting

- A. All committee members and individuals testifying before the committee are to be recognized by the Chair before speaking.
- B. In order to take any action on a measure, an affirmative vote of a majority of a quorum (three members) or a majority of those present and voting, whichever is greater, is required [Senate Rule 22 (n)].
- C. A motion to place a bill on the consent calendar is in order for any bill that is referred to the Committee of the Whole, though it is usually used only for a bill that received a unanimous vote.
- D. A motion to reconsider requires the affirmative vote of a majority of the members of the committee (five members) [Senate Rule 18 (e)].
- E. If a bill has not been assigned by the President to the Committee on Appropriations, and the committee adopts an amendment to eliminate the need for an appropriation, the committee may, after receiving a memorandum from the fiscal note analyst confirming that the fiscal impact has been eliminated, refer the bill to the Committee of the Whole.

V. Committee Records

- A. The committee will receive staff assistance from Rachel Kurtz-Phelan, Legislative Council Staff, 303-866-3028. Staff's functions include preparation of committee reports, a brief summary of each meeting, committee research requests, and committee records such as attendance and bill disposition.
- B. Staff will provide written notification to prime sponsors of bills to be considered by the committee as far in advance as possible. The notification will include the date, time, and location of the committee at which the bill will be heard.

VI. Committee Oversight Responsibilities

- A. Joint Rule 25 directs committees of reference to keep themselves advised of the activities, functions, problems, new developments, and budgets of the principal departments under their purview. In addition, House Bill 10-1119, which established a performance-based budgeting program through the State Measurements for Accountable, Responsive, and Transparent (SMART) Government Act, requires departments to make presentations, within the first 15 days of the legislative session, to committees on progress toward creating a strategic plan. Time must be allowed for public testimony during these hearings, and the committee may submit written recommendations to the departments within 30 days of the departments' presentations. Although the SMART Act allows the Speaker of the House and the President of the Senate to assign departments to committees of reference, Joint Rule 25 specifies that the House and Senate Education Committees have direct oversight over the following Executive Branch Departments and Divisions:
- the Department of Education;
 - the Department of Higher Education; and
 - the State Land Board.
- B. Senate committees are responsible for considering the Governor's appointments to boards, commissions, authorities, and his cabinet. After hearing testimony from the appointee and any other interested persons, the committee must favorably or unfavorably recommend the appointee's confirmation to the full Senate. A majority vote of the committee is necessary to refer the recommendation to the Senate.