

Second Regular Session

Sixty-second General Assembly

LLS NO. R00-1014.01 Nicole Hoffman

STATE OF COLORADO

BY SENATORS Matsunaka, Dyer, Feeley, Hernandez, Linkhart, Martinez, Nichol, Perlmutter, Phillips, Reeves, Rupert, Thiebaut, and Weddig.

SENATE JOINT RESOLUTION 00-019

101 CONCERNING THE DECLARATION OF A STATE EMERGENCY IN THE TOWN OF
102 FORT MORGAN IN ORDER TO ACCESS FUNDS IN THE STATE
103 EMERGENCY RESERVE FOR THE CLEANUP OF FORT MORGAN HIGH
104 SCHOOL.

1 WHEREAS, Monitoring equipment recently detected dangerously
2 high levels of airborne asbestos in Fort Morgan High School during a
3 school renovation project; and

4 WHEREAS, Asbestos has been found to cause cancer and lung
5 disease when its microscopic fibers are disturbed, released into the air,
6 and aspirated; and

7 WHEREAS, The Department of Public Health and Environment
8 determined that, until the asbestos problem is solved, it is unsafe to hold
9 classes in the Fort Morgan High School building and subsequently closed
10 Fort Morgan High School on Tuesday, February 1, 2000; and

11 WHEREAS, Fort Morgan High School is the first school that the
12 state has closed indefinitely due to high levels of asbestos; and

13 WHEREAS, Approximately 1,000 Fort Morgan High School
14 students and staff will not have access to their high school building for
15 the foreseeable future and are now holding classes at Fort Morgan Middle
16 School; and

17 WHEREAS, Currently, the estimated cost of removing the
18 asbestos from the school is \$5,000,000; and

19 WHEREAS, The Morgan County School District does not have
20 the means to pay for the cost of the Fort Morgan High School cleanup
21 independently; and

22 WHEREAS, The General Assembly, in compliance with section
23 20 (5) of article X of the Colorado constitution, has established a State
24 Emergency Reserve in section 24-77-104, Colorado Revised Statutes; and

1 WHEREAS, The State Emergency Reserve consists of such
2 moneys as are annually designated by the General Assembly in the
3 general appropriation bill or by separate bill for use in an emergency; and

4 WHEREAS, A declaration of a state emergency or a disaster
5 emergency is necessary before the State Emergency Reserve may be
6 expended; and

7 WHEREAS, The General Assembly has the authority to declare
8 a state emergency and expend funds in the State Emergency Reserve by
9 the passage of a joint resolution that is approved by a two-thirds majority
10 of both houses of the General Assembly and by the Governor, pursuant
11 to section 24-77-104 (3), Colorado Revised Statutes; now, therefore,

12 *Be It Resolved by the Senate of the Sixty-second General Assembly*
13 *of the State of Colorado, the House of Representatives concurring herein:*

14 (1) That the severity of the asbestos problem in Fort Morgan High
15 School, the disruption that the school closure has caused in the lives of
16 Fort Morgan residents, and the community's urgent need for assistance in
17 funding the cleanup of the school compel the General Assembly to
18 declare that the situation in Fort Morgan constitutes a state emergency.

19 (2) That \$3,000,000 shall be expended in the 1999-2000 fiscal
20 year from the State Emergency Reserve for the removal of asbestos at
21 Fort Morgan High School.

22 (3) That, in addition, the General Assembly urges the members of
23 Colorado's delegation to the United States Congress to recommend and
24 support the use of federal funds to aid in the cleanup of Fort Morgan
25 High School.

26 *Be It Further Resolved,* That copies of this Joint Resolution be
27 sent to each member of Colorado's delegation to the United States
28 Congress and the superintendent of the Morgan County School District
29 RE-3.