

HOUSE JOURNAL
SIXTY-THIRD GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Second Legislative Day

Thursday, January 11, 2001

1 Prayer by Pastor Dan Elliot, South Fellowship, Littleton.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 The roll was called with the following result:

6

7 Present--63.

8

9 Excused--Representatives Stengel, Young--2.

10

11 Present after roll call--Representatives Stengel, Young.

12

13 The Speaker declared a quorum present.

14

15 On motion of Representative Weddig, the reading of the journal of
 16 January 10, 2001, was dispensed with and approved as corrected by the
 17 Chief Clerk.

18

19

20 **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

21

22 The following resolutions were read by title and given immediate
 23 consideration:

24

25 **HJR01-1004** by Representative(s) Spradley, Dean; also Senator(s)
 26 Thiebaut, Matsunaka, Andrews--Concerning employee
 27 grades and steps for the First Regular Session of the Sixty-
 28 third General Assembly.

29

30 *Be It Resolved by the House of Representatives of the Sixty-third*
 31 *General Assembly of the State of Colorado, the Senate concurring*
 32 *herein:*

33

34 That pursuant to the provision of section 2-2-305, Colorado
 35 Revised Statutes, the following positions are hereby created for the First
 36 Regular Session of the Sixty-third General Assembly, the monthly
 37 compensation to be paid to the persons elected or appointed to each
 38 position to be the amount set opposite the position:

39

OF THE HOUSE

40

41 1 Chief Clerk		Director	VII+
42 1 Assistant Chief Clerk/Journal Clerk	Grade	111	Step 2
43 1 Docket Clerk	Grade	82	Step 6
44 1 Finance Clerk	Grade	94	Step 3
45 1 Reading Clerk/Calendar Clerk	Grade	82	Step 6

1	1	Historian	Grade	82	Step 6
2	1	Front Desk Clerk	Grade	82	Step 6
3	1	Chief Sergeant-at-Arms	Grade	82	Step 3a
4	5	Assistant Sergeants-at-Arms	Grade	66	Step 3a
5	1	Chief Enrolling Clerk	Grade	82	Step 6
6	1	Assistant Enrolling Clerk	Grade	71	Step 4
7	1	Assistant Enrolling Clerk	Grade	71	Step 4
8	1	Information Center Supervisor	Grade	71	Step 5
9	1	Information Clerk	Grade	66	Step 7
10	1	Bill Room Clerk	Grade	66	Step 3a
11	1	Secretary to the Speaker	Grade	96	Step 6a
12	1	Secretary to the Majority Leader	Grade	89	Step 4
13	1	Secretary to the Minority Leader	Grade	89	Step 1
14	1	Majority Caucus Secretary/ Travel Coordinator	Grade	89	Step 1
15	1	Minority Caucus Secretary	Grade	71	Step 1
16	1	Chief Legislative Secretary	Grade	84	Step 2
17	1	Legislative Secretary/Aide, Intern Supervisor	Grade	84	Step 1
18	5	Legislative Secretaries	Grade	71	Step 1
19	2	Telephone Receptionists	Grade	69	Step 2
20	1	Chief Assignable Clerk	Grade	71	Step 5
21	1	Assignable Clerk	Grade	66	Step 3a
22	5	Assignable Clerks	Grade	66	Step 3
23	1	Visitors' Aide	Grade	66	Step 3a
24	1	Visitors' Aide	Grade	66	Step 3
25	1	Majority Administrative Assistant	Grade	86	Step 7
26	1	Minority Administrative Assistant	Grade	86	Step 1
27	1	Majority Media Relations	Grade	87	Step 3
28	1	Majority Media Relations	Grade	87	Step 3
29	1	Minority Media Relations	Grade	87	Step 5a
30	1	Minority Media Relations	Grade	87	Step 1
31	1	Chaplain	\$ 25.00	per day	
32	65	Legislative Aides (*)	\$ 10.00	per hour for 330 hours	
33					
34					
35					

OF THE SENATE

36					
37					
38	1	Secretary of the Senate	Director	Step V+	
39	1	Assist. Secretary/Journal Clerk	Grade 103	Step 1	
40	1	Calendar Clerk	Grade 82	Step 6A	
41	1	Front Desk/Docket Clerk	Grade 82	Step 5A	
42	1	Reading Clerk/Admin. Asst. To Sec.	Grade 82	Step 5A	
43	1	Finance Clerk	Grade 94	Step 2	
44	1	Chief of Staff - Majority	Grade 108	Step 3	
45	1	Chief of Staff - Minority	Grade 96	Step 7A	
46	1	Chief Sergeant-at-Arms	Grade 82	Step 1	
47	1	Assist. Sergeant-at-Arms	Grade 66	Step 4A	
48	3	Assist. Sergeant-at-Arms	Grade 66	Step 3	
49	1	Enrolling Clerk	Grade 71	Step 2	
50	2	Asst. Enrolling Clerks	Grade 71	Step 1	
51	1	Bill Room Information Clerk	Grade 66	Step 3A	
52	1	Bill Room Clerk	Grade 66	Step 3	
53	1	Secretary to President	Grade 89	Step 7B	
54	1	Secretary to Maj. Leadership	Grade 89	Step 1	
55	1	Secretary to Minority Leader	Grade 89	Step 4	
56	1	Admin. Assist. to Majority Leader	Grade 88	Step 6	

1	1	Admin. Assist. to Pres. ProTem	Grade	73	Step 1
2	1	Majority Media Relations Director	Grade	102	Step 4+
3	1	Majority Media Relations Assistant	Grade	87	Step 2
4	1	Minority Media Relations	Grade	87	Step 4A
5	1	Chief Legislative Secretary, Majority	Grade	84	Step 6A
6	1	Legislative Secretary - Majority	Grade	71	Step 4A
7	1	Chief Legislative Secretary, Minority	Grade	84	Step 7A
8	2	Legislative Secretaries - Minority	Grade	71	Step 1
9	1	Senate Services Secretary	Grade	71	Step 1
10	1	Telephone Receptionist, Minority	Grade	69	Step 6
11	1	Chief Assignable Clerk	Grade	71	Step 5A
12	2	Assist. Assignable Clerks	Grade	66	Step 3
13	2	Visitors' Aides	Grade	66	Step 3
14	1	Chaplain	\$25.00	Per Day	
15	35	Legislative Aids	\$10.00	Per hour for	
16				a total of 330	
17				session hours	
18					

19 * The Secretary of the Senate and the Chief Clerk of the House of
20 Representatives are authorized to hire Legislative Aides according to
21 Joint Rule 39 of the Senate and the House of Representatives.

22
23 On motion of Representative Alexander, the rules were suspended and
24 the resolution given immediate consideration and **adopted** by **viva voce**
25 vote.

26
27
28 **HR01-1003** by Representative(s) Alexander, Rhodes, Chavez, Mace--
29 Concerning the appointment of officers and employees for
30 the House of Representatives of the Sixty-third General
31 Assembly.

32
33 *Be It Resolved by the House of Representatives of the Sixty-third*
34 *General Assembly of the State of Colorado:*

35
36 That the following named persons be appointed as officers and
37 employees of the House of Representatives of the Sixty-third General
38 Assembly, convened in the First Regular Session to the position set
39 opposite their respective names.

41	Judith Rodrigue	Chief Clerk
42	Marilyn Eddins	Asst. Chief Clerk/Journal Clerk
43	Debra Woller	Finance Clerk
44	Patricia Nicholaisen	Docket Clerk
45	Pat Geddis	Front Desk Clerk
46	Michael Mawhinney	Reading/Calendar Clerk
47	Patricia Blakey	Historian
48	Tom Suman	Chief Sergeant-at-Arms
49	Richard Lebsock	Asst. Sergeant-at-Arms
50	Bernard Nicholaisen	Asst. Sergeant-at-Arms
51	Elden Thompson	Asst. Sergeant-at-Arms
52	John Wallin	Asst. Sergeant-at-Arms
53	Tom Will	Asst. Sergeant-at-Arms
54	Deanna Johnson	Chief Enrolling Clerk
55	Eileen Heltzel	Asst. Enrolling Clerk
56	Myrna Witkowski	Asst. Enrolling Clerk

1	Dorothy Cardinale	Information Center Supervisor
2	Judy Ford	Information Clerk
3	Tom Gross	Bill Room Clerk
4	Donna Acierno	Secretary to the Speaker
5	Judie Koehler	Secretary to the Majority Leader
6	Anne Willhardt	Majority Caucus Secretary/Travel Coordinator
7	Doyle Forrestal	Secretary to the Minority Leader
8	Betty Schmidt	Chief Legislative Secretary
9	Maruja Bucknam	Legislative Secretary
10	Jill Davis	Legislative Secretary
11	Marion Mitchell	Legislative Secretary
12	Cheryl Palm	Telephone Receptionist
13	Patricia Dicks	Telephone Receptionist
14	Patricia Worley	Chief Assignable Clerk
15	Mary Kittler	Assignable Clerk
16	Sharon Suman	Assignable Clerk
17	Patricia Altstadt	Assignable Clerk
18	Molly Reed	Assignable Clerk
19	Majorie Spillane	Assignable Clerk
20	John Swick	Assignable Clerk
21	Elizabeth Krickbaum	Visitors' Aide
22	Vickie Agler	Majority Administrative Assistant
23	Cody Wertz	Minority Administrative Assistant
24	Edwin Hanks	Majority Media Relations
25	Steve Vieregg	Majority Media Relations
26	Julie DeWoody	Minority Media Relations
27	Kathy Holland	Minority Media Relations

28
 29 On motion of Representative Alexander, the rules were suspended and
 30 the resolution given immediate consideration and **adopted** by **viva voce**
 31 vote.

32
 33
 34 **HR01-1004** by Representative(s) Alexander, Rhodes, Chavez, Mace --
 35 Concerning the chaplain position in the House of
 36 Representatives.

37
 38 *Be It Resolved by the House of Representatives of the Sixty-third*
 39 *General Assembly of the State of Colorado:*

40
 41 That the House Services Committee is hereby authorized to
 42 appoint persons to serve as Chaplain for the House of Representatives
 43 and to designate the number of days any one person may serve as
 44 Chaplain. Compensation is to be paid as authorized in House Joint
 45 Resolution 01-1004.

46
 47 On motion of Representative Alexander, the rules were suspended and
 48 the resolution given immediate consideration. and **adopted** by the
 49 following roll call vote:

50							
51	<u>YES 53</u>	<u>NO 12</u>	<u>EXCUSED 0</u>	<u>ABSENT 0</u>			
52							
53	Alexander	Y Groff	Y Miller	Y Spence	Y		Y
54	Bacon	N Grossman	N Mitchell	Y Spradley	Y		Y
55	Berry	Y Hefley	Y Nuñez	Y Stafford	Y		Y
56	Borodkin	N Hodge	N Paschall	Y Stengel	Y		Y

1	Boyd	Y	Hoppe	Y	Plant	N	Swenson	Y
2	Cadman	Y	Jahn	Y	Ragsdale	Y	Tapia	N
3	Chavez	N	Jameson	N	Rhodes	Y	Tochtrop	Y
4	Clapp	Y	Johnson	Y	Rippy	Y	Veiga	N
5	Cloer	Y	Kester	Y	Romanoff	N	Vigil	Y
6	Coleman	Y	King	Y	Saliman	N	Webster	Y
7	Crane	Y	Larson	Y	Sanchez	N	Weddig	Y
8	Daniel	Y	Lawrence	Y	Schultheis	Y	White	Y
9	Decker	Y	Lee	Y	Scott	Y	Williams S.	Y
10	Fairbank	Y	Mace	Y	Sinclair	Y	Williams T.	Y
11	Fritz	Y	Madden	Y	Smith	Y	Witwer	Y
12	Garcia	Y	Marshall	Y	Snook	Y	Young	Y
13							Mr. Speaker	Y
14								

15 Co-sponsors added: Representatives Cadman, Clapp, Cloer, Crane, Decker,
 16 Fairbank, Fritz, Groff, Hefley, Hoppe, Kester, King, Lawrence, Lee, Miller,
 17 Nuñez, Schultheis, Scott, Sinclair, Smith, Spradley, Stafford, Tochtrop,
 18 Webster, Williams S, Williams T.

19

20

21 **HR01-1005** by Representative(s) Alexander, Rhodes, Chavez, Mace--
 22 Concerning payment of employees for pre-session work
 23 for the house of Representatives convened in the First
 24 Regular Session of the Sixty-third General Assembly.

25

26 *Be It Resolved by the House of the Sixty-third General Assembly of*
 27 *the State of Colorado:*

28

29 That the following named individuals who received training or who
 30 performed pre-session work for the House of Representatives, be
 31 compensated for such pre-session work.

32

33	Vickie Agler	6 Days
34	Patricia Altstadt	2 Days
35	Maruja Bucknam	3 Days
36	Jill Davis	3 Days
37	Patricia Dicks	2 Days
38	Judy Ford	2 Days
39	Marion Mitchell	3 Days
40	Molly Reed	2 Days
41	Marjorie Spillane	2 Days
42	Sharon Suman	2 Days
43	John Swick	2 Days
44	Myrna Witkowski	2 Days

45

46 On motion of Representative Alexander, the rules were suspended and
 47 the resolution given immediate consideration and **adopted** by **viva voce**
 48 vote.

49

50

51

PRINTING REPORT

52

53 The Chief Clerk reports the following bills have been correctly printed:
 54 **HB01-1001, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104,**
 55 **1105, 1106, 1107.**

56

1 House in recess for Joint Session.
2
3

4
5 **JOINT SESSION**
6

7 The Joint Session was called to order by the Speaker of the House, Doug
8 Dean.
9

10 On motion of Senator Thiebaut, the morning roll call of the Senate was
11 made the roll call of the Joint Session.
12

13 Present--35.
14

15 On motion of Representative Spradley, the morning roll call of the House
16 was made the roll call of the Joint Session.
17

18 Present--65.
19

20 The Speaker declared a quorum present and as is customary presented the
21 gavel to the President of the Senate to preside over the joint session.
22

23 President Matsunaka requested the Joint Committee, composed of
24 Senators Perlmutter and Hillman, and Representatives Young, King, and
25 Coleman to escort the Governor from the Governor's Chambers to the
26 rostrum.
27

28 Chief Sergeant-at-Arms Suman announced the arrival of the Honorable
29 Bill Owens, Governor of the State of Colorado.
30

31 The Joint Committee escorted the Governor to the rostrum where he
32 addressed the Joint Session.
33

34 The Joint Committee escorted the Governor from the Chambers.
35

36 On motion of Representative King, the Governor's message was ordered
37 printed in the House Journal.
38

39
40
41 **ADDRESS BY THE HONORABLE**
42 **Bill Owens**
43

44 President Matsunaka, Speaker Dean, Lieutenant Governor Rogers, Attorney
45 General Salazar, Secretary of State Davidson, State Treasurer
46 Coffman, Honorable Senators and Representatives, distinguished guests, my
47 fellow Coloradans ...
48

49 It is with great honor that I report to you this morning that the state of the state
50 remains remarkably strong.
51

52 Colorado boasts the best-educated workforce in the country. We continue to
53 create jobs at a great pace, giving us the distinction of ranking fourth in the
54 nation in job creation throughout the 90's.
55

1 The Corporation for Economic Development reports that Colorado has the
2 strongest economy among all 50 states, receiving "A's" in all categories.

3
4 We raised our ranking last year from "B" to "A" both in human resources, which
5 measures education spending and performance, and in equity, which measures
6 the distribution of wealth.

7
8 Our streets are the safest they've been in more than a decade and families in
9 Colorado earn among the highest salaries in the nation. And, with the 43 tax
10 cuts I've signed into law since January 1999, these families get to keep more of
11 their hard-earned money.

12
13 The General Assembly should be proud that it passed the largest tax cut in
14 Colorado's history - almost one billion dollars in annual tax relief that Colorado's
15 families are able to spend on their needs, not the government's.

16
17 Of course Colorado did not escape its share of challenges during the past year.
18 Our communities on the eastern plains face severe drought. Forest fires ravaged
19 our mountains.

20
21 And too many of Colorado's children continue to be raised in a culture that tears
22 down virtue rather than builds up character.

23
24 Friends and colleagues, I want to welcome all of the returning legislators, as well
25 as the new members of the General Assembly. I once sat where you now sit,
26 and know the thrill of introducing your first bill.

27
28 But most importantly, I know how to work with all members of the legislature,
29 from both sides of the aisle, to get the people's business done.

30
31 Two years ago when I delivered my first State of the State Address, I outlined
32 what I thought we needed to do to better Colorado - better it economically,
33 socially, and morally - to give our children and grandchildren a society that they
34 deserve.

35
36 I think we have done a good job working together to see that we did just that.
37 Yes, there has been some disagreement, there has been some partisanship.

38
39 But I think it is important that we continue to have spirited conversations - even
40 a difference of opinion here and there - as long as we remember that we are all
41 here working toward a common goal - serving the people of Colorado.

42
43 And we are well on our way. Working together we have begun building our
44 transportation future while providing economic opportunities for the entire state.

45
46 We have done this by passing our billion dollar bonding proposal through this
47 legislature and then seeing it overwhelmingly approved by the people, and also
48 by committing \$50 million dollars from last year's general fund to improving the
49 state's roads and highways.

50
51 And we have done all of this without increasing taxes.

52
53 Of course, not everything was that easy. I understand that what is often
54 characterized as politics - as representing a political disagreement - really reflects
55 honest differences of opinion over policy.

56

1 There is no question that one of the most important - and indeed debated -
2 package of bills to come before the legislature last session was our public school
3 reform plan. Education is an emotional issue - one about which every person in
4 this room cares deeply.

5
6 And, there is also no question that - on some of the details of the plan - there
7 was division primarily along party lines.

8
9 But I want to specifically single out Senators Jim Dyer and Rob Hernandez,
10 former Senator Gloria Tanner and Representatives Abel Tapia and Frana Mace
11 for their constant efforts to reach common ground and who kept in mind that
12 making our schools better for our children is what this debate is all about.

13
14 It was on November 19, 1863 that Abraham Lincoln surveyed the wreckage of
15 the Civil War battle at Gettysburg. Looking around that battlefield, where
16 brother fought against brother and neighbor against neighbor, he didn't see a
17 people divided, he saw unity.

18
19 He didn't see hopelessness, he saw hope. He didn't see emptiness, he saw
20 opportunity. Abraham Lincoln saw what he called "a downpayment on a new
21 birth of freedom."

22
23 Across America this past fall, hard fought elections took place, from the
24 presidency to the state house. But the time for partisan politics is past.

25
26 If Abraham Lincoln could see opportunity coming from civil war, I know that
27 we in Colorado can unite around the opportunity of a future bright with hope.

28
29 Let's focus on what Lincoln called "the better angels of our nature."

30
31 Let us work together to protect Colorado's precious natural landscapes, and
32 manage our growth wisely.

33
34 Let's work together to ensure that Coloradans' hard-earned tax dollars are spent
35 efficiently and not wasted.

36
37 Let's work together to see - as we face redistricting - that the end result is seven
38 districts that are as competitive as our state's demographics and the federal
39 constitution allow.

40
41 And let us work together to put children first when spending tax dollars on
42 education.

43
44 Let us, as Lincoln said, "dare to do our duty as we understand it."

45 46 **GROWTH**

47 Working together, we must address an issue of critical concern to every
48 Coloradan - how our state can continue to prosper and grow in a manner that
49 protects our quality of life. When we look back on what we have accomplished,
50 central to our heritage will be our stewardship of Colorado's natural landscapes -
51 our forests and rivers, our mountains and valleys.

52
53 Friends, last year I discussed some steps along the path of Smart Growth we
54 needed to take. I am pleased that the legislature took many of them.

55

1 We created the Office of Smart Growth and provided grants for regional
2 planning around the state.

3
4 We approved tax credits to encourage building more affordable housing. We
5 put in place incentives to encourage development within our already developed
6 cities and towns rather than more sprawl.

7
8 We must continue along this path. We must respect Colorado's longstanding
9 tradition of local communities controlling their own destiny. We must recognize
10 that parts of Colorado are booming while other communities are losing
11 population.

12
13 And it is time that we finally pass major reform of our land use laws.

14
15 We know that all sides of the growth debate must work together and, yes, all
16 sides must compromise. Senator Ed Perlmutter and Representative Joe Stengel
17 continue to bring all sides together, and I look forward to working with them on
18 growth reform.

19
20 We must also require comprehensive planning in our high growth and high
21 population areas. And these plans must be enforceable.

22
23 It is time for us to be creative and find alternatives to resolve the issues that arise
24 when two cities or a city and a county have plans that don't mesh. Neighboring
25 jurisdictions should work together on their plans, and if they come to a
26 stalemate, it is proper for the state to provide mediation.

27
28 But friends, let me be very clear. Our local communities must plan for their
29 growth while protecting private property rights.

30
31 Friends, last summer I asked a blue ribbon panel of Coloradans to examine what
32 more we should do to better protect Colorado's open spaces, farms and ranches.

33 You have seen their report.

34
35 They made some important recommendations that I ask the General Assembly
36 to act on, including strengthening the conservation easement tax credit, so that
37 we encourage the private preservation of valuable ranches.

38
39 Legislation sponsored by Senator Dave Owen and Representative Lola Spradley
40 will make the conservation easement an even more valuable preservation tool,
41 while also respecting private property rights.

42
43 We must create a pilot program for water trading, banking and exchange in
44 Colorado.

45
46 Representative Diane Hoppe is carrying a bill that will allow farmers and
47 ranchers to lease their water rights, thereby realizing some of the value of their
48 assets without permanently severing this water from the land.

49
50 I support this bill and hope the legislature will as well.

51
52 And this legislature should seriously examine whether or not the voters should
53 be asked to give Great Outdoors Colorado the authority to bond. This option
54 would give GOCO the flexibility it needs to act quickly on once-in-a-lifetime
55 land preservation projects.

56

1 We all know why it is so important to grow, but grow responsibly. It is because
2 we want to leave our children and grandchildren a prosperous state that retains
3 all of its natural beauty and wonder.

4

5 **FAMILIES AND CHILDREN/HEALTH CARE**

6 Friends, we will make decisions this year that will affect the lives of our children
7 for decades to come, and we must take this responsibility seriously.

8

9 That is why last September General Colin Powell and I signed Colorado's
10 Promise. We are one of only three states in the nation to be a model America's
11 Promise state. General Powell was joined by five U.S. Presidents of both parties
12 to rally America behind five promises for our children -
13 promises which ensure that children have:

14

- 15 * caring adults in their lives as parents, mentors, tutors and coaches;
- 16 * safe places with structured activities in which to learn and grow;
- 17 * a healthy start and healthy future;
- 18 * an effective education that equips them with marketable skills;
- 19 * and an opportunity to give back to their neighborhoods through
20 community service.

21

22 In each of these areas Colorado is making progress, but we still have more to
23 do.

24

25 We must focus on the well-being and stability of families in Colorado. At the
26 same time, we must recognize that too many children are growing up without
27 a family - without stability.

28

29 Thus, I support Senator Marilyn Musgrave's efforts to work with state agencies
30 to find alternatives to the foster system - alternatives that would provide these
31 children with the safety and stability they so desperately need.

32

33 As part of our efforts to ensure that children have a healthy start, I began the
34 process of reforming the Children's Health Insurance Program. This is an
35 important part of Colorado's safety net for low-income children, but it wasn't
36 working well.

37

38 In August, with the concurrence of the Joint Budget Committee, I announced
39 a premium holiday. This action gave us time to implement a more effective
40 premium structure that encourages increased enrollment.

41

42 Today, CHIP is more affordable and easier to enroll in than ever before,
43 resulting in a significant increase in applications over the last year. And with new
44 easy-to-understand applications in English and Spanish, we've further reduced
45 the barriers to providing health insurance for low-income children.

46

47 I look forward to working with Senator Doug Linkhart on improving CHIP and
48 seeing that Colorado's low-income children have access to affordable health
49 insurance.

50

51 Another problem we are running into is the fact that state mandates placed on
52 health care policies continue to cause health care costs to rise.

53

54 I want to thank Senator Mark Hillman for his efforts on a bill that will allow
55 insurers to offer more affordable policies, free of costly state mandates.

56

1 While working to improve health care for our children, we also must work to
2 improve their mental and emotional well being.

3
4 It was William James who said, "The greatest discovery of any generation is that
5 a human being can alter his life by altering his attitude."

6
7 This is a lesson that we need to teach our children - especially those who are at
8 such an impressionable age.

9
10 We have made important strides in involving the faith-based community in
11 strengthening families by convening a faith-based summit on charitable choice -
12 a program that gives families on welfare more options when reaching out to the
13 community for help.

14
15 I strongly believe that Colorado should continue to enlist the faith-based
16 community to help provide cost-effective social services that work.

17
18 **CRIME/JUDICIARY**

19 A large part of our families and children agenda is ensuring that all Colorado
20 families feel safe.

21
22 Since taking office, I have signed a number of public safety bills including a "two
23 strikes and you're out" rule for child molesters, DNA testing of all felons, and
24 a new law that immediately revokes the parole of a parolee caught carrying a
25 gun.

26
27 I believe we should do more. DNA testing today allows us to solve murder,
28 rape and other violent crimes decades after the crime is committed. It is time to
29 remove the statute of limitations on such crimes.

30
31 We should do all we can to catch, prosecute and lock-up rapists and other
32 violent criminals, whether they committed the crime ten days ago or ten years
33 ago.

34
35 We must also take steps to increase the penalties for those who engage in
36 identity theft. Crucial to our prosperity are the economic opportunities created
37 by on-line commerce and the Internet.

38
39 Our citizens must feel safe that they can conduct business on-line without people
40 stealing personal information.

41
42 I believe we must also do more to protect our children from hate, pornography
43 and violence on the Internet.

44
45 It seems clear to me that any computer used by a child in a Colorado public
46 school or public library should include filtering software to limit our children's
47 access to hate, pornography and violence on these publicly-funded computers.

48
49 Our libraries don't use taxpayer funds to buy hate magazines or pornographic
50 magazines - they shouldn't use taxpayer funds to allow access to the same
51 material on-line.

52
53 In my first State of the State address, I promised to take steps to reduce the
54 amount of bureaucratic red tape in Colorado's judicial system. Last year, my
55 Task Force on Civil Justice Reform reported that Colorado's judicial system is
56 approaching a crisis due to a serious shortage of trial court judges.

1 Case filings in Colorado's trial courts have grown by 85% since 1980, yet the
2 number of new district court judges has increased by only 12%.

3
4 Some judges now routinely decide more than 400 cases in a single year. And it
5 can take four years or more for the parties in a civil lawsuit to get a jury trial.
6 For a growing number of Coloradans, justice delayed is indeed justice denied.

7
8 That's why I support legislation to create 24 new District Court judgeships. I
9 want to thank Senator Ed Perlmutter and Representative Shawn Mitchell for
10 sponsoring this legislation.

11
12 Besides strengthening our courts, it is time to reform Colorado's administrative
13 law system. Administrative Law Judges or "ALJs" decide regulatory, workers
14 compensation and other disputes between private citizens and state government.

15
16 Coloradans depend on ALJs to protect their civil rights. Yet the current system
17 suffers from chronic budget problems that are seriously undermining public
18 confidence in our administrative law system.

19
20 That is why I support legislation sponsored by Senator Andy McElhany and
21 Representative Tambor Williams to consolidate ALJs into a new Division of
22 Administrative Justice where they can be better trained and more accountable
23 to the public.

24
25 Let me also thank Chief Justice Mary Mullarkey, the Colorado Supreme Court,
26 and the State Judiciary for all they do to bring justice to Colorado.

27
28 Since becoming Governor I have made 33 judicial appointments. These are
29 tough judges who care as much about the victims' rights as those of the
30 criminals. While these appointments do not require Senate confirmation, I have
31 more than one hundred other confirmations awaiting action in the Senate.

32
33 I have nominated men and women to the state's boards and commissions who
34 will work hard for all Coloradans. When I was in the state senate, I took
35 seriously my responsibility to confirm appointees.

36
37 But I also - as a Senator - acknowledged that it is the Governor who appoints.
38 That is why - in the six years I served in the Senate - I voted to confirm 264 of
39 Governor Romer's appointees, while voting against only two. I trust that the
40 Senate will extend to me the same courtesy I extended to Governor Romer.

41
42 On another subject, several years ago, the General Assembly allowed elected
43 officials to have a choice in our state retirement plan, choosing from either
44 PERA or a defined-contribution plan. Many of you who are new legislators
45 have just made that choice for the first time.

46
47 However, that choice is denied to all but a few of us in Colorado state
48 government. If it is good enough for us, why isn't it good enough for all state
49 employees? Therefore, it is time to provide persons newly-hired in state
50 government with the same choice in retirement plans we enjoy.

51
52 Passing laws only for ourselves while not extending the benefit to other state
53 employees is wrong.

54
55 I look forward to working with Senator Dave Owen on this important
56 legislation.

1 **TAX RELIEF**

2 Now I would like to turn to the issue of tax relief for Colorado's families.

3

4 I am very proud of our record in providing tax relief. Since becoming Governor,
5 the legislature has passed and I have signed the most important tax relief
6 package in Colorado history. Coloradans today are paying nearly a billion
7 dollars less in taxes annually than they were two years ago.

8

9 We have permanently cut the income tax rate - twice - while also permanently
10 lowering the sales tax rate.

11

12 These cuts of the income and sales taxes accounted for 86% of the permanent
13 tax relief taxpayers received from their legislature and their governor.

14

15 In addition, we have eliminated the marriage penalty, lowered vehicle
16 registration fees, increased the elderly pension exclusion, and provided an
17 income tax credit for long-term care insurance - all while we have twice
18 increased the earned income tax credit for low-income Coloradans.

19

20 This tax relief was broad-based, fair, and good for all Coloradans.

21

22 I worked hard for this tax relief because I firmly believe that this is the people's
23 money. They earned it. We did not. Coloradans should be given the
24 opportunity to save, invest or spend those dollars, because it is their money - not
25 ours.

26

27 Now some have said that we cannot provide more tax relief. With the passage
28 of Amendment 23 and its effect on the capital budget, many assume tax relief is
29 off my agenda for this session. This morning I am putting tax cuts back on the
30 agenda.

31

32 Each year, the state uses estimates from the Census Bureau to determine the
33 population growth rate in order to calculate the state's TABOR tax revenue
34 limits. After an actual count during the 2000 Census, we've discovered that they
35 undercounted the state's population throughout most of the nineties.

36

37 What does this mean for the budget? It means that we suddenly have almost
38 \$300 million dollars available for spending next year.

39

40 The state is receiving this windfall only because of a change in Census Bureau
41 estimates - a change that gives us an opportunity to provide more much-needed
42 taxpayer relief to all hard-working Coloradans, while also investing in our
43 critical transportation infrastructure.

44

45 I am therefore calling on the legislature this year to continue to provide tax
46 relief. I will leave it up to you to decide which taxes to cut, as long as they are
47 broad-based and fair to all Coloradans.

48

49 On the subject of saving money, I know that everyone has been affected by the
50 recent increases in heating bills.

51

52 Those being most hard hit are our low-income citizens who are struggling to live
53 on a strict budget and cannot afford a heating bill that goes from \$50 to \$100 to
54 \$200 or more in one month.

55

1 Efforts are underway across the country - at every level of government - to do
2 something about these increases for the long term.

3
4 I look forward to working with this legislature, the Public Utilities Commission
5 and our counties and municipalities to explore options with regard to power
6 plants and transmission facilities that we need in the future so that all families in
7 Colorado will not be saddled with out-of-control energy bills.

8
9 Colorado must have the energy infrastructure in place sufficient to ensure
10 reliable and affordable energy to meet our current and future needs.

11
12 But there are steps that can be taken in the short term to help Colorado families
13 who are struggling the most.

14
15 We should use a portion of our Severance Tax Trust Fund surplus - on a one-
16 time basis - to help offset utility bill increases for low and middle-income families
17 through the Low-Income Home Energy Assistance Program.

18
19 I want to thank Senator Rob Hernandez and Representative Jim Snook for
20 spearheading this effort, which will help offset high heating bills for 70,000
21 struggling families in Colorado this year.

22 23 **EDUCATION**

24 Ladies and gentlemen, the most important issue facing us is the last issue I want
25 to discuss with you this morning. That issue is how best to improve our public
26 schools so that every child is guaranteed what I regard as a civil right - the right
27 to a quality education that ensures that no child is left behind.

28
29 I have visited scores of public schools since being elected Governor, in all parts
30 of our state. This has given me an opportunity to listen to teachers and
31 principals, most of who recognize that education reform is necessary, but not
32 always easy. It is, in fact, usually difficult, or it would have
33 been done long ago.

34
35 Friends, I believe that our public schools are well on the way to improving. I
36 have heard many times from educators and parents across the state that
37 standards and accountability are already working.

38
39 Why? Because we've made it perfectly clear that every Colorado child has a
40 right to an education that includes being able to read, write and do basic
41 mathematics.

42
43 Unfortunately, we still have too many of our young people who cannot read at
44 grade level moving through our schools. We have too many students who
45 cannot write and who cannot grasp the fundamentals of math, much less
46 understand how all three will impact everything they do for the rest of their lives.

47
48 Let me share with you a few numbers that prove this point. Based on the CSAP
49 tests given to date - tests written right here in Colorado, by Colorado educators,
50 based on Colorado standards - we now know that almost one third of our third
51 graders are not proficient in reading.

52
53 We know that 60% of our fourth graders are not proficient in writing, and more
54 than half our eighth graders are not proficient in science.

55

1 We also know that 51% of our fifth graders and an incredible 65% of our eighth
2 graders are not proficient in math.

3
4 We need to look at where we were, where we are and where we are going. It
5 is a struggle, there is no doubt about it - the contrast between the old education
6 system and the new, between passing and failing, between ignorance and
7 education.

8
9 Yet this is a struggle we must confront head on. It is not going to be easy.
10 There are those who are well meaning who simply do not understand that in a
11 changing world, only those who are prepared academically will be successful.

12
13 On January 14, 1993 then Governor Roy Romer stood at this very podium and
14 stressed the importance of standards and accountability for our public schools.

15
16 Governor Romer said, "Each year no issue is more difficult for all of us than the
17 funding and reform of our public schools. Perhaps that is because there are no
18 simple solutions. We have to start with setting clear standards for what students
19 should know and be able to do. This is the most important step we can take,
20 because it drives everything else in educational reform."

21
22 On January 13, 1994 Governor Romer - again at this very podium - renewed his
23 call for standards saying, "Standards are particularly important because they give
24 parents and students a yardstick to measure their academic progress, and they
25 give all of us the ability to hold schools accountable
26 for making sure students are learning."

27
28 And in 1995 Governor Romer told those of us in the legislature that the best
29 way to improve the productivity and results of the public education system was
30 "to maintain our commitment to clear, rigorous standards for student
31 performance."

32
33 From this call to arms during Governor Romer's tenure came the creation of the
34 Colorado Student Assessment Program - CSAP - and the beginning of more
35 accountability for our public schools.

36
37 I took up the banner when Governor Romer left office. Last year, at the urging
38 of 37 school superintendents whose districts educate three fourths of the
39 children in Colorado's public schools, the legislature expanded CSAPs to test
40 reading and writing each year in grades 3-10, and math each year in grades 5-10.

41
42 The keystone of my education reform plan was based on a simple premise -
43 seeing that every child in Colorado has a quality teacher, a safe school and an
44 education that prepares them to succeed. You have heard me say it many times
45 - we must leave no child behind.

46
47 That is why I insisted that a large share of Colorado's tobacco settlement be
48 devoted to elementary school literacy. Through Read to Achieve - sponsored
49 by Senator John Andrews and Representative Abel Tapia - we are beginning the
50 largest literacy effort in Colorado history.

51
52 Our goal is to make sure every child can read at or above grade level when they
53 enter the fourth grade.

54
55 Just last month I announced that 408 elementary schools would be receiving \$27
56 million dollars in third-grade reading grants from Read to Achieve. And let me

1 tell you something that I found interesting - one school received a grant to fund
2 a single student. That truly sums up what I mean when I say that every child
3 counts.

4
5 This year we must stay the course. This year we will stay the course. While
6 there are a few technical changes we need to make to last year's school reform
7 package, the plan itself is not only sound, it is essential if we want to change a
8 school system where too many of our children are left
9 behind.

10
11 Annual testing makes sense. Giving schools three years to improve before
12 requiring new management makes sense - any longer and a child's elementary
13 school years may be lost. And accountability makes sense. Parents want to
14 know about the academic performance, teacher quality, safety and use of
15 taxpayer dollars at public schools.

16
17 Ten or fifteen years from now I don't want another Governor standing here
18 delivering a state of the state address saying we have to deal with an education
19 crisis because his or her predecessors didn't act.

20
21 Friends, there is one person in particular who did act and I want to take this
22 opportunity to thank Senator Norma Anderson for her leadership on education.
23 It is not news to anyone in this chamber that Norma fought what was, at times,
24 a tough battle.

25
26 Norma, thank you for all you have done for Colorado's children.

27
28 Of course, unless schools are given the resources to do their job, accountability
29 means little. That is why I am proud that the budget I have submitted to the
30 General Assembly included full funding for K-12 education. My budgets have
31 increased education funding by more than \$590 million
32 dollars.

33
34 And you know, fully funding education has not been easy.

35
36 In fact, it had not been accomplished once in the entire decade prior to my
37 Administration. And yet, the three budgets that I have submitted not only fully
38 fund K-12 education, but have enough additional dollars for our schools that we
39 have made up a significant portion of the K-12 funding
40 shortfall of the previous decade.

41
42 Ladies and gentlemen, we should be proud of this record. But with this new
43 investment in our schools must come change. Coloradans are investing more
44 than ever before in our schools, and we have a right to expect - even to demand
45 - an improved educational system for our children.

46
47 With the passage of Amendment 23, voters have said they want us to continue
48 on this course. But the amount of money we provide to K-12 education is not
49 the sole yardstick by which our commitment should be measured. It must also
50 be measured by how this funding can best be used to improve education without
51 adding to the education bureaucracy.

52
53 Amendment 23 requires per pupil base funding and categorical funding to
54 increase by inflation plus one percentage point over the next ten years.

55

1 In addition to this spending, all other new monies provided by the Amendment,
2 can only be used for "accountable education reform, for accountable programs
3 to meet state academic standards, for class size reduction, for expanding
4 technology education, for improving student safety, for expanding the
5 availability of preschool and kindergarten programs, for performance incentives
6 for teachers, for accountability reporting, or for public school building capital
7 construction."
8

9 Friends, those words are now in our state Constitution. As elected officials we
10 swore to uphold the Constitution. Therefore, we have a responsibility to ensure
11 that money from Amendment 23 is spent in these categories. That is the will of
12 the people.
13

14 When those who supported Amendment 23 took their case to the voters, they
15 didn't say "give us these dollars and we'll just pass them along to fund business
16 as usual."
17

18 They didn't say, "give us these dollars and trust us," and they certainly didn't say,
19 "give these dollars to the school bureaucrats and hope for the best."
20

21 No, ladies and gentlemen, the proponents were very specific with the language
22 of the ballot initiative passed by voters, clearly spelling out particular areas
23 where those new funds should be spent.
24

25 Therefore, I ask this General Assembly to pass responsible, targeted increases
26 in education funding that will actually help the children - though not necessarily
27 the administrators.
28

29 I support local control and my proposals - with the exception of reducing class
30 size and special ed funding - give the funds directly to school principals to decide
31 how best to use them. What could be more local than that?
32

33 We must provide schools with funds to purchase new textbooks so that every
34 child has reading, math and science books that are accurate and up-to-date,
35 while also freeing parents from burdensome textbook fees.
36

37 We must give a helping hand to our lowest-performing schools that are trying
38 to improve by providing them with grants to help in their turnaround efforts.
39

40 We want all children to go to school ready to learn so we must measure the
41 effects of full-day kindergarten on the achievement level of low-income children.
42

43 I am pleased to be working with Senator Rob Hernandez on a bill to establish
44 full-day kindergarten pilot programs at our most challenged elementary schools.
45

46 We must also address the inequality that exists between children who attend
47 public neighborhood schools and children who attend public charter schools.
48

49 It is simply wrong that children who attend public charter schools must have
50 their buildings paid for out of their school's operating funds, while children in
51 public neighborhood schools have their school paid for out of additional,
52 separate, capital funding.
53

54 We have two unequal standards at work here and this session we must begin the
55 process of giving our charter students the equality they deserve.
56

1 I am proud to say that, because we have demanded excellence, Colorado's
2 teachers are today preparing our children to reach the highest academic
3 standards in Colorado's history. It is time to build on these achievements and
4 keep outstanding teachers at the heart of education.

5
6 That is why I have proposed teacher pay incentives that would reward
7 exemplary teachers with merit pay bonuses, while offering recruitment bonuses
8 to encourage our best teachers to teach in challenged schools and in hard-to-
9 recruit subjects like math, science and special education.

10
11 Again, this money would go directly to principals, as they are the ones who best
12 know which teachers are working hardest day in and day out to educate our
13 children.

14
15 Finally, I want to discuss with you the critical issue of reducing class size. For
16 years the education community has called for lower class sizes. We have been
17 told repeatedly by virtually every school board, by every school principal and
18 certainly in every mill levy election that we must
19 reduce class size.

20
21 Under Amendment 23, every school in Colorado will receive funding increases
22 of inflation plus an extra one-percentage point in funding each year for the next
23 ten years.

24
25 We have two choices - we can either let those funds be absorbed in the base
26 with no discernible outcome, or we can direct these dollars toward small class
27 sizes - a priority of parents and, at least until now, educators.

28
29 It is certainly reasonable to ask that, over the next decade, schools use this new
30 funding first to reduce K-3 class size to 17 students.

31
32 For those schools already enjoying small class sizes, they will receive the same
33 new funding as those schools that don't, and then will have the flexibility to
34 direct that money toward other areas to improve student achievement.

35
36 I want to emphasize that we are making great strides in improving the
37 educational future for our children in both K-12 as well as in higher education -
38 especially in high technology.

39
40 In March, I proudly launched the Colorado Institute of Technology - an
41 institution that combines the best concepts of academia and the private sector.

42
43 CIT is a groundbreaking effort to double the number of graduates in technology-
44 related majors. CIT is a collaborative partnership of CU, CSU, the Colorado
45 School of Mines, Metro, DU and our community colleges.

46
47 No education initiative across the nation compares to its scope and mission
48 which is to unite the technology and education communities, and to expand pre-
49 technology learning in elementary, middle and high school.

50
51 I asked Colorado's technology community to support this initiative. They have
52 done so already, committing \$41 million dollars in private capital to our efforts.

53
54 I am convinced that this effort will lead to better jobs and higher-paying jobs for
55 Colorado's citizens.

56

1 Ladies and gentlemen, think for a moment what those who will sit in this historic
2 chamber will say about us one hundred years from now. How did we begin the
3 journey of the greatest century this state will ever enjoy? Did we take those
4 issues that have divided us for decades and finally have the courage to solve
5 them? Or, did we shrink from the challenge, preferring business as usual?
6

7 Friends, I intend to face these issues and work together to solve them. We have
8 a lot of work ahead of us. Let us begin now.
9

10 It has been my honor to serve with you for the people of Colorado. Let us
11 together rededicate ourselves to making Colorado - our home - the best place
12 in the nation in which to live and raise a family.
13

14 I want to close today with a few sentences from the last will and testament of
15 African-American educator Mary McLeod Bethune who, like all of us, believed
16 that what we do today is for those who will live tomorrow.
17

18 Bethune said, "I leave you love. I leave you hope. I leave you the challenge of
19 developing confidence in one another. I leave you a thirst for education. I leave
20 you respect for the use of power. I leave you faith. I leave you racial dignity. I
21 leave you a desire to live harmoniously with your fellow man. I leave you finally,
22 a responsibility to our young people."
23

24 Thank you, God bless you and God bless the great State of Colorado.
25
26
27

28 On motion of Senator Thiebaut, the Joint Session was dissolved.
29
30
31

32 House reconvened.
33
34
35

36 APPOINTMENT

37
38 The Speaker announced the appointment of Representative Young as
39 Speaker Pro Tempore.
40
41
42

43 MESSAGES FROM THE SENATE

44
45 Mr. Speaker:

46
47 The Senate has adopted and returns herewith: **HJR01-1003**.
48 The President appointed Senators Gordon and Evans pursuant to the
49 resolution.
50
51

52 The Senate has adopted and returns herewith: **HJR01-1004**.
53
54
55
56

INTRODUCTION OF BILLS**First Reading**

1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:

6
7 **HB01-1108** by Representative(s) Plant--Concerning the creation of a
8 prescription drug program to enhance affordability of
9 prescription medications for Coloradans.

10 Committee on Health, Environment, Welfare, & Institutions
11 Committee on Finance
12 Committee on Appropriations
13

14 **HB01-1109** by Representative(s) Lawrence; also Senator(s) Evans--
15 Concerning savings accounts for prescription medications.

16 Committee on Health, Environment, Welfare, & Institutions
17 Committee on Finance
18

19 **HB01-1110** by Representative(s) Mace, Lawrence; also Senator(s)
20 Evans, Hagedorn--Concerning a credit against state
21 income taxes for prescription medications.

22 Committee on Health, Environment, Welfare, & Institutions
23 Committee on Finance
24

25 **HB01-1111** by Representative(s) Madden--Concerning incentives to
26 conserve water, and, in connection therewith, creating a
27 tax credit for measures taken to conserve agricultural
28 water and authorizing the state engineer to issue conserved
29 water certificates for use in water court and on tax returns.

30 Committee on Agriculture, Livestock, & Natural Resources
31 Committee on Finance
32

33 **HB01-1112** by Representative(s) Jahn--Concerning a credit against the
34 state income tax for employers whose paid employees
35 volunteer at Colorado public schools.

36 Committee on Finance
37 Committee on Appropriations
38

39 **HB01-1113** by Representative(s) Coleman; also Senator(s) Linkhart--
40 Concerning the duty of the department of corrections,
41 division of adult parole, to inform the public before
42 acquiring a site to operate as a branch parole office.

43 Committee on Civil Justice & Judiciary
44

45 **HB01-1114** by Representative(s) Groff--Concerning profiling in
46 connection with law enforcement traffic stops.

47 Committee on Civil Justice & Judiciary
48

49 **HB01-1115** by Representative(s) White, Stengel--Concerning require-
50 ments that licensed automobile dealers disclose the
51 amount of compensation prior to completion of a
52 transaction.

53 Committee on Business Affairs & Labor
54
55

- 1 **HB01-1116** by Representative(s) Paschall--Concerning circumstances
2 in which an independent medical examiner may be
3 selected.
4 Committee on Business Affairs & Labor
5
6 **HB01-1117** by Representative(s) Witwer; also Senator(s) Evans--
7 Concerning juvenile sex offender treatment.
8 Committee on Civil Justice & Judiciary
9
10 **HB01-1118** by Representative(s) Garcia--Concerning aggravating
11 factors for aggravated motor vehicle theft.
12 Committee on Criminal Justice
13
14 **HB01-1119** by Representative(s) Garcia--Concerning elimination of
15 misdemeanor aggravated motor vehicle theft.
16 Committee on Criminal Justice

17 _____
18
19 On motion of Representative Hefley, the House adjourned until
20 9:00 a.m., January 12, 2001.

21
22
23
24
25
26
27
28
29
30
31
32
33
34

Approved:

DOUG DEAN,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk