

HOUSE JOURNAL
SIXTY-THIRD GENERAL ASSEMBLY
STATE OF COLORADO
Second Extraordinary Session

First Legislative Day

Thursday, September 20, 2001

1 Prayer by Pastor Rick Long, Grace Church, Arvada.
2
3

4 The hour of ten o'clock having arrived, the House of Representatives of
5 the Second Extraordinary Session of the Sixty-third General Assembly of
6 the State of Colorado, pursuant to call, was called to order by Doug Dean,
7 Speaker of the House of Representatives, Sixty-third General Assembly,
8 State of Colorado.
9

10
11 The roll was called with the following result:
12

13 Present--63.
14 Excused--Representatives Coleman, Johnson--2.
15

16 The Speaker declared a quorum present.
17

18
19
20 **COMMUNICATION FROM THE SECRETARY OF STATE**
21 **STATE OF COLORADO**
22

23 **Department of**
24 **State**
25

26 **UNITED STATES OF AMERICA** }
27 **STATE OF COLORADO** } **SS. Certificate**
28

29 I, Donetta Davidson, Secretary of State of the State of Colorado, do
30 hereby certify that the attached is a true and exact copy of the Executive
31 Order D 011 01 for the First Extraordinary Session of the Sixty-Third
32 General Assembly, as filed in this office on September 10, 2001.
33

34 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
35 the Great Seal of the State of Colorado, at the City of Denver this 20th
36 day of September A.D. 2001.
37

38 (Signed)
39 Donetta Davidson
40 Secretary of State
41

42 _____
43
44

1 **EXECUTIVE ORDER**
2 **PROCLAMATION**
3 **CALL FOR THE SECOND EXTRAORDINARY SESSION**
4 **OF THE SIXTY-THIRD GENERAL ASSEMBLY**
5

6 Pursuant to the authority vested in the Office of the Governor of the State
7 of Colorado, and in particular vested in the Governor pursuant to Article
8 IV, Section 9 of the Colorado Constitution, and as provided for in Article
9 V, Section 7, I, Bill Owens, Governor of the State of Colorado, hereby
10 issue this Executive Order convening the Sixty-Third General Assembly
11 to meet in extraordinary session.
12

13 1. Background and Need
14

15 The results of the 2000 United States Census increase Colorado's
16 representation to the United States House of Representatives to seven
17 seats from six. The Colorado Constitution requires the General Assembly
18 to divide the state into seven congressional districts to reflect Colorado's
19 new and higher population figures. New congressional districts need to
20 be drawn in time for the 2002 election cycle and must embody the
21 principle of one person, one vote from Article 1, Section 2 of the United
22 States Constitution. The General Assembly should draw these districts
23 to fairly reflect Colorado's growth, diversity, existing political
24 subdivisions and communities of interest.
25

26 The unprecedented population growth that occurred in Colorado and was
27 documented by the Census has dramatically impacted land use across the
28 state. Colorado citizens have consistently stated that the rapid population
29 growth threatens our unique quality of life. Colorado's voters and its
30 legislature have struggled for several years with the question of how to
31 manage the benefits associated with the population increase and how to
32 mitigate certain negative impacts of the development that have resulted.
33

34 Unfortunately, despite attempts in three successive legislative sessions,
35 a citizen's initiative, and a previous special session this year to address
36 this difficult issue, Colorado still has not updated its land use laws to
37 better manage growth. If the State of Colorado fails to act now to reform
38 land use laws we risk losing a lifestyle found in no other place in the
39 country.
40

41 The increased population in Colorado is clearly evidenced by the strain
42 on the state's transportation system. For too long Colorado's
43 transportation funding failed to keep pace with its population growth.
44 Since 1998, we have more than doubled state spending on transportation
45 and accelerated projects through programs like the transportation bonding
46 referendum approved by the voters in 1999. Yet despite these measures,
47 Colorado's state transportation system still suffers from twenty-five years
48 of balancing the state budget on the back of transportation funding. The
49 state must immediately reprioritize its budget to increase transportation
50 funding.
51

52 Finally, two important issues call for immediate action during this
53 extraordinary legislative session. First, due to drafting mistakes in Senate
54 Bill 01-168 that were beyond the scope of the bill's title, certain drunk
55 driving offenders may receive lesser sentences than are appropriate. The
56 General Assembly, therefore, should rectify this oversight to ensure the

1 safety of Colorado's roads and highways.

2
3 Second, many low-income women in Colorado and the nation are unable
4 to afford the necessary treatment recommended as a result of free breast
5 and cervical cancer screenings. In response, Congress late last year
6 passed the Breast and Cervical Cancer Act of 2000. This authorizes
7 states to adopt legislation providing Medicaid coverage to women who
8 have been screened by a National Breast and Cervical Cancer Early
9 Detection Program health care provider and found to have cancer or
10 precancerous lesions. The Act offers a significant federal match for states
11 that pass enabling legislation to offer Medicaid eligibility to women with
12 breast and cervical cancer.

13
14 Earlier this year, the Colorado General Assembly failed to enact enabling
15 legislation because it could not find a funding source for Colorado's
16 portion. However, there are unspent funds from Colorado's share of the
17 national tobacco settlement. As there is a direct connection between
18 tobacco use and breast and cervical cancer, it makes sense to fund
19 treatment for these diseases from unspent settlement dollars. Further
20 delays offering treatment will increase eventual treatment costs and may
21 result in needless deaths, thus the state should provide funding for this
22 program now.

23
24 Because there has been no resolution concerning how to address these
25 important issues for Colorado, an extraordinary occasion has arisen that
26 necessitates that I convene a special session of the General Assembly to
27 answer the needs of the people of Colorado.

28
29 2. Proclamation

30
31 I, Bill Owens, Governor of the State of Colorado, with this proclamation
32 convene the Sixty-Third General Assembly of this state and summon the
33 members of the Sixty-Third General Assembly to meet in Special Session
34 at the State Capitol, in the City and County of Denver, on September 20,
35 2001, at 10:00 a.m. and designate the following subjects for your
36 consideration and appropriate legislative action:

- 37
38 A. Concerning the division of the State of Colorado into seven
39 districts for representation in the United States Congress,
40 according to constitutional standards.
41
42 B. Concerning making the master plans in C.R.S. 30-28-106 and 31-
43 23-206 legally enforceable.
44
45 C. Concerning making the master plans in C.R.S. 30-28-106 and 31-
46 23-206 mandatory for certain municipalities and counties.
47
48 D. Concerning an appropriation for the Colorado Heritage
49 Communities program in the Office of Smart Growth in the
50 Department of Local Affairs.
51
52 E. Concerning the creation of an alternative dispute resolution system
53 in C.R.S. 24-32-3209 for the resolution of disputes between and
54 among municipalities and counties regarding conflicts concerning
55 the plans or planning process in C.R.S. 30-28-106 and 31-23-206.
56

- 1 F. Concerning allowing property owners adjacent to a proposed
2 annexation in which the contiguity requirements in C.R.S. 31-12-
3 104(1)(a) are achieved by annexing a platted street or alley, a
4 public or private right of way, a public or private transportation
5 right of way or area, or a lake, reservoir, stream or other natural or
6 artificial waterway, the opportunity to be included in the proposed
7 annexation.
8
- 9 G. Concerning the creation of a regional planning agreement between
10 the municipalities and counties that are members of the
11 metropolitan planning organization (MPO) for the Denver
12 metropolitan area that upholds local decision-making authority.
13
- 14 H. Concerning establishing uniform authority among all home rule
15 and statutory municipalities and counties for land development
16 charges that have a direct nexus and are proportionate to the costs
17 of public infrastructure and capital facilities provided by
18 municipalities and counties.
19
- 20 I. Concerning the elimination of the restriction in C.R.S. 39-26-123
21 that limits sales and use tax transfers to the Highway Users Tax
22 Fund when revenues are not sufficient to make expenditures up to
23 the six percent appropriations limit.
24
- 25 J. Concerning increasing the percentage of sales and use taxes
26 currently allocated to the Highway Users Tax Fund in Section
27 C.R.S. 39-26-123.
28
- 29 K. Concerning delaying the timetable of repayment of the controlled
30 maintenance trust fund as specified in C.R.S. 24-75-302.5.
31
- 32 L. Concerning an annual transfer in future years from the General
33 Fund excess reserve to the capital construction fund for highway
34 funding.
35
- 36 M. Concerning certain technical corrections to Senate Bill 01-168 to
37 clarify the appropriate sentence for driving under the influence
38 offenses.
39
- 40 N. Concerning implementing the Breast and Cervical Cancer Act of
41 2000 with funding from monies allocated to the Tobacco program
42 fund created in C.R.S. 25-3.5-807.
43

44 GIVEN under my hand and the Executive Seal of the State of Colorado
45 this 10th day of September, 2001.

46
47 (signed)
48 Bill Owens
49 Governor

50 _____
51
52 On motion of Representative Spradley, the Speaker appointed
53 Representatives Williams T., Chairman, Smith, and Tochtrop to notify the
54 Senate that the House was organized and ready for business.
55
56 _____

APPOINTMENTS

- 1
- 2
- 3 The Speaker announced the following changes in committee
- 4 appointments for the duration of the Second Extraordinary Session:
- 5
- 6 Agriculture, Livestock, & Natural Resources (for September 20 only)
- 7 Representative Spradley to replace Representative Johnson
- 8
- 9 Committee on Business Affairs & Labor
- 10 Representative Fritz to replace Representative Kester
- 11 Representative Hefley to replace Representative Rhodes
- 12 Representative Berry to replace Representative Fairbank
- 13
- 14 Committee on Health, Environment, Welfare, & Institutions
- 15 Representative Spence to replace Representative Schultheis
- 16
- 17 Committee on Local Government
- 18 Representative Stengel to replace Representative Webster
- 19 Representative Fairbank to replace Representative Hoppe
- 20 Representative Lee to replace Representative Swenson
- 21
- 22 Committee on State, Veterans, & Military Affairs
- 23 Representative King to replace Representative Crane
- 24
- 25 Committee on Transportation & Energy
- 26 Representative Mitchell to replace Representative Sinclair
- 27 Representative Young to replace Representative Stafford
- 28 Representative Lawrence to replace Representative Witwer

-
- 29
 - 30
 - 31
 - 32 The Minority Leader announced the following changes in committee
 - 33 appointments for the duration of the Second Extraordinary Session:
 - 34
 - 35 Agriculture, Livestock, & Natural Resources
 - 36 Representative Groff to replace Representative Plant
 - 37 Representative Saliman to replace Representative Tochtrop
 - 38 Representative Chavez to replace Representative Jameson
 - 39
 - 40 Committee on Business Affairs & Labor
 - 41 Representative Jahn to replace Representative Marshall
 - 42 Representative Bacon to replace Representative Miller
 - 43 Representative Grossman to replace Representative Jameson
 - 44
 - 45 Committee on Local Government
 - 46 Representative Tapia to replace Representative Mace
 - 47
 - 48 Committee on State, Veterans, & Military Affairs
 - 49 Representative Vigil to replace Representative Grossman
 - 50 Representative Marshall to replace Representative Weddig
 - 51
 - 52 Committee on Transportation & Energy
 - 53 Representative Madden to replace Representative Ragsdale

House in recess. House reconvened.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

The following resolution was read at length and given immediate consideration:

HJR01S2-1001 by Representative(s) Spradley, Dean, Grossman; also Senator(s) Thiebaut, Matsunaka, Andrews--Concerning a Joint Session of the House of Representatives and Senate for the purpose of hearing a message from His Excellency, Governor Bill Owens, and appointing a committee to escort the Governor.

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

That a Joint Session of the House of Representatives and Senate of the Second Extraordinary Session of the Sixty-third General Assembly be held in the House Chambers at 11:00 a.m., on Thursday, September 20, 2001, for the purpose of hearing a message from His Excellency, Governor Bill Owens, and that a committee of three members of the House of Representatives and two members of the Senate be appointed by the Speaker of the House of Representatives and the President of the Senate, respectively, to escort the Governor to the Joint Session.

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

The Speaker appointed Representatives Young, Chairman, Sinclair, Mace pursuant to the resolution.

House in recess.

The Speaker recognized a committee from the Senate. Senators Linkhart, Hagedorn, and Epps reported that the Senate was organized and ready for business.

House reconvened.

Representative Williams T., Chairman of the Committee to Notify the Senate, reported that the Senate had been notified that the House was organized and ready for business.

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2

3 The following resolution was read at length and given immediate
4 consideration:

5

6 **HR01S2-1001** by Representative(s) Alexander, Rhodes, Chavez,
7 Mace--Concerning the appointment of employees for
8 the House of Representatives of the Sixty-third General
9 Assembly.

10

11 *Be It Resolved by the House of Representatives of the Sixty-third*
12 *General Assembly of the State of Colorado:*

13

14 That the following named persons be appointed as employees of
15 the House of Representatives of the Sixty-third General Assembly,
16 convened in the Second Extraordinary Session, to the position set
17 opposite their respective names.

18

19 Scott Wasserman Minority Communications
20 Ann Lohmeyer Enrolling Clerk
21 Judith Smallen Legislative Secretary
22 Nina Judd Minority Caucus Secretary

23

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

27

28

29

30 Representative Spradley moved that the temporary rules of the First
31 Regular Session of the Sixty-third General Assembly be made the
32 temporary rules of the Second Extraordinary Session of the Sixty-third
33 General Assembly. The motion was declared adopted by **viva voce** vote.

34

35

36

37 The Speaker and the Minority Leader addressed the membership.
38 On motion of Representative Spradley the remarks of Speaker Dean and
39 Minority Leader Grossman were ordered printed in the journal.

40

41

42 The following is the text of Speaker Dean's address:

43

44 Welcome to the Second Extraordinary Session of the Sixty-Third General
45 Assembly. Extraordinary, perhaps, in a legal sense but paling in
46 comparison to the tragic events of the last 10 days.

47

48 What happened September 11th in New York City and across the Potomac
49 River from our nation's capitol will forever be etched in our memories.
50 This cowardly attack will not only be a defining moment for our nation,
51 but for us on a personal level as well. Like those Americans who are old
52 enough to remember Pearl Harbor, we will always remember where we
53 were when we first heard the news that terrorists were using civilian
54 airliners as guided missiles directed at the World Trade Center and the
55 Pentagon.

56

1 We are all proud of the way the American people have responded,
2 including those in Colorado. And we appreciate the bipartisan unity and
3 spirit that Congress has displayed in backing President Bush. Let there be
4 no doubt as to our resolve that we, as a nation, speak with one voice in
5 responding to this challenge to our freedom and liberty. To paraphrase
6 Mayor Giuliani, we as a nation will rebuild and come back from this
7 terrible tragedy stronger than ever. Likewise, let there be no doubt that we
8 will succeed in our mission to identify and track down those responsible.

9
10 As one of the first items of business today, I will introduce a joint
11 resolution condemning these acts of terrorism and recognizing those who
12 responded heroically. I would urge a unanimous, bipartisan vote in favor
13 of this resolution.

14
15 In the wake of this tragedy, some have questioned whether we should
16 proceed with this special session. To them I respond: "Yes. Absolutely
17 yes." Despite our sadness over what has occurred and a recognition that
18 things may never be the same, we should proceed with the people's
19 business. To do otherwise would be to bow to terrorism -- which we will
20 not do!

21
22 Special sessions are not uncommon, but it is highly unusual for the
23 governor to call us back into a special session twice in one year. In fact,
24 this marks only the fourth time since the end of World War II that this has
25 happened.

26
27 As we all know, the purpose is to take up those matters which are so
28 important or pressing that they cannot wait until the next regular session
29 that begins in January. Under our state *Constitution*, it is the governor's
30 prerogative to define the call. In that spirit, I would urge this House to
31 resist introducing legislation that goes beyond the call. To do so would
32 merely waste taxpayer dollars as it costs approximately \$15,000 every
33 day we are in session. Issues beyond the governor's call should wait until
34 January.

35
36 Perhaps the most important issue before us is Congressional redistricting.
37 The state *Constitution* mandates that the legislature adopt a bill to redraw
38 congressional district boundaries every 10 years following the release of
39 final census data.

40
41 This summer, at the suggestion of Majority Leader Spradley, an eight-
42 member legislative subcommittee, made up of four Republicans and four
43 Democrats, was formed. Its purpose was to take public testimony on
44 congressional redistricting and sift through the issues prior to our
45 convening here today. The subcommittee has completed its task, having
46 held public hearings in Pueblo, Grand Junction, Colorado Springs, Ft.
47 Collins and Denver. In addition, the subcommittee reached out to several
48 rural communities via a special satellite hookup. Any citizen who wanted
49 to testify had the opportunity to do so, and many did.

50
51 Now it's time for the legislature to do its job. We should resist any
52 strategy that results in the courts doing our job for us.

53
54 Growth has been called the 800-pound gorilla of the special session. I am
55 optimistic we can act favorably on the growth-related items in the
56 governor's call while still protecting local control, preserving property

1 rights and treating the metro area differently from rural areas of our state
2 that need growth for their economic survival.

3
4 By now, I'm sure all of you have heard the latest budget news -- that we
5 are experiencing a significant reduction in anticipated state revenue. As
6 we consider any growth proposals, let us follow the same principle that
7 any responsible doctor does, and that is: "First do no harm." Before
8 passing any growth-related legislation, we must carefully weigh its
9 impact on our state's economy.

10
11 Funding for breast and cervical cancer is another important issue before
12 us. I sincerely believe lawmakers from both parties, from both bodies,
13 recognize that it makes little sense to provide women with screening for
14 breast and cervical cancer only to tell those who are diagnosed that no
15 money is available for treatment. We agree on the need; our only
16 differences relate to how best to fund this treatment and to ensure that we
17 provide a stable, steady funding source.

18
19 As we debate these important issues, let us do so with a renewed sense
20 of humility and civility. While it would be naive to think we will check
21 all our politics at the door, let us proceed in a deliberate and thoughtful
22 manner. The public will have little tolerance for petty bickering or
23 inflamed rhetoric. They will judge us by our actions. Let them know we
24 are truly committed to doing the people's business.

25
26
27 The following is the text of Minority Leader Grossman's address:

28
29 Loss. If there is a theme to the previous nine days in America, it is loss.

30
31 Much of our loss has been meticulously documented by the American
32 media. The New York Times is compiling photos and profiles of some
33 of the people who America lost just over a week ago. I would like to
34 share some of those profiles with you.

35
36 On September 11, 2001, America lost

37
38 Louie Anthony Williams. The Times reports that Louie wrote his wife
39 the kinds of letters that make women proud and bashful. Mornings did not
40 pass without his sitting at his desk on the 66th floor of 1 World Trade
41 Center and sending pages to his wife in a special code all their own. If
42 Deborah Perkins-Williams saw 381 come across her pager, she knew it
43 was an "I love you." And if Louie, 44, typed 3814, as he did Tuesday
44 morning, she could almost hear his voice saying, "I love you forever."
45 "He just liked to let you know you were loved," she said. "I'd come home
46 from work and there was always a note on the pillow telling me to enjoy
47 the snack he prepared for me. He was a devoted husband."

48 Nine years of love letters by her side, she clings to the hope that it is not
49 too late, that the "love of her life" will soon come home. "He lived by the
50 Bible, so I know he probably just got trapped trying to comfort someone
51 else."

52
53 On September 11, 2001, America lost

54
55 Bill Biggart. They found Bill Biggart's body Saturday among the
56 firefighters. He was a photographer; he was 54. Bill was born to an

1 American Army couple in the divided city of Berlin, and it seemed to his
2 wife, Wendy, that division and conflict were the themes that pervaded his
3 work. He covered Howard Beach, Northern Ireland, Gaza, the Gulf War.

4
5 "When I saw the second plane hit, all I was hoping was that my father
6 didn't go down; I thought, 'God, I just hope he's out sailing,' " his son
7 William said, but by then Bill Biggart was already downtown.

8
9 Bill lived just north of Greenwich Village and he loved sailing, he loved
10 trees. He bought people with backyards trees for their birthdays. And he
11 spent so much time watering the trees he'd planted on Weehawken Street,
12 near the Hudson River, that the people who frequented the area were
13 convinced he worked for Greenpeace.

14
15 During the attack, Wendy called Bill on his cell phone to tell him it was
16 terrorism, not an accident. "I'm O.K.," he said. "I'm with the firemen."

17
18 On September 11, 2001, America lost

19
20 Timothy Haskell. Timothy was a fireman who loved his Dalmatian,
21 Blaze. He brought Blaze to his sister, Dawn's elementary school class to
22 demonstrate fire safety. In front of the class, Timmy would say to the
23 dog, "Your clothes are on fire! What do you do?" Blaze would stop,
24 throw herself on the ground and roll. He would ask the kids, "What if
25 you smell smoke?" Blaze would crawl on her belly over to a door. Timmy
26 would say, "Feel the door first to see if it's hot." And the dog would put
27 her paws on the door.

28
29 Timothy, 34, and two of his brothers, Thomas and Kenneth, followed
30 their father into firefighting.

31
32 Timothy's brother, Thomas, is also still missing.

33
34 On September 11, 2001, America lost

35
36 Lynette Vosges. Lynette liked surprises. Last February, Lynette invited
37 about 100 of her closest friends to a party to celebrate the 15 years she
38 and her friend, Maurice, had been living together. Once everyone had
39 gathered at a New Rochelle banquet hall, she announced the surprise. The
40 party was really a wedding. She and Maurice then exchanged marriage
41 vows in front of a guest who was a justice of the peace.

42
43 The daughter of immigrants from Guadeloupe, Lynette grew up in
44 Queens and studied English at Queens College. Her first real job was at
45 Guy Carpenter & Company, working in the claims department. Later, she
46 moved to Aon Insurance, where she was eventually promoted to senior
47 vice president, at a six-figure salary. She and Maurice bought a home in
48 the Douglaston section of Queens, which they were renovating and
49 redecorating. Lately, Lynette would return home in the evening and
50 immerse herself in fabric swatches and paint samples.

51
52 On September 11, 2001, America lost thousands of her sons and
53 daughters, and we are forever changed by that loss.

54
55 Changed? Yes. Defeated? Never!

56

1 In the first two centuries of our nation's history, we defeated tyranny, at
2 home and abroad, with the ideals of liberty and justice, and the
3 fundamental belief in the goodness of the human spirit. Even adversaries
4 who have used our humanitarian propensities against us have learned that
5 our enduring faith and our unwavering dedication to life make us virtually
6 invincible.

7
8 But in this moment of profound sorrow, grief and anger, we naturally
9 question our commitment to the ideals that others, who wish us harm,
10 apparently do not share. We wonder if our humanity is impractical in a
11 struggle against those whom we perceive to be inhumane.

12
13 But the America that was built by Louie, and Bill, and Timothy and
14 Lynette; the America that was built by Jefferson and Madison and Mason
15 and Washington, will never fall to terror from without.

16
17 We are simply too strong within.

18
19 We won't allow the great mechanisms of justice become tools of base
20 vengeance; we won't allow our newfound insecurity to mutate into
21 prejudice and xenophobia; we won't let our quest for retribution supplant
22 our timeless commitment to liberty.

23
24 And that, colleagues, is why we will prevail, as we always have.

25 26 INTRODUCTION OF RESOLUTION

27
28
29 The following resolution was read by title and laid over until later in the
30 day:

31
32 **HJR01S2-1002** by Representative(s) Dean, Spradley, Grossman, Fritz,
33 Cloer, Alexander, Bacon, Berry, Borodkin, Boyd,
34 Cadman, Chavez, Clapp, Crane, Daniel, Decker,
35 Fairbank, Garcia, Groff, Hefley, Hodge, Hoppe, Jahn,
36 Jameson, Kester, King, Larson, Lawrence, Lee, Mace,
37 Madden, Marshall, Miller, Mitchell, Nunez, Paschall,
38 Plant, Ragsdale, Rhodes, Rippy, Romanoff, Saliman,
39 Sanchez, Schultheis, Scott, Sinclair, Smith, Snook,
40 Spence, Stafford, Stengel, Swenson, Tapia, Tochtrop,
41 Veiga, Vigil, Webster, Weddig, White, Williams S.,
42 Williams T., Witwer, Young; also Senator(s)
43 Matsunaka, Thiebaut, Andrews, Perlmutter--
44 Concerning the expression of the sentiments of the
45 General Assembly regarding the terrorist attacks on
46 American soil on September 11, 2001.

47
48 WHEREAS, September 11, 2001, may live in infamy as the day
49 on which more people lost their lives or were injured on American soil
50 as the result of acts of terrorism than on any other single day in history;
51 and

52
53 WHEREAS, On that day, terrorists forcibly commandeered four
54 commercial jet airliners scheduled to fly routes from the east coast of the
55 continental United States to the west coast; and

56

1 WHEREAS, Once in control of these aircraft, the terrorists
2 implemented a dastardly, suicidal plan of unparalleled proportions never
3 before carried out in this country or anywhere else in the world; and
4

5 WHEREAS, The terrorists, piloting aircraft fully laden with highly
6 flammable jet fuel and with total disregard for the lives of the passengers
7 and crews on board or persons on the ground, turned these jet airliners
8 into flying weapons of mass destruction, each with tremendous explosive
9 power, and aimed their weapons at targets in New York City and
10 Washington, D.C., our nation's capital, two of the most densely
11 populated areas in our country; and
12

13 WHEREAS, Two of these aircraft were intentionally flown
14 directly into the World Trade Center Towers in New York City, resulting
15 in the terrifying, total destruction of two of the tallest buildings in the
16 world, home to some 50,000 workers and up to 100,000 visitors daily and
17 causing untold loss of life and injury to innocent, unarmed civilians; and
18

19 WHEREAS, A third jetliner slammed into the Pentagon in
20 Washington, D.C., headquarters of our country's national defense and the
21 largest office building in the world, also causing extensive damage, loss
22 of life, and injury to persons; and
23

24 WHEREAS, The fourth plane, presumably aimed at targets in
25 Washington, D.C. or possibly the presidential retreat at Camp David,
26 Maryland, crashed in rural Pennsylvania, killing all on board, including
27 the pilot, United Airlines Captain Jason M. Dahl from the Ken Caryl
28 Valley area of Jefferson County, Colorado, and flight attendant Kathryn
29 Laborie, originally from Colorado Springs, Colorado; and
30

31 WHEREAS, Although we may never know for sure, authorities
32 believe, based on cell phone calls from at least two passengers on the
33 fourth plane, Jeremy Glick and Mark Bingham, to relatives on the ground
34 in New Jersey and California, that passengers heroically struggled with
35 the hijackers and probably took actions that prevented this plane from
36 reaching the terrorists' planned target; and
37

38 WHEREAS, Many firefighters, law enforcement personnel,
39 military personnel, and others worked tirelessly to try to save as many
40 lives as possible in these disasters, and it is possible that more than three
41 hundred fifty police officers and firefighters in New York City lost their
42 lives in the line of duty; and
43

44 WHEREAS, The total loss of life and injuries resulting from these
45 cowardly acts will be in the many thousands of people, if not more, and,
46 in the words of New York Mayor Rudolph W. Giuliani, will be "more
47 than any of us can bear"; and
48

49 WHEREAS, President George W. Bush and the United States
50 Congress, acting in bipartisan agreement, have made available all of the
51 resources of the federal government to hunt down those responsible for
52 these vicious war crimes; and
53

54 WHEREAS, After these events President Bush declared, "The
55 resolve of this great nation is being tested"; and
56

1 WHEREAS, President Bush said in punishing those responsible
2 that "We will make no distinction between the terrorists who committed
3 these acts and those who harbor them"; and
4

5 WHEREAS, President Bush also stated that in punishing the guilty
6 we must guard against assigning guilt to the blameless and must treat all
7 Americans with the respect that they deserve, and we must particularly
8 guard against unjustified discrimination against Muslims, Arab
9 Americans, and others from the Middle East; now, therefore,
10

11 *Be It Resolved by the House of Representatives of the Sixty-third*
12 *General Assembly of the State of Colorado, the Senate concurring*
13 *herein:*
14

15 (1) That the General Assembly expresses its complete and utter
16 condemnation of and outrage at the terrorist attacks that occurred on our
17 soil on September 11, 2001;
18

19 (2) That the General Assembly expresses its heartfelt sympathy
20 for the victims of these tragedies and their families;
21

22 (3) That the General Assembly commends the heroism of the
23 many emergency personnel and individual citizens who responded to the
24 scenes of these disasters;
25

26 (4) That the General Assembly wants terrorists to know they have
27 failed in their mission to break the American spirit, but rather, these
28 heinous acts have served only to strengthen our resolve; and
29

30 (5) That the General Assembly expresses its full support to
31 President George W. Bush and the United States government in its
32 actions to hunt down the perpetrators of these crimes against humanity
33 and to punish those responsible, including any person or government that
34 aids, abets, protects, finances, or harbors the perpetrators, in an
35 appropriate manner.
36

37 *Be It Further Resolved*, That copies of this Resolution be sent to
38 the Honorable George W. Bush, President of the United States,
39 Colorado's delegation in the United States Congress, the Honorable
40 George E. Pataki, Governor of the State of New York, the Honorable
41 James Gilmore III, Governor of the Commonwealth of Virginia, the
42 Honorable Rudolph W. Giuliani, Mayor of the City of New York, the
43 Honorable Anthony A. Williams, Mayor of the District of Columbia, and
44 the families of the late Captain Jason M. Dahl of Jefferson County,
45 Colorado and the late Kathryn Laborie of Colorado Springs, Colorado.
46

47
48
49 **MESSAGE FROM THE SENATE**

50 Mr. Speaker:

51
52 The Senate has adopted and transmits herewith: SJR01S2-001. Pursuant
53 to the resolution, the President appointed Senators Isgar and Owen.
54
55
56

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2
3 The following resolution was read at length and given immediate
4 consideration:

5
6 **SJR01S2-001** by Senator(s) Thiebaut, Matsunaka, Andrews; also
7 Representative(s) Spradley, Dean, Grossman--
8 Concerning the appointment of a joint committee to
9 notify the Governor that the Second Extraordinary
10 Session of the Sixty-third General Assembly is
11 organized and ready to transact business.

12
13 On motion of Representative Spradley, the rules were suspended and the
14 resolution given immediate consideration and **adopted** by **viva voce** vote.

15
16 The Speaker appointed Representatives Lawrence, Chairman, Hefley,
17 Saliman pursuant to the resolution.

18
19 _____
20 House in recess. House reconvened.
21 _____
22

23
24 Representative Lawrence, Chairman of the Committee to Notify the
25 Governor, reported that the Governor had been notified that the House
26 was organized and ready for business.

27
28 _____
29
30 House in recess for Joint Session.
31 _____
32

33
34 **JOINT SESSION**

35
36 The Joint Session was called to order by the Speaker of the House, Doug
37 Dean.

38
39 On motion of Senator Thiebaut, the morning roll call of the Senate was
40 made the roll call of the Joint Session.

41
42 Present--31.
43 Excused--Senators Cairns, Nichol, Pascoe, Tupa.

44
45 On motion of Representative Spradley, the morning roll call of the House
46 was made the roll call of the Joint Session.

47
48 Present--63.
49 Excused--Representatives Coleman, Johnson.

50
51 The Speaker declared a quorum present and as is customary presented the
52 gavel to the President of the Senate to preside over the joint session.

53
54 President Matsunaka requested the Joint Committee, composed of
55 Senators Tate, Entz and Representatives Young, Sinclair, Mace to escort
56 the Governor from the Governor's Chambers to the rostrum.

1 Chief Sergeant-at-Arms Suman announced the arrival of the Honorable
2 Bill Owens, Governor of the State of Colorado.

3
4 The Joint Committee escorted the Governor to the rostrum where he
5 addressed the Joint Session.

6
7 The Joint Committee escorted the Governor from the Chambers.

8
9 On motion of Representative Spradley, the Governor's message was
10 ordered printed in the House Journal.

11
12
13 **ADDRESS BY THE HONORABLE**
14 **BILL OWENS**

15
16 Speaker Dean, President Matsunaka, Honorable Senators and
17 Representatives, thank you for that warm welcome, and thank you for
18 being here today.

19
20 We gather here this morning while America still mourns. I know I speak
21 for all Coloradans when I say that our hearts go out to the victims and
22 their families of last week's terrible attacks on the East Coast.

23
24 The goals of terrorists are to sow fear and disorder in a society. That is
25 why it is so critical that we are here today.

26
27 In our small way we are showing that the process of a free democracy
28 still works. As the people's representatives, we must go about doing the
29 people's business – that demonstrates that we may be bruised but not
30 broken.

31
32 There are many images of the past week that stick in my mind – some
33 tragic, some sad, and many hopeful. One hopeful image I recall is of
34 Members of Congress from both parties standing shoulder to shoulder on
35 the steps of our nation's Capitol, singing "God Bless America."

36
37 The work that President Bush and the Congress have done in light of the
38 tragedy is truly inspiring. They set aside partisan politics to focus on the
39 work of the nation.

40
41 It is in this spirit that I approach this special session. The time for politics
42 is past. The time for posturing is over. The time for us to work together,
43 in good faith, is here.

44
45 I was pleased to read in Sunday's Pueblo Chieftain that President
46 Matsunaka believes that a similar sense of collegiality will prevail in this
47 special session. President Matsunaka, Speaker Dean, I hope that the three
48 of us will set a tone of civility and unity so that we can accomplish
49 important things for Colorado in the next several weeks.

50
51 Americans and Coloradans are tired of business as usual – let's work
52 together and lead our parties toward a common ground and a common
53 agenda for Colorado.

54
55

1 As President Bush said Sunday evening to Americans preparing to return
2 to work on Monday, we need to work hard like we always have, because
3 we have a job to do.

4
5 The first issue that we must address is how to better manage Colorado's
6 growth. This isn't our first attempt. In fact, it is the fourth attempt in as
7 many legislative sessions, in addition to a ballot initiative.

8
9 We know what the issues are. We know where we agree and where we
10 disagree. And this much we know for sure: We agree on sound growth
11 management policies that represent significant land-use reform. Now is
12 the time to come together and pass growth management legislation that
13 is good for all of Colorado.

14
15 Will we completely solve all growth issues facing Colorado in the next
16 few weeks? No ... and no one expects us to. Special sessions are
17 designed to deal with a limited set of critical issues. And I can think of
18 no more critical growth issue than giving our local governments the tools
19 they need to plan for growth.

20
21 We agree that giving the comprehensive plans of local governments the
22 force of law would help our communities better plan – a change that
23 would indeed be significant.

24
25 We agree that fast growing communities should have comprehensive
26 plans that are enforceable, and that we should provide additional funds,
27 through the Office of Smart Growth, to help defray the cost of planning
28 for some of those communities.

29
30 And I believe we agree that growth should pay its own way, and that
31 impact fees – when tied to the direct impact of the development – are
32 appropriate.

33
34 We agree on these things – agreement that did not exist even one or two
35 years ago. I know of several legislators sitting in this chamber today who
36 would never have voted for legally enforceable comprehensive plans two
37 or three sessions ago but who are prepared to do so today.

38
39 These are commonsense, centrist growth management plans that will
40 dramatically change land-use law in Colorado. I believe we all agree on
41 them. So now is the time to unify behind these ideas and pass them.

42
43 Is this all that can be done on growth? No, but it may be all that we
44 currently agree upon. We will have plenty of time in the regular session
45 to debate other strategies for dealing with other challenges posed by
46 growth.

47
48 One other critical growth issue, however, that should not wait is to reduce
49 traffic congestion and improve Colorado's transportation system.

50
51 As I travel across Colorado, by far the most frequent complaint about
52 growth I hear is concern about traffic congestion and the need for
53 improvement to our transportation system.

54
55 Friends, transportation is a key component of the growth issue. For 25
56 years Colorado failed to invest enough in its transportation system. We

1 are paying the price for that neglect today. Ladies and gentlemen,
2 Coloradans deserve and have a right to expect a better transportation
3 system.

4
5 It is our responsibility to provide it for them. That is why I added
6 transportation to the agenda for this special session.

7
8 How can we increase transportation funding? There are only two
9 choices: Raise taxes or reprioritize the state budget.

10
11 What I ask each of you is this: How much chance do you think a tax
12 increase has of being approved by the voters?

13
14 I can think of several transportation tax increases that voters rejected in
15 the last decade, including Guide the Ride and Referendum B. Coloradans
16 are taxed enough – and they know it. And with the economy slowing, I
17 think that anyone planning on a tax increase to fund transportation will
18 end up empty-handed.

19
20 I believe that Coloradans want us to make sure that we have truly
21 prioritized how we spend the taxes that we already have.

22
23 My transportation plan is simple. During the past five years, we spent
24 more than \$1.3 billion on state office buildings and less than three
25 hundred million in state capital funding on transportation needs.

26
27 I think we need to provide more balance. Over the last decade,
28 enrollment in our colleges and universities has increased by about five
29 percent, while square footage increased by 19 percent.

30
31 Also, my transportation funding plan shares revenue with our cities and
32 counties so they can upgrade their roads and transit as well. Just as a gas
33 tax increase is shared among state and local governments, the hundreds
34 of millions in capital funding my proposal devotes to transportation
35 would be as well.

36
37 Furthermore, with this plan we will invest a lion's share of these new
38 transportation dollars in rural Colorado – something a gas tax would not
39 do.

40
41 Some would say that this is not enough when measured against a \$32
42 billion dollar shortfall in transportation funding over the next 20 years.

43
44 When dealing with numbers, I think it is important that we really
45 understand what they mean. After all, \$32 billion is a lot of money, so
46 please bear with me while I break it down for you.

47
48 Over the next twenty years, the Transportation Commission estimates that
49 we are going to need \$64 billion dollars to fund all of Colorado's
50 transportation wish list.

51
52 Now, half of this is already funded through the HUTF and local transit
53 taxes. That leaves \$32 billion of projected needs unfunded.

54
55 But it is important to note that only about half of this \$32 billion is for
56 roads with the other half for transit, light and heavy rail, bike paths,

1 airports and other needs. Thus we need about \$15 billion for roads over
2 the next 20 years.

3
4 My transportation funding plan provides more than \$5 billion dollars
5 (\$5.23) over 20 years. Many of you have heard that we will increase
6 funding by \$1 billion in the next *five* years. That is accurate. But over
7 20 years we can increase transportation funding by more than \$5 billion
8 – all without a tax increase.

9
10 The remaining money that we still need to raise over 20 years for roads
11 can be met in a number of ways over the next 20 years, such as public-
12 private partnerships, tolling on new roads, and bonding, which reduces
13 the inflated cost of new projects by building them earlier.

14
15 Much of the remaining list of transit, bike paths and other needs will be
16 funded in Colorado by local governments. A huge chunk of this need is
17 local transit in the Denver-metro area. That is RTD's responsibility and
18 it has the ability – given to them by the General Assembly – to tax and
19 bond and cut costs to meet their needs.

20
21 I believe my transportation funding plan makes sense for Colorado. We
22 increase funding for city, county, rural and state roads. We still provide
23 new classrooms for our colleges and universities. And we don't raise
24 taxes.

25
26 I have asked for and continue to welcome Democrat sponsors and
27 support. I want us to work together, in a bi-partisan manner to reduce
28 traffic congestion in Colorado.

29
30 There is one last question I have when it comes to transportation funding.
31 I understand that good men and women sometimes disagree. So I
32 understand if someone decides not to support my plan.

33
34 But my question is this: If you don't want to fund transportation as I
35 have outlined, what is your plan? Either you find money elsewhere
36 within the budget or you increase taxes. There are no other choices,
37 except to do nothing – and that is unacceptable.

38
39 So I ask, if you don't support my plan, what is yours? Calls for more
40 studies and more town meetings will no longer cut it. It is time that
41 people put forward credible, specific transportation funding plans with
42 real numbers behind real projects.

43
44 This is what I propose. I have yet to see other proposals. I welcome your
45 ideas and yes – even your plans. That is the only way we can move
46 forward as our citizens expect.

47
48 While roads are important, so is health care, which is why I added to the
49 call a proposal concerning funding for the treatment of breast and cervical
50 cancer.

51
52 I do not have to tell you why this is so important to women in Colorado.
53 It is an issue that has been before the legislature before, and one with
54 which we are all familiar.

55
56 This issue in Colorado goes back to 1991 when the legislature passed the

1 breast and cervical cancer-screening program, which allowed low-income
2 women who did not have health insurance to be screened for breast and
3 cervical cancer. I know that we all agree that no woman should be denied
4 a mammogram or pap smear just because she is poor.

5
6 Unfortunately, all too often when we diagnose a woman with cancer we
7 have not been able provide her with timely treatment. In response to this
8 concern, last year Congress passed the "Breast and Cervical Cancer Act"
9 to provide full Medicaid benefits to low-income uninsured women
10 diagnosed with these cancers. This is a program where the federal
11 government pays roughly two-thirds of the cost and the state the
12 remaining one-third.

13
14 As you know, a bill was introduced during this past legislative session to
15 allow Colorado to join this new federal program. The bill was defeated
16 in the Appropriations Committee for a simple reason: there was no
17 source for the required state funds. No general funding ... no cash funds
18 ... no funds.

19
20 That is why, when this bill was defeated, I immediately asked Nancy
21 McCallin in the Office of State Planning and Budgeting and Jane Norton
22 at the Department of Public Health and Environment to find a way to
23 fund this program.

24
25 We have done just that, with unspent dollars from the tobacco settlement.
26 I believe that it is important to prevent our children from smoking and
27 using tobacco. I support efforts at prevention and cessation. I also
28 support the wise use of tobacco funds.

29
30 Friends, there is a direct link between tobacco use and cervical cancer.
31 We have *unspent* dollars from our tobacco settlement.
32 We can provide treatment for low-income women with breast and
33 cervical cancer without reducing funding for any tobacco prevention or
34 cessation program. That's correct. Not one program currently funded
35 will lose a cent of funding.

36
37 Now that we have found a way to fund this program, I hope the
38 legislature will pass and send to my desk a bill doing so during this
39 special session. I ask you to pass such legislation so that we will be able
40 to reduce breast and cervical cancer mortality for women throughout
41 Colorado.

42
43 On all of the above issues – growth, transportation funding, cancer
44 treatment, I sincerely ask for a bi-partisan spirit, a willingness to find
45 common ground and work together.

46
47 On the last major issue on your agenda, I know this bipartisan spirit might
48 be more difficult to maintain. Almost by definition, Congressional
49 redistricting puts both parties in the position of jockeying for the best
50 district lines. But friends, I hope we can agree that we must respect the
51 Minority Voting Rights Act.

52
53 I hope we will agree that communities of interest – such as the Western
54 Slope – should not be split.

55
56 Finally, I hope we can agree that Congressional redistricting is rightly the

1 job of the legislative and executive branches. It is not a job for the courts.
2 By simply not allowing anything to pass, some may hope that a judge will
3 be forced to draw the lines.

4
5 As a State Senator in 1991 and 1992, I recall that a judge refused to do
6 just that, twice giving it back to the legislature and Governor to do the job
7 they should have done in the first place. Thus let us work together, now,
8 in the next several weeks, to do our job and draw these Congressional
9 boundaries.

10
11 The final issue I am raising with you this morning concerns the state
12 budget. We learned just this week that we have a new challenge before
13 us.

14
15 The revenue forecast clearly shows a decrease, and now the new budget
16 reality is clear – it is time for state government to tighten its belt.

17
18 In the past year, the fiscal picture of state government changed
19 dramatically. Two voter-approved measures greatly reduced the budget
20 surplus – Amendment 23 took \$330 million annually from the surplus,
21 and Referendum A took another \$44 million annually. If you combine
22 these with a slowing economy, the result is a much tighter budget.

23
24 This new fiscal picture is serious but we can handle it. We can protect
25 the six-percent General Fund limit while being fair to transportation and
26 other capital projects. We will have to make some tough choices, but that
27 is what the people elected us to do.

28
29 As a first step in belt tightening, yesterday I directed all state agencies to
30 temporarily suspend new capital spending.

31
32 In the next several weeks, we will have to work together to determine
33 how far the budget will stretch and which projects can go forward. Just
34 as Coloradans are facing a new economic reality as they try to balance
35 their checkbook at the kitchen table, so too is state government.

36
37 President Matsunaka, Speaker Dean, Joint Budget Committee Chair
38 Reeves and other JBC members as well as Representative Joyce
39 Lawrence and other Capital Development Committee members, I look
40 forward to meeting with you soon to develop a plan that is good for
41 Colorado.

42
43 Our counterparts in Congress have recently been having some success in
44 dealing with the new budget issues at the federal level. Let's do the same
45 here in Colorado. Let us work together in a bi-partisan manner to tighten
46 Colorado government's belt. If I need to amend the special session call
47 to implement the plan we jointly develop, I will be happy to do so.

48
49 If Republicans and Democrats in Washington, D.C. can come together in
50 unity at this time of national tragedy and search for justice, then certainly
51 we too can come together.

52
53 It was author and educator Susan Laurson Willig who said, "Limited
54 expectations yield only limited results."

55
56 Friends, I have great expectations for this special session of the

1 legislature, as I know all of you do, and I hope for great results. God
 2 bless you. God bless Colorado. And in our hour of need, God bless the
 3 United States of America.

4
 5

6 On motion of Senator Thiebaut, the Joint Session was dissolved.

7
 8

9 House reconvened. Quorum present.

10
 11

12 CONSIDERATION OF RESOLUTION

13

14 **HJR01S2-1002** by Representative(s) Dean, Spradley, Grossman, Fritz,
 15 Cloer, Alexander, Bacon, Berry, Borodkin, Boyd,
 16 Cadman, Chavez, Clapp, Crane, Daniel, Decker,
 17 Fairbank, Garcia, Groff, Hefley, Hodge, Hoppe, Jahn,
 18 Jameson, Kester, King, Larson, Lawrence, Lee, Mace,
 19 Madden, Marshall, Miller, Mitchell, Nunez, Paschall,
 20 Plant, Ragsdale, Rhodes, Rippy, Romanoff, Saliman,
 21 Sanchez, Schultheis, Scott, Sinclair, Smith, Snook,
 22 Spence, Stafford, Stengel, Swenson, Tapia, Tochtrop,
 23 Veiga, Vigil, Webster, Weddig, White, Williams S.,
 24 Williams T., Witwer, Young; also Senator(s)
 25 Matsunaka, Thiebaut, Andrews, Perlmutter--
 26 Concerning the expression of the sentiments of the
 27 General Assembly regarding the terrorist attacks on
 28 American soil on September 11, 2001.

29

30 (Printed and placed in member's file; also printed in House Journal,
 31 September 20, 2001, pages 11-13.)

32

33 On motion of Representative Dean, the resolution was read at length and
 34 **adopted by viva voce** vote.

35

36

37 INTRODUCTION OF BILLS

38

39 First Reading

40

41 The following bills were read by title and referred to the committees
 42 indicated:

43

44 **HB01S2-1001** by Representative(s) Kester--Concerning the
 45 opportunity for property owners adjacent to an area
 46 proposed to be annexed to be included in such
 47 annexation when the contiguity requirement is achieved
 48 by annexing certain parcels of land.

49

Committee on Local Government

50

51 **HB01S2-1002** by Representative(s) Coleman, Mace, Stafford,
 52 Williams S.; also Senator(s) Hernandez--Concerning
 53 grants awarded by the office of smart growth for the
 54 development of master plans by local governments, and
 55 making an appropriation therefor.

56

Committee on Local Government

Committee on Appropriations

- 1 **HB01S2-1003** by Representative(s) Lee; also Senator(s) Andrews--
2 Concerning the congressional redistricting of Colorado.
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB01S2-1004** by Representative(s) Fairbank--Concerning the
6 congressional redistricting of Colorado.
7 Committee on State, Veterans, & Military Affairs
8
- 9 **HB01S2-1005** by Representative(s) King--Concerning the congres-
10 sional redistricting of Colorado.
11 Committee on State, Veterans, & Military Affairs
12
- 13 **HB01S2-1006** by Representative(s) Stengel--Concerning the man-
14 datory adoption of local government master plans.
15 Committee on Local Government
16
- 17 **HB01S2-1007** by Representative(s) Hodge--Concerning requirements
18 that newly-approved growth areas have adequate
19 supplies of water.
20 Committee on Agriculture, Livestock, & Natural Resources
21
- 22 **HB01S2-1008** by Representative(s) Daniel--Concerning a requirement
23 that local governments include an open space element
24 in their master plans.
25 Committee on Agriculture, Livestock, & Natural Resources
26
- 27 **HB01S2-1009** by Representative(s) Vigil, Jameson, Mace, Madden,
28 Ragsdale--Concerning the assessment of impact fees by
29 local governments that have the authority to approve
30 the subdivision of land for the purpose of funding
31 school capital construction projects.
32 Committee on Business Affairs & Labor
33 Committee on Finance
34
- 35 **HB01S2-1010** by Representative(s) Mace, Cadman, Coleman,
36 Marshall, Chavez, Daniel, Hodge, Jahn, Ragsdale,
37 Sanchez, Tapia, Vigil; also Senator(s) Hernandez--
38 Concerning the creation of a regional planning
39 agreement between certain local governments that are
40 members of the metropolitan planning organization for
41 the Denver region.
42 Committee on Local Government
43
- 44 **HB01S2-1011** by Representative(s) Stengel--Concerning mandatory
45 comprehensive land use planning by local governments
46 to address the impacts caused by growth.
47 Committee on Local Government
48
- 49 **HB01S2-1012** by Representative(s) Weddig, Garcia, Grossman,
50 Jameson, Mace, Plant--Concerning required mass
51 transit elements for subdivision applications that exceed
52 minimum thresholds.
53 Committee on Transportation & Energy
54
55

- 1 **HB01S2-1013** by Representative(s) Hefley--Concerning the congressional redistricting of Colorado.
2
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB01S2-1014** by Representative(s) Decker--Concerning the congressional redistricting of Colorado.
6
7 Committee on State, Veterans, & Military Affairs
8
- 9 **HB01S2-1015** by Representative(s) Stengel--Concerning the congressional redistricting of Colorado.
10
11 Committee on State, Veterans, & Military Affairs
12
- 13 **HB01S2-1016** by Representative(s) Stengel--Concerning the congressional redistricting of Colorado.
14
15 Committee on State, Veterans, & Military Affairs
16
- 17 **HB01S2-1017** by Representative(s) Mace, Coleman; also Senator(s) Hernandez--Concerning the congressional redistricting of Colorado.
18
19 Committee on State, Veterans, & Military Affairs
20
- 21
22 **HB01S2-1018** by Representative(s) Boyd--Concerning the inclusion of a requirement for adequate housing in a local government master plan.
23
24 Committee on Business Affairs & Labor
25 Committee on Finance
26
27
- 28 **HB01S2-1019** by Representative(s) Scott--Concerning the adoption of legally enforceable local government master plans.
29
30 Committee on Local Government
31
- 32 **HB01S2-1020** by Representative(s) Madden; also Senator(s) Teck--Concerning procedures to resolve conflict arising from local government decisions relating to master plans.
33
34 Committee on Local Government
35
36
- 37 **HB01S2-1021** by Representative(s) Vigil, Marshall--Concerning the congressional redistricting of Colorado.
38
39 Committee on State, Veterans, & Military Affairs
40
- 41 **HB01S2-1022** by Representative(s) Marshall, Vigil, Groff, Grossman--Concerning the congressional redistricting of Colorado.
42
43 Committee on State, Veterans, & Military Affairs
44
45
- 46 **HB01S2-1023** by Representative(s) Stengel--Concerning the congressional redistricting of Colorado.
47
48 Committee on State, Veterans, & Military Affairs
49

51 **MESSAGE FROM THE SENATE**

52 Mr. Speaker:

53
54 The Senate has adopted and returns herewith: HJR01S2-1001. Pursuant
55 to the resolution, the President appointed Senators Tate and Entz.
56

1 claim deductible expenses incurred in providing
2 commuter benefits to employees.

3 Committee on Transportation & Energy

4 Committee on Finance

5

6 **HB01S2-1029** by Representative(s) Paschall--Concerning the
7 congressional redistricting of Colorado.

8 Committee on State, Veterans, & Military Affairs

9

10 **HB01S2-1030** by Representative(s) Paschall--Concerning the
11 congressional redistricting of Colorado with at least
12 five districts having a republican party registration
13 plurality.

14 Committee on State, Veterans, & Military Affairs

15

16 **HB01S2-1031** by Representative(s) Saliman--Concerning the creation
17 of an interim committee to study the utilization of
18 revenue sharing among governments to address growth-
19 related issues in the state of Colorado, and making an
20 appropriation therefor.

21 Committee on Finance

22 Committee on Appropriations

23

24 **HB01S2-1032** by Representative(s) Smith, Grossman, Jameson,
25 Johnson, Kester, Larson, Plant, Ragsdale, Webster,
26 Weddig, Daniel, Jahn, Vigil, Williams S.--Concerning
27 changes to the master planning process, and, in
28 connection therewith, making master plans mandatory
29 and legally enforceable.

30 Committee on State, Veterans, & Military Affairs

31 Committee on Appropriations

32

33 **HB01S2-1033** by Representative(s) Madden; also Senator(s)
34 Fitz-Gerald--Concerning the retention of state revenues
35 in excess of the constitutional limitation on state fiscal
36 year spending for the purpose of providing additional
37 revenues for multi-modal capital transportation
38 projects.

39 Committee on Transportation & Energy

40 Committee on Finance

41 Committee on Appropriations

42

43

44

INTRODUCTION OF RESOLUTION

45

46 The following resolution was read by title and referred to the committee
47 indicated:

48

49 **HJR01S2-1003** by Representative(s) Marshall, Borodkin, Boyd,
50 Madden, Plant, Smith, Veiga, Stengel--Concerning the
51 encouragement of efforts to promote responsible
52 growth in the state of Colorado.

53 Committee on Local Government

54

55 WHEREAS, According to the 2000 United States census, the state
56 of Colorado has more than four million residents, which constitutes an

1 increase in population of more than thirty percent since the 1990 United
2 States census; and

3
4 WHEREAS, The tremendous population growth in Colorado has
5 dramatically impacted land use in the state and threatens to diminish the
6 quality of life of Coloradans; and

7
8 WHEREAS, While population increases can be beneficial, such
9 growth must be responsibly managed to mitigate or avoid negative
10 impacts related to the development of the land in the state; and

11
12 WHEREAS, Developers should be encouraged to implement
13 responsible growth measures, which may include, without limitation, the
14 development of affordable housing; the preservation or dedication of
15 open space, areas of historical or archaeological significance, or areas
16 with significant wildlife habitat; the conservation of energy, water, or
17 other natural resources; or the development of a multi-modal
18 transportation system to meet the needs of the growing population; and

19
20 WHEREAS, The local governments in the state that must manage
21 growth and development have the ability to offer incentives to developers
22 to encourage responsible growth; and

23
24 WHEREAS, Altering subdivision regulations or authorizing
25 variances from such regulations to allow for an increase in the density of
26 a residential development or subdivision is an incentive that local
27 governments can use to encourage responsible growth; now, therefore,

28
29 *Be It Resolved by the House of Representatives of the Sixty-third*
30 *General Assembly of the State of Colorado, the Senate concurring*
31 *herein:*

32
33 (1) That the General Assembly encourages local governments in
34 the state to offer incentives to encourage responsible growth.

35
36 (2) That the General Assembly encourages local governments to
37 allow for an increase in the density of a residential development or
38 subdivision as an incentive to encourage the implementation of
39 responsible growth measures.

40
41 *Be It Further Resolved*, That copies of this Joint Resolution be
42 sent to Governor Bill Owens, the executive director of the department of
43 local affairs for communication to local governments in the state in a
44 manner deemed appropriate by the executive director, and to the
45 Colorado municipal league and Colorado counties, incorporated, for
46 communication to their member local governments in a manner deemed
47 appropriate by the organizations.

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50 On motion of Representative Mitchell, the House adjourned until
51 9:00 a.m., September 21, 2001.

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54 Attest:
55 JUDITH RODRIGUE,
56 Chief Clerk

Approved:

DOUG DEAN,
Speaker