

SENATE JOURNAL
Sixty-third General Assembly
STATE OF COLORADO
First Extraordinary Session

Second Legislative Day

Monday, May 14, 2001

Call to Order By the President at 10:00 a.m.

Roll Call Present--Total, 32.
Absent/Excused--Nichol, Owen--Total, 2.
Vacancy--Total, 1.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Hagedorn, reading of the Journal of Thursday, May 10, 2001, was dispensed with and the Journal stands approved as corrected by the Secretary.

COMMUNICATIONS FROM THE SECRETARY OF STATE

DEPARTMENT OF STATE

UNITED STATES OF AMERICA,) SS. CERTIFICATE
STATE OF COLORADO)

I, DONETTA DAVIDSON, Secretary of the State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Certificate to Fill A Vacancy, as filed in this office on the 10th day of May, 2001, by the Democratic Vacancy Committee, naming James Isgar, to fill the Vacancy in the Colorado State Senate, District 6, for the Sixty-Third General Assembly of the State of Colorado, caused by the resignation of the Honorable Jim E. Dyer.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver, this 14th Day of May, 2001.

(Signed)
Donetta Davidson
Secretary of State

STATE OF COLORADO

UNITED STATES OF AMERICA,) SS. CERTIFICATE
STATE OF COLORADO)

I, DONETTA DAVIDSON, Secretary of the State of the State of Colorado, do hereby certify that the attached is a true and exact copy of the Acceptance of Assembly Vacancy Committee for the office of Colorado State Senate, District 6, signed by James R. Isgar and filed in this office on May 10, 2001

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the Great Seal of the State of Colorado, at the City of Denver, this 14th Day of May, 2001.

(Signed)
Donetta Davidson
Secretary of State

The President appointed a committee composed of Senators Reeves and Epps to escort Chief Justice Mullarkey to the rostrum.

Oath of Office The Chief Justice administered the Oath of Office to Senator-elect James R. Isgar.
The President added Senator James R. Isgar to the permanent roll call of the Senate.

SENATE SERVICES REPORT

Senate Services Correctly revised: HJR01S-1001, HJR01S-1002.

Senate in Recess--Senate Reconvened.

On motion of Senator Thiebaut, and with the unanimous consent of those elected to the Senate, the Senate stood in recess to hear the opening day remarks of Senate President Matsunaka. The text of his remarks follows:

I would like to start by welcoming Senator Isgar to the Senate. Jim, we all think you are going to be a great Senator and a big help in representing rural Colorado.

On the first day of the session I spoke about how the American Dream has a special meaning in Colorado. A meaning that is tied to the land, mountains and people. Well that dream is in danger, as is the beauty of our state.

That is why we are here.

Before the session began, we put forward a set of principles on growth. We said that we would not pass any bill that violated those principles, the three most important are protecting our quality of life, preserving our economic prosperity and keeping the beauty and open spaces we all cherish.

The Senate passed two growth bills that met these principles. We, the members of the Senate Democratic Caucus, will support yet another growth bill if we can again create one that meets the needs of the people of Colorado. We want to preserve Colorado open space but we also want to be fair to Colorado's ranchers and farmers and we can do that. During the session we traveled to every part of the state to find out what people want. Senator Perlmutter worked harder than I have ever seen a legislator work to craft a growth bill that was fair and effective. Twice he succeeded.

So yes we want to pass a growth bill. But we don't want to pass one because a special interest group that supports us wants a bill. We don't want to pass one because we are afraid of an initiative. We don't want to pass one because we will get good press out of it. We want to pass a bill because we love Colorado and Colorado needs legislation to save it from a slow and ugly destruction.

The House Republicans have carried a bill that favors the developers of Colorado, not the people. The Governor stayed out of the debate until the end when he said "give up. It is too hard. Take crumbs," his feel good solution.

We need to have a growth solution for inside and outside the city limits otherwise we will continue to have another 20 more years of sprawl. This is the most important part of the growth legislation as it is the foundation upon which we build our future.

But we won't give up and we won't give in because the stakes are too high. We will fight for legislation that will preserve our open space. We will fight for legislation that will protect our air and water. We will fight so that our children and their children can live in a place that is the envy of the world.

That is why we will not vote for any bill that is called a growth bill just to get a cheap political victory. Principle gets bent a lot in this building. But we will not do it now. We will not do it because Colorado cannot defend herself. She cannot defend herself from the bulldozers, and the pavement and one more shopping mall. And if we can't pass legislation that will protect Colorado we sure as hell can make sure that nothing passes that will make it worse.

This is where we draw our line in the sand.

You know, before the session started, Colorado faced a singular problem. The budgetary conflicts presented by last year's permanent tax cuts colliding with the people's desire to fund education had some in this state crying panic. "We can't have education and transportation," they said. They warned that cuts were unavoidable, and that one of our state's most critical priorities must suffer.

The Senate Democrats said no.

We proposed a number of creative, innovative solutions that told Coloradans we won't pit the needs of education against the needs of transportation. We'll find a way to meet head on the priorities of our state.

And we did.

That solution, and so many other accomplishments from this session, show that the Senate

Democrats are a can-do caucus.

And so it is with growth. When it's suggested that the people of Colorado can't have the growth solution they deserve, that real growth legislation will never pass the legislature, we again say "NO."

So we are here and we will work with the Governor and the House Republicans and the developers and anyone else who wants to get in the fight. And we will try to move the ball forward. But if we can't, in spite of our best efforts, then we will vote against bills that are designed only to make it easier for developers to develop and we will vote against meaningless pieces of window dressing.

Recent polls show 84% of Coloradans want balanced, responsible growth policies. That overwhelming number tells me that a simple, responsible growth initiative would engender a deep well of public support. So if the special interests insist on stopping progress here, we will do what we can to make progress where it counts - with the voice of the people. Because no matter how much influence an interest group might have in this building, we are confident that the people will do what is necessary to preserve what I call the Colorado dream.

On motion of Senator Thiebaut, and with the majority of those elected to the Senate having voted in the affirmative, the remarks of President Matsunaka were spread upon the pages of the journal.

Senate in Recess--Senate Reconvened.

INTRODUCTION OF BILLS

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

SB01S-001 by Senator Evans--Concerning the classification of land subject to a conservation easement granted for not less than a specified number of years as agricultural land for property tax purposes.
Public Policy and Planning

SB01S-002 by Senators Lamborn and Hillman--Concerning the right to develop a single-family residence on any parcel of land that comprises thirty-five acres or more and that is intended for use by a single owner.
Public Policy and Planning

SB01S-003 by Senator Evans; also Representative Stafford--Concerning the office of smart growth, and, in connection therewith, increasing the percentage of moneys in the Colorado heritage communities fund that the office may expend for the purpose of issuing grants to local governments for the development of master plans and transferring the Colorado land use commission into the office.
Public Policy and Planning

SB01S-004 by Senator Evans; also Representative Nunez--Concerning county review of the municipal annexation of an area located in such county.
Public Policy and Planning

Senate in Recess--Senate Reconvened.

INTRODUCTION OF BILLS

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

SB01S-005 by Senator Chlouber--Concerning growth management.
Public Policy and Planning

SB01S-006 by Senator Evans; also Representative Witwer--Concerning voter approval in connection with participation by a local government in regional planning requirements.
Public Policy and Planning

SB01S-007 by Senator Evans--Concerning the authority of a local jurisdiction to adopt measures that are more restrictive than specified elements in a master plan.
Public Policy and Planning

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- SB01S-008** by Senator Hernandez--Concerning specified requirements relating to public improvements that may be imposed by local governments in connection with land development applications.
Public Policy and Planning

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- SB01S-009** by Senator Musgrave--Concerning the designation of land as conservation and open space land, and, in connection therewith, requiring a county, city and county, or municipality to compensate the owner of land designated as conservation and open space land for any reduction in the value of the land resulting from the designation.
Public Policy and Planning

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- SB01S-011** by Senator Anderson; also Representative Plant--Concerning comprehensive growth planning by local governments.
Public Policy and Planning

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- SB01S-012** by Senator Perlmutter; also Representative Grossman--Concerning growth management in Colorado, and making an appropriation therefor.
Public Policy and Planning

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- SB01S-013** by Senator McElhany--Concerning growth management in Colorado, and making an appropriation therefor.
Public Policy and Planning

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- SB01S-014** by Senator Hagedorn; also Representative Grossman--Concerning the creation of a procedure to expedite the disposition of land use cases in Colorado district courts, and, in connection therewith, creating land use divisions and appointing a land use judge for each division.
Public Policy and Planning

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On motion of Senator Phillips, the Senate adjourned until 10:00 a.m., Wednesday, May 16, 2001.

Approved:

Stan Matsunaka
President of the Senate

Attest:

Karen Goldman
Secretary of the Senate

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