

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

Second Legislative Day

Thursday, January 10, 2002

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

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 Fritz, Saliman--2.

9

10 Present after roll call--Representatives Fritz, Saliman.

11

12 The Speaker declared a quorum present.

13

14 On motion of Representative Sanchez, the reading of the journal of
15 January 9, 2002, was declared dispensed with and approved as corrected
16 by the Chief Clerk.

17

18

19

20

INTRODUCTION OF BILLS
First Reading

21

22

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

25

26 **HB02-1103** by Representative(s) Mitchell--Concerning the assertion of
27 claims for exemplary damages.

28

29 Committee on Civil Justice & Judiciary

30

31 **HB02-1104** by Representative(s) Veiga, Hoppe, Snook; also Senator(s)
32 Anderson, Takis, Windels--Concerning outpatient treat-
33 ment certification under specified conditions to provide
34 continued treatment for previously certified persons.

35

36 Committee on Criminal Justice

37

38 **HB02-1105** by Representative(s) Hodge--Concerning a requirement
39 that electors voting by mail be given information as to the
40 amount of postage required on the returned ballot.

41

42 Committee on State, Veterans, & Military Affairs

43

1 **HB02-1106** by Representative(s) Chavez--Concerning the admissi-
2 bility of testimony concerning prior statements made by
3 persons incapable of testifying.
4 Committee on Civil Justice & Judiciary

5

6

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9

House in recess for Joint Session.

10

11

12

13

14 The Joint Session was called to order by the Speaker of the House, Doug
15 Dean.

16

17 On motion of Senator Thiebaut, the morning roll call of the Senate was
18 made the roll call of the Joint Session.

19

20

Present--35.

21

22 On motion of Representative Spradley, the morning roll call of the House
23 was made the roll call of the Joint Session.

24

25

Present--65.

26

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

29

30 President Matsunaka requested the Joint Committee, composed of
31 Senators Perlmutter, Anderson, and Representatives Alexander, Berry,
32 Groff to escort the Governor from the Governor's Chambers to the
33 rostrum.

34

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

37

38 The Joint Committee escorted the Governor to the rostrum where he
39 addressed the Joint Session.

40

41 The Joint Committee escorted the Governor from the Chambers.

42

43 On motion of Representative Spradley, the Governor's message was
44 ordered printed in the House Journal.

45

46

47

48

49

**ADDRESS BY THE HONORABLE
BILL OWENS**

50 Lt. Governor Rogers, Speaker Dean, President Matsunaka, Members of
51 the Cabinet, Honorable Senators and Representatives, my fellow
52 Coloradans ...

53

54 Three years ago I stood at this podium and gave my first State of the State
55 address. I knew what I wanted to accomplish – but I also knew the future
56 would hold many challenges.

1 I expected to accomplish tax relief and education reform. I expected to
2 get Colorado moving again, building the roads and transit that Coloradans
3 need. I also expected more hours of meetings and fewer hours of sleep.
4 This has all happened.

5
6 While we have faced difficult times, such as the Columbine tragedy, we
7 have also delivered historic tax relief for hard-working families, better
8 education for all children and smart growth to protect our quality of life.

9
10 But friends, I never expected September 11. So as we gather in this
11 chamber to do the people's work, we do so having been struck by an
12 enemy determined to shatter our economy and shred the very fabric of
13 our community.

14
15 And we have struck back with our military, with the spirit and
16 determination that is uniquely American, and which lies at the heart of
17 what it means to be a Coloradan.

18
19 The Reverend Martin Luther King Jr. once said, "The ultimate measure
20 of a man is not where he stands in moments of comfort, but where he
21 stands at times of challenge and controversy."

22
23 Dr. King's words have never been as true as they are today. And like so
24 much of what we read in history, we can learn from the stories of
25 individual families – men and women who have history thrust upon them.
26 Colorado has many such citizens, and I want to recognize one special
27 family from Aurora.

28
29 When Corporal Chris Chandler joined the Marines in 1998, he signed on
30 to defend "against all enemies, foreign and domestic." And in fighting
31 this war on terrorism on our behalf, Corporal Chandler was seriously
32 wounded in a land-mine explosion in Afghanistan.

33
34 On Christmas Day, the Chandler family gathered at Walter Reed Hospital
35 in Bethesda, Maryland as Corporal Chandler received a Purple Heart,
36 recognizing his sacrifice as a hero wounded in service to our country.

37
38 Those who were there saw tears of pride in the eyes of Corporal
39 Chandler's parents. I would like the Chandlers to know, on behalf of a
40 grateful state and nation, that we thank you for your sacrifice, share your
41 pride in your son's service, and wish him a speedy recovery.

42
43 We are joined this morning by Corporal Chandler's mother, Rumi, and
44 his sister, Stephanie, who is a freshman at Mesa State. I am so pleased
45 that they were able to join us today to represent their family.

46
47 Since September 11, we have seen and heard countless stories of
48 American families who have shown us the best of our nation.

49
50 Families have drawn closer together, and there is a greater awareness of
51 how we can help our neighbors.

52
53 Just as they have so many times before – most recently during the months
54 after the tragedy at Columbine High School – families in Colorado have
55 banded together and it is because of their strength and resiliency that I am
56 able to report today that the state of our state is strong.

1 Like most Coloradans, I found myself on September 11 thanking God that
2 my family was safe and turning to them for support, comfort, and a sense
3 of normalcy.
4

5 On December 11 while remembering the victims of this tragedy on its
6 three-month anniversary, President Bush said, "Every person who died
7 as a result of these acts was the most important person in the world to
8 someone."
9

10 In my life, I know it is my wife and children who are most important.
11 During the last three State of the State Addresses, I've introduced to you
12 Colorado's First Lady, Frances Owens. Today, I want to share with you
13 some of the work she has done for Colorado.
14

15 Frances has visited scores of schools throughout the state reading to
16 children and promoting literacy.
17

18 She serves as Honorary Chair of the Early Childhood Intervention Day,
19 and has lent her voice to public service announcements promoting literacy
20 within the blind and dyslexic communities.
21

22 Through her active involvement in Habitat for Humanity, she has helped
23 in the building of numerous houses for low-income families in Colorado.
24

25 Last month she once again participated in Operation Christmas Child
26 where she packaged and loaded hundreds of presents for underprivileged
27 children in Mexico.
28

29 Two years ago she delivered a planeload of gifts and badly needed
30 medical supplies to the poor in Nicaragua.
31

32 Frances is not with us this morning because she is in Washington, D.C.
33 representing Colorado at a national conference on how best to teach
34 children about the dangers of alcohol abuse. However, I am pleased that
35 another important woman in my life was able to join us, and that is my
36 mother, June.
37

38 Like all families, those of us who do the people's business obviously have
39 disagreements – some more robust than others. But also like a family,
40 when a crisis hits from the outside, when the fabric of our family is
41 challenged, we stand together, united in the common battle.
42

43 Since September 11, we have put in place new security measures in
44 airports, government buildings and at other locations throughout our state.
45

46 To coordinate this planning in Colorado, I ordered the creation of the
47 Office of Preparedness and Security within the Department of Public
48 Safety.
49

50 The mission of this office is straightforward. Through the vision and
51 energy of Sue Mencer, the Department's executive director – a woman
52 with twenty years of experience as a special agent with the FBI – the
53 office coordinates planning, response, and training efforts within
54 Colorado on issues concerning terrorism and security.
55

56 I look forward to working with Representative Mitchell and Senator

1 Hagedorn – as well as the entire Legislature – to expand upon this
2 Executive Order and do everything to ensure that the Office of
3 Preparedness and Security has the tools it needs to perform the tough
4 tasks that we expect of it.

5
6 As we move forward to protect our families through new law
7 enforcement measures, we are also aware that the after-effects of the
8 terrorist attacks have buffeted families throughout our state.

9
10 I am proud that, because of the steps we have taken together over the past
11 three years, Colorado has fared better than many other states in terms of
12 our economy and jobs.

13
14 But, when it comes to our economy, “good enough” is never good
15 enough. Our unemployment rate in Colorado may well be only 4.7
16 percent, but to those who are unemployed, it is 100 percent.

17
18 In spite of a challenging economic environment, let us take confidence
19 and comfort in the fact that Colorado’s evolution to a major international
20 technology hub is responsible for a greatly diversified economy.

21
22 Still, more needs to be done and my Administration is committed to
23 eliminating the continuous cycle of boom and bust, which for more than
24 a century has characterized Colorado’s economic landscape.

25
26 One of our keys to economic recovery is boosting Colorado’s tourism
27 industry. Last year, travelers in Colorado spent over \$7 billion, adding
28 \$19 million per day to our state’s economy.

29
30 Because of tourism’s importance, I convened in October the Governor’s
31 Conference on Tourism, which was attended by more than 400
32 Coloradans.

33
34 From this meeting came a series of recommendations to help ensure the
35 tourism industry’s continued vitality – recommendations that we are
36 putting into effect today.

37
38 These steps build on our efforts to re-establish and fund the state’s seven
39 travel regions, which enable all parts of the state to promote tourism
40 attractions, destinations and activities in their communities. We also
41 redesigned Colorado’s tourism website.

42
43 If you haven’t yet clicked on www.colorado.com, you should. It’s now
44 the country’s most popular tourism web site.

45
46 Over the past two months I have traveled with members of my Cabinet
47 throughout Colorado to host economic roundtables and hear directly from
48 Main Street about the challenges we face.

49
50 During meetings in Limon, Grand Junction and Windsor, I have been
51 reminded of the optimism and energy that is the hallmark of the Western
52 entrepreneur. Tomorrow I will be continuing these forums in both Pueblo
53 and Colorado Springs.

54
55 It’s this can-do spirit that built Colorado into the magnet for jobs and
56 families that it is today, giving us the best business climate in the entire

1 country. I'm proud that we have earned that ranking from the
2 Corporation for Enterprise Development, and you should be, too.
3
4 Thanks to the landmark tax relief package that together we enacted, we're
5 driving costs of creating jobs even lower – one reason for our state's
6 economic success.
7
8 That's only part of the good news. Through tax incentives, our enterprise
9 zone program has targeted rural areas and urban neighborhoods that need
10 an economic boost. The result – 3,000 rural and 2,000 urban employers
11 created 14,000 new jobs in 2001.
12
13 Our Economic Development Commission has funded numerous projects
14 all over Colorado, many of which are in the rural areas of the state.
15
16 And, in our struggling agricultural communities, I was pleased to sign
17 legislation granting \$14 million in permanent tax relief.
18
19 I think you will also agree that it is vital that rural Colorado has access to
20 high-speed Internet connections. The economic future of our rural
21 communities depends on being connected to the information economy.
22
23 Therefore, I ask the legislature to fund the continuing efforts to wire rural
24 Colorado through the Multi-Use Network.
25
26 We also recognize that economic development is a global endeavor,
27 which is why I led delegations last year to Germany and Mexico – two
28 of our most important trading partners.
29
30 I want to thank Senator Hernandez and Representatives Coleman, Mace,
31 Nuñez and Tapia for joining me on the trip to Mexico. I especially
32 appreciate your assistance in promoting the strong bonds of friendship
33 between Colorado and Mexico.
34
35 Friends, because we did not spend every dollar collected during the good
36 times – because we were prudent and conservative – Colorado is taking
37 the blows of the post-September 11 national downturn, yet still standing
38 strong.
39
40 Of even more importance, we are seeing early signs that an economic
41 recovery will occur this year.
42
43 But let's not kid ourselves. The economic shockwaves from the terrorist
44 attacks have had a significant impact on our budget and revenue
45 projections.
46
47 Like any strong family that finds itself in tough times, however, we are
48 tightening our belts.
49
50 The actions we took together last September, combined with the
51 reductions I have put into place since then, have placed Colorado in a
52 strong position to deal with the revenue shortfalls.
53
54 The economic and fiscal challenges we face are just that – challenges to
55 be met and overcome. Our choices are more difficult, our resources more
56 limited, but we must not pull back from the steps Coloradans are

1 depending on us to take.

2

3 As you know, education remains a central focus of my Administration,
4 and working together we have already taken some of those steps toward
5 improving Colorado's public schools.

6

7 For too long, the education debate has been marked by two opposite
8 positions – one proposing more funding with no structural change and
9 accountability, the other demanding structural change and accountability
10 without the money needed to make those changes work.

11

12 We have bridged that gap, and I again thank you for your help in making
13 Colorado's education reform an example for the nation to follow.

14

15 It is no accident that much of what is in the national education act just
16 signed by President Bush – concepts such as standards, accountability
17 and testing – are already in place and working here in Colorado.

18

19 We have fully-funded K-12 education three years in a row. This means
20 that Colorado schools today are receiving \$700 million annually in new
21 funding – more than 11 percent above inflation and student enrollment
22 growth combined.

23

24 And these three years of full funding occurred after a decade when full
25 funding was not accomplished one single time.

26

27 But that is not all we've accomplished.

28

29 We recognized that Colorado's illiteracy challenge demanded special
30 attention and – by creating the *Read to Achieve* program – we are
31 committing \$20 million per year toward our goal of ensuring that every
32 Colorado student is able to read at or above grade level by fourth grade.

33

34 We have already awarded *Read to Achieve* grants to nearly 28,000
35 students in 550 schools in 111 districts, totaling over \$33 million. That
36 is something of which we can all be very proud.

37

38 We have also seen tremendous success with the first ever school
39 accountability reports, which helped usher in a new era of standards and
40 accountability.

41

42 I want to read to you a quote on education reform that I saw recently.

43

44 "I challenge every community, every school and every state
45 to adopt standards of excellence; to measure whether
46 schools are meeting those standards; to cut bureaucratic red
47 tape so that schools and teachers have more flexibility for
48 grass-roots reform; and to hold them accountable for
49 results."

50

51 This is not a quote by Secretary of Education Rod Paige, nor is it a quote
52 by William Bennett. It isn't even a quote by President Bush. It is a quote
53 from former President Clinton's 1996 State of the Union address. Clearly
54 this issue crosses partisan boundaries, and it is *not* a new concept.

55

56 Our desire to help schools that are struggling is heartfelt and the results

1 are tangible.

2

3 I visit schools throughout Colorado constantly and I see the
4 improvements and the efforts to improve first-hand. I also know that
5 there are too many schools beating the odds for us to call them
6 “exceptions.”

7

8 This is the new spirit at work in our public schools. We need to let the
9 increased funding and accountability work.

10

11 Our teachers and principals are making a difference for children. They
12 have met the challenge of our school accountability system, leading to
13 headlines about how schools are working overtime to improve.

14

15 Several days ago *Education Week* magazine announced the results of its
16 fifth annual “Quality Counts” survey, where it ranks the fifty states by
17 various educational measures.

18

19 I am proud that Colorado’s program of standards and accountability
20 ranked eighth best of the 50 states, and that we are the twelfth best state
21 in improving teacher quality.

22

23 Combine this with what the Heritage Foundation calls the best
24 accountability report in the country, and we do have many reasons to be
25 proud.

26

27 Nancy Degurse – Principal of Hoehne Elementary, located just east of
28 Trinidad – was quoted in the Denver Post recently as saying “I really
29 believe students rise to the level of expectations.”

30

31 Principal Degurse is exactly right and I know that – with the tireless
32 efforts that our teachers and administrators are putting into their schools
33 – Colorado students will *exceed* our expectations.

34

35 We all know that education doesn’t take place just during school hours
36 under the watchful eye of educators. We know that children learn on the
37 Internet, and what a powerful and positive tool it can be.

38

39 But, as any parent will tell you, children need protection when they’re
40 on-line. A recent study reported that fully one-quarter of young Internet
41 users reported exposure to unwanted sexual material and 79 percent of
42 teens accessing pornography did so from school computers.

43

44 To quote a recent article in the Democratic Leadership Council’s
45 magazine – the *New Democrat Blueprint* – “If we can’t ban content, then
46 we need to find a way to give parents and the public institutions to which
47 they entrust their children – such as libraries and schools – the ability to
48 keep kids from seeing age-inappropriate content.” As parents, we can
49 and must police the use of the Internet on our home computers. But what
50 about the computers in public schools and libraries – computers paid for
51 by taxpayers?

52

53 It is essential that we take steps to shield children using taxpayer-funded
54 computers from being exposed to pornography, hate and violence. We
55 can take the positive step to require filtering technology on these
56 computers.

1 We almost achieved this common-sense goal last year, but, unfortunately,
2 the bill was killed in the Senate. For the protection of Colorado's
3 children, please send me this bill this session and I will sign it.
4

5 We also need to make sure that working parents know that their children
6 are safe during the high-risk hours between the time they are let out of
7 school and when their parents get home.
8

9 That is why we have invested millions of dollars in after-school programs
10 all over Colorado through the *Fund for Colorado's Future*.
11

12 We are providing at-risk children with homework help, CSAP
13 preparation, and enrichment activities such as art or recreation. One
14 community receiving funding serves Sierra Grande Junior/Senior High
15 School.
16

17 Under the leadership of its principal, Stephanie Howard, Sierra Grande
18 has used its funds to focus on reading, writing, math and science, as well
19 as on social skills instruction.
20

21 In fact, two-thirds of the students at Sierra Grande Junior High were
22 involved in some aspect of the after-school programs last year, and I am
23 pleased to say that they are again receiving funding this year so that they
24 can continue and build upon these programs.
25

26 Ms. Howard is giving the kids in her town something to look forward to
27 and she is offering them not only educational opportunities, but also
28 opportunities to improve their self-esteem. She is a true inspiration to the
29 people at her school and in her community.
30

31 Please join me in welcoming this morning Stephanie Howard, and join
32 me in thanking her for what she does for our children.
33

34 Another threat to the security and peace of mind of many Colorado
35 families is the high price of health care. Too many Coloradans do not
36 have health insurance, and those who do are faced with tremendous
37 increases in their premium costs. Families in our rural communities often
38 struggle to even find a doctor or medical provider who is convenient and
39 accessible.
40

41 Thus, I am asking this legislature to make improving health care for
42 Colorado's families a priority this legislative session. Even in this
43 challenging budget year, we must demonstrate the leadership and resolve
44 to continue to do what is right for families in Colorado.
45

46 Last year, we reduced annual premiums for the Children's Health Plan,
47 eliminated annual fees for families with incomes up to 150 percent of the
48 federal poverty level, established a premium holiday to increase
49 enrollment, and added a dental benefit to the program.
50

51 These changes resulted in a 40 percent increase in CHIP enrollment so
52 that today nearly 40,000 previously uninsured children in Colorado have
53 health care coverage.
54

55 Building upon this success, we need to provide low-income pregnant
56 women with vital prenatal coverage for their unborn children. We all

1 know that mothers who receive good prenatal care have healthier
2 pregnancies and healthier babies.

3
4 In my budget proposal, I earmarked \$18 million to provide 3,300 low-
5 income women in Colorado who are currently uninsured with prenatal
6 care through the CHIP program. I thank Representative Clapp and
7 Senator Owen for sponsoring this important legislation and I urge you to
8 pass it this session.

9
10 Because our rural hospitals are the lifeblood of many of our small towns,
11 we have placed over 40 doctors, nurses and physicians assistants in rural
12 areas or places with underserved populations.

13
14 We are also providing education loan repayments for dentists and dental
15 hygienists serving low-income clients, and are providing tax credits to
16 dentists who practice in underserved rural areas.

17
18 Last year, Majority Leader Spradley carried a rural health care bill that
19 I was proud to support. Once again I am joining with Lola – as well as
20 Senator Hagedorn – to call for more rural health care reform.

21
22 For example, we need to allow nurses who live in nearby states to work
23 in Colorado. When you live in Wray, Colorado on the Eastern Plains, the
24 closest home-visit nurse may be in Kansas. We should allow this nurse
25 to help patients right here in Colorado.

26
27 We also need to allow health insurers to offer their plans across state
28 lines. If an insurance company is trying to establish a provider network
29 in southern Colorado, we should recognize that northern New Mexico is
30 a lot closer to Southern Colorado than is Denver, and that a state border
31 should not stand in the way of better medical care.

32
33 Of course, health care must be affordable. Double-digit cost increases
34 have placed huge burdens on our families and businesses. I know this
35 because the rates that I pay to insure my family have gone up just as have
36 yours. This must be the year when we finally pass legislation that allows
37 Coloradans to buy a low-cost, basic health plan.

38
39 Here's my idea for this change: The only health insurance policy we
40 allow our citizens to buy today is a "Cadillac" policy, loaded up with all
41 the extras in coverage, whether you need those or not.

42
43 And if you can't afford that "Cadillac" policy, you are out of luck. Yet
44 for many Coloradans it is better to have a good, solid Chevy than no car
45 at all.

46
47 Let's work together this year to provide more choices in health insurance
48 for our fellow citizens. Let's allow for a health plan that provides good,
49 basic coverage at a more affordable cost, and allow Coloradans to then
50 add to this basic coverage with the options they need.

51
52 But even if we could provide a more affordable health insurance plan,
53 many small business owners I talk to tell me that the cost of offering
54 health insurance remains unaffordable.

55
56 That is why I believe – when our budget returns to surplus – that we

1 should expand both accessibility and affordability by providing a tax
2 credit for small employers who offer health insurance to their workers.

3
4 Coloradans are telling us that they are concerned about the high cost of
5 health insurance. Working together we can help make health insurance
6 affordable again in Colorado.

7
8 At the same time, it is important that we address during this session this
9 rise in auto insurance rates in Colorado. Colorado currently has the
10 twelfth-highest auto insurance rates in the country, according to the
11 National Institute of Insurance Commissioners.

12
13 I remember a time when I was serving in the legislature when we had the
14 tenth *lowest*.

15
16 Last year I signed an extension of Colorado's no-fault auto insurance
17 system to give you time to come up with an alternative – to work on a
18 plan to offer both accessible and affordable auto insurance to all
19 Coloradans. We can do better, and we should do better this session.

20
21 We've shown time after time how we can – together in a bipartisan
22 fashion – address issues vital to Colorado. One of the best examples is
23 how we have together crafted a new approach to Colorado's
24 transportation challenge that is finally putting us on the road to real
25 progress.

26
27 Over the past three years we have faced the fact that making Colorado a
28 leader in the 21st century depends on creating a 21st century
29 transportation system.

30
31 I am proud that, during the first three years of my Administration, we
32 have more than doubled our transportation funding – to an average of
33 \$1.2 billion annually the last three years, up from an average of \$573
34 million the previous ten years.

35
36 This increased investment has benefitted projects statewide, and has been
37 done without any increase in taxes. In the Denver area, we have broken
38 ground on T-REX, a project that was delayed for many years due to a
39 lack of funding. Now we are in the midst of both major highway
40 expansion and light rail construction.

41
42 Had we not adopted our bonding program – approved by 62 percent of
43 Colorado voters – I believe that this project and more than twenty others
44 across Colorado would still be stuck on hold.

45
46 As massive as it is, T-REX is only one of the many projects around
47 Colorado that we will complete many years sooner.

48
49 The Colorado Department of Transportation had reported that it would
50 take 50 years to complete its 28 high priority projects. Now, most of
51 these projects will be completed in just ten years.

52
53 And, T-REX represents just 10 percent of the total budget for these
54 projects that are located throughout Colorado. But we are still playing
55 catch-up because, in years past, Colorado failed to invest in
56 transportation.

1 My transportation plan is simple – stop balancing the budget on the back
2 of transportation. It is time for transportation to have an equal seat at the
3 table when it comes to our state budget.
4

5 A study by the Legislative Council found that 15 percent of the state sales
6 tax comes from auto-related purchases such as tires, batteries and
7 vehicles. But roughly ten percent of the sales tax is devoted to
8 transportation. Drivers in Colorado are providing 15 percent of the sales
9 tax revenue, but the state is using only 10 percent for transportation.
10

11 That has to change.
12

13 Therefore, we need to increase from 10 percent to 15 percent the amount
14 of money from sales taxes going into transportation. This will generate
15 billions of new funding dollars for transportation over the next 20 years.
16

17 And we should do more. Once we are past our current economic
18 slowdown – and I believe that this turnaround will occur sooner rather
19 than later – we need to put transportation and capital construction on a
20 level playing field.
21

22 For every dollar that goes into construction of state buildings, an equal
23 amount should go toward improving our transportation system. I look
24 forward to working with Representative Joyce Lawrence and the Capital
25 Development Committee on this effort to make transportation and capital
26 construction equal partners in our budget process.
27

28 For the short term, we need to provide a guarantee that at least \$100
29 million of the general fund revenue will be allocated to transportation
30 each year. This guarantee is essential if we are to continue improving
31 transportation systems around the state.
32

33 We often hear about the size of our 20-year transportation shortfall. A
34 careful analysis of the state’s 20-year transportation plan shows a large
35 number of proposed projects at the city, county and state level.
36

37 To assume that the state must fund these local projects is to simply
38 misunderstand what the study showed. Some are the state’s
39 responsibility to fund, but others are the responsibility of local
40 jurisdictions and districts, such as RTD.
41

42 As we have already demonstrated, increased transportation funding can
43 and must be accomplished by reprioritizing the state budget and without
44 increasing taxes.
45

46 In a nation at war, it is important to remember that crime and illegal drug
47 use don’t take a holiday. While crime has declined in recent years, there
48 is a new danger in our neighborhood and I would ask for your help to
49 address this issue this legislative session.
50

51 We need to fight the increase in the manufacturing, trafficking and use of
52 the horribly addictive drug methamphetamine.
53

54 I am pleased that two bills with bipartisan support will be introduced this
55 session to help in this effort. The first is the “precursor bill,” which will
56 create a class five felony for the possession of materials widely used to

1 manufacture methamphetamine with the intent to use the product as a
2 precursor to any controlled substance.

3
4 The second bill concerns meth laboratories, and it will make it unlawful
5 to possess the chemicals, supplies or equipment with the intent to
6 manufacture a controlled substance.

7
8 I have set aside almost \$1 million in my budget to pay the costs of these
9 bills.

10
11 I appreciate the bipartisan support for this legislation, and I ask you to
12 pass these bills and give law enforcement the tools it needs to battle the
13 scourge of methamphetamine.

14
15 The threat of terrorism here at home has increased the number of law-
16 abiding citizens throughout the nation who have sought to purchase a
17 firearm for self-defense. In Colorado we lack a uniform legal standard
18 for the issuance of a right to carry permit, and I propose that we create
19 one.

20
21 As both the Denver Post and the Rocky Mountain News have
22 editorialized, this haphazard approach of laws needs to be changed.

23
24 An example of this patchwork is the police chief from rural Colorado
25 who regularly travels to Denver to dispense right to carry permits to law-
26 abiding citizens. I want to work with you to create a uniform shall-issue
27 "right to carry" standard this session.

28
29 I also hope that the legislature will try once again to reach agreement on
30 the difficult issue of redistricting.

31
32 I know well the challenge – I was a member of the conference committee
33 on redistricting in 1992 – but I also know it is our responsibility to
34 redistrict, not the court's. We have 15 days – let's get to work.

35
36 Finally, let me end where we began: with the spirit of ordinary
37 Coloradans who are answering the call to duty in extraordinary times.

38
39 For generations to come, Americans will take pride in how our military
40 and civilian personnel have responded to September's tragedy. The brave
41 men and women serving in our armed forces are on watch and are ready
42 for duty during *this* time of challenge.

43
44 I was pleased to work with Representative Bill Sinclair on numerous
45 projects that help bring Colorado's veterans the recognition they deserve,
46 one of which was changing the name of the Department of Military
47 Affairs to the Department of Veterans and Military Affairs.

48
49 Also, last month I directed all department heads and presidents of
50 colleges and universities to grant administrative leave – and to expand
51 their current annual leave-banking programs – to state employees called
52 to active military service in connection with September 11.

53
54 I know I have asked a lot of you this morning – a lot from this legislature
55 and a lot of the people of Colorado. But I know that, by working
56 together, we can meet any challenge. And we can ensure that Colorado

1 remains the best place in the country to live and raise a family.

2

3 I am reminded of words that could have come from one of the many
4 speeches that have been given since September 11, but they didn't. These
5 words were spoken by Franklin D. Roosevelt to the Joint Session of
6 Congress on December 8, 1941.

7

8 President Roosevelt told Congress that, "With confidence in our armed
9 forces; with the unbounding determination of our people; we will gain the
10 inevitable triumph."

11

12 Friends, despite all the challenges we face, and despite the uncertainty
13 that lies ahead, I can report that the state of our state is strong, and that
14 "with the unbounding determination of our people, we *will* gain the
15 inevitable triumph."

16

17 Thank you, God bless America, and God bless this great State of
18 Colorado.

19

20

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

22

23

24

House reconvened.

25

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28

INTRODUCTION OF BILLS

First Reading

29

30

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

33

34 **HB02-1107** by Representative(s) Johnson; also Senator(s) Lamborn--
35 Concerning the protection of the rights of owners of private
36 real property against regulatory impairments, and, in
37 connection therewith, providing a cause of action to private
38 real property owners for regulatory action by governmental
39 entities burdening the property that may not clearly amount
40 to a taking under existing law.

41 Committee on Agriculture, Livestock, & Natural Resources

42

43 **HB02-1108** by Representative(s) Bacon--Concerning data reporting
44 requirements for schools.

45 Committee on Education

46 Committee on State, Veterans, & Military Affairs

47

48 **HB02-1109** by Representative(s) Daniel--Concerning creation of a
49 post-conviction DNA evidence testing procedure.

50 Committee on Criminal Justice

51

52 **HB02-1110** by Representative(s) Scott, Ragsdale, Swenson, Webster,
53 Weddig; also Senator(s) Tate, Phillips--Concerning bonded
54 indebtedness of metropolitan sewage disposal districts.

55 Committee on Local Government

56

- 1 **HB02-1111** by Representative(s) White--Concerning the terms of future
2 advances secured by mortgages.
3 Committee on Business Affairs & Labor
4
- 5 **HB02-1112** by Representative(s) White, Johnson; also Senator(s)
6 Taylor--Concerning the creation of the colors of the flag of
7 the United States of America special license plate.
8 Committee on Transportation & Energy
9
- 10 **HB02-1113** by Representative(s) Stengel--Concerning the crime of
11 posting the personal information of a peace officer on the
12 internet, and making an appropriation therefor.
13 Committee on Information & Technology
14 Committee on Appropriations
15
- 16 **HB02-1114** by Representative(s) Stengel; also Senator(s) Hagedorn--
17 Concerning sex offender registration in relation to persons
18 associated with institutions of postsecondary education.
19 Committee on Criminal Justice
20
- 21 **HB02-1115** by Representative(s) Miller; also Senator(s) Anderson--
22 Concerning the repeal of the statutory exclusion of
23 employees of a district attorney from eligibility for
24 membership in the public employees' retirement
25 association.
26 Committee on State, Veterans, & Military Affairs
27
- 28 **HB02-1116** by Representative(s) Lawrence; also Senator(s) Gordon--
29 Concerning cruelty to animals, and making an
30 appropriation in connection therewith.
31 Committee on Criminal Justice
32 Committee on Appropriations
33
- 34 **HB02-1117** by Representative(s) Rhodes, Boyd, Cloer, Stafford,
35 Tochtrop; also Senator(s) Hernandez--Concerning the
36 regulation of acupuncturists by the division of registrations
37 in the department of regulatory agencies.
38 Committee on Business Affairs & Labor
39
- 40 **HB02-1118** by Representative(s) Scott; also Senator(s) Reeves--
41 Concerning the discretion of the Colorado water resources
42 and power development authority in financing projects.
43 Committee on Agriculture, Livestock, & Natural Resources
44
- 45 **HB02-1119** by Representative(s) Berry; also Senator(s) Takis--
46 Concerning electronic documents.
47 Committee on Information & Technology
48
- 49 **HB02-1120** by Representative(s) White; also Senator(s) Hanna--
50 Concerning the continuation of the licensing of massage
51 parlors.
52 Committee on Business Affairs & Labor
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LAY OVER OF CALENDAR ITEMS

On motion of Representative Spradley, the following item on the Calendar were laid over until January 11, retaining place on Calendar:

Consideration of Resolution--**HJR02-1003**.

On motion of Representative Spradley, the House adjourned until 9:00 a.m., January 11, 2002.

Approved:

DOUG DEAN,
Speaker

Attest:

JUDITH RODRIGUE,
Chief Clerk