

First Regular Session  
Sixty-fourth General Assembly  
STATE OF COLORADO

ENGROSSED

LLS NO. R03-0989.01 Stephen Miller

SJR03-030

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SENATE SPONSORSHIP

Lamborn, Andrews, Cairns, and Jones

HOUSE SPONSORSHIP

Mitchell,

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Senate Committees

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SENATE JOINT RESOLUTION 03-030

101 CONCERNING SUPPORT FOR PRESIDENT BUSH'S POSITION ON THE  
102 UNIVERSITY OF MICHIGAN'S AFFIRMATIVE ACTION ADMISSIONS  
103 POLICY.

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1 WHEREAS, Representatives of President Bush's administration  
2 will soon appear before the Supreme Court to argue that the University  
3 of Michigan's admissions policy is unconstitutional; and

4 WHEREAS, The University of Michigan's admissions policy  
5 awards students a significant number of extra points toward admission  
6 based solely on their race; and

7 WHEREAS, The University of Michigan's admissions policy  
8 further establishes numerical admission targets for incoming minority  
9 students; and

10 WHEREAS, President Bush has recently stated that, "Quota  
11 systems that use race to include or exclude people from higher education  
12 and the opportunities it offers are divisive, unfair, and impossible to  
13 square with the Constitution."; and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1           WHEREAS, President Bush strongly supports diversity of all  
2 kinds, including racial diversity in higher education, but believes that the  
3 method used by the University of Michigan to achieve this important goal  
4 is fundamentally flawed; and

5           WHEREAS, The University of Michigan policy amounts to a  
6 quota system that unfairly rewards or penalizes prospective students,  
7 based solely on their race; and

8           WHEREAS, The Constitution of the United States makes it clear  
9 that people of all races must be treated equally under the law; and

10           WHEREAS, As we work to address the wrong of racial prejudice,  
11 it is critical that we not create another wrong, and thus perpetuate our  
12 divisions; and

13           WHEREAS, A college education should teach respect,  
14 understanding, and goodwill, and these values are strengthened when  
15 students live and learn with people from many backgrounds; and

16           WHEREAS, University officials have the responsibility and  
17 obligation to make efforts to reach out to students from all walks of life,  
18 without falling back on unconstitutional quotas; and

19           WHEREAS, Schools should seek diversity by considering a broad  
20 range of factors in admissions, including a student's potential and life  
21 experiences; and

22           WHEREAS, Some states, including California, Florida, and Texas,  
23 are implementing innovative programs to diversify their student bodies;  
24 and

25           WHEREAS, These programs guarantee admissions to top students  
26 from high schools throughout the state, including students from  
27 low-income neighborhoods, and in doing so, are successfully attaining  
28 broad racial diversity; and

29           WHEREAS, Race-neutral admissions policies such as these are  
30 resulting in high levels of minority attendance for incoming students that  
31 are close to, and in some instances surpassing, levels of minority  
32 attendance under the old race-based approach; now, therefore,

33           *Be It Resolved by the Senate of the Sixty-fourth General Assembly*  
34 *of the State of Colorado, the House of Representatives concurring herein:*

35           (1) That we, the members of the Sixty-fourth General Assembly,  
36 commend President Bush for taking a stand on the issue of race-based  
37 admissions policies, and support his position that the University of  
38 Michigan's admissions policy is unconstitutional.

39           (2) That we urge Colorado Attorney General Ken Salazar to  
40 reconsider his position supporting the University of Michigan's  
41 admissions policy.

1           (3) That the Supreme Court of the United States not be misled  
2 into thinking that the amicus curiae brief filed in this case by the Attorney  
3 General of Colorado is indicative of the sentiment of the people of  
4 Colorado as represented by the Colorado General Assembly.

5           *Be It Further Resolved*, That copies of this Joint Resolution be  
6 sent to President George W. Bush, Colorado Attorney General Ken  
7 Salazar, the Solicitor General of the United States, and members of the  
8 Supreme Court of the United States.