HOUSE JOINT RESOLUTION 03-1071

BY REPRESENTATIVES Spradley, King, Veiga, Berry, Cloer, Hefley, Lee, Marshall, Pommer, Ragsdale, Rhodes, Romanoff, Smith, Stafford, Wiens, Williams S., and Williams T.;
also SENATORS Andrews, Anderson, Fitz-Gerald, Arnold, Evans, Hanna, Isgar, Jones, Keller, Linkhart, May R., Owen, Phillips, Taylor, Teck, Tupa, and Windels.

CONCERNING THE AUTHORIZATION OF THE COMMITTEE ON LEGAL SERVICES TO PROVIDE FURTHER DIRECTION TO THE LEGAL COUNSEL RETAINED BY THE GENERAL ASSEMBLY PURSUANT TO HOUSE JOINT RESOLUTION 03-1014 THAT AUTHORIZED LEGAL PROCEEDINGS REGARDING THE GOVERNOR'S PURPORTED VETOES.

WHEREAS, The General Assembly adopted House Joint Resolution 03-1014 at the First Regular Session of the Sixty-fourth General Assembly and authorized the Committee on Legal Services to retain legal counsel to bring a civil action on behalf of the General Assembly to determine the validity of the purported vetoes of the headnote definitions of the 2002 long bill contained in House Bill 02-1420 and of the purported veto of the appropriation clause in House Bill 02-1246; and

WHEREAS, Legal counsel has been retained by the Committee on Legal Services for purposes of bringing such a civil action; and

WHEREAS, Since the adoption of House Joint Resolution 03-1014, the General Assembly has enacted Senate Bill 03-258 (the 2003 long bill), which contains headnote definitions similar to those contained in House Bill 02-1420; and

WHEREAS, The General Assembly has enacted substantive law bills containing appropriation clauses at the First Regular Session of the Sixty-fourth General Assembly; and

WHEREAS, Based on the purported vetoes of the headnote definitions in House Bill 02-1420 and the appropriation clause in House Bill 02-1246, the General Assembly has reason to believe that the Governor may attempt to veto similar provisions; and

WHEREAS, The authorization to retain counsel for the purpose of bringing a civil action contained in House Joint Resolution 03-1014 was limited to the purported vetoes of the headnote definitions in House Bill 02-1420 and the appropriation clause in House Bill 02-1246; and

WHEREAS, In order to protect the legislative interests served by the adoption of House Joint Resolution 03-1014, the Committee on Legal Services requires permission to direct and authorize counsel to seek appropriate relief through civil action from later, similar purported vetoes or purported vetoes of any appropriation footnotes; now, therefore,

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

That the Committee on Legal Services has authority to direct counsel to include in the action authorized by House Joint Resolution 03-1014, or any separate civil action, claims related to the purported veto of any appropriation footnotes and to any purported veto of Senate Bill 03-258 (the 2003 long bill) or of any other bill enacted in a regular or special session that implicates the legislative interests served by the adoption of House Joint Resolution 03-1014, until or unless the legal issues raised bydefense of said legislative interests are finally resolved by judicial decision.

Lola Spradley	John Andrews
SPEAKER OF THE HOUSE	PRESIDENT OF
OF REPRESENTATIVES	THE SENATE

Judith Rodrigue	Mona Heustis
CHIEF CLERK OF THE HOUSE	SECRETARY OF
OF REPRESENTATIVES	THE SENATE