Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

The Speaker called the House to order at 9:00 a.m.

Pledge of Allegiance led by Kelly Kruis, University of Colorado, Denver.

The roll was called with the following result:

Present--64.
Excused--Representative(s) Scanlan--1.
Present after roll call--Representative(s) Scanlan.

The Speaker declared a quorum present.

On motion of Representative DelGrosso, the reading of the journal of January 13, 2010, was declared dispensed with and approved as corrected by the Chief Clerk.

CHANGE IN SPONSORSHIP

The Speaker announced the following change in sponsorship:

HB10-1084--Senator Williams to replace Senator Mitchell as prime sponsor.

MESSAGE FROM THE SENATE

The Senate has adopted and returns herewith: HJR10-1001. Pursuant to this resolution, the President appointed Senator Steadman and Senator Brophy.

The Senate has adopted and returns herewith: HJR10-1002.

House in recess. House reconvened.
MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:


MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB10-036.

INTRODUCTION OF BILL

First Reading

The following bill was read by title and referred to the committee indicated:

SB10-036 by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.

Committee on Education

House in recess for Joint Session.

JOINT SESSION

The Joint Session was called to order by the Speaker of the House, Terrance D. Carroll.

On motion of Senator Morse, the morning roll call of the Senate was made the roll call of the Joint Session.

Present--34.
Excused--Senator Sandoval--1.

On motion of Representative Weissmann, the morning roll call of the House was made the roll call of the Joint Session.

Present--65.

The Speaker declared a quorum present and as is customary presented the gavel to the President of the Senate to preside over the joint session.
President Shaffer requested the Joint Committee, composed of Senators Steadman and Brophy, and Representatives McFadyen, Apuan, and Priola to escort the Governor from the Governor's Chamber to the rostrum.

Chief Sergeant-at-Arms Wallin announced the arrival of the Honorable Bill Ritter, Jr., Governor of the State of Colorado.

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

ADDRESS BY THE HONORABLE Bill Ritter

Introduction

I have had the privilege of serving as the governor of Colorado for three years now. And what a privilege it is. After having traveled and lived in other places around the world, I believe in every fiber of my being that Colorado is the best place on the globe to live and to raise a family.

As a people, we care deeply about each other. We look for ways to build a different and better future for our children, for our grandchildren. We are innovators and creators, we are rugged, and determined. And when tough times or a tragedy strikes, we respond not as outsiders or strangers, but as part of the family. It sets us apart.

Colorado is blessed with diverse natural resources. Our landscape is pristine, the minerals and fossil fuels bountiful. The sun, the wind, the headwaters of seven river systems, agricultural land, state and national forests, are all part of a natural ecosystem that is the envy of so many.

Colorado is a beacon to many other places in this world. But if our light is to shine brightly, those of us who have answered the call to serve our state in elected or appointed office, have a different responsibility. We must work every day, all day, at achieving the full God-given potential of this state and of its people.

To live up to that responsibility, we must first agree that our service has a meaning and a purpose that is greater than any one of us in this room. At this pivotal point in Colorado’s history, with the challenges we face, I know we can and must set aside the weaker impulses of partisanship. Colorado is in a better place because of the wisdom and humanity among you, and Coloradans deserve no less than your best ideas and your selfless determination for a stronger Colorado.

In this, my last year as Governor, I recommit to working tirelessly alongside you. We have accomplished much, but time is short, and there remains much work to be done on behalf of the people of Colorado.

President Shaffer, Speaker Carroll, honorable members of the House and the Senate, thank you for allowing me to stand in this chamber and deliver my fourth and final State of the State Address. Mr. Speaker, as the first African American Speaker of the House, you have broken new ground. Above and
beyond that, you are serving the people of Colorado with distinction, and it is
my honor to serve with you.

To our distinguished partners in service: Lt. Gov. O’Brien, Treasurer Kennedy,
Attorney General Suthers, Secretary of State Buescher, and Senators Bennet and
Udall ...

Members of the Supreme Court and Board of Education, Mayor Hickenlooper,
local government leaders and Tribal Chairs …

To members of my Cabinet and my staff, members of the public and all those
outside this chamber, including the Colorado National Guard and all
Coloradans defending our freedoms abroad, thank you for the privilege to serve
as your governor.

I especially want to thank my wife and Colorado’s first lady, Jeannie. Thank
you for everything you do for the people of Colorado and for all you do for our
own family. Two of our four children, Tally and Sam, are here this morning, as
are my mother, Ethel, and many of my siblings. Thank you for your support,
your understanding and your love.

**Turnings Obstacles into Assets**

In 2006, I ran for governor because Colorado was not living up to its full
potential. We needed a course correction, to think bigger, to do better. So four
years ago, Barbara O’Brien and I – with the help of so many dedicated
Coloradans – laid out our vision and our goals to lead Colorado forward.

Together we all are turning obstacles into assets, implementing lasting solutions
to our serious challenges, and helping Coloradans in every community achieve
the Colorado Promise.

We’re making the New Energy Economy our calling card to the future.

We’re growing other Industries of the Future – aerospace, the biosciences and
technology.

We’re leading on innovation and manufacturing, because Colorado is chock-full
of visionaries who wake up every morning and say, “What can I create, what
can I make today?”

We’re cutting taxes for small businesses, helping small businesses get access
to loans, and bringing new jobs and new companies to Colorado.

We’re expanding access to healthcare, improving quality and building a
foundation for greater cost controls.

We’re bringing the first new sustainable funding for transportation in 20 years,
with the first FASTER safety and repair projects set to begin in just a few
months.

We’re laying the groundwork for long-term fiscal reform.

On education, we’ve been Racing to the Top for years. More children are
enrolled in preschool and full-day kindergarten than ever before. We’re tackling
the drop-out rate, and CSAPs are going the way of the dinosaurs.
Over the last three years, together, we have been changing course – thinking bigger, doing better. Our strategies are working. Even in the worst global economic conditions in generations, we’re leading Colorado to a stronger, brighter future, full of opportunity and promise.

**Working for You**

Since taking office, I’ve visited every corner of Colorado – 250 visits outside the metro area in communities like Antonito and Alamosa, Pueblo and Palisade, Steamboat Springs and Glenwood Springs.

I’ve visited with Coloradans who are struggling, and with those who are succeeding, fulfilling the Colorado Promise every single day.

From nearly all of them, I hear this simple message: stay focused on creating jobs and making government leaner and more efficient; invest in our future; strengthen our safety net.

It’s a tall order. But in these extraordinary and precarious times, let’s listen to our constituents. Let’s stay focused on job creation, on doing what’s necessary for Colorado families and small businesses, on doing what’s right for the future of Colorado.

We cannot get distracted by partisan politics or the trivial pursuits that threaten to take us away from our core mission of economic recovery. It will not be enough to stay on the sidelines, to constantly criticize, to offer nothing but $10 solutions to billion-dollar problems. We have a higher responsibility, and if you are not at the table providing solutions, then you are part of the problem.

While this has been a tough time, and while there will be setbacks, we are making progress. Colorado has one of the best business climates and economic outlooks in the country, and if we stay disciplined and determined, we will get our economy back on solid footing. I know we can do this, because we’ve been doing it.

**Cutting Costs & Increasing Efficiencies**

The budget will drive much of this session, and it will be even more challenging than last year.

Since mid-2008, we’ve closed shortfalls of $2 billion because of the recession. We have a billion-dollar shortfall to close in the coming budget. Over the next few weeks, I will be submitting additional budget-cutting plans to the Joint Budget Committee.

While our efforts have helped stabilize our economy, and while an economic recovery is indeed underway, a revenue recovery is a year away. That means more tough, unpopular – but necessary – decisions. It means we all need to have the courage to ask government agencies, state employees, private businesses and public schools to share in the solutions.

We’re going to have to do things we don’t want to do. We’re going to have to take a balanced approach to keeping the budget balanced, without damaging our ability to recover and grow jobs.
Representative Pommer, Senator Keller and other members of the JBC, thank you for your partnership, your wisdom and your compassion for the people of Colorado.

This is an unenviable time, but it is when values, leadership and strength matter the most. And thanks to the tough choices we’ve been making, Colorado is coming back, better than before.

Our government efficiency review found more than $200 million in savings and benefits and is proving that good government works and can make people’s lives better.

We’re eliminating tens of millions of dollars in healthcare waste and fraud.

We’re saving money by greening government, and this session we will pursue legislation to make our state parks the first net-zero energy park system in the country.

We’re making more services available online and making government more transparent by posting thousands of documents on the web for everyone to see.

We’re adapting to a new economic reality, making government smarter and more efficient, just as families and businesses are doing all across Colorado.

This session, we’re going to need to shore up the public employee retirement fund, and I’m pleased that we are nearing a bipartisan solution.

Longer-term, we need to continue the debate over Colorado’s financial future. We need to have an honest conversation with the public about what kind of services they want their government to provide, and how much it will cost to provide those services to 5 million people today and to nearly 10 million by 2050.

We started the discussion with Ref C. We made significant progress last year by loosening the knot of conflicting fiscal mandates with Senate Bill 228. But we have a long way to go before we completely untie the knot. We must keep the dialogue going in order to achieve smarter, more sensible and modern budgeting.

More urgently, Coloradans must unite against three of the most backward-thinking ballot measures this state has ever seen. Proposition 101 and Amendments 60 and 61 would shut down colleges and prisons, increase class sizes, put thousands of teachers out of work, and prevent the repair of unsafe roads and bridges.

If these measures pass, the state could never again support building another public school, library or rec center. The cynical game the proponents are playing with our future would quite literally destroy the safety net and wipe out any hope of creating a better future for our children.

That’s not the Colorado I want. I want a Colorado that opens doors to opportunity, not slams them shut.

I want a Colorado Where elected leaders from both parties have the courage to stand up and oppose those three ballot measures.
I want a Colorado Where we create jobs, help companies like Sierra Nevada, Norgren, The Water Company and Infinite Power Solutions expand, and attract new companies like Vestas, DaVita and SMA Solar. Representatives from some of these firms are with us today up in the gallery. Thank you for helping us to transform Colorado’s economy.

Creating Jobs and Energizing our Economy

In these uncertain times, the New Energy Economy – which did not exist three years ago – continues to be our beacon to a brighter future. Today, thanks to many of the people in this chamber, we’re leading the nation in this critical area.

We’re creating thousands of new jobs, new markets and new revenues.

We’re nurturing a culture of innovation from the best energy research corridor in the world.

We’re manufacturing 21st century products from state-of-the-art factories.

We’re providing affordable, reliable and efficient energy for people all across Colorado.

We are pioneers. Colorado voters were the first in the country to pass a renewable energy standard. We doubled that standard in 2007, and because of our work, we’re five years ahead of schedule to reach the current 20 percent goal.

So, this session let’s think bigger, creating even larger markets for solar, wind, biomass, hydro and geothermal. Let’s increase our standard to 30 percent.

This will trigger the creation of tens of thousands of new jobs, draw new capital investments and new companies to our state, and keep Colorado at the epicenter of America’s energy revolution. It will increase our energy independence and further reduce our reliance on foreign oil.

This session, we also have an opportunity to lead the nation in expanding the role of cleaner-burning natural gas in our energy portfolio. Natural gas has always been part of the New Energy Economy, and this year we look forward to solidifying its role for the future.

Over the past few months, I’ve been working closely with the natural gas industry, with utilities and with other stakeholders. We’re looking at ways to increase the use of Colorado natural gas to generate electricity, reduce air pollution, stabilize energy bills for consumers – and create jobs.

Together, we have enacted 40 pieces of legislation to build the New Energy Economy. This year, we can continue leading the country and letting the nation and the world know that this truly is our calling card to the future.

Educating Kids

Colorado’s future also depends on our continued efforts to improve our schools and student learning. Thank you Lt. Governor O’Brien, Education Commissioner Jones and our partners in the legislature for making education reform one of this state’s highest priorities.
When we took office, we began to change the culture around education reform, and change the future for Colorado’s children. Together, we’ve moved away from the old partisan fights of the past to a more collaborative approach that’s focused on student learning and teacher effectiveness, training and retention.

We’re doing a better job educating our kids, and next week we will submit a very competitive Race to the Top grant application. Frankly, regardless of whether Colorado receives a Race to the Top grant, we’ve already won. We are now a national leader in education reform. Our Race to the Top began in 2007 when I stood here to deliver my very first State of the State Address.

Three years ago, I laid out several 10-year goals for education: cut the dropout rate in half, close achievement gaps, and double the number of college degrees earned by Colorado students.

Ever since, we’ve been implementing reform after reform. Thanks to those efforts, Colorado now has the most current and rigorous set of standards for classroom learning.

While our strategies are working, we can do a better job giving kids a smart start in life. Last year, thousands of students who should have graduated, dropped out. Too many high school graduates aren’t college-ready, and too many new employees aren’t workforce-ready.

This year, we’re going to keep moving forward, with legislation that will take us closer to the day when we end CSAP testing as we know it.

We’ll still assess our kids, and we’ll assess more rigorously than ever before, because we need to know what they know and what they can do. We will modernize assessments so the tests help our teachers teach, help our students learn, and help our parents engage in their children’s education.

On higher education, we will continue to protect Colorado’s colleges and universities. Even in this downturn, with the help of the Recovery Act, we have protected higher-ed and kept college affordable. Our P-20 Council and Jobs Cabinet are all creating a seamless strategy for education, workforce development and business development.

And you will all be happy to know that my last blue-ribbon panel will spend this year crafting a long-term strategic plan for the future of higher-ed in Colorado.

The stakes are high, because if there is one single key that unlocks the doors of opportunity, it’s education. If there is one single key to economic recovery, it is education. And if there is one single key to addressing poverty, it is education. The best economic-development strategy and the best anti-poverty strategy is an education strategy.

Protecting People

We’re also showing the country how to craft a smarter criminal-justice strategy.

As a former district attorney, I knew we needed to take a different approach, to develop a comprehensive vision, while still making public safety our number one priority.
We created a School Safety Resource Center. We established an Office of Homeland Security, and we began reforming our prisons.

Our violent crime rate is down. Traffic fatalities are at a 40-year low, and motor-vehicle thefts have been cut in half over the past five years.

For decades, prison spending was growing faster than any other part of the budget. We spend more each year keeping 22,000 prison inmates behind bars than we do educating 220,000 college students. That is not a sustainable formula for success.

So we implemented evidence-based strategies to keep the public safe, reduce recidivism and save money. For the first time in anyone’s memory, we’ve reversed the upward trajectory of prison growth and prison spending. We’re being tough on crime, and smart on crime. We’re taking a more thoughtful approach, which is also a more cost-effective approach.

Another place Where we need to find balance is medical marijuana. We need to uphold the will of the voters while reining in abuses and bringing common sense to the chaos that now exists. Together, we can achieve bipartisan solutions that clarify the doctor-patient relationship and address the proliferation dispensaries. I urge the General Assembly to act quickly in this area.

We also need to address an additional public safety issue by toughening up penalties for drunk driving. We need stronger enforcement, stiffer punishments, and better treatment. I call on this body to deliver a bill that does just that.

Public safety involves more than just criminal justice. It’s also the safety net. Especially in a downturn, we have a moral obligation to protect the most vulnerable among us. We can be both fiscally conservative leaders, and leaders who serve with grace and compassion.

So we will move ahead with legislation to better protect those who depend on us the most, including abused and neglected children – because one child’s death is one too many. My deep thanks to the Child Welfare Action Committee. Their good work has already saved lives.

**Conclusion**

There is no question that we are making historic progress. We are moving Colorado forward. We are changing the culture of government and the direction of Colorado. We are helping more and more Coloradans live up to their God-given potential, and we’re transforming Colorado so that we emerge from the downturn stronger and better than before.

Proverbs 29:18 says, “Where there is no vision, the people perish.” Well, we have the right vision and the right strategies in place, and there is no better place than Colorado for turning challenges into opportunities. No better place for letting the politics of what’s possible trump the politics of fear and cynicism.

Our state budget situation – it’s an opportunity to adapt to a new economic reality, to re-invent government, to finally craft a long-term strategic plan for higher education.

As difficult as our challenges may seem, we are in a better position than most
other states. Colorado has faced much more difficult times in the past, yet came out stronger and more determined. To this day, we’re still benefiting from the resilience, innovation and imagination of Colorado leaders who came before us.

The skills of Colorado’s famed 10th Mountain Division gave us today’s modern ski industry.

The vision of the Coloradans in the 1800s who expanded the rail lines east and west, north and south, allowed Colorado to grow and prosper.

And the courage of men like David Moffat and Walter Cheesman, who overcame obstacles – or, went through them – gave us a network of water pipelines, channels and reservoirs that today sustain millions of Coloradans.

Today, our responsibility is to provide that same gift of determination to the generations of Coloradans who will follow us. This session – this year – we must keep building a bridge to Colorado’s future. We should never be afraid to imagine big, and we must keep executing the strategies that are moving Colorado forward.

But no strategy is self-executing. We have a higher responsibility to join together, to overcome our challenges, to turn to what Abraham Lincoln called the “better angels of our nature.”

Decades from now, our grandchildren will look back at this moment and ask us what it was like, the same way we look back at the Great Depression. This is a hinge in history, and I hope we can tell them that yes, it was tough, but we worked together and rose to the challenge.

Colorado, thank you again for the privilege of serving as your governor. God bless you.

The Joint Committee escorted the Governor from the Chamber.

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

On motion of Senator Morse, the Joint Session was dissolved.

House reconvened. Quorum present.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

After consideration on the merits, the Committee recommends the following:

SB10-036 be referred to the Committee of the Whole with favorable recommendation.
On motion of Representative Weissmann, SB10-036 was made Special Orders on Thursday, January 14, 2009, at 3:10 p.m.

The hour of 3:10 p.m., having arrived, on motion of Representative Labuda, the House resolved itself into Committee of the Whole for consideration of Special Orders and she was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILL(S)

The Committee of the Whole having risen, the Chairman reported the title of the following bill has been read (reading at length had been dispensed with by unanimous consent), the bill considered and action taken thereon as follows:

SB10-036 by Senator(s) Johnston, Bacon, Heath, Hudak, Penry, Romer, Shaffer B., Steadman; also Representative(s) Merrifield--Concerning requiring the department of education to prepare an annual report analyzing educator preparation program effectiveness using data obtained through the educator identifier system.

Ordered revised and placed on the Calendar for Third Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: SB10-036.

The Chairman moved the adoption of the Committee of the Whole Report. As shown by the following roll call vote, a majority of those elected to the House voted in the affirmative, and the Report was adopted.

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

**HB10-1097** by Representative(s) Benefield, Court, Ryden, Pace; also Senator(s) Morse, Hudak, Newell--Concerning temporary injunctions in proceedings involving minor children.

**Committee on Judiciary**

**HB10-1098** by Representative(s) Levy--Concerning increased transparency in the governance of cooperative electric associations.

**Committee on Transportation & Energy**

**HB10-1099** by Representative(s) Pace; also Senator(s) Tapia--Concerning authorization to consume an alcohol beverage purchased at the Colorado state fair at any location on the fairgrounds licensed for consumption.

**Committee on Agriculture, Livestock, & Natural Resources**

**HB10-1100** by Representative(s) Stephens--Concerning withdrawal of an initiative petition.

**Committee on State, Veterans, & Military Affairs**

**HB10-1101** by Representative(s) Baumgardner--Concerning the registration of a vehicle used for agricultural production.

**Committee on Transportation & Energy**

**Committee on Appropriations**

**HB10-1102** by Representative(s) Murray; also Senator(s) Kopp--Concerning modification of the penalties for late registration of vehicles.

**Committee on State, Veterans, & Military Affairs**

**HB10-1103** by Representative(s) Todd; also Senator(s) Steadman--Concerning the creation of the relief fund for children with a catastrophic medical condition.

**Committee on Health and Human Services**

**Committee on Finance**
On motion of Representative Weissmann, the House adjourned until 9:00 a.m., January 15, 2010.

Approved:

TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk