

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Second Legislative Day

Thursday, January 13, 2011

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by Bishop Isern, Diocese of Pueblo.
4
5 Pledge of Allegiance led by Mitch Whitus, University of Colorado,
6 Boulder.

7
8 The roll was called with the following result:
9
10 Present--65.

11
12 The Speaker declared a quorum present.

13 _____
14
15 On motion of Representative Barker, the reading of the journal of
16 January 12, 2011, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

18 _____
19
20
21 **CONSIDERATION OF RESOLUTION(S)**

22
23 **HJR11-1003** by Representative(s) Stephens, McNulty, Pace; also
24 Senator(s) Morse, Shaffer B., Kopp--Concerning a joint
25 session of the House of Representatives and the Senate for
26 the purpose of hearing a message from the Chief Justice
27 of the Supreme Court, and appointing a committee to
28 escort the Chief Justice.

29
30 (Printed and placed in members' file)

31
32 On motion of Representative Stephens, the resolution was **adopted** by
33 **viva voce** vote.

34
35 The Speaker appointed Representatives B. Gardner, Chairman, Barker,
36 and Ryden pursuant to the resolution.

37
38
39 **HR11-1003** by Representative(s) Massey, Vaad, Court, Williams A.--
40 Concerning employees and positions for the House of
41 Representatives convened in the First Regular Session of
42 the Sixty-eighth General Assembly.

43

1 (Printed and placed in members' file)

2

3 On motion of Representative Massey, the resolution was **adopted** by
4 **viva voce** vote.

5

6 **HR11-1004** by Representative(s) Massey, Vaad, Court, Williams A.--
7 Concerning the Chaplain position in the House of
8 Representatives.

9

10 (Printed and placed in members' file)

11

12 On motion of Representative Massey, the resolution was **adopted** by
13 **viva voce** vote.

14

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16

House in recess. House reconvened.

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MESSAGE(S) FROM THE SENATE

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22

The Senate has adopted and returns herewith: HJR11-1003.

23

24

25

The Senate has adopted and transmits herewith: SJR11-002, SJR11-003.

26

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29

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

30

31

On motion of Representative Stephens, the rules were suspended and the
32 following resolutions were given immediate consideration.

33

34

SJR11-002 by Senator(s) Morse, Shaffer B., Kopp; also
35 Representative(s) Massey, Vaad, Court, Williams A.--
36 Concerning the officers and employees of the First
37 Regular Session of the Sixty-eighth General Assembly.

38

39

(Printed and placed in members' file)

40

41

On motion of Representative Massey, the resolution was **adopted** by
42 **viva voce** vote.

43

44

SJR11-003 by Senator(s) Shaffer B.; also Representative(s) McNulty--
45 -Concerning the appointment of members of the Colorado
46 Commission on Uniform State Laws.

47

48

(Printed and placed in members' file)

49

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On motion of Representative Stephens, the resolution was **adopted** by
51 **viva voce** vote.

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54

House in recess for Joint Session.

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56

JOINT SESSION

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The Joint Session was called to order by the Speaker of the House, Frank McNulty.

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

Present--35.

On motion of Representative Stephens, 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 Guzman, Giron, Roberts, and Representatives Looper, Ramirez, A. Williams to escort Governor John Hickenlooper to the rostrum.

Chief Sergeant-at-Arms John Wallin announced the arrival of the Honorable John Hickenlooper, 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
John Hickenlooper**

“A lot of people don’t think the state can operate in a nonpartisan way for the benefit of Colorado,” Hickenlooper said during the speech. “We don’t agree.”

Hickenlooper talked about multi-year budgeting for the state; including a regulatory impact statement to business on new legislation; implementing health care exchanges; consolidating functions of state government where appropriate; Congressional redistricting; working with lawmakers to create a venture capital fund for small businesses; the importance of water to Colorado; protecting the state’s environment; and education reform.

He also talked about the opportunity to build greater public confidence in good government by making it more efficient, effective and elegant.

“All of these changes require a fundamental shift in the culture of government, and we have no more important partner in this effort than our state employees,” Hickenlooper said. “Making government more effective, efficient and elegant means listening to our state employees and learning from them how we can do better.”

Here is a text of the State of the State address as prepared:

Most of us have faced a serious budget problem at some pivotal moment in our lives.

1 Certainly, this is not my first time at the deficit rodeo.

2

3 Almost 20 years ago to the day, a person who knew that I loved old buildings
4 coaxed me down 70 miles south of here to look at the only registered historical
5 landmark in downtown Colorado Springs.

6

7 It was scheduled for demolition.

8

9 I bought that building from the bank, but despite previous successes in Denver
10 and Fort Collins, I could not attract investors to save the old Cheyenne Hotel.

11

12 After almost two years of work, when the bank was on the verge of
13 repossessing the building, our general contractor, the man – the legend – Chuck
14 Murphy, saw another approach.

15

16 He called a meeting of all the subcontractors who had bid on the project – the
17 electrician, the plumber, the sprinkler guy, all of the others – to come listen to
18 the same pitch I'd been giving to wealthy investors.

19

20 Despite my skepticism that small businesspeople would accept such risk, they
21 put their money down. We raised the last \$150,000 from the subcontractors.
22 They become my partners.

23

24 From that point on, everything was different.

25

26 I'll never forget when the electrician came and was concerned about lighting in
27 the bar. He suggested that we replace the deluxe fan system in our plans with
28 an equally durable fan that also featured lights.

29

30 I asked what the extra cost was going to be, and he said I'm your partner, "Why
31 would I add an extra cost?"

32

33 That's how we built the Phantom Canyon Brewing Co.

34

35 The stakes are a lot bigger now, but I'm here today to ask you to become our
36 partners in transforming Colorado.

37

38 We have to deal with a \$1 billion shortfall; we have to cut red tape; we have to
39 create new jobs. No one could do this by themselves.

40

41 We need everybody in this room, everybody who is listening to this speech,
42 every state employee, every farmer, every rancher, every small business owner
43 and every worker across the entire state of Colorado to decide that we need each
44 other ... and we are going to pull together in these hard times.

45

46 My thanks go to the President of the Senate Brandon Schaffer, to the Speaker
47 of the House Frank McNulty, and also to Senate Majority Leader John Morse,
48 House Majority Leader Amy Stephens, Senate Minority Leader Mike Kopp,
49 House Minority Leader Sal Pace and to every one of you serving in the
50 Colorado General Assembly.

51

52 To Lt. Gov. Joe Garcia, Attorney General John Suthers, State Treasurer Walker
53 Stapleton, Secretary of State Scott Gessler and the distinguished members of the
54 Colorado Supreme Court who are with us today, I thank you for your
55 commitment to Colorado.

56

1 Thank you to our newly-elected Sen. Michael Bennet and Denver's glorious
2 new Mayor Bill Vidal – both are here today. Congratulations to you both.
3
4 I want to especially thank my wife, Helen, and our son, Teddy, my 84-year-old
5 step-father Bill McDonald (who was still listening to OneRepublic at 11:30
6 Tuesday night) and brother Sydney Kennedy, who without pay helped build
7 each of our restaurants in Colorado, and the members of my cabinet and
8 Governor's Office staff who are joining me in this journey of public service.
9 And to all of the state employees, I look forward to working with you.
10
11 For those of you like me who are newly elected, I want to extend a special
12 acknowledgement.
13
14 No matter what your party affiliation may be, your willingness to contribute to
15 Colorado by putting yourselves forward for public service is honorable.
16
17 Without exception, we have been impressed that so many of you have reached
18 out, expressing a sincere commitment to roll up your sleeves and work
19 collaboratively.
20
21 The dictionary defines "collaboration" as "a process of working together for
22 shared goals."
23
24 If ever there was a time in our history calling out for a spirit of collaboration to
25 solve big problems, it is now.
26
27 So it's clear that we have a great deal of work to do in the next 119 days.
28
29 The only way we are going to succeed is if we work together.
30
31 **JOBS**
32
33 Our top priority must be jobs.
34
35 Sustainable jobs are created by the private sector.
36
37 Our task must be to support that job growth, while also maintaining the highest
38 ethical and environmental safeguards.
39
40 Listening to Coloradans, understanding the vision that every county has for its
41 economic future, is the first step. We need to unleash the entrepreneurial spirit
42 that is alive in Colorado.
43
44 The economic plan we are proposing is not a top-down, government mandated
45 scheme. It's a bottom-up, community-based initiative that will reflect the
46 priorities of your constituents.
47
48 The global recession did not start in Colorado, but we are convinced we can end
49 it here.
50
51 There are many reasons to feel hopeful. We have made huge strides with
52 renewable energy and have the potential to grow more and greener jobs.
53
54 We've got the Colorado Advantage: a great quality of life and unlimited
55 economic potential; people want to live here; and we have outstanding
56 universities, vibrant culture, unmatched recreational assets – not to mention the

1 stunning Colorado landscapes.

2

3 And the kind of people who choose to live here are themselves a resource – they
4 attract companies to Colorado by providing the creativity and innovation that
5 helps businesses to grow.

6

7 On my first day as your new governor, I signed executive orders designed to
8 spur job creation, attract investors and cut red tape.

9

10 In the days ahead, I would like to see if we could look at adding a regulatory
11 impact statement or something like a regulatory impact statement to new
12 legislation. Just as we require a fiscal note for every new bill that estimates the
13 costs to state government, we could also include an estimation of the cost to
14 businesses of additional regulations.

15

16 We also hope that every bill you consider passing will be viewed through the
17 lens of its impact on our economic growth. This doesn't mean we compromise
18 our standards or put our land, air or water at risk, but it does mean that we'll
19 keep a fierce and even relentless focus on jobs.

20

21 For example, we know there are several bills you are considering that will
22 establish a venture capital fund for small businesses. We will work with you on
23 these proposals and create strong public-private partnerships.

24

25 We invite you to participate in the process we are charting to develop a new
26 state economic strategy. Over the next four days, as I travel to your districts
27 across Colorado, I would like your help in getting the support of local business
28 and civic organizations to create these plans.

29

30 Your involvement, as a real partner with our administration, could mean the
31 difference between success and failure.

32

33 BUDGET

34

35 Just like families across Colorado do at their kitchen tables, we have to sit down
36 at this kitchen table and make difficult choices in order to pay our bills, manage
37 our expenses and live within our means in obviously leaner times.

38 How we bring our budget into balance and put Colorado on a sustainable fiscal
39 path will be perhaps the most important legacy of this legislative session.

40

41 The challenge is daunting. We are currently face a shortfall for the next fiscal
42 year of roughly \$1 billion.

43

44 We thank you for all the hard work that has been done so far. Now it's time to
45 take the next step.

46

47 I've met with the Joint Budget Committee and am encouraged by the leadership
48 represented there.

49

50 Chair Mary Hodge, Rep. Cheri Gerou and all the members of the JBC, are
51 knowledgeable and experienced leaders. We look forward to working with
52 them.

53

54 We've done something unique to compliment the bipartisan spirit of the JBC
55 and that is to create our own bipartisan budget team. My budget director, Henry
56 Sobanet, worked for Gov. Bill Owens. My senior advisor, Todd Saliman,

1 worked for Gov. Bill Ritter.
2
3 They are both experienced state budget experts and they also work well together
4 and respect each other. We are proud to have both of them on our team.
5
6 Our state Constitution requires us to balance the budget annually. We can do
7 better. We propose looking at the state budget challenge from a multi-year
8 perspective, just like any business would do. We are working with our budget
9 team to develop proposals that span more than one fiscal year and will share
10 these ideas with you in the weeks ahead.
11
12 We view our task in three parts: making the hard decisions to balance the
13 annual budget; improving how we spend the money we have; and restoring
14 structural balance to our spending and tax rules.
15
16 We cannot fix all of these items this year or even in this building. But a long-
17 term plan is critical to Colorado's future.
18
19 We don't doubt how difficult this work will be – no one in this room took office
20 to cut programs that are needed and used by some of our most vulnerable
21 citizens. No one wants to vote to support a budget that cuts education when
22 clearly we need to instead find ways to better support our school districts and
23 colleges.
24
25 This legislative session, we are going to engage in very direct, very pragmatic
26 conversations about what we can and cannot afford to do as a state government.
27
28
29 We are going to undertake a frank analysis of how and where government
30 works – what is the real impact being realized in terms of tax dollars being
31 spent. For those programs and policies that, while undertaken with good intent
32 but have not proven to be effective, we are going to collectively make the
33 decision on how to cut.
34
35 Our goal is to redefine the role of government to match what the people of this
36 state can afford.
37
38 We have already directed my cabinet to identify savings, redundancies and
39 efficiencies in each department.
40
41 We also have to look for meaningful consolidation. We've already begun this
42 process in the administration by combining some jobs and consolidating others.
43 At the Colorado Department of Public Health and Environment, for example,
44 we've combined the Chief Medical Officer position and the office of the
45 Executive Director.
46
47 Thanks to Speaker McNulty, Minority Leader Pace and President Schaffer and
48 Minority Leader Kopp, with the support of Rep. Swordfeger (swerd-fig-er) from
49 Pueblo we are also making savings in the Lieutenant Governor's office by
50 authorizing our great partner, Joe Garcia, to take on two jobs – as only he could-
51 his constitutional role as Lieutenant Governor and leading the state's
52 Department of Higher Education.
53
54 We also want to express our sincere appreciation to Attorney General Suthers
55 and his staff. They've been a great partner with us in all of these efforts.
56

1 EDUCATION

2

3 Education is the social bedrock for the hopes and dreams of our children and the
4 foundation that is necessary for their future prosperity.

5

6 No community can have sustained economic growth without a good education
7 system.

8

9 The link between education and economic development is clear. Ask any
10 business leader thinking of moving or relocating a business to another state and
11 she'll likely tell you that tax incentives and public subsidies matter less than a
12 state's quality of life and the excellence of its schools.

13

14 Beyond economics, however, we have a moral obligation to the children of
15 Colorado to do all that we can in the midst of this economic downturn to see
16 that our budget decisions avoid compromising their future.

17

18 The past four years have marked Colorado as a leader in education reform and
19 we have important work to see through – both the goal of ensuring a student-
20 centered education system articulated in CAP4K and the creation of a fair and
21 effective educator evaluation system. We must change the dynamic that a
22 child's potential not be predetermined by his or her ZIP code.

23

24 We have read, and commend to you, a strategic plan recently completed by
25 Gov. Ritter's citizen panel led by Rico Munn and co-chaired by Jim Lyons and
26 Dick Monfort, outlining the stark choices we must make for higher education
27 in Colorado.

28

29 We have asked Lt. Gov. Garcia to pick up where this important report leaves
30 off and to work with the Colorado Commission on Higher Education to help us
31 make the tough decisions.

32

33 In the end, we believe we'll need to engage all of Colorado in a serious
34 conversation about the value of higher education. As somebody who chose to
35 start a new business in the midst of a previous recession, let me tell you, this
36 doesn't have to be the time to limit our investments or our dreams.

37

38 HEALTH CARE

39

40 We have a different kind of challenge when it comes to health care. The
41 changes made in Washington, whether you support the new law or not, have to
42 be addressed by the states.

43

44 We are better poised than others to develop the architecture for health care
45 exchanges. Decisions made by the last administration and the Legislature have
46 created an opportunity for Colorado to do a better and a more efficient job of
47 providing health care than many other states.

48

49 In fact, the new health care law includes some opportunities for innovation and
50 redesign of our local health care system, in ways that can both save the state
51 money and improve the health of our citizens. One such option is the creation
52 of what are called "Health Care Homes" for individuals for chronic diseases.

53

54 By adopting new standards and designs, we can substantially reduce the state
55 share of expenses that we provide for primary care. It will be strategies like this
56 and the passage of last year's hospital provider fee that both improve our system

1 and reduce our financial burden.

2

3 WATER

4

5 Colorado's future depends upon how we cultivate our intellectual treasures and
6 our natural resources. Much attention has been devoted to a debate about
7 energy, the right balance between developing natural gas, coal and renewable
8 energies.

9

10 But the natural resource that may, in the end, have the greatest impact on
11 Colorado's economic growth, is water.

12

13 A recent report by the Inter-Basin Compact Committee makes clear that a
14 "status quo" approach to water will inevitably lead to pressures that harm our
15 environment and dry up precious agricultural land.

16

17 We cannot let that happen.

18

19 The IBCC and other water leaders and stakeholders across Colorado are ready
20 to work in a comprehensive way to develop strategies, especially conservation,
21 to ensure that our cities and rural communities are well protected.

22

23 We want this effort close to the Governor's Office to send a clear and
24 unambiguous message that water is a top priority in this administration.

25

26 We'll take this ethic of collaboration and the search for common-ground to
27 other issues besides water. Protecting our environment, keeping our air clean,
28 conserving the natural beauty that defines Colorado – these are values we
29 cherish and we won't sacrifice them.

30

31 In this regard, we are surely on the right path as we implement legislation that
32 was signed into law last year, the Clean Air Clean Jobs Act. This law places
33 Colorado at the forefront in reducing pollutants, creating jobs and while it
34 hasn't been without controversy, we shouldn't move backwards.

35

36 EFFICIENCY

37

38 In each of the areas that I've discussed this morning – jobs, budget, education,
39 health care and the environment – we believe we have an opportunity to build
40 greater public confidence in good government.

41

42 We know that government is not the same as running a restaurant, but there are
43 lessons from the private sector that have an application here.

44

45 Like the electrician, back at Phantom Canyon, who knew about the durable fan
46 that also provided better lighting, you're going to have ideas about how to make
47 state government more effective, efficient, and elegant. Let me explain what I
48 mean.

49

50 Effective. Let's measure every aspect of government to be sure it's doing what
51 it's supposed to do. Let's look at outcomes to judge whether our programs are
52 successful.

53

54 Efficient. Services should be delivered in ways that are timely and effective. We
55 will review every program, identify waste and duplication and measure for
56 efficiency.

1

2 Elegant. When I say elegant, I'm not talking about fashion – you can tell that,
3 just look at me. I'm talking about the delivery of state services in a way that
4 elevates both the state employee and the person receiving state services. When
5 someone applies for a driver's license or inspection they shouldn't feel
6 disrespected by the interaction, and neither should the state employee. This is
7 the essence of customer service.

8

9 All of these changes require a fundamental shift in the culture of government,
10 and we have no more important partner in this effort than our state employees.
11 Making government more effective, efficient and elegant means listening to our
12 state employees and learning from them how we can do better.

13

14 We will visit state offices across Colorado in search of ideas for efficiency, and
15 ways to re-design the delivery of services.

16

17 CONCLUSION

18

19 Members of the General Assembly, it's a little warmer in here than it was on the
20 steps of the Capitol on Tuesday.

21

22 Now as Gov. Ritter suggested I should get one minute of speaking for every
23 degree in temperature. We checked the thermostat on the way in, and it's about
24 70 degrees in these chambers ... which means I have another ... I'm about a
25 third of a way ... let me check my watch ... just kidding. I have only one more
26 point to add.

27

28 A lot of people don't think the state can operate in a nonpartisan way for the
29 benefit of Colorado.

30

31 We don't agree ... We are even optimistic about something as politically
32 charged as redistricting. We believe this process can be accomplished in this
33 session given the bipartisan work you have already begun.

34

35 Colorado will be best served if lines are drawn to promote competitive districts,
36 and we look forward to working with you to accomplish this goal.

37

38 We called our transition effort "Partners for Colorado" for a reason. We see
39 each and every Coloradan as a member of our administration, with a stake in
40 our decision-making and an invitation to share good ideas.

41

42 Like that general contractor in Colorado Springs who saved the Cheyenne
43 Hotel, we are looking for people who want to make the project succeed.

44

45 That doesn't mean we are always going to agree on everything. We know we
46 will have our differences.

47

48 But the important thing is that we keep talking until we figure out the right
49 solutions for Colorado.

50

51 Together, we have the opportunity to redefine the role of government and to
52 redefine how we govern. I charge this collective body to believe that each of
53 your colleagues is here with good intent and has undertaken the role of public
54 service to do the right thing for the people of this state and for our future.

55

56 Together, we can work to show the people of Colorado that we are here to serve

1 them, and that our efforts reflect the Western values of hard work, honesty and
2 respect. And let's not forget humor. Or the value of sharing a beer after a hard
3 day's work.

4
5 We have important work to do together.

6
7 Let's get to it

8 _____
9
10
11 The Joint Committee escorted the Governor from the Chambers.

12 _____
13
14 On motion of Representative Stephens, the Governor's message was
15 ordered printed in the House Journal.

16 _____
17
18 On motion of Senator Morse, the Joint Session was dissolved.

19 _____
20
21 House reconvened.

22 _____
23
24
25 On motion of Representative Stephens, the House adjourned until
26 9:00 a.m., January 14, 2011.

27
28 Approved:
29 FRANK McNULTY,
30 Speaker

31 Attest:
32 MARILYN EDDINS,
33 Chief Clerk

