

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

Second Legislative Day

Thursday, January 8, 2004

1 Prayer by Reverend Doctor Cynthia Cearley.

2

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

4

5 Pledge of Allegiance led by Representative Welker.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representatives Coleman, Lee--2.

11 Absent--Representative Butcher--1.

12 Present after roll call--Representatives Butcher, Coleman.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Carroll, the reading of the journal of
18 January 7, 2004, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

PRINTING REPORT

26

27 The Chief Clerk reports the following bills been correctly printed:
28 **HB04-1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093.**

29

30

31

INTRODUCTION OF BILLS

32

First Reading

33

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

36

37 **HB04-1094** by Representative(s) McGihon, Cerbo--Concerning access
38 to unemployment benefits by persons who have quit a job
39 due to domestic abuse.

40 Committee on Business Affairs & Labor

41

42

- 1 **HB04-1095** by Representative(s) Witwer; also Senator(s) Gordon--
2 Concerning the prospective applicability of certain
3 amendments to the "Colorado Governmental Immunity
4 Act".
5 Committee on Business Affairs & Labor
6
- 7 **HB04-1096** by Representative(s) White--Concerning the exemption of
8 surface work by a public entity from the definition of
9 "excavation".
10 Committee on Transportation & Energy
11
- 12 **HB04-1097** by Representative(s) Spradley, Plant, Romanoff, Young;
13 also Senator(s) Anderson, Owen, Reeves, Teck--
14 Concerning consolidation of the representation of
15 consumer interests before the public utilities commission
16 in the office of consumer counsel, and, in connection
17 therewith, transferring certain personnel from the public
18 utilities commission to the office of consumer counsel and
19 making an appropriation.
20 Committee on Business Affairs & Labor
21 Committee on Appropriations
22
- 23 **HB04-1098** by Representative(s) Young, Witwer, Plant; also
24 Senator(s) Owen, Teck, Reeves--Concerning the
25 disposition of moneys received by the state, and, in
26 connection therewith, creating a definition of "custodial
27 moneys".
28 Committee on Finance
29

31 House in recess for Joint Session.

JOINT SESSION

- 37 The Joint Session was called to order by the Speaker of the House, Lola
38 Spradley.
39
- 40 On motion of Senator Hillman, the morning roll call of the Senate was
41 made the roll call of the Joint Session.
42
- 43 Present--34.
44 Excused--Senator Tupa.
45
- 46 On motion of Representative King, the morning roll call of the House was
47 made the roll call of the Joint Session.
48
- 49 Present--64.
50 Excused--Representative Lee.
51
- 52 The Speaker declared a quorum present and as is customary presented the
53 gavel to the President of the Senate to preside over the joint session.
54
- 55 President Andrews requested the Joint Committee, composed of Senators
56 Chlouber, Nichol and Representatives Sinclair, T. Williams, Miller to

1 escort the Governor from the Governor's Chambers to the rostrum.
2
3 Chief Sergeant-at-Arms Tom Suman announced the arrival of the
4 Honorable Bill Owens, Governor of the State of Colorado.
5
6 The Joint Committee escorted the Governor to the rostrum where he
7 addressed the Joint Session.
8
9 The Joint Committee escorted the Governor from the Chambers.
10
11 On motion of Representative King, the Governor's message was ordered
12 printed in the House Journal.
13

14
15 **ADDRESS BY THE HONORABLE**
16 **BILL OWENS**
17

18 Lieutenant Governor Norton, President Andrews, Speaker Spradley, Members
19 of the Cabinet, Attorney General Salazar, Treasurer Coffman, Honorable
20 Senators and Representatives, Mayor Hickenlooper, distinguished guests, my
21 fellow Coloradans:
22 The convening of our Legislature each year celebrates our freedom and our
23 democratic system of government. A system, created by patriots, that has
24 served America well for more than two centuries. A democratic system that
25 inspired people around the world to embrace the right to liberty that God gives
26 to all people.
27 A few weeks ago, members of the Baghdad City Council visited Colorado. I
28 had the chance to talk with these courageous men. We met the day after
29 American soldiers had captured Saddam Hussein.
30 One said this: "Governor, we just want to thank America for our freedom."
31 Today, I want to thank the thousands of Coloradans who wear our nation's
32 uniform for our freedom. And I particularly want to thank those 126 state
33 employees who have been called to duty since September 11, 2001. Eighty-
34 three remain overseas. They left their homes and families to keep America safe.
35 With us today are four veterans who fought with coalition forces in Afghanistan
36 and Iraq. State Trooper Steven Hodge served for the past nine months in Saudi
37 Arabia and Iraq as a Sergeant in the U.S. Army. Steven Baker works for the
38 Department of Corrections, and served in Afghanistan as a sergeant in the
39 Special Forces. Gail Wallace, a correctional officer, served overseas as a Master
40 of Arms in the Naval Reserve.
41 And Jason Belmont, also of the Corrections Department, served in Iraq as a
42 Corporal in the U.S. Marines.
43 To the four of you, and to all those Coloradans who sacrifice for our freedom,
44 thank you. Welcome home.
45 Today, Colorado is back. After years of tough times and tight budgets. We're
46 back. And we are getting stronger.
47 Our revenue forecasts are up substantially. And the economic signs are
48 promising.
49 For example, even during tough times, Colorado is still ranked among the top
50 five states in the nation for economic development in 2003, according to the
51 Corporation for Enterprise Development.
52 Retail sales are up. Colorado personal income is up – the ninth best in the
53 country. While inflation is just 1.7 percent.
54 It was President Bill Clinton who said, "Ignore the headlines. Follow the trend
55 lines."
56 Looking at those trends, we see job growth in key sectors of the economy,

1 including finance, education, health services and hospitality.
2 Venture capital investments in Colorado were up 80 percent in the third quarter
3 of 2003.
4 And how about the stock market? While the Dow was up 25 percent in 2003,
5 what about Colorado?
6 The Bloomberg Index for Colorado stocks was up 41 percent last year. That's
7 a great reflection on the health of Colorado-based companies.
8 And, because we worked together and maintained our fiscal course, we're
9 making further gains in this recovery.
10 As Colorado's economy strengthens, we also must remember that one of the
11 magnets for companies – and good jobs – is the fact that Colorado's
12 fundamentals are so solid.
13 Colorado is the fourth most desirable state in which to live, according to a
14 national poll.
15 Twenty-four of our ski resorts were listed in the top 50 in the world by Conde
16 Nast Traveler magazine.
17 We're one of the healthiest states in the nation, and the least obese.
18 We're also proud that our capital city is the third most literate city in the nation.
19 Joining us this morning is Denver Mayor John Hickenlooper. John, welcome.
20 The Mayor and I have developed a close partnership, and a strong friendship.
21 And it's one that's producing dividends for Denver and for Colorado.
22 Soon after his inauguration, the Mayor and I led a joint economic development
23 trip to California's Silicon Valley. We pitched venture capital firms on what a
24 great place Colorado is in which to do business.
25 It paid off. We learned this week that a Colorado high tech company will more
26 than double its workforce this year after receiving nearly \$10 million in venture
27 capital. Mr. Mayor, the CEO of Roving Planet credits our visit with
28 introducing these California venture capitalists to Colorado companies. Real
29 jobs brought home to Colorado. John, thanks for all you do.
30 Let me be clear. There is no such thing as good enough. Not while I'm
31 governor. We have more work to do. On transportation. On our schools. On
32 our environment. We're never satisfied, and we can always do better.
33 But today, as we look forward to a year of promise, I tell you that the state of
34 our state is sound.
35 One of the best examples of the energy and the hard work that defines Colorado
36 is our Lieutenant Governor.
37 In the past year, Jane Norton has embraced the job of Lieutenant Governor with
38 vigor, effectiveness and compassion.
39 One of the signature issues she is focused on is helping the more than 700
40 Colorado children who are available for adoption – who need good homes – in
41 our child welfare system.
42 We know that there are good parents and good homes waiting for these
43 children. Our challenge is to help these children find the loving home they
44 deserve. The Lieutenant Governor has appointed a Committee to Promote
45 Adoption, which will recommend ways to remove those hurdles that discourage
46 adoption.
47 Jane, for this great initiative and for all you do for Colorado, thank you.
48 Friends, this past year has been one of great challenge, and one of great
49 accomplishment. One year ago, I stood before you and said that, working
50 together, we could achieve much for the people of Colorado.
51 Yet sometimes in the midst of our daily debates over policy and priorities, we
52 sometimes forget to step back and look at what we have accomplished.
53 Let me report on some of the successes we achieved by working together.
54 First, health insurance. With the leadership of Speaker Lola Spradley and
55 Senate Majority Leader Mark Hillman, we enacted legislation to expand access
56 to health insurance. By offering a solid, basic policy, we give employers the

1 chance to offer workers basic health care protection when before they could
2 afford to offer none at all.

3 The numbers are coming in. And the rates for health insurers basic plans are
4 dropping. A survey by the Division of Insurance shows rates down as much as
5 one-third for the basic plans. That's good news for families who haven't been
6 able to afford health insurance. And it's great news for our small business
7 owners, who know that offering their workers health coverage increases their
8 competitiveness.

9 Second, auto insurance. Last July, we changed from a no fault to a tort system.
10 As a result, premiums are dropping. I know that from comparing policies on the
11 three cars we have in my own family.

12 The average annual cost of a liability policy – which meets all the state
13 requirements – dropped 27 percent. And those drivers who purchased a full
14 policy saw almost a 15 percent reduction.

15 I also look forward to working with you this year to address the serious problem
16 of uninsured motorists on our roads. A reform measure dealing with uninsured
17 motorists has attracted bipartisan sponsorship in both houses, and I want to
18 thank Senators Hillman and Veiga, and Representatives Fairbank and Jahn for
19 your leadership.

20 And speaking of transportation, we should be proud of how we have improved
21 Colorado's transportation system. Over the past five years, we have
22 dramatically – and effectively – increased our investment in transportation.

23 Let's look back at the past decade. In the five years before I took office, CDOT
24 spending averaged \$617 million per year. In the last five years, our spending on
25 transportation has doubled to over \$1.2 billion.

26 The result? We have accelerated badly needed projects all across Colorado.

27 We have made a real difference. Without bonding, T-REX wouldn't have been
28 completed until 2017. Today, this project is more than half completed and is on
29 schedule to be wrapped up just two years from now -- eleven years early.

30 But it's not just T-REX. We focused on 28 key projects statewide that have
31 benefited from bonding. Just a few weeks ago, we marked the completion of
32 another one of those priority projects. We finished the Mousetrap – years earlier
33 than would otherwise have been possible.

34 Another way we keep Colorado on the right track is through GOCO and the
35 preservation of open space. GOCO has invested, on average, more than \$14
36 million annually on land preservation. As a result, my administration has been
37 able to play a critical role in helping to preserve nearly 360,000 acres over the
38 past five years.

39 But, looking back at 2003, I can't say I got everything I wanted. Take
40 Referendum A.

41 Let's remember, though, where we were just one year ago. A drought that
42 experts confirmed just this week as the worst in 300 years. Farmers' crops
43 failing. Ranchers selling off herds. Water rationing in the Front Range.

44 But, as Referendum A fades in our rear-view mirror, our water challenges
45 remain. Even with some good news on our snowpack, forecasters tell us that
46 the Front Range will need a wet spring to avoid water shortages and fire danger.

47 I heard often during the debate over Referendum A that "there is no
48 disagreement about the need for more storage." It was just, some said, that
49 Referendum A wasn't the best way to address the issue. I am eager to hear new
50 ideas for addressing what everyone recognizes is a need for more storage. One
51 point is clear: we can't develop a plan for a single county or region and think
52 that we're developing a statewide water policy.

53 Ladies and gentlemen, just like water policy, our fiscal policy affects every
54 family in Colorado.

55 I am proud that, together, we have faced the worst fiscal challenge in more than
56 a decade. And our taxpayers are the winners.

1 We didn't even think about raising taxes, because our Constitution wisely
2 constrains us. I wouldn't sign a tax increase anyway. And, friends, because we
3 couldn't take the easy road that other states took, we are recovering – without
4 raising taxes.
5 How did we succeed? We found savings. We acted like any Colorado family
6 with financial challenges. It wasn't easy.
7 Let's not forget how far we've come to make this happen.
8 In 1998, prior to my administration, legislators in both parties decided to spend
9 Colorado's surplus. That's fine if you do it once. Problem is, they did it twice.
10 In the same year. It was House Bill 1414 and as Casey Stengel said, "you can
11 look it up."
12 Those who voted "yes" included, by the way, a number of ex-legislators who
13 now serve in my Cabinet.
14 The problem was that when the economy slowed, we had to repay the surplus
15 to refill the hole. A \$927 million hole to be exact. And you and I were handed
16 the shovel. We filled it. It was tough.
17 But in the middle of a recession, and within the constraints of TABOR and
18 Amendment 23, we paid off almost a one billion dollar debt we inherited.
19 Members of the Legislature, give yourselves a hand.
20 And we did it within the Constitutional limits that are built into our budget
21 process.
22 Those who favor more state spending have criticized TABOR for more than a
23 decade. But a fair examination of TABOR shows that it is not – and has not
24 been --the major reason behind our budget challenge.
25 It is important to remember that Colorado has not had a TABOR surplus since
26 the 2000 fiscal year. Even if TABOR didn't exist, Colorado would still have had
27 budget shortfalls in recent years – just like 42 other states. Forty-two states that
28 don't have TABOR on their books.
29 I believe that the spending restraint that is at the heart of TABOR in fact
30 prevented Colorado from falling into the budget hole that devastated other
31 states, most notably California.
32 Which brings us to Amendment 23. The effect of Amendment 23 is exactly
33 what its sponsors wanted. Come good times or bad, regardless of the fiscal
34 challenges facing Colorado, education spending has an ever-increasing
35 Constitutional claim on our tax dollars. In the 2002 fiscal year, for example,
36 while almost all other departments were cutting their budgets, K-to-12 state
37 education spending increased more than 11 percent. On top of that, we put
38 almost a quarter of a billion dollars into the State Education Fund – dollars that
39 would otherwise have gone into the General Fund.
40 Let me make two points. First, fully funding public education has been, and
41 continues to be, one of my central priorities. In my first two budgets – prior to
42 Amendment 23 – I insisted on more than fully funding education. And we did
43 so.
44 But, second, by requiring – for example -- an 11 percent jump in education
45 spending, while overall spending went down 4 percent, Amendment 23 took
46 virtually all the new revenue.
47 Would education continue to get a healthy share? As long as I'm governor,
48 absolutely.
49 Should education be guaranteed double-digit increases when other spending is
50 going down? In my opinion, no.
51 That's my view, and I think the fiscal facts support it.
52 But, there is also another fact. About half of you, give or take, think that
53 TABOR is the problem. And about half of you think that Amendment 23 is the
54 problem. But changing our Constitution requires a two-thirds vote. Followed
55 by a vote of the people.
56 We are not going to change TABOR or Amendment 23 by themselves. If the

1 will exists to address this complicated issue, it will take compromise and
2 collaboration. I am happy to be part of those discussions.
3 But, whatever we do, changes will not likely affect this year's budget. My
4 budget proposal, which I submitted to you, increases spending 5.8 percent. We
5 would increase our investment in key areas, including higher education, public
6 safety, tourism and services to our citizens.
7 We will increase the Medicaid appropriation by 5.4 percent. This will eliminate
8 the cap on enrolling new children in CHIP. It will also reinstate pre-natal care
9 for low-income women.
10 Our budget would boost financial aid to college students. Put more State
11 Troopers on the job to protect us. Promote Colorado tourism. Reduce wait
12 times at driver license centers.
13 And fund the Tony Gramscas Youth Services grants.
14 I look forward to working with the Joint Budget Committee and this Legislature
15 to craft a budget that meets our priorities, protects our taxpayers and helps grow
16 our economy.
17 One of the keys to growing our economy is our tourism industry. Last year, we
18 worked together and invested \$9 million in tourism advertising and marketing.
19 I want to report to you on your investment.
20 It worked. Visitors to Colorado-dot-com -- our tourism website -- have jumped
21 200 percent. Inquiries from major markets around the country jumped as much
22 as 40 percent. Visits to key tourist destinations are seeing double-digit
23 increases. The holiday ski season was one of the best in years. And bookings
24 for next summer are way up as well.
25 Clearly, what we did made a difference. And I thank you.
26 Contrast that solid return on our tourism investment with the unacceptable
27 record of the CAPCO program.
28 By any measure the CAPCO program has failed. The state auditor's recent
29 report on the program is very compelling.
30 Fact: the insurance companies collected nearly \$1 million more in fees than they
31 invested in venture capital.
32 Fact: the state auditor could not verify the CAPCO companies' claims about the
33 alleged number of jobs created.
34 Fact: Nearly half a million in taxpayer money went to lobbying fees. I guess that
35 at least supports "job retention."
36 Friends, all of us here are for economic development. But what separates us
37 from the CAPCO advocates is that we want economic development for
38 Colorado. We want new jobs and new companies on the West Slope, not the
39 West Side of Manhattan. We want innovation in the Tech Center, not
40 Rockefeller Center.
41 We can't mend this program. We must end this program.
42 I have seen a number of proposals to focus the tax credit dollars in ways that
43 would produce real benefit for our taxpayers and our economy. Let's move
44 quickly to reach a consensus. I'll be a strong partner, standing with you in this
45 effort.
46 One of the best ways we can improve our economy is by protecting our
47 environment. Three hundred days of sunshine a year. The breath-taking beauty
48 of the Rocky Mountains. World-class recreation in our mountain communities.
49 Over the last twenty years we have made huge improvements in our air and
50 water quality. But we all know there is more to be done.
51 For the challenges ahead, we need to improve and modernize our air and water
52 regulatory system. This year, we are proposing a new environmental permitting
53 process. With this reform, we can build new partnerships with communities and
54 companies and work with them to minimize bureaucratic requirements and
55 ensure stronger environmental protection. This means we can reduce pollution
56 faster. The result? A cleaner environment and a healthier Colorado with less

1 bureaucracy and paperwork. Our goal is to protect and enhance the quality of
2 life of all Coloradans.
3 One of the greatest bipartisan testaments to Colorado's commitment to
4 innovation is education reform. It was started by a Democratic Governor and
5 continued by this Republican Governor.
6 We enacted landmark school accountability legislation with strong support from
7 both parties.
8 Ladies and gentlemen, our children have a brighter future because we, together,
9 demanded a better public school system. And when our children succeed,
10 Colorado succeeds.
11 Colorado has seen an 84 percent drop in the number of minority students
12 attending "unsatisfactory" schools over the past two years. That, friends, is real
13 progress.
14 And it didn't happen all by itself. Our accountability system gives parents the
15 information they need and encourages them to get involved in their schools. It
16 challenges our educators. It rests on a powerful proposition: that which we
17 measure we can improve.
18 A few weeks ago The Education Trust praised Colorado for our public reporting
19 of teacher quality and student dropout rates. That's just the latest applause for
20 our accountability reports, joining Education Week magazine and The Heritage
21 Foundation, which have called our system among the best in the nation.
22 But the core of this system is how Coloradans have forged a partnership –
23 among parents, teachers and the community – to breathe new life into schools
24 that were, by anybody's definition, in trouble.
25 Some said "labeling" a school as unsatisfactory would so demoralize teachers
26 that they would just give up. That they would turn away from those schools
27 most in need.
28 I never believed that. A good teacher is tenacious. A good teacher doesn't give
29 up. A good teacher pushes, and prods and fights for results.
30 These are exactly the kind of educators who have created success stories in our
31 schools. We are particularly proud of Denver Public Schools. Please welcome
32 Janice Spearman, the principal at Columbine Elementary School, which earned
33 the Governor's Distinguished Improvement Award this year. We're also pleased
34 to welcome DPS Superintendent Dr. Jerry Wartgow.
35 This year, we propose improving the Student Accountability Reports that have
36 been a catalyst for success for many of our public schools. With our new
37 reports, we'll show how students are improving from grade to grade, giving
38 parents the kind of information they really need. We'll follow students year to
39 year. These reports will be better for parents, for teachers and for our students.
40 Accountability is a pillar of reform. So is school choice.
41 We're proud that Colorado is already home to public school choice. We're
42 proud of our charter schools as well.
43 Colorado's charter schools have been at the forefront of our system of public
44 education. And while most school districts have recognized charters as new,
45 innovative and valuable additions to public education, some districts, though,
46 have unfortunately developed a "just say no" policy toward charters. That is
47 wrong. It's unacceptable.
48 I am encouraged by the efforts of House Majority Leader Keith King and Rep.
49 Terrance Carroll to provide more alternatives – more choice – for those seeking
50 to form charter schools. I hope to sign legislation this session that allows for
51 alternative chartering authorities.
52 I am also proud that Colorado enacted the first statewide school voucher plan
53 since the U.S. Supreme Court ruled that vouchers are Constitutional.
54 Last year, a Denver judge put our school choice program on hold. I believe that
55 the judge was wrong.
56 We will fight that decision.

1 Our education reform journey will not be complete until children and families
2 have the widest possible choices in education.
3 This year, we have the opportunity to expand school choice to children with
4 special needs. These children require costly, focused services. But they often
5 have the fewest number of educational choices. I congratulate Rep. Nancy
6 Spence for introducing legislation to bring school choice to those special needs
7 children who need choice the most.
8 We must bring this same commitment to bold and innovative reform to our
9 colleges and universities.
10 Higher education is the gateway to a successful future. But, unfortunately, far
11 too many Coloradans are not taking advantage of the opportunity that higher
12 education can offer.
13 We didn't put elementary and secondary education on the road to reform by
14 merely changing at the margins. And nothing less will do for higher education.
15 Let's get the job done this year. The principles we embrace are clear. We must
16 empower students and put real financial power in their hands. We must protect
17 them from unchecked tuition increases. And we must give our institutions more
18 flexibility while placing them on a stronger financial footing.
19 Let's establish the College Opportunity Fund this year to place real dollars in the
20 hands of Colorado students. Let these dollars follow students to the college or
21 university of their choice. Let's make the dream of higher education more
22 tangible – more real – for Coloradans.
23 I also hope we can reach a consensus on enterprise status for universities. But
24 I will not give unlimited authority to colleges and universities to raise tuition.
25 Students and their families are not ATM machines. Send me an enterprise bill
26 that protects our students and our taxpayers, and I'll sign it.
27 Our college and university students are the future of Colorado. They have their
28 whole lives ahead of them.
29 That's why a recent tragedy affected us so deeply.
30 On a cold January night in Fort Collins, a murderer impersonated a police
31 officer. He caused Lacy Miller, a 20-year-old young woman, to pull her car
32 over. She thought it was a traffic stop. This coward preyed on her trust. And
33 he brutally murdered her.
34 This was an unspeakable tragedy. There wasn't a parent in Colorado – myself
35 included – who didn't view this crime as their worst nightmare.
36 Because of the bravery and the strength of Lacy's mother – Colorado is working
37 to make sure that no other family suffers the way that this family has suffered.
38 Last year, we strengthened the penalties for impersonating a police officer. This
39 year I hope we take another step forward and target the illegal use of police
40 equipment, such as red and blue police lights. I want to thank Representative
41 Bob McCluskey and Senator Steve Johnson for sponsoring this legislation.
42 With us this morning is Wendy Cohen, Lacy Miller's mother. Wendy, we'll put
43 this new law on the books this year. For Lacy.
44 The story of Lacy Miller, and other victims of violent crime, reminds us that
45 there is no more basic function of government than providing for our safety.
46 We protect Coloradans because of the courage and dedication of the finest law
47 enforcement personnel in America. And we also protect our state by putting
48 criminals in prison.
49 Our corrections system works because of the men and women who staff our
50 institutions. This is tough and dangerous work. We remember the loss of Eric
51 Autobee, a corrections officer who was brutally murdered by an inmate who
52 today sits on death row.
53 Our corrections system works best, though, when it is about correcting, not
54 simply incarcerating.
55 Changing the lives of inmates requires helping them to change their values.
56 They must value life. Become one who builds and contributes, rather than one

1 who destroys and takes. To accept accountability for one's actions. And one's
2 own life.

3 I am proud that our corrections system, under the leadership of Joe Ortiz, is
4 home to faith-based programs that are changing hearts and changing lives.

5 The Life Living program at Sterling houses nearly 100 inmates. Thirty-six
6 inmates have already graduated from this program, which helps inmates change
7 those attitudes that have led to negative consequences.

8 And we plan to bring the Horizon program to Colorado this year. It's working
9 well in Florida. Open to inmates of all faiths, the program creates a faith
10 community within a prison. One built on mutual respect and support. One in
11 which inmates learn the values that will make them good citizens upon their
12 release.

13 This is a bright light of hope and opportunity in a system where we normally
14 hear about darkness and despair.

15 We need to find new ways to solve old problems. That's the message that came
16 out of the report on how we must reform our civil service system.

17 We have just changed our calendars over to 2004. But in our civil service
18 system, it's still 1918.

19 It's simply wrong to have a system in place that takes six months – or longer –
20 to fill a state job. Which means we often lose some of the best and brightest
21 candidates who just aren't willing to put their lives on hold for half a year
22 waiting for the possibility of working for the state.

23 And it's wrong to have a system in place that sometimes puts the protection of
24 poor employees above the public interest. Let's face it: a system that keeps such
25 people in place rewards bad conduct and diminishes the vast majority of our
26 state employees who take pride in their jobs.

27 Let me thank former Governor Dick Lamm for co-chairing the reform
28 commission. And Representative Rosemary Marshall and Senator Norma
29 Anderson for giving your time and talent as commission members, as we work
30 to follow Denver's lead in reforming our personnel system.

31 Friends, Medicaid now takes 21 percent of the state General Fund budget, while
32 Medicaid premiums have more than quadrupled since 1990. I'm pleased to tell
33 you that Colorado has become a national leader in implementing new programs
34 which reduce costs while improving the quality of care.

35 This General Assembly, in your foresight, provided the framework for us to
36 develop innovative programs, such as Disease Management and consumer-
37 directed care. We've seized this opportunity and I'm proud of the results.

38 That's why I believe we can and should go further.

39 Last month we invested \$1 million to enhance and expand a state program that
40 empowers Medicaid recipients with disabilities to direct their own home care
41 services. They hire and supervise their own attendants. Set their own attendant
42 schedules and determine what services the attendants provide. Consumers thus
43 become more self-sufficient, gain a greater sense of personal responsibility and
44 lead healthier lives.

45 Let's work together this year to expand this idea to Coloradans with
46 developmental disabilities. It's the right thing to do for these men and women,
47 and, ultimately, for our state budget.

48 The energy of reform is alive in Colorado. We embrace new, bold ideas. When
49 we see problems that have been ignored for years – and in the case of civil
50 service reform, for decades – we face them head on.

51 Together, we haven't been deterred by steep, rocky paths. We climbed
52 together. And we have seen how great the view is from the mountaintop.

53 But we have many more mountains to climb.

54 It was Charles Darwin who said, "It is not the strongest of the species that
55 survive, not the most intelligent, but the one most responsive to change."

56 The people's business requires us to be energetic and innovative. It requires us

1 to work together. To find the right solutions for Colorado.
2 Doing the people's business requires us to achieve much in this 120-day session.
3 The clock is ticking. Let's get to work.
4 Thank you. God bless you. And God bless Colorado.

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7 On motion of Senator Hillman, the Joint Session was dissolved.

8
9
10 House reconvened. House in recess..
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14 **INTRODUCTION OF BILLS**
15 **First Reading**
16

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

19
20 **HB04-1099** by Representative(s) Tochtrop--Concerning the
21 publication of salary information of county employees by
22 the board of county commissioners.
23 Committee on Local Government

24
25 **HB04-1100** by Representative(s) Young--Concerning Colorado's
26 process for planning private prisons.
27 Committee on Judiciary

28
29 **HB04-1101** by Representative(s) Merrifield, Larson--Concerning the
30 liability of dog owners.
31 Committee on Agriculture, Livestock, & Natural Resources

32
33 **HB04-1102** by Representative(s) Clapp; also Senator(s) Johnson S.--
34 Concerning the regulation of dental health care providers
35 by the state board of dental examiners.
36 Committee on Health, Environment, Welfare, & Institutions

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40 On motion of Representative King, the House adjourned until 9:00 a.m.,
41 January 9, 2004.

42
43 Approved:

44
45
46
47 LOLA SPRADLEY,
48 Speaker

49 Attest:

50
51 JUDITH RODRIGUE,
52 Chief Clerk