

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

Second Legislative Day

Thursday, January 13, 2005

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

2

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

4

5 Pledge of Allegiance led by Representative Riesberg.

6

7 The roll was called with the following result:

8

9 Present--63.

10 Excused--Representatives Hefley, Lindstrom--2.

11 Present after roll call--Representatives Hefley, Lindstrom.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Solano, the reading of the journal of  
17 January 12, 2005, was declared dispensed with and approved as corrected  
18 by the Chief Clerk.

19

20

21

22

**CONSIDERATION OF RESOLUTIONS**

23

24 **SJR05-002** by Senator(s) Gordon, Fitz-Gerald, Hillman; also  
25 Representative(s) Jahn, Gallegos, Cloer, Kerr--Concerning  
26 employee salary ranges for the First Regular Session of the  
27 Sixty-fifth General Assembly.

28

29 (Printed and placed in member's file.)

30

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

33

34 **HR05-1003** by Representative(s) Jahn, Gallegos, Cloer, Kerr--  
35 Concerning employees and positions for the House of  
36 Representatives convened in the First Regular Session of  
37 the Sixty-fifth General Assembly.

38

39 (Printed and placed in member's file.)

40

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

43

1 **HR05-1004** by Representative(s) Jahn, Gallegos, Cloer, Kerr--  
 2 Concerning payment of employees for pre-session work  
 3 for the House of Representatives convened in the First  
 4 Regular Session of the Sixty-fifth General Assembly.

5  
 6 (Printed and placed in member's file.)

7  
 8 On motion of Representative Jahn, the resolution was **adopted** by **viva**  
 9 **voce** vote.

10  
 11 **HR05-1005** by Representative(s) Jahn, Gallegos, Cloer, Kerr--  
 12 Concerning the Chaplain position in the House of  
 13 Representatives.

14  
 15 (Printed and placed in member's file.)

16  
 17 On motion of Representative Jahn, the resolution was **adopted** by the  
 18 following roll call **vote**:

19

20	YES	62	NO	03	EXCUSED	00	ABSENT	00
21	Balmer	Y	Curry	Y	Larson	Y	Pommer	Y
22	Benefield	Y	Decker	Y	Lindstrom	Y	Ragsdale	Y
23	Berens	Y	Frangas	Y	Liston	Y	Riesberg	Y
24	Borodkin	N	Gallegos	Y	Lundberg	Y	Rose	Y
25	Boyd	Y	Garcia	Y	Madden	Y	Schultheis	Y
26	Brophy	Y	Green	Y	Marshall	Y	Solano	Y
27	Buescher	Y	Hall	Y	Massey	Y	Soper	Y
28	Butcher	Y	Harvey	Y	May	Y	Stafford	Y
29	Cadman	Y	Hefley	Y	McCluskey	Y	Stengel	Y
30	Carroll, M	N	Hodge	Y	McFadyen	Y	Sullivan	Y
31	Carroll, T	Y	Hoppe	Y	McGihon	Y	Todd	Y
32	Cerbo	Y	Jahn	Y	McKinley	Y	Vigil	Y
33	Clapp	Y	Judd	Y	Merrifield	Y	Weissmann	N
34	Cloer	Y	Kerr	Y	Paccione	Y	Welker	Y
35	Coleman	Y	King	Y	Penry	Y	White	Y
36	Crane	Y	Knoedler	Y	Plant	Y	Witwer	Y
37							Speaker	Y

38  
 39 **HR05-1006** by Representative(s) Jahn, Cloer, Gallegos, Kerr--  
 40 Concerning qualifications for persons serving in certain  
 41 positions in the House of Representatives.

42  
 43 (Printed and placed in member's file.)

44  
 45 On motion of Representative Jahn, the resolution was **adopted** by **viva**  
 46 **voce** vote.

47  
 48 **HR05-1007** by Representative(s) Garcia, Madden--Concerning the  
 49 elimination of the treatment of any measure as postponed  
 50 indefinitely if a motion is made out of order to report the  
 51 measure favorably to the committee of the whole and such  
 52 motion fails to pass.

53  
 54 (Printed and placed in member's file.)

55

1 On motion of Representative Garcia, the resolution was **adopted** by the  
2 following roll call **vote**:

	YES	53	NO	12	EXCUSED	00	ABSENT	00
5	Balmer	Y	Curry	Y	Larson	Y	Pommer	Y
6	Benefield	Y	Decker	Y	Lindstrom	Y	Ragsdale	Y
7	Berens	Y	Frangas	Y	Liston	Y	Riesberg	Y
8	Borodkin	Y	Gallegos	Y	Lundberg	N	Rose	N
9	Boyd	Y	Garcia	Y	Madden	Y	Schultheis	N
10	Brophy	N	Green	Y	Marshall	Y	Solano	Y
11	Buescher	Y	Hall	Y	Massey	Y	Soper	Y
12	Butcher	Y	Harvey	N	May	Y	Stafford	N
13	Cadman	N	Hefley	N	McCluskey	Y	Stengel	Y
14	Carroll, M	Y	Hodge	Y	McFadyen	Y	Sullivan	N
15	Carroll, T	Y	Hoppe	Y	McGihon	Y	Todd	Y
16	Cerbo	Y	Jahn	Y	McKinley	Y	Vigil	Y
17	Clapp	N	Judd	Y	Merrifield	Y	Weissmann	Y
18	Cloer	Y	Kerr	Y	Paccione	Y	Welker	N
19	Coleman	Y	King	Y	Penry	Y	White	Y
20	Crane	N	Knoedler	Y	Plant	Y	Witwer	Y
21							Speaker	Y

22 Co-sponsors added: Representatives Butcher, Marshall, Plant, Pommer,  
23 Ragsdale, Vigil, Weissmann, and Speaker.

24  
25  
26 House in recess.  
27  
28

### 29 JOINT SESSION

30  
31  
32 The Joint Session was called to order by the Speaker of the House,  
33 Andrew Romanoff.

34  
35 On motion of Senator Gordon, the morning roll call of the Senate was  
36 made the roll call of the Joint Session.

37  
38 Present--35.

39  
40 On motion of Representative Madden, the morning roll call of the House  
41 was made the roll call of the Joint Session.

42  
43 Present--65.

44  
45 The Speaker declared a quorum present and as is customary the Speaker  
46 presented the gavel to the President of the Senate to preside over the  
47 session.

48  
49 President Fitz-Gerald requested the Joint Committee, composed of  
50 Senators Isgar and Teck, and Representatives Paccione, Frangas, and  
51 Crane to escort the Governor from the Governor's Chambers to the  
52 rostrum.

53  
54 Chief Sergeant-at-Arms Suman announced the arrival of the Honorable  
55 Bill Owens, Governor of the State of Colorado.

56

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

3  
4 The Joint Committee escorted the Governor from the Chambers.

5  
6 On motion of Representative Madden, the Governor's message was  
7 ordered printed in the House Journal.

8  
9

10 **ADDRESS BY THE HONORABLE**  
11 **Bill Owens**

12

13 Lieutenant Governor Norton, President Fitz-Gerald. Speaker Romanoff, Senator  
14 Salazar, Mayor Hickenlooper, Members of the Cabinet, Honorable Senators and  
15 Representatives, my fellow Coloradans:

16

17 Let me begin by congratulating Colorado's first woman Senate President,  
18 Senator Joan Fitz-Gerald. And let me also congratulate Speaker Andrew  
19 Romanoff, and the leadership teams in both houses. I have appreciated our many  
20 productive conversations since Election Day, and I look forward to working  
21 with each of you.

22

23 We may come from different political parties. And on some issues, we may see  
24 the world a bit differently. But there are major bonds that unite us.

25

26 First, we believe in the importance of public service. In giving something back  
27 to Colorado for the many, many blessings it has given us. We know the  
28 sacrifices that public office require. And we know the deep and lasting  
29 satisfaction such service provides.

30

31 Speaking of public servants, we are joined today by 60 new county  
32 commissioners who are at the Capitol as part of their orientation program. We  
33 welcome each of you and thank you for your service to Colorado.

34

35 Let me mention one other public servant as I begin. I couldn't ask for a more  
36 effective leader to join me at the top of this Administration than Lieutenant  
37 Governor Jane Norton. I'm particularly proud of one of Jane's signature  
38 programs. She's been working to help the 800 children on Colorado's adoption  
39 waiting list. In order to encourage adoption, I urge you to enact the  
40 recommendations of her Committee to Promote Adoption, which would increase  
41 support for adoptive parents and improve the adoption process. And let me  
42 thank Representative Ted Harvey for agreeing to carry this legislation.

43

44 Jane is joined here today by two adoptive parents who are an example and an  
45 inspiration. Pastor Robert Gelinis and his wife, Barbara. They launched an  
46 initiative at their own church called Project One Twenty Seven, which brings  
47 together children who need a family with parents who can provide a loving  
48 home. They not only work in our community to promote adoption, they set an  
49 example by having adopted three young children to join their biological child.

50

51 Would you join me in giving them a warm welcome.

52

53 I also appreciate the work that First Lady Frances Owens is doing on the  
54 Colorado Quarter Project. She wanted me to thank you for all your lobbying  
55 calls. And we're also proud of the work Frances has done on behalf of  
56 developmentally disabled children. Frances, thank you.

1 We are also united by our commitment to public service. And by our  
2 commitment to Colorado. Each of us, regardless of party or belief, comes to  
3 work under this dome with the goal of doing what's best for our great state. This  
4 will be our common goal for the next 119 days.

5

#### 6 Military Appreciation

7

8 There's one more thing that unites us. And that's the respect and gratitude we  
9 have for the men and women who wear America's uniform. As we meet this  
10 morning, thousands of our fellow Coloradans are stationed around the world,  
11 many in harm's way.

12

13 We think this morning of each of the Coloradans who have made the ultimate  
14 sacrifice. Patriots all, they represent the best of Colorado, and we are proud of  
15 them.

16

17 We also honor each Coloradan who has been wounded. Today, we are joined  
18 by one gallant Coloradan who was wounded in action in defense of our country.

19

20 Major Doug Paul of the Colorado National Guard is a veteran of the War on  
21 Terror in Afghanistan and Iraq. Last year, in Balad, Iraq, he was seriously  
22 wounded when a rocket exploded near him. Shrapnel lodged in his neck  
23 dangerously near an artery. Surgeons successfully removed the shrapnel. He still  
24 serves today with the Theater Special

25

26 Operations. Major Paul, thank you for your service. And welcome home.

27

#### 28 Colorado's Economy

29

30 We meet at the dawn of a new year, one filled with possibility, opportunity and  
31 challenge. And, in this new year, we have good news to celebrate.

32

33 Jobs are up, with broad improvement across the economy. Unemployment is  
34 down almost a full percentage point to 5 percent, which is below the national  
35 average. And the forecasters at "Economy Dot Com" project Colorado job  
36 growth in 2005 at 2.8 percent – one percentage point higher than the national  
37 average. In fact, the FDIC believes 2005 will be the best year in Colorado for  
38 new jobs since 2000.

39

40 We expect robust income growth, too. Colorado's per capita personal income  
41 ranks 8th in the nation. We're in the top ten states for personal income growth,  
42 with an expected growth rate of 5.6 percent, up from under 1 percent in 2002.

43

44 The Bloomberg Rocky Mountain News Index, which measures stock  
45 performance of Colorado's public companies, recently hit an all-time high, and  
46 was up 17 percent in 2004. Our state's largest companies have posted huge  
47 gains, putting many of them well ahead of their counterparts across the nation.

48

49 This probably shouldn't surprise us in light of Colorado's national reputation for  
50 economic freedom and a jobs-friendly business climate. Last year, Colorado was  
51 Number One in the North American Index of Economic Freedom, and we  
52 ranked third nationally in new job creation.

53

54 I'm also proud of the fact that our state had the second lowest rate of business  
55 closings.

56

1 Also, investors are betting on Colorado real estate, buying more than \$2 billion  
2 in Colorado commercial property last year – twice the volume of 2003 and  
3 second best in our history.

4  
5 Quality of Life

6  
7 But the good news is not limited to our economy. Colorado continues to lead  
8 the country in quality of life.

9  
10 In a survey by the Scripps Survey Research Institute Center, Denver and  
11 Boulder topped the list as desirable places to live, ranking first and second  
12 respectively.

13  
14 The American City Business Journals rated living conditions in all 3,141  
15 counties in America—and Colorado outperformed all other states. In fact, nine  
16 of the top 50 best counties were in Colorado.

17  
18 Colorado also continues to be among the healthiest states in the country.  
19 Colorado Springs and Denver rank third and fifth, respectively, among America's  
20 fittest cities.

21  
22 That's good news.

23  
24 So, with optimism for the year ahead, and with great pride in Colorado and our  
25 many accomplishments together, I stand before you this morning and report that  
26 the state of our great state is sound.

27  
28 We have a solid foundation in Colorado for the work that is before us in 2005.

29  
30 Economic Development

31  
32 Job creation in the 21st century economy can't be business as usual. Competition  
33 is global, and it's fierce. We must aggressively support Colorado's economic  
34 pillars. Tourism and Agriculture are superb economic generators and we are all  
35 proud of these key industries. We must do all we can to support these vital  
36 Colorado industries.

37  
38 But we must do more. I'm very proud that we have created an innovative  
39 economic development partnership. The Advance Colorado Center is a joint  
40 endeavor between my administration and the University of Colorado. It provides  
41 a common headquarters for business development and industry associations in  
42 key industry clusters. Its focus will be on emerging industries, such as  
43 biotechnology, nanotechnology, alternative energy and photonics. The center  
44 will be a catalyst for Colorado entrepreneurs and a model for the nation.

45  
46 From my first days as Governor, I have stressed the importance of growing our  
47 technology sector. Today, Colorado's technology economy ranks third in the  
48 nation. Our work is indeed paying off.

49  
50 We are also proud of the progress we are making in our aerospace industry.  
51 Lieutenant Governor Norton aggressively worked to expand this vital part of  
52 Colorado's economy. As chair of the Colorado Space Coalition, she's partnered  
53 with leaders in higher education and in our military and civilian space industry.  
54 She 's making great strides in enhancing space education and job creation in the  
55 aerospace field.

56

1 And we are proceeding with the formation of the Colorado Fuel Cell Center,  
2 which is designed to make Colorado a world leader in research, development  
3 and deployment of this cutting-edge technology.

4  
5 We also need new incentives for job creation and business expansion. I thank  
6 Representative Dale Hall for authoring a Job Creation Tax Credit bill.  
7 Companies will earn the credit for each new job they create at a base salary at  
8 least 110 percent of the local county average.

9  
10 As we enact these important tools to create jobs and expand our economy, we  
11 have an opportunity this year to put the lingering effects of the recession behind  
12 us. And stabilize our budget.

13  
14 State Budget

15  
16 You know the numbers. Amendment 23 requires sharply increased spending on  
17 K through 12 education. While federal mandates require sharply increased  
18 Medicaid spending. And common sense requires increased investments in higher  
19 education, transportation and public safety.

20  
21 And it's become fashionable in many circles to blame TABOR for every  
22 challenge Colorado faces. That's not fair. And, worse, it's not accurate.

23  
24 You and I know the facts. The combination of a recession, the terrorist attacks,  
25 a drop in tourism, and the effects of a devastating drought and fire season hit our  
26 budget hard. An unprecedented 16 percent drop in revenue over two years.

27  
28 At the same time, we were required to greatly increase K-12 and Medicaid  
29 spending.

30  
31 During this period, Colorado lacked the revenues to even reach the TABOR  
32 spending limits, much less give a refund to taxpayers. So TABOR hasn't been  
33 the reason for cuts. Until this coming fiscal year.

34  
35 General Fund dollars available under TABOR -- after paying required  
36 Amendment 23 and Medicaid expenses -- will not keep pace with the demands  
37 on the budget. As a result, we cannot take the steps we must take to build a  
38 brighter future for all of Colorado, and particularly our children.

39  
40 We can overcome this challenge this year with the plan I'm proposing -- a plan  
41 that addresses our real needs.

42  
43 First we need to take the common-sense step of using the specific provisions of  
44 TABOR to address Colorado's investment needs. It respects the fact that every  
45 dollar in the budget belongs to hard-working Coloradans. So let's ask the  
46 taxpayers' permission to keep some of the available TABOR surplus.

47  
48 Local governments have used this provision in TABOR. And voters have  
49 responded. The key is to let taxpayers know specifically what the funds will be  
50 used for.

51  
52 My plan would guarantee an investment of at least \$100 million per year to bond  
53 for transportation programs, creating a \$1.7 billion bond issue. It will help  
54 accelerate a number of badly needed projects, and enable us to start on new  
55 projects across the state.

56

1 These funds would also help increase Colorado's investment in higher education  
2 and public safety – programs that are at risk if we do not act.

3  
4 This plan also proposes tax relief for working families. It makes little sense to  
5 have the state collect money from Coloradans to only then turn around and give  
6 it back. So we should take a common-sense step to prevent the government  
7 from collecting dollars it can't use. Let's roll the personal income tax rate back  
8 to 4.5 percent.

9  
10 And let me be clear about what this plan does not do. It does not eliminate  
11 spending caps. It does not eliminate the right to vote on tax increases. It does  
12 not erase accountability to our taxpayers.

13  
14 It does not gut TABOR. It preserves TABOR as a protection for Colorado  
15 taxpayers.

16  
17 That's my plan.

18  
19 Good ideas from both sides of the aisle to solve Colorado's fiscal challenges in  
20 the short term and the long term. I urge you to pass this plan quickly, and let's  
21 send it to voters this year.

22  
23 This plan will help create a predictable funding stream for our colleges and  
24 universities. But that's only part of the challenge we face in improving Colorado  
25 higher education, and opening its doors to more young people.

26  
27 Higher Education

28  
29 This year, we must address the Colorado Paradox. We have more college  
30 degrees per capita than any state. Yet we lag the nation in the percentage of  
31 students who go on to higher education.

32  
33 To address this need, I ask you to create Colorado Achievement Scholarship  
34 program. This program will help needy families make college a reality for their  
35 children. It tackles two of the toughest barriers to college access: lack of  
36 academic preparation and money to pay for college. Thanks to Senator Abel  
37 Tapia and Representative Dale Hall for carrying this legislation.

38  
39 Let's also enact common-sense legislation sponsored by Representative Jerry  
40 Frangas and Senator Paula Sandoval that would require schools to notify parents  
41 if their son or daughter fails to register for a pre-collegiate curriculum. The  
42 parents could then ensure that their children are enrolled in the right curriculum.

43  
44 We have one other agenda item for higher education, and it's vitally important.  
45 Colorado is blessed with world-class institutions. I'm proud that Nobel laureates  
46 choose to teach at the University of Colorado. And that CU produces more  
47 astronauts than any other university in the nation. One of our children attends  
48 Colorado State. From our community colleges to private colleges and  
49 universities to our public research institutions, we have much to be proud of.

50  
51  
52 But the public needs to have trust and confidence in these institutions. This year,  
53 we must open the books on the financial dealings of our universities. Creating  
54 a non-profit foundation to support the university's mission is a good thing. But  
55 the spending at those foundations must be transparent. We must enact  
56 legislation, this year, to make the expenditures of public university foundations

1 open records under Colorado law. I thank Senator Ron Tupa and Representative  
2 Matt Knoedler for carrying this important bill.

3

4 Together, we've shown we can take the smart and tough steps needed to  
5 improve education. It's a success story that Democrats and Republicans should  
6 be proud of.

7

8 K-12 Education

9

10 I want to spend a few minutes this morning to remind us all of how far we've  
11 come – together – in school reform in Colorado. And why we must sustain this  
12 momentum.

13

14 It's taken two governors. And both of my terms. It's taken the support and hard  
15 work of parents, educators and business leaders throughout Colorado.

16

17 When we passed these reforms, we asked educators and parents to give this bold  
18 change a chance. To let us put it in place, and let it work. They did. And it did.

19

20 \* Since we passed the legislation requiring accountability and standards:  
21 114 more schools are rated Excellent and High since the 2001-2002  
22 school year, with almost 51,000 more students are now attending  
23 schools rated Excellent or High.

24

25 \* 65 fewer schools are rated Low, representing 55,000 students.

26

27 \* There are 32 fewer schools rated Unsatisfactory, meaning that more  
28 than 7,000 students are no long attending unsatisfactory schools.

29

30 That's not all. Recent national education surveys place Colorado schools first in  
31 the nation for having the best learning climate in the country. We're also best in  
32 the nation in complying with federal requirements to put a highly qualified  
33 teacher in every classroom, and we are second best out of the 50 states in  
34 educating children challenged by poverty and other social barriers.

35

36 Friends, this is real progress – progress that is due to an accountability system  
37 that points out challenges and rewards achievement. It is also due to the teachers  
38 and administrators working in our schools who have embraced standards and  
39 accountability.

40

41 Let me give special thanks to one of Colorado's most effective school  
42 administrators who has worked tirelessly to make our accountability system a  
43 success. Dr. Dwight Jones, superintendent of Fountain-Fort Carson school  
44 district, leads a district with a large number of its students having at least one  
45 parent in the military and away at war. The population is very transient. And  
46 Doctor Jones hasn't let tough challenges deter him.

47

48 One of his schools – Abrams Elementary – has 44 percent of its students eligible  
49 for free or reduced-price lunch. Nearly half of the students are minority children.  
50 And 57 percent have at least one parent in the military, many of whom are  
51 serving our nation overseas.

52

53 Check out these results. In fourth grade reading, Abrams went from 30 percent  
54 proficient and advanced in 1998 to 74 percent in 2004. That's a boost of 147  
55 percent for those of you who weren't math majors. And that's 136 percentage  
56 points ahead of the state average.

1 Dwight Jones is here with us today on the House floor. And in the gallery, we  
2 are joined by his wife, Jennifer Jones, and by four of his best administrators.  
3 Please welcome Dr. Precious Broadnax and her assistant principal Sue Freeburg  
4 from Abrams Elementary and Kathy Van't Hul and her assistant principal Jason  
5 Crow from Patriot Elementary. Thanks for all you do for Colorado's children.  
6  
7 There is no more powerful an advocate for quality education than a parent  
8 armed with facts. With solid information, moms and dads can have a real  
9 dialogue with teachers. And they can compare the performance of schools to  
10 chart the best course for their children.  
11  
12 This morning, I want to make one point crystal clear.  
13  
14 This accountability system works. That's what we're seeing in the numbers. And  
15 that's what teachers and parents are telling us.  
16  
17 Some may believe that 2005 is the year to slow down our testing program, or  
18 weaken our accountability system. They would be wrong. I will oppose any  
19 effort to weaken our reforms or take tools out of the hands of our parents and  
20 teachers. We will not turn back.  
21  
22 Health Care  
23  
24 Providing quality education is one way Colorado is helping our children.  
25 Improving access to quality health care is another.  
26  
27 Last year, voters approved an initiative that will inject \$175 million in new  
28 dollars into our budget. These new dollars give us the chance to expand health  
29 care services to some of Colorado's most vulnerable citizens, including our  
30 poorest children. And to take long overdue steps to reform some of our public  
31 programs.  
32  
33 Since I have been governor, I have made the expansion of the Child Health Plan  
34 Plus, or CHIP PLUS, a major priority. We have made more families eligible.  
35 And we have included additional services, including pre-natal care and dental  
36 care.  
37  
38 I propose that we use a portion of these funds to provide CHIP PLUS coverage  
39 to thousands of Colorado children.  
40  
41 We also have an opportunity to address a gap in Medicaid. Every year, hundreds  
42 of Colorado women under the age of 40 are diagnosed with cancer but are  
43 ineligible to receive treatment. Let's use these dollars to make them immediately  
44 eligible for treatment.  
45  
46 Improving the accessibility and availability of health care in Colorado is a key  
47 opportunity we can address with these dollars. I applaud legislation sponsored  
48 by Senator Groff, Representative Marshall and Representative Hoppe that will  
49 address underserved populations.  
50  
51 Another underserved population lives in rural Colorado. For many families, even  
52 routine care can be hundreds of miles away. Fortunately, technology is  
53 advancing so rapidly that we can use telemedicine to bring modern care to rural  
54 communities. A world-class cancer specialist in Denver can diagnose a patient  
55 outside Delta. An obstetrician in Colorado Springs can help a woman on the  
56 Eastern Plains who's having a tough pregnancy.

1 I propose that we devote \$3 million this year to rural health care initiatives,  
2 including a telemedicine pilot project for rural Colorado.

3  
4 Today, only one in four women eligible to receive screenings for breast and  
5 cervical cancer get those screenings. We must increase that percentage.

6  
7 There is much more we can do with these dollars. Expand screenings for  
8 diabetes, high blood pressure and cholesterol levels, and colorectal cancer.

9  
10 Let me inject a word of caution ...\$175 million is a lot of money. And the  
11 temptation is to spend it. To spend it all now. And to spend it all fast. That  
12 would be a huge mistake.

13  
14 Why?

15  
16 We know from the experience of other states that tobacco tax revenue drops  
17 over time. Economics tell us that higher taxes will cause people to quit smoking.  
18 And the programs we will invest in will cause more to quit. Those are both very  
19 good outcomes. Consumption in New Mexico dropped by more than a third in  
20 six months. And, in Wyoming, it dropped 73 percent over the same period.

21  
22 This drop in consumption of course, reduces revenue.

23  
24 That's why we must adopt a plan that is sustainable. I propose that we set aside  
25 \$45 million the first year to create a Trust Fund to help support program  
26 expansions in the future. And, equally important, protect the General Fund from  
27 additional burdens in the years to come. We all know what happens to the  
28 budget when voter initiatives require spending that our revenues can't sustain.  
29 Let's learn from our past experiences.

30  
31 This plan is responsible. It is achievable. It is sustainable. And it will accomplish  
32 many important goals for the health of our fellow Coloradans.

33  
34 Colorado's Environment

35  
36 In 2004, we took a giant step forward to conserve our state's unique and  
37 treasured open spaces, to allow countless Coloradans to enjoy this land for  
38 generations to come. In December, our investment in open space grew by  
39 historic proportions with Great Outdoors Colorado investing \$60 million in 18  
40 projects statewide to preserve more than 80,000 acres. During our  
41 administration, GOCO has invested, on average, more than \$14 million annually.  
42 That's helped us preserve nearly 360,000 acres over the past five years. I'm  
43 proud of the legacy we're leaving for our citizens, our economy and our  
44 environment.

45  
46 State agencies have found that there are many business practices that both save  
47 money and are good for the environment. For example, the Colorado  
48 Department of Public Health and Environment installed energy efficient lighting  
49 that has already saved about \$100,000. And it reduced annual energy usage by  
50 1.2 million kilowatt hours. We will spread this "greening government" initiative  
51 throughout the executive branch.

52  
53 Water

54  
55 A remaining environmental challenge is water.

56

1 Since 1988, the Legislature has introduced 23 out-of-basin water transfer  
2 proposals. All failed. Yet the need for real solutions remains. This year, we have  
3 a chance to enact lasting solutions to benefit all of Colorado.

4  
5 I am proposing that the General Assembly pass legislation creating Inter-Basin  
6 Water Compacts between the various water basins. These would be long-lasting  
7 consensus agreements, similar to the Colorado River Compact between  
8 Colorado and our neighboring Western states.

9  
10 This plan has been crafted by one of Colorado's most respected leaders, former  
11 Speaker Russ George, who today leads the Department of Natural Resources.  
12 Let me thank Senator Abel Tapia and Representative Josh Penry who are  
13 carrying this innovative plan.

#### 14 15 Public Safety

16  
17 Our environment is only one aspect of our world-class quality of life. Public  
18 safety is another. We have worked together to make Colorado safer from  
19 terrorism and to crack down on crime and illegal drugs.

20  
21 I am proud to welcome a new member to our state law enforcement team in  
22 Colorado. Following the election of Attorney General Ken Salazar to the United  
23 States Senate, I looked for a respected, seasoned prosecutor to fill Ken's shoes.  
24 I found that man in John Suthers. He is experienced. He is fair. And he will  
25 make us all proud as he works to protect the people of Colorado. I urge the  
26 Senate to quickly confirm him as our next Attorney General.

27  
28 Please welcome John Suthers.

#### 29 30 Conclusion

31  
32 Throughout this session, we will have successes to celebrate. And – let's face it  
33 – some disagreements to work through.

34  
35 Ladies and gentlemen, of the more than 100 elected officials in this Chamber this  
36 morning only two of us, myself and Senator Lew Entz have been here since  
37 1982. And we're still here.

38  
39 We've seen a lot in these 23 years. And during all twelve years I served in the  
40 House and Senate, we had a Republican majority with a Democratic governor.  
41 Yet as a Republican I was able to pass – and have Democratic governors sign  
42 – important legislation. E470. Charter schools. A complete re-write of our child  
43 abuse statutes. Tort reform.

44  
45 I enjoyed working with my friends Dick Lamm and Roy Romer to enact good  
46 laws. So I'm optimistic that we will work well together and have a very  
47 productive session.

48  
49 But I'll also tell you that I had some bills vetoed. People of good will disagree  
50 sometimes. These vetoes came because the Governor disagreed with my bills.  
51 And you will have some bills vetoed. But my pledge is, when we do disagree,  
52 we'll do it without being disagreeable.

53  
54 However, we all must draw lines. I agree with President Reagan who once said,  
55 "We will compromise. But we will not compromise our basic principles." I  
56 won't, either.

1 Colorado is a leader in tort reform. We will not retreat.  
2  
3 Colorado is a leader in common sense workers' compensation policy. We will  
4 not retreat.  
5  
6 Colorado is a leader in school choice, charter schools and home schooling. We  
7 will not retreat.  
8  
9 Colorado is a beacon, a safe haven from Internet taxation. We will not retreat.  
10  
11 So if you ask me to compromise on principle, I will get out the veto pen. And,  
12 just as I did with Governors Lamm and Romer, I hope that we will disagree as  
13 friends and as Coloradans.  
14  
15 Ladies and gentlemen, we all sometimes believe that this gold dome, and what  
16 happens underneath it, is the center of the universe.  
17  
18 But guess what? It isn't.  
19  
20 Make no mistake. The work we will do here over the course of these 120 days  
21 is important for Colorado's future.  
22  
23 But there are also lives being lived outside this Capitol, with great acts of  
24 character and courage. And these stories help us keep our perspective in the  
25 months that lie ahead.  
26  
27 Let me tell you about Matt Casias.  
28  
29 On a crisp Thursday afternoon last October, Matt was working at his print shop  
30 on Santa Fe Drive. He looked out his window and saw a woman being mugged.  
31 Three men were assaulting her, struggling with her for her purse.  
32  
33 That was all Matt needed to see. He jumped up, ran into the street and in the  
34 words of one of his workers, "just barreled into the guy."  
35  
36 He stopped the mugging. Brenda Turner was safe. And Matt was shot in the  
37 chest.  
38  
39 He's on the mend. And this split-second heroic decision might tell us all we need  
40 to know about this man.  
41  
42 But there is much more.  
43  
44 He's an entrepreneur, who started his business – Power Imaging – just about a  
45 year before. And, like many small business people, he had no health insurance.  
46  
47 Understand this. He ran into the middle of a mugging, and went after armed  
48 attackers, with no concern about his own health.  
49  
50 He's a single Dad, whose daughter is named Faith.  
51  
52 He'd had a scrape with the law as a teenager, and didn't want other young people  
53 to repeat his mistakes. So he turned part of his business into a boxing gym, to  
54 give young men a way to build character, and provide an oasis in a culture that  
55 sometimes offers dangerous choices.  
56

1 This morning, I am proud to present Matt Casias with the Governor's Medal of  
2 Valor. Not simply for his actions in saving Brenda, but for all he does for his  
3 family, his community and for Colorado. He is an example for all of us.  
4

5 In the early 20th century, British Prime Minister David Lloyd George said,  
6 "What is our task? To make Britain a country fit for heroes to live in." Heroes  
7 like Matt Casias. And the members of the Colorado National Guard, like Major  
8 Doug Paul, who serve us at home and abroad. The educators, like Dwight Jones  
9 and his staff, who work everyday in our classrooms. The moms and dads of  
10 Colorado  
11

12 Friends, this is our charge, our task, in 2005. Together, we must work to make  
13 Colorado stronger, and more prosperous. We must open new doors to our  
14 young, and create new opportunities for Colorado families. We must make  
15 Colorado a beacon, a "fit place" for heroes – like Matt Casias – to call home.  
16

17 Thank you. God bless all of you. And may God bless Colorado and the United  
18 States of America.  
19

20  
21 On motion of Senator Gordon, the Joint Session was dissolved.  
22

23  
24 House reconvened.  
25  
26

## 27 28 **PRINTING REPORT** 29

30 The Chief Clerk reports the following bills have been correctly printed:  
31 **HB05-1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070,**  
32 **1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081,**  
33 **1082, 1083, 1084, 1085, 1086.**  
34

## 35 36 37 **MESSAGE FROM THE SENATE** 38

39 Madam Speaker:  
40

41 The Senate has adopted and returns herewith: HJR05-1005.  
42  
43

## 44 45 46 **INTRODUCTION OF RESOLUTION** 47 **First Reading** 48

49 The following resolution was read by title and laid over one day under the  
50 rules:  
51

52 **HJR05-1007** by Representative(s) Carroll T., Marshall; also Senator(s)  
53 Groff, Jones--Concerning the commemoration of the  
54 birthday of the Reverend Dr. Martin Luther King, Jr.  
55  
56

1 On motion of Representative Sullivan, the House adjourned until  
2 9:00 a.m., January 14, 2005.

3

4

Approved:

5

6

7

8

ANDREW ROMANOFF,  
Speaker

9

10 Attest:

11

12 MARILYN EDDINS,  
13 Chief Clerk

14