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EXECUTIVE ORDER

PROCLAMATION
CALL FOR THE SECOND EXTRAORDINARY SESSION OF THE SIXTY-FIRST
GENERAL ASSEMBLY

- WHEREAS, Section 9 of Article IV of the Constitution of the State of Colorado provides that the Governor may, on extraordinary occasions, convene the General Assembly by proclamation, and Section 7 of Article V of the Constitution provides that the General Assembly shall meet at other times when convened in special session by the Governor; and
- WHEREAS, state revenues for Fiscal Year 1997-98 exceed spending limits imposed by Section 20 of Article X of the Constitution of the State of Colorado ("TABOR") by \$ 561,977,473 and other surpluses are projected for future fiscal years; and
- WHEREAS, TABOR requires that an excess shall be refunded in the next fiscal year and current law does not provide for a refund plan; and
- WHEREAS, TABOR provides no clear guidelines as to the method of refunding the excess, but provides that the state may use "reasonable methods" for a refund; and
- WHEREAS, in the opinion of the Governor, an extraordinary occasion has arisen as a result of the need to determine how the TABOR excess revenues shall be refunded.

NOW THEREFORE, I Roy Romer, Governor of the State of Colorado, convene the Sixty-first General Assembly with this proclamation and summon the members of the Sixty-first General Assembly to meet in Special Session at the State Capitol, in the City and County of Denver, on the 14th day of September, 1998, at 10:00 a.m. and designate the following subject for the Assembly's consideration and appropriate legislative action:

1. Concerning the refund of state revenues which exceed the limitations imposed by Section 20, Article X of the Colorado Constitution, for any or all state fiscal years commencing on or after July 1, 1997 and ending no later than June 30, 2002, in a method that includes a flat dollar amount per eligible individual or entity which may vary according to income category, either solely or in combination with a temporary tax rate reduction, but which does not include the temporary elimination of any tax or taxable income, and making an appropriation in connection therewith.

GIVEN under my hand and the
Executive Seal of the State of

Colorado
this 17th day of Day of August, 1998.

Roy Romer
Governor