



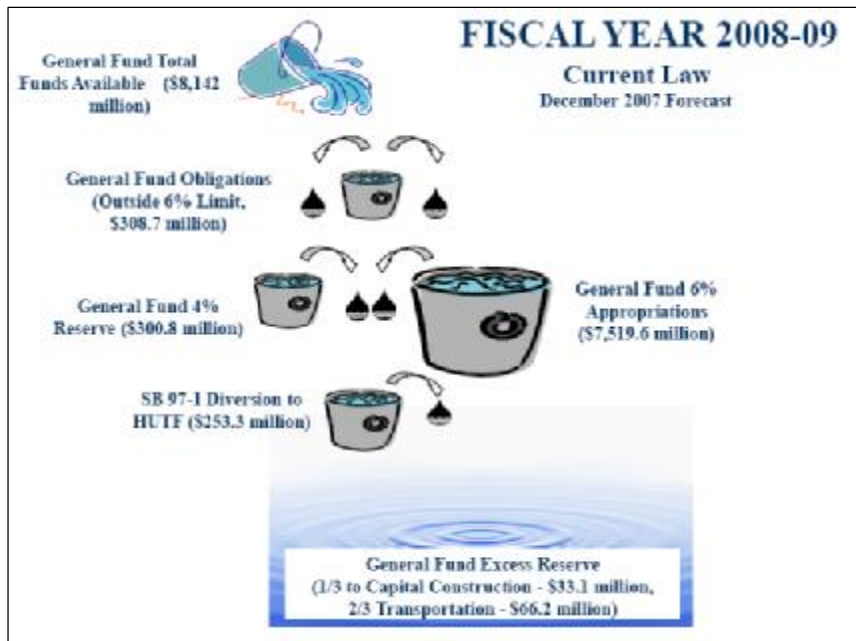
March 24, 2008 **LL #6:43**

2008-09 REVENUE FORECAST

On March 20, Mike Mauer, Chief Economist for the non-partisan Colorado Legislative Council, presented the Revenue Forecast for the 2008-09 budget. The bad news: revenue is down, and Colorado currently has a slower than usual job growth. The good news is that at present the Colorado economy is stronger than the rest of the nation.

The mining/extraction industries and tourism are helping. Colorado is still an attractive place to visit. High tech industries also help because of high-paying jobs. Sales taxes have decreased a little, and individual income tax forecasts are down, but an increase in corporate income taxes helps. Severance taxes are up, but revenue from gambling is down.

Referendum C allows the state to retain all revenue through FY 2009-10. After that the General Fund will begin with a new cap for retaining revenue, and we will be back to TABOR as we know it. There could be refunds again, but because revenue forecasts for the future are not growing as fast as expected there probably will not be a TABOR refund until 2011-12. This may also affect the General Fund surplus that is revenue over and above the 6% GF spending limit. If there is a surplus, the first funds must go to fill the 4% reserve and then the SB 1 diversion to the Highway Users Trust Fund (HUTF). If there is any left, it will be divided two-thirds to Transportation and one-third to Capital Construction.



Source: Mike Mauer, Colorado Legislative Council; estimated figures reported in article are more recent ones.

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How much additional revenue did Referendum C yield? We are now forecast to have gained \$5.8 billion over the five-year time-out. The original calculation was \$3.7 Billion. Increases in cash funds (fees) created the big difference. Because growth in the economy outpaces inflation plus population over time, it is anticipated that the state will have TABOR refunds in the future.

The Long Bill (as the budget is known) will be introduced March 24 in the House of Representatives. When it finally passes in about two weeks we will give you the bigger picture.

Phyllis Horney, 303.771.6683

GOVERNMENT

CONGRESSIONAL REDISTRICTING

NEW **SB 198 Congressional Redistricting Requirements (Sen. Gordon) (support)** directs the General Assembly, in creating congressional districts, to not favor or discriminate against any political party or group, to create competitive districts wherever practicable, to conduct at least 12 public hearings throughout the state on proposed redistricting plans, to make redistricting data and mapmaking tools available to the public in at least one location in each congressional district, and to allow the public to submit inquiries and recommendations for redistricting maps.

League has been a strong supporter of the process through which the state house and senate districts are reapportioned. Because the Reapportionment Commission works well (though not always harmoniously), we have long supported expanding its mission to redistricting for congressional districts as well. Many current conditions suggest that such a drastic change is not feasible this year. By putting in statute the criteria by which redistricting will be done by the legislature, the bill keeps the process there, but may help to avoid the kind of gerrymander of 2003. Most important, we think, are the bill's provisions for public education and involvement. League looks forward to an active role in helping the citizens of Colorado make input into the process. The bill is scheduled for hearing in Senate State, Veterans & Military Affairs on March 24.

Pat Johnson, 303.494.5139

JUSTICE SYSTEM

JUDICIAL PERFORMANCE EVALUATIONS BILL FINALLY MOVING

After spending several weeks waiting for Appropriations hearing, **SB 54 Judicial Performance Evaluations (Sen. Shaffer; Rep. T. Carroll) (support)** is

finally moving along. This measure reauthorizes the Judicial Performance Evaluation process, revising the performance evaluation criteria to be more consistent and more relevant to the job of judging, and making the process more transparent to voters who must decide to retain or not retain judges. Senate Appropriations approved the measure on a vote of 8-0-2 (excused: Harvey and Keller), and the full Senate gave preliminary approval on March 20. We expect the Senate to give final approval and the House to consider it in the next couple of weeks. Previously reported in LL #2, p. 8, and LL #3, p. 18.

Christine Watson, 303.250.1796

PRESERVE DNA EVIDENCE

HB 1351 Retention of DNA Evidence (Reps. Jahn & King; Sens. Kopp & Boyd) (support) was heard in House Judiciary March 13 and tabled after lengthy testimony. The bill was a result of the Governor's task force on DNA evidence and recommended that state law be changed to require retention of DNA evidence involving newly committed criminal offenses. Testimony by trial lawyers and the Innocence Project (which has helped free 215 wrongfully convicted prisoners nationally) criticized the bill for applying the law to future cases only and not past cases (an issue the task force apparently did not address, presuming past cases would be included) and for allowing only a short time period for preserving DNA in felony classes 2 through 6. Negotiations on the bill are ongoing. Previously reported: LL #5, p. 37.

Marilyn Shuey, 303.863.0437

JUDICIAL REMEDIES TO PRESERVE EVIDENCE

NEW **SB 205 New Trial For Destroying Evidence (Sens. Gordon & S. Mitchell; Reps. King & Jahn) (support)**. Current law provides no duty to preserve DNA evidence. This bill requires the court to

grant a new trial when material evidence subject to a preservation order or an order for release and testing is lost or destroyed. It would remedy an injustice done to a wrongly convicted person, particularly in the case of Clarence Moses-El whose DNA was destroyed despite a court order requiring it be saved for testing.

District attorneys and victims advocate groups argued the bill is too broad and deprives victims of closure. Senate Judiciary Committee passed it to the Committee of the Whole on a party-line vote of 4-3. Voting Yes: Bacon, Boyd, Gibbs, Shaffer. Voting No: Penry, Renfroe, Ward. Interestingly, both Renfroe and Ward are among the 26 Senate sponsors (24 Senate votes are required to overturn a veto). The bill also has 56 House sponsors (44 required to overturn a veto).

Marilyn Shuey, 303.863.0437

JUVENILE JUSTICE

MENTAL HEALTH SERVICES FOR JUVENILE OFFENDERS BILL PROGRESSES IN SENATE

HB 1016 Juvenile Justice Mental Health Process (Rep. Solano; Sen. Boyd) (support) passed 2nd reading in the Senate on March 20. The bill's purpose is to make mental health evaluations of children in the juvenile justice system easier to obtain and to include mental health treatment in dispositions for children who require these services.

This bill was amended in the Senate Judiciary Committee to allow each judicial district to set up a committee to make recommendations to the Chief Judge of the District on how to implement this bill. The plans must be submitted by July 1, 2009, and the bill will take effect on July 1, 2010, but may be implemented earlier if the Chief Judge of any district determines there is a plan that can be implemented earlier.

The Judiciary Committee also eliminated a House amendment that allowed information from the evaluations to be used as evidence of guilt, if the juvenile "places his or her mental health at issue." This change will require agreement by the House. Previously reported: LL #2, p. 9.

Frank Bennett, 303.757.2930

JUVENILE RESTORATIVE JUSTICE BILL PASSES SENATE

HB 1117 Juvenile Restorative Justice Programs (Rep. Merrifield; Sen. Morse) (support) sailed smoothly through the Senate with no amendments. It passed 3rd reading in the Senate on Mar. 14 by a vote of 33-0 with Senators Groff and Renfroe excused. Previously reported in LL # 2, p. 9, and LL # 4, p. 29.

Carla Bennett, 303.757.2930

VOTING RIGHTS

ELECTIONS: THE WAIT IS OVER

Since the decertification of the voting machines in 53 of Colorado's 64 counties was announced on December 17, 2007, county clerks and the public have waited with baited breath to learn how this year's elections will be conducted. While there was a movement by the clerks and recorders to mandate all mail-in ballots, the Governor and bipartisan legislators recommended on January 23 that the form of elections be all paper/polling place. In the meantime, HB 1155 was passed, which allowed the Secretary of State to test voting machines that had been decertified to see if the vendors or clerks had addressed the problems that had caused the voting machines to be decertified in the first place.

It took until March 20 for **SB 189 (Sen. Gordon and McElhany; Rep. May and Madden) (support)** calling for **all-paper ballots** to be introduced, heard, and ultimately PI'd in Appropriations by a vote of 8-1, despite a last-minute attempt to increase funding to cover the cost of paper elections. The county clerks played no small part in defeating the bill, and are now in the position of conducting their elections as they wish ... albeit with a three months' loss of time. Let's keep in mind, however, that the provisions of HB 1155, which allowed the recertification of machines, are only in effect through the elections of 2008 and 2009. Additionally, there is a potential threat that the group that filed and won the lawsuit in 2006 that brought about the whole decertification process may reappear. We sincerely hope this eventual solution will assure smooth, uneventful elections in August and November, as Colorado is very much on the nation's radar screen for this year's upcoming cycle.

Carol Tone, 303.377.3746

NEEDED OR NOT?

HB 1329 (Rep. Marshall; Sen. Gordon) (support) is the bill that would **clarify and extend the active status for registered voters** (see LL #5, p. 37). The bill passed in the House on Feb. 27 and was sent to Senate State, Veterans, and Military Affairs Committee on March 3, where it languished awaiting the outcome of SB 189. It is up for hearing in that committee on March 24. Without the prospect of an all-mail election at this time, perhaps this legislation is not necessary.

Carol Tone, 303-377-3746

NATURAL RESOURCES

WATER

WATER BILL UPDATES

HB 1241 CO Watershed Protection Fund Check off (Rep. Scanlan; Sen. Schwartz) (support) has been sailing through the legislative process. This changes the title of the tax check-off so that citizens in Colorado who submit tax returns will more easily identify the reason for the check-off. It was heard in Senate Finance on March 13 and sent to Appropriations.

HB 1280 Protect Leased In-Stream Flow Water Rights (Rep. Fisher, Sen. Schwartz) (support) would allow water rights holders to lease or temporarily donate water rights to the Colorado Water Conservation Board. This type of measure has been gaining more favorable acceptance to enhance water flows for wildlife and habitat. It was heard in Senate Ag on March 20 and passed to the whole with amendments. The vote was 6-0, with Taylor excused.

Jeannette Hillery, 303.494.7718

SOCIAL POLICY

CHILDREN AND FAMILIES

SCHOOL TRANSFERS FOR FOSTER KIDS

HB 1019 Transfer Education Records of Foster Children (Rep. Casso; Sen. Sandoval) addresses the transfer of educational records when a change of placement requires the foster child to change schools

or school districts. The bill also extended its provisions to children who were moving home after a stay in foster care. It requires the school or school district to provide a position in the school or school district whose duty it is to expedite the transfer of records. The bill was passed by the House and on March 13 and was heard in the Senate Education Committee. The Committee amended the bill to require the receiving school to admit the child regardless of whether he or she submits a certificate of immunization with the school records. The committee vote was unanimous (6-0; Penry excused) in favor of advancing the bill to the Committee of the Whole.

For children in foster care, changing placements is traumatic. Anything that helps to smooth that process helps the children adjust. Foster children themselves suggested this change, recognizing that removing barriers to entering a new school is one less bump in changing placements or going into foster care.

Roberta Twyman, 303.377.9193

EDUCATION/HIGHER EDUCATION

CHALLENGES AND CHANGES IN SCHOOL ACCOUNTABILITY RATINGS BILL

NEW **HB 1186 No Penalty For Students Missing CSAPs (Rep. Solano; Sen Windels) (watch)** was introduced in the House on Jan 17. As initially written, the bill proposed to delete from calculations related to school district accreditation and from the reporting of CSAP performance for each public school the “scores” for students who were absent during the testing period, as well as for all students in a class where testing guidelines were not accurately followed. Current statutes require that these students receive a score of zero and their “scores” are included in the formula that determines the rating for the School’s Accountability Report (SAR). The bill also prohibited a school district or a school from penalizing a student who is absent on the days that the CSAPs are administered.

Discussion in the Feb. 11 hearing by the House Ed Committee focused on a major addition to the bill proposed by the House sponsor. A legislative declaration (almost two pages added as Section 1) reviewed the original legislation related to SARs passed in 2000, including a brief overview of the formula for calculating school performance ratings (e.g., “scores” of zero are “unsatisfactory” for proficiency level and thus receive a weighting of -0.5 in the formula calculating the

rating for the SAR). The amendment clarified that the proposal to exclude from school rating calculations the scores of students in classes where guidelines had not been followed applied only to situations where an inadvertent error had been made in the administration of a CSAP test. It also included extensive discussion regarding the rights of parents to make decisions for their children, including keeping them at home during CSAP testing. The declaration stated that the current method of calculation unfairly penalizes a school for students who are absent and for an inadvertent error that might occur in test administration. It concluded that simply excluding these students (i.e., those who are absent or in classes where an administration error occurred) would make the calculation of school ratings a more accurate reflection of the overall academic performance at the school.

Many witnesses gave testimony at the hearing, including many parents and representatives from school districts, various education organizations, and CDE. Strong feelings were expressed with almost as many statements in opposition as there were in support of HB 1186. Some of the concerns expressed were the same as concerns discussed by LWVCO Legislative Action Committee (LAC). Not counting students who are absent could increase the number of parents/students who choose not to take CSAP tests (leading to a limited set of results) and not counting students in classes where errors were made in test administration could lead to “inadvertent” errors being made in classes of lower performing students. On the other hand, it does not seem fair for the performance ratings of schools to be lowered due to zero “scores” for students in these situations (sometimes very capable students). Thus, the decision of LAC was to take a watch position on HB 1186.

After making some changes in wording, House Education approved without objection the addition of the new Section 1. The motion to refer the amended bill to the House floor was approved 9-4 (voting No were C. Gardner; Rose; Summers and Witwer). HB 1186 passed 2nd reading on Feb. 15 with the amendment added by the Ed Committee plus another amendment added from the floor by C. Gardner (related to an exception if statewide participation fell below 97%). The vote at 3rd reading on Feb. 18 was 53 in favor, 11 opposed, and 1 absent.

After introduction in the Senate on Feb. 20, HB 1186 waited for a hearing by Senate Education until Mar 20. An amendment proposed by the Senate sponsor resolves some of the concerns that have been raised. The calculation of school performance rating would continue using the formula in current statutes. If a

school’s overall academic performance rating is reduced due to student absences or an inadvertent error in test administration, however, the school would have the opportunity to explain the rating. CDE would be required to determine whether the school would have received a higher rating if the calculations had not included students who received “scores” of zero due to absence, incomplete tests, or administration errors, and to notify a school if that situation occurs. The school district or charter school, at its own expense, may include with the distribution of the Accountability Report an explanation of how the performance rating was lowered due to the inclusion of zero “scores.” As amended, HB 1186 was passed by Senate Education on a 4-3 vote along party lines (voting No were Kopp, Penry, and Spence) and referred to the floor for 2nd reading.

Catherine Felknor, 303.494.7199

House vote, HB 1186

	YES	53	NO	11	EXCUSED	01	ABSENT	00
Balmer	Y		Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y		Garza-Hicks	Y	Marostica	N	Roberts	Y
Borodkin	Y		Green	Y	Marshall	Y	Rose	N
Bruce	N		Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y		Jahn	Y	May	Y	Solano	Y
Butcher	Y		Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y		Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y		Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y		Kerr J	N	McNulty	N	Stephens	N
Curry	Y		King	N	Merrifield	Y	Summers	Y
Ferrandino	Y		Labuda	Y	Middleton	Y	Swalm	Y
Fischer	Y		Lambert	Y	Mitchell	N	Todd	E
Frangas	Y		Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y		Liston	N	Pommer	Y	Weissmann	Y
Gallegos	Y		Looper	N	Primavera	Y	White	Y
Gardner B	N		Lundberg	Y	Rice	Y	Witwer	Y
							Speaker	Y

CAPITAL CONSTRUCTION OF PUBLIC SCHOOLS MOVES TO SENATE

HB 1335 Building Excellent Schools Today (BEST) (Rep. Romanoff; Sen. Groff) (support) completed its journey through the House (see LL #5, p. 39 for initial description). It passed 2nd reading March 13 with amendments that had been added by the Education and Appropriations committees, plus an additional amendment proposed by Rep. Romanoff on the House floor. The new amendment requires the applicant to provide a description of the condition of the facility at the time it was purchased or constructed, and if not adequate at that point, the rationale for purchasing or constructing at that time. The 3rd reading vote on March 14 was 63-1-1, with Bruce opposed and Butcher excused. The bill was introduced in the Senate March 18 and assigned to Education.

Catherine Felknor, 303.494.7199

PLAN REGARDING EARLY INTERVENTION SERVICES TO HOUSE FLOOR

SB 89 Early Intervening Services For Students (Sen. Williams; Rep. C. Gardner) (watch) was introduced in the House Feb. 22, but not heard by House Education until March 17. It passed the committee unamended on a 13-0 vote. Originally scheduled for 2nd reading in the House on March 20, SB 89 was laid over until Mar 24. (See LL #4, p. 31, for a description of the bill.)

Catherine Felknor, 303.494.7199

CHARTER SCHOOL BILL REQUIRES LOCAL AUTHORITY

HB 1159 Institute Charter Schools (Rep. Fischer; Sen. Bacon) (support) has been amended in the Senate Education Committee to require the State Board of Education to provide a written explanation if it denies or revokes exclusive authority of a local school board to authorize charter schools within the school board’s boundaries. The bill passed out of the committee on a 7-0 vote. It is scheduled for 3rd reading in the Senate on March 24. Previously reported: LL #2, p. 12; LL #3, p. 21; LL #4, p. 40.

Sally Augden, 303.455.5800

TWO HIGHER ED BILLS TO GOVERNOR

SB 18 Higher Education Clean-Up (Sen. Windels; Rep. Massey) (support) clarifies the statutory responsibilities between the Colorado Commission of Higher Education and the Department of Higher Education. It also establishes a Higher Education Advisory Committee to CCHE that would propose solutions concerning the needs of higher education and would provide a liaison between the General Assembly and governing boards for state-supported institutions of higher education. The bill passed the Senate on Jan. 22. Minor language amendments were made by the House Education Committee and approved on Feb. 25. On March 7 the amended bill passed the House by a vote of 63-1-1 (Voting No: Bruce; excused: May). The Senate approved House amendments, and the bill is on its way to the Governor. Previously reported: LL #2, p. 13.

HB 1205 Increase Higher Ed CDC Exceptions (Rep. Riesberg; Sen. Windels) (support). Recommended by the Capital Development Committee (CDC), this bill raises the dollar amount threshold to

\$2.0 million under which state institutions of higher education are exempted from the planning and program review for capital development projects. (See LL #4, p. 32). After passing the House on Feb. 22, the bill passed the Senate on March 13 by a vote of 34 Yes, with 1 excused (Groff). It now awaits the Governor’s signature.

Barbara Whinery, 970. 353.6731

EQUALITY OF OPPORTUNITY

WAGE TRANSPARENCY ACT CLOSE TO LAW

SB 122 Wage Transparency Act (Sen. Windels; Rep. T. Carroll) (support) made a quick trip through the House. The House Business Affairs and Labor Committee heard SB 122 on March 10, added a small amendment to clarify action taken by the Senate, and moved it to the floor on a vote of 7-4. Voting Yes: Butcher, M. Carroll, Casso, Jahn, Soper, Rice, Marshall. Voting No: Balmer, Liston, V. Mitchell, Stephens. A week later, on March 17, the House approved it by a vote of 37-26-2. The Senate is expected to concur with the House amendments, and the bill will be on its way to the Governor.

Christine Watson 303.250.1796

House vote, SB 122

	YES	37	NO	26	EXCUSED	02	ABSENT	00
Balmer	N		Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y		Garza-Hicks	N	Marostica	N	Roberts	N
Borodkin	Y		Green	Y	Marshall	Y	Rose	N
Bruce	N		Hodge	Y	Massey	N	Scanlan	Y
Buescher	N		Jahn	Y	May	N	Solano	Y
Butcher	Y		Judd	Y	McFadyen	Y	Sonnenberg	N
Carroll M	Y		Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y		Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y		Kerr J	N	McNulty	N	Stephens	N
Curry	E		King	N	Merrifield	Y	Summers	N
Ferrandino	Y		Labuda	Y	Middleton	Y	Swalm	N
Fischer	Y		Lambert	N	Mitchell	N	Todd	Y
Frangas	Y		Levy	Y	Peniston	Y	Vaad	N
Gagliardi	Y		Liston	N	Pommer	Y	Weissmann	Y
Gallegos	E		Looper	N	Primavera	Y	White	N
Gardner B	N		Lundberg	N	Rice	Y	Witwer	N
							Speaker	Y

BROAD RANGE OF PROHIBITIONS AGAINST DISCRIMINATION

NEW **SB 200 Expand Discrimination Prohibitions (Sen. Veiga; Rep. Judd et al.) (support)** would prohibit discrimination on the basis of sexual orientation in 23 areas such as places of public accommodation; housing; publication of discriminative matter;

consumer credit transactions; membership in labor organizations; sales of cemetery plots and provision of funeral services; eligibility for jury service; enrollment in a charter school, public school or pilot school for expelled students; local school board policies regarding employment, promotion and dismissal; adequate hospital facilities; and so on. The bill also adds prohibitions against discrimination on the basis of sex, marital status, disability, age, national origin and religion as necessary for consistency in antidiscrimination laws.

The bill clarifies how Civil Rights Commission membership will be formed by the Governor, with the consent of the Senate, appointing two members representing business (one of which shall represent small business), two members from state or local government entities and three members from the community at large. At all times the seven-member commission shall be composed of at least four members representative of groups who might have been or might be discriminated against because of disability, race, creed, color, sex, sexual orientation, national origin or ancestry. It must provide geographical area representation and have no more than four members of the same political party represented. The bill is long because it covers a great many additions to statutes already in effect but not including one or more of the groups listed above.

The bill was heard in Senate Business, Labor and Technology Committee on March 19. Testimony included two groups in opposition: Focus on the Family and the Colorado Catholic Conference. They spoke of their concerns relating to housing, counseling services, use of wedding chapels, cemeteries, athletic fields, church facilities and faith-based camps. They proposed that "religion" be removed from the content of the bill.

Speaking in favor were the ACLU, Interfaith Alliance, Anti-Defamation League and Colorado Bar Association, which said that this bill spoke to good government. Equal Rights Colorado testified that 14 states, Washington D.C. and many cities including Denver already have this type of legislation and, citing the need for it, gave some examples of discrimination in Colorado. The bill passed out of committee to Appropriations on a 4-2 party line vote. Voting Yes: Schwartz, Takis, Tochtrop, Veiga. No: Taylor, Wiens. Excused: Kester.

Kathy Glass and Carmah Lawler, 303.239.0981

HEALTH CARE

PUBLIC HEALTH CARE REORGANIZATION

NEW **SB 194 Public Health Reorganization (Sen. Hagedorn; Rep. McGihon) (support)** attempts to standardize state health care boards and agencies with the goal of improving health care for all state residents. The bill proposes to reorganize the State Department of Health, repealing statutes relating to county and district health departments, local boards of health and regional health departments. It would retain sections concerning the powers and duties of county and district health boards and agencies. Each county is directed to establish a county public health agency or join other counties to establish a district public health agency. It is recognized that counties with fewer than 100,000 residents may be more efficiently served by joining a district health agency. Subject to the receipt of gifts, grants, or donations, the Department of Public Health and Environment would be charged with developing a comprehensive public health plan to be approved by the state board. On or before December 31, 2009, the State Health Department would develop a comprehensive statewide public health improvement plan. A public health fund would be set up using tobacco litigation settlement funds.

The bill specifies the duties of county and district public agencies: to provide or arrange for the provision of quality care and public health services deemed essential by the state board; to work toward comprehensive improvement of public health; to administer and enforce the laws pertaining to public health, vital statistics, and water quality control; to investigate and control communicable or environmentally caused diseases and conditions that affect public health; to enforce quarantine regulations; to make necessary sanitation and health investigations; and to implement and promote programs that they determine are important to the prevention, detection and early diagnosis of environmental and chronic diseases. Health care practitioners employed by county or district health agencies would be considered to be governmental employees for purposes of governmental immunity.

Senate Health and Human Services referred SB 194 to Senate Appropriations on March 20. The vote was 5-0, with 2 excused. Voting Yes: Sandoval, Schultheis, Tochtrop, Boyd, Hagedorn. Excused: Cadman, S. Mitchell.

Marion Colliander, 303.322.3926

208 COMMISSION REPEALED

NEW SB 203 (Sen. Shaffer; Reps. McGibon and Massey) (FYI) repeals the Blue Ribbon Commission for Health Care Reform created by SB 06-208 and specifies that funds remaining in the health care reform cash fund on June 30, 2008, be transferred to the General Fund. The cash fund is abolished as of July 1, 2008.

Marion Colliander, 303.322.3926

“VULNERABLE POPULATIONS” BILL COVERS VARIETY OF SITUATIONS

HB 1167 Health Care for Vulnerable Populations (Rep. Frangas) (support) addresses many situations and conditions of various “vulnerable populations.” The House Health and Human Service Committee heard the bill on March 13, accepting significant changes to the introduced bill (covered in LL #3, p. 21). Changes regarding continuation or conversion of group health care policies covering employees were added. Under the amendment, a group policy that covers full-time employees who work 40 hours or more would need to allow the policyholder to contract with the insurer to continue the policy under the same conditions and for the same premium that had been in effect for employees and dependents, even if the employer reduces the working hours of an employee to less than 30 hours due to certain conditions. The conditions are: 1) the covered employee is a full-time employee and is insured under the group policy immediately prior to a reduction in working hours; 2) the reduction in working hours is due to economic conditions or to the employee’s injury, disability or chronic health condition; 3) the employee will be restored to a full 40-hour work schedule as soon as economic conditions improve or the employee is able to return to full time work.

Another amendment addresses rights of developmentally disabled persons, providing that no person who makes a complaint, testifies or participates in an investigation under this ruling may be discriminated against when there are disputes over modification or termination of support.

Finally, a new section was added to the Health Administration statutes, to be known as the “Restroom Access Act.” It would require certain retail establishments that have a toilet facility for their employees to allow a customer suffering from an eligible medical condition to use the facility during normal business hours.

As amended, the bill passed out of committee on an 8-3 vote and was referred to Appropriations. Voting Yes: Gagliardi, Garza-Hicks, Kefalas, Primavera, Riesberg, Stafford, Frangas, McGihon. Voting No: J. Kerr, Marostica, Swalm. Excused: Green, Roberts.

Marion Colliander, 303.322.3926

INCOME ASSISTANCE

THE PROBLEMS WITH OMNIBUS BILLS

NEW SB 177 Colorado Works Program Omnibus (Sen. Boyd; Rep. McGihon) (watch) is a long-awaited and much-needed update of the myriad of provisions by which the state provides income assistance and support to individuals and families whose income is insufficient for living. Federal law has changed, requiring updating of our statutes. The need for more efficient and effective administration of the various forms of income assistance has been identified over the years; statutory barriers to improvement need to be removed, and sometimes new requirements must be added. The 90-page bill still needs some work to meet budget requirements and to achieve the effectiveness and efficiency desired by its sponsors, the State Department of Human Services, and advocacy organizations. After several weeks of reworking through amendments, the bill is finally far enough along to schedule a hearing, which will be March 26 in Senate Health and Human Services Committee. Amendments will be presented at that time.

We hope to be able to change our position from “watch” to “support.” League’s Income Assistance position calls for efforts to prevent or reduce poverty and help individuals achieve self-sufficiency.

Christine Watson, 303.250.17

STATUS SHEET

The Status Sheet is a constantly updated list of bills being followed by Legislative Action Committee members.
New bills are in **boldface**.

Policy Area	S/H	Bill #	Bill Title	S/O	Page(s)	Status
Campaign Finance	HB	1041	Campaign Finance Enforcement	S	8, 27	S-2nd rdg
Children and Families	HB	1019	Transfer Education Records for Foster Children	S	12, 21	S-2nd rdg
Children and Families	HB	1051	Core Services for Families	S	12	Signed
Education	SB	89	Early Intervening Services	W	31, 48	H-2nd rdg
Education	SB	18	Higher Education Clean-up	S	13, 48	To Gov
Education	SB	98	Graduation Requirement: English	O	21	S-2nd rdg
Education	HB	1024	CSAP Longitudinal Analysis Models	S	13, 21	Signed
Education	HB	1159	Institute Charter Schools	S	12, 21, 40, 48	S-2nd rdg
Education	HB	1186	No Penalty for Students Missing CSAP's	W	46	S-ED
Education	HB	1205	Increase Higher Ed CDC Exceptions	S	32, 48	To Gov
Education	HB	1335	Building Excellent Schools Today Act	S	39, 47	S-ED
Energy	HB	1025	Governor's Energy Office	S	11	Signed
Energy	HB	1107	Energy Efficiency- REA's	S	20	S-SA
Energy	HB	1160	Net Metering - REA's	S	20	To Gov
Energy	HB	1270	CICs Allow Energy Efficiency	S	38	S-2nd rdg
Equality of Opp'y	SB	122	Wage Transparency Act	S	22, 32, 40, 48	Conc
Equality of Opp'y	SB	200	Expand Discrimination Prohibitions	S	48	S-APP
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Health Care	SB	194	Public Health Reorganization	S	49	S-HHS
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LEAGUE NOTE

Carolyn Jefferson-Jenkins, a **past president of League of Women Voters of the United States**, has been appointed by Gov. Ritter to the State Board of Nursing. Her confirmation, which is recommended by the Senate Committee on Health and Human Services, is up for a vote in the Senate on Monday, March 24.