

LEGISLATIVE LETTER®

LEAGUE OF WOMEN VOTERS OF COLORADO

1410 Grant St., B-204, Denver, CO, 80203 303.863.0437

e-mail: info@lwvcolorado.org

www.lwvcolorado.org



April 26, 2010

LL#8:67

REDISTRICTING DEBATE BEGINS

HB 1408 Repeal Congressional District Criteria (Rep. Weissmann; Sen. Morse) (oppose) seeks to repeal a section of statute directing the courts if and as the legislature is unable to agree on reapportioning Colorado's Congressional Districts and the courts must complete the job. Statutes currently in place were passed in 2003 as part of the attempt to perform a second redistricting. CRS 2-1-102 directs the courts to use only non-neutral criteria in drawing congressional district boundaries, and to use six criteria in ranked order in making their decisions. The six criteria reflect both current federal law and legal precedents.

League has been involved in reapportionment and redistricting, nationally and in Colorado, since the 1960's. At the state level, we were instrumental in passing an initiative that placed reapportionment of state representative and senate districts in the hands of a non-partisan commission. That commission is charged with using four criteria to reapportion the Statehouse districts. The four criteria, matching League's position, make up four of the six criteria in the statute guiding the courts that would be repealed.

The rationale behind repealing the statute is that the directives contained in it already exist in federal law and legal precedent, and thus drive redistricting decisions.

We oppose the repeal for the following reasons:

- Reapportionment and redistricting for all political subdivisions (local, state house, and congressional) should be consistent, based on the same criteria.
- The criteria used in reapportioning state house districts are measurable and objective, and have stood the test of time.
- When local governments begin their own redistricting process (such as for city council), they may look to statutes for guidance. Although this section of the statute specifically directs the courts, it also reflects the intention of the General Assembly about reapportionment and redistricting principles.
- Citizens expect that these criteria are the basis for redistricting. Articulating them in statute makes the criteria more transparent, even though they reflect both federal law and legal precedent.

Accordingly, we believe the criteria should remain in statute, in an order of priority.

In fact, League would like to see the criteria reordered as follows:

1. Equal Population (currently first, as required by other laws). We would like to see the current language strengthened from "good faith effort" to no more than a 5% deviation.

2. Compliance with Voting Rights Act (currently second, as required by other laws and legal decisions)
3. Compact and contiguous districts (currently 5th).
4. Maintenance of political subdivisions, such as counties and cities wherever possible, but subject to equal population directive (currently third)
5. Maintenance of communities of interest (currently 4th)
6. Minimal disruption of existing district boundaries (currently 6th). This is worth a reasonable effort, but is mostly addressed through items 4 and 5. District lines will need to be changed as population shifts.

In this rank ordering, the criteria that are the highest priority are the most measurable.

HB 1408 was heard in House State Affairs Committee on April 22, and the hearing will continue on April 27.

Christine Watson 303.250.1796

GOVERNMENT

ANOTHER TRY TO POINT INITIATIVES TOWARD STATUTES

NEW SCR 3 Ballot Initiatives to Amend the Constitution (Sens. Tapia and White; Rep. Court) (watch) attempts once again to drive initiatives toward statutory, rather than constitutional, changes – a move League supports vigorously. To accomplish that, SCR 3 proposes that 5% of the petition signatures come from each of the congressional districts, and that the measure must pass by 60% super majority. There is no limitation placed on the General Assembly’s prerogative to change initiated statutes that pass at the ballot. The measure specifies that initiated changes to constitutional amendments concerning certain sections of Articles X and XI (which are currently contemplated for the 2010 and 2011 ballots) could be placed on the ballot and pass under the current rules, instead of those in this resolution.

League has opposed geographical distribution of signatures because of the financial burden they place on grassroots groups, both on the Front Range and in the areas of less population density, when those groups work to gather petition signatures. We have also strongly favored a “time out” period (two years) under which the General Assembly cannot change an initiated statute. Testimony in the Select Committee addressing the Constitution last year emphasized that this is a needed protection to move initiated measures toward statute whenever possible. The “time out” may be addressed in other legislation.

Christine Watson 303.250.1796

ELECTIONS

ISSUE COMMITTEE DISCLOSURE MOVES TO SENATE

HB 1370 Ballot Measure Disclosure Requirements (Rep. Court; Sen. Steadman) (support) This bill, specifying disclosure requirements for issue committees, was passed House Appropriations on April 16, 2010, 2nd Reading on April 21, and 3rd Reading 51-10-4 on April 22. Voting no: Balmer, Baumgartner, B. Gardner, C. Gardner, J. Kerr, Lambert, May, McNulty, Sonnenberg, Swalm. Excused: Frangas, Stephens, Tipton, Vaad.

Previously reported LL#6, p. 50, LL#7, p. 60.

Alice Ramsey 303.841.7839

FISCAL POLICY

NEW FUNDING FOR EDUCATION

NEW SCR 002 GA Authority to Enact Additional Ed Funding (Sen. Williams/Rep Benefield) and HCR 1002 (Rep. Benefield/Sen. Williams) *These two measures are exactly the same as introduced.* They authorize the General Assembly to enact statutes that result in additional state revenues without prior voter approval if the revenues are used for funding preschool through higher education. These additional revenues are not subject to the constitutional limitations on fiscal year spending and do not affect prior voter approval for any purpose other than Education.

If these Concurrent Resolutions are approved by the voters, they would give lawmakers the power to raise taxes for Education without voter approval as is now required in the State Constitution by TABOR. Under TABOR’s constitutional restrictions, lawmakers who are elected to decide state priorities and provide revenue for

them are unable to do so, meaning that under TABOR, the state no longer has representative government.

In the House Education committee most of the testimony was from Educators who wanted more money for their schools. A former legislator, Penn Pfiffner, testified against the bill by stating that with this proposal lawmakers could raise taxes for education and use the money that had been going to education to fund other functions of government and this was a way to get rid of TABOR; therefore the resolutions were about TABOR not Education. Others testified that voters do have a say; they can say it at the ballot box when voting for or against members of the General Assembly.

The League of Women Voters of Colorado views these measures as a step toward returning Colorado to representative government, which is the foundation of our efficient republic.

HCR 1002 passed out of the House Finance Committee on a party line vote.

Phyllis Horney 303-771-6683

STATE PUBLIC-PRIVATE AGREEMENTS WITH NONPROFITS

HB 1010 Expand Public-private Initiatives (Rep. Ferrandino; Sen. Morse) (support) authorizes state agencies to enter into public-private initiative agreements with nonprofit entities, and specifies evaluative criteria to be used and procedures to be followed by these agencies in considering, evaluating and accepting or rejecting unsolicited proposals for public-private initiatives. The bill also provides an incentive for state agencies to enter into these initiatives through amending an existing statutory definition of “cost savings” in order to allow an agency to retain a portion of any cost savings realized from a personal services contract entered into within these agreements. This sensible way to use expertise of a wide variety of non-profit groups in serving Colorado citizens was signed by Gov. Ritter on 4/15/10.

Previously reported LL#2, p. 11.

Barbara Mattison 303/322-4878

GUN CONTROL

FIREARM BACKGROUND CHECK ON DECK

HB 1391 Intracheck Firearm Transfer (Rep. Rice; Sen. Boyd) (Support). Scheduled for 2nd reading in the House April 23.

Passing HB 1391 will make Colorado’s current use of the Instacheck screening process permanent. The law prohibits people arrested for felonies and violent crimes from purchasing firearms. Under the “deny on arrest” provisions, a potential buyer who has been arrested for a crime that prohibits a gun purchase (a felony or violent misdemeanor) is denied. The program can also prevent people with restraining orders against them from purchasing firearms. Groups supporting passage include: Chiefs of Police, District Attorneys, Department of Public Safety, Colorado Bureau of Investigation, Colorado Coalition Against Domestic Violence, Colorado Cease-fire, and the League.

Previously reported LL# 7, p. 60.

Marilyn Shuey 303.863.0437

JUSTICE SYSTEM

DUI/CONTROLLED SUBSTANCE BILLS MOVE TO SENATE

HB 1347 DUI Penalties (Rep. Levy; Sen. Morse) (Support). Passed the House April 19 on a vote of 64 to 0, 1 excused. The reengrossed bill further defines the sentences and probations for 1st, 2nd, 3rd, and subsequent sentences and previous convictions with the intent to help the offender change his/her behavior to reduce the risk of future violations. Assigned to Senate Judiciary. Previously reported LL#4, p. 32; LL#5, p. 40.

HB 1352 Controlled Substances Crime Changes (Rep. Waller; Sens. Steadman and Mitchell) (Support) passed the House April 15. Assigned to Senate Judiciary and scheduled for hearing April 26. The reengrossed bill fine tunes numerous sections of the bill to regulate controlled substances by community-based substance abuse treatment/education programs in conjunction with mental health treatment as necessary, to offer an alternative to incarceration as appropriate. Savings recognized from reductions in incarceration rates to be dedicated toward funding treatment options.

Hearing scheduled in Senate Judiciary April 26. Previously reported LL#4, p. 32; LL#6, p. 52.

Marilyn Shuey 303.863.0437

House Vote

	YES	58	NO	5	EXCUSED	2	ABSENT	0
Acree	Y		Gerou	Y	McFadyen	Y	Ryden	Y
Apuan	Y		Hullinghorst	Y	McKinley	Y	Scanlan	Y
Balmer	N		Judd	Y	McNulty	Y	Schafer S.	Y
Baumgardner	N		Kagan	Y	Merrifield	Y	Solano	E
Benefield	Y		Kefalas	Y	Middleton	Y	Sonnenberg	E
Bradford	Y		Kerr A.	Y	Miklosi	Y	Soper	Y
Casso	Y		Kerr J.	Y	Murray	N	Stephens	Y
Court	Y		King S.	Y	Nikkel	Y	Summers	Y
Curry	Y		Labuda	Y	Pace	Y	Swalm	Y
DelGrosso	Y		Lambert	Y	Peniston	Y	Tipton	N
Ferrandino	Y		Levy	Y	Pommer	Y	Todd	Y
Fischer	Y		Liston	Y	Primavera	Y	Tyler	Y
Frangas	Y		Looper	Y	Priola	Y	Vaad	Y
Gagliardi	Y		Massey	Y	Rice	Y	Vigil	Y
Gardner B.	Y		May	Y	Riesberg	Y	Waller	Y
Gardner C.	N		McCann	Y	Roberts	Y	Weissmann	Y
							Speaker	Y

JUVENILE JUSTICE

JUVENILE DIRECT FILE BILL JUST INTRODUCED

NEW HB 1413 Limitation on Juvenile Direct File (Rep. Levy, Rep. May; Sen. Newell, Sen. Lundberg) (support) was introduced on April 16th, passed House Judiciary unanimously on April 26th, and was sent to House Appropriations.

The bill:

- Raises the age at which a DA can direct file on a juvenile from 14 years to 16 years except in cases of first degree murder, second degree murder, or certain types of sexual assault.
- Requires the DA to file the charges in juvenile court along with a notice of decision on direct file fourteen days prior to filing the charges in district court. Once the charges are filed in district court, the juvenile court no longer has jurisdiction over proceedings regarding the charges.
- Lists the criteria that the DA must consider when deciding whether or not to direct file on a juvenile, and requires that the DA submit a statement listing the criteria upon which the decision was based at the same time the case is filed in district court.
- Allows a juvenile who is convicted in district court of a class 2 felony that is not a sexual offense to be sentenced to the Youthful Offender System.

The League has always had great concern about allowing the DAs to direct file on juveniles, and we believe that that option should be reserved for those juveniles who have committed the most serious crimes. The reality is that under current law, DAs have the authority to direct file on juveniles as young as age 14. Although this bill will not take the power to direct file away from the DAs, it does raise the age to 16 except for the most egregious crimes. The bill also makes the direct file process more thoughtful and transparent by requiring the DA to file the charges first in juvenile court and by requiring the DA to consider certain criteria when making the decision and to list the criteria that were used to make the decision to direct file at the time the case is filed in district court. These changes represent a significant improvement over current law regarding direct file.

The final provision of the bill that is listed above, allows a juvenile who is charged and convicted as an adult in district court of a class 2 felony that is not a sexual offense to be sentenced to the Youthful Offender System. This gives these juveniles access to the educational and rehabilitative programs in YOS and gives them a better opportunity to become productive citizens once they are released.

Carla Bennett 303-757-2930

EDUCATIONAL SERVICES FOR JAILED JUVENILES MOVES TO HOUSE

SB 54 Educ Services For Juveniles Charged As Adult (Sen. Hudak; Rep. Levy) (support) passed 3rd reading in the Senate on April 21. It was amended to make clear that school districts only have to provide 4 hours of instruction per week; to require that a juvenile’s educational needs and access to appropriate educational services be considered when determining if jail is an appropriate place to confine the juvenile; and to make changes in the way the services would be paid for.

We support the bill because we believe that these educational services are important because they allow juveniles to continue to receive education while being held in jail so that they will be more successful in school if they are found not guilty and return to public school, or if they move on to YOS where education is a critical element in their rehabilitation thereby reducing recidivism. However, we are concerned that the school districts that provide these services will now be reimbursed from the Read to Achieve Cash Fund thereby reducing the funds that will be available to those pupils that the fund was originally intended to serve. This is just another example of how the state does not have enough general fund

money to pay for services that could help save money in the long run.

Previously reported: LL#2, p. 14.

Carla Bennett 303-757-2930

Senate Vote

YES	18	NO	15	EXCUSED	2	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	E	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	N	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	N
Gibbs	E	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

SOCIAL POLICY

CHILDREN'S ISSUES

CHILD PROTECTION OMBUDSMAN BILL PASSES HOUSE APP

On April 15th, **SB 171 Create Child Protection Ombudsman Program (Sen. Newell; Rep. Gagliardi) (support)** unanimously passed House Health and Human Services where it was amended to remove the provision that prohibited the use of general fund money to operate the program. The bill was sent to House Appropriations where it was heard on April 23rd. It was amended to appropriate \$175,000 from the general fund to the program, and it was then passed by a vote of 12 to 0 with Rep. Vaad excused.

In the House HHS committee hearing, Rep. Gagliardi was asked if any private foundations had expressed an interest in providing funding for the program. She replied that the Rose Community Foundation had committed to funding for the program and that other foundations had also come forward, so it appears that there is a possibility of a combination of public and private funding.

Previously reported LL#5, p. 42; #6, p. 54; #7 p. 62.

Carla Bennett 303-757-2930

MULTIETHNIC PLACEMENT ACT PASSES SENATE APPROPRIATIONS

HB 1106 Child Welfare Adoption Multiethnic Placement Act (Rep. Casso; Sen. Sandoval) (support) passed out of Senate Appropriations on April 23rd. The vote was 9 to 1. Voting YES: Sen. Bacon, Harvey, Heath, Hodge, Keller, Kopp, White, Romer, and Tapia.

Voting NO: Sen. K. King. The bill now awaits 2nd reading.

Previously reported: LL#3, p. 24; LL#5, p. 42.

Carla Bennett 303-757-2930

EQUALITY OF OPPORTUNITY

ANOTHER STEP TOWARDS PAY EQUITY

NEW Rep. Peniston and Sen. Williams have introduced **HB 1417 (support)** calling for creation of a **Pay Equity Commission** within the Department of Labor and Employment. The purpose of the commission is to undertake research, education and outreach so that Colorado might be a model of how to achieve pay equity. The eleven member commission would include representatives of large and small business enterprises, women's national associations, labor organization, higher education, academia, attorney's organizations, organizations serving people of color, and from relevant government agencies. In addition to outreach and education in the community, the commission could recommend policy changes, such as changes in rules or statutes.

The road to equal pay for equal work is a long one. Some miles are earned through laws, and some through moral suasion. This commission falls under the latter. A recent study revealed that even in executive ranks, where many of the explanations for pay differences for women are irrelevant, women earn about 77% of what men earn.

HB 1417 has been assigned to House Business Affairs and Labor committee and will be heard Wednesday, April 28.

Christine Watson 303.250.1796

WORKPLACE PROTECTION DEFEATED

HB 1269 Workplace Fairness Civil Remedies (Rep. Levy; Sen. M. Carroll) (support) proposed that it be an unfair labor practice to discriminate based on sexual orientation, and set up remedies. The bill faced opposition by business groups. It was lost on second reading in the House. The standing vote was close, with at least one co-sponsor standing against the bill.

Previously reported LL #4, pg. 34; LL #7, pg. 63

Christine Watson 303.250.1796

EDUCATION

OVERHAUL OF EDUCATOR EVALUATION PROPOSED

NEW SB 191 (Sens. Johnston and Spence; Reps. Scanlan and Murray) Principal and Teacher Effectiveness (EQuITEE) (oppose in current form) opens an important conversation about what constitutes quality education, but creates some serious questions as well. In particular, we ask if the General Assembly should be making statutes regarding the definition and assessment of teacher effectiveness and what this implies about local control.

The LWVCO, along with everyone else, is in favor of keeping quality teachers and dismissing ineffective teachers who, even with coaching, seem to be immune to improvement. In particular, we would like to see the Colorado Education Association offer some concrete proposals to make the process of removing ineffective teachers less expensive and more efficient.

We have major questions about this bill, however. Do we put procedures into law that, should they be found to be ineffective, would then take more law to undo? All of us, but especially the General Assembly, should remember what a problem it was to include actual formulas, types of statistical analysis, and report formats in statute for the CSAP and School Report Cards in the late 1990's. It took until last legislative session to get some of that legislation cleaned up. Will more damage be done to schools than the good that might occur? Will the \$175 million that the state MIGHT get from Race to the Top cover the costs of developing new evaluation procedures, training principals, hiring additional staff to help with evaluations in the timeframe required. There is a no certainty of success and a high probability of ending up with not-well-considered requirements in law that have no funding. (The Fiscal Note provides little information about what the actual costs of this program would be to local districts.)

SB 191 was introduced in the Senate on April 12, heard in the Education Committee on the 21st and 22nd and referred to the Appropriations Committee on the 23rd with amendments. The vote was 7-1 with Sen. Hudak voting No. It passed the Appropriations Committee on the 26th to 2nd Reading. The fact that this bill has been proposed so late in the session, allowing inadequate time to discuss what should go into state statute, is another concern to add to the mix.

We oppose this bill as it is currently written because the League's Education position calls for incentives for im-

proved efficiency and effectiveness instead of top-down directives from statutes, because this is an unfunded mandate, and because of the short timeframe for considering such a fundamental change in the process of evaluating educators.

Sally Augden 303.455.5800
Catherine Felknor 303.494.7199
Barbara Whinery 970.353.6731

CONFERENCE COMMITTEE SELECTS THIRD OPTION TO RESOLVE CONFLICT

The conference committee charged with resolving the differences between House and Senate versions of **HB 1369 Financing of Public Schools (Reps. Scanlan and Pommer; Sen. Bacon) (oppose)** went beyond the scope of differences, not accepting either version. Instead, conference committee members agreed to a new option of how to deal with the seven districts that do not receive enough money from the state to reduce their allotment by the 6.35% "stabilization factor" (see LL#6, p. 48-49, for description of HB 1369 and LL#7, p. 63, for description of conflict between House & Senate). The agreed upon solution would be for each of these districts to lose a portion of their categorical program funding that comes from the state. The exact amount would vary across the seven districts in order to match the amount of locally provided funding that each district would have needed to give up under the House version of the bill (achieving the "fair and equitable" goal of the House). This solution also supports the Senate goal (not require any districts to give up locally approved resources), but does require the seven districts to use more of their local revenues to maintain funding needed for operating their categorical programs. The largest categorical program is special education.

We commend the conference committee for selecting a third option which supported the goals of both the House and the Senate. It remains to be seen if this solution might also generate law suits – whether or not it will be viewed as violating Amendment 23. In justifying the stabilization factor of a 6.35% reduction, the legislation interpreted Amendment 23 as applying only to the base per student amount **and to categorical programs**.

On April 23, both the House and Senate adopted the conference committee's recommendations, and the bill is ready to be sent for the Governor's signature.

Catherine Felknor 303.494.7199

BIPARTISAN SENATE SUPPORT FOR PROPOSED STATEWIDE TRANSFER AGREEMENTS!!!

HB 1208 Higher Ed Statewide Transfer Agreements (Reps. Todd & Murray; Sens. Shaffer and King (Support))

The bill to create 14 statewide agreements for students who complete an associate's degree at community colleges to transfer to Colorado institutions of higher education was unanimously passed by the Senate on Third Reading, March 18. On April 19, the House adopted technical amendments made in the Senate Amendments, and the bill is on its way to the governor.

Previously reported: LL#4, p. 35, and LL #6, p. 55.

Barbara Whinery 970-353-6731

REPORTING REQUIREMENTS BILL RETURNS TO ORIGINAL VERSION

The Conference Committee for **HB 1171 Repeal Of School Reporting Requirements (Reps. Benefield & Scanlan; Sen. Steadman) (support)** met on Apr. 16 and agreed to recommend returning to the original version of the bill. Thus, the **repeal** of the requirement for each school district to submit its adopted annual budget to CDE by Jan. 31 of each year, in HB 1171 as introduced, is back in the bill per the recommendation of the Conference Committee. This Section of the bill was shifted, from in to out and back in, at least four times, the last as 3rd reading amendment in the Senate when the repeal of was back in. After recommending on the House floor to not accept the final Senate change, Rep. Benefield agreed with the Conference Committee decision. The rationale for the decision was the recommendation from the Education Data Advisory Committee (EDAC) that school district reporting requirements that served limited purposes be reduced or eliminated. The Conference Committee report is on the calendar for review by both the House and Senate this week.

Previously reported LL#3, p. 24; LL#4, p. 35; LL#7, p. 63.

Catherine Felknor 303.494.7199

HEALTH CARE

SUPPORT FOR HEALTH CARE IN UNDERSERVED AREAS

HB 1138 Colorado Health Services Corps (Rep. Gagliardi; Sen. Morse) (Support) This bill changes the name of the State Health Care Professional Loan Repayment Program to the Colorado Health Services Corps. The purpose of the program is still to entice physicians to practice in underserved areas, where population density and incomes would likely prevent them from earning enough income to pay back loans for medical school tuition. The bill also makes several sensible changes in the funding mechanism, including allowing lump sum payment, removing the annual current cap of \$35,000 on loan payments, and exempting physicians in the program from participating in the state's competitive bidding process.

The governor signed HB 1138 on April 20.

Previously reported LL#5, p. 44.

BUT SUPPORT IS LIMITED

HB 1179 Primary Care Act (Rep. Acree; Sen. Boyd) (Support) This bill contained similar provisions to HB 1138 with regard to tuition loan repayment for primary care physicians who practice in underserved areas. It also allowed malpractice insurers to reduce premiums to such providers. Finally, the bill required the State Department of Health Care Policy and Financing to establish a strategic plan to find ways to increase reimbursement rates to primary care providers operating in underserved areas.

The fiscal impact of the bill was driven by the costs to develop the plan for increasing reimbursement rates. In this tight budget year, even the few dollars involved were simply not available, and House Appropriations Committee PI'd the bill on April 9 on a vote of 11-2, with Pommer and Sonnenberg voting No. Previously reported LL#5, p. 43.

Both reported by Lois Schafer 303-832-1667

BEHAVIORAL HEALTH TRANSFORMATION

SB 153 Behavioral Health Screening and Efficiency (Sen. Boyd; Rep. Frangas) (support) The bill creates the Behavioral Health Transformation Council as an advisory council to the Governor and his cabinet. By August 1, 2010, the Governor must designate one depart-

ment to act as the lead agency to facilitate the Council's work. The lead agency and the Governor are to determine the membership, tenure and operations of the Council. Council membership will include representatives from executive agencies, the judicial branch, behavioral health providers, consumers and other stakeholders. The bill sets forth the duties of the Council for strategic planning, development of outcome measures, alignment of services, annual reporting and other tasks. The Council sunsets July 1, 2020. In the revised statement of no fiscal impact, it is assumed that the Department of Human Services will be designated as the lead agency and that the bill will codify existing operations and planning functions within the department and the Governor's office. The Senate approved SB 153 on a vote of 21-13-1. It awaits third reading in the House.

Previously reported LL#3, p. 26, LL#4, p. 35, LL#5, p. 45.

Barbara Mattison 303/322-4878

Senate Vote

YES	21	NO	13	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	N
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	E	Romer	Y	White	N
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	N	Lundberg	N	Schultheis	N	President	Y
Heath	Y	Mitchell	N	Schwartz	Y		

BEHAVIORAL HEALTH CRISIS RESPONSE

HB 1032 Behavioral Health Crisis Response Services (Sen. Boyd; Rep. Frangas) (support) This bill was significantly amended to avoid fiscal notes of over \$500,000 for each of two years. Rather than funding direct crisis response services, the amended bill presents *rationale* for coordinated expert crisis response teams to provide emergency intervention and stabilization statewide for people experiencing mental health or substance abuse crises, and requires the State Department of Human Services to **review the current behavioral health crisis response in Colorado and formulate a plan to address the lack of coordinated crisis response services.**

The department will provide its review within existing appropriations. The department must present its plan to a joint meeting of the Health and Human Services Committees on or before January 30, 2013. The bill awaits third reading in the House.

Previously reported LL#3, p. 27, LL#4, p. 36.

Barbara Mattison 303/322-4878

SYSTEM NAVIGATORS APPROVED

SB 014 Family System Navigators (Sen. Tochtrop; Rep. Solano) (support) This bill makes conforming amendments to allow *family systems navigators* to provide the same services within three demonstration programs as family advocates. The bill cites research and input from families, youth and state and local community agency representatives in support of use of family systems navigators as well as family advocates. It requires both to have training but does not delineate such training, other than that it must be a system of care approach. The Senate passed the bill unanimously, and the House passed it with only three no votes (Lambert, Liston, Sonnenberg), and the Governor has signed it into law.

Previously reported LL#2, p. 17.

Barbara Mattison 303/322-4878

STANDARDIZING HEALTH CLAIMS

HB 1332 Medical Clean Claims (Rep. Miklosi; Sen. Romer) (Support)

This bill requires the Department of Health Care Policy and Financing to create an advisory committee to make recommendations for creating a Colorado all-payer health claims database for payment, rules, and claim edits. The purpose is to begin to standardize claim processes to make the claim process more efficient and transparent. Senate Health and Human Services Committee approved it on a vote of 6-1. Voting yes: M. Carroll, Lundberg, Mitchell, Sandoval, Newell, Boyd. Voting no: Schultheis. The full Senate approved the bill on a vote of 27-7. It now returns to the House for concurrence.

This is one of many steps being taken in the Colorado legislature this year that will help make the health insurance process more efficient for providers and insureds (and even for insurers). Greater efficiency in administrative processes means cost controls there, helping to control the rise in medical costs overall.

Previously reported LL#5, Page 45.

Lois Schafer 303-832-1667

Senate Vote

YES	27	NO	7	EXCUSED	1	ABSENT	0
Bacon	Y	Hodge	Y	Morse	Y	Spence	Y
Boyd	Y	Hudak	Y	Newell	Y	Steadman	Y
Brophy	N	Johnston	Y	Penry	N	Tapia	Y
Cadman	N	Keller	Y	Renfroe	N	Tochtrop	Y
Carroll M.	Y	Kester	Y	Romer	Y	White	Y
Foster	Y	King K.	N	Sandoval	Y	Whitehead	Y
Gibbs	Y	Kopp	N	Scheffel	N	Williams	Y
Harvey	Y	Lundberg	Y	Schultheis	E	President	Y
Heath	Y	Mitchell	Y	Schwartz	Y		

STATUS SHEET

The Status Sheet is a regularly updated list of bills being followed by Legislative Action Committee members.

New bills are in **boldface**.

S=Support **O**=Oppose **SIP**=Support in Part **OIP**=Oppose in Part **W**=Watch or Monitor

POLICY AREA	S/H	BILL #	BILL TITLE	S/O	PAGE	STATUS
Children's Issues	HB	1106	Child Welfare Adoption Multiethnic Act	S	24,42,71	S-3rd Rdg
Children's Issues	HB	1226	Differential Response to Child Abuse	S	34,54	Signed
Children's Issues	HB	1359	Change Of Venue Dependency and Neglect	S	54	S-2nd Rdg
Children's Issues	SB	43	Extend Repeal Office Child Rep	S	7,15,54,62	Signed
Children's Issues	SB	171	Create Child Protection Ombudsman Prog	S	42,54,62,71	H-2nd Rdg
Children's Issues	SB	66	Reporting of Child Abuse or Neglect	S	24	To Gov
Education	HB	1015	Stable Funding For Small Districts	W	24	PI
Education	HB	1171	Repeal of School Reporting Requirements	S	24,35,63,73	Conf. Com.
Education	HB	1208	Higher Ed Statewide Transfer Agreements	S	35,55,72	To Gov
Education	HB	1343	Charter Schools Governance Standards	W	34	H-ED
Education	HB	1344	Authorizing Standards Charter Schools	W	34	H-ED
Education	HB	1345	Emergency Powers Over Charter Schools	W	34	H-ED
Education	HB	1369	Financing of Public Schools	O	48,63,72	To Gov
Education	SB	3	Higher Education Flexibility	S	16	S-ED
Education	SB	26	Duties Of College In Colorado	S	43,55	PI
Education	SB	36	Program Results For Educator Preparation	S	7	Signed
Education	SB	62	Categorical Ed Programs	W	38,55,64	To Gov
Education	SB	161	Charter School Collaboratives	O	35	S-2nd Rdg
Education	SB	191	Principal and Teacher Effectiveness	O	71	S-ED
Elections	HB	1100	Withdrawal Of Initiative Petitions	OIP	13	PI
Elections	HB	1116	Revision To Colorado Election Laws	S	12	To Gov
Elections	HB	1156	Public Financing GA Campaigns	W	22	PI
Elections	HB	1271	Date Of Registration For Nomination	S	39	S-2nd Rdg
Elections	HB	1370	Ballot Measure Disclosure Requirements	S	50,60,68	S-SA
Elections	SB	30	Spec Election For Vacant US Senate Seat	W	12	PI
Elections	SB	41	Campaign Finance Clean-up	S	12	Signed
Energy	HB	1098	REA Electric Coop Bd of Director Elections	S	33,53,62	Conf. Com.
Energy	HB	1348	Increase Oversight Radioactive Materials	S	52,61	S-2nd Rdg
Energy	HB	1349	Re-energize CO Renewable Elec For Parks	S	62	H-3rd Rdg
Energy	HB	1365	Incent Util Convert Coal To Natural Gas	S	53, 61	Signed
Energy	SB	180	Colo Smart Grid Task Force	S	53	S-2nd Rdg
Equality of Opportunity	HB	1269	Workplace Fairness Civil Remedies Act	S	34,63,71	Defeated
Equality of Opportunity	HB	1417	Pay Equity Commission	S	71	H-BUS
Fiscal Policy	HB	1010	Expand Public-Private Initiatives	S	11, 69	Signed
Fiscal Policy	HB	1072	Create Budget Stabilization Reserve Fund	S	11	PI
Fiscal Policy	HB	1078	Changes to Transparency Online Project	S	11	PI
Fiscal Policy	HB	1087	End Automatic Employee Tax Withholding	W	11	PI
Fiscal Policy	HB	1102	Mod Vehicle Late Reg Penalties	O	21	PI
Fiscal Policy	HB	1119	SMART Government Act	S	19,51	S-APP
Fiscal Policy	HB	1126	Priority Based Budgeting for CO	S	19	PI
Fiscal Policy	HB	1177	Create Colorado Economic Stability Fund	W	11	PI
Fiscal Policy	HB	1189	Elim Sales Tax Exemption for Direct Mail	S	9,31	Signed
Fiscal Policy	HB	1190	Suspend Indus Fuel Sales & Use Tax Exemp	S	9,31	Signed
Fiscal Policy	HB	1191	Elim Candy & Soda Sales Tax Exemption	S	9,31	Signed
Fiscal Policy	HB	1192	Sales & Use Tax Of Standardized Software	S	9,31	Signed
Fiscal Policy	HB	1193	Sales Tax Out-of-state Retailers	S	9,31	Signed
Fiscal Policy	HB	1194	Elim Nonessent Articles Sales Tax Exemp	S	9,31	Signed
Fiscal Policy	HB	1195	Suspend Ag Sales & Use Tax Exemp	S	9,31	Signed

Fiscal Policy	HB	1196	Elim Certain Cars Qualified For Tax Cred	S	10, 31	Signed
Fiscal Policy	HB	1197	Reduce Conservation Easement Cap Amount	S	10, 31	To Gov
Fiscal Policy	HB	1198	Susp Credit Alternative Minimum Tax	S	10, 31	PI
Fiscal Policy	HB	1199	Net Operation Loss Deduction Temp Limit	S	10, 31	Signed
Fiscal Policy	HB	1200	Enter Zone Inv Tax Credit Deferral	S	10, 31	H-2nd Rdg
Fiscal Policy	HB	1211	Reduce Late Vhcl Registration Penalty	O	21,51	S-Recede
Fiscal Policy	HB	1212	Reg Rules for Late Veh Regis Fee Exemps	O	21,51	Signed
Fiscal Policy	HCR	1002	GA Authority to Enact Addl Ed Funding		68	H-Ed
Fiscal Policy	SB	4	Repeal Late Registration Penalties of SB09-108	O	21	PI
Fiscal Policy	SB	44	Repeal Late Registration Penalties of SB09-108	O	21	PI
Fiscal Policy	SB	57	Non-Motorized Veh Registration Fee	O	21	PI
Fiscal Policy	SB	119	Payments To Members Of GA	O	31,51	Signed
Fiscal Policy	SCR	1	Fiscal Policy Constitutional Commission	S	10	S-SA
Fiscal Policy	SCR	2	GA Authority to Enact Addl Ed Funding		68	S-ED
Fiscal Policy	SJR	2	Request For Comprehensive Tax Study	W	10	Adopted
Government	SB	87	SOS Authority to Regulate Lobbyists	S	20,50	H-APP
Government	SB	105	Prohibited Ads For Elect State Officials	O	13	PI
Government	SB	114	Taxpayer Transparency Act of 2010	S	12,32,50	H-2nd Rdg
Government	SCR	3	Ballot Initiatives To Amend Constitution	W	68	S-SA
Gun Control	HB	1391	Sunset Instacheck Firearm Transfer	S	60,69	H-2nd Rdg
Gun Control	SB	51	Gov Firearms Disaster Emergency	O	14	PI
Gun Control	SB	92	Exempt CO Firearms From Federal Regs	O	14	PI
Health Care	HB	1004	Standardized Health Insurance Information	S	17	Signed
Health Care	HB	1008	No Gender Individual Health Ins Rates	S	16	Signed
Health Care	HB	1032	Behavioral Health Crisis Response Servs	S	27,36,74	H-3rd Rdg
Health Care	HB	1103	Catastrophic Illness Fund for Children	S	26	H-3rd Rdg
Health Care	HB	1138	Colorado Health Services Corps	S	44,73	Signed
Health Care	HB	1166	Plain Language In Insurance Policies	S	64	Signed
Health Care	HB	1179	Primary Care Act	S	43,73	PI
Health Care	HB	1242	Uniform Individual Health Insurance App	S	30	To Gov
Health Care	HB	1252	Breast Cancer Screening with Mammography	S	29	Conf. Com.
Health Care	HB	1332	Medical Clean Claims	S	45,74	Concur
Health Care	SB	14	Family System Navigators	S	17,74	Signed
Health Care	SB	20	CoverColorado Financial Viability	S	16,55	To Gov
Health Care	SB	56	Immunization Information School Children	S	17	Signed
Health Care	SB	153	Behavioral Health Screening and Efficiency	S	26,35,45,73	H-3rd Rdg
Health Care	SB	167	Medicaid Efficiency & False Claims	S	29	S-2nd Rdg
Health Care	SB	170	Limited Services Clinics Retail Outlets	S	44	PI
Justice System	HB	1347	DUI Penalties	S	32,40,69	S-JUD
Justice System	HB	1352	Controlled Substance Crime Changes	S	32,52,69	S-JUD
Juvenile Justice	HB	1413	Limitation on Juvenile Direct File	S	70	H-JUD
Juvenile Justice	SB	54	Educ Services For Juv Charged As Adult	S	14,70	H-JUD
Natural Resources	HB	1001	Renewable Energy Stds Solar Certif	S	23, 41	Signed
Natural Resources	HB	1127	Rocky Flats Plutonium Visitor Signs Info	O	15, 41	PI
Natural Resources	SB	25	Extend Funding Water Efficiency Grants	S	15,33,52	To Gov
Natural Resources	SB	78	Facilitate Use Of Reusable Effluent	S	15, 33	PI
Reproductive Rights	HB	1021	Required Coverage Reproductive Services	S	7,30,40	Conf. Com.
Reproductive Rights	HB	1261	Unborn Victims Of Violence Act	O	41	PI
Reproductive Rights	SB	113	First Degree Murder of a Fetus	O	41	PI
Voting Rights	HB	1045	DOR Electronic Address Change	S	32	S-2nd Rdg
Voting Rights	HB	1047	Readability Of Statewide Ballot Titles	S	7,15	S-SA
Voting Rights	HB	1408	Repeal Congressional District Criteria	O	67	H-SA
Voting Rights	SB	104	Conduct of Voter Registration Drives	O	22	PI
Voting Rights	SB	179	Voting Rights Persons in Crim Jus System	S	40,60	S-2nd Rdg