

**LEGISLATIVE LETTER®**

**LEAGUE OF WOMEN VOTERS OF COLORADO**

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

e-mail: [info@lwvcolorado.org](mailto:info@lwvcolorado.org)

[www.lwvcolorado.org](http://www.lwvcolorado.org)



March 28, 2011

LL#6:48

## **THROWAWAY CHILDREN REVISITED**

The League of Women Voters has long been concerned about the punitive direction our laws took in 1996 with the passage of HB 96-1005 Juvenile Justice. This change in direction was a response to an increase in youth violence and the perception that the juvenile justice system was inadequate to handle it. (At that time the longest term a child could be sentenced to in the juvenile system was 5 years; it is now seven years.) HB 96-1005 lowered the age at which a juvenile could be charged as an adult to 12 and lowered the age at which a juvenile could be direct filed on from 16 to 14 (League opposed this). Direct file allows the DA to make the decision to file in adult court instead of a juvenile court judge making the decision after considering specified factors at a transfer hearing. We believe that this represents an abandonment of the concept of the juvenile justice system which was created because it was recognized that children and adolescents are not miniature adults and are capable of growth and change and deserve an opportunity to be rehabilitated.

In the intervening years there have been some significant positive changes in the laws. The sentencing structure for juveniles charged as adults has been changed so that more of them can participate in the Department of Corrections' (DOC) successful Youthful Offender System (YOS) that focuses on education and rehabilitation (we supported). YOS provides education and treatment along with support after release. The inmates serve a set sentence, but they have a much longer adult sentence waiting for them, if they are unsuccessful in the YOS program.

In 2006, Rep. Lynn Hefley and Sen. Ken Gordon were successful in passing HB 06-1315 Juvenile Parole for Adult Class 1 Felony (we supported). It abolished the sentence of life in prison without parole for direct filed juveniles by changing the sentence to life in prison with the possibility of parole after 40 years. Unfortunately, the section of the bill that made this retroactive for those juveniles who were already serving life without parole was amended out.

In 2010, Reps. Levy and May and Sens. Newell and Lundberg successfully sponsored HB 10-1413 Limitation on Juvenile Direct File (we supported) that raised the age for direct file from 14 to 16 except for 1<sup>st</sup> and 2<sup>nd</sup> degree murder and certain very serious sexual crimes. It specified a number of factors that the DA must consider

when deciding whether or not to direct file on a juvenile. It also allowed a direct filed juvenile convicted of a class 2 felony that is not a sexual offense to be sentenced to the YOS. This bill was significant because it represented cooperation and compromise between all the interested parties including the DA's.

These changes have come about in part because of increasing evidence gained through new technologies that provides us with information about the ways that the brains of children and adolescents differ from the brains of adults. Human brain development continues well into the 20s, and the last area to develop is the frontal cortex, which governs impulsivity, judgment, planning for the future, understanding consequences, decision-making planning, and risk assessment. It should be noted that only a small percentage of adolescents who break laws continue to do so as adults. It is thus impossible to judge at the time of the offense which offending adolescents are incorrigible and will continue to present a danger to society in the future.

There still remains one significant legacy left over from the changes made in 1996 and that is the 48 offenders who were sentenced when they were juveniles currently serving life in prison without parole because they were charged and sentenced before the law changed in 2006. To address this, **Reps. Levy and Nikkel and Sen. Newell** have introduced **HB 11-1287 Colorado Juvenile Equal Protection Act (support)**. It repeals the life without parole sentence for those offenders. If the bill passes, those offenders will be given a life sentence with the possibility of parole after 40 years. The bill also provides juveniles who are serving adult sentences in DOC the opportunity for community placement at the discretion of the executive director of DOC but no later than 10 years before the offender's parole date. It specifies criteria that the executive director must consider when determining if an offender should be placed in community corrections and creates a step-down process for moving the offender into community corrections. If an offender is approved for the transition to community corrections, he will be moved first to a lower security DOC facility, and if he is successful, he will have a structured transition into community corrections. During this entire process, the offender will be on "inmate status", will receive specialized case management and be subject to consequences if he is not successful.

The League supports HB 1287 because it will allow those offenders who were sentenced as juveniles to life in prison without parole to be held accountable for their actions and still be offered an opportunity to grow and mature, to redeem themselves, and ultimately to become contributing members of our community. It also allows other juveniles who were sentenced as adults to be offered that same opportunity sooner than is allowed now and in a way that moves them into the community through a controlled, step-down process that has the potential to be more successful.

Carla Bennett 303-757-2930

## GOVERNMENT

### SPECIFIC FORMATS REJECTED

**NEW SB 190 Citizen Centric Performance Reports (Sen. Aguilar; Rep. Court) (support, with reservations)** is a follow-on to last year's HB 1119, that set up a strategic planning system for state departments, and required reporting of the plans and progress to the General Assembly through the committee process. We supported that bill. SB 190 concerns the form of those reports, requiring that they be "citizen centric," i.e., provide information in a form that research has shown is easy for citizens to understand. The bill specifies certain parts of that format. Our reservations about the bill

are not that the format is inappropriate, but that such direction probably does not belong in statute. On the other hand, corporate strategic planning departments do just this – provide formats and require compliance because it makes evaluation and monitoring easier.

The Senate State Affairs Committee agreed with our reservations and defeated the bill on March 21, by a vote of 4-1. Voting against the bill: Boyd, Cadman, Grantham, Heath. Voting for it: Bacon.

Christine Watson 303-250-1796

## ELECTIONS

### BLUE BOOK CHANGES NOW LAW

#### **HB 1035 Blue Book Information Statement (Rep. Court; Sen. Carroll) (support)**

This bill requires the Blue Book to explain to voters the origins of an initiative as a result of a petition with sufficient signatures or as a referendum as a coming from the legislature with a super majority of votes. Signed by the Governor Mar 17.

Previously reported: LL#1, p. 7; LL#2, p. 13; LL#3, p. 22; LL#4, p. 33; LL#5, p. 40

Alice Ramsey

## FISCAL POLICY

### OPEN RECORDS ENHANCED

**SB 25 Colorado Taxpayer Empowerment Act (Sen. Carroll; Rep. Ferrandino) (support)** verifies that the terms of government contracts with private businesses fall under the Colorado Open Records Act. On March 16, the bill passed out of House Finance Committee unanimously. The committee added language specifying that the bill applied to agreements with certified employee organizations for state employees, of the kind authorized by former Gov. Ritter's executive order in 2007. The full House passed the bill by a vote of 50-15, the Senate accepted the House amendments, and the bill is on its way to the Governor.

Previously reported LL#2, p. 12; LL#4 p. 32

Christine Watson 303-250-1796

#### House Vote

	YES	50	NO	15	EXCUSED	0	ABSENT	0
Acree	N		Fischer	Y	Liston	N	Scott	N
Balmer	N		Gardner B.	Y	Looper	N	Solano	Y
Barker	N		Gardner D.	Y	Massey	Y	Sonnenberg	N
Baumgardner	N		Gerou	Y	McCann	Y	Soper	Y
Becker	Y		Hammer	Y	McKinley	Y	Stephens	Y
Beezley	Y		Holbert	N	Miklosi	Y	Summers	Y
Bradford	Y		Hullinghorst	Y	Murray	Y	Swalm	Y
Brown	N		Jones	Y	Nikkel	N	Swerdfeger	Y
Casso	Y		Joshi	N	Pabon	Y	Szabo	Y
Conti	Y		Kagan	Y	Pace	Y	Todd	Y
Coram	Y		Kefalas	Y	Peniston	Y	Tyler	Y
Court	Y		Kerr A.	Y	Priola	N	Vaad	Y
DelGrosso	N		Kerr J.	Y	Ramirez	Y	Vigil	Y
Duran	Y		Labuda	Y	Riesberg	Y	Waller	Y
Ferrandino	Y		Lee	N	Ryden	Y	Williams A.	Y
Fields	Y		Levy	Y	Schafer S.	Y	Wilson	Y
							Speaker	Y

### GIVE AND TAKE ON TANF RESERVES

**SB 124 Transfers of County TANF Reserves (Sen. Hodge; Rep. Gerou) (watch)** was amended again on second reading in the Senate. Instead of raising the cap on county TANF reserves back up to 70% of the county's annual block grant, it sets the cap at 40%, which should alleviate some of the concerns about money sitting unused in reserves. At the same time, the effort to keep funds from going back to the state to the long-term works reserve is strengthened by setting up procedures for the works allocation committee to transfer excess TANF reserves to other counties, starting with those who are down to less than 10% in reserves.

The bill passed the Senate unanimously (Lundberg excused) and has been introduced in the House, where it has been assigned to Finance.

Previously reported LL#5, p. 41.

Julie Leonard 720-384-8421

## **NATURAL RESOURCES**

### ENERGY

#### SMART GRID BILL DEFEATED

**NEW SB 131 Colo Smart Grid Task Force Recommend (Sen. S. Williams; Rep. Solano) (support)** concerns the creation of a smart energy grid in Colorado. A task force to study issues related to the development of a smart energy grid in Colorado and to make recommendations was created in the 2010 legislative session. The purpose of this bill is to implement recommendations of the task force report of Jan. 20, 2011, including the hastening of integration of renewable energy technologies in the fuel mix of Colorado utilities, providing information to electric utility customers, and evaluating the economic impact of a smart energy grid. A Smart Grid Division would be created within the office of Economic Development to promote the entrepreneurial creation of new smart grid businesses, assist existing businesses and to provide technology transfers. On March 17, the Senate Com-

mittee on Agriculture, Natural Resources, and Energy defeated the bill. Voting against the bill: Brophy, Grantham, Guzman, Harvey, Schwartz. Voting for the bill: Giron, Jahn.)

Shirley Jin 303 499-1574

## SOCIAL POLICY

### CHILDREN'S ISSUES

#### BACKGROUND CHECK HEADS TO SENATE

**HB 1145 Availability Background Check Child Care (Rep. McCann; Sen. Tochtrop) (support)** passed out of House Appropriations on March 18. The vote was 12 to 1. Voting YES: Rep. DeGrosso, Ferrandino, B. Gardner, Hullinghorst, A. Kerr, J. Kerr, Looper, Pabon, Solano, Sonnenberg, Becker, Gerou. Voting NO: Rep. Riesberg.

On March 22, the bill unanimously passed 3<sup>rd</sup> reading in the House. The bill was amended in Appropriations to remove the sections of the bill that created the Investigations Registry. It would have cost the Department of Human Services \$1 million to start up the registry in FY 2011/12 and \$19,311 a year in subsequent years according to the revised fiscal impact. This amendment results in the elimination of parental access to clearance information on child care workers, which was our chief objection to the bill. Accordingly, we have changed our position to "support".

As amended, the bill simply closes the loophole in the requirements regarding fingerprint-based background checks for child care workers. Now all child care workers will have to have both a CBI and an FBI fingerprint based background check regardless of how long they have lived in Colorado. The cost for this will be covered by fees charged for the background checks.

It now awaits hearing by Senate Education Committee.

Previously reported: LL #3, p. 24; LL #5 p. 43

Carla Bennett 303.757.2930

#### FOSTER YOUTH BILL PASSES THE HOUSE

**SB 120 Protections for Youth in Foster Care (Sen. Newell; Rep. Kefalas) (support in part)** passed unanimously out of House Health and Environment on March 15. (Rep. Massey excused.) It then passed 3<sup>rd</sup> reading on March 23, 60-5. Voting no: Baumgardner, Becker, Holbert, Murray, Sonnenberg. It will be sent to the governor.

As the bill has progressed through the process, it has been amended, but no amendments were substantive, and the intent of the bill remains the same—to put into one place in statute the guidelines for how foster children and youth should be treated in foster care, to protect foster youth from identity theft, and to waive fingerprint-based background checks in certain circumstances. There was a moment of humor during the committee hearing when Rep. McCann told the sponsor that the bill sets a record for the longest legislative declaration.

Previously reported: LL #3, p. 25; LL #4, p. 33; LL#5, p. 43

Carla Bennett 303.757.2930

#### SB 34 WILL GO TO GOVERNOR

**SB 34 Required Reporting of Abuse and Neglect (Sen. Nicholson; Rep. Summers) (support)** passed 3<sup>rd</sup> reading in the House on March 17. Once it is signed by the governor, WIC educators will be added to the list of those who are required to report child abuse and neglect.

Previously reported: LL #1, p. 8; #3, p. 25; #5 p. 43

Carla Bennett 303.757.2930

#### House Vote

	YES	57	NO	7	EXCUSED	1	ABSENT	0
Acree	Y		Fischer	Y	Liston	Y	Scott	Y
Balmer	Y		Gardner B.	Y	Looper	N	Solano	Y
Barker	Y		Gardner D.	Y	Massey	Y	Sonnenberg	N
Baumgardner	N		Gerou	Y	McCann	Y	Soper	Y
Becker	N		Hamner	Y	McKinley	N	Stephens	Y
Beezley	Y		Holbert	N	Miklosi	Y	Summers	Y
Bradford	Y		Hullinghorst	Y	Murray	Y	Swalm	Y
Brown	Y		Jones	Y	Nikkel	Y	Swerdfeger	Y
Casso	Y		Joshi	Y	Pabon	Y	Szabo	Y
Conti	Y		Kagan	Y	Pace	Y	Todd	Y
Coram	N		Kefalas	Y	Peniston	Y	Tyler	Y
Court	Y		Kerr A.	Y	Priola	Y	Vaad	Y
DelGrosso	Y		Kerr J.	Y	Ramirez	Y	Vigil	Y
Duran	Y		Labuda	Y	Riesberg	Y	Waller	Y
Ferrandino	Y		Lee	Y	Ryden	Y	Williams A.	Y
Fields	E		Levy	Y	Schafer S.	Y	Wilson	Y
							Speaker	Y

## EDUCATION

### DEAD

Two education bills on our radar have died. After being heavily amended, **HB 1055 Facilities for Charter Schools (Rep. Beezley; Sen. Spence) (oppose)** passed 3<sup>rd</sup> reading in the House on March 11 and was then PI'd in Senate State Affairs on a 3/2 vote on March 23. Voting against the bill: Boyd, Bacon, Heath. Voting for it: Cadman; Grantham.

**SB 69 Educational Management Organizations (Sen. Hudak; Rep. Massey) (support)** also went through some changes before passing 3<sup>rd</sup> reading in the Senate on March 14 with bi-partisan support, but was PI'd in House State Affairs (Baumgardner, Liston, Waller, Coram, J. Kerr voting to PI; Court and Todd voting No; and Miklosi and Levy excused).

HB 1055 Previously reported: LL#1, p. 9.

SB 69 Previously reported: LL#3, p. 26; LL#4, p. 34; LL#5, p. 44.

### HB 1055 House Vote

YES	36	NO	27	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	N	Liston	Y	Scott	Y
Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
Baumgardner	Y	Gerou	Y	McCann	N	Soper	N
Becker	Y	Hammer	N	McKinley	E	Stephens	Y
Beezley	Y	Holbert	Y	Miklosi	N	Summers	Y
Bradford	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Casso	Y	Joshi	Y	Pabon	N	Szabo	Y
Conti	Y	Kagan	E	Pace	N	Todd	N
Coram	Y	Kefalas	N	Peniston	Y	Tyler	N
Court	N	Kerr A.	N	Priola	Y	Vaad	Y
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
Duran	N	Labuda	N	Riesberg	N	Waller	Y
Ferrandino	N	Lee	N	Ryden	N	Williams A.	N
Fields	Y	Levy	N	Schafer S.	N	Wilson	N
						Speaker	Y

### SB 69 Senate Vote

YES	26	NO	6	EXCUSED	2	ABSENT	1
Aguilar	Y	Guzman	Y	Kopp	E	Scheffel	N
Bacon	Y	Harvey	N	Lambert	Y	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	E	Spence	Y
Brophy	N	Hodge	Y	Mitchell	Y	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	A
Giron	Y	King K.	Y	Renfroe	Y	President	Y
Grantham	N	King S.	Y	Roberts	Y		

## ON THE MOVE

Two other bills the League has been watching are on the calendar for Monday of this week. **HB 1126 Improving Parent Involvement in Schools (Rep. Duran; Sen. Hudak) (watch)** was approved by the Senate Education Committee (Heath, Johnston, Nicholson, Hudak, Bacon voting Yes; K. King, Renfroe, Spence voting No) and will face 2<sup>nd</sup> reading in the Senate Monday. Senator Spence's amendment in committee that would place letter grades on schools (C-improvement, D-priority improvement, F-turnaround) was defeated.

**HB 1277 Statutory Changes to K-12 Education (Rep. Massey & Solano; Sen. Bacon) (watch)** will be heard in House Education Monday afternoon.

HB 1126 Previously reported: LL#3, p. 26; LL#4, p. 34; LL#5, p. 44.

HB 1277 Previously reported: LL#5, p. 44.

All reported by Sally Augden 303.455.5800

## HIGHER EDUCATION

### HIGHER EDUCATION COMMITTEE APPROVED

**SB 100 Sunset Council of Higher Education (Sens. Hudak & K. King. & Rep. Murray) (Support)** The bill to continue the Council of Higher Education has unanimous support in to the House Education Committee and the House. The House Education Committee passed the bill 13-yes, 0-no on March 14. The House passed the bill on a vote of 64-yes, 0-no, 1-excused (Schafer) on March 18. The Higher Education Committee has the distinction of having unanimous support in both the House and the Senate. Testimony in the Senate Education Committee indicated that this committee has been successful in its efforts to date. It makes decisions through consensus and put its agreements in place at the student advisor level. Surely this can be a cornerstone and model for other issues we are confronting!

Previously reported: LL #3, 27; LL #4, 34.

**ANOTHER LOOK AT HIGHER ED FUNDING**

**NEW** **HB 1184 Higher Ed Funding Committee (Rep. McCann and Sen. K. King) (Watch)** The bill would create a Higher Education Funding Committee that would make recommendations to the General Assembly concerning funding for the statewide system of higher education. The makeup of the committee would include the following: 8 legislative members (4 Representatives and 4 Senators), 4 ex-officio members to include the executive director of the Department of Higher Education, Chair of the State Board of Education, and the Commissioner of Education. Additionally, membership would include a representative from each state institution of higher education, each board of the institutions, junior colleges and vocational schools, private institutions of higher education, and the business community.

Appointments will be made by July 1, 2011 and the first meeting will be held by July 15, 2011. The Committee must meet at least once in each of the four quadrants of the state in addition to the Denver-Boulder metropolitan area. The fiscal note indicates a cost of \$28,472 from the General Fund for implementation.

Concerns have been raised about the size and ultimately the efficiency of this proposed committee to be able to make timely decisions.

On February 23, the House Education Committee referred it to the Legislative Council. The Legislative Council is scheduled to review the bill.

Both reported by Barbara Whinery 970-353-6731

**EQUALITY OF OPPORTUNITY**

**PROTECTION IN ALL BUSINESSES**

**SB 72 Civil Rights Enforcement Act (Sen. Carroll; Rep. Levy) (support)** extends civil rights protections in the cases of sexual harassment or discrimination to employees of very small businesses. If fully passed and signed, the bill would enable Colorado to join more than 40 other states that have extended this protection under state civil rights laws to employees of very small businesses. In its tour through the Senate, the bill was modified to push

out the effective date until 2014, to allow more time for the outreach and assistance in preventing sexual harassment to reach more businesses. In addition, when a complaint is found to be itself harassing, a business is eligible to recover attorney fees. The bill passed out of Appropriations on a vote of 6-4. Voting yes: Bacon, Giron, Nicholson, Heath, Hodge, Steadman. Voting no: Grantham, Harvey, K. King, Lambert. It passed third reading in the Senate on March 21, by a vote of 20-15. It has been assigned to the House State Affairs Committee.

Previously reported LL#2, p. 16; LL#4 p. 35

Christine Watson 303-250-1796

**Senate Vote**

YES	20	NO	15	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	N
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	N
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	N		

**CIVIL UNIONS IN HOUSE**

**SB 172 Civil Unions (Sen. Steadman; Rep. Ferrandino) (support)** has been approved by the full Senate on a vote of 23-12. It now goes to the House Judiciary Committee.

Previously reported: LL#4, p. 35; LL#5, p. 45.

Christine Watson 303-250-1796

**Senate Vote**

YES	23	NO	12	EXCUSED	0	ABSENT	0
Aguilar	Y	Guzman	Y	Kopp	N	Scheffel	N
Bacon	Y	Harvey	N	Lambert	N	Schwartz	Y
Boyd	Y	Heath	Y	Lundberg	N	Spence	Y
Brophy	N	Hodge	Y	Mitchell	N	Steadman	Y
Cadman	N	Hudak	Y	Morse	Y	Tochtrop	Y
Carroll	Y	Jahn	Y	Newell	Y	White	Y
Foster	Y	Johnston	Y	Nicholson	Y	Williams S.	Y
Giron	Y	King K.	N	Renfroe	N	President	Y
Grantham	N	King S.	N	Roberts	Y		

**HEALTH CARE**

**GEARING UP FOR HEALTH CARE REFORM**

**NEW** **SB 200 Health Benefit Exchange (Sen. Boyd, Rep. Stephens) (support)** creates the Colorado health benefit exchanges as a nonprofit unincorporated public entity. The purpose of the exchange is to assist individuals and businesses, especially small employers, to find affordable

health insurance coverage. It does this by increasing information about and access to health insurance, and thus increases choice for Colorado citizens.

The exchange is governed by a 13 member Board, nine of whom are voting members. These nine members will be appointed by the governor (5 members), the president of the Senate, the speaker of the House and the minority leaders of the Senate and House (1 member each). The majority of the voting members must not be directly affiliated with the insurance industry. They must have demonstrated healthcare expertise in one of several areas including the provision of health care services, the purchase of health care insurance coverage, and health care consumer navigation or assistance.

The Board is responsible for:

- Appointing an executive director to administer the program;
- Creating operational and financial plans;
- Applying for planning and establishment grants;
- Providing written reports to the Governor and general assembly on planning and establishment of the exchange;
- Reviewing internet portals for use in the exchange;
- Setting the structure of the exchange;
- Considering the appropriate size of the small employer market and;
- Investing requirements, developing options, and determining waivers.

To assure that Colorado citizens are protected, the Legislature will have oversight responsibilities.

The Patient Protection and Affordable care Act (PPACA) included the option for states to create healthcare marketplaces called exchanges. Beginning in January in 2014, the marketplaces will enable individuals and small businesses to compare and purchase quality, affordable health insurance plans. Using the exchange is voluntary. Individuals and small businesses who are satisfied with their health insurance do not need to participate in the exchanges.

The bill has bi-partisan support.

Marion Colliander 303-322-3926

## **DEATH CERTIFICATE INDICATING PREGNANCY**

### ***NEW* HB 1183 Death Certificate Indicate If Pregnant (Rep. Bradford; Sen. Spence) (oppose)**

The purpose of this bill is uncertain. However, since other medical conditions do not require reporting on death certificates and the invasion of privacy is an issue, we oppose this bill.

HB 1183 was heard in House Health and Environment, passed on a 9-3 vote (Fields, Riesberg, and S. Schafer voting No), passed through the House and was debated at length in Senate State Affairs and with two amendments was passed (unanimously with Cadman excused) on to the Senate Committee of the Whole where it was approved on March 22 with a 35-0 vote on 3rd reading. The two amendments removed the requirement that pregnancy during the past twelve months be noted, and pregnancy at time of death will be noted **only** if an autopsy is requested and performed.

The bill also amended the statute concerning Certificates of Death to change the pronouns referring to physicians as his OR HER.

The House concurred with the Senate's changes, and the bill has been sent to the Governor.

Carolyn Engelken 303-750-0949

## **INCOME ASSISTANCE**

### **CONSOLIDATE HOUSING PROGRAMS?**

***NEW* HB 1230 Consolidate Housing Assist Into DOLA (Rep. Duran; Sen. Boyd) (watch)** Currently, two different state programs provide financial assistance, mostly vouchers, to those in need of housing. All the funding is federal, but some is handled by the Department of Local Affairs, which passes 70% of it to local housing authorities and nonprofits, while another portion is administered by the state's Office of Behavioral Health and Housing in the Department of Human Services. This bill would consolidate the two programs into Local Affairs, with a requirement that at least as many vouchers be made available to persons with disabilities as in 2010-11. The sponsor has estimated that savings in administrative costs will enable an addi-

tional \$1.5 million to be issued in vouchers. The bill initially mandated that there be no reduction in force (number of employees), which raised questions about where the savings were going to be found. The bill has since been amended to require an overall reduction of at least 25% in employees handling distribution of housing vouchers. However, since the assumption is that Local Affairs will start passing on more of the funding to the counties to administer, there still remains a question as to whether the counties will need to make additional hires.

The House State Affairs and Appropriations Committees, as well as the full House, passed the bill unanimously. The Senate Local Government Committee made minor amendments and sent it on to Appropriations on a vote of 4-0-1 (Cadman excused).

Julie Leonard 720-384-8421

## **REPRODUCTIVE RIGHTS**

### **CRIMES AGAINST AN UNBORN CHILD**

**HB 1256 Crimes Against An Unborn Child (Rep. Waller; Sen. Steadman) (watch)** had a short run in the 2011 legislature as it was PI'd in House Judiciary on March 17 after its chief sponsor, Rep. Mark Waller, requested that it be killed. That motion passed on a 10-0 committee vote with 1 excused (DelGrosso).

A heated debate over one sentence led to the killing of the bill. That sentence stated that nothing "shall be construed to confer the status of 'person' on an unborn child at any stage of development." Anti-abortion members of the committee insisted that the sentence be removed if the bill were truly about criminal justice. Rep. Waller had never intended the bill to be a battle over abortion, thus his request for a status of P.I.

Previously reported LL#4, p. 35.

Carolyn Engelken 303.750.0949

## **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

<b>POLICY AREA</b>	<b>S/H</b>	<b>BILL #</b>	<b>BILL TITLE</b>	<b>S/O</b>	<b>PAGE</b>	<b>STATUS</b>
Children's Issues	SB	34	Required Reporting Of Abuse & Neglect	S	8,25,43,51	To Gov
Children's Issues	SB	120	Protections For Youth In Foster Care	SIP	25,33,43,51	To Gov
Children's Issues	HB	1145	Availability Background Check Child Care	S	24,43,51	S-Ed
Children's Issues	HB	1181	Human Service Child Fatality Review Team	W	26	S-3rd Rdg
Children's Issues	HB	1193	Family Advocacy Juvenile Mental Health	S	24,44	To Gov
Children's Issues	HB	1196	Flexibility In Funding Family Services	S	24,33	H-APP
Education	SB	1	Knowledge-based Economy Fund	W	8	S-ED
Education	SB	69	Educational Management Organizations	W	26,34,44,52	PI'd
Education	SB	79	Educational Non-instructional Support Services	W	26,34	PI'd
Education	SB	80	School Improvement Plans	S	16	S-ED
Education	SB	157	Modifications To The School Finance Act	W	26	Signed
Education	HB	1048	Income Tax Credits For Nonpublic Ed	O	8,26,44	H-APP
Education	HB	1053	Incarceration For Truancy And Contempt	W	26,34,44	Signed
Education	HB	1055	Facilities For Charter Schools	O	9,52	PI'd

Education	HB	1089	Charter Schools Grant Applications	W	26,34,44	Signed
Education	HB	1126	Improving Parent Involvement in Schools	W	26,34,44,52	S-2nd Rdg
Education	HB	1277	Statutory Changes to K-12 Education	W	44,52	H-ED
Elections	SCR	1	Ballot Measures	S	21	Conc.
Elections	SB	57	Metro Dist Mail Elections	S	21,39	H-LG
Elections	SB	189	Election Dates To Comply With MOVE Act	S	39	S-SA
Elections	HB	1035	Blue Book Information Statement	S	7,13,22,33,40,50	Signed
Elections	HB	1072	Designated Rep Of Initiative Proponents	S	13	S-JUD
Elections	HB	1090	Readability Of Statewide Ballot Titles	S	13, 22, 31	PI'd
Elections	HB	1131	Mail Ballot Elections	O	21	D-PI'd
Elections	HB	1219	Uniform Military And Overseas Voters Act	S	21,39	H-2nd Rdg
Elections	HB	1229	Issue Committees	S	22	PI'd
Elections	HB	1276	Judicial Criteria Redistrict Congress	W	39	H-SA
Energy	SB	71	Reduce Energy Costs	O	15	PI'd
<b>Energy</b>	<b>SB</b>	<b>131</b>	<b>Colo Smart Grid Task Force Recommend</b>	<b>S</b>	<b>50</b>	<b>PI'd</b>
Equality Of Opportunity	SB	72	Civil Rights Enforcement Act	S	16,35,53	H-SA
Equality Of Opportunity	SB	172	Civil Unions	S	35,45,53	H-JUD
Fiscal Policy	SB	25	Colorado Taxpayer Empowerment Act 2011	S	12,32,50	To Gov
Fiscal Policy	SB	124	Transfers of County TANF Reserves	W	41,50	H-FIN
Fiscal Policy	SB	184	Tax Reporting	S	40	S-APP
Fiscal Policy	HB	1052	Pay-as-you-go Requirements	S	14, 23	PI'd
Fiscal Policy	HB	1104	Tax Expenditure Reports	S	32	PI'd
Fiscal Policy	HB	1280	Limit General Fund Approp Growth	O	40	H-FIN
<b>Government</b>	<b>SB</b>	<b>190</b>	<b>Citizen-centric Performance Reports</b>	<b>S</b>	<b>49</b>	<b>PI'd</b>
Gun Control	SB	53	Governor Disaster Authority Firearms	O	14,23	PI'd
Gun Control	HB	1205	Concealed Handgun Exception	O	41	PI'd
Health Care	SB	8	Aligning Children's Medicaid Eligibility	S	9	To Gov
Health Care	SB	63	Health Care In Local Gov Master Plans	S	17	H-2nd Rdg
Health Care	SB	105	Sunset Medicaid In-home Support Services	S	27	S-APP
Health Care	SB	128	Child-only Health Insurance Plans	S	27	S-3rd Rdg
Health Care	SB	168	Colorado Health Care Cooperative	S	30,38	S-2nd Rdg
Health Care	SB	177	Sunset Teen Pregnancy & Dropout Program	S	45	S-APP
<b>Health Care</b>	<b>SB</b>	<b>200</b>	<b>Health Benefit Exchange</b>	<b>S</b>	<b>53</b>	<b>S-HHS</b>
Health Care	HB	1019	Exempt School-based Clinics Copay	S	17,46	Signed
Health Care	HB	1025	Repeal Hospital Provider Fee	O	17	PI'd
Health Care	HB	1144	Fetal Alcohol Spectrum Disorders	S	28,45	Signed
<b>Health Care</b>	<b>HB</b>	<b>1183</b>	<b>Death Certificate Indicate If Pregnant</b>	<b>O</b>	<b>54</b>	<b>To Gov</b>
Health Care	HB	1217	Expand Access Health Care	S	28	H-APP
Health Care	HB	1242	Medical Provider Integration Of Service	S	45	H-APP
Health Care	HB	1273	Health Care Opportunity Patient Empower	O	38	H-HEA
Higher Ed	SB	52	Goals For Higher Ed System	W	26,34	S-2nd Rdg
Higher Ed	SB	100	Sunset Council On Higher Ed	S	27,52	To Gov

Higher Ed	SB	126	Unsubsidized In-state Tuition	S	20	S-2nd Rdg
<b>Higher Ed</b>	<b>HB</b>	<b>1184</b>	<b>Higher Ed Funding Committee</b>	<b>W</b>	<b>53</b>	<b>LC</b>
Immigration	SB	54	Authority To Arrest Unlawful Aliens	O	11	PI'd
Immigration	HB	1107	State Illegal Immigration Enforcement	O	23	PI'd
Immigration	HB	1149	Identity Verification Of Lawful Presence	W	41	H-APP
Income Assistance	SB	2	Low-Income Telephone Assistance Prog	W	18	Signed
Income Assistance	HB	1058	No Public Assistance At Strip Club ATMs	O	18	PI'd
Income Assistance	HB	1224	Repeal Low-Income Telephone Program	O	28	PI'd
<b>Income Assistance</b>	<b>HB</b>	<b>1230</b>	<b>Coordinate Housing Assist Into DOLA</b>	<b>W</b>	<b>54</b>	<b>S-APP</b>
Justice System	HB	1032	Restorative Justice	SIP	14,42	H-APP
<b>Juvenile Justice</b>	<b>HB</b>	<b>1287</b>	<b>Colorado Juveniles Equal Protection Act</b>	<b>S</b>	<b>48</b>	<b>H-JUD</b>
Natural Resources	HB	1223	Colorado Oil & Gas Conservation Commn	O	23	H-AGR
Reproductive Rights	HB	1256	Crimes Against An Unborn Child	W	35,55	PI'd
Voting Rights	SB	18	Proof of Citizenship for Voter Regis	O	7, 15	PI'd
Voting Rights	HB	1003	Define ID For Voting	O	7,21,42	PI'd
Voting Rights	HB	1096	Voter Preregistration At Age Sixteen	S	13, 21	PI'd
Voting Rights	HB	1252	Proof Of Citizenship For Voter Regis	O	21,42	H-APP
Water	SB	21	Term Limits Water Facility Operators Bd	S	7,16,43	To Gov
Water	HB	1179	On-site Wastewater Treatment Systems	S	23,32,43	PI'd