

LEGISLATIVE LETTER[®]
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February 11, 2013

LL#3:21

GUN CONTROL: A RAFT OF BILLS

As the national debate rages regarding firearms, so goes the debate in the state house. So far legislators have introduced at least 13 bills intended to either limit and control firearms or allow more people to more easily own and carry weapons in more places.

The League of Women Voters does not oppose private ownership of firearms, for personal protection or for sport. The League's position calls for protecting the safety of citizens through limits on and regulation of firearms. Many of the first bills introduced purport to increase safety by requiring or allowing the presence of guns in more locations than is currently allowed. In our evaluation, there would be more danger from misuse and error than safety from these measures.

Accordingly, the League **opposed** the following bills, all of which died in committee:

SB 9 School Board Policies Allowing Concealed Carry (Sens. Renfroe, Harvey; Rep. Saine)

SB 62 Require Security At No-firearms Businesses (Sen. Lambert; Rep. Saine)

HB 1048 Deadly Force Against Intruder at a Business (Rep. Everett; Sen. Grantham)

HB 1170 Policies Allowing Concealed Carry in Public School (Rep. Humphrey; Sen. Hill) is a duplicate of **SB 9** and therefore earns an **oppose** position from the League. It is scheduled to be heard in House Judiciary Committee on February 19.

Currently, Colorado requires a background check to purchase a firearm from a dealer or at a gun show (but not from a private individual) and a permit to carry a concealed weapon. Several of the new proposals seek to change that formula. **HB 1162 Concealed Carry Handgun Carry No Permit (Rep Holbert; Sen. Hill) (oppose)** would allow people who are legally entitled to possess firearms to carry a concealed firearm without a obtaining a permit. One concern here is that gaining a concealed-carry permit now requires some training to enhance safety. Automatically granting permission would eliminate that requirement. In addition, there are many ways to obtain firearms without a background check (e. g., private purchase, gifts, and purchases at gun shows in other states); so this bill would allow people who had never undergone a background check to carry concealed weapons. It is scheduled to be heard in House Judiciary Committee on February 19.

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HB 1169 No Background Check with Concealed Carry Permit (Rep. Humphrey; Sen. Brophy) (oppose) allows a holder of a concealed carry permit to make subsequent purchases of firearms with no background check. Should such an individual later commit an illegal action or develop a mental condition that would normally prohibit their firearm purchase, these matters would not be considered. Supporters of these bills (including NRA and related gun ownership organizations) believe that background checks and permits are burdensome to gun owners. This bill will be heard in House State Affairs, February 18th at 1:30

Two bills in the pipeline go in the other direction. **HB 1228 Payment for Background Checks for Gun Transfers (Rep. Court; Sen. Heath)** would require the Colo. Bureau of Investigation to impose a fee for instant background checks. Currently the cost of these background checks is paid by all Colorado taxpayers (unlike background checks required for other purposes, such as becoming a foster parent, where the applicant pays). This will be heard in House Finance on February 13th, at 1:30 in the Old Supreme Court Chambers. **HB 1229 Background Checks for Gun Transfers (Reps. Fields and McCann; Sen. Carroll)** would require CBI checks for all firearms sales, even private ones. League supports these bills as being beneficial to improving the safety of individuals and the community. When the cost of the background check is defrayed immediately, the check can be completed quickly, allowing those who are eligible to conclude a purchase without delay and stopping a transaction right away for those who are not. Background checks for private transfers, while sounding unwieldy, will close a loophole through which law-abiding sellers might unintentionally put guns into the hands of people whose history is a red flag for future problems. This bill will be heard on February 12th upon adjournment by House Judiciary in the Old Supreme Court Chambers.

The League **opposes** two bills that would attempt to invalidate certain federal firearms laws in Colorado. **SB 140 No Federal Laws Concerning Colorado Firearms (Sen. Marble; Rep. Saine)** focuses on weapons, ammunition and accessories manufactured and remaining in Colorado. This bill will be heard by Senate State Affairs at 1:30 on February 13. **HB 1187 No New Federal Firearms Laws (Rep. Landgraf; Sen. Lundberg)** would prohibit enforcement of federal restrictions that do not already exist in Colorado. These bills attempt to nullify federal laws, a policy which has been repeatedly rebuffed by the Supreme Court of the United States. This bill will be heard by House State Affairs at 1:30 on February 18th.

One interesting bill that has bill sponsors going back to the drawing board and League reconsidering its original oppose position is **HB 1085 Change Possession of Weapons by Previous Offender (Rep. Buck; Sen. Renfro)**. This bill would allow some former felons to legally possess firearms. On the face of it, this seems like a bad idea, but the bill does specify that acts of burglary, arson, crimes listed under the victim's rights act, and any crime involving a deadly weapon would remain on the prohibited list. Discussion in House Judiciary led to a promise of clarifying amendments. This bill has some important implications for criminal justice reform, so League will investigate these issues more thoroughly and review amendments carefully. We want to be certain that there will be a careful review before gun rights are restored and that potentially violent people will not be able to obtain firearms. The bill has been laid over by House Judiciary while the amendments are prepared.

Two bills were introduced on Feb. 7. **HB 1224 Prohibiting Large Capacity Magazines (Rep. Fields; Sen. Hodge)** would prohibit the sale, transfer or possession of a device using more than 10 rounds of ammunition or 5 shotgun shells. Current owners of these devices would not be affected. This bill will be heard on February 12th upon adjournment by House Judiciary in the Old Supreme Court Chambers. **HB 1226 No Concealed Carry at Colleges (Rep. Levy Sen. Heath)** will add college campuses to the locations where CCP (concealed-carry permit) holders may not possess a concealed firearm. This bill will be heard by House Education on February 13 upon adjournment in the Old Supreme Court Chambers. More bills coming down the pike would address assault weapons manufacturers' responsibility, the purchase or possession of guns by persons with known mental health difficulties, domestic violence, and in-person training for concealed-carry permits.

Legislators are listening carefully to their constituents on the question of gun rights, control and access. Check www.lwvcolorado.org for legislators' addresses, or call 303.863.0437.

Leslie Chomic, Jean Grattet 303.863.0437

GOVERNMENT

DELIVERING OPEN RECORDS REQUESTS

HB 1041 Transmission Of Records Under CORA (Rep. Pettersen; Sen. Kefalas) (support)

was heard in House Local Government on January 30th and passed, as amended, unanimously on to the Committee of the Whole. The amendment clarified that if the record is already maintained in a digital format, then no transmission fees may be charged to the requester, if the record is delivered by facsimile or electronic mail. There was an expectation on the part of some of the opponents that there would be further amendments to the bill by second reading. However, the bill passed 2nd reading on February 4 with no additional amendments and passed 3rd reading on February 6 by a vote of 54 to 10 with one excused.

Previously reported: LL#1, p. 8.

Carol Tone 303.377.3746

House Vote

	YES	54	NO	10	EXCUSED	1	ABSENT	0
Buck	Y		Ginal	Y	McLachlan	Y	Saine	N
Buckner	Y		Hammer	Y	McNulty	Y	Salazar	Y
Conti	Y		Holbert	Y	Melton	Y	Schafer	Y
Coram	N		Hullinghorst	Y	Mitsch Bush	Y	Scott	N
Court	Y		Humphrey	N	Moreno	Y	Singer	Y
DelGrosso	Y		Joshi	N	Murray	Y	Sonnenberg	N
Dore	Y		Kagan	Y	Navarro	Y	Stephens	Y
Duran	Y		Kraft-Tharp	Y	Nordberg	N	Swalm	Y
Everett	N		Labuda	E	Pabon	Y	Szabo	N
Exum	Y		Landgraf	Y	Peniston	Y	Tyler	Y
Fields	Y		Lawrence	Y	Pettersen	Y	Vigil	Y
Fischer	Y		Lebsock	Y	Primavera	Y	Waller	Y
Foote	Y		Lee	Y	Priola	Y	Williams	Y
Garcia	Y		Levy	Y	Rankin	Y	Wilson	Y
Gardner	Y		May	Y	Rosenthal	Y	Wright	N
Gerou	Y		McCann	Y	Ryden	Y	Young	Y
							Speaker	Y

OPEN RECORDS BILL KILLED

HB 1037 Cost For Providing Records Under CORA (Rep. Salazar) (watch) The sponsor went before the House Local Government Committee and pulled the bill on January 30. The problems, as the sponsor explained, are that costs charged to people making CORA requests were unaffordable; but the government entities providing information in response to CORA requests felt they were overwhelmed by requests and the costs of complying. The sponsor explained that the stakeholders had agreed to work on mutually agreeable solutions to be proposed in legislation

next year. At sponsor's request, the committee unanimously (13-0) voted to PI the bill.

Previously reported: LL#1, p. 8.

Carol Tone 303.377.3746

ELECTIONS

CANCELLING UNCONTESTED PRIMARIES

HB 1067 Cancel Primary Major Pol Party No Contested Races (Rep. Murray and Labuda; Sen. Roberts) (support) Co-sponsor Labuda was not present at the hearing on February 4th. Rep. Murray explained a strike-below amendment. It stated that the sole candidate for each office would be the party nominee and therefore deemed a candidate in and the winner of the primary election. The name of such nominee must be printed on the official ballot prepared for the ensuing general election. In addition, a mailing would be sent to each active registered elector of the county who is affiliated with the political party with the names of the candidates that had been declared the winner of the primary election. The committee chair chose to lay over the bill to allow the co-sponsors of the bill to discuss the amendment (now scheduled for action only on February 13th).

Previously reported: LL#1, p. 8.

Carol Tone 303.377.3746

FISCAL POLICY

CIGARETTE TAXES ADVANCE

HB 1144 Eliminate Cigarette Sales and Use Tax Exemption (Rep. Kagan; Sen. Steadman) (support) This bill proposes to make cigarettes permanently subject to sales and use tax by eliminating indefinitely an exemption adopted in the late 1960s. Debate on second reading in the House focused on the benefits of even incremental reduction in the number of cigarette packs sold/smoked vs. the economic harm to low income individuals forced to pay more for the product to which they are addicted.

Finally, Rep. DelGrosso offered an amendment proposing that the funds be specifically devoted to College Opportunity Fund, to help Colorado young people attend college. Rep. McNulty, in endorsing the amendment, committed to supporting the bill if it were added. It was. He did. The bill passed third reading on Feb. 4 by a vote of 40-24-1.

Although League tends to oppose earmarking of funds, help for higher education is in order, and the monies generated (about \$28 million) will not unduly burden those working to balance the budget. Thus, we do not oppose this amendment. It will be interesting to see if it survives the Senate, where it has been assigned to Finance Committee.

Previously reported: LL#2, p. 12.

Christine Watson 303.250.1796

House Vote

	YES	40	NO	24	EXCUSED	1	ABSENT	0
Buck	N		Ginal	Y	McLachlan	Y	Saine	N
Buckner	Y		Hamner	Y	McNulty	Y	Salazar	Y
Conti	Y		Holbert	N	Melton	Y	Schafer	Y
Coram	Y		Hullingerhorst	Y	Mitsch Bush	Y	Scott	N
Court	Y		Humphrey	N	Moreno	Y	Singer	Y
DelGrosso	N		Joshi	N	Murray	Y	Sonnenberg	Y
Dore	N		Kagan	Y	Navarro	N	Stephens	N
Duran	N		Kraft-Tharp	Y	Nordberg	N	Swalm	N
Everett	N		Labuda	E	Pabon	N	Szabo	N
Exum	Y		Landgraf	N	Peniston	Y	Tyler	Y
Fields	Y		Lawrence	Y	Pettersen	Y	Vigil	Y
Fischer	Y		Lebsock	Y	Primavera	Y	Waller	N
Foote	Y		Lee	Y	Priola	N	Williams	Y
Garcia	Y		Levy	Y	Rankin	N	Wilson	N
Gardner	N		May	Y	Rosenthal	Y	Wright	N
Gerou	Y		McCann	Y	Ryden	Y	Young	Y
							Speaker	Y

GUN CONTROL

ARMED GUARDS BILL SHOT DOWN

SB 62 Require Security at No-firearms Businesses (Sen. Lambert; Rep. Saine) (oppose) would have required certain businesses to provide security guards (1 per 50 people on premises) if the business prohibited firearms. If a business patron (invitee) was injured by a criminal action “against which the invitee could have defended himself or herself with a gun,” a non-complying business could have been held civilly liable.

Sen. Lambert presented his bill with reference to the Aurora theater shooting and said that “no-gun zone” businesses invite criminal activities and, therefore,

are a “moral hazard.” Testimony against the bill focused on the burden to businesses, financially and in terms of doing their own risk assessments, and on the dangers of crossfire, untrained gun-slingers and poorly trained security guards. Testimony in favor of the bill stressed personal safety and the right of personal defense.

The bill was PI'd on a vote of 3-2. Voting to PI: Guzman, Aguilar, Ulibarri. Voting No: King, Lundberg.

Previously reported: LL #2, p. 13.

Leslie Chomic 303.863.0437

JUSTICE SYSTEM

COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE BILL MOVES AHEAD

SB 7 Eliminate Repeal of CCJJ (Sen. Morse; Rep. Waller) (support) passed unanimously out of Senate Judiciary on Jan. 16 to Senate Appropriations where it will be heard on Feb. 16.

At the hearing, two people testified in support of the bill, and there was no opposition. From comments made during the hearing, it was clear that the commission is held in high regard.

Jim Davis, the executive director of the Colorado Department of Public Safety, is the commission’s chairman. Norman Mueller, a private defense attorney, is a member of the commission. Both gentlemen testified about the work that the commission has done, and both admitted that there are some tough issues that still need to be addressed, which is why they would like to have the commission continue. Mr. Davis mentioned some of the tough issues that will be addressed in bills this session including an expansion of diversion programs, reform of the bail system, and reclassification of theft and drug offenses.

Previously reported: LL#1, p. 8.

Carla Bennett 303.757.2930

JUVENILE JUSTICE

BILL ADDRESSES ISSUE OF JUVENILE DELINQUENCY RECORDS

NEW Sometimes after a youth has been adjudicated delinquent, has served his/her sentence, and has turned his/her life around, the juvenile's record can present a problem down the road since the public has access to those records under certain circumstances. **Rep. Labuda** has introduced **HB 1082 Expunging Juvenile Delinquency Records (support)** in an effort to address this issue.

Under current law, after a juvenile has completed his/her sentence, he/she can request that their record be expunged. The judge also **can** consider initiating expungement proceedings. The bill would make the expungement process more automatic by **requiring** the court to consider initiating expungement proceedings within no more than 30 days of the sentence completion.

Under current law, a juvenile who is an aggravated juvenile offender, a violent offender, or has been adjudicated delinquent for a felony offense of unlawful sexual behavior is not eligible for record expungement. The bill would change that to **require** the court to consider initiating expungement proceedings not more than 5 years after the juvenile has completed his or her sentence. Current law excludes a juvenile who commits a misdemeanor after completion of his/her sentence from having their record expunged. The bill permits a court to order records expunged even if the juvenile has committed a misdemeanor after completion of his/her sentence.

The bill also limits the public's access to a juvenile's records to cases of a 1st degree felony or a crime involving the use or possession of a handgun.

The League is in favor of removing impediments to young people who have turned their lives around and are working to become contributing members of the community. We would, however, raise the question of whether no more than 5 years is adequate time to determine if a youth who had

committed a very serious crime has indeed turned his life around.

The bill has not yet been scheduled for hearing.

Carla Bennett 303.757.2930

VOTING RIGHTS

VOTING RIGHTS FOR INCARCERATED YOUTH

HB 1038 Voting Rights Persons in Correction Custody (Rep. Rosenthal; Sen. Todd) (support)

The House State Affairs Committee amended the bill and passed it on to Appropriations on January 23rd. The amendment basically changed the use of the word "confined" voter to "committed" voter throughout the bill. In addition, verification that a voter is committed to a juvenile facility and in the custody of the division of youth corrections in the Department of Human Services shall be considered sufficient identification of such voter. The bill passed by a vote of 6-5. In favor were Ryden, Salazar, Foote, Melton, Moreno and Williams; opposed were Labuda, Dore, Humphrey, Nordberg and Scott. Subsequently the bill passed House Appropriations on February 8th and was referred unamended to the Committee of the Whole. Also added was a section that the facility administrator shall forward applications on a weekly basis or on a daily basis during the last week of registration, to the appropriate county clerk. The bill passed 2nd reading on February 8 and awaits final approval in the House.

Previously reported: LL#1, p. 9; LL#2, p. 14.

Carol Tone 303.377.3746

REGISTRATION RECORDS CORRECTION DIES

HB 1050 Cancellation of Noncitizen Voter Regis Records (Rep. Saine, Holbert; Sen. Grantham) (support in part) The bill was heard in House State Affairs on January 30. Several people testified against the bill, citing that the lists used to verify whether a person is a citizen or not are unreliable. Furthermore, concern was expressed that the process the voter would have to take to prove

his/her eligibility was both intimidating and costly. The bill was Postponed Indefinitely 7-3-1 with Ryden, Salazar, Foote, Labuda, Melton, Moreno and Williams voting against it and Dore, Nordberg and Scott voting in favor. Excused: Humphrey.

Previous reported: LL#2, p. 14.

Carol Tone 303.377.3746

NATURAL RESOURCES

ENERGY

STATE USE OF ALTERNATIVE FUELS

NEW **SB 70 Alternative Fuel Fleet Vehicles (Sen. Schwartz; Rep. Tyler) (support)** requires the Department of Personnel and Administration (DPA) to report on the number of alternative-fuel vehicles purchased, the availability of alternative fuels, and a plan for developing the infrastructure to support the use of alternative-fuel vehicles in the state's fleet. This report is due to the General Assembly by March 1, 2013. The bill focuses on compressed natural gas (CNG) although all alternative fuels are included. Present policy requires the purchase of CNG or other alternative-fuel vehicles for the state fleet if refueling stations are available, unless the cost of the vehicle is 10% greater than the cost of a comparable non-flexible fuel vehicle. This bill requires the DPA to consider the life-cycle cost of alternative-fuel vehicles compared to the dedicated petroleum fuel vehicle. This means that the cost of the fuel over the life of the vehicle will be included in the computation.

The bill passed the Senate Transportation Committee on February 7 on a 5-0 vote.

Sigrid Higdon 303.233.8111

GETTING THE RESULTS WE WANT?

NEW **SB 28 Track Utility Data High Performance State Building (Sen. Jones; Rep. Tyler) (support)** will require state agencies, including higher education, to track and verify utility usage data for state assisted facilities designed, constructed or substantially renovated

after January 1, 2010. Under current law the Office of the State Architect (OSA) oversees a high performance standard certification for the construction and substantial renovation of state assisted facilities. The OSA targeted standard of high performance is the U. S. Green Building Council's Leadership in Energy and Environment Design (LEED) Gold Standard. The certification is attainable if the costs of construction and renovation can be recouped from decreased operational costs within 15 years. This bill requires the agencies to report utility usage annually to the OSA. This reporting will allow the State to assess actual savings in utility costs.

The bill passed the Senate State, Veterans & Military Affairs Committee on February 4 on a 5-0 vote and is awaiting second reading.

Sigrid Higdon 303.233.8111

WATER

WATER CONSERVATION ENCOURAGED

NEW **SB 19 Promote Water Conservation** introduced by **Sen. Schwartz and Rep. Fisher, (support)** addresses the need for increased water use efficiency by promoting maximum utilization of Colorado's water resources. It allows users to maintain water rights when the water has been conserved through a reduction in the consumptive use. It also directs water judges to disregard the decrease in use of water from such programs in their determinations of historical consumptive use in change of water right cases and defines "conserved water."

As the arid west faces a potential of another drought year, it is imperative that the state look at areas where water can be conserved without causing harm to the water rights owners and without causing harm for any downstream users. This is another step to addressing water usage in Colorado. This bill is calendared for a hearing in Senate Agriculture on February 14.

Jeannette Hillery 303.494.7718

Linda Foreman 303.232.8976

GRAYWATER USE CLARIFIED AND ADVANCED

HB 1044 Authorize Graywater Use (Rep. Fischer; Sen. Schwartz) (support) is a bill directing the Water Quality Control Division of CDPHE to establish minimum standards for the use of graywater and giving a definition to the term. It would allow counties and municipalities to authorize the use of graywater and also would take into consideration any groundwater management districts possibly affected by the use. The bill was heard in House Agriculture on January 28. There were amendments to clarify some of the language, to involve memoranda of understanding between the local Board of Health and any water or wastewater providers and the municipality interested in using graywater, and to ensure that water rights holders of well permits understand the new regulations. All the speakers were supportive of the bill, and the amendments and the bill passed unanimously to Appropriations. There is a \$110,293 fiscal note for 1.4 FTE, a onetime cost to promulgate the regulations. There is also an annual cost of \$13,478. The bill now moves to Appropriations.

Previously reported: LL#1, p. 9.

Jeannette Hillery 303.494.7718

SOCIAL POLICY

CHILDREN'S ISSUES

IDENTITY THEFT BILL PASSES 1ST HURDLE

SB 47 Youth in Foster Care and Identity Theft (Sen. Newell; None) (support) was heard in Senate Health and Human Services on Feb. 6th. It passed unanimously with no opposition to Senate Appropriations.

There is a fiscal impact of \$31,100 for FY 2013-14 and \$30,600 for FY 2014-15 to cover the cost of accessing credit records and remediating cases where identity theft has occurred.

In 2011, when the original bill passed, Senator Newell had wanted to include youth in foster care up to the age of 21 instead of 18. She had also wanted to include those youth in the custody of the Division of Youth Corrections or a state mental hospital. Unfortunately the stakeholders involved in the process requested that those youth not be covered by the bill. However, there is now federal law that requires the inclusion of these youth.

Previously reported: LL#2, p. 15.

Carla Bennett 303.757.2930

Roberta Long-Twyman 303.377.9193

ROUNDING UP PROGRAMS FOR YOUNG CHILDREN

NEW **HB 1117 Alignment Of Child Development Programs (Rep. Hamner; Sens. Hodge and Newell) (watch)** The notion of placing all programs addressing the needs of the young child (under 8 years of age) in one office and in one physical space and under one administration was introduced to the legislature last year. Although the bill did not pass last year, internal re-organization has occurred in the Department of Human Services to relocate the sub-divisions concerning the needs of young children into one physical space. Now, permission is being sought to include the nurse home visiting program, the Tony Grampsas program, the Colorado Children's Trust Fund, and the family resource center program. In addition to these programs, the before and after school care program and another program addressing drop-outs will be added.

The Bill passed out of the House Health and Human Services committee by a vote of 9-4, January 29. Voting Yes: Conti, May, McCann, Schafer, Singer, Stephens, Tyler, Young, Primavera. Voting No: Everett, Joshi, Landgraf, Wilson. It is being sent on to Appropriations.

Roberta Long-Twyman 303.377.9193

EDUCATION

PARENT TRIGGER AIMED AT SCHOOLS

NEW **HB 1172 K-12 Public School Accountability (Rep. Priola; Sen. Renfroe) (oppose)** is otherwise known in the national “education reform” movement as a “parent-trigger” bill. It would allow parents whose students attend a school that has been on a turnaround or priority improvement plan to petition their district school board or the state charter school institute to reconfigure the school after 2 years (rather than the 5 years currently in statute for schools to improve). The bill also creates graded categories of accreditation by changing “accredited with distinction” to “A,” “accredited” to “B,” “accredited with improvement plan” to “C,” “accredited with priority improvement plan” to “D,” and “accredited with turnaround plan” to “F.” The League opposes this bill because of our support for local control in issues of policy and our support for incentives for efficiency and effectiveness. Two years is really not enough time in a school setting to determine the effectiveness of improvement plans. We supported the 2001 changes to SB 186 which removed the school “grades” provision passed the year before. HB 1172 has been assigned to State, Veterans and Military Affairs.

Sally Augden 303.455.5800

HIGHER EDUCATION

CAREER CERTIFICATION PROGRAM PILOT

HB 1005 Basic Ed & Career & Tech. Ed Pilot Program (Reps. Fields & Buckner; Sen.: None) (support) This bill was recommended by the **Educational Success Task Force** and would require the State Board of Community Colleges and Occupational Education (SBCCOE) to design new certification programs that would allow unemployed and underemployed adults to obtain a career and technical education certificate in 12 months or less. The programs are intended to integrate information and math literacy development with career and technical training. The bill was heard in the House Education

Committee on January 28 and all testimony was in favor of the bill. An amendment to the bill reduced the number of programs to be implemented in fall, 2013, to five and an additional 15 by the following fall. The proposed program is modeled after the Washington state "I-BEST and the Minnesota "FastTRACT" programs. Both programs are successful in moving students "farther and faster" toward a goal of certificate completion, thus enabling students to obtain employment opportunities in "mid-skill" jobs.

The House Education Committee voted 12-yes and 1-no to advance this bill to the House Appropriation Committee. Voting against the bill was Representative Everett.

Past successes of this program in other states seem to make this a reasonable pilot in our state, and it may be helpful to students who have not yet completed a high school diploma or GED. It would enable them to get on a career pathway and give them better job security and opportunities. The League supports this bill based on our Higher Education position that encourages an increase in vocational and technical opportunities at the postsecondary and community college level.

Previously reported: LL #2, p. 16.

Barbara Whinery 970.353.6731

BACHELOR DEGREES IN COMMUNITY COLLEGES

NEW **SB 165 Community Colleges Limited Number of Bachelor Degrees (Sen. Todd, Rep. Wilson) (support in part)** The bill allows the state board for community colleges and occupational education to seek approval from the Colorado Commission on Higher Education (CCHE) for up to 10 technical, career, and work-force development baccalaureate degree programs that may be offered at community colleges within the state system. The CCHE may approve baccalaureate degree programs that meet criteria established in the bill. Among other factors, the CCHE shall consider whether the baccalaureate degree program proposed by the state board is sufficiently distinguishable from a degree program at a public four-year institution of higher

education in the community college geographic service area or whether the degree program is one that has previously been offered successfully in conjunction with another four-year institution of higher education.

SB 165 addresses several LWVCO positions: allows institutions to use their expertise regarding mission and degree programs yet provides for state oversight, gives institutional latitude and flexibility, provides for more access to degree programs particularly in rural areas, and provides more opportunities for vocational and technical education. Points of concern, however, are “mission creep” (the unwarranted expansion of mission) and quality.

Assigned to the Senate Education Committee.

Toni Larson 303.743.8619

HEALTH CARE

INSURANCE EXCHANGE WILL CONTINUE

HB 1078 Repeal Colorado Health Benefit Exchange (Rep. Joshi; Sens. Harvey and Renfro) (oppose) The League supported Colorado legislation to create the Colorado Health Benefit Exchange, which was enabled by the federal Patient Protection and Affordable Care Act (ACA). We therefore oppose this bill to repeal the Exchange. The bill was heard in Health, Insurance & Environment on February 5 and was Postponed Indefinitely 7-4. Voting Yes to PI: Fields, Ginal, Primavera, Stephens, Schafer, McCann, Young; Voting Not to PI: Conti, Humphrey, Joshi, Swalm.

Previously reported: LL#2, p. 17.

NEW NAME, NEW RESPONSIBILITIES

NEW HB 1088 Office Of Health Equity CDPHE (Rep. Fields; Sen. Giron) (support) The bill changes the name of the Office of Health Disparities in the Department of Public Health and Environment to the Office of Health Equity and adds duties to the office that include promoting health equity and including more diverse groups that may be affected by health equity and health disparity issues. The bill also replaces the minority

health advisory commission with the health equity commission. The commission representation is changed from 13 to 15 members and includes the executive directors of the Department of Human Services and Department of Health Care Policy and Financing. The members of the commission must represent diverse populations in Colorado that include those whose health equity may be affected due to ethnicity, sexual orientation, gender identity, disability, and socioeconomic status and also must have expertise in at least one specified area. The bill was amended to include age as a category.

Introduced January 16 in the House, it passed, amended, in the House Health, Insurance & Environment Committee on February 5 and was referred to the House Committee of the Whole. It passed the House Second Reading with Amendments on February 7.

INSURANCE INTERMEDIARIES

NEW SB 124 Requirements of Insurance Intermediaries (Sen. Kefalas; Rep. Primavera) (support) The bill adds to the definition of "intermediary" specific functions that an intermediary performs. Intermediaries are held to the same standards as carriers regarding prompt payment of claims. The bill allows the commissioner of insurance to investigate complaints against intermediaries that fail to comply. It also prohibits specific acts by intermediaries and defines the willful violation of the prohibitions as an unfair method of competition and an unfair or deceptive act in the business of insurance. Introduced in the Senate on January 29, it was assigned to Business, Labor & Technology and is scheduled for a hearing on February 13.

RESTRICT INFORMATION TO CONSUMERS?

NEW SB 144 Exempt Certain Hospitals Info Financial Assistance (Sen. Aguilar; Rep. McCann) (oppose) Under current law, certain hospitals are required to make information available to patients concerning the hospital's financial assistance, charity care, and payment plans, as well as to offer to screen each uninsured patient for financial assistance. The bill amends the definition

of "hospital" and exempts psychiatric hospitals, rehabilitation hospitals, and long-term, acute-care hospitals from the provisions of the law. As Colorado and the nation continue to work towards a more affordable health care system, reducing transparency hinders, rather than helps. Introduced in the Senate on January 29 it was assigned to Health, Insurance & Environment. League supports the current requirements for openness and assistance to consumers and opposes these changes.

All reported by Carol Pace 303.751.4125

INCOME ASSISTANCE

MORE FLEXIBILITY IN REDETERMINATION

HB 1055 Colorado Works Redetermination of Eligibility (Rep. May; Sen. Kefalas) (support) passed the House on third reading on January 29. County agencies could still require a face to face interview for redetermination of eligibility for Colorado Works, when they feel it's necessary. If a recipient is on track, however, and already meeting regularly with a case worker, time could be saved by using other methods. Previously reported: LL#1, p. 10; LL#2, p. 18.

Julie Leonard 720.384.8421

House Vote

	YES	40	NO	23	EXCUSED	2	ABSENT	0
Buck	N		Ginal	Y	McLachlan	Y	Saine	N
Buckner	Y		Hammer	Y	McNulty	N	Salazar	Y
Conti	Y		Holbert	N	Melton	Y	Schafer	Y
Coram	N		Hullinghorst	Y	Mitsch Bush	Y	Scott	N
Court	Y		Humphrey	N	Moreno	Y	Singer	E
DelGrosso	N		Joshi	N	Murray	N	Sonnenberg	N
Dore	N		Kagan	Y	Navarro	N	Stephens	N
Duran	Y		Kraft-Tharp	Y	Nordberg	N	Swalm	N
Everett	E		Labuda	Y	Pabon	Y	Szabo	N
Exum	Y		Landgraf	Y	Peniston	Y	Tyler	Y
Fields	Y		Lawrence	N	Pettersen	Y	Vigil	Y
Fischer	Y		Lebsock	Y	Primavera	Y	Waller	Y
Foote	Y		Lee	Y	Priola	N	Williams	Y
Garcia	Y		Levy	Y	Rankin	N	Wilson	N
Gardner	N		May	Y	Rosenthal	Y	Wright	N
Gerou	Y		McCann	Y	Ryden	Y	Young	Y
							Speaker	Y

REPRODUCTIVE CHOICE

PROTECTING PREGNANT WOMEN

NEW **HB 1032 Offenses Against Unborn Children (Rep. Joshi; None) (oppose)** proposed to penalize an action causing death or injury to an unborn child, by criminal act or accident. Because of the language in the bill, it could have included any legal abortion. This was too much like "Personhood" which, in Colorado, has decidedly failed at the ballot on two occasions. The bill was heard in State, Veterans, Military committee and defeated on a 4-7 vote on Jan. 28. Voting for this bill were Rep. Dore, Humphrey, Nordberg and Scott. Voting against were Foote, Labuda, Melton, Moreno, Williams, Salazar, Ryden.

NEW A bill to address the major focus of HB 1032 is **HB 1154 Crimes Against Pregnant Women Act (Sen. Steadman; Reps. Foote and Levy) (support)**. This bill fills a need to create greater penalties for the unlawful termination of a pregnancy by criminal act or accident while making it clear that the measure has nothing to do with conferring "Personhood" on a fetus, or interfering with a woman's right to choose an abortion. HB 1154 will be heard in House Judiciary on Feb. 12.

SEX EDUCATION ADVANCES

HB 1081 Comprehensive Human Sexuality K-12 Education (Rep. Duran, Sen. Todd) (support) extends sex education programs to some school districts in Colorado that for numerous reasons have not been able to offer them. The bill was heard in House Health, Insurance and Environment Committee on Feb. 7. After four hours of debate on local authority, opting in or out of sensitive classes, medical accuracy of sex-education classes, vs. the benefits of providing sex education in preventing teenage pregnancy and sexually transmitted diseases, HB 1081 passed on a 6-5 vote. Voting Yes: McCann, Schafer, Fields, Ginal, Primavera, Young. Voting No: Humphrey, Joshi, Conti, Landgraf, Stephens.

Previously reported: LL#2, p. 19.

All reported by Carolyn Engelken 303.750.0949

STATUS SHEET

The Status Sheet is a constantly 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	SB	12	Child Abuse Reporting Youth Sports Organizations	S	15	To House
Children's Issues	SB	47	Youth in Foster Care and Identity Theft	S	15,27	S-App
Children's Issues	HB	1117	Alignment Of Child Development Programs	W	27	H-App
Education	SB	69	Income Tax Credits For Nonpublic Education	O	16	S-Ed
Education	HB	1172	K-12 Public School Accountability	O	28	H-SA
Elections	SB	65	Allow Approval Voting Nonpartisan Local Elections	W	12	PI'd
Elections	HB	1067	Cancel Primary Major Pol Party No Contested Races	S	8,23	H-SA
Energy	SB	28	Track Utility Data High Performance State Building	S	26	S-2nd Rdg
Energy	SB	70	Alternative Fuel Fleet Vehicles	S	26	S-2nd Rdg
Equal Opportunity	SB	11	Civil Unions	S	9,17	S-3rd Rdg
Fiscal Policy	HB	1144	Eliminate Cigarette Sales and Use Tax Exemption	S	12,24	S-Fin
Government	HB	1037	Cost Of Providing Public Records Under CORA	S	8,23	PI'd
Government	HB	1041	Procedures For Transmission Of Records Under CORA	S	8,23	S-LG
Gun Control	SB	9	School Board Policies Allowing Concealed Carry	O	13,21	PI'd
Gun Control	SB	62	Require Security At No-firearms Businesses	O	13,21,23	PI'd
Gun Control	SB	140	No Federal Laws Concerning Colorado Firearms	O	22	S-SA
Gun Control	HB	1043	Modify Definition Of Deadly Weapon	S	13	H-2nd Rdg
Gun Control	HB	1048	Deadly Force Against Intruder At A Business	O	13,21	PI'd
Gun Control	HB	1085	Change Possession Of Weapons By Previous Offender	O	13,22	H-Jud
Gun Control	HB	1162	Concealed Handgun Carry No Permit	O	21	H-Jud
Gun Control	HB	1169	No Background Check With Concealed Carry Permit	O	22	H-SA
Gun Control	HB	1170	Policies Allowing Concealed Carry In Public Schools	O	21	H-Jud
Gun Control	HB	1187	No New Federal Firearms Laws	O	22	H-SA
Gun Control	HB	1224	Prohibiting Large-capacity Ammunition Magazines	W	22	H-Jud
Gun Control	HB	1226	No Concealed Carry At Colleges	W	22	H-Ed
Gun Control	HB	1228	Payment For Background Checks For Gun Transfers	S	22	H-Fin
Gun Control	HB	1229	Background Checks For Gun Transfers	S	22	H-Jud
Health Care	SB	8	Eliminate Waiting Period Under CHP+	S	10	S-App
Health Care	SB	124	Requirements Of Insurance Intermediaries	S	29	S-BLT
Health Care	SB	144	Exempt Certain Hospitals Info Financial Assistance	O	30	S-HHS
Health Care	HB	1078	Repeal Colorado Health Benefit Exchange	O	17,29	PI'd
Health Care	HB	1088	Office of Health Equity CDPHE	S	29	H-3rd Rdg
Health Care	HB	1115	CoverColorado Repeal	S	18	H-HIE
Health Care	HB	1121	Pharmacist Substitute Biosimilar Products	W	17	H-HIE
Higher Education	SB	33	In-state Classification CO High School Completion	S	11	S-App
Higher Education	SB	165	Community Colleges Limited Number Bachelor Degrees	S	29	S-Ed
Higher Education	HB	1005	Basic Ed & Career & Tech Ed Pilot Program	W	16,28	H-App
Income Assistance	HB	1055	Colorado Works Redetermination Of Eligibility	S	10,18,30	S-HHS
Justice System	SB	7	Eliminate Repeal of CCJJ	S	8,24	S-App
Juvenile Justice	HB	1082	Expunging Juvenile Delinquency Records	S	25	H-Jud
Reproductive Choice	HB	1032	Offenses Against Unborn Children	O	30	PI'd
Reproductive Choice	HB	1033	Abortion Ban	O	18	PI'd
Reproductive Choice	HB	1081	Comprehensive Human Sexuality K-12 Education	S	19,30	H-2nd Rdg
Reproductive Choice	HB	1154	Crimes Against Pregnant Women Act	S	30	H-Jud

Voting Rights	HB	1038	Voting Rights Persons In Youth Corrections Custody	S	9,14,25	H-3rd Rdg
Voting Rights	HB	1050	SOS Cancellation Of Noncitizen Voter Regis Records	SIP	14,25	PI'd
Voting Rights	HB	1135	Voter Preregistration At Age 16	S	14	H-App
Voting Rights	HB	1147	Voter Registration At Public Higher Ed Institution	W	14	H-SA
Water	SB	19	Promote Water Conservation	S	26	S-Ag
Water	HB	1018	Beneficial Use Produced Water Dust Suppression	S	15	H-HIE
Water	HB	1044	Authorize Graywater Use	S	9,27	H-App

The Legislative Letter is written by the members of the Legislative Action Committee, edited by Frank Bennett and Chris Watson, and published by the Colorado League of Women Voters every two weeks during the Legislative Session. To subscribe, please contact the League Office at 303-863-0437 for information about rates and delivery.