

LEGISLATIVE LETTER[®]
LEAGUE OF WOMEN VOTERS OF COLORADO
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January 23, 2017

LL#1:1

ABOUT THE LEAGUE OF WOMEN VOTERS

The mission of the League of Women Voters is to encourage informed and active participation in government and influence public policy issues through education and advocacy. **It is a nonprofit, nonpartisan organization. The League does not support or oppose any political party or candidate.**

The League of Women Voters of Colorado (LWVCO) has over 1300 members, women and men, in 19 local Leagues:

Adams County
Arapahoe and Douglas Counties
Archuleta County
Boulder County
Chaffee County
Denver
Estes Park
Greeley-Weld County
Gunnison Area
Jefferson County

La Plata County
Larimer County
Mesa County
Montezuma County
Montrose County, also serving Delta County
Pikes Peak Region
Pueblo
Routt County
Sterling Area

The League is organized around two main functions: **VOTER EDUCATION and PROGRAM.**

VOTER EDUCATION provides nonpartisan information about ballot issues and candidates to help voters make informed decisions at election time. In addition to encouraging eligible voters to register and vote, the League helps them understand the political process and promotes active participation in government. Voter Education work is funded by the League of Women Voters of Colorado Education Fund, a 501(c) (3) nonprofit. Support comes from grants and in-kind and financial contributions.

The **PROGRAM** or **ADVOCACY** area is separate from Voter Education. The League takes action on public policy issues, supporting or opposing issues after thorough study and consensus by our members. Action may include workshops for members, lobbying government officials, petition drives, publishing information for the general public and the news media, and holding public forums. Program work is organized by the League of Women Voters of Colorado, a 501(c) (4) nonprofit. Financial support for the program area comes from membership, conferences and special events, contributions, and publications.

Board members and volunteers donate hundreds of hours to voter education and advocacy, including: researching ballot issues, lobbying at the legislature, hosting and broadcasting public forums, and writing reports and other publications.

HOW DOES THE LEAGUE ADOPT POLICY POSITIONS?

League members at the local level choose public policy issues for study and action. Study makes action possible by giving members the opportunity to examine facts, pro and con arguments, and political realities. League positions are reached through a process of consensus, which is not a majority vote or a unanimous decision. It is the "sense of the group" developed through the exchange of ideas and opinions. League action can take place only after consensus (or concurrence with another League's position) has been reached and a position adopted.

The LWVCO **Legislative Action Committee** meets biweekly during the legislative session to review pending bills in light of established League policy positions. Decisions to support, oppose, or "watch" bills are arrived at by consensus after reviewing all information available at the time. As bills change, it is sometimes necessary to change positions, and those decisions are also made by consensus of the committee.

ADVOCACY AGENDA 2017

Making Democracy Work
Sustainability
Civil Rights
Education Funding

Issues on the Advocacy Agenda will take priority in League's 2016 work in the legislature and in education activities across Colorado. Making democracy work includes such things as protecting access to the ballot, redistricting, and possibly addressing such things as the Electoral College and alternative voting methods. The now-healthy economy reminds us a balance must be maintained between using natural and financial resources for growth and maintaining the quality of life of our communities, both rural and urban. Events throughout the country remind us that the civil rights of all our citizens must always be supported and protected. Our state's long term stability depends on adequately funded education. These priorities shape our decisions about using resources, but do not limit the scope of legislative advocacy.

LEAGUE OF WOMEN VOTERS OF COLORADO

President	Barbara Mattison	303.322.4878
Legislative Action Chair	Jean Fredlund	303.428.5420
Staff Lobbyist	Andrea Wilkins	303.521.1759
Executive Director	Julie Leonard	303.863.0437

LEGISLATIVE LEADERSHIP IN 2017

SENATE

President of the Senate	Kevin Grantham
President Pro-Tem	Jerry Sonnenberg
Majority Leader	Chris Holbert
Asst. Majority Leader	Ray Scott
Minority Leader	Lucia Guzman
Asst. Minority Leader	Leroy Garcia
Majority Caucus Chair	Vicki Marble
Majority Whip	John Cooke
Minority Caucus Chair	Lois Court
Minority Whip	Michael Merrifield

HOUSE OF REPRESENTATIVES

Speaker of the House	Crisanta Duran
Speaker Pro-Tem	Jessie Danielson
Majority Leader	KC Becker
Asst. Majority Leader	Alec Garnett
Majority Caucus Chair	Daneya Esgar
Majority Whip	Brittany Pettersen
Minority Leader	Patrick Neville
Asst. Minority Leader	Cole Wist
Minority Caucus Chair	Lori Saine
Minority Whip	Perry Buck

CAPITAL DIRECTORY

Information Center/Bill Room	303.866.3055
Governor's Office	303.866.2471
Joint Budget Committee	303.866.2061
Legislative Council	303.866. 3521
Legislative Legal Services	303.866.2045
Reviser of Statutes	303.866.2045
House Members—both parties	303.866.2904
Democratic Senators	303-866-3341
Republican Senators	303-866-4866
State Planning & Budgeting	303.866.3317

Toll-free number from outside Metro area	
Governor	800.238.7215
Senate	800.473.8136
House	800.811.7647

Legislative Home Page:
<http://leg.colorado.gov/>

View House or Senate Floor action on
Comcast Channel 165 or at
<http://leg.colorado.gov/watch-listen>

2017 HOUSE COMMITTEES OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

Representatives Arndt, (Chair); Mitsch Bush (Vice-Chair); Becker, J., Buck, Danielson, Esgar, Hansen, Lebsock, Lewis, McKean, Saine, Valdez, Willett.

Staff: Meghan O'Connor
Mon., 1:30-6:00 (Rm. 0107)
Wed., Adj.-Noon (Rm. 0107)

APPROPRIATIONS

Representatives Young (Chair); Hamner, (Vice-Chair); Becker, J., Beckman, Danielson, Everett, Garnett, Hansen, Kraft-Tharp, Neville, Pabon, Rankin, Winter.

Staff: Robin Smart
Fri., 7:30-9:00 (LSB-A)
Other times as announced

BUSINESS AFFAIRS AND LABOR

Representatives: Kraft-Tharp (Chair); Winter (Vice-Chair); Arndt, Coleman, Garnett, Gray, Navarro, Nordberg, Rosenthal, Sias, Thurlow, Van Winkle, Williams, D.

Staff: Luisa Altmann
Tuesday, All Day (LSB-A)
Thurs. 1:30-6:00 (LSB-A)

EDUCATION

Representatives Pettersen (Chair); Buckner (Vice-Chair); Bridges, Everett, Exum, Garnett, Lee, Leonard, Lundeen, McLachlan, Navarro, Sias, Wilson.

Staff: Damion Pechota
Mon., 1:30-6:00 (Rm. 0112)
Wed. Adj.-Noon (Rm. 0112)

FINANCE

Representatives Pabon (Chair); Foote (Vice-Chair); Beckman, Benavidez, Coram, Covarrubias, Gray, Herod, Kennedy, Lawrence, Michaelson Jenet, Thurlow, Van Winkle.

Staff: Kori Donaldson
Mon., 1:30-6:00 (LSB-A)
Wed., Adj.-Noon (LSB-A)

HEALTH, INSURANCE & ENVIRONMENT

Representatives Ginal (Chair); Esgar (Vice-Chair); Beckman, Buckner, Covarrubias, Humphrey, Jackson, Kennedy, Langraf, Lontine, Ransom.

Staff: Vanessa Conway
Tuesday, Adj.-Noon (Rm. 0107)
Thurs., 1:30-6:00 (Rm. 0107)

JUDICIARY

Representatives Lee (Chair); Salazar (Vice-Chair); Benavidez, Carver, Foote, Herod, Lundeen, Melton, Willett, Weissman, Wist.

Staff: Bo Pogue
Tuesday, All Day (Rm. 0112)
Thurs., 1:30-6:00 (Rm. 0112)

LOCAL GOVERNMENT

Representatives: Lebsock (Chair); Rosenthal (Vice-Chair); Coleman, Exum, Gray, Liston, McKean, Navarro, Ransom, Singer, Thurlow, Valdez, Wilson.

Staff:
Wed., 1:30-6:00 (Rm. 0107)
Thurs., Adj.-Noon (Rm. 0107)

PUBLIC HEALTH CARE & HUMAN SERVICES

Representatives Singer (Chair); Danielson (Vice-Chair); Coram, Everett, Hooton, Ginal, Landgraf, Lewis, Liston, Michaelson Jenet, Pabon, Pettersen, Ransom.

Staff: Anne Wallace
Tuesday, 1:30-6:00 (Rm. 0107)
Friday Adj.-Noon (Rm. 0107)

STATE, VETERANS, & MILITARY AFFAIRS

Representatives Foote (Chair); Lontine (Vice-Chair); Benavidez, Hooton, Humphrey, Leonard, Melton, Weissman, Williams, D.

Staff: Amanda King
Wed., 1:30-6:00 (LSB-A)
Thurs., Adj.-Noon (LSB-A)

TRANSPORTATION & ENERGY

Representatives Mitsch Bush (Chair); Winter (Vice-Chair); Becker, J., Bridges, Buck, Carver, Esgar, Ginal, Hansen, Jackson, Lawrence, McLachlan, Nordberg.

Staff: Katie Ruedebusch
Wed., 1:30-6:00 (Rm. 0112)
Thurs., Adj.-Noon (Rm. 0112)

2017 SENATE COMMITTEES OF REFERENCE

AGRICULTURE, NATURAL RESOURCES & ENERGY

Senators Sonnenberg (Chair); Baumgardner (Vice-Chair);
Cooke, Coram, Donovan, Fenberg, Fields, Garcia, Jones, Marble, Scott.

Staff: David Beaujon
Wed., Adj.-Noon (Rm. 357)
Thurs., 1:30-6:00 (Rm. 357)

APPROPRIATIONS

Senators Lundberg (Chair); Lambert (Vice-Chair); Garcia, Gardner, Kerr,
Moreno, Sonnenberg.

Staff: Scott Thompson
Fri., 7:30-9:00 (Rm. 357)
Other times as announced.

BUSINESS, LABOR, & TECHNOLOGY

Senators Tate (Chair); Neville, T. (Vice-Chair); Jahn, Kerr, Priola,
Smallwood, Williams, A.

Staff: Jeanette Chapman
Mon., 1:30-6:00 (Rm. 354)
Tues. Adj.-Noon (Rm. 354)
Wed., 1:30-6:00 (Rm. 354)

EDUCATION

Senators Hill (Chair); Priola (Vice-Chair); Gardner, Merrifield, Neville,
T., Todd, Zenzinger.

Staff: Rachel Kurtz-Phelan
Wed., Adj.-Noon (Rm. 352)
Thurs., 1:30-6:00 (Rm. 352)

FINANCE

Senators Neville, T. (Chair); Hill Vice-Chair); Court, Kerr, Tate.

Staff: Matt Becker
Tues., 1:30-6:00 (Rm. 357)
Thurs., Adj.-Noon (Rm. 357)

HEALTH & HUMAN SERVICES

Senators Smallwood (Chair); Martinez Humenik (Vice-Chair); Aguilar,
Crowder, Kefalas.

Staff: Elizabeth Haskell
Wed., Adj.-Noon (Rm. 354)
Thurs., 1:30-6:00 (Rm. 354)

JUDICIARY

Senators Gardner (Chair); Cooke (Vice-Chair); Coram, Fields, Kagan.

Staff: Conrad Imel
Mon., 1:30-6:00 (Rm. 352)
Tues. Adj.-Noon (Rm. 352)
Wed., 1:30-6:00 (Rm. 352)

LOCAL GOVERNMENT

Senators Martinez Humenik (Chair); Gardner (Vice-Chair); Crowder,
Donovan, Kefalas.

Staff: David Beaujon
Tues., 1:30-6:00 (Rm. 354)
Thurs., Adj.-Noon (Rm. 354)

STATE, VETERANS, & MILITARY AFFAIRS

Senators Scott (Chair); Marble (Vice-Chair); Court, Fenberg,
Sonnenberg.

Staff: Julia Jackson
Mon., 1:30-6:00 (Rm. 357)
Tues. Adj.-Noon (Rm. 357)
Wed., 1:30-6:00 (Rm. 357)

TRANSPORTATION

Senators Baumgardner (Chair); Cooke (Vice-Chair); Scott, Todd,
Zenzinger.

Staff: Jessika Shipley
Tues., 1:30-6:00 (Rm. 352)
Thurs., Adj.-Noon (Rm. 352)

DEADLINE SCHEDULE FOR THE 2017 COLORADO GENERAL ASSEMBLY

January 11	General Assembly convenes.
January 27	Final deadline for introduction of Senate bills, except for the Long Bill and supplemental bills recommended by the Joint Budget Committee.
February 1	Final deadline for introduction of House bills, except supplemental bills recommended by the Joint Budget Committee.
February 6	Final deadline for introduction of supplemental bills recommended by the Joint Budget Committee.
February 9	Deadline for House committees of reference to report House bills introduced on or before the 7 th legislative day.
February 16	Deadline for Senate committees of reference to report Senate bills.
February 23	Deadline for House committees of reference to report remaining House bills.
March 1	Deadline for final passage of Senate bills in the Senate .* Deadline for final passage of House bills in the House .*
March 24	Deadline for committees of reference to report bills originating in the other house.
March 27	Deadline for introduction of the Long Bill in the Senate .
March 31	Deadline for final passage of the Long Bill in the Senate .
April 3	Deadline for final passage in the House of Senate bills.*
April 7	Deadline for final passage of the Long Bill in the House
April 10	Deadline for final passage in the Senate of all House bills.*
April 14	Deadline for adoption of the conference committee report on the Long Bill Deadline for Appropriations Committee in house of introduction to report bills referred to Appropriations Committee.
April 20	Deadline to introduce resolutions and bills.
April 21	Deadline for final passage in house of introduction of all bills referred to the Appropriations Committee in that house. Deadline for final passage for any school finance bills.
April 27	Deadline for committees of reference in second house to report bills referred to the Appropriations Committee in that house.
May 1	Deadline for Appropriations Committee in second house to report bills referred to it.
May 4	Deadline for final passage in second house of all bills referred its Appropriations Committee.
May 10	Adjournment sine die.

* All bills in the Appropriations Committee in either house on the day of the asterisked deadline are excluded from the final passage deadline until April 21.

GOVERNMENT

INITIATIVES

PROTECT INITIATED LAWS

NEW SB 79 Limit Amendments to Initiated Statutory Laws (Sen. Court; none) (support) would prevent amendment, repeal, or other change to a law approved at an election for a period of three years from the law's effective date unless the action is approved by a two-thirds vote in each house. League supports the protection of an initiated statute from change for a minimum period and believes three years is a reasonable period of time to assess the effectiveness of a new law.

A hearing has been scheduled for Tuesday, January 31, upon adjournment in the Senate State, Veterans, and Military Affairs Committee.

Fern Black 303.793.0807

JUVENILE JUSTICE

JUVENILE SEXTING BILL IS BACK

NEW HB 1064 Misuse of Electronic Images by a Juvenile (Rep. Willett; Sen. Fields) (watch) again tries to deal with the issue of teen sexting. Last year HB 1058 dealt with the same issue but failed to pass because the issue turned out to be more complicated than expected. Everyone, including the district attorneys, agreed that the current felony level penalty for teen sexting is inappropriate and far too harsh. However, the bill, as it was written, criminalized teen sexting even when it was consensual and no one was victimized. It also would have allowed charges to be brought against a youth who was ultimately victimized by the sexting he/she had participated in.

The current bill tries to deal with the concerns from last year. It again creates the new crime of misuse of electronic images by a juvenile and declares that a youth charged with that crime cannot be prosecuted for sexual exploitation of a child, which is a felony and results in the youth having to register as a sex offender. It makes misuse of electronic images a class 2 misdemeanor but also lowers the

offense to a class 1 petty offense depending upon specified circumstances. In addition, it specifies certain circumstances that would constitute an affirmative defense for the charged youth.

We are watching this bill because, although it is an improvement over current law and last year's bill, we do not believe that criminalizing juvenile consensual sexting that has not victimized anyone is the appropriate way to handle this problem. We do not want to see young people unnecessarily drawn into the juvenile justice system because too often the first contact leads to further involvement. We would suggest that a concerted effort to educate our youth about the dangers of sexting would be a better approach to take.

Carla Bennett 303.757.2930

NATURAL RESOURCES

ENVIRONMENTAL QUALITY

CAN WE KILL MANY BIRDS WITH ONE STONE?

NEW SJR 2 Support for Use of Biochar (Sens. Merrifield, Baumgardner; Reps. Thurlow, Singer) (watch) This resolution was heard in the Senate on Jan. 17 and was laid over until Jan. 24. This resolution supports continued research, development, and application of biochar created from unused biomass. The rationale states that creating and using biochar has many benefits, including:

- storing carbon in the ground, instead of in the atmosphere;
- reducing fuel loads in our forests;
- improving soil and plant growth;
- reducing cost and increasing the nutritional value of food for Colorado;
- enhancing rural economic development through improved agriculture and the production of biochar;
- producing energy as a co-product of producing biochar.

Though League supports research and study, we think the research should guide the production and

use of this product because of potential adverse effects.

Amy Sherwood 847.239.0236

SUPPORT LOCAL CONTROL

NEW SB 014 Limits On Underground Storage Tank Regulations (Sens. Baumgardner & Coram; Rep. Becker) (oppose) The bill prohibits a local government from imposing inspection requirements for underground petroleum storage tanks or charging inspection fees for the inspection of underground petroleum storage tanks. Some requirements already established regarding fire code and national fire protection codes can be enforced.

This bill would prohibit any city, county or municipality in the state from imposing further safety inspections accompanied by fees. League supports measures to improve planning for environmental management. It supports policies that enhance public participation in permitting and monitoring of oil and gas operations. We oppose this bill because it does not allow public input at local levels nor does it take into consideration the long range effects of such a law.

This bill was assigned to the Transportation Committee for a hearing on Feb. 7

Amy Sherwood 847.239.0236

SOCIAL POLICY

BEHAVIORAL HEALTH

NON-STIGMATIZING TERMINOLOGY

NEW HB 1046 Update Outdated Statutes Persons with Disabilities (Rep. Lebsock; None) (support) concerns updating statutory references to certain limited outdated terms relating to people with disabilities. The bill updates certain limited terms in statute that refer to persons with intellectual and developmental disabilities or physical disabilities using insensitive or outdated terminology.

The bill changes references as follows:

- “Mentally retarded,” “mentally deficient person,” and “mental deficiency” or “mentally deficient” to “a person with an intellectual and developmental disability”;
- “Mental defect” to “mental illness”; and
- “Physical defect” to “physical disability.”

The League supports the use of terminology that aims to reduce societal stigmas associated with insensitive or outdated terms. League prefers the term “mental disorder” over the bill’s term of “mental illness.” “Mental disorder” comports with terminology promoted by the American Psychiatric Association and other nationally-recognized mental health organizations.

The bill is assigned to House Public Health Care & Human Services Committee with the first hearing scheduled for January 24. This bill is assessed as having no fiscal impact.

MORE SCHOOL COUNSELORS

NEW SB 68 School Counselors Early Support for Students (Sen. Todd; Rep. Singer) (support) concerns early support for student success through access to school counselors via the behavioral health care professional matching grant program and the school counselor corps grant program.

Under current law, a public school that includes any of grades 7 through 12 is eligible to receive a grant through the behavioral health care professional matching grant program. Also under current law, a public middle, junior, or high school is eligible to receive a grant through the school counselor corps grant program. The bill expands both grant programs to all grades, therefore K through 12.

It is assigned to Senate Education Committee with first hearing on February 9. Fiscal note is in progress.

TREATMENT FOR OPIOID ADDICTION

NEW SB 74 Create Medication Assisted Treatment Pilot (Sen. Garcia, Rep. Esgar) (watch) would create a two-year pilot program in certain areas of the state experiencing high levels of

opioid addiction to award grants to increase access to addiction treatment.

The medication-assisted treatment (MAT) pilot program, administered by the University of Colorado College of Nursing, expands access to opioid-dependent patients in Pueblo and Routt counties. The pilot program will provide grants to community- and office-based practices, behavioral health organizations, and substance abuse treatment organizations to:

- Assist nurse practitioners and physician assistants working in those settings to obtain training and support required under the federal Comprehensive Addiction and Recovery Act of 2016 (CARA) to enable them to prescribe buprenorphine as part of providing MAT to opioid-dependent patients; and
- Provide behavioral therapies in conjunction with medication as part of the provision of MAT to opioid-dependent patients.

This bill is assigned to Senate Health & Human Services with first hearing scheduled for February 8. Fiscal note is in progress.

All reported by Linda Rinehart 720.989.8944

IMPROVING MEDICATION PRACTICES IN JAILS AND PRISONS

NEW **SB 019 Medication Mental Illness in Justice System (Sen. Humenik; Rep. Singer) (support)** This bill aims at increasing medication consistency for persons with mental illness in the criminal and juvenile justice systems.

The bill implements recommendations from (1) the task force concerning the treatment of persons with mental illness in the criminal and juvenile justice systems and (2) the medication consistency work group of the behavioral health transformation council, in order to promote increased medication consistency for persons with mental illness in the criminal and juvenile justice systems. The recommendations include:

- Requiring the Office of Behavioral Health (OBH) and the Department of Corrections to promulgate rules that require providers under each department's authority to (1) use

an agreed upon medication formulary, (2) to conduct annual and biannual reviews of the formulary to address urgent concerns related to the formulary, and (3) to ensure compliance with the Medicaid formulary;

- Requiring the Department of Corrections, county jails, community mental health centers, the division of youth corrections, and other providers to share patient-specific mental health care and treatment information, provided that federal and state confidentiality requirements are met, and to develop a plan for electronically sharing patient-specific mental health care and treatment information across systems;
- Requiring OBH to encourage providers to utilize cooperative purchasing for the formulary to maximize statewide cost savings and to include an ongoing drug utilization review process;
- Requiring OBH to investigate and develop options for collaboration with local county jails to coordinate medication purchasing. Based on that information, the behavioral health transformation council shall develop a medication purchasing plan on or before July 1, 2017; and
- Requiring the department of human services and the department of corrections to report progress on the implementation and use of the medication formulary and cooperative purchasing as part of each department's 'State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act' hearing, beginning in January 2018 and annually thereafter.

The bill has been assigned to Senate Judiciary Committee, but not yet scheduled.

Linda Rinehart 720.989.8944

STAFFING ASSISTANCE

NEW **HB 1020 Staffing Task Force Mental Illness Justice System (Rep. Singer; Sen. Humenik) (support)** The bill amends provisions in current statute to provide for ongoing staff support for the task force advising the legislative oversight committee concerning the treatment of persons with mental illness in the criminal and juvenile justice

systems. Clarifies that gifts, grants and donations of in-kind services for staff support from any public or private sources may be received or expended for direct or indirect costs associated with the duties of the task force. The bill has been assigned to House Public Health Care & Human Services and will be heard on January 24th.

Linda Rinehart 720.989.8944

CHILDREN'S ISSUES

OPTIONAL CHILD PROTECTION TEAMS PROPOSED

NEW **SB 016 County Choice Child Protection Teams (Sens. T. Neville and Jahn; Rep. Nordberg) (oppose)** came out of the Legislative Audit Committee. It makes it optional for all counties and groups of counties to establish a child protection team (CPT). Under current law all counties or groups of contiguous counties that receive more than 50 referrals regarding child abuse or neglect in a year are required to create a child protection team. For other counties or groups of counties the teams are optional. Currently 52 counties are required to have a child protection team.

Child protection teams were created in statute in 1975 to provide community oversight of the child protection system. The teams are made up of representatives from public and private agencies in the community as well as community members who review the county department's child abuse referrals and investigations to determine if the department's response was timely, adequate, and in compliance with state law.

When first created, the teams reviewed all referrals and investigations. However, in 2016, the Colorado Department of Human Services issued rules that allowed the counties to use a risk based approach for choosing cases to be reviewed by the child protection teams. That change reduced the burden the CPTs placed on county staff.

In 2014, the state auditor conducted a performance audit of child welfare in the Department of Human services and found a number of problems with the implementation of the child protection teams. It also found that those problems were the result of inadequate guidance to the counties departments as

to how to use the CPTs. One recommendation of the auditor was for the state Department of Human Services (CDHS) to work with child welfare and county stakeholders to assess whether or not the CPTs are still needed and to work with the legislature on changes to the statutes to make the teams more effective or eliminate the requirement for the teams. In the end this was done, and this bill is the result.

We oppose making the CPTs voluntary because they could be an important tool for public oversight of the child protection system. If the teams become voluntary and the state department continues to fail to provide adequate guidance, we would not be surprised if most or all the counties did away with the teams. Given the negative feelings a significant number of Coloradans have toward the child welfare system, we believe it is crucial for there to be maximum transparency and public input around child welfare issues.

Carla Bennett 303.757.2930

EDUCATION

HELP THE WEALTHY PAY FOR PRIVATE SCHOOLS

SB 39 Education Income Tax Credits for Non-Public School (Sen. Lundberg; None) (oppose) This bill establishes non-refundable (only available to those who pay state income taxes) income tax credits for a dependent's private school tuition or for scholarships provided on behalf of a qualified student to attend private school. The bill also includes a tax credit for qualified students who use home-based education.

The League of Women Voters opposes private tuition tax credits based on a nationwide goal of equitable educational opportunity. Quality public education is essential for a strong, sustainable democracy, and equal access is a civil right. Tuition tax credits undermine public education by encouraging flight. They disproportionately benefit the wealthy who can afford private schooling. Most private schools cost much more than a tax credit would provide, and there are additional transportation costs, leaving behind those students in the greatest financial need.

Equitable access is further undermined by the fact that public schools are tasked with the expensive job of educating handicapped students. Private schools are not. Finally, tuition tax credits may indirectly provide financial support to faith-based schools, violating the prohibition on public financial aid to religious institutions. This bill has been assigned to the Finance Committee.

Gail Nuth 719.393.5604

SECOND LOOK AT TEACHER AND PRINCIPAL EVALUATIONS

NEW Senator Mike Merrifield is taking a second stab at modifying SB 191, the 2010 Educator Effectiveness bill. **SB 67 Educator Effectiveness 50% Student Growth (Sens. Merrifield, Guzman, Kagan, Kerr, Todd; none) (support)** eliminates the requirement that 50% of teacher and principal evaluations be based on student growth scores. It does give districts the flexibility to continue to use scores for evaluation purposes but only up to a level of 20%.

The League opposed the original bill in 2010, because insufficient funding was provided to execute the mandate and because there is little evidence that student test scores are an accurate measure of teacher or principal performance. SB 67 would also allow districts to evaluate educators with a rating of effective or highly effective every three years rather than every year as directed by SB 191, which would bring about a savings of administrative time.

Large Colorado school districts have come to find the current mandates difficult to carry out without increasing administrative staffing. Rural districts have found it almost impossible with their extremely limited resources and the increased number of state mandates. In addition, the increasing number of students opting out of testing and the large number of homeless children in our schools seriously skew results, making it nearly impossible to obtain an accurate evaluation using these test scores.

The bill will be heard in Senate Education Committee at 1:30 on February 9.

Sally Augden 303.455.5800

ENCOURAGING PARENTAL INVOLVEMENT IN EDUCATION

NEW **HB 1001 Employee Leave Attend Child's Academic Activities (Rep. Buckner; Sen. Kerr) (support)** recreates and reenacts the 2009 "Parental Involvement in Kindergarten through Twelfth Grade Act" that was allowed to expire in September of 2015. This would allow parents or guardians to leave work for no more than six hours a month or a total of 18 hours per school year to attend their child's academic activities. It applies to state and local government employees and businesses of 50 or more employees. The employer is not required to offer paid leave, and there are exceptions for workers in vital functions. The League views children's education as a "shared responsibility," and encourages parental involvement. In a day of very limited resources, encouraging parents to participate in their child's learning is a cost effective way to promote success. It also offers employers a way to improve our educational climate at little to no cost and improve employee morale.

The bill has been assigned to House Education, but not yet calendared.

Sally Augden 303.455.5800

HEALTH CARE

SOME WE SUPPORT

NEW **HB 1057 Interstate Physical Therapy Licensure Compact (Reps. Winter & Liston; Sens. Gardner & Kerr) (support)** The bill concerns the adoption of an interstate compact to allow persons authorized to practice physical therapy in a state to obtain the privilege to practice physical therapy in other member states.

League supports broad access to healthcare services, particularly given the rural nature of Colorado boundaries.

The bill was introduced in the Senate and assigned to Health, Insurance, & Environment where it will be heard on January 26th.

NEW SB 57 Colorado Healthcare Affordability & Sustainability Enterprise (Sen. Guzman; None) (support) The bill concerns the creation of an enterprise that is exempt from certain state constitution requirements and related statutory provisions, to administer a fee-based healthcare affordability and sustainability program for hospitals. The enterprise is designated as an enterprise for purposes of the taxpayer's bill of rights (TABOR). The primary powers and duties of the enterprise are to charge and collect the fee from hospitals, leverage fee revenue collected to obtain federal matching money, and utilize and deploy both fee revenue and federal matching money in furtherance of the healthcare business purpose of the enterprise.

League supports utilization of a hospital provider fee to increase healthcare access to low income populations, which would be furthered by this enterprise model.

The bill was introduced in the Senate and assigned to the Finance Committee and is not yet scheduled.

NEW SB 64 License Free Standing Emergency Departments (Sen. Kefalas; Rep. Lontine) (support) The bill concerns the licensing of freestanding emergency departments (FSEDs) that provide emergency care outside a hospital setting.

FSEDs are contributing to confusion and high costs to patients and insurance companies due to lack of transparency of treatment capacity and basis for patient bills. League supports transparency and cost concerns related to this healthcare area and this new licensure could improve oversight.

The bill was assigned to State, Veterans & Military Affairs and is not yet scheduled.

NEW SB 84 Coverage for Drugs in a Health Coverage Plan (Sen. Jahn; Reprs. Esgar & Singer) (support) The bill prohibits a health insurance carrier from excluding or limiting a drug for an enrollee in a health coverage plan if the drug was covered at the time the enrollee enrolled in the plan. A carrier may also not raise the costs to the enrollee for the drug during the enrollee's plan year, such as by changing to a higher cost tier level.

League position supports healthcare coverage and pricing which is clear and transparent to patients, and protection of a patient from drug increases within a contracted plan year is essential. The bill was assigned to Health & Human Services, and is scheduled to be heard on February 9th.

NEW SB 91 Allow Medicaid Home Health Services in Community (Sens. Crowder & Moreno; Rep. Ginal) (support) Under current Colorado law, for some clients, home health services under the Medicaid program may only be provided in the client's residence. The bill allows home health services to be delivered in the community as well as the residence, bringing Colorado law into compliance with changes to federal Medicaid rules which now allow this practice.

The bill was assigned to Health & Human Services where it will be heard on February 11th.

SOME WE DON'T

NEW SB 3 Repeal Colorado Health Benefit Exchange (Sen. Smallwood; Rep. P. Neville) (oppose) The bill repeals the act which created the Colorado Health Benefit Exchange, dba Connect for Health Colorado (C4HCO), which allows Colorado to support the Affordable Care Act (ACA) within a state-directed model. It gives C4HCO one year to wind up its affairs and directs that any remaining funds be turned over to the state treasurer for the general fund.

League strongly supports the ACA and the Colorado state exchange as the marketplace tool to offer health insurance options to the state. Thus, LWVCO opposes this bill which undermines the League program position that emphasizes healthcare accessibility, minimum essential benefits for all and a transparent and vetted cost structure.

The bill was assigned to the Finance Committee to be heard on January 31st.

NEW SB 4 Access to Providers for Medicaid Recipients (Sen. Tate; Rep. Wist) (oppose) The bill addresses access by Medicaid recipients to non-enrolled medical providers and permits such providers to bill Medicaid clients for services. The

bill may discourage providers from becoming Medicaid providers and may confuse Medicaid clients about their eligibility for covered services.

League supports Medicaid as part of its program position to provide health care access to low income patients, and it supports transparency (and clarity)

for healthcare clients, neither of which is enhanced by this bill.
The bill was assigned to Health & Human Services, where it will be heard on January 26th.

All reported by Carol Pace 303.863.0437

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
Behavioral Health	SB	19	Medication Mental Illness In Justice Systems	S	9	S-Jud
Behavioral Health	SB	68	School Counselors Early Support For Students	S	8	S-Ed
Behavioral Health	SB	74	Create Medication-assisted Treatment Pilot Program	S	8	S-HHS
Behavioral Health	HB	1020	Staffing Task Force Mental Illness Justice Systems	S	9	H-PHCHS
Behavioral Health	HB	1046	Update Outdated Statutes Persons With Disabilities	S	8	H-PHCHS
Children's Issues	SB	16	County Choice Child Protection Teams	O	10	S-HHS
Education	SB	39	Education Income Tax Credits For Nonpublic School	O	10	S-Fin
Education	SB	67	Educator Effectiveness 50% Student Academic Growth	S	11	S-Ed
Education	HB	1001	Employee Leave Attend Child's Academic Activities	S	11	H-Ed
Environmental Quality	SJR	2	Support For Use Of Biochar	W	7	S-3 rd Rdg
Environmental Quality	SB	14	Limits On Underground Storage Tank Regulation	O	8	S-Tra
Health Care	SB	3	Repeal Colorado Health Benefit Exchange	O	12	S-Fin
Health Care	SB	4	Access To Providers For Medicaid Recipients	O	12	S-HHS
Health Care	SB	57	CO Healthcare Affordability & Sustainability Enter	S	11	S-Fin
Health Care	SB	64	License Freestanding Emergency Departments	S	12	S-SVM
Health Care	SB	84	Coverage For Drugs In A Health Coverage Plan	S	12	S-HHS
Health Care	SB	91	Allow Medicaid Home Health Services In Community	S	12	S-HHS
Health Care	HB	1057	Interstate Physical Therapy Licensure Compact	S	11	H-HIE
Initiatives	SB	79	Limit Amendments To Initiated Statutory Laws	S	7	S-SVM
Juvenile Justice	HB	1064	Misuse Of Electronic Images By A Juvenile	W	7	H-Jud

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