

LEGISLATIVE LETTER[®]
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February 8, 2016

LL#2:14

A CHALLENGING ISSUE

HB 1054 and SB 25 End of Life Options for Terminally Ill Individuals (Reps. Court and Ginal; Sen. Merrifield) (FYI). These two bills address the same serious, important questions: does an individual have a legal right to request, and do physicians have a legal right to provide to the patient, a means to hasten the end of life in the situation of terminal illness. Since our last legislative letter, both have had hearings in their respective chambers. Witnesses for and against were largely identical. Opposition came heavily from probate lawyers, from people identifying themselves as part of the disability community, from some members of medical community, from organizations related to Focus on the Family, and from individuals who held opposing values.

Source of opposition was the risk of people being coerced into advancing death, or boxed into it by financial pressures; from the physician's obligations and the fast changes in medical options; and from interpretations that legal protections in the bill were insufficient, or were fatally flawed. Mention was made of experiences in Europe (Belgium and the Netherlands), where the "slippery slope" may actually be happening. Opponents note that hospice and palliative care address many tragic situations.

Support came from people identifying themselves as being disabled but not representing the disability community, members of the medical community, and individuals and family members facing, or who have faced, painful ends of terminal illness. Supporters noted that similar (but not quite identical) laws have been passed in Oregon and Washington, and have been in use without problems.

The League of Women Voters of Boulder County studied assisted suicide in 2012. Their focus was a bit broader than this bill, but the findings were consistent with the arguments in favor and against the bill that were presented to committees. The League of Women Voters of Utah also undertook such a study in 2013. Their findings, also, reflected these pros and cons.

The subject does not fall clearly into League program. Our health care program position focuses on access to quality basic health care at prices that do not bankrupt an individual. Our position on reproductive health –

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categorized as “government” issue – addresses the right to privacy in making decisions about reproductive health. By contrast, we oppose the death penalty. Our civil rights and civil liberties position is concerned with rights under the Bill of Rights. In other words, League hopes that members will increase their education about the issue to make responsible individual choices, but we have no foundation as an organization to support or oppose it.

After a hearing in Senate State Affairs Committee on February 3, SB 25 was PI'd on a vote of 3-2. Supporting the bill: Ulibarri and Jones. Opposing the bill: Scott, Hill, and Sonnenberg. HB 1054, heard by the House Judiciary Committee on February 4, passed to the full House on a vote of 6-5. Voting Yes: Court, Foote, Melton, Salazar, Lee, and Kagan. Voting No: Carver, Dore, Lawrence, Lundeen, and Willett. We were surprised that both these votes followed party lines, because we suspect that members of both parties fall on both sides of this difficult issue. We hope for an open and informative debate on the House floor.

Christine Watson 303.250.1795

GOVERNMENT

ADMINISTRATION

DIGITALLY STORED DATA UNDER CORA

NEW **SB 037 Public Access Digitally Stored Data Under CORA (Sen. Kefalas; Rep. Pabon) (support)** deletes outmoded terms (magnetic or optical disks, tapes, microfilm, microfiche) to describe miniaturized, electronic, or digital forms of public records available for inspection under CORA. The bill requires the official custodian to provide such records, including digitally stored data and electronic mail messages, in a medium specified by the records requestor and consistent with the database or file format in which the custodian maintains the records, while retaining required confidentiality. Removal of confidential information or data will not trigger statutory fees, but the official custodian may charge the actual cost of the digital storage medium used and a research and retrieval fee for time spent removing such information. We support this bill as an important component of efficiency in government, as well as a means of effective transparency of information.

Fern Black 303.793.0807

ELECTIONS

IMPROVEMENTS TO ELECTION PROCEDURES

NEW **SB 112 Voter Service & Polling Centers For Early Voting (Sen. Tate; None) (support)** Currently counties are required to designate at least

one voter service and polling center (VSPC) for every 30,000 active electors during early voting in a general election. The turnout during the first week of early voting has been very light. Thus, staffing centers that are underutilized is expensive and not productive. One election judge reported that her VSPC received eight voters during the seven first days of early voting – or about one per day. This bill maintains the previous level of VSPC access for the second week of early voting, but changes the requirement to one per 75,000 active electors during the first 7 days of early voting. In addition the bill would remove the requirement that VSPCs be open on that first Saturday of the 15-day period. We support expanded access to voting, but we also support sensible use of public funds. Because so many people drop off ballots, this bill make does not hamper voting, and makes sensible changes. The bill is scheduled to be heard in Senate State Affairs on Monday, February 8th.

NEW **SB 74 Mail Ballots Opt-out & Provide 24-hour Drop Boxes (Sen. Crowder; Rep. Dore) (support in part)** The League supports the section of the bill which would allow the Secretary of State to use federal HAVA money to in order for each county to obtain at least one 24-hour drop box and surveillance camera. Of course, some of the counties have the drop boxes already in place; they would be able to request a waiver from receiving same.

However, we are opposed to the section of the bill that would allow a voter to opt out of receiving a mail ballot. It is our belief that changing from the existing all-mail voting would create a great deal of voter confusion. It would also entail more work for

the counties, as they would have to communicate with those electors in order to make sure that they really don't want a ballot. This bill is scheduled to be heard on February 10th in Senate State Affairs.

Both reported by Carol Tone 303.377.3746

ELECTION PROCEDURES

HB 1012 Clerk File Copy of Mun Election Results with DOLA (Rep. Ryden; Sen. Scott) (support) would require municipal clerks to file municipal election results with the Division of Local Government in the Department of Local Affairs, rather than with the Secretary of State's office. The bill was heard in House State Affairs on February 1, passed unanimously and referred to the Committee of the Whole. Passed the House on February 4 with a unanimous vote.

It has been assigned to the Local Government Committee in the Senate.

Previously reported: LL#1, p. 7

HB 1070 Signature Verification in Mun Mail Ballot Election (Rep. P. Neville; Sen. T. Neville) (support) would require signature verification between the mail ballot return envelope self-affirmation and the voter's signature in the SCORE database. Assigned to House State Affairs, this bill has been set for hearing on February 10, upon adjournment, LSB-A.

Previously reported: LL#1, p. 7

NEW SB 107 Regulation of Voter Registration Drive Circulators (Sen. Cooke; Rep. Pabon) (support) requires circulators to fulfill certain mandatory training requirements specified by the Secretary of State and provided by the voter registration drive (VRD) organizer prior to circulating voter registration applications. In addition, it requires circulators to inform anyone registering of alternative means of registration if the registration takes place after the deadline for the VRD to submit registrations. Because VRDs must submit all registration applications 22 days prior to the date of the election, a person completing an application during the 22-day period prior to the election would not be successfully registered in time to vote in the upcoming election. This bill

requires circulators to let individuals know that there are alternative ways to register (i.e. online voter registration, in-person registration at the Voter Service and Polling Center or at the County Clerk's office) if that person wants to vote in the upcoming election. Assigned to Senate State Affairs and set for hearing February 8 at 1:30 p.m., SCR 356.

All reported by Elizabeth Steele 303.349.3331

GUN SAFETY

MY BUSINESS IS MY CASTLE

NEW HB 1023 Deadly Force Against Intruder at Business (Rep. Everett; None) (oppose) justifies the use of physical force, including deadly force, when a person has made an unlawful entry into a business if an owner, manager or employee in a business has a reasonable belief that the person has committed or intends to commit a crime against a person or property in the business and reasonably believes that the person might use physical force, no matter how slight against any occupant of the building. The person using physical force is granted immunity from prosecution. This identical bill has been defeated in the Legislature ten consecutive years. There are many ways in which this would put the law-abiding public at risk. If the belief that a person intends to commit harm is not found to be "reasonable," then a business owner, emboldened by the law, could also find him- or herself guilty of a crime and injury to an innocent victim where one did not need to occur. Assigned to State, Veterans and Military Affairs.

CONCEALED CARRY FOR ACTIVE DUTY MILITARY

NEW HB 1179 Concealed Carry for Military Personnel (Rep. Buck; Sen. Sonnenberg) (oppose) would allow military personnel on active duty serving in U.S. armed forces to legally carry a concealed handgun without a permit. Our opposition to this proposal has several components. First, military personnel have strict limits on carrying weapons even when they are on duty. Second, having different rules begins the process of breaking down a sensible safety protection. Third, people who are currently serving are not necessarily less likely to be involved in episodes where a

weapon would threaten public safety than is the general population. Fourth, there is no provision for the exception ending when the individual leaves duty.

Assigned to State, Veterans, and Military Affairs

CONCEALED CARRY FOR ALL

NEW SB 017 Concealed Handgun without Permit (Sen. T. Neville; Rep. P. Neville) (oppose) would remove the requirement for a permit to carry a hidden loaded handgun. Anyone who could legally purchase a handgun would be able to carry the weapon concealed. Requirements for background check, training class, and sheriff or police chief discretion would all be eliminated. The bill was heard in Senate State, Veterans, and Military Affairs Committee on January 27. Supporters argued that if one has gone through a background check when buying a handgun they should not be required another check for a CCW permit. Opponents noted that a Sheriff or Police Chief who issue permits often have information that does not show up in the CBI check...behavior such as drug and alcohol problems, a trouble maker who has assaulted others, the domestic abuser whose victim refuses to testify, someone whose behavior suggests mental instability. Under SB 017, these people would all be able to carry concealed weapons. Voting Yes: Hill, Scott, and Sonnenberg. Voting No: Jones, Ulibarri.

SB 017 was passed in Finance on February 2, with Holbert, Hill, and T. Neville voting Yes and Hodge and Merrifield voting No. It is now waiting in Appropriations.

REPEAL THE LARGE MAGAZINE BAN

NEW HB 1024 Repeal Ammo Magazine Prohibition (Reps. Saine & Humphrey; Sen. Marble) (oppose) would repeal the 15-round limit for firearm magazines and the requirement that each large-capacity magazine manufactured in Colorado on or after July 1, 2013, to include a permanent stamp or marking indicating the magazine was manufactured after July 1, 2013. League supported the law that this bill proposes to repeal, based on our assessment that it would increase safety. Assigned to State, Veterans and Military Affairs.

NEW SB 113 Repeal Large Ammo Ban (Sen. Marble; Reps. Saine & Humphrey) (oppose) is identical to HB 1024. Assigned to State, Veterans, and Military Affairs

All reported by Jean Grattet 303.863.0437

JUVENILE JUSTICE

TRUANCY BILL INTRODUCED

NEW SB 47 No Detention for Juveniles Who Are Truant (Sen. Woods; Rep. Ransom) (support) is scheduled to be heard in Senate Judiciary on February 17. The bill prohibits a juvenile detention facility from receiving or providing care for a child who has violated a court order to attend school unless the child has also been adjudicated for committing a delinquent act and is under the jurisdiction of the court for that act.

When we put children in jail (even juvenile facilities) for school misbehaviors such as truancy, we often make the situation worse because we funnel these children into the “school to prison pipeline,” and many of those children end up moving into long term involvement with the criminal justice system.

Truancy should not be criminalized. The true “victim” of truancy is the student who is not in school learning. A better use of public resources would be counseling to determine the cause for student absences: no coat, having to babysit siblings so that parents can go to work or other family issues, depression or other mental health issues, fear of attending school because of bullying, learning difficulties, etc. Support systems to make sure students are attending school are a better use of tax dollars than incarceration in the short and in the long run.

Carla Bennett 303.757.2930
Sally Augden 303.455.5800

VOTING RIGHTS

LIMITS ON VOTING

HB 1111 Same Day Voter Registration with Photo ID (Rep. Coram; None) (oppose) would require a photo ID in order to register to vote during

the 29-day period prior to or on Election Day. League has long opposed this because it reduces access. For some people, getting a photo ID is so difficult as to be virtually impossible. The best defense against “voting fraud” is good turnout. Assigned to House State Affairs, this bill is now set for hearing on February 10th, upon adjournment, LSB-A.

Previously reported: LL#1, p. 8

NEW Another photo ID bill, **SB 83 Government-issued Photo ID for Voting (Sen. Baumgardner; Rep. Joshi) (oppose)** has been introduced in the Senate. This one would require a government-issued photo ID to vote, whereas the House bill above requires photo ID to register. While it does not contain referendum language, the League opposes this bill on the same grounds as the House bill. A requirement for a government-issued photo ID to vote will possibly disenfranchise certain eligible voters, making it impossible for them to cast a ballot. Assigned to Senate State Affairs and set for hearing on February 10th at 1:30 p.m., SCR 356.

Both reported by Elizabeth Steele 303.349.3331

NATURAL RESOURCES

ENVIRONMENTAL QUALITY

CLIMATE ACTION PLAN

HB 1004 Measurable Goals Deadlines CO Climate Action Plan (Reps. Winter & Arndt; None) (support) would require the state climate action plan that was completed in 2015 with input from multiple state agencies, to include specific measurable goals that would reduce greenhouse gas emissions and help Colorado’s adaptive capability to respond to climate change.

It was heard in House Health on February 4th with sixteen witnesses in favor and 3 against. There was good testimony for this, one from a minister advising, “Measure what you care about.” The most moving was from a student who said “I don’t want to be remembered as the state that didn’t do something.” Two amendments added language to

require best science available to the measurable goals, and to either reduce Colorado’s greenhouse gas emissions or increase Colorado’s adaptive capability to respond to climate change. This passed out of committee to the Committee of the Whole on a vote of 7-6. Voting Yes: Buckner, Esgar, Ginal, Lontine, Primavera, Ryden, and McCann. Voting No: Brown, Humphrey, Joshi, Klingenschmitt, Landgraf, and Ransom.

Previously reported: LL#1, p. 8.

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SOCIAL POLICY

CHILDREN’S ISSUES

ANOTHER PARENT’S RIGHTS BILL – STILL A BAD IDEA

NEW The League has a longstanding interest in child welfare issues going back to the 1940s, and we have worked not only to protect children but also to ensure that parental interests are not sacrificed unnecessarily. Over the years there have been attempts to pass a Parent’s Bill of Rights that would tilt the law more in the direction of protecting parent’s rights **over** protecting the welfare of children. **HB 1110 Parent’s Bill of Rights (Rep. P. Neville; Sen. T. Neville) (oppose)** is another such attempt.

The bill codifies the Parent’s Bill of Right in statute and creates a liberty interest and fundamental right for parents in the care, custody, and control of their children. While the bill does not prohibit the courts, law enforcement, or other state or local agencies from acting within the scope of their authority and in their official capacities regarding child welfare service, it does set a higher bar for action. They must demonstrate a compelling government interest of the **highest order**.

We oppose this bill for two reasons. One is that it is not needed. It is already settled law that parents have a liberty interest in the care and custody of their children which means that the state **must** have

a **compelling interest** to justify intervening in that relationship. Parents have due process rights in those cases. The second reason is that this bill would make it harder for the government to intervene by requiring a compelling governmental interest **of the highest order**. It appears that the term intends to put a greater burden on the government and could result in children remaining in harm's way. However, there is no definition of what a governmental interest of the "highest order" is, and that could lead to an increase in lawsuits. The fiscal note states that costs for state agencies could increase depending on how many parents challenge the actions of those agencies. This would also be true for county agencies.

We are also concerned that child welfare would not be the only entities impacted by this bill. It could also impact education and juvenile justice as well as health care.

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SCREENING FOR PRENATAL SUBSTANCE EXPOSURE PROPOSED

NEW The intent of **SB 118 Screening to Identify Prenatal Substance Abuse (Sen. Newell; Rep. Singer) (watch)** is to identify children who have been exposed to substances prenatally as early as possible so that they can be connected to services that could be of benefit to them and help them be more successful in life. It could also save the state money because many of these children go on to have involvement with the juvenile and adult justice systems. Unfortunately, prenatal substance abuse exposure can have long-term negative effects on children including behavior and learning problems as well as difficulties with problem solving and decision making. This is particularly true of children exposed to alcohol prenatally. The Colorado 17th Judicial District conducted a study called the FASD Project and found that by identifying and treating youth suffering from fetal alcohol spectrum disorder the district reduced recidivism from 50% to 15% in the first year following completion of probation.

The bill requires the Department of Public Health and Environment to identify and post on its website a brief screening questionnaire for identifying

children who were prenatally exposed to substances. "Prenatal substance exposure" is defined as prenatal exposure to regular or binge use of alcohol, over-the-counter and prescription medication, or controlled substances.

The entities that are required to administer the questionnaire are: home visitation programs; the juvenile justice system; the child welfare system; and early childhood providers, schools, and school districts when developing a child's individualized educational plan. The bill also encourages birthing facilities and health care providers to screen for prenatal substance exposure. Any entity that identifies a child who was impacted by prenatal substance exposure will be responsible for connecting parents and guardians to services and/or supports.

Any information revealed by the questionnaire cannot be used against the mother for criminal purposes, and it may not be used to trigger a call to a county department of human services unless the mandatory status of the entity that administered the questionnaire is triggered.

We are currently watching this bill because while the intent of the bill is laudable and we agree with it, stakeholders have identified a number of concerns about it and are working with Senator Newell to address them. League is concerned that there is no identified, validated screening questionnaire to be found at this time. We are concerned that there may not be adequate and appropriate services to refer the children and their families to. The science is clear about the damaging effects of fetal alcohol exposure than the effects of fetal drug exposure, and more successful interventions have been developed for children with FASD. On the other hand, we are not sure how clear the science is for those children exposed prenatally to drugs and if we have appropriate services for them. We are also concerned about the effects of labeling a child as prenatally substance exposed when the child has no ill effects but the label stays with him/or her as they grow up.

The bill has been assigned to the State, Veterans, and Military Affairs Committee.

Carla Bennett 303.757.2930

EDUCATION

MODIFY EDUCATORS' EVALUATION REQUIREMENTS

NEW LWVCO opposed **SB10-191**, the 2010 teacher effectiveness bill which requires that 50% of teachers' and principals' evaluations be based on student growth scores. The League opposed the bill in 2010, because there was insufficient funding provided to execute the mandate and because there is little evidence that student test scores are an accurate measure of a teacher or principal's performance. SB 191 also requires a yearly evaluation rather than one every two or three years, another additional cost to schools and districts. Certainly, we are in favor of accountability and of recognizing the effectiveness of our public school educators, but only if the method used is effective. **SB 105 Adjustments to Educator Evaluation System (Sens. Merrifield and Marble; none) (support)** eliminates the requirement that districts use student growth scores for 50% of an educator's evaluation but allows the use of up to 20% if districts so choose. The bill also allows districts to exempt teachers or principals who have a rating of effective or highly effective from yearly evaluations for a period not to exceed three years.

Large Colorado school districts have come to find the current mandates difficult to carry out, and rural districts have found it almost impossible with extremely limited resources and an increased number of state mandates. Added to the concerns is the current opt-out movement. In many Colorado schools, large numbers of students are not taking the tests at all, totally skewing results and making it virtually impossible to obtain an accurate evaluation based on student growth scores.

The bill does not yet have a sponsor in the House and has not yet been calendared.

Sally Augden 303.455.5800

HOLDING SCHOOL BOARDS TO ACCOUNT

NEW The issues that helped to precipitate the Jefferson County school board recalls last fall illustrate the reason for the introduction of **SB 101 School Board Ethics Commission (Sen. Kerr;**

Rep. Kraft-Tharp) (watch). Paramount to the concerns about the actions of the now recalled board members was the apparent violation of the open meetings section of Colorado's Sunshine Law. Citizens opposed to that action and other decisions of the board majority were frustrated by their inability to find a way to impel the board to comply with Colorado law.

The bill establishes a school board ethics commission within the Department of Education where citizens can register complaints. The commission can review and investigate these complaints, issue findings, and impose sanctions if violations are validated. Sanctions can include penalties or fines, equitable relief, censure, and the awarding of attorney's fees. The commission may also dismiss frivolous complaints and impose a fine of not more than \$500. The commission would consist of five members selected by the governor, the general assembly and the state board of education.

The League will be watching the progress of this bill. There is not yet a fiscal note, an important issue in this year of limited financial resources. The bill has not yet been calendared.

Sally Augden 303.455.5800

EQUAL OPPORTUNITY

STEPS FORWARD AND BACK

NEW **HB 1123 Religious Freedom of Certain Religious Persons (Rep. Klingenschmitt; Sen. Lundberg) (oppose)**. This bill is the latest version of an effort to allow providers of public accommodations to discriminate against customers based on sexual orientation or other inherent characteristics. It does so by providing a definition of a "place of public accommodation" that would be one related to a religious organization. One can see the next step, which is that bakeries, catering halls, and the like, will claim that they principally used by a religious organization, an organization supervised or controlled by a religious organization, or an organization with a connection to a religious organization, and thus not subject to discrimination laws. The bill also prevents local governments

from revoking tax exempt status from such organizations, even if it has been revoked federally.

League has opposed previous efforts to allow discrimination based on our principles of equality of opportunity. In extending exemption from local taxes to such organizations, the impact of the bill could be a blow to local governments as sales tax revenue is lost even when the organization may not be eligible for federal tax exemption.

The House State Affairs Committee will hear HB 1123 on Monday, February 8.

NEW **HB 1166 Prohibit Seeking Salary History for Job Applicants (Reps. Winter & Pettersen; Sens. Todd & Donovan) (support).** This bill emerges from the ashes of the Pay Equity Commission that did not make it through Sunset Review in 2015. The lengthy bill is really quite simple. It prohibits prospective employers from asking applicants about salary history. This is important. Once salary history is known, an employer seeking a new employee will offer a salary that is some increase over prior salary, but may be less than is paid to a current employee of with same qualifications, job responsibilities, etc. In this way, studies have shown, women's pay gaps are continued.

Making the request illegal won't stop it, any more than making it illegal to ask about marital status has stopped that. But, it will give applicants some better leverage when she finds diplomatic ways to avoid answering. The bill is assigned to the Business Affairs and Labor Committee.

NEW **HB 1156 Extend Pay Transparency Protection All Employees (Reps. Danielson and Salazar) (support)** In 2008, Colorado adopted a wage transparency statute. The law prohibits employers from taking adverse actions against employees who discuss their wages with others. The act makes it illegal to "discharge, discipline, discriminate against, coerce, intimidate, threaten or interfere with any employee" for discussing wages. The law also forbids employers from requiring workers to sign nondisclosure or confidentiality agreements limiting an employee's right to discuss openly the pay he receives. Currently, the law does **not** cover government employees, agricultural

laborers, independent contractors, and supervisors (with limited exceptions). HB 1156 proposes to add those categories of employees. The bill does this by striking a reference to a section of Federal Law that exempts such categories of workers.

League supported the Wage Transparency Act in 2008. Since its passage, various employment law firms have issued advisories to their clients about managing this change. The advice has been to conform personnel policies, make sure the employer is up-to-date on the market level salary for various positions, and strengthen communications about compensation systems. All these conform to good management practices.

Relatively few states have such laws. In 2008, Colorado joined California, Michigan and Illinois. In 2015, Oregon joined the group. However, the practice of pay transparency is increasingly being seen as adding to employee satisfaction and reducing turnover. It also seems to help reduce pay disparities that could be viewed as discriminatory. Thus, it seems sensible to remove restrictions that still allow some categories of workers to be sanctioned for sharing wage or salary information.

All reported by Christine Watson 303.250.1795

HEALTH CARE

MOST HEALTH BILLS MOVE ON

HB 1015 Contingent Repeal Health Care Laws Aligning with ACA (Rep. Klingenschmitt; none) (oppose) The bill provides for an automatic repeal of certain state health insurance laws triggered if comparable federal law under the Affordable Care Act (ACA) is repealed by Congress.

The bill was heard in State, Veterans, and Military Affairs on February 3rd and postponed indefinitely on a vote of 5-4 (Voting to PI: Foote, Primavera, Tyler, Ryden, and Lontine. Voting No: Humphrey, Neville, Leonard, and Wist).

Previously reported: LL#1, p. 10.

HB 1065 Income Tax Credit for Home Health Care (Rep. Conti; none) (watch) The bill creates an income tax credit to assist a qualifying senior (75 and older, with an illness, injury or other condition) with certain uncovered home health care needs in a

senior's home, including durable medical equipment, home modifications, telehealth equipment and home health services, all of which must be certified as needed, by a specified health professional. While the tax credit is not refundable, which means it will benefit relatively high-income seniors the most, it decreases as incomes increase and is phased out for the highest income levels.

A major fiscal note prepared for the bill projects scenarios for estimated numbers of eligible seniors, projected state income tax liability for these seniors and likely numbers that would be able to use this non-refundable tax credit. The projected annual costs increase from \$4.9 million to over \$16 million over the next several years. Projections incorporate information that many eligible seniors would only receive a modest portion of the credit, which has an annual cap of \$3,000, due to their income tax liability being far lower than the cap. The fiscal note additionally describes interrelated requirements regarding adequate General Fund revenue being available to trigger the credit. Without those state revenues being available, the credit is suspended. The fiscal note further defines the required adjustments to state tax code involving programming and other expenses, to set up and administer such a tax credit.

Overall, the League supports enhancing health care affordability by facilitating seniors' ability to remain in their homes rather than move to long term care facilities, costly to them as well as the community at large. However, League is interested that the best mechanisms are used to achieve this, and the income tax credit may be lacking, and we will therefore continue to watch this bill.

The bill was heard in Health, Insurance, & Environment on January 28th and referred to Finance, with a minor amendment, on a vote of 10-3 (Voting No: Humphrey, Klingenschmitt, and Ransom).

Previously reported: LL#1, p. 10.

HB 1102 Drug Production Costs Transparency (Rep. Ginal; Sens. Newell & Roberts) (support)

The bill requires a drug manufacturer that produces a prescription drug made available in Colorado and for which the wholesale acquisition cost equals or exceeds \$50,000 per year or per course of treatment to submit a report to the Colorado Commission on

Affordable Health Care (known as the "cost commission") detailing the production costs for the drug.

A fiscal note has been added to the bill which projects that, as the cost commission is not set up to do this type of cost review, it would require \$100,000 for them to implement the bill as written.

The bill is scheduled to be heard in Health, Insurance, & Environment on February 18th.

Previously reported: LL#1, p. 11.

HB 1142 Rural & Frontier Health Care Preceptor Tax Credit (Rep. Buck; Sen. Crowder) (support) The bill offers a \$1,000 state income tax credit to a primary care health care professional in a rural county (less than 25,000) or frontier area (6 persons or less per square mile) of Colorado, who provides a training preceptorship to medical students and other graduate health professional students (medical, nursing, dental). There is a cap of 300 taxpayers per year able to access the teaching credit.

A fiscal note has been added to the bill which projects, therefore, that the maximum effect to the General Fund would be \$300,000 in a year from the income tax credit, plus an amount for administering as well as one-time programming costs to modify the tax code software. This tax credit would not unduly burden state revenues relative to the benefit, even in low revenue years, and so we support the purpose and funding mechanism.

As Colorado has a need for primary care health professionals in rural areas, and rural training opportunities are demonstrated to increase student interest, this bill provides a reasonable strategy toward improving rural health care access. League position is directed toward continuing to improve and enhance health care access in rural and underserved areas.

The bill was assigned to Public Health & Human Services, and to Finance. It is scheduled to be heard on February 16th in Public Health & Human Services.

Previously reported: LL#1, p. 11.

All reported by Carol Pace 303.863.0437

COMMUNITY HEALTH SERVICE NETWORKS

NEW SB 69 Community Paramedicine Regulation (Sen. Garcia; Rep. Pabon) (support) is concerned with “measures to provide community-based out-of-hospital medical services to medically underserved and medically served, but vulnerable, populations.” It provides for the regulation of medical service providers as community paramedics. The bill adds two parts to C.R.S. 25-3.5 Emergency Medical and Trauma Services, to establish the Community Assistance Referral and Education Services (CARES) program. Its purpose is to improve the health of residents, prevent illness and injury or reduce the incidence of 911 calls and emergency room visits. It authorizes the establishment of integrated health care service agencies to network with other medical service providers in the community and provides community outreach and health education to residents. The integration of health services, including behavioral health services, is encouraged by the League. This bill could be especially helpful to rural areas of the state and is consistent with League policies and positions.

The bill was assigned to Health and Human Services. Amendments increased the emphasis on integrated community health care. It was approved unanimously as amended and referred to Finance on January 28th. It was approved in Finance 4-1 (T. Neville voting No) and referred to Appropriations on February 4th.

Carol Andersen 720.962.0407

INCOME ASSISTANCE

CHILD CARE TASK FORCE ADVANCES

HB 1050 Low-income Parents Ed Child Care (Rep. Pettersen; Sen. Merrifield) (support) would create a task force to pull together information about the patchwork of child care availability and help paying for child care that could be used by young parents trying to further their education. It would also bring together stakeholders and the four state agencies involved, to work to reduce barriers to the families’ being able to access the resources that are available.

The Public Health Care and Human Services committee sent it on to Appropriations on a vote of 7-6. Voting Yes: Reps. Danielson, Ginal, Moreno, Pettersen, Tyler, Singer, and Primavera. Voting No: Reps. Conti, Everett, Joshi, Landgraf, Leonard (no relation), and Windholz.

Previously reported: LL#1, p. 12.

Julie Leonard 720.384.8421

CLIFF EFFECT PILOT PROGRAM

SB 22 Child Care Assistance Cliff Effect Pilot Program (Sen. Martinez Humenik; Rep. Pettersen) (support) currently enrolls ten counties in trying various methods to help low income working families transition off child care support, without destabilizing the families’ situation. More counties could join the program within the funding already allocated; so this bill would remove the limit of ten.

The bill passed the Senate on Second Reading on Jan. 25. It passed Third Reading on Jan. 26 with one slight amendment, by a vote of 25-10. It has been introduced in the House and assigned to the Public Health Care and Human Services Committee, where it is scheduled to be heard on Feb. 16.

Previously reported: LL#1, p. 12.

Senate Vote

YES	25	NO	10	EXCUSED	0	ABSENT	0
Aguilar	Y	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Tate	N
Crowder	Y	Jahn	Y	Merrifield	Y	Todd	Y
Donovan	Y	Johnston	Y	Neville T.	N	Ulibarri	Y
Garcia	Y	Jones	Y	Newell	Y	Woods	N
Grantham	Y	Kefalas	Y	Roberts	Y	President	Y
Guzman	Y	Kerr	Y	Scheffel	Y		

ALLOW LOCAL MINIMUM WAGE

NEW SB 54 Local Government Minimum Wage (Sen. Merrifield; none) (support) A Colorado law passed in 1999 prohibits local governments from setting their own minimum wages higher than the state minimum wage established in the Colorado constitution. Currently, 16 states have such laws and others are considering

them, reportedly using a model provided by the American Legislative Exchange Council (ALEC).

Within the state of Colorado, the cost of living varies hugely between communities such as Aspen and Grover. Expecting low-income workers to live on the same minimum wage in all parts of the state is unrealistic. It makes it hard for businesses like restaurants to find employees in resort communities, and it increases the expense to tax payers for social services to make up the difference between wages and cost of living. The argument is made that businesses can't be expected to cope with different employment regulations in different localities, but with online information and payroll services easily available, it shouldn't be an undue burden.

The bill will be heard by the State, Veterans and Military Affairs committee on Feb. 17.

SAFETY EXEMPTIONS FROM CHILD SUPPORT REQUIREMENTS

NEW **HB 1227 Exemptions Child Support Reqmnts Child Care Assist (Reps. Kagan & DelGrosso; Sens. Hill & Crowder) (support)** provides exemptions to protect teen parents and victims of domestic violence, sexual offenses, harassment or stalking. Currently, counties may require applicants for the Colorado Child Care Assistance Program (CCCAP) to cooperate with child support enforcement, which can bring them back into contact with a person who harmed them or has threatened harm.

The bill has been assigned to the Public Health Care and Human Services committee, but a hearing is not yet scheduled.

All reported by Julie Leonard 720.384.8421

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 F=Follow

POLICY AREA	S/H	BILL #	BILL TITLE	S/O	PAGE	STATUS
Administration	SB	37	Public Access Digitally Stored Data Under CORA	S	15	S-SVM
Administration	HB	1077	Recreate Statutory Revision Committee	S	7	H-App
Behavioral Health	SB	39	Mental Health And Collaborative Management Teams	S	9	H-PHCHS
Behavioral Health	SB	77	Employment First For Persons With Disabilities	W	9	S-Fin
Behavioral Health	HB	1063	Mental Hlth Professional Disclosure School Safety	S	9	H-Jud
Children's Issues	SB	13	Clean-up Office Of The Child Protection Ombudsman	S	9	S-Jud
Children's Issues	SB	118	Screening to Identify Prenatal Substance Abuse	W	19	S-SVM
Children's Issues	HB	1110	Parent's Bill of Rights	O	18	H-SVM
Education	SB	101	School Board Education Ethics Commission	W	20	S-SVM
Education	SB	105	Adjustments to Educator Evaluation System	S	20	S-Ed
Education	HB	1002	Employee Leave Attend Child's Academic Activities	S	9	To Senate
Elections	SB	107	Regulation of Voter Registration Drive Circulators	S	16	S-SVM
Elections	SB	74	Voter Service & Polling Centers For Early Voting	SIP	15	S-SVM
Elections	SB	112	Voter Service & Polling Centers For Early Voting	S	15	S-SVM
Elections	HB	1012	Clerk File Copy Of Mun Election Results With DOLA	S	7,16	S-LG
Elections	HB	1070	Signature Verification In Mun Mail Ballot Election	S	7,16	H-SVM
Elections	HB	1093	Election List Maintenance Procedures	S	7	H-SVM
Environmental Quality	HB	1004	Measureable Goals Deadlines CO Climate Action Plan	S	8,18	H-2nd Rdg
Equal Opportunity	HB	1001	State Contr Certify Compliance With Equal Pay Laws	S	10	H-BAL
Equal Opportunity	HB	1123	Religious Freedom of Certain Religious Persons	O	20	H-SVM

Equal Opportunity	HB	1156	Extend Pay Transparency Protection All Employees	S	21	H-BAL
Equal Opportunity	HB	1166	Prohibit Seeking Salary History for Job Applicants	S	21	H-BAL
Gun Safety	SB	17	Concealed Handgun without Permit	O	17	S-App
Gun Safety	SB	113	Repeal Large Ammo Ban	O	17	S-SVM
Gun Safety	HB	1023	Deadly Force Against Intruder at Business	O	16	H-SVM
Gun Safety	HB	1024	Repeal Ammo Magazine Prohibition	O	17	H-SVM
Gun Safety	HB	1179	Concealed Carry for Military Personnel	O	16	H-SVM
Health Care	SB	2	Health Exchange Voter Approval To Impose Tax	O	11	S-App
Health Care	SB	25	End-of-life Options For Terminally Ill Individuals	F	10,14	Pl'd
Health Care	SB	27	Medicaid Option For Prescribed Drugs By Mail	S	11	S-App
Health Care	SB	69	Community Paramedicine Regulation	W	11,23	S-App
Health Care	HB	1015	Contingent Repeal Hlth Ins Laws Aligning With ACA	O	10,21	Pl'd
Health Care	HB	1047	Interstate Medical Licensure Compact	S	10	H-Fin
Health Care	HB	1054	End-of-life Options For Terminally Ill Individuals	F	10,14	H-2nd Rdg
Health Care	HB	1065	Income Tax Credit For Home Health Care	S	10,21	H-Fin
Health Care	HB	1097	PUC Permit For Medicaid Transportation Providers	S	11	H-App
Health Care	HB	1102	Drug Production Costs Transparency Requirements	S	11,22	H-HIE
Health Care	HB	1142	Rural & Frontier Health Care Preceptor Tax Credit	S	11,22	H-PHCHS
Income Assistance	SB	22	Child Care Assistance Cliff Effect Pilot Program	S	12,23	H-PHCHS
Income Assistance	SB	54	Local Government Minimum Wage	S	23	S-SVM
Income Assistance	HB	1050	Low-income Parents Ed Child Care	S	12,23	H-App
Income Assistance	HB	1227	Exemptions Child Support Reqmnts Child Care Assist	S	24	H-PHCHS
Justice System	SB	64	Death Penalty Jury Decision	O	7	S-Jud
Justice System	HB	1033	Travel Costs & Members Human Trafficking Council	S	8	S-Jud
Juvenile Justice	SB	47	No Detention for Juveniles Who Are Truant	S	17	S-Jud
Natural Resources	SJM	1	Good Samaritan Remediation Abandoned Mines	S	8	S-Ag
Reproductive Freedom	HB	1007	Offenses Against Unborn Children	O	12	H-BAL
Reproductive Freedom	HB	1113	Protect Human Life At Conception	O	12	H-HIE
Voting Rights	SB	83	Government-issued Photo ID for Voting	O	18	S-SVM
Voting Rights	HB	1111	Same Day Voter Registration With Photo ID	O	8,17	H-SVM
Water	HB	1005	Residential Precipitation Collection	S	8	H-Ag

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 info@lwvcolorado.org or 303-863-0437 for information about rates and delivery.