

**Legislative Letter**

**League of Women Voters of Colorado**

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LL#2:1

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## SHINING A LIGHT ON FEDERAL TAX BREAKS FOR ENERGY INDUSTRIES

**NEW** **SJM 002 ELIMINATE ENERGY SUBSIDIES (Sen. Jones; Rep. Foote) (support)** asked Congress to phase out the permanent Federal subsidies for coal and oil and gas industries over five years at the same rate that the temporary subsidies for renewable energy industries phase out. Although the Senate Joint Memorial (SJM) was quickly defeated in the Senate Agriculture, Natural Resources & Energy Committee, it is a valuable resource as it discloses a myriad of permanent financial incentives the US government has awarded traditional fossil fuel industries. If Congress were to act on SJM 002, the energy playing field could be level, and fossil fuels and renewable energy could compete on the same basis to offer consumers the lowest-cost energy. Under current law most Federal subsidies for renewable energy will expire by December 31, 2022, while most fossil fuel subsidies remain.

For 2015, the Congressional Budget Office estimated that the US tax preferences for fossil fuels totaled \$4.8 billion and for renewable energy totaled \$7.8 billion. However, these temporary incentives for renewable energy will soon disappear, and historically the cumulative benefits to fossil fuels far surpass those to renewable energy.

The US is not alone in subsidizing fossil fuel industries. SJM-002 quotes Oil Change International's estimate that in 2013 and 2014 the G20 governments provided a total of \$452 billion in subsidies to fossil fuel companies. The G20 governments represent the world's top 20 economies. The International Energy Agency estimated that in 2015 fossil fuel industries received \$325 billion worldwide in government subsidies, and renewable energy subsidies worldwide were \$150 billion. While these estimates vary to some degree, the message is that energy industry subsidies significantly reduce the revenue to the government while providing incentives to continue the large scale use of energy sources that create greenhouse gas emissions.

SJM 002 quotes the May 2016 statement by the leaders of the G7 nations: "*Given the fact that energy production and use account for around two-thirds of global GHG (greenhouse gas) emissions, we recognize the crucial role that the energy sector has to play in combating climate change. We remain committed to the*

*elimination of inefficient fossil fuel subsidies and encourage all countries to do so by 2025.”* The G7 nations are the United States, the United Kingdom, Canada, France, Germany, Italy, and Japan.

The laundry list of subsidies to energy industries in SJM-002 is a useful and eye opening reference. It can be accessed by clicking [here](#).

SJM 002 was postponed indefinitely in the Senate Agriculture, Natural Resources, & Energy Committee on a vote of [8-3](#).

Sigrid Higdon 303.233.8111

### ***From the Editor***

We are attempting to keep the Legislative Letter as short and readable as possible. To do that we are limiting the length of follow-up articles and omitting the list of voters in committees. For those of you who receive the Letter electronically, however, there are links that will take you to the original report on bills, which will give you more information about the specific effects of the bills. There are also links to the committee votes for those who want that level of detail. Simply click on the blue text to go to the desired documents. Because of limitations in our new system, we will not have continuous pages throughout the different Legislative Letters. The Status Sheet will direct you to each Letter having articles about the bill you are interested in. If you have questions, please contact the editor, Frank Bennett, at [FrankBennett65@gmail.com](mailto:FrankBennett65@gmail.com) or 303-757-2930.

## **GOVERNMENT**

### ***ELECTIONS***

#### **SPECIAL DISTRICT ELECTIONS**

**HB 1039 Change Date of Regular Special District Elections (Rep. Ransom & Coleman; Sen. Gardner) (support)** This bill would change the dates of special district elections from May of the even-numbered years to May of the odd-numbered years. It was heard in House State Affairs on January 31<sup>st</sup> and passed unanimously to the Committee of the Whole.

Previously reported: [LL#1, p. 7](#).

Carol Tone 303.884.8429

#### **TIME OFF TO VOTE**

**HB 1033 Employee Leave to Participate in Elections (Rep. Weismann; Sen. Coram) (support)** extends the time allowed by employers for employees to leave to vote. It was heard in House State Affairs on January 31<sup>st</sup> and amended to clarify that electors may take the leave one time only. The amended bill passed [5-4](#) and was sent on to the Committee of the Whole.

Previously reported: [LL#1, p. 7](#).

Carol Tone 303.884.8429

## **FISCAL POLICY**

### **TAX REFUND OR TRANSPORTATION?**

**NEW** SB 61 (Sens. Sonnenberg & Grantham; None) (oppose) proposes to reduce the Colorado state income tax rate to 4.43% from the current level of 4.63%. The change would be permanent; returning to the current level would require a vote pursuant to TABOR. The fiscal impact would be a reduction in revenues from what is currently projected. If passed, it would take effect retroactively for the 2017-2018 budget year, resulting in a reduction of \$170 million. The amount of reduction relative to forecast would rise to \$384 million by the 2019-2020 budget year.

When the state is facing a possible TABOR refund (revenues are greater than the “allowable”) a reduction in income tax rate combined with a reduction in sales tax rate (not proposed in this bill) is a reasonable way to address the TABOR revenue surplus situation, **if the reductions are deemed “temporary.”** However, the state is not facing a TABOR refund in the next couple of years, and the income tax reduction proposed here is permanent.

Colorado has done this before, in the early 2000’s. Income tax rates fell to 4.63% from 5% after the state registered the need for a TABOR refund. Soon after, however, the recession of 2001 reduced revenues. The cuts to state spending, including education and public safety, arguably intensified the downturn locally.

Sponsors appear to be open to negotiation on this bill. The amount in question would go a long way toward paying for the transportation proposal that is Senate Bill 1, of which they are also co-sponsors.

Our opposition to this bill rests in our long-standing support for restoring funding to education and health care and in our recognition that transportation funding is at a critical juncture.

SB 61 passed out of Senate Finance Committee January 30 on a vote of [3-2](#). It now heads to Appropriations.

Christine Watson 303.863.0437

## **GUN SAFETY**

### **GUN SAFETY IN SCHOOLS**

**HB 1037 Concealed Handguns on School Grounds (Rep. P. Neville; Sen. T. Neville) (oppose)** has been scheduled for a hearing in House State, Veterans, and Military Affairs on Wednesday, Feb. 21 at 1:30 p.m.

Previously reported: [LL#1, p. 7](#).

Sally Augden 303.455.5800

### **BANNING BUMP STOCKS**

**NEW** SB 51 Prohibit Multi-burst Trigger Activators (Sen. Merrifield; None) (support) On October 2017, a gunman on the 32<sup>nd</sup> floor of a hotel in Las Vegas opened fire on concert attendees in a park in the distance. (Think standing on the capitol steps looking at the midst of the Civic Center flower gardens.) In seconds he shot and killed 58 people and wounded over 500. This massacre was possible because of a device called a “bump stock” which enabled the gunman to fire 90 rounds in just 10 seconds.

Senator Merrifield’s bill will prohibit the purchase and sale of these devices in Colorado. Violation will be a Class 5 felony which could result in a five year prison term. Senate President Grantham has assigned SB 51 to State, Veterans and Military Affairs.

The Denver City Council banned bump stocks on January 22 by a vote of 11-1. The ban is part of updating Denver's Assault Weapons Ban which has been in place for nearly 30 years. The ordinance update also reduces the magazine limit to 15 rounds to conform with state law.

### **REPEAL MAGAZINE LIMITATION**

**NEW** SB 052 Repeal Ammunition Magazine Prohibition (Sen. Hill; Reps. Humphrey & Saine) (oppose) This bill 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, include a permanent stamp or marking indicating

the magazine was manufactured after July 1, 2013. League has repeatedly supported the law this bill would repeal.

Assigned to Senate State, Veterans and Military Affairs. Hearing not yet scheduled.

**NEW** **HB 1015 Repeal Ammunition Magazine Prohibition (Reps. Humphrey & Saine; Sen. Hill) (oppose).** This bill is identical to the above which League opposes. Assigned to House State, Veterans and Military Affairs, the bill will be heard on Feb. 21.

### **PENALTY FOR FIREARMS BURGLARY**

**NEW** **HB 1077 Penalty For Burglary of Firearms (Reps Liston & Valdez; None) (support in part)** will increase the penalty for a burglary when the intent is to steal firearms, firearm parts, accessories or ammunition from a class 4 felony to a class 3 felony. The court may also require the person to pay a fine of at least \$10,000, but not more than \$750,000. The bill is actually an amendment to a current law that applies to theft of controlled substance.

According to a recent Colorado Ceasefire report “Colorado thefts from federally licensed firearms dealers have risen dramatically... Last November, U.S. Attorney Bob Troyer noted that over 400 guns had been stolen from gun stores in Colorado already in 2017.... The Trace (an independent, nonprofit news organization dedicated to expanding coverage of guns in the United States) as part of a year-long investigation, identified over 600 weapons lost or stolen in Colorado and later used in crimes, including 4 murders. Some of these weapons had been stolen from cars and homes.

The LAC committee decided to “support in part” because the phrase “in addition to or in lieu of, any sentence to imprisonment probation, community corrections or work release, a fine within...” \$10,000 -\$750,000 implied that people might go to prison because they could not pay their fines.

The bill will be heard in House State Affairs of February 15th.

All reported by Jean Grattet 303.573.7942

## **JUSTICE SYSTEM**

### **SHORTENING MANDATORY PAROLE**

**HB 1029 Lowering Mandatory Parole From 5 Years To 3 Years (Rep. Weissman; Sen Lundberg) (support)** Heard in House Judiciary Committee Jan. 25. The only opponent was a representative from the 18<sup>th</sup> Judicial District DA's office. The bill passed [6-4](#) and was referred unamended to the Appropriations Committee.

Previously reported: [LL#1, p. 7.](#)

Jean Fredlund 303.428.5420  
Lucinda Schneller 720.254.5741

### **STUDY BEST CRIMINAL SENTENCING PRACTICES**

**NEW** **SB 018 CCJJ CRIMINAL SENTENCING STUDY (Sen. Kagan; None) (support)** This bill requires the Colorado Commission on Criminal and Juvenile Justice (CCJJ) to contract for a study on best practices in criminal sentencing. The study will be based on empirical analysis and evidence-based data that identifies the most effective sentencing practices available. The last study commissioned by CCJJ was 10 years ago in 2008.

The bill was heard in Senate Judiciary Committee on Jan. 22 where it passed unanimously and was referred to Appropriations.

Lucinda Schneller 720.254.5741

## **JUVENILE JUSTICE**

### **JUVENILE JUSTICE DATA BILL INTRODUCED**

**NEW** **HB 1010 DHS Report Data & Add Members To Working Group (Reps. Lee and Wilson; Sen. Coram) (support)** requires the Department of Human Services to annually

calculate the recidivism rate and educational outcomes for juveniles who were committed to the Division of Youth Services (DYS), have completed their sentences, and have been discharged from DYS supervision. It also adds the Colorado Child Protection Ombudsman and a parent of a person who was once committed to the custody of DYS to the youth restraint and seclusion working group.

The LWV supports having a juvenile justice system that focuses on rehabilitation. It is important to collect data so that we can know how successful the system is at rehabilitating the youth it serves. Recidivism and educational outcome data are important measures for determining that.

Over the past years there has been ongoing concern about the overuse of restraint and seclusion in our DYS facilities. At times it has crossed the line into what many consider abuse. The youth restraint and seclusion working group was created to address this issue. We believe that the members who are being added to the working group are an important addition. It is crucial that the voice of the parent be heard. The Ombudsman adds a neutral and independent voice to the group. When youth are placed in the custody of DYS and placed in a facility, parents and the public need to be confident that that youth will be safe from abusive treatment.

The bill passed the House Judiciary Committee unanimously and Third Reading on 2/2 56-4-5.

Carla Bennett 303.757.2930

House Vote

	YES	56	NO	4	EXCUSED	5	ABSENT	0
Arndt	Y		Footo	Y	Leonard	Y	Rosenthal	Y
Becker J.	Y		Garnett	Y	Lewis	E	Saine	Y
Becker K.	Y		Ginal	Y	Liston	Y	Salazar	Y
Beckman	Y		Gray	Y	Lontine	Y	Sandridge	N
Benavidez	Y		Hamner	Y	Lundeen	Y	Sias	Y
Bridges	Y		Hansen	E	McKean	Y	Singer	Y
Buck	Y		Herod	Y	McLachlan	E	Thurlow	Y
Buckner	Y		Hooton	Y	Melton	Y	Valdez	Y
Carver	Y		Humphrey	N	Michaelson Jenet	Y	Van Winkle	Y
Catlin	Y		Jackson	Y	Neville P.	Y	Weissman	Y
Coleman	Y		Kennedy	Y	Pabon	Y	Willett	Y
Covarrubias	E		Kraft-Tharp	Y	Pettersen	Y	Williams D.	N
Danielson	Y		Landgraf	Y	Rankin	Y	Wilson	Y
Esgar	Y		Lawrence	Y	Ransom	Y	Winter	Y
Everett	N		Lebsock	Y	Reyher	E	Wist	Y
Exum	Y		Lee	Y	Roberts	Y	Young	Y
							Speaker	Y

**CROSSOVER YOUTH PLANNING PROPOSED**

**NEW** In Colorado there are local juvenile services planning committees within the judicial districts which are responsible for planning the allocation of local juvenile services. **SB 154 Juvenile Planning Committee Crossover Youth Plans (Sen. Fields; None) (support)** requires these committees to create a plan for managing crossover youth. These are youth who are involved in the juvenile justice system and also are or have in the past been involved in the child welfare system. Because of their involvement in both systems these youth can present added challenges in terms of placement, as well as a need for better coordination between the two systems when these youth are placed in the juvenile justice system.

The bill requires plans to identify these youth as soon as possible, to coordinate treatment planning, and to coordinate care between the two systems.

The bill is scheduled for a hearing in the Senate Judiciary Committee on February 12.

Carla Bennett 303.757-2930

**TRANSPORTATION**

**TRANSPORTATION FUNDING**

**NEW** **SB 001 TRANSPORTATION INFRASTRUCTURE FUNDING (Sens. Cooke & Baumgardner; Reps. Carver & Buck) (watch)**

This bill sets forth a funding method to support the state’s ever-growing transportation needs through a two-step funding process. First, it authorizes CDOT to issue up to \$3.5 billion in Transportation Revenue Anticipation Notes (total repayment may not exceed \$5 billion over 20 years), subject to voter approval. Second, it would divert 10 percent of the Sales and Use Tax revenue from the General Fund to the State Highway Fund. The diverted revenue is to be first used to service debt on TRANs, with any remaining revenue to be used for qualified federal aid transportation projects. In



addition, the bill would repeal lease-purchase agreements to fund transportation projects authorized pursuant to SB 17-267.

Proponents of the bill argue that the state's transportation needs are dire and SB 001 sets forth a funding method to address this need. Opponents argue that the bill takes significant money out of the general fund, limiting the state's ability to support other essential programs and services, and urge a bipartisan solution.

The bill was heard by the Senate Transportation Committee on January 23 and was referred to the Senate Committee on Finance on a vote of [3-2](#).

Andrea Wilkins 303.521.1759

## **VOTING RIGHTS**

### **VOTE TRADING BAN ADVANCES**

**NEW SB 076 Ban Vote Trading (Sen. Lundberg; Rep. Melton) (watch)** The bill makes it a misdemeanor to trade or offer to trade a vote with another elector in exchange for the other person's vote for or against a particular candidate, ballot issue, or ballot question. An impetus to introduce this bill was the passage in 2017 of the "ballot selfie" bill.

The LWV supports expanding voting rights – not limiting voting rights or free expression. The Ninth Circuit Court of Appeals ruled in *Porter v Bowen* that vote trading is not vote buying; rather, vote trading is constitutionally protected under the First Amendment. Furthermore, ballot selfies are not definitive proof of a particular person's vote because a ballot paper does not include voter identification.

Senate State, Veterans, & Military Affairs unanimously passed SB 76 (with Sen. Scott substituting for Sen. Hill), and the bill passed Third Reading in the Senate unanimously (Aguilar and Martinez Humenik excused) on the consent calendar on February 2.

Celeste Landry 303.440.4395

## **REGISTRATION FOR FORMER INMATES**

**NEW SB 150 Voter Registration Individuals in Criminal Justice System (Sens. Fenberg & Lundberg; Reps. Lee & McKean) (support)** This bill would allow a person on parole to preregister to vote. That person must meet all the requirements, including the self-affirmation, of any person who registers to vote. When the Secretary of State receives notice that the person has been released from parole, the person is automatically registered to vote.

The division of adult parole must provide the SOS on a regular basis names of all individuals released from parole. Further, the bill requires that the community parole officer assigned to an individual on parole provide the individual with information on pre-registering at their initial meeting. Prior to the person's release, the parole office shall provide further information regarding the individual's voting rights and the procedure for voting.

It is scheduled to be heard in Senate State, Veterans & Military Affairs Committee on February 12<sup>th</sup>.

Carol Tone 303.884.8429

## **NATURAL RESOURCES**

### **ENERGY**

#### **CONTINUATION OF STATE ENERGY OFFICE**

**SB 003 Colorado Energy Office (Sen. Scott; None) (watch)** amends 2012 legislation that reorganized the Governor's Energy Office and expanded its mission to encourage and promote all sources of energy development. That bill authorized an annual transfer of \$3.1 million to the Colorado Energy Office (CEO) each year for five years. In the 2017 legislative session, two bills to reauthorize the office and extend the funding for five years failed.

Without state funding for the 2017-2018 fiscal year, the CEO was able to maintain staffing by repurposing federal funds but was not able maintain all state mandated programs.

This bill, as amended in the Senate Agriculture, Natural Resources, & Energy Committee, will continue the CEO and expand the mission to include hydroelectric power and nuclear as clean energy sources and specifically to promote energy storage systems. Several defunct programs were deleted. The CEO has request \$3.1 from the state General Fund for 2018-2019. In addition to state funding, the CEO receives funding from four federal departments for specific programs.

The bill passed the Committee on a [9-2](#) vote. Next step is Senate Appropriations.

Sigrid Higdon 303.233.8111

## **BATTERIES FOR HOME SYSTEMS**

**SB 9 Allow Electric Utility Customers Install Energy Equipment (Sen. Fenberg & Priola; None) (support)** This bill directs the Public Utilities Commission to adopt rules regarding the use of distributed electricity storage systems by customers of Colorado's investor-owned utilities.

The bill was heard in the Agriculture, Natural Resources and Energy Committee. The bill passed with an [8-2](#) vote and was sent to the Senate Committee of the Whole.

Previously reported: [LL#1, p. 9.](#)

Amy Sherwood 847.239.0236

## **CHARGING ELECTRIC VEHICLES**

**NEW HB 1107 Prewire Residence for Electric Vehicle Charging Port (Rep. Weissman; Sen. Priola) (support)** This bill requires builders to offer individuals purchasing new single-family homes (detached or condominium units) the option of installing electric vehicle charging systems.

LWVCO supports these upgrade offers. The choice to use clean energy for electric vehicles allows more people to be in charge of their own carbon footprint. Homeowners can plan their clean energy-efficient homes and condominiums now and into the future.

This bill will be heard on February 8 in the House Transportation and Energy Committee.

Amy Sherwood 847.239.0236

## **RENEWABLE MANDATE KILLED**

**SB 64 Require 100% Renewable Energy by 2035 (Sens. Jones; Rep. Foote) (support)** This bill would have updated the renewable energy standard to require that all electric utilities derive their energy from 100% renewable energy by 2035.

The bill was heard in the Senate Agriculture, Natural Resources and Energy Committee. It was Postponed Indefinitely with a [6-5](#) vote.

Previously Reported: [LL# 1, p. 8.](#)

Amy Sherwood 847.239.0236

## **ENVIRONMENTAL QUALITY**

### **PROTECT HEALTH AND THE ENVIRONMENT**

**NEW HB 1071 Regulate Oil Operations Protect Public Safety (Rep. Salazar; None) (support)** The bill states that: current law declares that it is in the public interest to "regulate the responsible, balanced development, production and utilization of the natural resources of the oil and gas in the state of Colorado in a manner consistent with protection of public health, safety and welfare, including protection of the environment and wildlife resources." The Colorado Court of Appeals in *Martinez v Colorado Oil and Gas Conservation Commission*, 2017 COA 37, has construed this language to mean that oil and gas development is not balanced with the protection of public health, safety and welfare, including protection of environment and wildlife resources. Rather,

development must occur in a manner consistent with such protection. The bill codifies the holding of the Appeals Court decision.

LWVCO supports this bill based on our support of measures that promote integrated planning for environmental management and wise use of natural resources.

This bill was heard in the Health, Insurance and Environment Committee, passed on a [7-6](#) vote to the House Committee of the Whole.

Amy Sherwood 847.239.0236

## OIL & GAS

### **NEW** SB 48 Protect Act Local Govt Auth Oil & Gas Facilities (Sen. Jones; Rep. Foote) (support)

This bill was asking for the ability of local governments to exercise land use authority over oil and gas facilities. Under Colorado law there are 1041 powers which local governments use on issues “of matters of the state,” such as power line placements, junk yards, etc. This bill would set up the Protect Act to allow local governments to use land use authority with oil and gas facilities. After emotional testimony in Senate State Affairs on January 29, the bill was postponed indefinitely on a vote of [3-2](#).

Jeannette Hillery 303.494.7718

## **WATER**

### WATER CONSERVATION

**NEW** A package of water conservation bills is coming forward during this session. All are an effort to use allowable reclaimed domestic wastewater for a variety of purposes. The water will be permitted through the Water Quality Control Division and treated according to its standards. This is a way to extend water in a semi-arid state. There is very specific language on treatment and use in each bill. These bills are: **SB 38 Reclaimed Water Use on Industrial Hemp (Sens. Donovan & Coram; Reps. Esgar & Willett) (support);** **HB**

**1093, Reclaimed Water Use for Edible Crops, (Rep. Arndt; Sen. Coram) (support);** **HB 1069, Reclaimed Water Use for Toilet Flushing, (Rep. Arndt; Sen. Coram) (support);** **HB 1053 Reclaimed Water Use for Marijuana Cultivation (Rep. Arndt; Sen. Donovan) (support).** All of these bills have been heard in their respective committees. All bills have been passed on to their chambers’ Appropriations Committees. Votes: SB 38, unanimous; HB 1093, [11-2](#); HB 1069, [11-2](#); HB 1053, [12-1](#).

These bills may sit a while until the budget (Long Bill) is released.

Jeannette Hillery 303.494.7718

## **SUSTAINABILITY**

**NEW** **SB 142 Pilot Project for Sustainable Communities (Sens. Kefalas & Crowder; Reps. Herod & Melton) (watch)** SB 142 would establish a pilot program to facilitate the development of a sustainable community with a significant affordable housing supply. This would be accomplished through a waiver of the statutory requirements for approval of municipal incorporation allowing the pilot project to be designated as a town that possesses powers relating to land use, zoning, and related matters. The bill establishes requirements for housing and sets forth metrics the town must meet to achieve sustainability.

It is scheduled for a hearing in the Senate State, Veterans, & Military Affairs Committee on February 12.

Andrea Wilkins 303.521.1759



# **SOCIAL POLICY**

## **CHILDREN'S ISSUES**

### **TRUST FUND BILL HEADS TO SENATE**

**HB 1044 (Rep. Kraft-Tharp; Sen. Priola) (support)** increases the size of the Children's Trust Fund board to 21 and expands the powers and duties of the board. It passed out of House Public Health Care and Human Services on Jan. 23<sup>rd</sup> by a vote of [9-4](#) and then passed 3<sup>rd</sup> Reading on Jan. 29 by a vote of 33-28 with 4 excused. The bill was amended to add the Child Protection Ombudsman to the board.

Previously reported: [LL#1, p. 10](#).

Carla Bennett 303.757.2930

#### House Vote

	YES	33	NO	28	EXCUSED	4	ABSENT	0
Arndt	Y		Foot	Y	Leonard	N	Rosenthal	Y
Becker J.	N		Garnett	Y	Lewis	N	Saine	N
Becker K.	Y		Ginal	Y	Liston	N	Salazar	Y
Beckman	N		Gray	Y	Lontine	Y	Sandridge	N
Benavidez	Y		Hamner	Y	Lundeen	N	Sias	E
Bridges	Y		Hansen	Y	McKean	N	Singer	Y
Buck	E		Herod	Y	McLachlan	Y	ThurLOW	N
Buckner	E		Hooton	E	Melton	Y	Valdez	Y
Carver	N		Humphrey	N	Michaelson Jenet	Y	Van Winkle	N
Catlin	N		Jackson	Y	Neville P.	N	Weissman	Y
Coleman	Y		Kennedy	Y	Pabon	N	Willett	N
Covarrubias	N		Kraft-Tharp	Y	Pettersen	Y	Williams D.	N
Danielson	Y		Landgraf	N	Rankin	N	Wilson	N
Esgar	Y		Lawrence	N	Ransom	N	Winter	Y
Everett	N		Lebsock	N	Reyher	N	Wist	N
Exum	Y		Lee	Y	Roberts	Y	Young	Y
							Speaker	Y

## **EDUCATION**

### **ONE CHANCE TO APPEAL LOCAL CHARTER DENIAL**

**NEW** **SB 118 Local School Board Authority Over Charter Schools (Sen. Merrifield; Rep. Arndt) (support)** would remove a charter school's ability to make a second appeal to the State Board of Education when a local district denies their charter application or renewal. Currently, upon the second appeal, the state board may order the local school board to grant the charter application or renew the existing charter.

The League has long supported school boards' control over their schools. The League sees the

state role as focused on funding, and on establishing academic standards and policies that create equity for students throughout the state. The current statute cedes control over local issues to the State Department of Education rather than locally-elected officials. SB 118 continues to give charter schools that have been denied a chance to appeal their case before the state board, but only once. They need to get it right the first time.

The bill has been scheduled for a hearing in the Senate Education on February 15.

Sally Augden 303.455.5800

### **LET THE VOTERS DECIDE!**

Testimony on **SB 004 Funding for Full Day Kindergarten (Sen. Kerr; none) (support)** in Senate State, Military, and Veterans' Affairs on January 31 was all in favor of the bill to take the issue of funding full-day kindergarten to the voters. There was remote testimony from Adams State in Alamosa, Ft. Lewis College in Durango, and Colorado Mesa University in Grand Junction. Three teachers drove down from Sterling (home of Sen. Sonnenberg chair of the committee) to testify. Teachers and parents spoke to the importance of full-day kindergarten to students' futures, especially in this day of high stakes testing and consequences for teachers and schools. One teacher reported that economists estimate a 7-10% return over a child's lifetime on the investment in kindergarten. This is the fourth attempt by Senator Kerr to pass this bill. The Senate State, Veterans & Military Affairs Committee voted to Postpone Indefinitely on a [3-2](#) vote on February 5.

Previously reported: [LL#1, p. 11](#).

Sally Augden 303.455.5800

## **HIGHER EDUCATION**

### **RURAL TEACHER FELLOWSHIP**

**HB 1002 Rural School District Teaching Fellowship Programs (Reps. Hamner & Rankin; Sens. Todd & Coram) (Support)** This bill was heard in the House Education Committee on

January 29. This proposal was developed specifically to address and curb the state's teacher shortage in rural areas through alternative teacher preparation and "grow your own" programs.

The fiscal note indicates that this bill would increase General Fund expenditures by the Department of Higher Education by \$534,877 in FY 2018-19 and by \$532,681 in FY 2019-20. The program costs includes \$500,000 for the state's portion (50%) for up to 100 teacher fellowships at \$10,000, initial operating expenses and capital outlay (\$5,000) and .5 FTE for CDHE program administrative costs each year (\$25,000-\$27,000). Continued support of the program after year one and two is dependent on available funds.

Problems teacher interns face, especially in rural school districts, are inadequate salaries, lack of affordable housing, and the high cost of living. Teacher candidates are particularly challenged in the internship year because they are not able to work additional jobs.

Questions were raised regarding the program's sustainability and whether or not this can solve the total teacher shortage problem. Comments were made that this program focuses on rural teacher candidates who need this support and that this is only one strategy being used to help to solve the teacher shortage problem.

The bill was amended to clean up bill language and to clarify the definition of the stipend and how it was dispersed. The term "school district" was changed to "local education provider," a broader definition to include charter schools. The amended bill was passed on to House Appropriations by a vote of [9-2](#) with 2 excused.

Previously reported: [LL#1, p. 11](#).

Barbara Whinery 970.353.6731

## **HEALTH CARE**

### **CONSUMER PROTECTION AND VOICE**

**NEW** **HB 1118 Create Health Care Legislative Review Committee (Reps. Ginal, Beckman; Sens. Aguilar, Crowder) (support)** The bill creates the Health Care Legislative Review Committee (HCLRC) to study health care issues affecting Colorado residents. To include members of the legislative health care committees, the HCLRC may recommend 5 bills to the General Assembly and meet up to 6 times in each interim, including up to 2 field trips in one year. A fiscal note identifies a need for a General Fund appropriation of approximately \$81,000.

League supports this bill which supports the consumer through coordination of health care services and delivery across the state with collaborative analysis and legislative efforts.

The bill is assigned to Health Insurance & Environment where it is scheduled to be heard February 6.

**NEW** **HB 1149 Sunset Continue Insurance Council (Reps. Kennedy; Sen. T. Neville) (support)** The bill concerns continuation of the Consumer Insurance Council of the Division of Insurance (DOI), Department of Regulatory Affairs, and provides that the council be continued indefinitely. The council is an effective, all-volunteer, consumer voice, broadly representative of geographical areas of the state. The council addresses insurance issues ranging from health insurance to life, property, casualty, auto and other insurance areas.

League strongly supports this bill which enhances the consumer voice in insurance regulated by DOI.

The bill is assigned to Health Insurance & Environment Committee where it will be heard February 22.

**NEW** SB 146 Freestanding Emer Depts Required Consumer Notices (Sens. Singer & Sias; Reps. Kefalas & Smallwood) (support) SB 146 requires that a Freestanding Emergency Room (FSER) inform a person seeking medical attention of options available to them, ensuring that emergency screenings are performed but providing information that less costly care can be provided through other options.

League supports this bill which increases transparency for the consumer and reduces surprise hefty billings by FSERs, tied to significant facility and related costs. The bill is assigned to the Senate Health and Human Services Committee and will be heard February 14.

All reported by Carol Pace 303.863.0437

## ***INCOME ASSISTANCE***

### **FAMLI ACT BILL RETURNS THIS SESSION**

**NEW** HB 1001 Family and Medical Leave Insurance Program (Reps. Winter & Gray; Sens. Fields & Donovan) (support) This bill would create the family and medical leave insurance (FAMLI) program within the Department of Labor & Employment. The program would provide partial wage replacement benefits to eligible employees who take leave from work to care for a new child or family member with a serious health condition, or who are unable to work due to their own serious health condition.

The bill has been assigned to the House Business Affairs & Labor Committee. No hearing date has been set.

### **TAX CREDIT EXTENSIONS AIMED AT ADDRESSING COST OF LIVING ISSUES**

**NEW** SB 007 Affordable Housing Tax Credit (Sens. Tate & Guzman; Reps. J. Becker & Duran) (watch) SB 007 extends the period during which the Colorado Housing & Finance Authority may allocate affordable housing tax credits to developers of qualifying projects from December 31, 2019 to December 31, 2024. The bill also changes the name of the existing low-income housing tax credit to the affordable housing tax credit.

The bill was heard in the Senate Finance Committee on January 23 and referred unamended to the Senate Committee on Appropriations on a vote of [3-2](#).

**NEW** HB 1004 Continue Child Care Contribution Tax Credit (Reps. Coleman & Wilson; Sens. Kefalas & Tate) (support) This bill extends the child care contribution tax credit five years to January 1, 2025, allowing taxpayers who make a monetary contribution to promote child care in Colorado an income tax credit equal to 50 percent of the value of the contribution.

The bill was heard by the House Finance Committee on January 29 and was referred, as amended, to the House Appropriations Committee on a vote of [9-4](#).

All reported by Andrea Wilkins 303.521.1759

## STATUS SHEET

The Status Sheet is a regularly updated list of bills being followed by Legislative Action Committee members. New bills are in **boldface**.

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

Policy Area	S/H	Bill #	Bill Title	S/O	LL#	Status
Behavioral Health	SB	22	Clinical Practice For Opioid Prescribing	W	1	S-HHS
Behavioral Health	SB	24	Expand Access Behavioral Health Care Providers	S	1	S-HHS
Behavioral Health	HB	1003	Opioid Misuse Prevention	S	1	H-PHC
Behavioral Health	HB	1007	Substance Use Disorder Payment & Coverage	S	1	H-PHC
Children's Issues	HB	1044	Colorado Children's Trust Fund Act	S	1,2	To Senate
Education	SB	4	Funding For Full-day Kindergarten	S	1,2	S-SA
<b>Education</b>	<b>SB</b>	<b>118</b>	<b>Local School Board Authority Over Charter Schools</b>	<b>S</b>	<b>2</b>	<b>S-ED</b>
Education	HB	1088	Funding For Full-day Kindergarten	S	1	H-ED
Elections	HB	1033	Employee Leave To Participate In Elections	S	1,2	H-2nd Rdg
Elections	HB	1039	Change Date Of Regular Special District Elections	S	1,2	H-SA
<b>Energy</b>	<b>SJM</b>	<b>2</b>	<b>Eliminate Energy Subsidies</b>	<b>S</b>	<b>2</b>	<b>PI'd</b>
<b>Energy</b>	<b>SB</b>	<b>3</b>	<b>Colorado Energy Office</b>	<b>W</b>	<b>2</b>	<b>S-App</b>
Energy	SB	9	Allow Elec Util Cust Install Energy Storage Equip	S	1	S-AGR
Energy	SB	47	Repeal Tax Credits Innovative Vehicles	O	1	S-Fin
Energy	SB	64	Require 100% Renewable Energy By 2035	S	1,2	PI'd
<b>Energy</b>	<b>HB</b>	<b>1107</b>	<b>Prewire Residence For E-vehicle Charging Port</b>	<b>S</b>	<b>2</b>	<b>H-Trans</b>
<b>Environmental Quality</b>	<b>SB</b>	<b>48</b>	<b>Protect Act Local Gov Auth Oil &amp; Gas Facilities</b>	<b>S</b>	<b>2</b>	<b>PI'd</b>
<b>Environmental Quality</b>	<b>HB</b>	<b>1071</b>	<b>Regulate Oil Gas Operations Protect Public Safety</b>	<b>S</b>	<b>2</b>	<b>H-2nd Rdg</b>
<b>Fiscal Policy</b>	<b>SB</b>	<b>61</b>	<b>Reduce The State Income Tax Rate</b>	<b>O</b>	<b>2</b>	<b>S-App</b>
<b>Gun Safety</b>	<b>SB</b>	<b>51</b>	<b>Prohibit Multi-burst Trigger Activators</b>	<b>S</b>	<b>2</b>	<b>S-SA</b>
<b>Gun Safety</b>	<b>SB</b>	<b>52</b>	<b>Repeal Ammo Magazine Prohibition</b>	<b>O</b>	<b>2</b>	<b>S-SA</b>
<b>Gun Safety</b>	<b>HB</b>	<b>1015</b>	<b>Repeal Ammo Magazine Prohibition</b>	<b>O</b>	<b>2</b>	<b>H-SA</b>
Gun Safety	HB	1037	Concealed Handguns On School Grounds	O	1,2	H-SA
<b>Gun Safety</b>	<b>HB</b>	<b>1077</b>	<b>Penalty For Burglary Of Firearms</b>	<b>SIP</b>	<b>2</b>	<b>H-SA</b>
Health Care	SB	80	Wholesale Canadian Drug Importation Program	S	1	S-SA
<b>Health Care</b>	<b>SB</b>	<b>146</b>	<b>Freestanding Emer Depts Required Consumer Notices</b>	<b>S</b>	<b>2</b>	<b>H-HHS</b>
Health Care	HB	1009	Diabetes Drug Pricing Transparency Act 2018	S	1	H-HIE

<b>Health Care</b>	<b>HB</b>	<b>1118</b>	<b>Create Health Care Legislative Review Committee</b>	<b>S</b>	<b>2</b>	<b>H-HIE</b>
<b>Health Care</b>	<b>HB</b>	<b>1149</b>	<b>Sunset Continue Consumer Insurance Council</b>	<b>S</b>	<b>2</b>	<b>H-HIE</b>
Higher Ed	SB	85	Financial Incentives For Education In Rural Areas	S	1	S-ED
Higher Ed	HB	1002	Rural School District Teaching Fellowship Programs	S	1,2	H-ED
<b>Income Assistance</b>	<b>SB</b>	<b>7</b>	<b>Affordable Housing Tax Credit</b>	<b>S</b>	<b>2</b>	<b>S-App</b>
<b>Income Assistance</b>	<b>HB</b>	<b>1001</b>	<b>FAMLI Family Medical Leave Insurance Program</b>	<b>S</b>	<b>2</b>	<b>H-BAL</b>
<b>Income Assistance</b>	<b>HB</b>	<b>1004</b>	<b>Continue Child Care Contribution Tax Credit</b>	<b>S</b>	<b>2</b>	<b>H-App</b>
<b>Justice System</b>	<b>SB</b>	<b>18</b>	<b>CCJJ Criminal Sentencing Study</b>	<b>S</b>	<b>2</b>	<b>S-App</b>
Justice System	HB	1029	Lowering Mandatory Parole From 5 Years To 3 Years	S	1,2	H-App
<b>Juvenile Justice</b>	<b>SB</b>	<b>154</b>	<b>Juvenile Planning Committee Crossover Youth Plans</b>	<b>S</b>	<b>2</b>	<b>S-Jud</b>
<b>Juvenile Justice</b>	<b>HB</b>	<b>1010</b>	<b>DHS Report Data &amp; Add Members To Working Group</b>	<b>S</b>	<b>2</b>	<b>To Senate</b>
Juvenile Justice	HB	1050	Competency to Proceed Juvenile Justice System	S	1	H-JUD
<b>Sustainability</b>	<b>SB</b>	<b>142</b>	<b>Pilot Project For Sustainable Communities</b>	<b>W</b>	<b>2</b>	<b>S-SA</b>
<b>Transportation</b>	<b>SB</b>	<b>1</b>	<b>Transportation Infrastructure Funding</b>	<b>W</b>	<b>2</b>	<b>S-Fin</b>
<b>Voting Rights</b>	<b>SB</b>	<b>76</b>	<b>Ban Vote Trading</b>	<b>W</b>	<b>2</b>	<b>To House</b>
<b>Voting Rights</b>	<b>SB</b>	<b>150</b>	<b>Voter Regis Individuals Criminal Justice System</b>	<b>S</b>	<b>2</b>	<b>S-SA</b>
<b>Voting Rights</b>	<b>HB</b>	<b>1033</b>	<b>Employee Leave To Participate In Elections</b>	<b>S</b>	<b>2</b>	<b>H-2nd Rdg</b>
<b>Water</b>	<b>SB</b>	<b>38</b>	<b>Reclaimed Water Use On Industrial Hemp</b>	<b>S</b>	<b>2</b>	<b>S-App</b>
<b>Water</b>	<b>HB</b>	<b>1053</b>	<b>Reclaimed Water Use For Marijuana Cultivation</b>	<b>S</b>	<b>2</b>	<b>H-App</b>
<b>Water</b>	<b>HB</b>	<b>1069</b>	<b>Reclaimed Water Use For Toilet Flushing</b>	<b>S</b>	<b>2</b>	<b>H-App</b>
<b>Water</b>	<b>HB</b>	<b>1093</b>	<b>Reclaimed Water Use For Edible Crops</b>	<b>S</b>	<b>2</b>	<b>H-App</b>

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