

# 2009 LEGISLATION

## ADVANCED BY ALLIANCE CENTER ORGANIZATIONS DENVER, COLORADO

\*These Bills are categorized by Triple Bottom Line Benefits: Environmental, Economic and Social.

### \*Environmental

#### **Solar Financing Program – SB 51 (Sen. M. Carroll, Rep. Levy)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

This bill expands access to solar and other renewable systems by eliminating the upfront costs. By allowing farm, business, and home owners to enter into third-party financing agreements, owners get the benefits of a renewable energy system—like stable, predictable energy costs—without a big down payment. The third-party provider buys the equipment, installs it, and maintains it.

#### **Solar Ready Homes – HB 1149 (Rep. Merrifield, Sen. M. Carroll)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club, U.S. Green Building Council Colorado Chapter*

Currently new homebuyers are offered options for counter tops, flooring and appliances, but not offered a simple option that will help them reduce their monthly energy bills. Making this investment up-front, before the purchase, reduces the overall costs for the system. By reducing the overall cost and the pay back time for the system, HB 1149 makes clean energy more accessible to more Coloradans and at the same time helps to grow Colorado's solar energy industry.

#### **Solar Thermal Financing – HB 1126 (Rep. Solano, Sens. B. Shaffer & Isgar)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club, U.S. Green Building Council Colorado Chapter*

Taking another important step in building Colorado's clean energy economy, HB 1126 would allow local governments to provide the same incentives for solar thermal energy as they do for solar electric. With 300 days of sunshine per year, Colorado is ideal for turning sunlight into energy using technology that is dependable, quiet, and has a wide range of applications. One great example is solar thermal energy, the process of heating water utilizing energy from the sun. HB 1126 will create 1,000 Colorado jobs over five years, lower utility bills and protect our environment by reducing greenhouse gas emissions.

#### **Renewables for Schools – HB 1312 (Rep. A. Kerr, Sens. Romer & Schwartz)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club, U.S. Green Building Council Colorado Chapter*

Producing energy on-site with wind and solar will help schools reduce their utility bills, create a buffer against future energy price spikes, and put more money toward educating our children. HB 1312 creates an innovative program to provide schools access to affordable clean energy with low-interest loans. As a result it will expand opportunity and access to the new energy economy by helping school districts avoid the upfront costs of renewable energy improvement.

### **Coordinated Transmission Planning – HB 1345 (Rep. Solano, Sen. Schwartz)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

Colorado is on the forefront of building a new energy economy but to maximize its potential, the power generated from Colorado's windy plains and sunny southwest must be connected to other states in the region. Colorado needs a coordinated statewide transmission plan in order to effectively participate in the development of a regional market. HB 1345 will help ensure Colorado's ability to develop a state transmission plan by creating a collaborative process among power providers, regulators, and other interested parties.

### **Graduated Electric Rates – SB 39 (Sen. Schwartz, Rep. Curry)**

*Colorado Conservation Voters, Colorado Environmental Coalition, CoPIRG, Environment Colorado, Sierra Club*

Across the state people are using more and more power despite having the technology and the know-how to cut down our energy use. SB 39 gives cooperative utilities the flexibility to adopt graduated rates based on energy consumption, allowing utilities to reward consumers who are doing their best to conserve electricity and utilize a market-based signal to help customers make smart choices about how to use energy more wisely. With less money spent on electric bills, consumers will have more dollars in their pockets to reinvest in the local economy.

### **Incentives for Efficient Motor Vehicles – HB 1331 (Rep. Gagliardi, Sen. Boyd)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

With transportation fuels contributing close to a third of Colorado's global warming pollution, it is essential that we take advantage of the cleaner fuel technology available and help provide a much-needed boost to the auto industry. HB 1331 would help support the increased use of the "next generation" of hybrid, compressed natural gas, and alternative fuel vehicles through the modification and extension of the hybrid vehicle tax credit. HB 1331 adds incentives for plug-in hybrid electric and plug in hybrid conversions, the cleanest vehicles on market.

### **Energy Efficiency Programs – HB 1323 (Rep. Levy, Sen. Veiga)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

The cheapest, cleanest source of new energy is the energy that we save. Now more than ever, it is important for Colorado consumers to have the opportunity to take advantage of utility sponsored efficiency

programs to put money back in their pockets that they can reinvest in their local economies. While customers served by Xcel Energy have access to these programs, the rest of the state's customers don't. This bill brings rural electric cooperatives in line with statewide energy policy and sets reasonable requirements for rural electric cooperatives with more than 100,000 to achieve 2% electricity savings by 2012 and scaling up those reductions to reach 10% by 2020. As a result of the programs implemented to achieve these targets, this bill would reduce energy use by an amount equal to 25,000 homes and create an estimated 200 new jobs by 2020 to meet the new energy efficiency requirements.

### **Improved Oil and Gas Protections – HB 1292 (Rep. McGihon, Sen. Veiga)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club, Sonoran Institute*

In 2007, the Colorado Legislature addressed the need to ensure that oil and gas drilling is done in a safe and responsible manner while also protecting Colorado's public health, drinking water, and environment by passing – with strong bi-partisan support – two laws that directed the Colorado Oil and Gas Conservation Commission (COGCC) to update its public health, water and wildlife protections for oil and gas drilling. The updated protections, the first comprehensive update since the 1970s, were passed unanimously by the COGCC in December of 2008. They are balanced, sensible, and reflect substantial input from local governments, the oil and gas industry, landowners, sportsmen and conservation groups. The rules came back before the legislature for final legislative review in this session's Rule Review bill.

### **Instream Water Flow Tax Credits – HB 1067 (Rep. Pommer, Sen. White)**

*Colorado Environmental Coalition, Environment Colorado, Sierra Club*

Under current law, water right owners may sell, loan, or donate their rights to the Colorado Water Conservation Board to be held as instream flows. HB 1067 makes donations a more viable option by giving an income tax credit to qualifying taxpayers when they donate their rights. These donations will help to boost river flows and improve fish and riparian habitat on critical stream stretches throughout the state. In addition, these donations will bolster the state's critical recreational industries, such as fishing and white-water rafting, adding much-needed revenue and jobs in Colorado's rural communities.

### **Precipitation Harvesting Pilot Projects (Water Cisterns) – HB 1129 (Rep. Looper, Sen. Romer)**

*Colorado Conservation Voters*

Allows a pilot study to explore the opportunities for utilizing Cisterns in new developments. The pilot will be limited to a small number of houses in the Front Range, and aims to provide new information on how rain catchment can be part of Colorado's water supply future.

### **Admin. Mineral Development Water Wells – HB 1303 (Rep. Curry, Sen. Isgar)**

*Colorado Conservation Voters*

Provides the State Engineers Office with a time-out to permit several thousand oil and gas wells, it also authorizes the SEO to hold a rulemaking on how these wells will be administered. In light of a recent

Supreme Court decision the SEO must make determinations about tributary and non-tributary wells, this legislation provides the process and avenue for the SEO to make those determinations.

**Healthy Colorado Forests – HB 1199 (Rep. Scanlan, Sen. Gibbs)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

Colorado needs new tools for forest management and protecting communities from forest fires. HB 1199 makes a number of critical changes and allocations regarding the management, protection, and use of Colorado's forests. This legislation balances the social, economic and critical ecological components of effective forest management. This is also an important step for the state to assist private landowners and local communities in addressing their own wildfire priorities.

**Habitat Stamp Renewal – SB 235 (Sens. Gibbs & Isgar, Rep. Merrifield)**

*Center for Native Ecosystems, Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

Hunting and fishing in Colorado contributes \$1.8 billion to Colorado's economy and supports 21,000 full-time jobs. Protection of wildlife habitat is critical to the future of tourism and recreation in Colorado. Over the past three years the Habitat Stamp has raised \$10.4 million from sportsmen and conservationists for the protection of over 63,000 acres including critical winter range for elk mule deer and other species, as well as providing new public hunting and fishing access. Not only will SB 235 continue to protect wildlife habitat, but it will also streamline the habitat stamp process and assure that the best habitat projects are treated fairly in an open competition for the available funds.

**No State Lands to Expand Pinon Canyon – HB 1317 (Rep. Pace, Sen. Kester)**

*Colorado Conservation Voter, Colorado Environmental Coalition, Sierra Club,*

This Bill blocks the State Board of Land Commissioners from leasing or selling state owned land for the purpose of expanding the Fort Cason maneuver site.

**Motor Vehicle Emissions Programs – SB 03 (Sen. Bacon, Rep. Fischer)**

*Colorado Conservation Voters*

Expands the enhanced emissions program to Weld and Larimer Counties, modifies the geographical boundaries of the program area, and alters the criteria used to determine which collector's items are excluded from the emissions testing process.

**Renew Nongame & Wildlife Checkoff – HB 1294 (Rep. Vigil, Sen. Schwartz)**

*Colorado Conservation Voters*

Requires individual income tax return forms to contain a line where each individual taxpayer can designate

a contribution to the nongame and endangered wildlife cash fund. This Bill also extends the period for the contribution designation.

**Clean Tech Research Grant Program – SB 31 (Sen. Heath, Rep. Riesberg)**

*Colorado Conservation Voters*

Creates the Clean Technology Discovery Evaluation Grant Program in the Colorado Office of Economic Development. The purpose is to improve and expand the development of clean technology discoveries with the intent of accelerating the development of new clean technology products and services.

**Economic**

**FASTER – SB 108 (Sen. Gibbs, Rep. Rice)**

*Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sonoran Institute*

Colorado needs a modern transportation system that includes safe bridges and roads as well as mechanisms for funding the most cost-effective form of transportation – transit. SB108 is an important first step to solving our transportation-funding shortfall. It will raise the money we need now to fix Colorado’s 126 structurally-deficient bridges and protect public safety, as well as add a creative new financing mechanism by allowing tolling on existing roads to fund road repair and transit where 100% of the affected local communities agree. For the first time, SB 108, also allocates state money to protect the safety of bicyclists, pedestrians and transit users on our roadways.

**CDOT Transit and Rail Division – SB 94 (Sen. Williams, Rep. Levy)**

*Colorado Conservation Voters, Colorado Environmental Coalition, CoPIRG, Environment Colorado, Sonoran Institute*

Historically states and the federal government have spent the lion’s share of transportation funding on building, expanding, and fixing highways and roads. Over time, as traffic congestion, air pollution from automobiles, and the density of urban areas has increased, more attention is being paid to building sustainable transportation systems, with rail, bus, and other transit options, to supplement our road and highway system. SB 94 would create a much needed transit and rail division within CDOT to prioritize and meet Colorado’s growing transit needs.

**Low Speed Electric Vehicles – SB 75 (Sen. Schwartz, Rep. Marostica)**

*Alliance for Sustainable Colorado, Colorado Conservation Voters, Colorado Environmental Coalition, Environment Colorado, Sierra Club*

A car powered from the current electric grid is cleaner and more efficient than any of the cars on the market powered by conventional gasoline. Electric cars reduce our dependence on foreign oil, decrease global warming emissions, and put money back in the pockets of Coloradans, as it only costs pennies per mile to drive an electric vehicle. This bill eliminates barriers for low-speed electric vehicles, and sets up a fund for

the installation of recharging stations. By preparing now, Colorado can be ahead of the curve in developing a robust electric car market.

**Recovery & Reinvestment Financial Act of 2009 – HB 1346 (Rep. T. Carroll, Sen. B. Shaffer)**

*Environment Colorado*

Authorizes public entities in the state to fully utilize the financing instruments available under the federal economic stimulus act known as the “American Recovery and Reinvestment Act of 2009” with the purpose of stimulating spending, increasing employment, and reducing unemployment.

**Expedite Federal Stimulus Act Projects – SB 297 (Sen. Sandoval, Rep. Judd)**

*Environment Colorado*

Establishes a process for waiving state contracting requirements, when necessary, for projects funded with moneys received pursuant to the federal “American Recovery and Reinvestment Act of 2009” in order to ensure that moneys are timely and efficiently expended for their intended purposes.

**Social**

**Arveschoug / Bird 6% Allocation Formula Repeal – SB 228 (Sen. Morse, Rep. Marostica)**

*Colorado Consumer Health Initiative, Latina Initiative, ProgressNow*

This bill permanently repeals the 6% allocation and spending formula implemented by the legislature in 1991. It will remove the existing fiscal ratchet affect encountered during economic downturns and will temporarily allocate money for Transportation and Capital construction based upon the state’s economy reaching an appropriate personal income level.

**Presumptive Eligibility for Medicaid – HB 1103 (Rep. Riesberg, Sen. Newell)**

*Colorado Consumer Health Initiative*

Authorizes the department of health care policy and financing to seek federal approval so that a person in need of long-term care who declares all of the information necessary to determine eligibility under the medical assistance program (program) shall be presumptively eligible for benefits under the program based upon the declaration

**Hospital Provider Fee – HB 1293 (Rep. Riesberg)**

*Colorado Consumer Health Initiative, Latina Initiative*

Creates a fee that is paid by Colorado Hospitals and is offset by Federal matching funds. This funding will generate an additional \$1.2 billion dollars that will be directed to fund Hospitals providing Medicaid, and will significantly expand Medicaid eligibility by 100,000 to 200,000 uninsured Coloradans

**Gender Rating Study for the Individual Health Insurance Market – HB 1224 (Rep. S. Schafer, Sen. M. Carroll)**

*Colorado Consumer Health Initiative*

This legislation creates an interim committee to study and make recommendations for legislation regarding the existing gender bias within the individual health insurance market.

**Prevention Coverage – HB 1204 (Rep. Massey, Sen. Boyd)**

*Colorado Consumer Health Initiative*

This legislation expands coverage for some preventative health services, for Alcohol misuse screening and intervention by an outpatient primary care provider; Cervical cancer screening; Cholesterol screening; Childhood immunizations; Influenza vaccinations; Pneumococcal vaccinations; and Tobacco use screening and intervention by an outpatient primary care provider.

**Expedited Medical Program Re-enrollment – HB 1020 (Rep. Acree, Sen. Spence)**

*Colorado Consumer Health Initiative*

Directs the department of health care policy and financing to establish a process for reenrollment in Medicaid and the children's basic health plan both over the phone and the Internet.

**Medical Benefits for Legal Immigrants – HB 1353 (Rep. Miklosi, Sen. Foster)**

*Colorado Consumer Health Initiative, Latina Initiative*

Authorizes the department of health care policy and financing to provide benefits under Medicaid and the children's basic health plan to pregnant women and children who are legal immigrants prior to the 5-year waiting period currently required.

**Insurance Portability Study – HB 1102 (Rep. Acree, Sen. Scheffel)**

*Colorado Consumer Health Initiative*

Requires the health care task force to study the portability of health insurance after a policyholder has separated from employment.

**Continue Health Care After Employment – HB 1349 (Rep. Fischer, Sen. Heath)**

*Colorado Consumer Health Initiative*

Allows an employee who has been terminated from employment the right to continue health care coverage with a 65% premium subsidy if the employee is an assistance-eligible individual.

**Additional Benefits for Autism – SB 244 (Sen. B. Shaffer, Rep. Primavera)**

*Colorado Consumer Health Initiative*

Expands health insurance benefits for people with Autism spectrum disorders.

**State Group Benefits for Domestic Partners – SB 88 (Sen. Veiga)**

*Colorado Consumer Health Initiative, ProgressNow*

Adds a state employee's domestic partner to the list of dependents eligible for coverage under state employee group benefit plans.

**Health Insurance Coverage During Clinical Trials – HB 1059 (Rep. Primavera, Sen. M. Carroll)**

*Colorado Consumer Health Initiative*

Requires all individual and group health benefit plans to provide coverage for routine patient care costs while the covered person participates in a clinical trial or study.

**Legislative Committee to Study Poverty Issues – HB 1064 (Rep. Kefalas, Sen. Sandoval)**

*Colorado Consumer Health Initiative, Latina Initiative*

Creates the economic opportunity poverty reduction task force (task force), consisting of members of the general assembly. Authorizes the task force to make recommendations to the general assembly and propose legislation that advances economic opportunity while reducing poverty, especially child and family poverty.

**Health Care Resources for Underserved Areas – HB 1111 (Rep. Massey, Sen. Boyd)**

*Colorado Consumer Health Initiative*

Provides funding for Primary Care Office in order to increase the number of J1 Visas for rural areas and provide additional staff for HPSA designations. HPSA (Health professional shortage areas) designations allow an area to become eligible to become a rural health clinic and have enhanced Medicare & Medicaid service

**Report Hospital Infection Rate Criteria – HB 1025 (Rep. Riesberg, Sen. Boyd)**

*Colorado Consumer Health Initiative*

Exempts ambulatory surgical centers and certified dialysis treatment centers from the requirement that an individual who collects data on hospital-acquired infection rates take a test for the appropriate national certification for infection control and become certified within 6 months after the individual becomes eligible to take the certification test.

## **Parental Leave Academic Activities – HB 1057 (Rep. A. Kerr, Sen. Bacon)**

### *Latina Initiative*

Requires companies with more than 50 employees to allow parents to take up to 18 hours a year of unpaid leave to attend parent/teacher conferences and other activities at their children's schools without worrying about losing their jobs.

## **Sunset Review of the Colorado Civil Rights Commission and Division – SB 110 (Sen. Morse, Rep. Levy)**

### *Latina Initiative*

Re-authorizes the CCRD/C to continue to be agency for Coloradans facing discrimination in employment, housing, and public accommodations. This Bill grants the CCRD/C the authority to file a discrimination case against an establishment on behalf of the agency.

## **Colorado ASCENT – Accelerating Students through Concurrent Enrollment – HB 1319 (Reps. Merrifield & Massey, Sen. Williams)**

### *Latina Initiative*

Allows high school students to earn a diploma while simultaneously completing a college associates degree. It opens enrollment to all academically eligible students and removes arbitrary enrollment restrictions based on age or grade. It attempts to chart a new mission for concurrent enrollment programs by serving a wider range of students, particularly those that represent communities with historically low college participation rates.

## **Designated Beneficiary Agreements – HB 1260 (Rep. Ferrandino, Sen. Veiga)**

### *Latina Initiative, ProgressNow*

Provides a low-cost, convenient mechanism for unmarried adults to choose the person to take care of them in medical emergencies and provide for them in the event of their death.

## **Contents & Deliver of Mail Ballots – HB 1186 (Rep. Levy, Sen. M. Carroll)**

### *Common Cause, CoPIRG, Latina Initiative*

Allows voters to drop off mail ballot at election day polling places in their county. In the 2008 election, voters were turned away from the polls in many counties and had to find a specified drop off location for their mail ballot. This change in law will increase voter participation by simplifying the mail balloting process.

## **Secure Electronic Voter Information – HB 1160 (Rep. Miklosi, Sen. Bacon)**

### *Common Cause, CoPIRG, Latina Initiative*

Sets up online voter registration, which will improve the registration process in Colorado by providing greater access to register and update voter records. This new system will save voters and election administrators time and money by doing away with a cumbersome paper system. Voters will also be able to request mail ballot online.

**Expand Higher Education Civic Engagement – HB 1313 (Rep. Merrifield, Sen. Bacon)**

*CoPIRG*

Enhances opportunities for students to participate in civic engagement via student funded groups and projects.

**Delay Foreclosure Residential Property – HB 1276 (Rep. Ferrandino, Sen. M. Carroll)**

*CoPIRG*

Allows borrowers a delay in foreclosure and creates a process so they can pursue a deferment.