

## 2009 CEA BILL SUMMARY

### KEY:

CEA Positions: S = Support; O = Oppose; T = Track/Monitor (do not oppose or support)

PI = Postponed indefinitely or defeated LOST = Defeated on the House or Senate floor

LAW = Signed into law by the Governor VETO = Vetoed by the Governor

ADOPTED = Adopted by both houses of the Legislature (applies to resolutions)

NO ACTION = Bill did not receive final action by the Legislature

SB = Senate Bill; SJR = Senate Joint Resolution (not a bill)

HB = House Bill; HJR = House Joint Resolution (not a bill)

SBE = State Board of Education; CDE = Colorado Department of Education; CCHE = Colorado Commission on Higher Education; CSI = Charter School Institute (statewide chartering authority)

### This document is chronological by bill number

Bill number - Bill sponsors - Bill title – Bill’s committee assignment - CEA position

Bill description

Rationale for CEA Support or Oppose positions

Action: Most recent status in the legislative process

Note: A bill without a CEA Position (Support, Oppose, Track) means that CEA has not yet taken a position.

## SENATE BILLS

### **SB 22 – Bacon, Solano – State Land Board Investment/Development – Finance – S**

Increases the amount of payments generated from public school lands (beginning in FY 09-10) that is credited to the State Land Board’s investment and development fund from \$1 million to up to \$5 million; eliminates the repeal of the investment and development fund; authorizes the State Land Board, to allow a portion of state or school lands to be incorporated, annexed, or included within a county, municipality, or other local government entity and to take any actions necessary to accomplish incorporation, annexation, or inclusion, including granting rights-of-way or dedications to a local government entity; AMENDED:

Payments will be phased in over time

Rationale: The bill will increase K-12 funding.

Status: Passed the Senate

### **SB 29 – B. Shaffer, Hullinghorst – School Bus Safety Belts – Transportation – T**

Requires school buses to be equipped with student safety belts; requires passengers on school buses purchased after June 30, 2010, to wear safety belts; ~~expands the requirement after June 30, 2014, to cover buses purchased after June 30, 2004;~~ exempts a person with a disability if a physician certifies that safety belt is inappropriate for that person; directs CDE to enforce the requirement that buses have safety belts; AMENDED: gives the bus driver immunity from penalties while in the course/scope of the driver’s duties; requires CDE to approve rules requiring school bus drivers to attend annual safety belt system training; deletes the requirement for retrofitting old buses

Status: Passed the Senate

### **SB 32 – Groff, Marostica – UNC Education Innovation Institute – Education – S**

Creates the Education Innovation Institute within the University of Northern Colorado and requires the university to administer it for the purpose of studying/modeling innovations in education; analyzing problems in education and studying solutions; identifying key issues and setting research priorities in consultation with education experts, business, public officials, and Gov. Ritter’s P-20 Council; has no appropriation (gifts and grants only); AMENDED: added another purpose - identifying innovative uses of existing school facilities for P-20 collaboration

Rationale: The institute’s work may benefit public education statewide.

Status: Passed both chambers, sent to Governor

**SB 33 – Sandoval – Early Childhood Education Services Free Lunch – Education – S**

Adds to list of students who qualify for free lunch under federal school lunch program any child enrolled in a state-subsidized early childhood education program operated by a public school and who is already also eligible for reduced-cost lunches

Rationale: The change would guarantee these youngsters a healthy lunch as part of their school day and assist their families financially.

Status: Passed both chambers

**SB 43 – Isgar, Roberts – San Juan/Pueblo Community College Merger – Education – T**

Merges the San Juan Basin technical school into Pueblo Community College

Status: Passed the Senate; House Education referred (unamended) to Appropriations

**SB 45 – K. King, Middleton – Higher Education Guaranteed Credit Transfer – Education – T**

Requires CCHE to establish articulation agreements for AT LEAST FIVE B.A. degree programs, defining “articulation agreement” as a written agreement between a student coming from a state community college and the higher education institute that formalizes the student’s plan to complete a 60-credit curriculum; ensures that the student who completes this curriculum shall be required to take no more than 60 additional credits at any institution to complete the requirements for a standard 120-hour Bachelor’s degree; AMENDED: CCHE must do this for at least five B.A. programs now and then convert all other B.A. programs under timeline established by the legislation

Status: Passed Senate Education (amended) and referred to Appropriations

**PI - SB 46 – Sandoval – Healthy Snacks in Schools – Education – T**

Requires school boards to adopt policies prohibiting the sale of snack foods to students from any source; provides an exception for sales of snack foods that satisfy minimum nutritional requirements and sales of snack foods that occur off school campuses or at certain school-sponsored events

Status: PI 2-11-09 by Senate Education Committee

**SB 57 – Harvey, Stephens – Public School Financial Transparency – Education – T**

Requires school boards, BOCES, and charter schools to create and maintain searchable budget database web sites that include information about their revenue and expenditures; AMENDED: Must be done by September 1, 2011, updated monthly, and be in a structured form that can be downloaded; does not apply to districts/BOCES/charter schools that do not have web sites as of January 1, 2009

Status: Passed the Senate (amended)

**SB 62 – B. Shaffer – Veterans’ Teaching Incentives – Education – S**

Modifies the criteria that the Dept. of Higher Education uses in awarding grants to higher ed institutions under the Teach Colorado grant initiative to include scholarship programs designed to assist veterans in entering the teaching profession

Rationale: More students will be able to access scholarships to become teachers.

Status: Passed the Senate, laid over in the House on second reading

**SB 66 – Tochtrop, Primavera – PERA Merger State Defined Contribution Plan – Finance – S**

Merges the state public officials' and employees' defined contribution plan into the PERA defined contribution plan

Rationale: We believe it is appropriate that PERA manage the state employee DC plan.

Status: Passed the Senate, passed House committees

**PI - SB 82 – Schultheis – Repeal TABOR Refund Mechanisms – State Affairs – O**

Eliminates the state revenue refund methods in years when TABOR refunds exist; resulting in the requirement that the state issue checks to citizens as the sole TABOR refund mechanism

Rationale: A wide range of methods for TABOR refunds should be available to the Legislature.

Status: PI 1-28-09 by Senate State Affairs

**PI - SB 83 – Schultheis – Limitation on Public Resources - State Affairs – O**

Changes the longstanding statutory restrictions on state or local government involvement and use of public resources in the political process (candidate and ballot issue elections including recall elections): extends the restriction to any person who directly or indirectly makes use of any public resource from any source; specifies that an elected official/entity may respond solely to written questions about ballot issues; repeals law authorizing a public entity to expend public resources to dispense a factual summary; Rationale: We believe that current law is clear, easy to follow, and consistently applied.

Status: PI 1-28-09 by Senate State Affairs

**SB 85 – Scheffel, Lambert – Phase Out Business Personal Property Tax – Finance – O**

Exempts a percentage of business personal property, excluding state-assessed property, from property taxation and increases the amount of the exemption every two years until all business personal property is exempt from taxation

Rationale: We oppose the elimination of business personal property taxes as a state revenue source from which public education benefits.

Status: Passed Senate Finance, referred to Appropriations (unamended)

**SB 86 – Tapia, Marostica – CSU Global Campus – Education – T**

Creates an online university to be known as CSU Global Campus and authorizes CSU to apply moderately selective admission standards and offer both Bachelor's and Master's degrees

Status: Passed both chambers, sent to Governor

**SB 88 – Veiga, Ferrandino – State Domestic Partner Benefits – Business, Labor & Technology – S**

Adds a state employee's domestic partner to the list of dependents eligible for coverage under state employee group benefit plans issued/renewed on or after July 1, 2010

Rationale: The exclusion of domestic partners as dependents in employer-sponsored health insurance plans is discrimination based primarily on sexual orientation, and we oppose this discrimination. This exclusion makes unmarried couples and their children more likely to be uninsured. We strongly advocate that all employees have access to health insurance and that all employers offer full family health insurance. Therefore, we believe that all employers, including the State of Colorado, should offer domestic partner health insurance benefits.

Status: Passed the Senate; House State Affairs Committee referred (unamended) to Appropriations

**SB 89 – K. King, Middleton – State Charter School Institute – Education – O**

Expands state law to give broader authority to the Charter School Institute (CSI) in operating both statewide and in any school district:

- Exempts the institute from the state procurement code; **ALLOWS THE CSI TO ELECT TO BE EXEMPT FROM THE STATE'S DEFINITION OF "GOVERNMENT BODY"**
- Allows the institute to authorize charter schools to operate as schools of "statewide interest and concern" regardless of where physical school facilities are located, thus not within the boundaries of a K-12 school district as required by current law and not in compliance with a district's exclusive chartering authority;
- Changes the way institute charter schools are funded by requiring CDE to send per-student funding directly to each of these schools; requires CDE to give institute charter schools' per-student funding to the CSI to distribute instead of adding the institute charter school's student enrollment to the appropriate district's funded pupil count, thus allowing these charter schools to operate completely outside the district;
- Creates a state contingency reserve fund for the Institute and allows the Institute board to provide supplemental assistance to its charter schools from this contingency fund; creates the institute charter school capital construction assistance grant fund to consist of one percent of the per-pupil funding calculated for each institute charter school and allows such schools to get grant money

Rationale: We oppose the expansion of the Charter School Institute's authority and ability to open charter schools outside of K-12 school districts.

Status: Senate Education referred to Appropriations (amended)

*March 16, 2009*

**SB 90 – Hudak, Benefield – Parent Involvement in Education – Education – T**

Creates the State Advisory Council for Parent Involvement in Education within CDE to advise educators on the best practices and strategies to increase parents' involvement in education and promote family-school partnerships; appropriates grant money for schools to implement parent involvement programs under State Board of Education rules;

Permits district accountability committees to increase parent representation on these committees and requires districts, to the extent possible, to ensure this parent representation reflects the student population in the district; changes the name of "school advisory councils" to school accountability committees; requires charter schools to have accountability committees;

Requires that parents are appointed to a variety boards including the School Leadership Academy Board, district and institute charter school governing boards, the State Charter School Institute Board, the trustees of the state School for the Deaf and Blind, and the Colorado Commission on Higher Education advisory committee; AMENDED: removed funding from the bill

Status: Senate Education referred to Appropriations (amended)

**SB 123 – Williams, Todd – Healthy Choices Dropout Prevention – Education – T**

Creates a pilot program to reduce the dropout rate of overweight middle school students; gives grants to school districts to implement appropriate dropout strategies; AMENDED:

Status: Passed the Senate; House Education referred (amended) to Appropriations

**SB 130 – Spence – Scholarships for Children with Autism – Education – O**

~~Creates a pilot program to give vouchers to parents whose children have autism/autism spectrum disorder and are currently enrolled in a public school to attend private schools;~~ AMENDED: Requires the Charter School Institute (CSI) to solicit applications for up to three pilot charter schools to serve students through the new Colorado Stipends for Children with Autism Pilot Program; the schools may be located in any districts regardless of the districts' exclusive chartering authority

Rationale: We opposed the original bill, which would have used public tax dollars for private schools vouchers. We oppose the amended bill because school districts should have control over charter schools.

Status: Senate Education referred (amended) to Appropriations

**SB 131 – Romer – Require Physical Activity – Education – T**

Requires each child in a public school (including charters) to engage in at least 150 minutes of physical activity each week (requires districts to pay for this if it is an increase is what is already provided); AMENDED: Minimum requirement is 120 minutes for a student attending an elementary school that meets fewer than five days/week; requirement that a district adopt a policy concerning physical activity is not intended to dictate classroom instruction; does not allow a school to substitute physical activity for physical education

Status: Passed the Senate

**PI - SB 136 – Scheffel – Alternative Principal Preparation – Education – O**

Allows individuals to participate in this principal preparation program with a B.A. and one year of teaching or providing job training; allows private entities to train principals (currently districts or BOCES provide the supervision/mentoring for a principal with an alternative license)

Status: PI 2-11-09 by Senate Education Committee

**PI - SB 155 – K. King – Funding for Education Facilities – Local Govt – O**

Authorizes a metropolitan district (special district) to build a public school building if the district in which the public school will be located refuses the dedication of the site and land area for the public school

Rationale: School boards should have the sole authority to determine where a public school is built.

Status: PI 2-10-09 by Senate Local Government Committee

**SB 160 – Hudak, Todd – Alternative Teacher Programs & Licensure – Education – T**

Combines the Teacher in Residence licensing program with the Alternative Teacher Licensing program; creates both a one-year and a two-year Alternative Teacher Licensing program; requires them to be

evaluated every five years by the State Board of Education; requires SBE to establish common content requirements for college/universities that offer alternative licensing for teachers

Status: Passed Senate committees

**SB 163 – Hudak, Middleton – Education Accountability Systems – Education – T**

Repeals the 1998 Educational Accreditation Act; requires the State Board of Education to:

- reaffirm or revise the statewide targets for measuring performance of public schools /districts/ Institute Charter Schools in the areas of longitudinal academic growth, CSAP achievement, postsecondary and workforce readiness, and progress in closing the achievement gaps;
- adopt the Colorado Growth Model for measuring students' longitudinal academic progress;
- enter into an accreditation contract with each district and the Charter School Institute
- remove a district or the CSI accreditation if it remains at/below a benchmark accreditation category for five consecutive years and direct the district/CSI to restructure;
- direct each public school to adopt (annually) an Improvement, Priority Improvement, or Turnaround Plan based on its performance
- assign school boards and the CSI specific accountability duties including having an accountability committee and annually adopting and implementing an Improvement, Priority Improvement, or Turnaround Plan;

Changes the term “School Accountability Report” (SAR) to “School Performance Report,” requires CDE to publish a school performance report for each school, school district/CSI, and the state

AMENDED:

Status: Senate Education referred (amended) to Appropriations

**SB 170 – Romer – Nondiscrimination in Higher Education Funding – Education – S**

Grants in-state tuition status to students, without regard for immigration status, who attend a Colorado high school for at least three years and enrolls in a Colorado college or university within five years from graduating or earning a GED in Colorado; AMENDED:

Rationale: In-state tuition will allow more students to attend college.

Status: Senate referred to Appropriations Committee (amended) on second reading

**SB 176 – Spence – Charter School District Bond Elections – Education – O**

Clarifies that a local school board may submit an issue to the voters concerning bonded indebtedness for land/facilities for charter schools; requires districts to invite charter schools to discuss upcoming bond elections and whether the ballot will have a bond issue for the charter; removes the requirement that the school board review a charter school's capital construction plan to determine whether construction is needed, viable, etc; requires the district to put a charter school's capital construction needs into a bond issue unless the parties agree otherwise; removes the requirement that a charter school enter a contract with the district about the ownership of buildings, etc., financed through bonds and that the contract requires the district to pick up this debt if a charter school loses its charter, fails to pay for the construction, etc.; AMENDED:

Rationale: The bill infringes on the power of school boards to determine what capital projects to put before the voters.

Status: Passed Senate Education (amended)

**SB 180 – Tochtrop, Casso – Firefighter/Law Enforcement Collective Bargaining – State Affairs – S**

Grants firefighters and law enforcement officers the right to organize and form a union and to bargain collectively with their employers; provides for advisory arbitration in collective bargaining disputes and prohibits strikes, but submits unresolved issues to the voters; AMENDED: The state may charge the petitioning union a fee for holding an election.

Rationale: We support collective bargaining for all employees.

Status: Passed Senate committees

**SB 185 – Keller, Pommer – Supplemental Appropriation K-12 – Appropriations – T**

Eliminates some programs with CDE and transfers \$32.6M in categorical spending from the General Fund to the State Education Fund

Status: Conference Committee; Senate adopted conference committee report and repassed the bill

**LAW - SB 188 – Keller, Pommer – Supplemental Appropriation Higher Ed – Appropriations –T**

Cuts \$30M in higher education funding and eliminates needs-based financial aid for graduate students

Status: Signed into law 3-12-09

**LAW - SB 213 – Tapia, Pommer – Repeal Appropriation/Teacher Compensation Program – T**

Allows the General Assembly to determine annually whether to appropriate moneys for the alternative teacher pay plan grant program; repeals the FY 08-09 appropriation of \$1 million

Status: Governor signed into law 2-26-09

**SB 214 – Tapia, Pommer – Repeal Appropriation for Teacher Recruitment – T**

Repeals the FY 08-09 appropriation of \$1.1M for the NBCT stipends and pushes them ahead to FY 09-10 as a new expenditure (money already spent for the biennial Teaching and Learning Conditions survey in Spring 2009)

Status: Passed both chambers, sent to Governor

**SB 215 – Keller, Pommer – Public School Finance Appropriations – T**

For FY 08-09 reduces the statewide base per pupil funding; eliminates from the statewide base per pupil funding an additional \$19.72 per pupil that is not constitutionally required to be included in the base funding; reduces the appropriation for charter school capital construction from \$10M to \$5.1M , and specifies that \$135,000 of this appropriation shall be distributed to the Charter School for the Deaf and Blind; eliminates \$34.5M for full-day kindergarten capital construction; delays for one year the requirement that CDE contract with a private entity to conduct a study to evaluate how declining pupil enrollment in school districts statewide impacts the students that remain in declining enrollment districts, and delays for one year the reporting requirement in connection with this study; AMENDED:

Status: Conference Committee

**PI - SB 221 – Lundberg, Lambert – Property Tax Credit for Private Schools – Education – O**

Creates a property tax credit for four years for parents whose children attend private or religious schools; requires that the lost revenue be backfilled by the state

Rationale: We oppose the use of public tax dollars for private and religious schools.

Status: PI 2-23-09 by Senate Education Committee

**SB 226 – Sandoval – School Food Allergy Policy – Health & Human Services – T**

Requires State Board of Education to adopt a policy for the management of food allergies and anaphylaxis among students enrolled in public schools; requires all districts to adopt like policies; requires each district to ensure that each school makes available self-injectable epinephrine for the purpose of providing emergency medical treatment in the event that a student or other person suffers anaphylaxis as a result of an allergic reaction to food; requires CDE to make available to districts and charter schools a standard form to be used to gather information from physicians and parents of students concerning students' risk of food allergies and anaphylaxis and their treatment

Status: Senate HHS referred to Appropriations (amended)

**SB 228 – Morse, Marostica – Repeal 6% Limit or Arveschoug-Bird Amendment – Finance – S**

Eliminates the six percent limit on the growth of total General Fund appropriations; if the limit was used as a trigger for some other event, establishes a new trigger based on the amount actually appropriated from the GF; eliminates the automatic transfer to the controlled maintenance trust fund that is a percentage of excess GF revenue; eliminates the automatic transfer of GF surplus to the highway users tax fund (HUTF) and the capital construction fund (makes these transfers discretionary) and eliminates the automatic diversion of sales and use tax revenue to the sales and use tax holding fund

Status: Laid over in the Senate on third reading

*March 16, 2009*

**SB 230 – Spence, May – Charter School Food Authority – Education –**

Requires a school board to allow a district charter school to transfer the maintenance, supervision, and operation of the charter school's food-service facility from the district to a school food authority or agree to provide food services to the charter school

Status: Senate Education referred to Appropriations (amended)

**PI - SB 236 – Lundberg, Murray – Transparency and New School Construction – Education – O**

Requires a school board to hold a public hearing concerning the planned construction of a school and to make available to the public copies of architectural, building and site plans, specifications, etc.

Rationale: School boards are already required to inform the public of planned school construction, but to make specific architectural and related plans available to the public is a security issue.

Status: PI 2-5-09 by Senate Education Committee

**SB 237 – Lundberg, Acree – Grounds for Mandatory Expulsion – Judiciary – T**

Changes current law to permit, rather than require, a district to suspend or expel a student for brandishing an artificial firearm; permits a district to suspend a student while determining whether the student's conduct could be grounds for suspension or expulsion; AMENDED:

Status: Passed the Senate

## HOUSE BILLS

### **HB 1001 – Rice, Heath – Income Tax Credit for Colorado Job Growth – Finance – O**

Establishes a new corporate income tax credit for projects approved by the Colorado Economic Development Commission that stimulate job growth in key economic sectors including aerospace, bioscience, life science, clean energy, tourism, and information technology, and that bring a net of at least 20 new jobs to the state with an average yearly wage of at least 110% of the existing average yearly wage of the county in which the new company is located; AMENDED:

Rationale: While some may view income tax credits as economic development measures, they are tax cuts that undercut state funding and undermine the tax base. In Colorado, that means that the tax base is lowered and cannot be raised under TABOR without going to a vote of the electorate.

Status: Passed the House; Senate Business referred (amended) to Appropriations

### **PI - HB 1009 – S. King – Public School Emergency Drills – Education – T**

Requires public K-12 and postsecondary schools to conduct certain emergency safety drills beginning in the 2010-11 academic year

Status: PI 2-5-09 by House Education Committee

### **HB 1015 – Murray, Hodge – Primary Elections – State Affairs – O**

Requires election officials to cancel the Primary Election for a particular office if, 30 days out from the election, not more than one candidate of a major political party has been nominated and to this candidate the party nominee for the General Election; authorizes a designated election official at any level of government in Colorado to conduct a Primary Election by mail ballot

Status: Laid over in the House on second reading

### **HB 1046 – Scanlan – CDE Assessments Pilot Program – Education – S**

Allows more flexibility in scheduling the pilot assessments by removing the restriction that a pilot district must assess students only in spring semester; requires vendors of the pilot assessments to provide CDE information about the vendor's assessments in Colorado; directs pilot districts to ensure that the vendor provides assessment results directly to CDE

Rationale: The bill strengthens the provisions in the pilot program.

Status: Passed both chambers, sent to the Governor

### **PI - HB 1051 – Baumgardner – Federal Mineral Funds – Agriculture – O**

Commits more federal mineral lands lease revenues to local road construction by cutting 10 percent of FML money that currently goes to public schools and other government programs

Rationale: The bill reduces public school revenue.

Status: PI 2-4-09 by House Agriculture Committee

### **HB 1057 – A. Kerr, Bacon – Parental Leave for Academic Activities – Education – S**

Allows an employee who works for an employer that has at least ~~40~~ 50 employees to take an unpaid leave to attend parent-teacher conferences and other academic activities related to the parent's child; limits the leave to six hours/month and ~~40~~ hours/school year; permits the employer to require that the leave be taken in no more than three-hour increments and to require that the parent provide written verification from the school or district of the academic activity for which the leave is taken; requires the parent to provide the employer with at least ~~three days notice~~ one week notice except in situations where the employer is not aware three days in advance of the need to take the leave; directs parents to make reasonable attempts to schedule conferences and other activities outside of regular work hours; allows the parent to elect to substitute accrued paid vacation, personal, and other paid leave for the unpaid leave in this bill; specifies that an employer that provides comparable leave to its employees is already in compliance and not required to provide employees any additional leave; AMENDED: applies employers with at least 50 employees; limited to 18 hours per school year; one week notice required; days prorated for part-time workers; employee can request or employer can require that paid leave be used instead of unpaid; permits employers with existing school leave policies to incorporate this bill into their policies; exclude seasonal

workers and workers whose jobs are vital for health or safety; generally conforms the law to FMLA; repeals in 2015

Rationale: This leave helps more parents be involved in their children's education.

Status: Passed the House and Senate Education

**HB 1063 – Summers, Penry - In-state Tuition if Parent Moves for Job – State Affairs – T**

Provides in-state tuition status to a child whose parent/legal guardian moves to Colorado for a job if the child is a legal U.S. resident and in his/her senior year of high school and if the child graduates from a Colorado public high school

Status: Passed House committees

**HB 1065 – Benefield, Spence – Teacher Identifier Pilot Program – Education – S**

Authorizes the Quality Teacher Commission to continue working until 2012 on a “teacher identifier,” a unique tracking number assigned to each licensed educator in Colorado; creates a pilot program to study the “teacher gap” (the documented phenomenon that a poor or minority student is more likely to be taught by a less qualified or less experienced teacher than the teacher who teaches the student's more affluent or white peers) and identify solutions to the teacher gap; identify problems that may arise if the teacher identifier program is implemented statewide; and identify positive uses for data from a teacher identifier system that could be used to improve teaching and learning; directs the implementation of a pilot project beginning in August 2009 with three volunteer districts, one of which has a significant teacher gap;

Provides that each educator's identifier shall be used for only the pilot program and that it will not include any personal identifying information; guarantees that the data from the pilot shall not be used in any way to evaluate or sanction individual educators, nor shall be used in the aggregate to sanction any district or teacher preparation program, though the data may be used to evaluate and improve teacher preparation programs through the state accreditation process;

Directs that on or before December 20, 2010, the Quality Teacher Commission shall incorporate the results from the pilot school districts' reports into recommendations for the State Board of Education, Dept. of Higher Education, and the Legislature, including positive uses of the identifiers, misuses of the identifiers, adequate teacher protections associated with the identifiers, and potential policy changes to close the teacher gap and improve student achievement, as well as the commission's recommendation about expanding the pilot statewide; AMENDED: Added “The data obtained from the pilot program shall not be used to negatively sanction individual educators. The use of information that school districts obtain from any other source shall not be restricted by the provisions of” this bill.

Rationale: CEA supports the bill as long as the language is retained that protects individual teachers from being evaluated or sanctioned by any information attached to the identifier.

Status: Passed the House; heard by Senate Education Committee

**PI - HB 1068 – Lambert, Scheffel - Business Personal Property Tax Exemption – Finance – O**

Requires the Legislature to appropriate from the General Fund to the newly Business Personal Property Tax Reimbursement Fund a sum of money for each year after there are peak General Fund appropriations; in order to reimburse counties, special districts, and cities for the decrease in property tax revenue associated with the new tax exemption

Rationale: We oppose the elimination of business personal property taxes as a state revenue source from which public education benefits.

Status: PI 1-28-09 by House Finance Committee

**PI - HB 1069 – Stephens, Kopp – Withdrawal of an Initiative Petition – State Affairs – O**

Makes it unlawful for any person, directly or indirectly, to or offer to pay, loan, or contribute any money to/for the proponents or representatives of the proponents of an initiative petition; makes it unlawful for any person to compel, induce, or prevail upon the proponents or designated representatives to withdraw a ballot issue petition; or to receive/agree to accept/contract for any money, gift, loan, or other valuable consideration for withdrawing or agreeing to withdraw an initiative petition; makes offenses Class 6 felonies; makes a five-year statutory appropriation

Rationale: We do not believe the current law regarding withdrawing initiative petitions should be changed. It is clear and appropriate as is.

Status: PI 1-27-09 by House State Affairs Committee

*March 16, 2009*

**PI - HB 1070 – Fischer – Participation of Govt Entities in Urban Renewal Areas re Property Taxes - Local Government – S**

Exempts agricultural and vacant land from being declared urban renewal areas; involves municipalities and school districts when urban renewal plans are created because the exemptions affects property tax revenues that go to school districts

Rationale: School districts are involved in local tax decisions that affect their revenue.

Status: PI 2-19-09 by House Local Government Committee

**PI - HB 1074 – Middleton – Voting Rights for Faculty on Governing Boards – Education – S**

Grants voting rights to members of the governing boards of CSU, UNC, School of Mines, Adams State, Ft. Lewis, Mesa State, Metro State, and Western State who are also faculty; prohibits these faculty board members from voting on matters concerning hiring/dismissal of, salary/benefits paid to, or tenure of a faculty member; reduces by one member each the Boards of Trustees of these higher ed institutions

Rationale: The bill would give higher education faculty a stronger voice in campus governance.

Status: PI 1-15-09 by House Education Committee

**HB 1079 – Vaad – Annexing Municipalities by a Junior College District – Local Government – T**

Creates a procedure for a municipality or group of municipalities to be annexed to an existing adjacent junior college district; requires approval of the junior college's Board of Trustees, the junior college district's electorate, the government boards of the municipality/municipalities, and the electorate of the municipality/municipalities

Status: Passed both chambers

**HB 1082 – Peniston – School Board Meeting Recordings – Education – S**

Requires a school board to record regular and special meetings, using the best technology available to the district, and to make the recordings available to the public; AMENDED: Senate Education amendments: recordings only of sessions where votes are taken/recorded would be available to the public for 90 days; House Education amendments: recordings of all regular and special meetings, to be kept for a year (state law already requires taping executive sessions, but public does not have access to these)

Rationale: The bill would give citizens greater access to school board proceedings and decisions.

Status: Passed both chambers; House concurred with Senate amendments

**HB 1105 – Kefalas – Innovation Investment Tax Credit – Finance – O**

Creates the Colorado Innovation Investment tax credit to be applied against state income tax liability for qualified small businesses in the aerospace, bioscience, clean energy, and information technology industries

Rationale: While income tax credits are viewed by some as economic development measures, they are tax cuts that undercut state funding and undermine the tax base. In Colorado, that means that the tax base is lowered and cannot be raised under TABOR without going to a vote of the electorate.

Status: House Finance Committee referred (amended) to Appropriations

**PI - HB 1115 – Summers, Renfroe – Voter Identification – State Affairs – O**

Requires that identification used for voting be a valid, government-issued form of i.d. with a photograph of the eligible elector

Rationale: The bill makes an unreasonable requirement on voters and disenfranchises Coloradans who may lack photo identification, many of them elderly, disadvantaged, or minority voters.

Status: PI 1-22-09 by House State Affairs Committee

**HB 1125 – Merrifield – Limiting School Attendance Incentives – Education – S**

Prohibits a school district, BOCES, a public school, or the Charter School Institute from offering or providing a financial benefit, an item, or an extraordinary service or activity as an incentive or reward for enrolling in or attending school; makes exceptions for activities provided on school grounds, certain field trips, items valued at \$20 or less, financial benefits valued at \$20 or less that are redeemed on school grounds, and financial benefits provided pursuant to federal nutrition programs; AMENDED: Allows financial incentives except those worth more than \$20 that specifically try to generate enrollment

Rationale: Schools should not be able to increase their enrollment by offering incentives to students to enroll.

Status: Passed the House; passed Senate Education (amended)

#### **HB 1140 – Court, White – Clarify Initiative/Referendum Process – State Affairs – O**

Changes current law regarding ballot issue titling and petitions:

- Requires that ballot issue petitions state that a voter’s signature on a ballot issue petition signifies his/her support for placing the measure on the ballot and that the measure will be on the ballot if sufficient signatures are collected (meaning that the measure cannot then be withdrawn by the individual who titled it);
- Requires that future ballot issues be labeled “amendments” (if amending the constitution) and “propositions” if changing state law, and that measures address specified subjects as identified in the Blue Book summary short titles
- Requires the state to finalize the short titles of each ballot issue before the Blue Book is finalized and provide the short titles to the Secretary of State so that they are included on the ballot;
- Prevents ballot issues that have been withdrawn by their sponsors from being included on the ballot by changing the withdrawal deadline

Rationale: We do not believe the current law regarding information on ballot issue petitions and current law on withdrawing initiative petitions should be changed. The laws are clear and appropriate as they are.

Status: No action yet

#### **PI - HB 1146 – McNulty, Scheffel – Proof of Citizenship to Vote – State Affairs – O**

Requires a person who applies to register to vote to provide proof of citizenship

Rationale: The bill makes an unreasonable requirement on voters and disenfranchises Coloradans who may have such proof, but are unable to provide it.

Status: PI 1-27-09 by House State Affairs Committee

#### **HB 1151 – Todd - Oversight of School Building Inspections – Judiciary – T**

Replaces the Dept. of Labor with the Dept. of Public Safety as the oversight agency responsible for school building code inspections

Status: Passed the House; passed Senate committees

#### **HB 1153 – May – Issue Committees under Fair Campaign Practices Act – State Affairs – T**

Exempts an “issue committee” (supporting or opposing a ballot issue) from registering with the county or the Secretary of State until such time as the committee accepts contributions or makes contributions in excess of \$200 and then only if a title has been fixed for a ballot issue, a matter has been referred to the voters, a petition has been circulated and signed by at least one person, or a signed petition has been submitted to the appropriate election official; AMENDED:

Status: Conference Committee

#### **HB 1158 – Waller – Initiative Petition Withdrawal – State Affairs – O**

Changes the date by which an initiative petition may be withdrawn from consideration as a ballot issue from 33 days to 60 days prior to the election at which the initiative is to be voted on; specifies that a withdrawn initiative shall not be certified by the Secretary of State to each county clerk prior to the election or included in ballot information by the state or county circulated to the public

Rationale: We do not believe the current law regarding withdrawing initiative petitions should be changed. It is clear and appropriate as is.

Status: No action yet

#### **HB 1160 – Miklosi – Secure Electronic Voter Information – State Affairs – T**

Allows a citizen to register to vote or change information on his/her voting record via electronic application on the Secretary of State’s Web site if the citizen’s digital signature is maintained in a state database, e.g., voter registration/election, motor vehicle registration or insurance, driver’s license, income tax system, etc.; AMENDED:

Status: Passed House committees

*March 16, 2009*

**PI - HB 1165 – Lambert, Cadman – Sole Source Govt Contract Database – State Affairs – O**

Requires the Dept. of Personnel to have a comprehensive public database of all sole-source government contracts in any level of Colorado government under Amendment 54 (passed by the voters in November 2008) composed of summaries of the government contracts provided by the contract holders; requires the Dept. of Personnel to promulgate rules for the effective administration of Amendment 54

Rationale: We oppose the implementation of Amendment 54 because we believe it to be unconstitutional and a violation of free speech.

Status: PI 2-3-09 by House State Affairs Committee

**PI – HB 1177 –Fischer, Bacon - CSU Students Voting Rights – Education – S**

Gives the student representatives on the CSU Board of Governance the right to vote

Rationale: The bill would give students a stronger voice in the governance of the CSU system.

Status: PI 2-9-09 by House Education Committee

**HB 1182 – Marostica, White – Changes to Online Education Funding – Education – T**

Repeals the online education cash fund and allows the CDE Division of Online Learning to be funded from the State Education Fund

Status: Passed the House; passed Senate second reading

**HB 1186 – Levy, M. Carroll – Contents and Delivery of Mail Ballots – State Affairs – S**

Requires return mail ballot envelopes to contain a section allowing the elector to apply to be designated as a permanent mail-in voter; allows a mail-in voter to deliver a voted mail-in ballot to an early voting polling place during early voting or to any polling place on Election Day

Rationale: We believe voters should have the convenience of designating themselves as permanent absentee voters.

Status: Passed the House; passed Senate State Affairs Committee

**HB 1189 – Pommer – Per-Pupil Funding for State Education Programs – T**

Clarifies that the Colorado School for the Deaf and Blind and education programs provided by state agencies for students placed with the state agency may receive per pupil funding under the School Finance Act; AMENDED:

Status: Passed both chambers

**PI - HB 1195 – Lambert, Brophy – Private School Tuition Income Tax Credit – O**

Establishes a private school tuition income tax credit and allows any private school to issue credit certificates to taxpayers

Rationale: We oppose the use of public tax dollars for private schools.

Status: PI 2-12-09 by House Education Committee

**HB 1214 – Benefield, Bacon – School District Reporting Requirements – Education – S**

Requires the Education Data Advisory Committee in CDE to review the reporting requirements imposed on districts and schools by state and federal agencies, and to inform the enacting agency of the estimated cost to the districts and schools of complying with the proposed requirements and whether the proposed requirements already exist in statute or regulation; by September 15, 2009, directs the EDAC to submit to the Legislature and publish an online report listing the data reporting requirements that are not cost-effective or are duplicative, obsolete, inefficient, or not used and should be repealed; directs the State Board to update the state's interpretation of federal data privacy restrictions and to align the state's interpretation of federal data collection and reporting requirements with that of neighboring states. suspends the reporting requirements for a program in any year in which the Legislature does not appropriate moneys for the program

Rationale: School reporting requirements are burdensome on educators and should be periodically reviewed. This bill requires CDE to follow this reporting requirement that was supposed to have begun in 2007.

Status: Passed the House

**HB 1216 – Murray, Newell – Statewide Voter Registration System -- State Affairs – O**

Amends voter registration laws to reflect the implementation of a statewide voter registration system; requires county clerk to send a voter information card by nonforwardable mail to active registered electors; allows an eligible voter to vote in person at a polling place upon surrender of a mail-in ballot; allows an unaffiliated voter to vote a regular party ballot at the Primary Election upon declaring affiliation with a political party

Rationale:

Status: Passed the House

**PI - HB 1225 – S. Schafer– Risk Assessments of K-12 Students – Education – S**

Allows districts to conduct risk assessments of students who enroll in school and have been involved in the previous six months in circumstances related to threats of physical harm or other acts of violence

Rationale: School districts should have the limited ability to conduct such assessments in order to prevent violent acts in schools/on school grounds.

Status: PI 2-23-09 by House Education Committee (at the sponsor's request)

**HB 1236 – Primavera – Driver Stopping Distance at School Bus Signal – Education – S**

Requires a driver to stop at least 25 feet before reaching a school bus when bus signals the driver to stop

Rationale: The bill would reduce the danger to students who are entering or leaving school buses.

Status: Passed the House; passed Senate second reading

**HB 1240 – Miklosi – Colorado Teacher of the Year Program – Education – S**

Requires the State Board of Education to adopt rules for the implementation of the Colorado Teacher of the Year program, including the rewards, duties, and opportunities for each Teacher of the Year; creates the Colorado Teacher of the Year fund, and authorizes CDE to solicit and accept gifts, grants, and donations to fund the program

Rationale: The bill elevates the program and spends no state money (funding comes from grants/donations).

Status: Passed the House

**HB 1242 – Summers, K. King – Tax Credit Donations to Research Institutions – Finance – O**

Allows an income tax credit (for 10 years) for a taxpayer making a qualifying contribution to the Department of Higher Education; allows the taxpayer to designate a recipient research arm of a Colorado college or university for the purpose of using the contribution to advance the commercialization of research projects; AMENDED:

Rationale: The bill reduces state revenues in favor of privatizing public research.

Status: House Finance referred to Appropriations (amended)

**HB 1243 – Middleton, Bacon – Increase High School Graduation Rates – Education – T**

Creates the Office of Dropout Prevention and Student Re-engagement in CDE to collaborate with school districts to reduce the student dropout rate and increase graduation/completion rates; requires a report of effective research-based policies; requires analysis of attendance data and a study of the incidence, causes, and effects of dropout; requires districts identified as high priority and priority for student dropouts to conduct assessments of their practices and adopt a student graduation/completion plan; requires school districts to adopt a policy to give parents notice if a student drops out of school and to outline the available alternatives; creates a grant program for student re-engagement for districts to access; repeals the mandate to expel an habitually disruptive student and allows a district to instead suspend the student; repeals the requirement that a suspension or expulsion count as an unexcused absence under a school district's attendance policy

Status: House Education referred (amended) to Appropriations

**HB 1250 – Merrifield – Federal Moneys to County for School Districts – Education – S**

Increases public school funding in counties that get federal money for national forests (to offset property taxes on federal lands) to at least 50 percent of the federal dollars received (counties currently decide how

to split this money and only five percent is required to go to public education) (involves \$18M in 43 counties); AMENDED:

Rationale: The reallocation would increase public school funding.

Status: Passed House second reading

**HB 1267 – Todd, Bacon – Higher Education Pervasively Sectarian – Education –**

Eliminates certain language concerning the standard by which higher ed institutions may be deemed to be “pervasively sectarian” and thus excluded from various kinds of state financial assistance, e.g., College Opportunity Fund stipends; replaces the pervasively sectarian standard with a standard prohibiting state assistance only to students who are pursuing professional degrees in theology; removes language describing the pervasively sectarian standard from the Postsecondary Enrollment Options Act and provisions concerning approved gifted and talented education programs

Status: House Education referred (amended) to Appropriations

**PI - HB 1270 – Waller – Enrollment Options for Homeschooled Students – Education – O**

Amends the Postsecondary Enrollment Options Act to extend concurrent enrollment opportunities to pupils enrolled in private schools and home schools; requires CDE to enter into a cooperative agreement with both the district of a student and the college/university; requires CDE to reimburse any student who enrolls in courses at a higher ed institution for the amount of tuition he/she paid

Rationale: We oppose the use of public tax dollars for private and home schools.

Status: PI 2-19-08 by House Education Committee

**HB 1272 – Massey, Tapia – Limited Gaming/Amendment 50 Community College Funding – Education – T**

Implements Amendment 50 including defining gaming and betting limits; directs the new revenue to community colleges (78%) and gaming towns and counties (22%) in accordance with the formula specified in Amendment 50; specifies that state community colleges, local district colleges (Aims, Mountain), and state junior colleges (Trinidad JC), plus Mesa State College’s Western Colorado Community College division and Adams State College’s associate degree programs are eligible to receive funding under the new formula; provides parameters for determining their respective full-time equivalent student enrollment, required for application of the distribution formula; allows the governing boards of the community colleges to issue revenue bonds in anticipation of receiving gaming tax revenues

Status: Passed both chambers

**HB 1273 – Kefalas – Health Care for Colorado – Bus Affairs & Labor – S**

Creates the Colorado Health Care Authority as a corporate body and political subdivision of the state with the charge of creating and administering a health care system in Colorado that provides comprehensive medical benefits to all citizens, i.e., universal or single payer health care

Rationale: Our Association supports a universal health care system and this bill would begin to create this system.

Status: No action yet

**HB 1285 – Benefield, K. King – Government Data Sharing – Finance – T**

Replaces the Data Protocol Development Council with the Government Data Advisory Board whose responsibilities would include recommending rules for requesting/responding/imposing fees for data requests; creates the Education Data subcommittee of the advisory board whose responsibilities would include the creation of a statewide P-20 education data system

Status: Passed the House; assigned to Senate Education

**HB 1288 – Nikkel, Kopp - Colorado Taxpayer Transparency Act – Finance – O**

Requires the Information Technology Dept. in the Governor’s office to create and maintain a searchable budget database web site that shows revenue and expenditure data from the state financial warehouse; Requires that each state agency web site include a link to this site; AMENDED:

Rationale:

Status: House Finance referred (amended) to Appropriations

**HB 1296 – Green – Extension of Reading Assistance Grants – Education –**

Extends the repeal of the Reading Assistance Grant Program for one year to July 2010

Status: Passed House second reading

**HB 1290 – Nikkel, Harvey – Student Financial Aid/National Guard – Education – T**

Increases the maximum amount of money that CCHE may allocate for tuition assistance to members of the National Guard

Status: House Education referred (unamended) to Appropriations

**HB 1295 – Todd, Heath – Metro State Master's Degree – Education –**

Permits Metro State College to offer Master's degree programs

Status: Laid over in House on second reading

**HB 1304 – Solano, Williams – Suspend Some CSAP Tests – Education –**

For the 2009-10 and 2010-11 school years, prohibits CDE from administering specified statewide assessments that are not specifically required by federal law, i.e., writing CSAP in grades 3-8 and all CSAP tests in grades 9-10

Rationale: Not administering CSAP tests that are not required under NCLB saves the state money during a time of extreme budget restrictions.

Status:

**HB 1312 – A. Kerr – Renewable Energy Loans for Schools – Education –**

Creates the Renewable Energy and Energy Efficiency for Schools loan program to fund renewable energy projects and battery-powered and hybrid-electric bus projects in school districts within the Public School Energy Efficiency Fund