Colorado Legislative ENVIRONMENTAL SCORECARD





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Welcome to the 2003 Environmental Scorecard for the Colorado State Legislature, created by Colorado Conservation Voters (CCV). Colorado Conservation Voters is the nonpartisan political voice of the Colorado environmental community. This is the sixth year CCV has published the scorecard.

Coloradoans need legislative leaders who value and work to protect our state's incredible natural heritage. Colorado's state legislature makes decisions, both positive and negative, that greatly affect the environment, health, and quality of life for all citizens of our state. It is often difficult for citizens to find out how their representatives voted on these critical issues. Although most legislators profess to support protecting the environment, there are clear differences among members. The scorecard is a good tool for you to determine if your representatives are in step with your environmental values. This scorecard is intended as a convenient summary of how each member of the legislature performed on key environmental issues during the 2003 legislative session that ended in May 2003. This information, as well as scorecards for every year since 1997, is available on the web at www.ColoradoConservationVoters.org.

This scorecard provides nonpartisan, factual information on how each member of the legislature voted on a range of environmental issues. To compile the scorecard, CCV asked the respected experts listed on the opposite page to help select the most important environmental votes of the year. The scorecard includes only those House and Senate votes on which the environmental community clearly communicated its position to legislators, and, except in rare circumstances, excludes non-controversial consensus votes. Votes scored cover a range of policy and budget issues on water, growth, energy, transportation, regulatory authority and disposal of hazardous wastes.

While useful, the scores included here provide only one component of each legislator's environmental record. Their actions in committee are often more important than floor votes. Many good bills die in committee and never make it to the floor, and bills are often significantly amended during committee hearings. The scorecard highlights some of the key committee actions in the overview section.

To use the scorecard, read the short description of each vote that was scored, as well as the overview of the session that begins on the next page. Then check individual members of the legislature in the chart that begins on page 12. Members are organized alphabetically, with their district numbers next to their names. To determine your member of the House and Senate, check the maps on pages 7 and 8 or go on-line to www.vote-smart.org for help.

CCV greatly appreciates the lawmakers who work so hard for the people of Colorado. We encourage you to look up your representative and senator and match your values with your legislators' votes.

Special thanks go to Ann Livingston, Elise Jones, Susan LeFever, Carrie Doyle, Elena Nunez, Matt Baker and Christina Sanchez for their hard work preparing this document.

Tony Massaro Executive Director

2003 LEGISLATIVE SESSION

OVERVIEW

The 2003 session of the Colorado General Assembly was disappointing for the environmental community. Budget issues dominated most of the session. Water was a close second. Last year environmental interests faired well on water issues. Not so this year. While most voters believe the best solutions to the drought involve increasing efficiency and conservation, and enlarging existing reservoirs, the legislature chose to go straight to building new, large, economically risky and environmentally unsound dams. The legislature defeated every strong conservation and efficiency bill. Instead lawmakers passed, and the Governor signed, a measure asking Colorado voters to authorize \$2 billion in financing for new dams without specifying the projects. They even authorized spending \$500,000 to study the "Big Straw," a \$5 billion project that is so costly, environmentally damaging and logistically complex that few believe it will ever be built.

Some meaningful water legislation did pass. Bills to increase the flexibility of managing water while protecting the environment passed, including those that allow conservation easements for water rights, drought loans for in-stream flows, water banking and interruptible supplies. In addition, environmentalists successfully rewrote legislation supported by the Governor that would have promoted clear-cutting of forested land to increase water yield.

Also on the positive side, legislation passed allowing more public input into radioactive waste disposal issues. Additionally, the transportation legislation passed in 2002 establishing unprecedented support for transit survived multiple attempts at weakening it.

However, the legislature once again failed to pass renewable energy legislation. Renewable energy use is strongly supported by the public. One of the highest priorities for the environmental community, this year's bill failed even though the Speaker of the House, Lola Spradley, sponsored it. The legislature also failed to pass any meaningful growth management bills and even passed legislation to make it harder for local governments to manage growth.

WATER

With Colorado experiencing its worst drought in recorded history, the issue of water catapulted to the top of the policy agenda for both the environmental community and the state legislature. Dozens of water bills were considered during the session, and more than 15 enacted. Despite this interest and activity, however, the 2003 legislature earns a mixed review on the water issue; while lawmakers passed a handful of modest but positive bills, they also approved several damaging ones and made no significant progress in helping Colorado address the current and future droughts.

On the positive side, the General Assembly did take some small steps to help keep some water in streams for fish during droughts and to promote cooperative sharing of water supplies. HB 1320, sponsored by Rep. Rippy and Sen. McElhany, authorizes farmers and ranchers to make temporary loans of water to keep water in rivers and streams during drought years (SB 85 by Sen. Isgar and Rep. Smith also accomplished this goal but was vetoed by the Governor). Authored by Rep. Mitchell and Sen. Hillman, HB 1334 allows water right holders to temporarily lease their water during droughts, which will allow farmers to generate income when it is too dry to grow crops by leasing water to cities suffering from drought shortages. Sen. Grossman and Rep. Hoppe sponsored HB 1318 to take the existing water banking pilot program and expand it to cover all of the state's water divisions. Rep. Hoppe and Sen. Johnson's HB 1001 includes a provision to prohibit future covenants that bar homeowners from landscaping with drought-resistant plants. Another measure, HB 1008, by Rep. Spradley and Sen. Kester clarifies that water rights can be included in conservation easements designed to protect open space or farmland.

The conservation community was also successful modifying several ill-advised proposals. As introduced, HB 1092 called for managing state forested lands to increase water yields – a practice known as "logging for water," which typically involves clear-cutting trees to try and increase water runoff. While providing little if any useful increases in water supplies, this dubious concept does greatly increase soil erosion and impair fisheries habitat. This provision was fortunately removed from the bill in the face of vocal public opposition. We

also successfully advocated for stripping from the annual water projects bill a \$190,000 study of logging for water on national forests.

These successes stand in stark contrast to the outcome on several measures aimed at returning Colorado to the era of big dam construction. Several bills were introduced to expand financing for new water storage projects, despite the fact that existing bonding authority isn't being used, there are no examples of water projects that have failed for lack of financing and there are better alternatives to address Colorado's water woes, such as increased efficiency. With the passage of SB 110, the General Assembly directed the Colorado Water Conservation Board to undertake a \$3 million statewide water supply initiative to identify future water projects, a top-down effort that conservationists unsuccessfully tried to amend to ensure adequate citizen involvement in each basin. This bill also authorized a \$500,000 feasibility study of the Colorado River Return Project, also known as the "Big Straw," an enormous, multi-billion dollar boondoggle to capture Colorado River water near the Utah border and pump it 200 miles and 4,500 vertical feet back up and over the Continental Divide, most likely for use by the fast-growing Front Range.

Of greatest concern, however, was the passage of SB 236 by Sen. Dyer and Rep. Hoppe, which places a referendum on the November 2003 ballot asking voters to approve \$2 billion in new bonding authority under the Colorado Water Conservation Board for new water storage projects. While a coalition of conservation-minded legislators and West Slope lawmakers (concerned about damming West Slope rivers to feed Front Range growth) helped defeat this bill on its first vote in the Senate, Sen. Dyer was able to resurrect the measure by attaching to it another defeated bill, Sen. Entz's SB 126, thereby winning over Sen. Entz and passing SB 236 by a single vote. (The SB 126 amendment also provides increased bonding authority for new dams under the Water and Power Authority.) The political shenanigans increased during House consideration, when the House Agriculture Committee, the committee responsible for water legislation, refused to hear the bill, sending it instead to the House Finance Committee, which has no members from the West Slope and no expertise on the issue, where it easily passed. Building big, new, fiscally risky and environmentally damaging dams on Colorado's rivers will not solve the state's drought problem. Instead, the conservation community will continue promoting faster, cheaper and less damaging alternatives to meet Colorado's water needs, such as conservation and efficiency measures, the cooperative use of water supplies, rehabilitation of existing reservoirs, and new "smart storage" water projects designed to minimize impacts.

KEY COMMITTEE VOTE: SB 236 -- Dam Financing

The House Agriculture Committee referred SB 236 to House Finance on a vote of 7 to 6, without public testimony, thanks to the unexpected favorable vote of West Slope legislator, Rep. Rippy, who later voted against the measure on the House floor when it was too late to stop the measure from passing. NO was the pro-environment vote. YES: Reps. Brophy, Harvey, Hoppe, Johnson, McCluskey, Rippy, and Wiens. NO: Reps. Hodge, Madden, Miller, Rose, Salazar, and Tochtrop.

Another disappointment was the failure of the Legislature to adopt statewide guidance to encourage wiser use of Colorado's water supplies. Conservation and efficiency measures can provide immediate, cost effective and environmentally sound relief to both current and future droughts. Sen. Linkhart's and Rep. Romanoff's urban water efficiency bill, SB 87, would have provided a very useful step forward in addressing Colorado's water woes by establishing targets and a framework for large water providers to use in improving water use efficiency in our cities. While this bill passed with strong bipartisan support in the Senate, opposition from cities reluctant to participate in a statewide effort to improve water efficiency lead to its defeat in the House Local Government Committee.

KEY COMMITTEE VOTE: SB 87 -- Urban Water Efficiency

SB 87 was defeated in the House Local Government Committee on a 9 to 2 vote on a motion to postpone indefinitely. NO was the pro-environment vote. YES: Reps. Berry, Briggs, Coleman, Decker, Hall, Hodge, Ragsdale, Rippy and Weddig. NO: Reps. McFadyen and Smith.

Lastly, the legislature also missed an opportunity to improve protections for water quality by failing to pass HB 1146 by Rep. Spradley and Sen. Kester. This measure would have required water judges to safeguard downstream users from degradations in water quality when water right holders seek to divert their water from another location.

GROWTH, SPRAWL AND LAND USE

Despite tough economic times and extreme drought conditions, Colorado has continued to experience rapid growth. More importantly, the state has continued to sprawl and, as a result, we are seeing increased air pollution stemming from higher traffic levels, continued loss of open spaces, degradation of water quality, water-wasting land use patterns, and the perpetuation of low density land use patterns that undermine transit as well as pedestrian and biking options. Experts have cited sprawl as a leading cause of numerous negative impacts ranging from childhood obesity and asthma to global warming. However, our legislature again failed to address the issue of sprawl or its impacts on our environment and communities. Instead, the General Assembly chose to promote the interests of the development community in its efforts to not only stop any land use reforms to reduce sprawl, but also to roll back the existing authority of cities and counties to regulate land uses in their communities.

As a rule, bills that would have heightened the ability of local governments to deal with growth-related issues were struck down in committee while bills designed to give developers freer rein within our communities either passed or nearly passed. For example, Sen. Grossman sponsored SB 94 to make planning for the water needs of future growth a necessary component of the comprehensive land use plans of the state's larger communities. The potential water savings of planning are dramatic -- compact development can use up to 35 percent less water than sprawling development – yet this bill was killed in committee.

KEY COMMITTEE VOTE: SB 94 -- Master Plan Elements SB 94 was defeated in Senate State, Veterans, and Military Affairs on a 7 to 0 vote on a motion to postpone indefinitely. NO was the pro-environment vote. YES: None. NO: Sens. Andrews, Cairns, Hanna, Keller, Nichols, May and Lamborn.

A bill designed to protect open space and agricultural lands while supporting rural economies and property rights fared only slightly better. SB 152 sponsored by Sen. Gordon and Rep. Rippy would have allowed cities and counties to implement voluntary programs to transfer the development rights from open space and agricultural lands to existing developed areas. SB 152 passed the Senate only to be killed in the House Committee on Information and Technology.

KEY COMMITTEE VOTE: SB 152 -- Protecting Colorado's Farm and Ranch Lands SB 152 was defeated in House Information and Technology on a 7 to 4 vote on a motion to postpone indefinitely. NO was the pro-environment vote. YES: Brophy, Cadman, Fritz, Miller, Rhodes, Crane and Mitchell. NO: Butcher, Carroll, Judd and Salazar.

Bills to promote the interests of the development industry, however, received a much warmer reception. The legislature enacted SB 67 and SB 251, both of which take away longstanding land use tools used by local governments to manage how their communities grow. Developers also were successful in their efforts under HB 1161, sponsored by Rep. Rippy and Sen. McElhany, to insulate the development industry from full liability for faulty workmanship and exempt it from the consumer laws with which other Colorado industries must comply. The legislature fortunately fell short, however, in their bid to pass SB 154, which would have prohibited the use of deed restrictions and other tools to provide for affordable housing – a direct assault on Denver and other communities that have attempted to provide permanently accessible homeownership opportunities for low income residents.

ENERGY

A number of important energy bills were introduced in the legislature in 2003, although none of them passed. Currently, Colorado gets less than one percent of its energy from clean renewable energy sources. In response, the environmental community has made it a priority to pass legislation to increase the use of renewables in the state. HB 1295, sponsored by Rep. Spradley and Sen. Kester, would have established a renewable energy standard for Xcel Energy and Aquila, Colorado's two largest utilities. They would have been required to increase their use of renewable energy over time to

1800 megawatts by the year 2020. HB 1295 passed the House by a wide margin but died in the Senate, as did a similar bill, SB 151, after heavy lobbying from the Rural Electric Associations and the coal lobby.

KEY COMMITTEE VOTE: HB 1295 -- Renewable Energy HB 1295 was defeated in Senate Business Affairs and Labor on a 4 to 3 vote on a motion to postpone indefinitely. NO was the pro-environment vote. YES: Sens. Johnson, Jones, McElhaney and Takis. NO: Sens. Kester, Phillips and Tapia.

Increasing our energy efficiency can save money, conserve water, reduce pollution, and benefit the environment and local economies. The legislature considered two bills to promote energy efficiency in 2003: Sen. Reeve's SB 129, which would have required utilities to increase their energy conservation programs to conserve specific amounts each year, and Rep. Borodkin's HB 1168, the Colorado Energy Conservation Act, which would have set efficiency standards for ten appliances that do not have federal standards, such as certain ceiling fans, washers and air conditioners. Both bills died early in committee.

TRANSPORTATION

As a result of Colorado's sprawling development patterns, traffic is rising at twice the rate of population growth -- lengthening commute times and increasing pollution from cars. Expanding alternative transportation is a necessary step to limit sprawl, encourage more transit-oriented development, and improve air quality by getting tens of thousands of people off the roads. But until the 2002 legislative session, Colorado was one of only five states that did not have dedicated funding for transit. At the end of the 2002 session, the Governor and legislature brokered a historic compromise on transportation funding, which included dedicating 10 percent of Colorado's SB1 funds to transit. Unfortunately, this session was marked by repeated attacks on the transit gains made last year.

Sen. Ron May introduced SB 132, which would have reversed the transit funding compromise by removing the 10 percent dedicated funding for transit. Senate President John Andrews was a persistent opponent of transit, carrying three bills to reduce transit funding and destabilize the Regional Transportation District (RTD). Sen. Andrews authored SB 74, which would have diverted over 16 percent of the voter-approved RTD sales to non voterapproved highway projects; SB 257, which would have allowed voters in the RTD to petition and place on the ballot measures to decrease or eliminate any portion of the sales tax, a move that would undermine RTD's funding and ability to undertake transit expansion projects like FasTracks, and SB 323, which would have disadvantaged RTD by requiring partisan elections for its board of directors. All of these attacks were ultimately unsuccessful, but demonstrated that maintaining support for transit projects will be an ongoing fight at the Capitol.

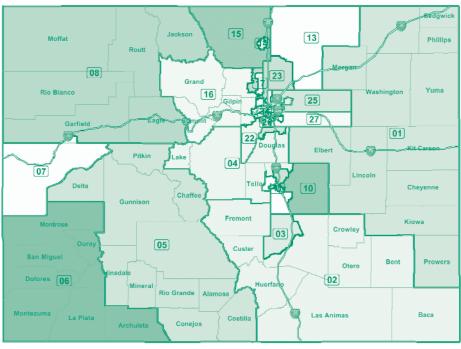
KEY COMMITTEE VOTE: SB 132 -- Repeal 10 Percent Dedicated Transit Funding SB 132 was defeated in House Transportation and Energy on an 8 to 4 vote on a motion to postpone indefinitely. YES was the pro-environment vote. YES: Reps. Berry, Borodkin, Larson, McFadyen, Merrifield, Pommer, Ragsdale and Sinclair. NO: Reps. Briggs, Cloer, Stafford and S. Williams.

POLLUTION

The 2003 legislature considered a number of proposals to address pollution in Colorado but enacted few of them. Lawmakers failed to pass a bill to require a biannual report card on the state's environment or to increase penalties for water quality crimes. They also did not pass a bill to require emissions reductions at coal-fired power plants while allowing the utilities to recover their costs through a customer surcharge, which would have significantly reduced sulfur dioxide emissions and improved state air quality.

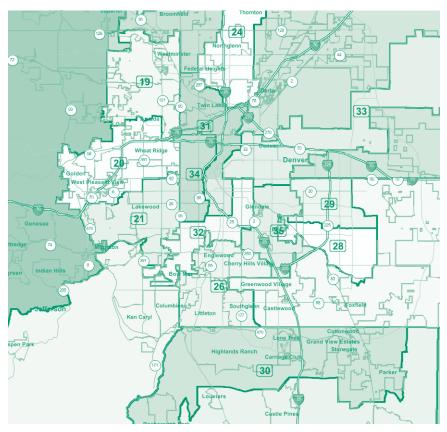
Another area of interest was radioactive waste being disposed of at the Cotter facility in Canon City. HB 1155, by Rep. McFadyen would have increased requirements for disposal of radioactive waste, but it died in committee. A similar bill by Rep. Spradley and Sen. Kester, HB 1358, was more successful, and was signed by the Governor. This measure will help to protect citizens and workers from unknowingly being exposed to radioactive hazards, and increase the ability of the Department of Health to regulate different kinds of materials at Cotter.

Colorado Senate District Map

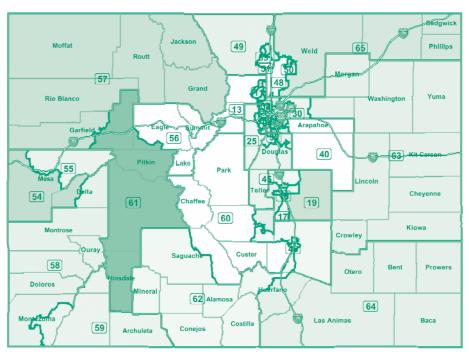


Prepared by Legislative Council Staff

Denver Senate District Map

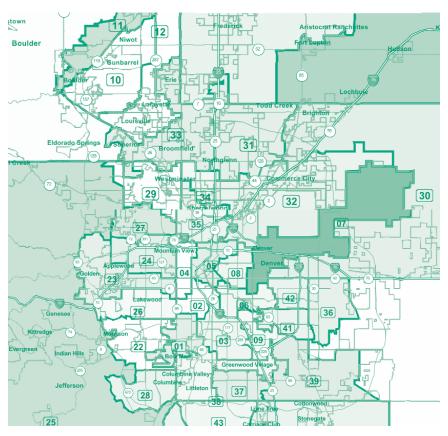


Colorado House District Map



Prepared by Legislative Council Staff

Denver House District Map



SCORED VOTE DESCRIPTIONS

SB 236: \$2 Billion Dam Financing Referendum

(House Vote #1, Senate Vote #1)

Despite Colorado's serious drought-induced water shortages, state leaders declined to develop a reasoned statewide water plan or adopt immediate measures to improve water use efficiency, and instead enacted measures to finance big, new dams that will likely take decades to build. SB 236, sponsored by Sen. Dyer and Rep. Hoppe, asks voters to approve up to \$2 billion in revenue bonds for unidentified dams. Additionally, SB 236 allows, for the first time in Colorado's history, private water marketers to use state bonds to build water supply projects with minimal local government participation. While SB 236 purports to finance water conservation as well as storage projects, the reality is that since reducing water use does not generate revenue, revenue bonds cannot be used to fund conservation measures. A second bill, SB 126, was tacked on creating even more financing for more unnamed dams. Colorado voters will have the chance to vote this November on whether or not this is the right solution for our state. The conservation community does not believe that a blank check for unspecified dams is the answer to Colorado's water problems. SB 236 passed the Senate 18 to 17 and passed the House 36 to 29 and was signed by the Governor. NO was the pro-environment vote.

SB 236: Basin of Origin Amendment

(House Vote #2)

Passage of SB 236 sets the stage for growing Front Range cities to take water from the rural Western Slope, threatening mountain rivers and streams that are vital to the local economy and quality of life. Rep. Salazar introduced an amendment to SB 236 to address this concern by requiring the affected local water district to give approval before water is diverted to another area of the state. This amendment passed in the House 33 – 22. But, in a parliamentary maneuver, Reps. Hoppe, Brophy, Harvey, McCluskey and Stafford asked for a second vote to amend the committee report to show that the Salazar amendment had not passed. Two House members reversed their original positions, and the committee report was amended 31 to 34. NO to oppose amending the report was the pro-environment vote.

SB 236: Senate Concurrence with the House Amendments

(Senate Vote #2)

SB 236 was largely rewritten in the House Finance Committee. These changes were a mixed bag but didn't alter the bottom line that the bill is essentially a blank check for unnamed dams. The Senate had to decide whether or not to accept or reject the House amendments. In an attempt to slow down the process and possibly kill the bill, many in the Senate argued to reject House amendments and send the bill to a conference committee instead. But, the motion to accept the House amendments passed on a vote of 18 - 17. NO was the pro-environment vote.

SB 87: Urban Water Efficiency

(Senate Vote #3)

One of the fastest, cheapest and most environmentally sound drought solutions is to use our existing water supplies more efficiently. SB 87, sponsored by Sen. Linkhart and Rep. Romanoff, would have accomplished this by providing a framework and targets around which the largest water providers could set a course for improved urban water use efficiency. SB 87 passed the Senate 19 to 16 on second reading and 26 to 9 on third reading. Unfortunately, the bill was then defeated in the House Local Government Committee, ending any hope for passage of a meaningful water conservation measure. YES was the pro-environment vote.

HB 1092: Logging for Water

(House Vote #3, Senate Vote #4)

Colorado conservationists supported the general intent of HB 1092, sponsored by Rep. White and Sen. Anderson, to actively manage forested state lands to restore their health and reduce the threat of wildfires. But, there were serious concerns about the broad language requiring that state forests be managed to improve water yields. That provision would have facilitated a practice called "logging for water" in which forests are clear-cut to increase the volume of water in streams. House members voted on an amendment sponsored by Rep. Madden clarifying that clear-cutting watersheds would not be permitted under this measure. When that amendment failed by a narrow margin and the bill moved to the Senate, Sen. Grossman sponsored an amendment removing the logging for water language altogether. Ultimately, the water yields language was removed in conference committee and the bill passed. YES on the Madden amendment was the pro-environment vote in the House. YES on the Grossman amendment was the pro-environment vote in the Senate. The bill passed both chambers and was signed by the Governor.

SB 126: Financing for Water Projects

(House Vote #4)

As originally drafted, SB 126, sponsored by Sen. Entz and Rep. McCluskey, provided greater flexibility to the Colorado Water Resources and Power Development Authority to build water storage projects by removing the existing \$100 million per project partner funding cap. The conservation community did not object to this increase in bonding levels for water projects because the Water and Power Authority has a respected track record of financing fiscally responsible projects and keeping politics out of their decision-making. The bill was amended to mandate funding of any project recommended in the upcoming Statewide Water Supply Initiative, as well as three big, outdated dams – Two Forks, Narrows, and a third Western Slope project. This amendment essentially provided a blank check to fund unnamed dams that would never come before the state legislature or the voters for approval. Rep. Smith led the effort to amend SB 126 to address these concerns. The Senate, however, rejected his changes, leaving concerned lawmakers in the House no choice but to adhere to the House version of the bill on a vote of 37 to 27, effectively defeating the measure. (A much-improved version of SB 126 was later passed as an amendment to SB 236.) YES to adhere to the House amendment was the pro-environment vote.

HB 1146: Water Quality

(House Vote #5)

Each drop of water in Colorado is used between seven and 20 times over before leaving the state. Every time water is diverted, it returns to our rivers and streams a little more polluted, but Colorado water courts have rarely considered these water quality impacts on downstream users. HB 1146, sponsored by Rep. Spradley and Sen. Kester, attempted to require water judges to protect water quality in cases where an applicant sought to move an existing water right from one area to another and, in the process, degrade water quality downstream. HB 1146 failed in the House by a vote of 31 to 33. YES was the pro-environment vote.

HB 1008: Conservation Easements for Water

(House Vote #6, Senate Vote #5)

Sponsored by Rep. Spradley and Sen. Kester, HB 1008 provides for conservation easements for water, as well as land. Conservation easements are a voluntary tool used to protect important lands such as open space or farmland, where the property owner sells or donates the right to develop the property while still retaining ownership of it. Such an arrangement protects these special lands and waters in their natural state, while providing a tax break to the property owner. HB 1008 passed overwhelmingly, by a vote of 63 to 0 in the House and a 33 to 0 margin in the Senate, and was signed into law by the Governor. YES was the pro-environment vote.

HB 1320/SB 85: In-stream Water Donations

(House Vote #7, Senate Vote #6)

During the drought of 2002, several rivers, including gold medal fisheries, went dry. In many cases, existing water users were willing to keep their water in the river to protect the fishery, but the State Engineer determined that this type of temporary donation was not allowed under existing state law. HB 1320, sponsored by Rep. Rippy and Sen. McElhany, and SB 85, by Sen. Isgar and Rep. Smith, both would have changed the law to allow this kind of temporary loan to keep water in rivers during drought years. HB 1320 allows such loans when the Governor declares a drought while SB 85 would have allowed temporary loans at any time, but no more frequently than three times out of a ten-year period. Additionally, SB 85 would have allowed transfers from one farmer to another. While both measures passed in both chambers unanimously, the Governor signed HB 1320 into law, but vetoed SB 85. YES was the pro-environment vote.

HB 1295: Renewable Energy Standard

(House Vote #8)

HB 1295, sponsored by Rep. Lola Spradley and Sen. Ken Kester would have established a progressive renewable energy standard for the state's largest utilities. The bill would have jumpstarted Colorado's renewable energy market and helped farmers and rural communities while providing clean energy for the state. HB 1295 passed the House with a vote of 43 to 20. It later died in the Senate Committee on Business Affairs and Labor. YES was the pro-environment vote.

HB 1295: Renewable Energy Amendment

(House Vote #9)

Rep. Smith sponsored an amendment to HB 1295 to require that only renewable energy produced in Colorado count towards the renewable energy standard. This amendment was unnecessary since the bill already included provisions providing incentives for renewable energy production in the state, such as giving extra credit to Colorado producers. The amendment also would have violated the interstate commerce clause of the U.S. Constitution that reserves for the Congress the power to regulate interstate commerce. Designed to defeat the bill, the amendment was promoted by opponents of renewable energy as a way render the bill void and tie it up in the courts. The House defeated the amendment on a vote of 30 to 31. NO was the pro-environment vote.

SB 121: Limiting Cost/Benefit Analysis of Regulations

(Senate Vote #7)

Under existing law, citizens, businesses, and agencies could request a cost/benefit analysis of proposed regulations that examined a wide range of impacts on affected communities, including environmental, health, quality of life, social, and economic effects. Sen. McElhany's and Rep. T. William's SB 121 now skews this balanced perspective so that only economic impacts are assessed. It also establishes the Department of Regulatory Agencies as a gatekeeper for all proposed regulations since the Department can decide whether or not to subject proposed regulations to the new analysis. The bill passed the Senate 28 to 7 and the House 56 to 8 and was signed into law by the Governor. NO was the pro-environment vote.

SB 67: Undermining Local Land Use Authority

(House Vote #10, Senate Vote #8)

A large percentage of Colorado is covered by lands that were subdivided under old regulations that no longer meet the needs or desires of communities, and have never been sold or developed. The passage of SB 67, sponsored by Sen. Johnson and Rep. Stengel, will make it very difficult for county officials to reassess outdated land subdivision decisions that no longer fit the needs, desires, or infrastructure capacity of the communities they serve and make future development comply with current land use plans. SB 67 passed the Senate by a vote of 23 to 11 and the House by a vote of 51 to 14, and was signed into law by the Governor. NO was the pro-environment vote.

SB 152: Protecting Colorado's Farm and Ranch Lands

(Senate Vote #9)

SB 152, sponsored by Sen. Gordon and Rep. Rippy, would have helped to protect Colorado's farming and ranching heritage, rural landscapes, and open spaces by establishing a statewide framework under which local governments can opt to enact a transferable development rights (TDR) program. TDR programs allow for the transfer of development rights from an area the community wants to preserve as undeveloped lands to an area where the community wants to promote growth, with the landowner retaining the title to the property. In this way valuable lands can be protected, landowners can continue to use their property for purposes other than development (such as farming and ranching), growth can be directed into areas where development is desired, and money is injected into the rural economy. The Senate passed SB 152 on third reading by a vote of 32 to 2. SB 152 was then defeated in the House Committee on Information and Technology. YES was the pro-environment vote.

SB 323: Partisan Elections for the Regional Transportation District (RTD) Board of Directors (Senate Vote #10)

SB 323 was Senate President John Andrews' third attempt this session to destabilize RTD and undermine the future transit in the Denver region. After two bills to reduce RTD's funding failed, Sen. Andrews introduced SB 323 to require partisan elections for RTD's board of directors. Since transportation is a non-partisan issue, transit supporters believe that RTD board elections should also be non-partisan, as did a 1998 Denver Metro Chamber of Commerce Task Force on RTD structure, which argued that partisan elections for RTD would place "too much emphasis on party affiliation over the qualifications of the individual candidate." The bill passed the Senate 19 to 16 but was defeated in the House Transportation and Energy Committee. NO was the pro-environment vote.

HB 1358: Radioactive Waste Disposal

(House Vote #11, Senate Vote #11)

HB 1358 by Rep. Spradley and Sen. Kester will help to protect citizens and workers from unknowingly being exposed to radioactive hazards. Inspired by disposal proposals at the Cotter facility in Canon City, last year the legislature passed a bill requiring radioactive waste disposal within five miles of a city to be subject to Colorado Department of Public Health and Environment (CDPHE) approval, public comment, and an environmental assessment. However, this bill left some significant loopholes. HB 1358 addressed those problems by giving CDPHE authority to regulate more types of materials and setting clearer standards for acceptance. The bill passed the House 46 to 19 and the Senate 35 to 0 and was signed by the Governor. YES was the pro-environment vote.

2003 Senate Votes Protecting Colorado's Farm and Ranch Lands Partisan Elections for RTD Board of Directors \$2 Bill Dam Financ Ref, Sen Concur w/House Amends \$2 Billion Dam Financing Referendum Limiting Cost/Benefit Analysis of Regs. Undermining Local Land Use Authority KEY Radioactive Waste Disposal **Pro-environment** Conservation Easements In-stream Water Donations Anti-environment E Excused Urban Water Efficiency NA Not Applicable HB1092: Logging for Water In State House Italics Served Partial Term Combined House & Senate 999 Score Score 2000 Score 2002 Score 2001 Score 1008: 1358: SB121: 1 SB236: SB87: 1 SB85: 22 2003 SB323: SB67: SB236: HB1 E SB] % % % % 2 3 4 5 6 7 8 9 11 Dist. % 1 10 Anderson, Norma (R)SD 22 45 20 15 40 11 + + + + + Andrews, John (R) SD 27 36 8 15 20 11 t ŧ -+ t Arnold, Ken (R) SD 23 36 33 8 20 11 + + + + Cairns, Bruce (R) SD 28 27 25 8 NA NA + + + SD 4 58 11 Chlouber, Ken (R) 55 15 30 + ł + ŧ + t Dyer, Jim F. (R) SD 26 36 33 23 NA NA + + + + Entz, Lewis (R) SD 5 36 58 14 NA NA + + + + SD 30 40 7 50 33 Evans, John (R) 36 + + -+ _ + Fitz-Gerald, Joan (D) SD 13 92 100 69 NA NA + + + + + ŧ t + + t + Gordon, Ken (D) SD 35 91 100 92 100 100 + + + + + + + + + + Groff, Peter (D) SD 33 95** 83 88 NA NA NA + + + + + _ + + + Grossman, Dan (D) 91 100 100 100 89 SD 32 ł t + ł + ŧ ŧ + + + SD 29 55 92 75 75 Hagedorn, Bob (D) 56 + + + ÷ + + 92 Hanna, Deanna (D) SD 21 100 77 NA NA + + + + + + + + + + + Hillman, Mark (R) 36 30 SD 2 33 15 11 + + + + SD 6 75 Isgar, Jim (D) 82 60 NA NA + + + + + + + + + 33 35 25 Johnson, Steve (R) SD 15 36 11 + + + + SD 11 Jones, Ed (R) 36 NA NA NA NA + ÷ + + SD 20 Keller, Moe (D) 91 NA NA NA NA + + + + + ÷ + + + + Kester, Ken (R) SD 2 36 40 24 33 13 + + + + SD 9 27 8 0 20 Lamborn, Doug (R) 11 + t + Linkhart, Doug (D) SD 31 100 100 92 90 100 4 + + + + + + + + + + E May, Ron (R) SD 10 30 8 0 17 11 + + + 42 7 25 13 McElhany, Andy (R) SD 12 30 E + ŧ t Nichol, Alice (D) SD 24 70 83 46 70 56 Е + + + + + + + 7 Owen, David (R) SD 16 36 8 40 11 + + + + SD 17 Phillips, Terry (D) **100** 100 100 100 100 + + + + t t + ŧ + Reeves, Peggy (D) SD 14 100 91 90 89 85 + + + + + ŧ + + + + + Sandoval, Paula (D) SD 34 64 NA NA NA NA + + + + + + + Takis, Stephanie (D) SD 25 91 100 85 100 100 + + + + + ÷ -+ + + + SD 3 82 75 56 100 Tapia, Abel (D) 78 + + + + + ÷ -+ + + Tate, Penfield* (D) SD 33 NA 92 85 91 100 NA E NA NA NA NA NA NA NA NA NA Taylor, Jack (R) SD 8 64 25 15 33 0 _ + + + . + + . + + SD 7 42 7 50 22 Teck, Ron (R) 64 + + + + ÷ -+ + 100 92 100 100 100 Tupa, Ron (D) SD 18 + + + + + + ÷ + + + + 92 Windels, Sue (D) SD 19 91 85 100 100 + + + +

2003 House Votes

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- Anti-er E Excuse NA Not Ap	vironment nvironment ed plicable a Partial Te	rm					SB236: \$2 Billion Dam Financing Referendum	SB236: Basin of Origin Amendment	Logging for Water	SB126: Financing for Water Projects	Water Quality	Conservation Easements for Water	In-stream Water Donations	Renewable Energy Standard	HB1295: Renewable Energy Amendment	SB67: Undermining Local Land Use Authority	Radioactive Waste Disposal
		2003 Score	2002 Score	2001 Score	2000 Score	1999 Score	SB236: \$2 Billion	SB236: Basin o	HB1092: Loggi	SB126: Financ	HB1146: Water	HB1008: Conser	HB1320: In-str	HB1295: Rene	HB1295: Renev	SB67: Undermini	HB1358: Radic
	Dist.	%	%	%	%	%	1	2	3	4	5	6	7	8	9	10	11
Berry, Gayle (R)	HD 55	82	58	29	50	33	+	+	-	+	+	+	+	+	+	-	+
Borodkin, Alice (D)	HD 10	100	92	76	NA	NA	+	+	+	+	+	+	+	+	+	+	+
Boyd, Betty (D)	HD 26	73	91	59	NA	NA		-	+	+	+	+	+	+	+	-	+
Briggs, Bob (R)	HD 29	50	NA	NA	NA	NA	-	-	Е	-	+	+	+	+	+	-	-
Brophy, Greg (R)	HD 63	18	NA	NA	NA	NA	-	-	-	-	-	+	+	-	-	-	-
Butcher, Dorothy (D)	HD 46	82	NA	NA	NA	NA	+	+	+	-	+	+	+	+	+	-	+
Cadman, Bill (R)	HD 15	27	25	6	NA	NA	•	-	-	-	-	+	+	-	-	-	+
Carroll, Terrance* (D) HD 7	100	NA	NA	NA	NA	+	+	NA	+	+	NA	+	+	NA	+	+
Cerbo, Mike* (D)	HD 2	100	NA	NA	NA	NA	+	+	NA	+	NA	NA	NA	NA	NA	+	+
Clapp, Lauri (R)	HD 37	18	25	18	25	11	-	-	-	-	-	+	+	-	-	-	-
Cloer, Mark (R)	HD 17	55	50	27	NA	NA	-	-	-	+	-	+	+	+	+	-	+
Coleman, Fran (D)	HD 1	73	83	65	100	100	+	+	+	+	+	+	+	-	-	-	+
Crane, Bill (R)	HD 27	36	17	18	NA	NA	-	-	-	+	-	+	+	-	-	-	+
Decker, Richard (R)	HD 19	27	33	53	10	22	-	-	-	-	-	+	+	-	-	-	+
Fairbank, Rob (R)	HD 30	40	33	24	25	11	-	-	-	-	-	+	+	+	Е	-	+
Frangas, K. Jerry (D)	HD 4	73	NA	NA	NA	NA	+	+	+	+	+	+	+	+	-	-	-
Fritz, Timothy (R)	HD 51	18	8	18	NA	NA	-	-	-	-	-	+	+	-	-	-	-
Garcia, Michael (D)	HD 42	55	92	71	NA	NA	-	-	+	-	-	+	+	+	+	-	+
Hall, Dale (R)	HD 48	36	NA	NA	NA	NA	-	-	-	-	-	+	+	+	-	-	+
Harvey, Ted (R)	HD 64	18	17	NA	NA	NA	-	-	-	-	-	+	+	-	-	-	-
Hefley, Lynn (R)	HD 20	55	18	24	18	13	-	-	-	+	-	+	+	+	+	-	+
Hodge, Mary (D)	HD 36	73	100	82	NA	NA	+	+	+	+	-	+	+	+	+	-	-
Hoppe, Diane (R)	HD 65	36	42	0	33	11	-	-	-	-	-	+	+	+	+	-	-
Jahn, Cheri (D)	HD 24	64	73	47	NA	NA	-	-	+	+	+	+	+	+	+	-	-
Johnson, Ramey (R)	HD 23	27	NA	NA	NA	NA	-	-	-	-	-	+	+	+	-	-	-
Judd, Joel (D)	HD 5	100	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+
King, Keith (R)	HD 21	36	18	19	25	11	-	-	-	+	-	+	+	-	-	-	+
Larson, Mark (R)	HD 59	82	75	35	67	11	+	+	+	+	+	+	+	+	+	-	-
Lee, Don (R)	HD 28	27	17	24	17	11	-	-	-	-	-	+	+	-	-	-	+
Lundberg, Kevin (R)	HD 49	27	NA	NA	NA	NA	-	-	-	-	-	+	+	-	-	-	+
Madden, Alice (D)	HD 14	100	100	100	NA	NA	+	+	+	+	+	+	+	+	+	+	+
Marshall, Rosemary	(D)HD 8	80	83	69	NA	NA	+	+	+	+	-	+	+	Ε	+	-	+
May, Mike (R)	HD 44	27	NA	NA	NA	NA	-	-	-	-	-	+	+	+	-	-	-

2003 House Votes

- Anti-e E Excus NA Not Ap	nvironment nvironment ed pplicable d a Partial Te	erm					SB236: \$2 Billion Dam Financing Referendum	SB236: Basin of Origin Amendment	HB1092: Logging for Water	Financing for Water Projects	Water Quality	Conservation Easements for Water	In-stream Water Donations	Renewable Energy Standard	HB1295: Renewable Energy Amendment	SB67: Undermining Local Land Use Authority	Radioactive Waste Disposal
		2003 Score	2002 Score	2001 Score	2000 Score	1999 Score	SB236: \$2 Bill	SB236: Basi	HB1092: Lo	SB126: Fina	HB1146: Wa	HB1008: Con	HB1320: In-	HB1295: Re	HB1295: Re	SB67: Undern	HB1358: Ra
	Dist.	%	%	%	%	%	1	2	3	4	5	6	7	8	9	10	11
McCluskey, Bob (R)	HD 52	36	NA	NA	NA	NA	-	-	-	-	-	+	+	+	+	-	-
McFadyen, Buffie (D) HD 47	100	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+
Merrifield, Mike (D)	HD 18	100	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+
Miller, Carl (D)	HD 61	55	50	12	42	56	+	+	-	+	+	+	+	-	-	-	-
Mitchell, Shawn (R)	HD 33	27	25	19	17	13	-	-	-	-	-	+	+	-	-	-	+
Paccione, Angie (D)	HD 53	91	NA	NA	NA	NA	-	+	+	+	+	+	+	+	+	+	+
Plant, Tom (D)	HD 13	91	100	96	100	100	+	+	+	+	+	+	+	+	+	-	+
Pommer, Jack (D)	HD 11	100	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+
Ragsdale, Ann (D)	HD 35	45	92	71	100	89	+	+	+	-	-	+	+	-	-	-	-
Rhodes, Pam (R)	HD 31	10	25	18	NA	NA	-	-	-	-	-	+	Е	-	-	-	-
Rippy, Gregg (R)	HD 57	91	58	24	NA	NA	+	+	+	+	+	+	+	+	+	-	+
Romanoff, Andrew (D)HD 9	91	100	94	NA	NA	+	+	+	+	+	+	+	+	+	-	+
Rose, Ray (R)	HD 58	73	NA	NA	NA	NA	+	+	-	+	+	+	+	+	-	-	+
Salazar, John (D)	HD 62	82	NA	NA	NA	NA	+	+	+	+	+	+	+	+	-	-	+
Sanchez, Desireé* (D) HD 2	100	100	82	NA	NA	NA	NA	Е	NA	NA	Е	+	+	Е	NA	NA
Schultheis, David (R		22	33	18	NA	NA	-	-	Е	-	-	Е	+	-	-	-	+
Sinclair, William (R)	HD 16	27	50	35	25	22	-	-	-	-	-	+	+	-	-	-	+
Smith, Matt (R)	HD 54	55		65	33	33	+	+	-	+	+	+	+	-	-	-	-
Spence, Nancy (R)	HD 39		42	19	33	11	-	-	-	-	-	+	+	+	+	-	-
Spradley, Lola (R)	HD 44	73		12	17	11	-	+	-	+	+	+	+	+	+	-	+
Stafford, Debbie (R)		33		18	NA	NA	-	-	-	-	-	+	+	Е	E	-	+
Stengel, Joe (R)	HD 38	40		32	58	11	-	-	+	Е	-	+	+	-	-	-	+
Tochtrop, Lois (D)	HD 34	100		71	92	100	+	+	+	+	+	+	+	+	+	+	+
Veiga, Jennifer (D)	HD 3	91		88	100	89	+	+	+	+	+	+	+	+	+	+	-
Vigil, Valentin (D)	HD 32		83	88	92	100	+	+	+	+	-	+	+	+	+	+	+
Weddig, Frank (D)	HD 43		83	57	NA	NA	-	-	+	-	-	+	+	+	-	+	+
Weissmann, Paul (D)HD 12		NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+
White, AI (R)	HD 56			24	NA	NA	+	+	-	+	+	+	+	-	-	-	+
Wiens, Tom (R)	HD 45		NA		NA	NA	-	-	-	+	+	+	+	+	+	-	+
Williams, Suzanne (I		64			100	67	+	+	+	-	-	+	+	+	-	-	+
Williams, Tambor (R			33	29	45	11	-	-	-	+	+	+	+	+	+	-	+
Witwer, John (R)	HD 25		50	29	75	67	-	-	-	+	-	+	+	+	-	-	+
Young, Brad (R)	HD 63	45	17	24	17	22	-	-	-	-	+	+	+	+	-	-	+

FOR INFORMATION ON ENVIRONMENTAL ISSUES IN COLORADO, CONTACT:

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www.wccongress.org	970-249-1978	Western Colorado Congress
www.rmc.sierraclub.org	303-861-8819	Sierra Club –Rocky Mountain Chapter
www.sanjuancitizens.org	970-259-3583	San Juan Citizens Alliance
www.nwf.org	303-786-8001	National Wildlife Federation
www.lcv.org	303-572-1600	League of Conservation Voters
www.lawfund.org	303-444-1188	Land and Water Fund of the Rockies
www.environmentaldefense.org	303-440-4901	Environmental Defense
www.environmentcolorado.org	303-573-3871	Environment Colorado
www.earthjustice.org	303-623-9466	Earthjustice Legal Defense Fund
www.cotrout.org	303-440-2937	Colorado Trout Unlimited
www.coloradowildlife.org	303-987-0400	Colorado Wildlife Federation
www.ourcolorado.org	303-534-7066	Colorado Environmental Coalition
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www.auduboncolorado.org	303-415-0130	Audubon Colorado
www.cleanwateraction.org	303-839-9866	Clean Water Action



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