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° Wildlife related issues only

* Organizations listed for identification purposes only
Welcome to the 2009 Conservation Scorecard, created by Colorado Conservation Voters (CCV) in partnership with conservation leaders throughout the state. CCV turns conservation values into priorities by advocating for strong environmental policies, endorsing pro-environment candidates, and holding elected officials accountable. This marks the thirteenth year CCV has published the scorecard.

The scorecard provides factual, nonpartisan information about how each member of the Colorado State Legislature voted on a range of conservation issues. To compile this scorecard, CCV asked the respected experts listed on the opposite page to select the most important conservation votes of the year. The scorecard includes only those House and Senate votes on which the conservation community clearly communicated its position to legislators, and except in rare circumstances, excludes non-controversial consensus votes.

We encourage you to examine the scores of your legislators and match your conservation values with their votes. We also encourage you to call or write your legislators and let them know you follow their environmental scores. Phone numbers and email addresses can be found at www.coloradoconservationvoters.org.

CCV greatly appreciates all of the lawmakers who work so hard for the people of Colorado.

Special thanks go to Ellynne Bannon, Ben Prochazka, Carrie Curtiss, and Pam Kiely for their work preparing this document.

Carrie Doyle
Executive Director
Colorado Conservation Voters
2009 OVERVIEW

Over the past few years Colorado has become a national leader in the New Energy Economy, passing a 20 percent renewable energy standard, generating more than $10 billion in gross revenues and 88,000 jobs through investments in clean energy. Colorado has the potential to fully realize the benefits of a clean energy economy in the next few decades, with estimates showing that the state could generate up to 600,000 new jobs and $62 billion in revenue by 2030 in the renewable energy and efficiency fields.

In 2009, the conservation community worked to expand upon these successes by prioritizing legislation to:

- Expand Colorado’s clean energy production and increase energy efficiency;
- Expand sustainable transportation options for Coloradans; and
- Safeguard our water, wildlife, and communities from the impacts of oil and gas drilling.

Overall the Colorado State Legislature kept a sharp focus on building the New Energy Economy as a strategy for spurring economic development and creating jobs amidst the economic recession while also making a long-term investment in Colorado’s future.

HIGHLIGHTS

The legislature passed a suite of solar bills, including House Bill (HB) 1149 to make solar a standard option on all new homes, HB 1312 to create a low-interest loan fund for schools to invest in renewable energy improvements such as solar and wind systems, and HB 1126 which extends the sales and use tax exemption to heat water using solar power. The legislature passed HB 1345 which creates a framework to build transmission lines so Colorado can meet our renewable energy needs and export clean power.

In addition, Senate Bill (SB) 39 passed allowing rural electric cooperatives to create market-based incentives to drive smarter energy use, save customers money, and cut energy use.

The legislature also passed landmark legislation, HB 1292, to protect Colorado’s water, wildlife, and communities from the impacts of oil and gas drilling. The legislation marks the end of a two-year long effort that included support from sportsmen, conservationists, local government officials, public health advocates, and rural landowners.
Ensuring that impacts of oil and gas drilling are minimized is essential to protect water supplies and preserve the state’s $10 billion a year outdoor recreation industry.

Colorado also made important steps toward modernizing and maintaining a 21st Century transportation infrastructure with SB 108 or FASTER, which marked a turning point for state transportation policy by dedicating $15 million annually to transit, bike and pedestrian safety.

LOWLIGHTS

The legislature had mixed success advancing energy efficiency solutions. Energy efficiency plays a key role in green recovery efforts because investments create jobs while cutting energy use for homes and businesses, allowing for more money to go into local economies. Investing in energy efficiency is the cleanest, cheapest way to meet our electricity demand.

While a measure to allow rural electric cooperatives to implement tiered pricing rates passed, HB 1323 – which would have required large rural electric cooperatives to create energy efficiency programs similar to those already offered by Xcel Energy – failed in the House. The bill failed due in large part to lobby efforts by Intermountain Rural Electric Association, the state’s largest electric cooperative known for funding efforts to fight clean energy investment and global warming solutions. The bill would have saved $85 million and created 200 new jobs.

CONCLUSION

Over the past three years Colorado has gone from laggard to leader in installed renewable energy and cutting-edge energy efficiency programs. The legislature has played a key role in this transformation. This year the state continued to make significant progress by investing in clean energy, green transportation and protections from the most harmful impacts of oil and gas drilling. Despite these successes, much work remains to be done. We need to move from creating a framework to execution of a clean energy transmission infrastructure. We need to continue to push our utilities to produce more of their electricity from renewable sources. And, we must ensure that all Coloradans can benefit from energy efficiency investments.
BEHIND THE SCENES

Every year the scorecard highlights key conservation votes taken by the full legislature, but many times important decisions are made by a small number of legislators in committees who decide whether or not a bill moves forward to a full vote.

In 2009, the conservation community defeated nearly a dozen anti-environmental bills in committee with a combination of advocacy, constituent calls and letters, and strong leadership from key members in the legislature.

While we don’t score these decisions, they are important and have significant impact on Colorado’s environment. Below are brief highlights of some of the bills that were defeated in committee. This year many of these bills sought to support the oil and gas industry at the expense of protections to our water, wildlife, and communities.

HB 1167, sponsored by Representative Wes McKinley and Senator Kevin Lundberg, would have prohibited the Colorado Oil and Gas Conservation Commission from creating rules to protect wildlife if the rules adversely impacted oil and gas drilling. The bill was defeated in the House Committee on Agriculture, Livestock, & Natural Resources.

SB 04, sponsored by Senator Greg Brophy and Representative Laura Bradford, would have put a one year moratorium on the implementation of critical new oil and gas protections for water, wildlife, and communities. The bill was defeated in the Senate Committee on State, Veterans, & Military Affairs.

HB 1255, sponsored by Representative Cory Gardner and Senator Mike Kopp, would have allowed oil and gas operators to proceed with drilling without consulting with the Department of Natural Resources or the Division of Wildlife to determine if wildlife would be negatively impacted. The bill was defeated in the House Committee on Agriculture, Livestock, & Natural Resources.

SB 220, sponsored by Senator Kevin Lundberg and Representative Kent Lambert, would have created an unfair tax loophole for commercial oil shale producers, despite the fact that oil shale production is not commercially viable and the energy and water requirements are unknown. The bill was defeated in the Senate Committee on State, Veterans, & Military Affairs.

HB 1098, sponsored by Representative Randy Baumgardner and Senators Greg Brophy and Mike Kopp, would have directed the Colorado Public Utilities Commission to streamline the approval process and for cost recovery of ‘clean coal’ projects. Companies have not been successful in making coal clean – it remains a polluting energy source. The bill was defeated in the House Committee on Transportation & Energy.
House Bill 1067: Healthy Rivers
(House Vote #1, Senate Vote #1)
HB 1067, sponsored by Representative Jack Pommer and Senator Al White, creates a financial incentive for water rights owners to donate water to the state in order to improve the health of our rivers. HB 1067 creates incentives by giving an income tax credit when water is donated to the state. These donations will put more water in Colorado’s rivers and bolster the state’s critical recreational industries, such as fishing and white-water rafting, adding much-needed revenue and jobs in Colorado’s rural communities. HB 1067 passed the House 56-8 and the Senate 31-4. YES was the pro-environment vote.

Senate Bill 108: Transportation System Planning and Funding – Tolling Amendments
(House Vote #2, Senate Vote #2)
As introduced, SB 108 or FASTER, included the authority to toll on existing roads to raise money and alleviate congestion, as long as 100 percent of the affected local communities in the area to be tolled approve of the action. This tool is pro-environment because tolling encourages people to reduce trips during peak hours, take alternative modes of transportation, and it can be used to raise money to build transit. In the Senate, this provision was stripped out of the bill on an amendment by Senator Mary Hodge and then put back into the bill through an amendment by Senator Dan Gibbs on a 20-15 vote. In the House, Representative Edward Casso introduced an amendment to strip the tolling provision out of the bill. The Casso amendment failed on a 34-31 vote. YES on the Gibbs amendment was the pro-environment vote in the Senate. NO on the Casso amendment was the pro-environment vote in the House.

House Bill 1284: Traffic Reduction Planning
(House Vote #3, Senate Vote #3)
HB 1284, sponsored by Representative Claire Levy and Senator Suzanne Williams, would have encouraged local governments, the Colorado Department of Transportation, and metropolitan planning organizations to plan together to accommodate for increased traffic. The bill would have helped to ensure that those who approve development coordinate with those who build and maintain highways, so taxpayer dollars are used efficiently. The bill passed the House 36-27 and failed in the Senate 15-16 on a committee of the whole vote. YES was the pro-environment vote.
Senate Bill 94: Create Transit and Rail Division  
(House Vote #4, Senate Vote #4)

SB 94, sponsored by Senator Suzanne Williams and Representative Claire Levy, creates a much-needed transit and rail division within the Department of Transportation to plan for and develop a statewide transit system. Historically states and the federal government have spent the lion’s share of transportation funding on building, expanding, and fixing highways and roads. As traffic congestion, air pollution from automobiles, and greenhouse gas emissions have increased, this focus is slowly changing. More attention is now being paid to building a sustainable transportation system, with rail, bus, and other transit options. This bill will play an important role in developing these options. The bill passed the House 39-26 and the Senate 24-11. YES was the pro-environment vote.

House Bill 1331: Fuel Efficient Cars  
(House Vote #5, Senate Vote #5)

HB 1331, sponsored by Representative Sara Gagliardi and Senator Betty Boyd, modernizes and extends the hybrid vehicle tax credit. HB 1331 supports the “next generation” of hybrid, compressed natural gas, and alternative fuel vehicles. The bill extends the tax credit, removes low-performing vehicles from qualifying for credits, and adds critical incentives for plug-in hybrid electric vehicles – the cleanest cars on the market. The bill passed the House 61-4 and the Senate 28-7. YES was the pro-environment vote.

House Bill 1312: Renewables for Schools  
(House Vote #6, Senate Vote #6)

HB 1312, sponsored by Representative Andy Kerr and Senators Gail Schwartz and Chris Romer, creates an innovative financing program to provide schools access to affordable clean energy by offering them low-interest loans. HB 1312 will give school districts the tools they need to participate in building a clean energy economy by helping avoid the upfront costs of renewable energy improvements. By producing energy on-site with wind and solar, schools can reduce their utility bills, create a buffer against future energy price spikes, and put more money toward educating our children. The bill passed the House 43-21 and the Senate 23-12. YES was the pro-environment vote.

House Bill 1312: House Amendment – Renewables for Schools  
(House Vote #7)

During the floor debate on HB 1312, Representative Carole Murray passed an amendment that dramatically limited the usefulness of the bill by requiring a school district to first be turned down by a private lender before it could take advantage of the financing program through the state. This would have effectively eliminated the opportunity for the school district to benefit from a lower interest
loan offered through the Renewables for Schools program. Representative Andy Kerr’s amendment stripped the Murray provision. The Kerr amendment passed the House 36-28. YES on the Kerr amendment was the pro-environmental vote.

House Bill 1149: Solar Ready Homes
(House Vote #8, Senate Vote #7)

HB 1149, sponsored by Representative Mike Merrifield and Senator Morgan Carroll, makes clean energy more accessible to more Coloradans by requiring developers to offer new homebuyers the option to have their homes pre-wired for solar. Just as homeowners currently are offered options for counter tops or appliances, Coloradans will now have the opportunity to choose to power their homes with clean energy and reduce their monthly energy bills. Making an investment in solar up front during construction reduces the overall cost for the system, shortens the payback time, and gives a homebuyer the ability to roll the cost directly into their mortgage. The bill passed the House 57-6 and the Senate 24-9. YES was the pro-environment vote.

Senate Bill 39: Consumption Based Energy Pricing
(House Vote #9, Senate Vote #8)

SB 39, sponsored by Senator Gail Schwartz and Representative Kathleen Curry, enables cooperative utilities to use a market-based mechanism to help cut back on residential energy consumption and drive smarter consumer choices about energy use. Cooperative utilities can now adopt graduated rates based on energy consumption, allowing them to reward customers who conserve electricity and to help drive others to use energy more efficiently. SB 39 passed the House 48-16 and the Senate 25-9. YES was the pro-environment vote.

“Working together with conservationists we were able to pass several bills that help nurture Colorado’s burgeoning clean energy economy. With continued support from the legislature, these green shoots will blossom and bear fruit, creating new jobs here in the state.”

– Eriks Brolis, Namaste Solar
Senate Bill 51: Renewable Energy Incentives  
(House Vote #10, Senate Vote #9)

SB 51, sponsored by Senator Morgan Carroll and Representative Claire Levy, encourages renewable-energy development in Colorado by making incentive programs more widely available. SB 51 facilitates several different financing options, including third party leases, for residential and business clean energy improvements and efficiency upgrades. By reducing the up front costs for renewable energy systems and large-scale efficiency improvements, we can make clean energy more accessible to Coloradans of all income levels and continue to build the clean energy industry, bringing new jobs to the state. SB 51 passed the House 40-24 and the Senate 24-11. YES was the pro-environment vote.

“It was critical to work with conservationists and others so that we could pass legislation creating new jobs, in the clean energy industry, for Coloradans and union members. Joining forces helped us to pass legislation that significantly increases the capacity of Colorado businesses to develop new technologies, create new jobs, and save consumers money on their energy bills.”  
– Mike Cerbo, Colorado AFL-CIO

House Bill 1292: Updated Oil and Gas Drilling Protections  
(Senate Vote #10)

HB 1292, sponsored by Representative Anne McGihon and Senator Jennifer Veiga, ratified new protections, ensuring that oil and gas drilling is done responsibly while also protecting Colorado’s water, wildlife, and communities. The landmark protections, the first comprehensive updates in decades, were passed unanimously by the Colorado Oil and Gas Conservation Commission in December of 2008 and reflect substantial input from local governments, the oil and gas industry, landowners, sportsmen and conservation groups. HB 1292 passed the Senate 21-13. YES was the pro-environment vote.

House Bill 1292: House Anti-Wildlife Amendment  
(House Vote #11)

Representative Cory Gardner offered an amendment to HB 1292 that would have stripped critical wildlife protections by mandating that wildlife concerns could not be the basis for denial of a drilling permit, and giving landowners an absolute veto over all recommended wildlife measures. The amendment failed in the House 28-37. NO was the pro-environment vote.
House Bill 1292: House Anti-Health & Wildlife Amendment

*(House Vote #12)*

On this same bill Representative Cory Gardner offered an amendment that would have significantly reduced the ability of the Department of Public Health and Environment and the Division of Wildlife to intervene in drilling decisions on behalf of public health or wildlife. The amendment failed in the House 27-37. **NO was the pro-environment vote.**

House Bill 1292: Senate Anti-Health & Wildlife Amendment

*(Senate Vote #11)*

Senator Josh Penry offered an amendment to HB 1292 that would have made significant changes to the updated oil and gas drilling protections, including eliminating the ability of the Colorado Department of Public Health and Environment and the Division of Wildlife to provide consultation on the impacts of a potential oil and gas development. Additionally, the amendment would have required that a landowner consent to any proposed drilling location changes that would better protect public health or wildlife. The amendment failed in the Senate 12-21. **NO was the pro-environment vote.**

Senate Bill 235: Habitat Stamp Reauthorization

*(Senate Vote #12)*

SB 235, sponsored by Senators Dan Gibbs and Jim Isgar and Representative Mike Merrifield, reauthorizes the Habitat Stamp program to protect wildlife habitat, streamline the process for wildlife enthusiasts to support habitat conservation, and assure that conservation projects are chosen fairly. Hunting and fishing in Colorado generates $1.8 billion for the economy and supports 21,000 full-time jobs, so protection of wildlife habitat is critical to the future of tourism and recreation. The bill faced tremendous opposition in the House Agricultural, Livestock, & Natural Resources Committee, led by the Colorado Farm Bureau and Cattleman’s

“The new oil and gas protections for water, wildlife and our communities were the top priority for the sportsman community. In spite of the intense lobbying effort by the powerful oil and gas industry to keep the protections from passing the coalition of sportsmen and other conservationists was able to succeed and pass these landmark protections.”

– Ivan James, Colorado Bowhunters Association
Association. Ultimately an anti-environmental amendment offered by Representative Cory Gardner passed. The amendment will delay implementation of the program and requires a legislative review of the program before and during the 2010 legislative session. Leaders in the sportsman and environmental community will work over the summer to make sure that SB 235 moves forward as passed by the Senate. SB 235 passed the Senate 24-11. **YES was the pro-environment vote.**

“The approval of rules to implement the Habitat Stewardship Protection Act is a remarkable achievement for the wildlife conservation community and will help ensure Colorado’s wildlife heritage and natural resource-based economies will be passed on to future generations.”

– Suzanne O’Neil, Colorado Wildlife Federation

**SB 03: Auto Emissions Reduction**

*(House Vote #13, Senate Vote #13)*

SB 03, sponsored by Senator Bob Bacon and Representative Randy Fischer, expands the vehicle emission program to include Larimer and Weld Counties. Ground level ozone pollution is a serious public health concern. It can cause asthma attacks, has lead to increased emergency room visits, and may contribute to premature death in people with heart and lung disease. In 2007, the Environmental Protection Agency designated the Denver Metro and North Front Range areas as out of compliance with healthy ozone standards. While the state is working vigorously to reduce ozone pollution in these areas, changes are needed to meet tough new national ozone standards. SB 03 requires that vehicles in Larimer and Weld Counties go through the same emissions check system that currently exists in the Denver Metro area, as well as ensure that the worst polluting vehicles get repaired. SB 03 passed the Senate 20-13 and the House 36-29. **YES was the pro-environment vote.**

Find your state legislators – You can find your state legislators online at www.coloradoconservationvoters.org, just click on the 2009 scorecard link and follow the instructions.
### 2009 Senate Votes

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### 2009 House Votes

**KEY**
- **✓** Pro-environment
- **–** Anti-environment
- **E** Excused
- **NA** Not applicable
- ***** Served a partial term
- **Bold** 100% score in ’09

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— 12 —
## 2009 House Votes

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