COLORADO CONSERVATION VOTERS

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* Organizations listed for identification purposes only

** Wildlife related issues only
Welcome to the 2011 Conservation Scorecard, created by Colorado Conservation Voters (CCV) in partnership with conservation leaders throughout the state. Colorado Conservation Voters turns conservation values into Colorado priorities by advocating for strong environmental policies, endorsing pro-conservation candidates, and holding elected officials accountable. This marks the 15th year CCV has published the scorecard.

The scorecard provides factual, nonpartisan information about how each member of the 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 invite you to examine the scores of your representative and your senator and to see if your conservation values match your legislators’ votes. We encourage you to call or write your representatives and let them know you follow their environmental scores. Phone numbers and email addresses of your elected officials can be found at www.coloradoconservationvoters.org.

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

Pete Maysmith, Executive Director
Colorado Conservation Voters
2011 OVERVIEW

The Good, the Bad and the Ugly

The 2011 legislative session marked the first time in several years that there were not clear, pro-conservation majorities in both chambers. This new political dynamic meant that while the conservation community continued to champion and pass critical, pro-active bills, there were also more attacks on past conservation victories than in recent years.

The good news is that Coloradans once again reminded legislators that there is strong and deep support for our state’s spectacular environment. Clean air and water, protecting open spaces, improving our public health, and valuing the job creation associated with clean energy investment are all core values in Colorado.

The Colorado legislature passed an historic Regional Haze State Implementation Plan (SIP) that moves the State dramatically forward in improving air quality and public health. The approval of the SIP was the final phase of the Clean Air, Clean Jobs Act passed in 2010, and included the accelerated retirement of several metro-area coal plants. While ensuring that Colorado’s electricity will now come from a cleaner mix of resources including more renewable energy and efficiency, the Colorado legislature also again remained committed to making sure natural gas is developed responsibly to protect air quality across the state as it plays a role in our energy future.

In addition, legislators unanimously passed two important water bills. While we did not score these bills because they both passed the House and Senate unanimously, they are worthy of mention. HB 1083 adds hydroelectricity and pumped hydroelectricity to the list of technologies that the Public Utilities Commission may give fullest possible consideration to when considering generation acquisitions for electric utilities. HB 1274 continues important funding to the Colorado Water Conservation Board.

We were also successful in laying down another building block to keep the New Energy Economy growing. HB 1199 will guarantee fair pricing for solar permit fees, which is essential to ensure Colorado’s solar industry continues to develop and create valuable jobs.

The less good news: As a result of the changed political dynamic at the capitol and split partisan control of the legislature, fewer bills, whether environmental efforts or otherwise, made it through both the House and the Senate. Conservation bills addressing energy efficiency and recycling were introduced but did not become law.
Defensive victories: Numerous bills were introduced that would have moved our state backwards in environmental protections and rolled back bi-partisan, common sense solutions that have made Colorado a leader in the New Energy Economy.

For example, HB 1271 would have prohibited Xcel Energy from using a tiered rate structure. This not only would have led to increased energy consumption and therefore more pollution but would have increased electricity rates for 70% of Xcel’s customers, including those most vulnerable to price increases.

“Further attacks included efforts to strip the Public Utility Commission from considering environmental impacts and job creation when making regulatory decisions. Other detrimental bills introduced would have rolled back the Renewable Energy Standard to only 10% and would have changed or eliminated portions of the state implementation plan for regional haze, therefore jeopardizing the state’s comprehensive emissions reduction strategy. Three bills were introduced that would have dismantled FASTER, a critical bill passed in 2010 that provides vital transportation infrastructure improvements and promotes increased public transportation.

Finally, a bill was introduced to change the composition of the Colorado Oil and Gas Conservation Commission. The bill would have returned the COGCC to the era when it was an imbalanced entity, disproportionately favoring the oil and gas industry without designated voices to speak for public health and the environment.

Thanks to the efforts of our legislative champions, coalition allies, and Coloradans in general, the conservation community successfully blocked more than a dozen bills to move backwards on policies that have created jobs, protected our air and water and made Colorado a national conservation leader.

These proactive and defensive victories lead The Denver Post to declare the Conservation Community one of the “winners” of the 2011 legislative session.

“The Latina Initiative worked with the conservation community to oppose HB 1271 because we believe that people should pay for their fair share of energy usage. Those families who want to conserve either out of economic necessity or out of desire to protect the environment should be rewarded and not be forced to subsidize high energy consumers.”

– Amber Tafoya, Executive Director, Latina Initiative

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“...with ‘New Energy Economy’ but a faint echo, environmental interests played a lot of defense, fending off measures that would have undone last year’s Clean Air, Clean Jobs bill, rolled back the state’s renewable-energy standard and slashed gains previously made on the Oil and Gas Conservation Commission.”

– Naming conservationists as one of the “winners” in their annual Winners and Losers list, Denver Post, May 15, 2011

— 3 —
In addition, the conservation community worked hard with the Joint Budget Committee and allies to be part of important fiscal conversations and ensure that budget cuts were not made at the expense of Colorado’s air, land and water.

“COFPI is pleased to work with the conservation community to address the many fiscal issues facing our state. The weakness of our fiscal situation undermines all our efforts to keep and make Colorado the place we want to live, work and recreate. The conservation community is a key partner in figuring out solutions to our fiscal crisis to move Colorado forward.”
– Carol Hedges, Director, Colorado Fiscal Policy Institute

Committee and Leadership Recognition

This scorecard captures recorded floor votes, which are a fundamental, measurable gauge of where legislators stand on the key conservation issues of the day. While these scored votes are the baseline of any effort to quantify a legislator’s actions, committee activity and behind-the-scenes leadership are also important elements of protecting the environment at the state capitol.

This year, more than in recent past years, much of the critical work done to better our environment happened at the committee level. Following are some, but certainly not all, of the legislators who were instrumental in committee and otherwise in 2011.

Senators Bob Bacon, Betty Boyd and Rollie Heath. Many of the most egregious attacks on Colorado’s environment were killed in the Senate State, Military, and Veterans Affairs committee. These three senators consistently defended Coloradans’ public health and the New Energy Economy by stopping anti-conservation bills.

Representatives Kevin Priola and Marsha Looper worked on critical conservation issues and were able to work effectively with others in their Party to mitigate flawed energy proposals that would have limited the Public Utility Commission’s ability and authority. In addition, Rep. Priola worked closely with conservation leaders to ensure a bill to limit large commercial diesel truck idling was successful in protecting air quality.

Speaker Frank McNulty and Senate Majority Leader John Morse set aside partisan political differences in order to pass the Colorado Haze State Implementation Plan to implement groundbreaking air quality legislation.

Senate President Brandon Shaffer exercised strong leadership in working with his caucus and standing strong even when under significant political pressure. His leadership was critical to the passage of this year’s air quality, diesel idling standards, and pro-solar power legislation and in killing numerous anti-environment bills.

Representative Randy Fischer has been dedicated to solving Colorado’s electronic waste problem. Instead of recycling our computers and television
screens, much of our e-waste ends up in landfills or shipped overseas. In 2009, Rep. Fischer worked on legislation to create the Electronic Device Recycling Task Force. This year he introduced HB 1244 to require electronics manufacturers to be a responsible player in recycling their products. The bill was ultimately defeated in the House. Senator Gail Schwartz, a long time conservation champion who has led the charge on many bills on clean energy and green jobs, also introduced an e-waste recycling bill. Her bill, SB 269, passed the Senate but was later defeated in the House Agriculture, Livestock and Natural Resources Committee. The work of both Representative Fischer and Senator Schwartz has laid the groundwork for future bills on this critical issue.

Representative Keith Swerdfeger and Senator Angela Giron from Pueblo worked hard across the aisle on numerous issues to protect public health and the environment. Both worked diligently to build consensus on a smart clean energy storage proposal, worked hard on a water bill to allow for small scale, hydro power and were leaders in brokering a bipartisan compromise on air quality modeling.

Department of Wildlife and State Parks Merger

The legislature passed SB 208 this session. The measure combines the Divisions of Wildlife with Parks and Outdoor Recreation and has a goal of increasing efficiencies and cost savings while still providing the same, or better services. Some in the conservation community, including many sportsmen, voiced concerns about the proposed merger. Concerns centered on the lack of perceived benefits to wildlife and doubts about whether efficiencies could be realized without major disruptions to or loss of important wildlife programs. Also, some felt that due to the compressed timeline of the bill, alternative options for creating efficiencies were not fully explored. In addition, a key concern voiced was the threat of a “diversion” of game cash dollars (paid for hunting and fishing licenses) from wildlife uses. If such diversions were to take place, it would result in the loss of more than $20 million yearly in federal aid grants.

Moving forward, sportsmen and the entire conservation community are focused on ensuring that the transition process be transparent and provide robust opportunities for stakeholders and the public at large to provide input with a goal of helping the merger to be a success.
House Bill 1291: State Implementation Plan for Regional Haze

HB 1291, sponsored by House Speaker Frank McNulty and Senate Majority Leader John Morse, approved Colorado’s Regional Haze State Implementation Plan (SIP). HB 1291 marks the final step in implementing last year’s groundbreaking air quality legislation, HB10-1365. The SIP includes critical strategies resulting from last year’s Clean Air, Clean Jobs effort – specifically the retirement of five metro-area coal-fired power units operated by Xcel Energy by 2017. The approved SIP will reduce harmful emissions by more than 70,000 tons per year by 2018, a dramatic improvement from the plan Colorado submitted a few short years ago. The reductions included in the SIP resulting from the Clean Air, Clean Jobs Act account for more than half of these reductions, and will generate more than $200 million per year in public health benefits over current emissions levels. The bill passed the House 58 to 7 and the Senate 25 to 10. YES was the pro-environment vote.

“Encana remains encouraged by our recent and ongoing partnership with the Colorado conservation community. Our work together this year on the State Implementation Plan for Regional Haze secures Colorado’s forward-thinking energy policy decisions for generations to come, creating new jobs and improving air quality up and down the Front Range.”
– Lem Smith, Encana

House Bill 1223: Changing the Make-up of the Oil and Gas Conservation Commission

HB 1223, sponsored by Representative Ray Scott and Senator Steve King, proposed to change the composition of the Colorado Oil and Gas Conservation Commission. The bill would have eliminated the voting role of the Department of Natural Resources and the Department of Public Health and the Environment. It also would have added two more oil and gas industry-associated members, thus giving industry control of five of
the Commission’s nine votes. These changes would have favored industry and jeopardized the environment, wildlife and public health. HB 1223 passed the House 34-31 before failing 0-3 in the Senate State, Veteran and Military Affairs Committee. **NO was the pro-environment vote.**

**House Bill 1223: Changing the Make-up of the Oil and Gas Conservation Commission – No Conflict of Interest Amendment**  
*(House Vote #3)*

Representatives Dickey Lee Hullinghorst and Mark Ferrandino offered an amendment to HB 1223 to prevent conflicts of interest among those who serve on the Colorado Oil and Gas Conservation Commission (COGCC). HB 1223 would have changed the composition of the COGCC by eliminating a voting role for the Department of Natural Resources and the Department of Public Health and the Environment and would have upset the balance that has been critical in passing wildlife and public health protections. The Hullinghorst-Ferrandino amendment would have required all members of the Commission to conduct themselves in a way that prevents the appearance of impropriety or of conflict of interest. Under the amendment, members would be required to abstain from any financial, business and social dealings as well as owning stock, securities or other financial interests related to companies regulated by the Commission. Currently royalty owners, company stock holders, or individuals who are financially tied to the industry are able to make decisions about oil and gas development. The Hullinghorst-Ferrandino amendment failed 31-34 in the House. **YES was the pro-environment vote.**

**House Bill 1312: Energy Office Reorganization**  
*(House Vote #4)*

HB 1312, sponsored by Representative Jon Becker and Senator Mary Hodge, proposed to broaden the scope of the Clean Energy Fund that the legislature created in 2007 to promote renewable energy and energy efficiency with language that included any locally-sourced energy such as coal, nuclear, and oil and gas – mature industries that are already well-subsidized at the state and federal level. Additionally, it would have altered the mission of the Governor’s Energy Office and backed away from the focus on promoting renewable energy and energy efficiency. For years the legislature and the people of Colorado have worked to ensure the state is a national leader in clean energy by focusing aggressively on promoting renewable energy and energy efficiency; HB 1312 sent the wrong signal that Colorado was going backwards. The bill passed the House 35-30 and was defeated in the Senate Local Government Committee in a 2-3 vote. **NO was the pro-environment vote.**
House Bill 1222: Public Utility Commission Authority
(House Vote #7)
By the time HB 1222, sponsored by Representative Kathleen Conti and Senator Lois Tochtrop, reached the House floor for debate it had become a clear referendum on the clean energy efforts undertaken by the Colorado Public Utilities Commission, the renewable energy and energy efficiency focus of the Governor’s Energy Office, and the integrity of both entities. HB 1222, as amended out of House Transportation Committee, called for an unnecessary and narrowly-defined study to be submitted to the General Assembly on energy rate cases. Numerous amendments were offered to expand the scope of the study to at least deliver information that would provide a complete picture to lawmakers, but those changes were rejected. Additionally, the legislative declaration included anti-conservation language stating that the promotion of renewable energy and energy efficiency “frequently conflicts with the interests of the public as consumers and ratepayers,” ignoring the rate-stabilizing and long-term consumer benefits to diversifying the energy portfolio. The bill died on the House floor 27 to 37. **NO was the pro-environment vote.**

House Bill 1312: Energy Office Reorganization - Protecting the Clean Energy Fund Amendment
(House Vote #5)
Representative Claire Levy introduced an important amendment to HB 1312. As introduced, a provision of HB 1312 included promoting “locally-sourced” energy by re-crafting the Clean Energy Fund into an innovative energy fund. Rep. Levy introduced an amendment to eliminate the ability for limited state dollars to be directed towards incentivizing development and research for nuclear power, an already well-subsidized industry that carries incredible risk to our public health and environment. The amendment excluded nuclear power from the innovative energy fund and failed on a 28 to 37 vote. **YES was the pro-environment vote.**

House Bill 1199: Fair Solar Permitting
(House Vote #6, Senate Vote #2)
HB 1199, sponsored by Representative Bob Gardner and Senator Bob Bacon, modernizes and extends the fair permitting legislation for solar systems passed in 2008. Current law restricts counties and municipalities from charging unreasonable fees for permitting residential and nonresidential solar energy systems; this legislation extends the sunset of the restrictions and applies fee limitations to state government as well. Keeping permitting fees fair is a crucial step in sustaining a healthy solar energy industry that can continue to generate good jobs across the state. The bill passed the House 64 to 1 and the Senate 33 to 2. **YES was the pro-environment vote.**

“It was great to partner with the conservation community to keep Colorado on track as a national leader in renewable energy. By staving off detrimental changes to our renewable energy standard, we saved jobs in Colorado and protected our environment. Also, the passing of HB 1199 cut down on costly red tape and helped us continue to lower the cost of solar energy. It is great to move forward together and keep the solar industry in Colorado strong.”

– TJ Slocum, REC Solar

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Senate Bill 269: Electronics Recycling Act
(Senate Vote #3)
SB 269, introduced by Senator Gail Schwartz and Representatives Andy Kerr and Joe Miklosi, would have required all recyclers of specified electronic products to be certified by the state and to comply with processing standards. The Colorado Department of Public Health and Environment would provide the public via its website with a list of certified electronic waste recyclers. HB 269 addressed a serious problem in Colorado where approximately 84% of electronic waste ends up in landfills or shipped overseas. Such devices contain large amounts of toxic metals and other toxins that threaten Colorado’s air, water and land. SB 269 sought to assure citizens that their electronic waste is recycled in a safe and responsible manner. It passed the Senate 19-15 but failed in the House Agriculture, Livestock and Natural Resources Committee 4-8. YES was the pro-environment vote.

House Bill 1275: Idling Standard for Commercial Trucks
(House Vote #8, Senate Vote #4)
HB 1275, sponsored by Representative Kevin Priola and Senators Nancy Spence and Suzanne Williams, creates an idling standard for large commercial diesel trucks. The standard limits idling to five minutes per hour, with exceptions for conditions involving traffic, safety, operations, low temperature, and resting. Along with helping to clean up the state’s air, the standard will work at the local level to protect the health of vulnerable populations, including children and the elderly. Following initial passage in the House, HB 1275 was amended in the Senate to strengthen health and environmental protections. The amended bill passed the Senate 24-11. The House voted to concur with the Senate amendments 56-8. YES was the pro-environment vote.

House Bill 1220: Funding for State Highway Projects
(House Vote #9)
HB 1220, sponsored by Representative Don Beezley and Senator Suzanne Williams, would have created a tax increment financing tool to use taxpayer-funded subsidies to build state highway projects and retail development on “underdeveloped” lands, including farmlands. The bill would have pitted communities against each other in competition for sales tax revenue, would have favored transportation projects in the five metropolitan areas of Colorado above rural transportation projects and fueled sprawl development. HB 1220 passed the House 33-30 before failing 2-3 in the Senate State, Veteran and Military Affairs Committee. NO was the pro-environment vote.
House Bill 1116: Local Government Waste Services  
(House Vote # 10)

HB 1116, introduced by Representative Libby Szabo and Senator Greg Brophy, would have required municipalities to gain voter approval for any change in waste services. By requiring municipalities to gain voter approval the bill would have required expensive elections and created a disincentive for municipalities to change their waste services in ways that would encourage recycling, improve efficiency or add consumer protections. HB 1116 passed the House 33-32 and died in the Senate Local Government Committee 1-3. NO was the pro-environment vote.

“The environmental community’s position on HB11-1116 was principled and their lobbying on the issue was focused, professional and effective.”
– Geoff Wilson, Colorado Municipal League

House Bill 1082: Weld and Larimer Counties Clean Air Exemptions  
(House Vote #11)

HB 1082, introduced by Representative Glenn Vaad and Senator Scott Renfroe, would have exempted both Weld and Larimer counties from participating in the vehicle emissions testing clean air program. The Front Range is frequently out of compliance for ozone levels. Ozone is a regional problem that does not recognize geographic or political boundaries. High ozone concentrations are often experienced in areas that are some distance from the source of the emissions and the highest source of ozone pollution is from vehicles. If this bill would have passed, Colorado would have seen an increase in ozone pollution which can cause severe health problems including asthma and heart disease. HB 1082 passed the House 34-31 and died in the Senate Agriculture, Natural Resources and Energy Committee 3-4. NO was the pro-environment vote.

Senate Bill 267: Forest Biomass Use Work Group  
(House Vote #12, Senate Vote #5)

SB 267, sponsored by Senator Gail Schwartz and Representatives Don Coram and Millie Hamner, creates a Forest Biomass Use Work Group that will recommend ways to market and harvest wood for biomass energy development in a sustainable manner. Emphasis will be placed on facilitating active forest management to protect critical forested areas of the state in a responsible way that ensures wilderness and habitat protection. The Work Group will be convened by the Colorado State Forester and include representatives from several state agencies, the Forest Health Advisory Council, and the U.S. Forest Service. The Public Utilities Commission is directed to provide support to the Work Group. A final report is due to the legislature by January 1, 2012. SB 267 passed the Senate 26-8 and the House 59-6. YES was the pro-environment vote.

Find your state legislators.  
To learn who your state legislators are online, just go to www.coloradoconservationvoters.org, and type in your zip code.
## 2011 Senate Votes

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### 2011 House Votes

**KEY**

- **✓** Pro-environment
- **–** Anti-environment
- **E** Excused
- **Bold** 100% score in 2011

*Rep. Jones served from 1986–1993 prior to the creation of the scorecard, therefore his previous votes are not reflected in his lifetime score.

**Dist. 1 2 3 4 5 6 7 8 9 10 11 12**

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### 2011 House Votes

**KEY**
- **✓** Pro-environment
- **–** Anti-environment
- **E** Excused
- **Bold** 100% score in 2011

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**Members**

- **Looper, Marsha (R) HD 19**
- **Massey, Tom (R) HD 60**
- **McCann, Elizabeth (D) HD 45**
- **McKinley, Wes (D) HD 64**
- **Miklosi, Joe (D) HD 9**
- **Murray, Carole (R) HD 43**
- **McKee, B.J. (R) HD 49**
- **Pabon, Dan (D) HD 4**
- **Peniston, Cherylin (D) HD 35**
- **Priola, Kevin (R) HD 30**
- **Ramirez, Robert (R) HD 29**
- **Riesberg, Jim (D) HD 50**
- **Ryden, Su (D) HD 36**
- **Schafer, Sue (D) HD 24**
- **Scott, Ray (R) HD 54**
- **Solano, Judy (D) HD 31**
- **Sonnenberg, Jerry (R) HD 65**
- **Soper, John (D) HD 34**
- **Stephens, Amy (R) HD 20**
- **Summers, Ken (R) HD 22**
- **Swalm, Spencer (R) HD 37**
- **Swerdfeger, Keith (R) HD 47**
- **Szabo, Libby (R) HD 27**
- **Todd, Nancy (D) HD 41**
- **Tyler, Max (D) HD 23**
- **Vaad, Glenn (R) HD 48**
- **Vigil, Edward (D) HD 62**
- **Wallar, Mark (R) HD 15**
- **Williams, Angela (D) HD 7**
- **Wilson, Roger (D) HD 61**
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For information on conservation issues in Colorado, contact:

- Alliance for Sustainable Colorado 303-572-1536 www.sustainablecolorado.org
- Audubon Colorado 303-415-0130 www.auduboncolorado.org
- Center for Native Ecosystems 303-975-6975 www.nativeecosystems.org
- Colorado Association for Recycling 303-975-6975 www.cafr.org
- Colorado Bowhunters Association 303-733-7666 www.coloradobowhunting.org
- Colorado Conservation Voters 303-333-7846 www.coloradoconservationvoters.org
- Colorado Environmental Coalition 303-534-7066 www.ourcolorado.org
- Colorado Mountain Club 303-279-3080 www.cmc.org
- Colorado Trout Unlimited 303-440-2937 www.cotrout.org
- Colorado Wildlife Federation 303-987-0400 www.coloradowildlife.org
- Environment Colorado 303-573-3871 www.environmentcolorado.org
- Environmental Defense Fund 303-440-4901 www.edf.org
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- Sierra Club 303-861-8819 www.sierraclub.org
- The Wilderness Society 303-861-8819 www.sierraclub.org
- Western Colorado Congress 303-440-4001 www.wccongress.org
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