

## 2009 Legislative Session Review



Latina Initiative (LI) believes that with information, resources and training opportunities women of all ages develop the tools to set their own agendas about issues important to the health and well-being in their own lives and to their families and community.

During the 2009 Legislative session, LI took a position on many bills that would affect Colorado Latinas and their families throughout Colorado. It was through our emails, media outreach and events that community members learned about specific pieces of legislation and were asked to take action and contact their elected representatives.

LI took a position on a total of 17 bills.

Of the five that we strongly supported we are very pleased that four passed and deeply disappointed that one failed:

- **HB 1293: Colorado Healthcare Affordability Act**, *signed into law on April 21, 2009*
- **HB 1260: Designated Beneficiary Agreements**, *signed into law on April 9, 2009*
- **SB 228: Flexibility To Use State Revenues**, *signed into law on June 3, 2009*
- **HB 1064: Economic Opportunity Poverty Task Force**, *signed into law on June 2, 2009*
- **SB 170: Non-Discrimination in Higher Education Funding**, *failed during 2nd reading in the Senate*

Of the seven that we supported six passed and one failed. None of the bills we opposed became law this year. Many of the bills we opposed targeted immigrants and voter accessibility. A large portion of the bills we followed this session fell under our Economic Justice & Civil Rights platform.

### Legislation **Strongly Supported** by Latina Initiative

#### PASSED

#### HEALTHCARE:

##### **HB 1293: COLORADO HEALTHCARE AFFORDABILITY ACT**

**Sponsors:** Sens. Keller and Boyd & Reps. Riesberg and Ferrandino

**Position:** *Strongly Support*

**Status:** *Signed by the Governor on April 21, 2009*

This bill would assess a fee on hospitals and uses the revenue to obtain matching federal dollars. This money will be used to expand Medicaid and Child Health Plan Plus (CHP+) and reduce uncompensated care and cost-shifting by increasing Medicaid and Colorado Indigent Care Program (CICP) reimbursement rates to hospitals.

LI strongly supported this bill because it will expand access to healthcare to more than 100,000 uninsured Coloradans. This financing strategy has already been used by more than 40 states. House Bill 1293 has already drawn bi-partisan support and has more than 20 organizational endorsers.

## **ECONOMIC JUSTICE & CIVIL RIGHTS:**

### **HB 1260: DESIGNATED BENEFICIARY AGREEMENTS**

**Sponsors** Rep. Ferrandino & Sen. Veiga

*Position: **Strongly Support***

*Status: Signed by the Governor on April 9, 2009*

HB 1260 provides a low-cost, convenient mechanism for un-married adults to choose the person to take care of them in medical emergencies and provide for them in the event of their death. HB 1260 is a new estate planning tool which will not cost anything to the state because the small administrative fee will cover the costs of the program.

LI strongly supported this bill because it positively impacts elderly Latinas/os and those who cannot afford traditional estate planning tools by giving them a new option to help plan their end-of-life decisions more easily. LI's Executive Director, Dusti Gurule, wrote an op-ed piece to the Denver Post.

### **SB 228: FLEXIBILITY TO USE STATE REVENUES**

**Sponsors** Sen. Morse & Reps. Marostica and Court

*Position: **Strongly Support***

*Status: Signed by Governor on June 3, 2009*

SB 228 is a monumental budget reform bill that repeals the Arveschoug-Bird 6% formula, stabilizes transportation funding, strengthens the state's reserves, and puts Colorado in a stronger position to withstand and recover from recessions. This legislation will not increase spending or taxes, but it will increase the accountability of legislators by allowing them the opportunity to fund priorities and not be constrained by formulas.

LI strongly supports this bill because SB 228 will help Coloradans keep their legislators accountable to the budget by focusing on issues that are vital to our citizens and our state and not through strict formulas.

### **HB 1064: ECONOMIC OPPORTUNITY POVERTY TASK FORCE**

**Sponsors** Sen. Sandoval and Rep. Kefalas

*Position: **Strongly Support***

*Status: Signed by the Governor June 2, 2009*

HB 1064 creates the economic opportunity poverty reduction task force. Specifies the duties of the task force, including assessing current policies & practices in Colorado that promote economic opportunity and poverty reduction and developing and implementing a strategic, integrated and comprehensive plan to reduce the number of Coloradans living in poverty, especially families and children by 50% by 2019.

LI strongly supports this bill because we believe that a comprehensive approach is needed to tackle expanding economic opportunities. This bill will achieve this by looking at the full spectrum of issues that affect poverty; including food, healthcare, housing, child care, disabilities, utilities, domestic violence, education and other issues; and look for realistic ways to reduce poverty and expand economic opportunity for all Coloradans but especially for Latinas/os.

FAILED

**EDUCATION:**

**SB 170: NON-DISCRIMINATION IN HIGHER EDUCATION FUNDING**

**Sponsors** Sen. Romer & Rep. Miklosi

*Position: **Strongly Support***

*Status: Senate Second Reading Lost*

Senate Bill 170 will allow a student - regardless of immigration status - to pay the same tuition as a resident student for a Colorado public institution of higher learning. The requirements a student must meet in order to pay the in-state tuition rate include: 1) must attend a Colorado public or private high school for at least 3 years, 2) must graduate from a public or private high school in Colorado OR obtain a general equivalency diploma (GED) in Colorado, 3) must apply and be admitted to a Colorado institution of higher education within 12 months of graduating or obtaining a GED, 4) must sign an affidavit saying they will follow proper procedures to secure legal citizenship, 5) the individual will not be eligible for state funded financial aid or the college opportunity fund (COF).

While we were disappointed that SB 170 did not pass during this legislative session, it was a great example of community involvement and direct communication with our legislators. It was a focus of the 2009 Latina/o Advocacy Day Rally on the steps of the capitol. However, this struggle is far from over. We must remain positive that our voice have and will continue to make a difference both at the State Capitol and in our communities.

**Legislation **Supported** by Latina Initiative**

PASSED

**EDUCATION:**

**HB 1319: Colorado ASCENT – Accelerating Students through Concurrent Enrollment**

**Sponsors:** Reps. Merrifield & Massey and Sen. Williams

*Position: **Support***

*Status: Signed by the Governor on May 21, 2009*

The Colorado ASCENT proposal would allow high school students to earn a diploma while simultaneously completing a college associate's degree. It opens enrollment to all academically eligible students and removes arbitrary enrollment restrictions based on age or grade. It attempts to chart a new mission for concurrent enrollment programs by serving a wider range of students, particularly those that represent communities with historically low college participation rates. Colorado ASCENT also sets high expectations for all students and will provide the access and support to school districts necessary to increase the rigor of high school diplomas throughout the state. LI supports the ASCENT bill because it provides a way for Latina/o students to jump start their careers by allowing them by facilitating the ease in obtaining a high school diploma and a college degree. This will have a positive impact in our communities by making college degrees more easily obtained by our students.

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## **IMMIGRATION:**

### **HB 1353: MEDICAL BENEFITS FOR LEGAL IMMIGRANTS**

**Sponsors:** Rep. Miklosi and Sen. Foster

**Position:** *Support*

**Status:** *Sent to Governor*

HB 1353 would remove the barrier to health care access that currently exists for legally present pregnant mothers and children. The bill would allow the state to cover them through Medicaid and the Child Health Plan Plus without the current five-year waiting period.

## **ECONOMIC JUSTICE & CIVIL RIGHTS:**

### **SB 110: SUNSET REVIEW OF THE COLORADO CIVIL RIGHTS COMMISSION AND DIVISION**

**Sponsors:** Sen. Morse & Rep. Levy

**Position:** *Support*

**Status:** *Sent to the Governor*

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

LI supports SB 110 because there is still a need to protect Latinas/os against discrimination in the workplace, public accommodations and housing.

### **HB 1057: PARENTAL LEAVE ACADEMIC ACTIVITIES**

**Sponsors:** Rep. Kerr & Sen. Bacon

**Position:** *Support*

**Status:** *Signed by the Governor on June 1, 2009*

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

LI supports HB 1057 because it would allow Latina/o parents to take time off work to participate in their children's education without worry of being fired.

## **ELECTION & VOTING SPECIFIC:**

### **HB 1186: VOTE BY MAIL/MAIL BALLOT DELIVERY**

**Sponsors** Rep. Levy & Sen. M. Carroll

**Position:** *Support*

**Status:** *Signed by the Governor on April 3, 2009*

HB 1186 allows voters to sign up for permanent vote by mail ballots and allows the vote by mail voter to return their ballot an early voting location or any polling place on election day. This bill provides voters with more options for returning ballots and decreases voter confusion by streamlining return ballot practices.

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## **HB 1160: SECURE ELECTRONIC VOTER INFORMATION**

**Sponsors:** Rep. Miklosi & Sen. Bacon

*Position:* **Support**

*Status:* Signed by the Governor on May 15, 2009

Allows Colorado citizens with Colorado drivers licenses to register to vote online through the Colorado Secretary of State's website. LI supports this piece of legislation because it will increase opportunities to and make it easier for eligible voters to register to vote.

FAILED

## **HB 1170: UNEMPLOYMENT INSURANCE EMPLOYEE LOCKOUT**

**Sponsors:** Rep. Casso & Sen. Tochtrop

*Position:* **Support**

*Status:* Vetoed by the Governor on May 20, 2009

This bill allows union members who are locked out during labor negotiations to collect unemployment benefits. HB 1170 would have helped Colorado's working families by restoring balance to Colorado law and helping workers who have their backs against the wall by ensuring they don't lose their unemployment benefits if they get laid off.

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## **Legislation Strongly Opposed by Latina Initiative**

FAILED

### **IMMIGRATION:**

## **SB 266: NONCITIZEN ELIGIBILITY OLD AGE PENSION**

**Sponsors:** Sen. Tapia & Rep. Pommer

*Position:* **Oppose**

*Status:* Postponed Indefinitely in the Senate Committee on Appropriations

SB 266 would have removed elderly lawful permanent residents from the state's Old Age Pension (OAP) Program and accompanying Medical Benefits, keeping them from needed financial and medical assistance.

LI strongly opposed this bill because SB 266 would have put some of the most at-risk individuals in danger by removing them from Colorado's OAP program and taking crucial medical benefits away from them.

## **SB 023: FAIR & LEGAL EMPLOYMENT FOR COLORADANS ACT**

**Sponsors:** Sen. Schultheis & Rep. Lambert

*Position:* **Oppose**

*Status:* Postponed Indefinitely by the Senate State, Veterans & Military Affairs Committee

Repeals the current requirements imposed on employers to examine the legal work status of new employees and instead creates the "Fair and Legal Employment for Coloradans Act" which requires all nongovernmental employers in the state to participate in the federal electronic verification program (e-verify program) for purposes of verifying the work eligibility status of all new employees hired by an employer.

The Latina/o Advocacy Day platform states that employment verification systems that deter the employment of people of color should not be required. The federal e-verify program is flawed and does not contain accurate information. This bill could harm workers by requiring employers to verify work eligibility with a system that has been demonstrated to be inaccurate and ineffective.

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## **SENATE JOINT MEASURE 009**

*Position: **Oppose***

*Status: Laid Over on Senate Third Reading*

While symbolic in nature, SJM 009 uses language from the Governor's Task Force on Immigration convened last fall which, sadly, did much to criminalize immigrants. The resolution, hence, offers support from the Colorado Assembly to expand 287(g) programs that deputize local police officers as ICE agents along with other programs that will further criminalize undocumented immigrants. As part of LI's Immigration Platform, we are opposed to the criminalization of immigrants. We also believe that all law enforcement entities should respect human rights and civil liberties. LI strongly opposed this measure.

### ***ELECTION & VOTING SPECIFIC:***

#### **HB 1115: DEFINE ID FOR VOTING**

**Sponsors** Rep. Summers & Sen. Renfroe

*Position: **Oppose***

*Status: Postponed Indefinitely by the State, Veterans & Military Affairs Committee*

Requires the identification used for election-related purposes be a valid, government-issued form of identification with a photograph of the eligible elector. Requiring photo ID would disenfranchise the elderly, disabled, people of color (including Latinas/os) and low-income individuals from the voting process.

#### **HB 1146: PROOF OF CITIZENSHIP TO REGISTER TO VOTE**

**Sponsors** Rep. McNulty & Sen. Scheffel

*Position: **Oppose***

*Status: Postponed Indefinitely by the State, Veterans & Military Affairs Committee*

HB 1146 requires a person who applies to register to vote to provide proof of citizenship.

This bill would disenfranchise many members of our community who do not have proof of citizenship readily available when they register to vote such as a birth certificate, naturalization documents or U.S. passport. It would be another deterrent on citizens who want to participate in one of the most important civic duties. It would disenfranchise the elderly, disabled, people of color and low-income individuals from the voting process.

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