

COLORADO LEGISLATIVE CONSERVATION SCORECARD

2008



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Colorado Conservation  Voters

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KNOW THE SCORE!

Colorado Conservation Voters

Welcome to the 2008 Legislative 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 educating voters, endorsing candidates, and holding elected officials accountable. This marks the twelfth year CCV has published the scorecard.

CCV fights to protect Colorado's water, wildlife, and majestic mountain landscapes. We believe that electing strong conservation leaders, from both parties, is essential to winning lasting protections for our environment and setting a course for a more sustainable future. We also believe that we must hold all of our elected leaders accountable. Every year Colorado legislators make decisions that impact the quality of our lives and the conservation legacy we pass on to our children. It is sometimes difficult to know where your representatives stand on critical conservation issues. This scorecard is one tool to help you learn if your representatives are in step with your conservation values or not. This information, as well as scorecards for every year since 1997, is available on the web at www.ColoradoConservationVoters.org.

The CCV scorecard provides factual, nonpartisan information about how each member of the legislature voted on a range of conservation issues. To compile the 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. Scored votes cover a range of policy issues on energy, water, wildlife, and growth.

While useful, the scores included here provide only one component of each legislator's conservation record. For example, a lawmaker's score doesn't capture the work that is done in committee and doesn't reflect leadership taken to urge colleagues to support a pro-environment position. The issue overviews highlight some of the most important committee actions and recognize sponsors and champions.

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 see how individual lawmakers stack up in the chart that begins on page 15. Members are listed alphabetically, with their district numbers next to their names. To determine your member of the House and Senate, check the maps on pages 10 and 11 or go on-line to www.vote-smart.org for help.

We encourage you to examine the scores of your representative and your senator and match your values with your legislators' votes. If your legislators scored high, it's important to thank and support them. If your legislators scored low, it's important to hold them accountable by letting them know what you think about their votes. We encourage you to call or write your representatives and let them know you follow their environmental scores. Should you wish to contact your legislators, you may write them at 200 E. Colfax Ave., Denver, CO 80203. Phone numbers and email addresses can be found at <http://www.leg.state.co.us/>.

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

Special thanks go to Carrie Curtiss, Pam Kiely, Elise Jones, Susan LeFever, Becky Long, Stephanie Thomas and especially Christina Sanchez Werner for their hard work preparing this document.

Carrie Doyle
Executive Director

2008 LEGISLATIVE SESSION

OVERVIEW

Solar energy, healthy rivers, and smart growth. These were the key policy priorities conservationists identified in 2008 because of the importance of these issues in addressing global warming, protecting our environment, investing in Colorado jobs, and strengthening our economy. At the close of the legislative session in May, conservation leaders were joined by business leaders at the state capitol to declare the session a win-win for the environment and the economy.

GLOBAL WARMING

If 2007 was the year Colorado got the New Energy Economy up and running, this was the year for bringing the New Energy Economy home – and to give every Coloradan a chance to participate in building our new energy future. The cornerstone of the clean energy agenda was the Go Solar package which received early support from both house leadership and the Governor. Through partnerships with solar companies, industry organizations, agricultural groups, labor unions, and local governments, a suite of bills passed that will remove barriers and create incentives for renewable energy in Colorado to move us all forward in solving global warming.

The first to pass this session, House Bill (HB) 1160, sponsored by Representative Judy Solano and Senators Brandon Shaffer and Jim Isgar, put in place state-wide “net metering” policies to ensure that customers of rural electric cooperatives (REA’s) and municipal utilities (munis) receive a fair price for the clean energy they produce and send onto the grid. By creating a shorter payback period for those homeowners and businesses that invest in clean energy systems, more rural Coloradans can participate in the new energy economy.

Another big step forward in removing barriers to clean energy was HB 1350, championed by Representative Alice Madden and Senator Chris Romer. Under HB 1350 cities and counties will be able to provide low interest loans to home and business owners to cover the upfront cost of clean energy improvements so more people can afford to invest in these solutions.



The final part of the Go Solar campaign was focused on setting the stage for larger, utility scale solar power plants to be built in Colorado, helping places like the San Luis Valley and Southeastern Colorado to also take advantage of the economic development opportunities presented by the new energy economy. HB 1164, sponsored by Representative Judy Solano and Senator Gail Schwartz, authorizes the Public Utilities Commission (PUC) to consider specific environmental and economic benefits of large-scale solar projects as a way to meet the state’s energy needs. HB 1164 also authorized the PUC to consider the cost of global warming pollution emissions in deciding whether utilities should buy energy from coal plants, wind farms or solar power plants – allowing them to follow the lead of major businesses and utilities to effectively plan for future costs.

By giving the PUC the ability to use carbon as a value in resource planning decisions, HB 1164 represented the first time that the Colorado General Assembly took a substantive step forwards in giving regulators the tools they need to explicitly address global warming. As such, the bill generated strong ideological opposition and debate was long and fierce, especially in the House. A critical moment for this measure came in its first committee vote.

KEY COMMITTEE VOTE: House Bill 1164 – New Solar Energy Technologies

The House Transportation & Energy Committee gave HB 1164 its first approval 8-5 after 2.5 hours of debate. Numerous opposition amendments were championed by Reps. Swalm, Sonnenberg, McNulty, and Marostica. Committee Chair Buffie McFadyen worked effectively with her colleagues to thwart the attempts to sabotage the bill, as well as to kill an additional amendment that would have exempted Tristate G+T from the bill's provisions and taken Colorado even further away from a comprehensive, statewide energy policy. *YES was the pro-environment vote.*

YES: Borodkin, Fischer, Levy, Merrifield, Primavera, Rice, Green, McFadyen
NO: Marostica, McNulty, Vaad, Swalm, Sonnenberg

There were a host of other clean energy bills that moved forward this session as well, and conservationists also worked with Senator Shawn Mitchell and Representative Frank McNulty to pass Senate Bill (SB) 117 to equalize permitting fees for solar installation ensuring predictability and a level-playing field for the industry and the customers. With SB 147 Senator Ken Gordon and Representative Mary Hodge built upon last year's successful effort to require state buildings to meet a high performance efficiency standard and expanded the scope to include projects done through the Division of Housing. Representative Andy Kerr and Senator Ron Tupa worked hard to pass HB 1270, ensuring that Homeowners Associations cannot bar the use of home energy saving devices. Finally, Representative Bernie Buescher and Senator Jennifer Veiga, through HB 1387, extended state assistance to low-income families for home heating and critical efficiency upgrades so they can keep their energy use, and their bills, down for the long-term.

We do have some unfinished business from this session. While we applaud the House for passing HB 1107, sponsored by Representative Claire Levy and Senator Jennifer Veiga, this legislation to create a requirement so all utilities have to work to help their customers cut their energy use was significantly weakened by an amendment from Senator Chris Romer in committee, and then ultimately was killed by Senator Dave Schultheis and Senator Abel Tapia. A Statewide Utility Efficiency Program would save consumers an estimated \$600 million between 2008 and 2020, and is one of the most important ways to help Colorado meet its clean energy and global warming goals. This policy will be back as a top priority next session.

KEY COMMITTEE VOTE: House Bill 1107 – Muni-Coop REA Electric Energy Efficiency

During the Senate committee on State, Veterans, & Military Affairs an amendment by Senator Chris Romer significantly weakened the bill. *YES was the pro-environment vote.*

YES: Windels, Romer
NO: Schultheis, Tapia
Excused: Cadman

This session, the conservation community was committed to giving all Coloradans the opportunity to be a part of helping build this new energy economy, and we celebrate great progress.

WATER

2008 brought some of the highest snowfalls we've seen in more than a decade here in Colorado. It also brought us an exciting legislative session as we worked to pass our Healthy Rivers campaign. This exciting campaign will ultimately mean more water flowing in Colorado's rivers. In an arid state like Colorado, even our large rivers and streams can be at risk of drying up. This package of bills provides the preventative medicine needed in many areas and will aid recovery efforts on rivers and streams which are currently drying out.

Our biggest success in the Healthy Rivers campaign was the passage of HB 1280, sponsored by Representative Randy Fischer and Senator Gail Schwartz. This bill protects water right holders who choose to lease or loan water to the state and will encourage greater use of the instream flow program. Since 1973 the state has had the authority to acquire water rights for the benefit of the environment, but in more than three decades, they have only had a handful of water rights donated to this program. A diverse group of water users including farmers, ranchers, conservation groups, sportsmen, water providers, recreationists and local governments, all recognized the need to remove barriers in current laws to help protect water right holders who choose to use their water to help keep Colorado's rivers flowing.

The Healthy Rivers campaign also included important funding components. The annual Colorado Water Conservation Board Projects bill, HB 1346 sponsored by Representative Kathleen Curry and Senator Jim Isgar, will provide up to \$1 million annually to be used to acquire water rights to keep water running in streams and rivers. Additionally SB 168, by Senator Isgar and Representative Curry, allocates \$500,000 annually from the Species Conservation Trust Fund to support instream flows aimed at conserving native species that are threatened, endangered or at risk of becoming so. Finally Representative Jack Pommer and Senator Dan Gibbs introduced HB 1369, which aimed to create a tax incentive for water right holders who choose to donate their water rights to the state on a permanent basis, but unfortunately this measure did not pass.

KEY COMMITTEE VOTE: House Bill 1369 - Incentives for Donation of Water Rights

This bill died in the Senate Committee on State, Veterans and Military Affairs, by only one vote. Senator Abel Tapia joined Senators Bill Cadman and David Schultheis in voting against the bill to defeat it in committee. The bill would have created a tax incentive for water right holders who wish to permanently donate their water rights to the state to protect Colorado rivers and streams. *YES was the pro-environment vote.*

YES: Romer, Windels

NO: Tapia, Cadman, Schultheis

Leadership from Governor Ritter's administration, the Department of Natural Resources and the Colorado Water Conservation Board were key components of the passage of the Healthy Rivers campaign legislative agenda.

This session we also saw HB 1222, by Representative Frank McNulty and Senator Ted Harvey, which aimed to expand the definition of "renewable energy resources" to include pumped hydroelectricity and low-impact hydroelectricity. As originally introduced, this measure had troubling provisions that might have negatively impacted rivers and streams. Because of the complexity of ensuring that hydroelectric energy production is done in an environmentally sensitive way, the proposal was sent to an Interim Water Resources Review Committee for further study.

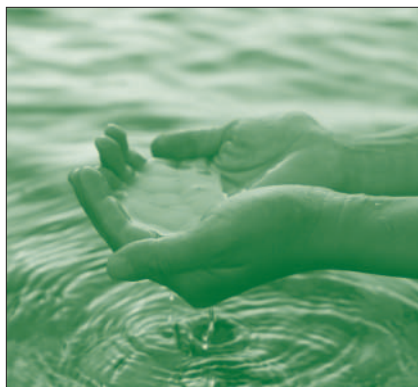
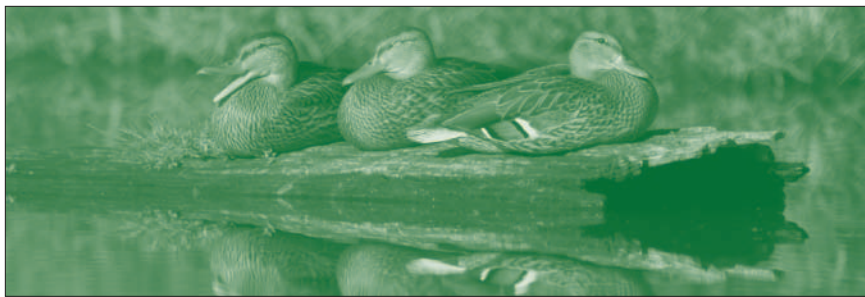


Photo by John Gale

SMART GROWTH & TRANSPORTATION

Colorado's population is predicted to grow at a rate of a million new people every decade for the next thirty years. The conservation community's goal is to see this growth occur in a smart way that maximizes our financial resources, conserves our open space and natural resources, and reduces our carbon footprint.

This year the legislature considered two big issues involved in planning for growth – water supply and the link between land use planning and transportation planning. HB 1141 by Representative Kathleen Curry and Senator Bob Bacon requires developers to prove to local governments that they have an adequate water supply for subdivisions of 50 or more units before they can receive a development permit to build the subdivisions.

As the link between growth and global warming becomes clearer, creating sound growth policies becomes ever more essential. The sprawling growth patterns we have seen in Colorado and across the country over the last century have put people ever farther from where they work, shop, go to school and worship. This has caused Coloradans to drive more and more miles every year, emitting more air and global warming pollution and causing more stress on our aging roads and bridges. Colorado cannot afford to support this kind of sprawling growth anymore.

HB 1312, sponsored by Representative Claire Levy, attempted to address these problems by ensuring that land use planning and transportation planning in Colorado are done together. HB 1312's goal was to efficiently direct Colorado's limited transportation dollars to cost-effective projects that would reduce traffic jams and global warming pollution, rather than to wasteful projects that increase sprawl and taxpayer costs. However, Representative Levy decided to withdraw HB 1312 in committee so that she can do more outreach over the summer and come back next year with an improved bill in 2009. The good news is that this important discussion got started this session and will help us build toward a win on this issue in 2009.

SPORTSMEN AND ENVIRONMENTALISTS – PARTNERS FOR WILDLIFE AND HABITAT PROTECTION

Sportsmen and environmentalists both consider themselves conservationists and have long had common interests in preserving wildlife and wildlife habitat. Again this year these communities enthusiastically worked together on several pieces of legislation to promote habitat protection and wildlife preservation.

For over a year, the Division of Wildlife, the Sportsmen’s Caucus, and the Sportsmen’s Advisory Committee have been working towards legislation for better enforcement of existing off-road vehicle (OHV) regulations on federal lands. This was spawned by recognition of the extensive habitat damage and game movement caused by illegal OHV use. With the assistance of Senator Lois Tochtrop and Representative Kathleen Curry, and joined by the Colorado Off-Road Vehicle Coalition, HB 1069 was drafted to allow state officers, including Division of Wildlife officers, State Parks officers and county sheriffs to enforce OHV regulations on federal lands. All federal land management agencies are now going to a ‘closed unless posted open’ policy rather than the previous ‘open unless posted closed’ policy. The new legislation allows state officers to enforce federal OHV restrictions in accordance with this new policy. After a debilitating amendment was placed on the legislation by Representative Frank McNulty in the House Agriculture, Livestock & Natural Resources Committee, Representative Kathleen Curry carried the bill on the House floor and got that amendment removed.

HB 1137 by Representative Jerry Sonnenberg and Senator Greg Brophy would have prevented the Division of Wildlife from acquiring any more interests in land or water without disposing of a like amount. This was a bad bill as it would have negated habitat protection afforded by the Habitat Stamp bill and other wildlife habitat funding sources. Effective protests by sportsmen who provided multiple contacts to all of the members of the House Agriculture & Natural Resources Committee along with lobbying help from the environmental community got this bill defeated in committee.

SB 69 by Senator Jack Taylor and Representative Jerry Sonnenberg in its original form would have made it difficult or impossible to obtain convictions for some serious wildlife violations. Opposition by sportsmen, effective negotiations on their behalf by senior Division of Wildlife officials, and assistance from the environmental community got this legislation amended to where it is acceptable to all parties including the district attorney’s association.

Colorado environmental organizations thank sportsmen and women for their dedication and leadership in protecting habitat and wildlife for all of us and for future generations. Fees from sportsmen’s licenses, excise taxes and habitat stamp purchase provide the funding for game management, wildlife research and endangered species conservation, and a significant part of the habitat and access acquisition in Colorado.



RESPONSIBLE MINING & OIL AND GAS DRILLING

As a national debate is underway on reform of outdated mining laws, Colorado made ground-breaking progress by addressing the threat of increased radioactive pollution from uranium mining. The need to protect important parts of our economy such as agriculture and outdoor recreation is becoming more and more important as uranium claims on public lands alone soared from 120 in 2003 to more than 11,000 in 2008.

Not wanting to put Colorado's water, wildlife, and lands up for collateral while rolling the dice on this new uranium boom, the Western Mining Action Project, Citizens Against Resource Destruction (CARD), a grassroots group in Northern Colorado, and other conservation organizations joined to make a process called in-situ leach uranium mining – through which the ore is mined in the aquifer and then removed through a chemical process – a safer bet for our communities and water by passing strong protections for our environment.

HB 1161, the Land & Water Stewardship Bill, sponsored by a team of northern Colorado legislators led by Representatives John Kefalas and Randy Fischer and Senator Steve Johnson, addressed uranium pollution in two ways. First, it protects groundwater used in agriculture by requiring mining companies conducting in-situ leach uranium mining to clean-up after themselves and restore groundwater quality to its pre-mining condition or to state standards. Second, it protects Colorado's public health and environment by requiring all uranium companies to have environmental protection plans as a "designated mining operation," and therefore subject to strong environmental and public health protections. The dedication of the sponsors to this fight for their constituents was unparalleled, but they also worked diligently to address the concerns of the industry every step of the way. The expertise and involvement of the Department of Public Health and Environment, the Department of Natural Resources, and the Governor's Policy Office was also instrumental.

A companion bill, HB 1165 was also introduced this session, sponsored by Representatives Randy Fischer, John Kefalas and Senator Brandon Shaffer, to bring more balance to mining practices in the state, and improve public involvement in decisions affecting their land and water. Unfortunately the mining industry was able to thwart the effort to bring environmental balance to the Mined Land Reclamation Board and to codify the existing authority of local governments over mining operations, and they created enough of an uproar that the House Agriculture, Livestock & Natural Resources Committee voted to kill HB 1165 despite an amendment that was offered to limit the scope of the legislation to public disclosure of all mining prospecting operations.

KEY COMMITTEE VOTE: HB 1165 – Strengthen Mining Reclamation Standards

The House committee on Agriculture, Livestock & Natural Resources voted to kill HB 1165 despite an amendment that was offered to limit the scope of the legislation to public disclosure of all mining prospecting operations. *YES was the pro-environment vote.*

YES: Fischer, McFadyen, Scanlan, Solano, Gallegos, Curry

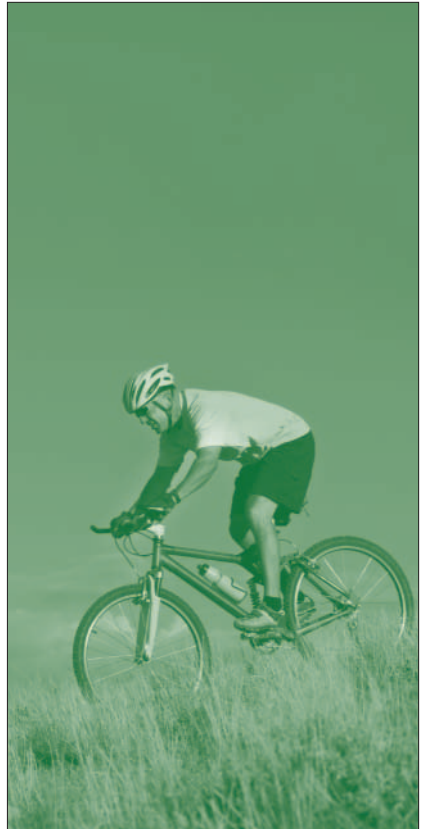
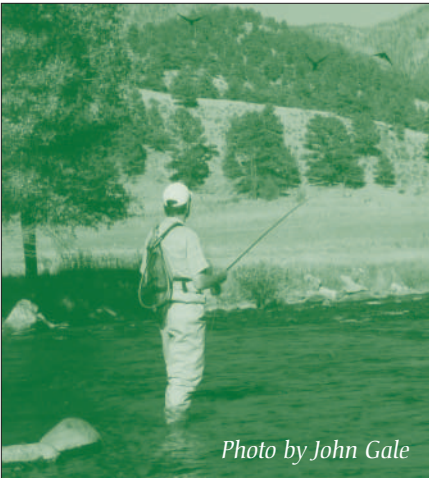
NO: Gardner, Hodge, McKinley, McNulty, Looper, Rose, Sonnenberg

Not to be deterred, Senator Gail Schwartz and Representative Kathleen Curry picked up the reins and introduced SB 228 almost immediately – a bill that mirrored the amendment to HB 1165. The Department of Natural Resources, the mining industry and the conservation community were able to agree to

a proposal that ended the veil of secrecy around prospecting operations while protecting proprietary information. This legislation has brought Colorado in line with every other Western state where public disclosure is the law.

In addition to working to proactively address the coming mining boom, the General Assembly also continued its work from last session and made more progress towards balanced oil and gas drilling.

Oil and gas drilling has continued to boom across Colorado, and there has been a corresponding increase in waste production including evaporative pits. These often unlined evaporation ponds dispose of polluted water by evaporating it into the air – presenting obvious risks to ground water, air quality and wildlife. The rules under the Colorado Department of Public Health and Environment were at least 20 years old and did not reflect advances in technology. Recent problems of leaking clay liners and air quality violations at different facilities demonstrated the need to add additional protections. HB 1414, sponsored by Representative Bernie Buescher and Senator Josh Penry, directs the Solid and Hazardous Waste Commission to promulgate rules to address the environmental concerns associated with evaporative waste pits.



CONSERVATION LEADERS

A lawmaker's voting record tells one part of the story, but factors such as leadership in committee, willingness to bring stakeholders together, and ability to block weakening amendments are all instrumental in passing strong conservation policy. In 2008 we saw leadership from both chambers, both parties and the governor's office. Unfortunately, 2008 is the last year in the legislature for many of these leaders. We wanted to recognize a few of these champions for their years of service.

House Majority Leader Alice Madden sponsored countless environmental bills in her 8 years as a state lawmaker. She championed conservation efforts as a member of the minority party in the House Agriculture Committee when such efforts were doomed before they even got started. And, as Majority Leader Rep. Madden continued to advocate for strong environmental protections and investment in Colorado's New Energy Economy.

Senate Majority Leader Ken Gordon is a lifelong champion for environmental protection. He successfully sponsored many measures over the years including policy to increase the health of our rivers, protect water quality, and spur the state to invest in green building practices.

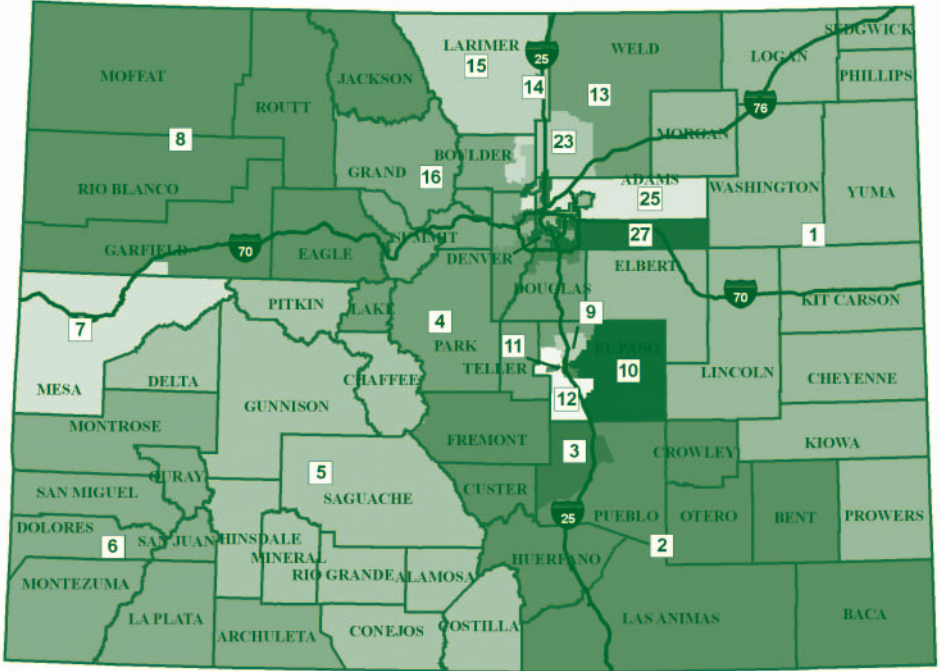
Speaker of the House Andrew Romanoff encouraged the conservation community to be better by building stronger coalitions, reaching out to our opponents and winning bipartisan support.

The conservation community also wants to acknowledge the departure from the General Assembly of two up and coming Republican conservation leaders. **Representative Rob Witwer** has been a leader on clean air protections and investment in renewable energy over his three years in the House. **Senator Steve Ward** also showed himself as a conservation leader supporting clean energy policies during his two years in the Senate.

Being an elected official is hard work. But protecting our environment requires that smart, talented people choose to serve. These lawmakers were instrumental in creating policies that will protect our natural resources and set us on a path to meet the challenge of global warming. The conservation community thanks you for your service.

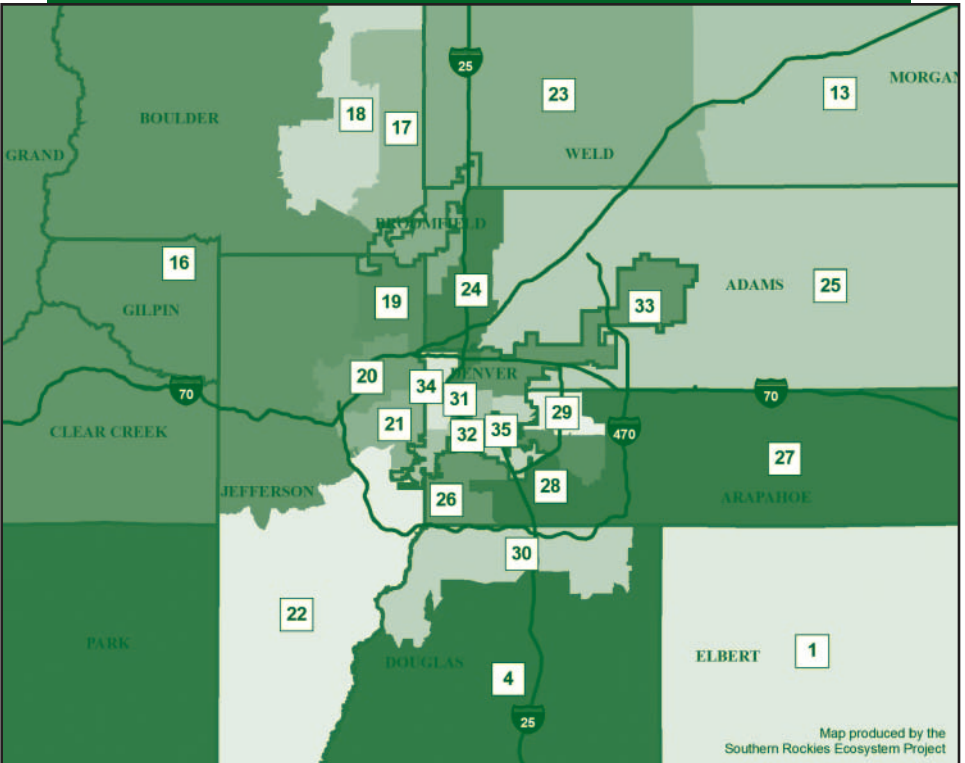


Colorado Senate District Map



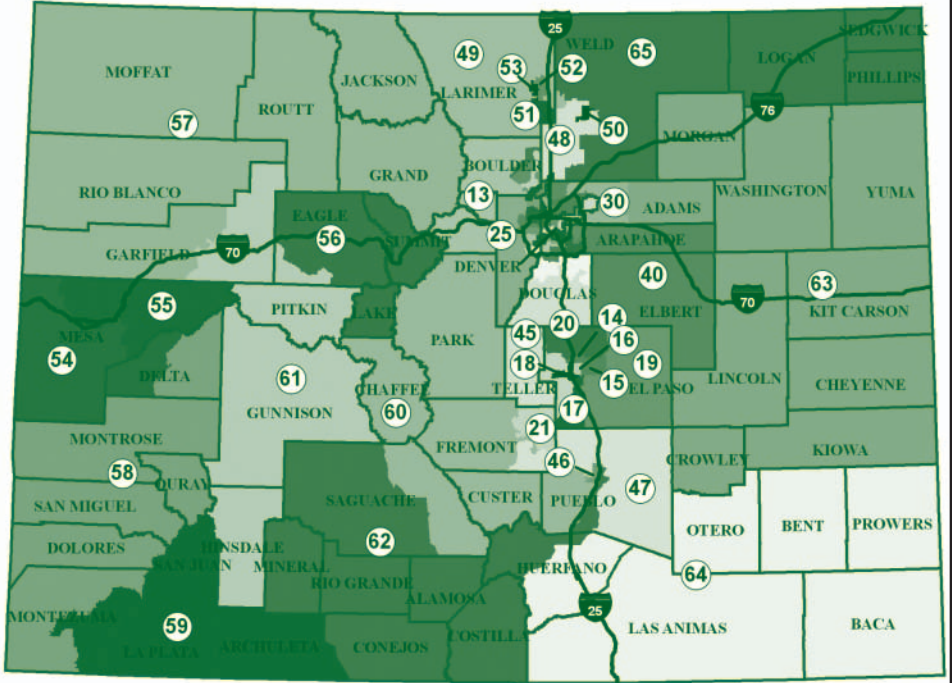
Map produced by the Southern Rockies Ecosystem Project

Denver Senate District Map



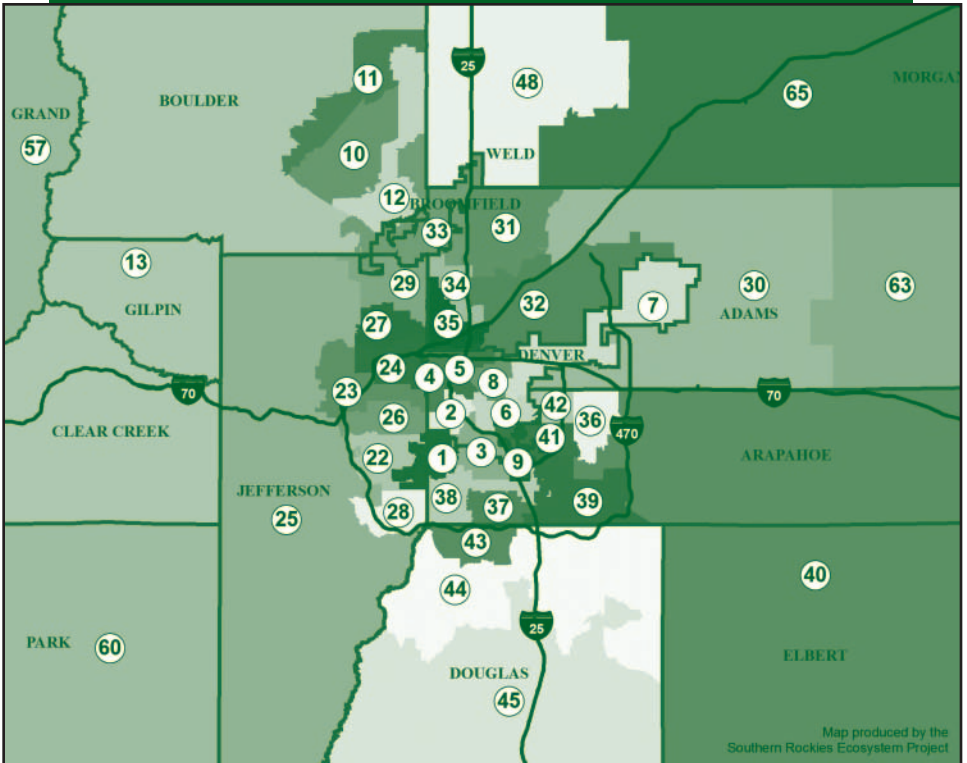
Map produced by the Southern Rockies Ecosystem Project

Colorado House District Map



Map produced by the Southern Rockies Ecosystem Project

Denver House District Map



Map produced by the Southern Rockies Ecosystem Project

SCORED VOTE DESCRIPTIONS

House Bill 1280: Protect Leased Instream Flow Water Rights

(House Vote #1, Senate Vote #1)

HB 1280, sponsored by Representative Randy Fischer and Senator Gail Schwartz, protects water right holders who choose to lease or loan their water to the state. This bill removes penalties in the current law that previously made this choice undesirable. These water rights help keep additional water in our rivers and streams when they need it most and in crucial areas for habitat protection. HB 1280 passed the House 59-6 and the Senate 32-2; the Governor signed the bill on April 21st. YES was the pro-environment vote.

House Bill 1141: Require Sufficient Water Supply

(House Vote #2, Senate Vote #2)

HB 1141, sponsored by Representative Kathleen Curry and Senator Bob Bacon, requires developers to prove to local governments that they have an adequate water supply for a development project of 50 units or more before they can be granted a development permit to build the project. This bill will result in a significant improvement in the way planning is conducted in the Colorado. The bill passed 46-18 in the House and 24-10 in the Senate. YES was the pro-environment vote.

House Bill 1160: Net Meter Munis & Rural Electric Utilities

(House Vote #3, Senate Vote #3)

HB 1160, sponsored by Representative Judy Solano and Senators Brandon Shaffer and Jim Isgar, is a critical step towards bringing the new energy economy home. The first in the Go Solar package to pass this session, this bill requires cooperative electric associations and municipal utilities to allow customers to return energy to the grid, ensuring that all Coloradans receive a fair price for the clean energy they produce and send onto the grid. After much work with rural electric providers and with support for the Governor's Energy Office, the bill passed with strong bi-partisan support in both chambers. The bill passed 63-1 in the House and 30-3 in the Senate. YES was the pro-environment vote.

House Bill 1350: Facilitate Financing Renewable Energy Projects

(House Vote #4, Senate Vote #4)

HB 1350, sponsored by Representative Alice Madden and Senator Chris Romer, gives cities and counties the tools they need to create unique programs for clean energy home financing that will clear hurdles to investment in renewable systems or large-scale energy efficiency upgrades by eliminating the upfront cost. This bill passed with strong bi-partisan support in both chambers. The bill passed 63-1 in the House and 32-3 in the Senate. YES was the pro-environment vote.

House Bill 1164: New Solar Energy Technologies

(House Vote #5, Senate Vote #5)

HB 1164, sponsored by Representative Judy Solano and Senator Gail Schwartz, created a framework for more large solar power plants to be built in Colorado. The bill authorizes the Public Utilities Commission (PUC) to encourage utility-scale solar in order to utilize our vast solar resources to obtain clean power that matches more closely with daily electricity demand. The bill also authorizes the PUC to give full consideration to the costs of carbon when evaluating utility proposals for how Colorado will meet its energy needs. Despite strong ideological opposition around whether it made sense to plan for the costs of global warming pollution, after almost four

hours of cumulative debate, 1164 passed both chambers. The bill passed 43-21 in the House and 24-10 in the Senate. *YES was the pro-environment vote.*

House Bill HB 1161: Strengthen Mining Reclamation Standards

(House Vote #6, Senate Vote #6)

With a local fight against a proposed new uranium mine that stood to threaten the public health and livelihood of citizens in northern Colorado in the backdrop, local legislators including Representatives John Kefalas and Randy Fischer, and Senator Steve Johnson took the reins and devoted their sessions to HB 1161. The measure addresses pollution from a new technology – in-situ leach uranium mining – in two ways. First, it protects groundwater by requiring mining companies to clean-up after themselves and restore groundwater quality to its pre-mining condition or to state standards. Second, it closes a loophole in state mining law by requiring all uranium mining operations to be characterized as a “designated mining operation,” and therefore subject to strong environmental and public health protections. The bill passed the House 49-16, and after a narrow majority in the senate beat back an amendment offered by Senator Tom Wiens to significantly weaken the water protection standard, the bill then passed 32-2. *YES was the pro-environment vote.*

House Bill 1387: Low Income Energy Assistance Funding

(House Vote #7, Senate Vote #7)

HB 1387, sponsored by Representative Bernie Buescher and Senator Jennifer Veiga, generates funding for low-income energy assistance through the surplus in the operating account of the severance tax trust fund. The assistance supports both short-term cash assistance programs and long-term energy efficiency programs. The bill provides \$7.5 million in cash assistance and \$7.5 million in long-term energy efficiency per year to low-income Colorado households. The bill passed 52-13 in the House and 34-1 in the Senate. *YES was the pro-environment vote.*

House Bill 1270: CIC's Allow Energy Efficiency Measures

(House Vote #8, Senate Vote #8)

HB 1270, sponsored by Representative Andy Kerr and Senator Ron Tupa, was another step forward in overcoming barriers to individual participation in this new energy economy. The legislation extends an existing law that bars Homeowner's Associations (HOAs) from limiting the use of solar devices to also prohibit HOAs from restricting energy efficiency measures. The bill covers measures homeowners may take to cut down their energy use including wind-electric generators, shade structures such as awnings, shutters, attic fans, swamp coolers, and clotheslines. In so doing, the bill encourages homeowners to invest in technologies to go green, help lower their utility bills and encourage small businesses that produce renewable and efficiency technologies. The bill passed 45-20 in the House and 34-0 in the Senate. *YES was the pro-environment vote.*

Senate Bill 55: Increase Air Pollutant Fees

(House Vote #9, Senate Vote #9)

SB 55, by Senator Bob Hagedorn and Representative Alice Madden, will protect Colorado's air quality by maintaining oversight efforts. Colorado's air quality is of concern to all Coloradans. Ozone pollution is linked to public health concerns such as asthma attacks, shortness of breath and chest pain. The Stationary Sources Program of the State Air Pollution Control Division (APCD) is responsible for regulating emissions of air pollutants from sources such as power plants and other industrial emitters. SB 55 increases fees to ensure that the APCD will be able to adequately respond to the state's air emission challenges. SB 55 passed the House 45-20 and the Senate 22-13. *YES was the pro-environment vote.*

House Bill 1069: Motor Vehicle Public Land Prohibition

(House Vote #10, Senate Vote #10)

With Division of Wildlife officers reporting habitat destruction on public lands by illegal off-road vehicles (OHV) as one of their primary concerns, an average growth rate of OHV registrations more than doubling from 2000 to 2006, sportsmen's concerns about game movement due to disturbance, and the OHV users community concerned about their public image, the Division of Wildlife began a series of meetings to assess the need for better OHV travel regulations enforcement on federal lands. The resulting House Bill 1069, sponsored by Representative Kathleen Curry and Senator Lois Tochtrop, allows Division of Wildlife and Colorado State Parks officers along with county sheriffs to enforce off-road vehicle travel regulations on federal lands. HB 1069 passed the House 43-22 and the Senate 23-8. *YES was the pro-environment/pro-sportsmen vote.*

House Bill 1369: Incentives for Donations of Water Rights

(House Vote #11)

HB 1369, by Representative Pommer and Senator Gibbs, would have provided financial incentives for water right holders who choose to permanently donate their water to the state for instream flow purposes. The Bill had broad support from the water users community, and immense support in the House, where it passed by a vote of 51-10, unfortunately the bill failed by one vote out of the Senate State, Veterans and Military Affairs committee. *YES was the pro-environment vote.*

House Bill 1107: Energy Efficiency for Munis and Coops

(House Vote #12)

Last year the Colorado legislature passed HB 1037 that required investor owned utilities to invest in efficiency programs for their customers. HB 1107, sponsored by Representative Claire Levy and Senator Jennifer Veiga, complements last year's bill by requiring rural electric cooperatives and municipally owned utilities to invest two percent of their retail receipts in cost-effective energy efficiency programs for their customers. HB 1107 passed narrowly out of the House 33-32, but the rural electric cooperatives succeeded in defeating the measure in the Senate Committee on State Affairs where it died 2-2, leaving Colorado with a patchwork energy policy in a key area. *YES was the pro-environment vote.*



2008 Senate Votes

KEY

+	Pro-environment
-	Anti-environment
E	Excused
A	Absent
NA	Not Applicable
<i>Italics</i>	In State House
*	Combined House & Senate Score
Bold	100% score in '08

	Dist.	2008	2007	2006	2005	2004	2003	2002	2001	HB 1280: Protect Leased Instream Flow Water Rights	HB 1141: Require Sufficient Water Supply	HB 1160: Net Meter Muni & Rural Electric Utilities	HB 1350: Facilitate Financing Renewable Energy Projects	HB 1164: New Solar Energy Technologies	HB 1161: Strengthen Mining Reclamation Standards	HB 1587: Low Income Energy Assistance Funding	HB 1270: CICs Allow Energy Efficiency Measures	SB 55: Increase Air Pollutant Fees	HB 1069: Motor Vehicle Public Land Prohibition
		%	%	%	%	%	%	%	%	1	2	3	4	5	6	7	8	9	10
Bacon, Bob (D)	SD 14	100	100	100	100	NA	NA	92	92	+	+	+	+	+	+	+	+	+	+
Boyd, Betty (D)	SD 21	100	100	100*	91	78	73	91	67	+	+	+	+	+	+	+	+	+	+
Brophy, Greg (R)	SD 1	60	50	33	18	38	18	NA	NA	+	-	+	+	-	+	+	+	-	-
Cadman, Bill (R)	SD 10	20	13	10	10	33	27	25	6	-	-	-	-	-	-	+	+	-	-
Gibbs, Dan (D)	SD 16	100	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+
Gordon, Ken (D)	SD 35	100	89	100	100	100	91	100	92	+	+	+	+	+	+	+	+	+	+
Groff, Peter (D)	SD 33	100	100	100	91	100	95*	83	88	+	+	+	+	+	+	+	+	+	+
Hagedorn, Bob (D)	SD 29	100	100	78	91	75	55	92	75	+	+	+	+	+	+	+	+	+	E
Harvey, Ted (R)	SD 30	50	40	10	18	33	18	17	NA	+	-	+	-	-	+	+	+	-	-
Isgar, Jim (D)	SD 6	100	100	100	82	100	82	75	NA	+	+	E	+	+	+	+	+	+	+
Johnson, Steve (R)	SD 15	90	60	44	55	63	36	33	35	+	+	+	+	+	+	+	+	+	-
Keller, Moe (D)	SD 20	100	100	100	100	88	91	NA	NA	+	+	+	+	+	+	+	+	+	+
Kester, Ken (R)	SD 2	80	70	67	56	63	36	40	24	+	+	+	+	+	+	+	+	-	-
Kopp, Mike (R)	SD 22	67	40	NA	NA	NA	NA	NA	NA	+	-	+	+	-	+	+	+	-	E
McElhany, Andy (R)	SD 12	60	30	11	9	63	30	42	7	+	-	+	+	-	-	+	+	-	+
Mitchell, Shawn (R)	SD 23	67	40	14	22	44	27	25	19	E	-	+	+	E	E	+	+	-	E
Morse, John (D)	SD 11	100	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+
Penry, Josh (R)	SD 7	90	60	40	55	NA	NA	NA	NA	+	+	+	+	-	+	+	+	+	+
Renfro, Scott (R)	SD 13	50	20	NA	NA	NA	NA	NA	NA	+	-	-	+	-	+	+	+	-	-
Romer, Chris (D)	SD 32	100	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+
Sandoval, Paula (D)	SD 34	100	100	100	100	100	64	NA	NA	+	+	+	+	+	+	+	+	+	+
Schultheis, David (R)	SD 9	30	14	10	9	22	22	33	18	-	-	+	-	-	+	-	+	-	-
Schwartz, Gail (D)	SD 5	100	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+
Shaffer, Brandon (D)	SD 17	100	100	100	100	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+
Spence, Nancy (R)	SD 27	70	40	44	18	33	36	42	19	+	+	-	+	+	+	+	+	-	-
Takis, Stephanie (D)	SD 25	100	100	78	91	88	91	100	85	+	+	+	+	+	+	+	+	+	+
Tapia, Abel (D)	SD 3	100	90	100	91	100	82	75	56	+	+	+	+	+	+	+	+	+	+
Taylor, Jack (R)	SD 8	70	60	33	45	38	64	25	15	+	-	+	+	-	+	+	+	-	+
Tochtrop, Lois (D)	SD 24	100	100	89	100	100	100	92	71	+	+	+	+	+	+	+	+	+	+
Tupa, Ron (D)	SD 18	100	100	100	100	100	100	92	100	+	+	+	+	+	+	+	+	+	+
Veiga, Jennifer (D)	SD 31	100	100	100	91	100	91	91	88	+	+	+	+	+	+	+	+	+	+
Ward, Steve (R)	SD 26	90	80	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	-	+
Wiens, Tom (R)	SD 4	70	50	56	55	44	64	NA	NA	+	-	+	+	-	+	+	+	-	+
Williams, Suzanne (D)	SD 28	100	100	78	91	78	64	75	59	+	+	+	+	+	+	+	A	+	+
Windels, Sue (D)	SD 19	100	100	100	91	88	91	92	85	+	+	+	+	+	+	+	+	+	+

2008 House Votes

KEY

+	Pro-environment
-	Anti-environment
E	Excused
NA	Not Applicable
Bold	100% score in '08

	Dist.	2008 %	2007 %	2006 %	2005 %	2004 %	2003 %	2002 %	1	2	3	4	5	6	7	8	9	10	11	12
Balmer, David (R)	HD 39	64	60	30	27	NA	NA	NA	+	E	+	+	-	-	+	+	+	-	+	-
Benefield, Debbie (D)	HD 29	100	100	100	100	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Borodkin, Alice (D)	HD 9	100	100	100	100	100	100	92	+	+	+	+	+	+	+	+	+	+	+	+
Bruce, Douglas (R)	HD 15	17	NA	NA	NA	NA	NA	NA	+	-	-	-	-	-	-	+	-	-	-	-
Buescher, Bernie (D)	HD 55	92	100	80	100	NA	NA	NA	+	+	+	+	+	-	+	+	+	+	+	+
Butcher, Dorothy (D)	HD 46	100	90	89	91	88	82	NA	+	+	+	+	+	+	+	+	+	+	+	+
Carroll, Morgan (D)	HD 36	100	100	90	91	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Carroll, Terrance (D)	HD 7	100	100	100	91	75	100	NA	+	+	+	+	+	+	+	+	+	+	+	+
Casso, Edward (D)	HD 32	100	90	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Curry, Kathleen (D)	HD 61	83	100	100	100	NA	NA	NA	+	+	+	+	+	+	-	+	+	+	+	-
Ferrandino, Mark (D)	HD 2	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Fischer, Randy (D)	HD 53	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Frangas, K. Jerry (D)	HD 4	100	100	100	100	100	73	NA	+	+	+	+	+	+	+	+	+	+	+	+
Gagliardi, Sara (D)	HD 27	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Gallegos, Rafael (D)	HD 62	83	90	80	91	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	-
Gardner, Bob (R)	HD 21	33	30	NA	NA	NA	NA	NA	-	-	+	+	-	+	-	-	-	-	+	-
Gardner, Cory (R)	HD 63	42	30	30	NA	NA	NA	NA	-	-	+	-	+	+	-	-	-	-	+	-
Garza-Hicks, Stella (R)	HD 17	42	60	NA	NA	NA	NA	NA	+	-	+	+	-	-	-	+	-	-	+	-
Green, Gwyn (D)	HD 23	100	100	100	82	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Hodge, Mary (D)	HD 30	92	100	90	91	67	73	100	+	+	+	+	+	+	+	+	+	+	+	-
Jahn, Cheri (D)	HD 24	91	100	90	91	67	64	73	+	+	+	+	+	+	+	+	+	+	+	E
Judd, Joel (D)	HD 5	100	100	90	100	100	100	NA	+	+	+	+	+	+	+	+	+	+	+	+
Kefalas, John (D)	HD 52	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Kerr, Andrew (D)	HD 26	100	100	100	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Kerr, James (R)	HD 28	33	70	30	40	NA	NA	NA	+	-	+	+	-	-	+	-	-	-	-	-
King, Steve (R)	HD 54	50	50	NA	NA	NA	NA	NA	+	-	+	+	-	-	+	-	-	+	+	-
Labuda, Jean (D)	HD 1	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Lambert, Kent (R)	HD 14	17	10	NA	NA	NA	NA	NA	-	-	+	+	-	-	-	-	-	-	-	-
Levy, Claire (D)	HD 13	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Liston, Larry (R)	HD 16	25	40	40	45	NA	NA	NA	-	-	+	+	-	-	-	-	-	-	+	-
Looper, Marsha (R)	HD 19	42	40	NA	NA	NA	NA	NA	+	+	+	+	-	+	-	-	-	-	-	-
Lundberg, Kevin (R)	HD 49	25	20	20	9	22	27	NA	-	-	+	+	-	+	-	-	-	-	-	-

HB1280: Protect Leased Instream Flow Water Rights
 HB 1141: Require Sufficient Water Supply
 HB 1160: Net Meter Muni & Rural Electric Utilities
 HB 1350: Facilitate Financing Renewable Energy Projects
 HB 1164: New Solar Energy Technologies
 HB 1161: Strengthen Mining Reclamation Standards
 HB 1387: Low Income Energy Assistance Funding
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 SB 55: Increase Air Pollutant Fees
 HB 1069: Motor Vehicle Public Land Prohibition
 HB 1369: Incentives for Donations of Water Rights
 HB 1107: Energy Efficiency for Munis and Coops

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									1	2	3	4	5	6	7	8	9	10	11	12
Madden, Alice (D)	HD 10	100	100	100	100	100	100	100	+	+	+	+	+	+	+	+	+	+	+	+
Marostica, Don (R)	HD 51	58	80	NA	NA	NA	NA	NA	+	-	+	+	-	-	+	-	+	+	+	-
Marshall, Rosemary (D)	HD 8	100	100	100	100	89	80	83	+	+	+	+	+	+	+	+	+	+	+	+
Massey, Tom (R)	HD 60	75	60	50	55	NA	NA	NA	+	+	+	+	+	+	+	-	-	+	+	-
May, Mike (R)	HD 44	33	22	20	10	33	27	NA	+	-	+	+	-	-	-	-	-	-	+	-
McFadyen, Buffie (D)	HD 47	92	100	100	100	78	100	NA	+	+	+	+	+	+	+	+	+	-	+	+
McGihon, Anne (D)	HD 3	100	100	100	100	100	NA	NA	+	+	+	E	+	+	+	+	+	+	+	+
McKinley, Wes (D)	HD 64	67	80	70	64	NA	NA	NA	+	+	+	+	+	+	+	+	-	-	-	-
McNulty, Frank (R)	HD 43	50	50	NA	NA	NA	NA	NA	+	-	+	+	-	-	+	-	+	-	+	-
Merrifield, Mike (D)	HD 18	100	100	100	100	100	100	NA	+	+	+	+	+	+	+	+	+	+	+	+
Middleton, Karen (D)	HD 42	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	NA	E	+
Mitchell, Victor (R)	HD 45	42	30	NA	NA	NA	NA	NA	+	-	+	+	-	-	+	-	-	-	+	-
Peniston, Cherylin (D)	HD 35	100	90	NA	NA	NA	NA	NA	+	+	+	+	E	+	+	+	+	+	+	+
Pommer, Jack (D)	HD 11	100	100	100	100	100	100	NA	+	+	+	+	+	+	+	+	+	+	+	+
Primavera, Dianne (D)	HD 33	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Rice, Joe (D)	HD 38	100	100	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Riesberg, James (D)	HD 50	100	100	100	100	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Roberts, Ellen (R)	HD 59	83	80	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	-	+	+	+	-
Romanoff, Andrew (D)	HD 6	100	100	100	100	100	91	100	+	+	+	+	+	+	+	+	+	+	+	+
Rose, Ray (R)	HD 58	45	50	20	55	100	73	NA	+	+	+	+	-	-	-	+	-	-	E	-
Scanlan, Christine (D)	HD 56	100	NA	NA	NA	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Solano, Judy (D)	HD 31	100	100	90	100	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Sonnenberg, Jerry (R)	HD 65	25	30	NA	NA	NA	NA	NA	-	-	+	+	-	+	-	-	-	-	-	-
Soper, John (D)	HD 34	92	100	90	82	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	-
Stafford, Debbie (D)	HD 40	83	70	40	36	44	33	8	+	+	+	+	+	+	+	+	+	-	+	-
Stephens, Amy (R)	HD 20	33	40	NA	NA	NA	NA	NA	+	-	+	+	-	-	-	-	-	-	+	-
Summers, Ken (R)	HD 22	50	50	NA	NA	NA	NA	NA	+	-	+	+	-	-	+	-	+	-	+	-
Swalm, Spencer (R)	HD 37	42	30	NA	NA	NA	NA	NA	+	-	+	+	-	-	+	-	-	-	+	-
Todd, Nancy (D)	HD 41	100	100	90	91	NA	NA	NA	+	+	+	+	+	+	+	+	+	+	+	+
Vaad, Glenn (R)	HD 48	42	80	NA	NA	NA	NA	NA	+	-	+	+	-	+	+	-	-	-	-	-
Weissmann, Paul (D)	HD 12	92	100	90	91	100	100	NA	+	+	+	+	+	+	+	+	+	+	-	+
White, Al (R)	HD 57	91	70	78	91	67	64	50	+	+	E	+	+	+	+	+	+	+	+	-
Witwer, Rob (R)	HD 25	67	90	78	NA	NA	NA	NA	+	+	+	+	+	+	-	-	-	+	+	-

FOR INFORMATION ON ENVIRONMENTAL ISSUES IN COLORADO, CONTACT:

Audubon Colorado	303-415-0130	www.auduboncolorado.org
Center for Native Ecosystems	303-546-0214	www.nativeecosystems.org
Colorado Bowhunters	303-697-9660	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 Wildlife Federation	303-987-0400	www.coloradowildlife.org
Colorado Trout Unlimited	303-440-2937	www.cotrout.org
Earthjustice Legal Defense Fund	303-623-9466	www.earthjustice.org
Environment Colorado	303-573-3871	www.environmentcolorado.org
Environmental Defense Fund	303-440-4901	www.edf.org
High Country Citizens Alliance	970-349-7104	www.hccaonline.org
Oil & Gas Accountability Project	970-259-3353	www.ogap.org
San Juan Citizens Alliance	970-259-3583	www.sanjuancitizens.org
Sierra Club	303-861-8819	www.rmcsierraclub.org
Western Colorado Congress	970-256-7650	www.wcccongress.org
Western Resource Advocates	303-444-1188	www.westernresourceadvocates.org
The Wilderness Society	303-650-5818	www.tws.org



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