



**By  
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**BILLS PASSED BY THE LEGISLATURE,  
AWAITING ACTION BY GOVERNOR RITTER**

**SB-228      Implements vendor-performance monitoring system for companies with state government contracts; requires disclosure of information for work performed for the contract outside of Colorado (Groff/Garcia))**

Position:      **Neutral**

Status:      Died in House Appropriations Committee May 1st, but was revived and passed the legislature yesterday and sent to the Governor

SB-228 was re-passed by the Senate yesterday after CACI contract lobbyist Larry Hudson successfully negotiated critical amendments in the House last week that kept CACI in a neutral position on this bill.

These amendments include: (1) requiring the State to show good cause as to why a vendor's good performance in one contract with one agency should be subject to cancellation in the event the same vendor defaults in another contract in another agency. Prior to CACI's amending language, the State (meaning the Governor) could cancel, at its discretion, a contract with a vendor even if they were providing superior service to one state agency simply because the same vendor may have defaulted under another contract; (2) allowing a vendor to evaluate the state's performance in a contractual relationship and to comment and rebut on the state's evaluation of the vendor.

The bill as introduced provided very limited opportunity to for a vendor to comment on the State's performance under the contract. SB-228 was touted by the proponents as a measure to create "transparency" in the State's contracting process. Without CACI's advocacy, a private entity doing business with the State would not have been given the opportunity to provide "transparency" from their perspective.

Hudson testified that the General Assembly should allow the Ritter Administration to initiate its own internal review of its inherited contracts and not impose such a strict

statutory framework on state agencies. Additionally, the bill will cost the state \$1.2 million and over 30 staff (FTEs) to implement.

*The Rocky Mountain News* reported today on the bill's passage:

[http://www.rockymountainnews.com/drmn/government/article/0,2777,DRMN\\_23906\\_5519595,00.html](http://www.rockymountainnews.com/drmn/government/article/0,2777,DRMN_23906_5519595,00.html)

**HB-1355 Eliminating Claims Experience and Health Status from Case Characteristics (McGihon/Hagedorn))**

Position: **Oppose**

Status: Passed legislature May 1st, sent to Governor

**SB-36 Mandatory Coverage of Mental Disorders (Keller/Stafford)**

Position: **OPPOSED** to expanding mandatory mental health coverage beyond those that are biologically based, but **NEUTRAL** on the bill after it was amended to narrow the scope

Status: Passed legislature May 3rd, sent to Governor

**HB-1176 Physician Choice (M. Carroll/Tochtrop)**

Requires every insurance company and self-insured employer to provide a list of at least two un-affiliated physicians or one or more networks from which an employee must choose a doctor for work-related illness or injury. It also allows the injured worker to change doctors (request cannot be denied) up to 90 days following the injury.

Position: **Neutral**

Status: Passed legislature April 17th, sent to Governor

**HB-1277 Includes "Clean Room" Equipment in Definition of Manufacturing Equipment Exempt from State Sales Tax (Jahn/Veiga)**

Position: **Support**

Status: Passed legislature April 27th, sent to Governor

**HB-1008** **Allows firefighters to claim that they contracted cancer from exposure to fumes while fighting fires, but without actually proving that the cancer was caused by their work (Cerbo/Fitz-Gerald)**

Position: **Oppose**

Status: Passed legislature April 24th; sent to the Governor, and CACI has requested a veto

**SB-117** **A plaintiff who wins a civil action to remedy “certain unfair labor practices” will be awarded “court costs and a reasonable attorney fee” (Bacon/T. Carroll)**

Position: **Oppose**

Status: Passed legislature April 2nd, sent to Governor

**HB-1329** **Increases water-discharge permit fees to adequately fund CDPHE water-quality programs (Curry/Boyd)**

Position: **Support**

Status: Passed legislature May 1st, sent to Governor

**HB-1341** **Colorado Oil & Gas Commission to foster Development Consistent with the Protection of the Environment, Wildlife Resources and Public Health, Safety and Welfare (Curry/Isgar)**

Changes the composition of the Colorado Oil and Gas Commission adding the executive directors of the Departments of Public Health and Environment and Natural Resources as ex-officio members and provides that oil and gas development occur in conjunction with protecting the environment, wildlife resources, and public health, safety and welfare.

Position: **Neutral**

Status: Passed legislature April 27th, sent to Governor

**HB-1297** **Increases workers’ comp awards for the disfigurement of an injured worker, adjusts awards annually, based on the state average weekly wage (Marshall/Romer)**

Position: **Support**

Status: Passed legislature April 3rd, sent to Governor

**BILLS KILLED,  
VETOED OR SIGNED INTO LAW  
BY GOVERNOR**

**HB-1072      Modifications to Labor Peace Act (Garcia/Veiga)**

Repeals the requirement that employees in a workplace with a union must vote to ratify an all-union agreement by 75 percent of those voting or 50 percent plus one of those eligible to vote. Takes away employee rights to determine their own terms and conditions of employment and Interferes with an employer's ability to negotiate on key terms and conditions of employment and restricts employers' ability to recruit workers who choose not to support a union.

Position:      **Oppose – Key Vote**

Status:        **Vetoed Feb. 9<sup>th</sup> by Governor**

**SB-97         Allocate Tobacco Settlement Moneys (FitzGerald/Madden)**

Reallocates \$17 million of tobacco litigation settlement funds from the state's general fund to the University of Colorado at Denver and Health Sciences Center

Position:      **Support (Key Vote)**

Status:        Signed into law by Governor

**HB-1210      MEWA Renewal (Green)**

Concerns extension of Multiple Employer Welfare Arrangements (MEWA) that requires insurance carriers of small-employer plans to offer health-benefit plans to MEWAs and to continue the MEWA Pilot Program

Position:      **Oppose**

Status:        Died in House on Second Reading Feb. 26<sup>th</sup>

**HB-1325      Increase exemption for business personal property tax to \$4,000 for 2007, up to \$7,000 by 2011-2012 and afterwards by increases in inflation rate (Rice/Ward)**

Position:      **Neutral**

Status:        Died in Senate Appropriations Committee April 30th

**HB-1223      Restructure Colorado Oil & Gas Commission (Curry/Hagedorn)**

Requires the Colorado Oil and Gas Conservation Commission (COGCC), in consultation with the Colorado Department of Public Health and Environment (CDPHE), to promulgate rules to protect public health in the conduct of oil and gas operations, and provide for ongoing consultation on oil and gas permit applications. The bill prohibits issuance of a permit to drill until such consultation has occurred.

Position:      **Oppose**

Status:        Died in the House Appropriations Committee April 26th

**SB-248        Concerns review of premium rates for insurers who issue medical malpractice insurance and allows for a “qualified person” to request a public hearing on an increase in premiums (Fitz-Gerald/Levy)**

As introduced, the bill would have required CACI –member COPIC, the only medical liability insurance company based in Colorado, to seek prior approval from regulators before making any change in rates. COPIC is a Trust created by Colorado doctors and run by Colorado doctors for Colorado physicians and hospitals. Increases regulatory costs borne by doctors and makes it harder to respond to changing markets or offer innovative new products to doctors. Amended to include all medical malpractice insurance providers. Opens the door to litigation and increases costs.

Position:      **Oppose**

Status:        Died in House Health and Human Services Committee April 26th

**HB-1073 Federal Basic Pilot Program for Public Contracts for Services  
(Keller/Judd)**

Clarifies that an employer who contracts with the state for services is required to use or apply to use the federal basic pilot program to confirm employment eligibility of all newly hired employees. Clarifies existing statute as being applicable only to newly hired employees.

Position: **Support** – Mountain States Employers Council position

Status: Signed into law by Governor

**SB-10 Requires hospitals to develop and implement nurse-staffing plans  
(Tochtrop/Frangas)**

Position: **Oppose**

Status: Killed unanimously in Senate Health & Human Services Feb. 14<sup>th</sup>

**HB-1112 Required Health-Care Coverage for Mental Health (Casso)**

Requires group health-benefit plans to provide coverage for mental illness comparable to coverage for physical illnesses. Applies to small-group basic health-benefit plans.

Position: **Oppose**

Status: Killed Feb. 2<sup>nd</sup> in House Health & Human Services

**HB-1303 Creates “Do-Not-Mail” Registry (Green)**

Creates “junk mail” registry that would allow individuals to opt out of receiving commercial mailings.

Position: **Oppose**

Status: Killed at sponsor’s request March 1<sup>st</sup> in House Business Affairs & Labor Committee

**SB-29      Requiring Private Employers to Participate in the Extended Federal Basic Employment Verification Pilot Program to Determine Work Eligibility Status (Schultheis/Lambert)**

Requires private employers to apply to participate in the federal Basic Employment Verification Pilot Program. Fines employers for failing to apply.

Position:      **Oppose**

Status:        Killed in Senate State Affairs January 31<sup>st</sup>

**SB-44      Repayment of Moneys in Certain Cash Funds (May)**

Considers funds transferred or diverted from specified cash funds to the state general fund to be considered loans that must be repaid.

Position:      **Support**

Status:        Killed in Senate State Affairs January 17<sup>th</sup>