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LEGISLATIVE WRAP-UP 2006

The best thing about the 2006 State Legislative Session was what it did not have to be. Had voters not passed Referendum C, legislators could have spent the last four months cutting \$400,000,000+ out of the state budget. We could have been slicing in half our state's funding for higher education- already one of the lowest in the nation.

Instead, our legislature and Governor were able to restore a number of cuts:

- The Homestead Property Tax Exemption was restored for 140,000 senior homeowners
- \$25 million will increase the College Opportunity Fund for 124,000 college students
- \$20 million will repair school buildings under the Giardino law suit settlement
- \$10 million restores services to the developmentally disabled, including the elimination of the waiting list of 613 children for early intervention
- \$6 million restores some services to indigent mentally ill individuals

And they could spend a bit of "new money" for education and health care:

- \$25 million was allocated to help local school districts fund special education for 80,000 children
- \$20 million was allocated to jumpstart construction of a forensics unit for the criminally mentally ill
- \$15 million funded thousands of additional preschool slots
- \$14.5 million will fund long neglected building maintenance for higher education
- \$14 million will fund medical care for an additional 50,000 low income adults
- \$10 million allows a better reimbursement rate for Medicaid home health providers

Referendum C is a five year time-out from Colorado's revenue limit under TABOR. However, little discussed during the complex campaign was the fact that Colorado's 6% limit on general fund spending increases was not changed by referendum C. So while the ballot measure eliminated the need for additional cuts, the state operating budget can still only grow 6% per year. So what happens to money collected that exceeds the 6% operating funding increase? (See attached "2006 State Budget Bucket Diagram"). Some goes into a small 4% reserve. Above that, much goes into the Highway Users Trust Fund to maintain roads. Above that, the money is split between highways and capital construction. So despite voters' rejection of Referendum D, hundreds of millions are going into highways, primarily due to the 6% limit.

What happened concerning other legislation of interest to women? Small steps forward included:

- Exclusion of retirement accounts and a dramatic increase in the cap on allowable assets for families applying for Temporary Assistance for Needy Families. Most applicants have absolutely nothing. But since families average only eight months on TANF, they should not have to cash out their entire retirement savings to get short term assistance when they have no income.
- Selling and leasing of human adults (human trafficking) became a class 3 felony
- \$24 million this year, and \$11 million for the next two years, will be allocated from the Severance Tax Trust Fund to subsidize energy assistance for low-income individuals.
- A referendum on the rights and responsibilities of domestic partners was approved by the legislature and will appear on the November ballot.
- Those covered by a restraining order will no longer be able to circumvent the order by hiring a private investigator to track their ex-partner.
- Tax check offs—allowing taxpayers to donate their own money—were continued for domestic abuse programs and for family resource centers.
- Adults in family day care homes which receive state Child Care Assistance Program money, will be required to undergo fingerprinting and a CBI background check.
- Consumer protections were added for those who use private child support collection companies.

Lost opportunities include:

- The Governor vetoed the bill to allow pharmacists to prescribe emergency contraception, which could have prevented thousands of unwanted pregnancies by increasing timely access.
- A bill allowing parents to take a few hours off unpaid for parent-teacher conferences and academic activities passed the Senate, but was gutted in the house, leading the sponsor to kill his own bill.
- Reducing the waiting period before a low wage worker can receive unemployment insurance by allowing computation to include more recent employment history, rather than older employment history, was defeated in the House.
- Funding for the State Earned Income Tax Credit for the working poor was eliminated with the approval of Referendum C. Thus, while the average taxpayer foregoes \$97 per year of a TABOR refund, a single mother earning \$10,000-\$16,000 is foregoing \$440 per year in lost State EITC. A bill to make this tax credit permanent was not even introduced this year. It would have reduced “spillover funding” for highways and capital construction.

When the 2007 session begins, the legislative balance of powers could look very different. The Governor’s office, all State Representatives, and half of the State Senate will be determined by your vote this fall.

<p>For additional information, updates, or corrections, contact Chaer Robert at chaer.robert@ci.denver.co.us or 720-913-8465.</p>
