

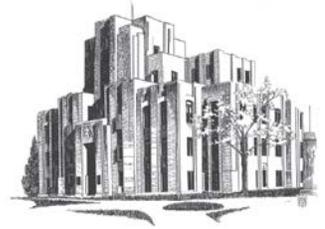
# 2020

## STATE LEGISLATIVE AGENDA

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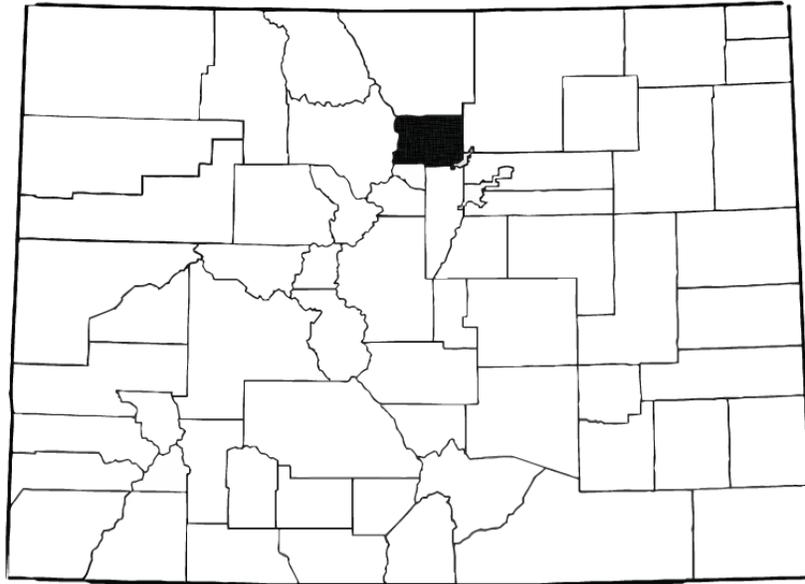
**Board of County Commissioners**



ADOPTED DEC. 3, 2019



# Colorado



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# intro

## STATE LEGISLATIVE AGENDA

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Thank you for your interest in Boulder County's 2020 State Legislative Agenda.

The 2020 State Legislative Agenda was developed over the course of the summer and fall of 2019 through engagement with county departments, partners, legislators, and other stakeholders. It identifies core county legislative and state budget priorities in need of support from our state legislative delegation, and will be used by the county's elected officials and staff to inform any county positions that may be taken on active state legislation.

It is our hope that this legislative agenda will serve as a reference tool for our Boulder County state legislative delegation when they consider legislation that may impact the county and those whom we serve. We also present this legislative agenda as an informative guide for our residents, partners, and staff to assist in understanding Boulder County's positions on the wide variety of public policy issues that impact our work.

In closing, we'd like to take thank the members of Boulder County's state legislative delegation and express our deep appreciation for their service on behalf of the residents of Boulder County and all Coloradans. Their collective effort to understand Boulder County's positions on issues and advocate on behalf of the county is invaluable. Just as invaluable is the collaborative partnership that we have with our delegation members. We look forward to working with them during the 2020 state legislative session.

*– the Boulder County Board of County Commissioners*





# STATE LEGISLATIVE AGENDA

contacts.....	4
intro.....	5
legislative principles.....	8
legislative priorities at-a-glance.....	9
state budget priorities at-a-glance.....	10
aging.....	13
behavioral health.....	15
community and environmental health.....	18
community justice.....	23
disaster resiliency and recovery.....	25
employment and income stability.....	28
energy, environment and sustainability.....	30
equity and human rights.....	35
health and well-being.....	38
housing.....	41
human services.....	44
land use and transportation.....	49
marijuana.....	51
oil and gas.....	52
public lands and natural resources.....	55
state fiscal and governance.....	58



# legislative principles

Boulder County's State Legislative Agenda adheres to the following Legislative Principles, which guide the development of the positions the county takes on state legislation.

**Environmental Sustainability and Climate Action:** Boulder County is committed to protecting and enhancing our environment for generations to come. To that end, Boulder County advances strategies that promote sustainability and reduce greenhouse gas emissions such as multi-modal transportation networks and alternative modes of transportation, zero-emission vehicles, compact land use development, energy efficiency, renewable energy, conservation of resources, and the protection of healthy land, air, and water. We will continue to make decisions and promote policies that support our ability to conserve resources and protect our environment.

**Lands and Natural Resources:** Boulder County manages public lands and natural resources through initiatives that improve the quality of life of our residents while balancing the multi-faceted needs and rights of community stakeholders. To that end, Boulder County works to preserve open spaces for recreation use, wildlife habitat, and sustainment of our agricultural heritage; manage our wildland urban interface area for disaster preparedness, forest health, and resilience; protect water sources and ensure a sustainable water supply; and efficiently regulate extractive industries, including mining and oil and gas development, to protect air and water quality, and reduce impacts to residents.

**Public Service Integration and Collaboration:** Boulder County strives to ensure effective use of taxpayer funds and successful outcomes through efficient service delivery and integration of public programs and services. To increase efficiency and effectiveness, Boulder County engages in and strongly supports collaborative efforts within county departments and with partner agencies and organizations in the local community, regionally, and state-wide.

**Social Justice and Equity:** Boulder County seeks to increase opportunity and achieve equity for all residents. Boulder County strongly supports policies and programs that provide pathways to opportunity and living-wage jobs for all residents, through means such as job training, self-sufficiency programs, and increased minimum wage. We also strongly support rights and protections for all people, including people in LGBTQIA+ communities, immigrants, older adults, Native Americans, low-wage workers, and other populations whose right to equality is threatened or unequal.

**Health and Human Services:** Boulder County is dedicated to supporting and sustaining healthy communities that strengthen individuals and families while promoting human dignity and positive outcomes for the future. To that end, Boulder County promotes a high quality of life for all residents by protecting vulnerable populations, ensuring the well-being of seniors, supporting access to affordable health insurance and health and mental health care, maintaining and increasing safe and affordable housing for residents, and improving access to effective and efficient public benefits that support healthy lives and promote self-sufficiency for our residents.

**Local Control:** Boulder County believes that the authority to address issues that pertain to the county must reside firmly with the county. Local governments are best suited to identify solutions to local issues, particularly with regard to the services we provide, the land use decisions we make, and regulation of the public health and safety impacts of those land uses. Local authority also includes the flexibility to determine use of funding locally and precludes unfunded mandates from the state or federal government.

**Fiscal Responsibility:** Boulder County recognizes the importance of a state government that is fiscally responsible and advances the economic vitality and well-being of all Coloradans. We appreciate the opportunity to provide input into and remain informed about the state budget, and we seek collaboration with the state, especially with regard to decisions and processes that affect our organization or our constituents. Boulder County believes it is critical to the long-term health of Colorado's economy to address the state revenue structure that restricts the state's ability to respond to changing economic conditions, including the Taxpayer Bill of Rights (TABOR), Amendment 23, and the Gallagher Amendment



# legislative priorities at-a-glance

The following are Boulder County's priorities for the 2020 legislative session, including references to legislation that will be introduced in the General Assembly. Additional bills will be introduced in these priority areas throughout the legislative session. Boulder County staff will be active in any legislation introduced in these areas, and we ask for our legislators' support for these bills that are important to us and our constituents.

**Climate Action:** Enable new and creative legislative, regulatory, and administrative tools that will allow Colorado to achieve its aggressive greenhouse gas emission reduction goals.

*Anticipated legislation:*

- Require the state's largest electric utilities to provide incentives and other tools for reducing the use of fossil fuel appliances in buildings

**Oil and Gas Authority:** Build on 2019's landmark legislation requiring health, safety, and environmental considerations be given greater emphasis in regulating the oil and gas industry.

**Flood Recovery:** Clarify the period following a disaster declaration for counties to transfer funds to and from the Road and Bridge Fund for disaster response and recovery.

*Anticipated legislation:*

- Road and Bridge Fund Transfer Clarification

**Child Welfare:** Continue improvements to the child welfare system to increase positive outcomes for children and families and align with a focus on prevention through implementation of SB 18-254 and the Family First Prevention Services Act (FFPSA).

**Behavioral and Mental Health:** Support and enhance mental and behavioral health.

**Affordable Housing:** Support efforts to increase and maintain safe, affordable housing statewide, and ensure new state dollars are flexible and meet local/regional needs.

*Anticipated legislation:*

- Manufactured Housing Communities
- Inclusionary Zoning

**Criminal Justice:** Support bond reform and a statewide risk-based system to increase court appearances.

**Public Lands:** Preserve the tools used to conserve and protect Colorado's land and natural resources.

*Anticipated legislation:*

- HB 19-1264 Working Group recommendations regarding reparations and other issues

**Community Health:** Support efforts to prevent and reduce the use of tobacco and electronic smoking devices and reduce exposure to secondhand smoke.

**Equity and Justice:** Support policies that increase and achieve equity for all Coloradans.

*Anticipated legislation:*

- Resolution and task force in support of Native American truth and recognition



# budget priorities at-a-glance

In the development of the FY 2020-2021 state budget and in analyzing 2020 legislation with fiscal notes, Boulder County asks for the support of the General Assembly in maintaining or increasing appropriation levels for the following important areas. More detail about these positions can be found in the relevant sections of this Legislative Agenda.

## HUMAN SERVICES

### Children and Family Services

- **Child Welfare:** Ensure Child Welfare dollars fully fund the system – including sufficient funding for caseworkers per the 2014 caseload study – and align with SB 18-254 Child Welfare Reform Act and the federal FFPSA, with robust analysis of adequacy of post-IV-E Waiver resources.
- **Colorado Works and TANF Funds:** Support a strategic and sustainable funding plan for use of federal TANF (Temporary Assistance for Needy Families) reserves and the Colorado Works program, in collaboration with counties.
- **Division of Youth Services IMPACT Partnership Contract and Collaborative Management Programs:** Support ongoing funding for these effective, dollar-saving programs that reduce youth detention, commitment, out-of-home placement, and recidivism.
- **Home visitation:** Support expansion of home visitation for improved maternal-child outcomes.
- **Data Interoperability:** Support investment in linking health and human services data systems across departments to enhance services and outcomes while protecting confidentiality and data security.

**Early Childhood:** Support multi-year increased investment in the Colorado Child Care Assistance Program (CCCAP) to increase access, achieve parity of enrollment with non-CCCAP populations, and support school readiness, including expansion of the quality provider network.

**Behavioral Health:** Increase funding by Medicaid of proven substance abuse and mental health services; Medicaid currently underfunds these services in Colorado.

## DISASTER RECOVERY AND RESILIENCY

**Wildfire Mitigation:** Increase and sustain funding for wildfire mitigation grants for projects on public and private lands, with a focus on restoration and mitigation.

## OIL AND GAS

**Air quality and oil and gas enforcement:** Increase staffing at the Colorado Department of Public Health and Environment to provide necessary resources for permitting, inspections, enforcement, and other activities related to air quality, including issues related to oil and gas development.

## COMMUNITY JUSTICE

**Community Justice:** Support additional funding for pretrial services, including pretrial assessment supervision.

## TRANSPORTATION

**Increase Funding from New Revenue:** Increase funding for transportation from new revenue sources, including funding for transit, bike and pedestrian infrastructure, and operations.





# 2020

# STATE LEGISLATIVE AGENDA

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# aging

*To secure a high quality of living for Colorado's older adults.*

## **INCREASE FUNDING FOR THE OLDER COLORADANS PROGRAM TO SUPPORT SERVICES FOR COLORADO'S GROWING AGING POPULATION**

The population of those 60 and older in Colorado is expected to increase by more than half a million and represent more than 20 percent of the state's total projected population by 2030, with the largest growth anticipated to be adults aged 80 and older. This unprecedented demographic shift will require an increased focus on *health span*: Providing all older Coloradans with access to locally delivered preventive services that enable them to thrive. The Older Coloradans Program (OCP) aims to achieve this goal by financially supporting Colorado's sixteen regional Area Agencies on Aging (AAA), whose programs provide basic resources needed for older Coloradans to age well in their communities – whether that be in their homes or in long-term care. Increased funding for the OCP will help Colorado's AAAs expand the broad array of programming and services that are relied upon by Colorado's growing aging population.

## **MAINTAIN THE INTEGRITY OF THE OLD AGE PENSION PROGRAM, AND ENSURE REASONABLE ACCESS AND BENEFIT CALCULATION FOR QUALIFIED SENIORS**

The Old Age Pension (OAP) program provides financial assistance and medical benefits for low-income adults age 60 or older. Cash payments augment older adults' income from other sources to reach a set base amount, currently \$771 per month. Certain requirements negatively impact access to the program and the amount of the benefit granted. For example, seniors are required to report all income, even small gifts of money, and the benefit is reduced by the corresponding amount. Meanwhile, seniors who have free housing (for example, when living with relatives) may report an estimated housing expense as "in kind support and maintenance" (ISM) toward the calculation of their benefit amount, which is unfair to seniors who do pay for housing. Finally, rules require a face-to-face interview for redetermination of eligibility, but the qualified population often has mobility issues that make an in-person interview difficult. Boulder County supports ongoing funding for and reasonable access to this important senior safety net program, as well as removal of the ISM requirement and a calculation of benefit that does not consider gifts as income.

## **SUPPORT POLICY EFFORTS TO INCREASE ACCESS TO RETIREMENT PLANNING OPTIONS**

Employer-sponsored retirement investment plans have been a tool Americans traditionally have used to build their retirement savings. But today, nearly half of Colorado's private-sector workers – more than 750,000 people in their prime working years – have no employer-sponsored retirement savings plan, and 74 percent of low-wage workers, regardless of age, are not offered a retirement plan through their place of employment. To address this growing concern, in 2019 the General Assembly adopted SB 19-173, establishing the Colorado Secure Savings Plan Board of Trustees, housed in the Office of the State Treasurer and tasked with studying policy and programmatic approaches to increasing the retirement savings of Colorado's private sector workers, including analysis of a state-sponsored retirement savings plan. Sound financial planning for retirement years improves the self-sufficiency of our senior population and reduces the demand for public benefits and senior services. Boulder County supports public options to increase the number of Colorado workers who are investing in a retirement plan and will consider supporting any recommendations the Colorado Secure Savings Plan Board of Trustees forwards to the General Assembly.

## **SUPPORT ADEQUATE, ONGOING FUNDING FOR ADULT PROTECTIVE SERVICES TO ADDRESS INCREASED CASELOADS ASSOCIATED WITH MANDATORY REPORTING, AND PROVIDE FUNDING FOR PREVENTION SERVICES TO ASSIST VULNERABLE ADULTS REFERRED TO APS**

Colorado instituted mandatory reporting for elder abuse in 2014 and for adults with intellectual and developmental disabilities in 2016. Since the implementation of mandatory reporting of elder abuse, call volumes and caseloads for Adult Protection Services (APS) across the state have increased dramatically: 91 percent and 38 percent, respectively, by 2018. APS funding levels should support the nationally recommended caseload-to-caseworker ratio



of 25:1 as the best strategy for keeping at-risk adults and seniors safe. In addition, the increase in reports illuminates the vulnerability of many individuals in the community and presents opportunities to support prevention and early intervention for older adults and other at-risk adults so that they can safely stay in the community. These funds should be provided through APS for emergency support services and through regional Area Agencies on Aging so that APS can refer individuals for which a protective case was not opened to stabilization services.

# behavioral health

*To support and enhance the public's mental and behavioral health, and to ensure Coloradans have access to high-quality, continuous, and affordable mental health and substance abuse treatment services.*

## **SUPPORT LEGISLATION, FUNDING, AND OTHER EFFORTS THAT EXPAND ACCESS TO QUALITY MENTAL HEALTH AND SUBSTANCE ABUSE DISORDER PREVENTION, SCREENING, TREATMENT, AND RECOVERY SERVICES, INCLUDING IN-PATIENT TREATMENT**

Mental health and substance use disorders have a significant effect on the health of individuals, their families, and the broader community. Many residents of Boulder County struggle with episodic or ongoing mental health and substance use issues. In a 2018 Boulder County survey, about 95 percent of respondents reported that they or someone they knew has struggled with mental health or substance use issues. Colorado ranked 43rd out of 50 states on Mental Health of America's 2018 rankings for the prevalence of mental illness and limited access to care. Colorado also has among the highest suicide rates in the country. In the Boulder Valley School District, more than one in seven high schoolers has seriously considered committing suicide in the past year, and an inequity created by unequal treatment and discrimination exists for LGBT students, with almost three times the number of LGBT students reporting an attempted suicide compared to heterosexual students.

Gaps in screening, diagnosis, and treatment services and retaining care over time challenge Colorado children, youth, adults, and families. Specific behavioral and mental health supports needed include: timely and equitable access to behavioral health services, early childhood and school-based mental health services, and trauma-informed training of teachers and other people working with youth. Reforms in the licensing of behavioral health providers in Colorado also are needed to both increase the number of providers available and to ensure providers have effective skills in areas such as suicide prevention and cultural competency. Colorado must also advance reforms in private insurance and Medicaid to ensure parity between physical and behavioral health services and to improve access to care including telehealth care and in-patient and psychiatric treatment.

Efforts specific to substance use treatment services also are necessary including: on-demand treatment and increased access for individuals and families with low and middle incomes including minors, non-opiate addiction treatment, continued seven-day limits on first-time opioid prescriptions, continued support for the prescription drug monitoring program, requirements to adhere to nationally recognized protocols in determining medical necessity of treatments, funding for Medicaid coverage of substance abuse treatment, medication-assisted treatment in syringe access programs and other facilities, and protocols that include relapse as a natural and expected part of recovery. Reforms also should require insurers to cover alternative treatments for pain such as physical and occupational therapy and atypical opioid and non-opioid treatments. Boulder County supports legislation to improve mental and behavioral health within our communities across the prevention to recovery continuum, including legislation brought forward by the Opioid and Other Substance Use Disorders Study Committee.

## **ENSURE COLORADO'S HEALTH FIRST PROGRAM (MEDICAID) AND CHILD HEALTH PLAN PLUS ARE EFFECTIVE TOOLS TO PROVIDE ACCESS TO AFFORDABLE MENTAL HEALTH AND SUBSTANCE USE DISORDER CARE, INCLUDING INPATIENT TREATMENT, FOR INDIVIDUALS AND FAMILIES WITH LOWER INCOMES**

As of 2018, 52,600 individuals in Boulder County were covered by Colorado's Health First Program (Medicaid). Health First provides health care and behavioral health care coverage for children and individuals and families with lower incomes. The program in Colorado is administered by Regional Accountability Entities (RAEs). As with others, Boulder County's RAE, Colorado Community Health Alliance, receives funding from Health First Colorado to administer the program in our region, managing payments to providers and care coordination of patients. RAEs are evaluated on key performance indicators of the health of the population of people within their region. Boulder County supports funding and legislation to ensure quality mental health and substance use disorder prevention, screening, and treatment (including in-patient treatment) services are easily accessible to Health First enrollees.

Specific reforms needed include improved Medicaid payment models, ensuring vulnerable populations receive adequate services, and increasing the number of providers accepting Medicaid.

**SUPPORT EFFECTIVE PROVISION OF SERVICES, ORGANIZATIONAL TRANSPARENCY, AND RESPONSIBLE GOVERNANCE IN MANAGED SERVICE ORGANIZATIONS, REGIONAL ACCOUNTABLE ENTITIES, AND OTHER ADMINISTRATIVE SERVICE ORGANIZATIONS**

*See full policy statement in the Human Services section.*

**SUPPORT INCREASED AND CONTINUED FUNDING FOR EXPANDED MENTAL HEALTH CRISIS STABILIZATION SERVICES AND CO-RESPONDER MODELS STATEWIDE TO REDUCE PLACEMENT OF PEOPLE WITH MENTAL HEALTH DISORDERS IN HOSPITAL EMERGENCY ROOMS AND JAILS**

Crisis stabilization units assist people experiencing a mental or behavioral health crisis and divert them from hospitals and the criminal justice system. Boulder County supports the continued expansion of mental and behavioral health crisis stabilization centers, diversion to community-based mental and behavioral health services, and co-responder models that integrate law enforcement and behavioral health provider response to reduce the placement of people with mental illness in emergency rooms and jails. Specific to the criminal justice system, individuals with mental illness comprise a disproportionately large population in the Boulder County Jail, with more than 40 percent of inmates diagnosed with a mental health disorder. SB 18-249 established pilot programs across Colorado, including one in Boulder County, to divert individuals with low criminal behavior and mental health disorders to appropriate community programs, and SB 19-211 increased funding to these programs. Boulder County supports continued funding and expansion of programs to divert qualified individuals from incarceration or hospitals to programs that provide appropriate treatment for behavioral health disorders and reduce recidivism.

**SUPPORT STATEWIDE STRATEGIES THAT ELIMINATE STIGMA AND DISCRIMINATION ASSOCIATED WITH BEHAVIORAL AND MENTAL HEALTH ILLNESS**

A recent survey of Boulder County residents revealed that negative attitudes and beliefs toward people who have a mental health condition are common. There is a clear need to educate the public about how to better support individuals with mental and behavioral health illness and reduce barriers for those seeking or receiving treatment. Stigma can result in a reluctance to seek treatment; lack of understanding on the part of friends, family, and employers; fewer opportunities at work, school, and social environments; and discrimination. Programs and legislation to address stigma and discrimination include the integration of physical and behavioral health services, Mental Health First Aid training to assist community members in responding to mental and behavioral health issues, and Project AWARE to support the ability to identify mental and behavioral health issues in schools. Boulder County supports state and local efforts that promote a humanistic approach to mental and behavioral health.

**SUPPORT HARM REDUCTION LEGISLATION AND OTHER PUBLIC HEALTH APPROACHES AND CRIMINAL JUSTICE REFORMS TO ADDRESS SUBSTANCE USE DISORDERS**

Substance and alcohol use and misuse continue to create public health challenges in Boulder County. Their misuse can lead to overdose deaths, trauma, family disruption, HIV and hepatitis C infections, and chronic health conditions. Unfortunately, substance misuse treatment is too often unavailable or unaffordable for the people seeking treatment, and a criminal justice response, including requiring arrest to access health services, is ineffective. Public health approaches offer effective, evidence-based responses to address these challenges, but some of the many effective approaches are not currently accessible owing to outdated drug laws, attitudes, and stigma. Boulder County supports legislation that takes a comprehensive approach to substance use disorders, including prioritizing proven prevention, treatment, and harm reduction strategies, and funding for state and local public health agencies. Such comprehensive efforts can more effectively address the syndemic or linked health problems associated with substance use disorders to improve or save lives. Examples of efforts include syringe access programs that facilitate access to behavioral health and treatment services for people using substances, increased access to clean syringes at pharmacies, prevention of drug-related deaths through advanced drug testing and community notification, community-based overdose education and naloxone distribution programs including funding for opioid agonists and antagonists in jails, information on treatment upon release, and “safe stations” where individuals can dispose of

unwanted drugs and receive medical transport if necessary. To limit disruption in housing and for families, Boulder County supports a measured response to methamphetamine contamination, for example by allowing for the quarantine and clean-up of only the affected areas in a housing unit if the substance was used but not produced in the residence, rather than quarantine of and eviction from the entire residence. Boulder County will continue to support efforts and legislation from the Opioid and Other Substance Use Disorders Study Committee that promote prevention strategies, public education and training, development and dissemination of best practices at the local level, access to treatment and recovery services, and increased funding for harm reduction programs across the state.

# community & environmental health

*To protect and enhance the health of the public and the environment, and to ensure that Coloradans have access to high-quality, continuous, and affordable public health services.*

## ***Community Health***

### **INCREASE FUNDING FOR PUBLIC HEALTH INTERVENTIONS**

Investing in public health prevention and early intervention programs results in health care cost savings in the future for diseases and illness prevented. In a 2017 systematic review of more than 50 studies, the Journal of Epidemiology and Community Health reported that the median return on investment for all reviewed public health interventions was 14.3 to 1.

In 2008, the state of Colorado set forth in law a set of core public health services that every community in Colorado should have, but no additional resources were provided to implement the services. During the last decade, Colorado's population has grown by more than 17 percent, yet state public health funding has decreased by 19 percent. At the same time, new and more complex public health concerns have emerged such as increased substance use, climate impacts, and under-immunized children. Infrastructure that addresses such concerns and funds public health services is critical to keeping Colorado communities healthy and thriving. Boulder County supports investment in local public health services.

Additionally, Boulder County strongly supports the Amendment 35 funding stream, revenue generated by Colorado's tobacco tax, which provides much-needed programming to support prevention, early detection, and treatment of cancer, cardiovascular, and pulmonary diseases; tobacco prevention and cessation; and health equity grants to prevent, screen, and treat diseases that disproportionately affect specific populations. In addition, Boulder County supports prevention and early intervention policies and programs to strengthen early childhood development and support family stability and maternal-child health, including family-friendly workplace policies, a state-wide paid medical and family leave program, and funding for early care and education programs, and home visitation programs.

### **SUPPORT ACCESS TO AND INCREASE FUNDING FOR COMPREHENSIVE FAMILY PLANNING SERVICES AND EVIDENCE-BASED SEXUAL HEALTH INFORMATION**

Family planning is an integral component of health. Unplanned, mistimed, or unwanted pregnancies can result in poor health outcomes for parents and children. Boulder County supports legislation that maintains or increases access to affordable, medically accurate family planning services, birth control methods, and safe and affordable abortions. Programs must provide comprehensive sexual health education and family planning services that are culturally relevant and include the experiences of all people, including LGBTQIA+ people. New restrictions on federal Title X funding increase the need for state and local support of family planning services. Confidentiality is another critical concern in reproductive health. Teens and women in abusive relationships have the right, under Colorado law, to access confidential family planning services. However, current Explanation of Benefits procedures do not safeguard privacy. Legislation that supports adequate reimbursement for all contraceptive options, confidential health services, and comprehensive, science-based sex education will improve the ability of adults and adolescents to plan their families when the time is right for them.

### **SUPPORT EFFORTS TO PREVENT AND REDUCE THE USE OF TOBACCO AND ELECTRONIC SMOKING DEVICES AND REDUCE EXPOSURE TO SECONDHAND SMOKE**

Boulder County supports proven interventions that reduce youth access to and use of tobacco and electronic smoking devices, encourage tobacco use cessation, reduce tobacco-related disparities, and protect individuals from the health hazards of secondhand tobacco smoke. Priority interventions include: state tobacco retailer licensing with enforcement provisions; increasing the excise tax on all tobacco products; restricting the sales and marketing of products that are flavored and/or broadly appeal to youth; expanding smoke-free and vapor-free areas; allowing cities, towns, and counties to impose taxes on tobacco- and vaping-related products; and raising the minimum sales age to 21 years old. Boulder County supports the full implementation of HB 19-1033 that allows cities, towns, and counties to impose fees or licenses on tobacco and electronic smoking device sales without losing their appropriated state cigarette tax revenue and authorizes a county to impose regulations on tobacco and nicotine products that are more stringent than statewide regulations. Boulder County opposes legislation that would restrict or preempt local jurisdictions from passing ordinances or regulations addressing tobacco use.

### **SUPPORT LEGISLATION AND OTHER EFFORTS TO PREVENT FOODBORNE ILLNESS**

Boulder County and Boulder County Public Health actively engaged in the stakeholder process that led to HB 16-1401, which, amongst other things, resulted in the first increase in retail food establishment licensing fees since 2009. These fee increases, phased in over three years, are better balancing the public and private investment in food safety programming, allowing Colorado's public health agencies and its restaurant industry to move closer to national best practices for food safety programs, and better protecting the public from food-borne illnesses. But more work needs to be done: While Boulder County and Boulder County Public Health remain committed to the ongoing implementation of HB 16-1401, we will advocate for continued improvements to the Colorado Food Protection Act, including changes to the enforcement and civil penalty process for facilities that repeatedly violate food protection regulations.

### **SUPPORT LEGISLATION AND INCREASED FUNDING FOR HEALTHY EATING AND ACTIVE LIVING PROGRAMS**

Healthy eating and active living are two areas traditionally underfunded in public health. Although Colorado remains one of the healthiest states in the nation, the United States is one of the unhealthiest developed nations in the world, with the prevalence of chronic diseases and obesity among children and adults continuing to climb. Fostering health and well-being from the earliest stages of life helps build a lifetime foundation for overall health. Healthy nutrition and physical activity reduce risk for heart disease and cancer, the two leading causes of death in Boulder County. Boulder County supports policies that support increased physical activity, access to healthy foods, increased alternative transportation utilization, and increased breastfeeding initiation and duration.

### **SUPPORT EFFORTS THAT EXPAND MANDATORY VACCINATION REQUIREMENTS AND LIMIT EXEMPTIONS**

Population-based programs and services focus on delivering resources that are proven to achieve a more positive health impact than individual interventions alone. The use of vaccinations to control against the spread of communicable disease is a prime example of this strategy. Colorado's vaccination rate routinely ranks amongst the lowest in the nation, and Boulder County's amongst the lowest in the state. Mandatory vaccinations have been recommended by multiple national organizations as a best practice to increase herd immunity and therefore improve protection of our population against communicable disease. To increase Colorado's protections against dangerous infectious diseases, Boulder County supports mandatory vaccination requirements and a standardized process for exemptions such as those proposed in last session's HB 19-1312, School Immunization Requirements.

### **SUPPORT FUNDING AND OTHER APPROACHES TO EXPAND THE IMPLEMENTATION OF THE COLORADO IMMUNIZATION INFORMATION SYSTEM**

The Colorado Immunization Information System (CIIS) is a confidential, population-based, computerized system that collects and disseminates consolidated immunization information for Coloradans of all ages. Operated by the Colorado Immunization Program at the Colorado Department of Public Health and Environment (CDPHE), CIIS supports high immunization rates by consolidating immunization records from multiple providers, allowing providers to generate notices for individuals who are not up-to-date, minimizing over-immunization, and identifying

missed opportunities for immunization. Broad, statewide implementation of CIIS, including increased funding and universal utilization by health care providers, will meet multiple public health priorities, especially for children.

### **PRESERVE LOCAL AUTHORITY TO ADOPT AND ENFORCE HEALTHY FOOD AND BEVERAGE POLICIES**

Scientific evidence demonstrates the negative health effects of sugary drink consumption. Surprisingly, drinking just one sugary drink a day increases a person's risk for type 2 diabetes by 25 percent, for childhood obesity by 55 percent, and for death from heart disease by 30 percent. Additionally, sugary drinks are linked to dental extraction surgeries in very young children: Children's Hospital Colorado is performing approximately 3,000 surgeries each year to address rotten or infected teeth. Boulder County supports local authority and state public policy strategies to reduce the risks associated with the consumption of sugary drinks. In 2016, City of Boulder voters passed a 2 cent per ounce excise tax on the distributors of sugary drinks, with revenue dedicated to addressing gaps in health among children, families, and adults in the city. Currently, Colorado and 38 states apply small sales taxes to sugary drinks sold through vending machines. Boulder County opposes any legislation to preempt local authority to apply a sugary drink tax or eliminate current sales taxes.

### **SUPPORT EVIDENCE-BASED POLICY TO PREVENT GUN VIOLENCE AND DEATH IN COLORADO**

The United States suffers from an epidemic of gun violence unparalleled in any other developed nation. In 2016, 37,200 people died as a result of gun use, the second highest number worldwide, and the U.S. has six times more firearm-related deaths than Canada and sixteen times as many as Germany, according to the Institute of Health Metrics and Evaluation study of Global Burden of Diseases, Injuries, and Risk Factors. Research has demonstrated that the U.S. does not have a higher prevalence of crime than other developed countries, but it does have more lethal gun violence (suicides and homicides) than all other developed nations. Suicides make up the highest proportion of deaths related to firearms, followed by homicides and accidental shootings. Suicides linked to guns occur at a rate of 6.4 per 100,000 deaths in the U.S., the second highest worldwide. Alarming, firearm-related deaths are the third leading cause of death of children in the United States. Opponents to gun violence prevention argue that any limit to the type or number of firearms available for civilian use would lead to more deaths in communities. However, data from the Centers on Disease Control demonstrate that states with more guns have more gun deaths, and states with tighter gun control laws have fewer deaths.

In 2017 in Colorado, 779 people died from firearm injuries. Colorado can decrease gun-related violence and death in our state by passing legislation that fills the gaps in Colorado's current gun violence prevention laws. A comprehensive approach in Colorado:

1. Changes how firearms are purchased or obtained, including extending waiting periods, strengthens permitting and licensing processes, increases the minimum age to purchase, addresses and reduces gun theft, increases notification in the case of gun thefts, limits the number of firearms and ammunition purchased at one time, and develops standards for concealed carry classes;
2. Reduces the human lethality of firearms and ammunition by regulating deadlier firearms and ammunition and implementing other safety protocols, includes prohibiting the transfer and possession of assault weapons and fifty caliber rifles and requires guns to meet design safety standards;
3. Reduces access to firearms and ammunition by children, and prevents accidental shootings and suicide through safe storage measures;
4. Addresses the determinants associated with gun violence through policies such as disarming persons convicted of hate crimes and violent misdemeanors and enhancing risk screening in schools to evaluate students and linking to interventions;
5. Reduces illegal gun possession by increasing penalties for prior felony offenders, individuals who are denied purchase because of a failed background check, and those who sell guns to juveniles; and
6. Supports further investment in mental health treatment, prevention programs, and research to identify additional solutions to prevent gun violence and death.

Boulder County supports comprehensive legislation to prevent gun violence and death in Colorado.

## *Environmental Health*

### **SUPPORT STATE REGULATION AND OTHER POLICY MEANS TO PROTECT AIR QUALITY**

Since 2008, the nine-county Denver Metro area, including Boulder County, has exceeded the U.S. Environmental Protection Agency's (EPA) health standards for ozone, being classified as a Moderate non-attainment area since 2016. In recent years, regional air quality has continued to worsen, with evaluation of air quality data revealing that the region is not making progress on meeting federal Clean Air Act requirements. In December 2019, the EPA reclassified the region to the higher non-attainment status of Serious, which will lead to the imposition of stricter Clean Air Act compliance standards.

Under the Clean Air Act, the EPA establishes air quality standards to protect public health, with special attention paid to the health of "sensitive" populations (children under 10, adults over 65, and asthmatics). Poor air quality has significant public health and environmental impacts, from increasing doctor visits and hospital admissions, to compromising the unique value of our parks and open space lands, to negative effects on wildlife and habitat. Boulder County supports state legislative, regulatory, and other efforts to protect public and environmental health by reducing the emissions of harmful pollutants, including providing CDPHE with the tools and resources it needs to address the more-stringent EPA non-attainment designation for the Denver Metro region.

### **SUPPORT STATE REGULATION AND OTHER POLICY MEANS TO PROTECT WATER QUALITY**

Protecting the quality of Colorado's water is vital to its environment, economy, and people. While Boulder County works on several levels to improve water quality, prevent waterborne illness, and reduce negative environmental and public health impacts to local water sources, collaborative policy and programmatic efforts between federal, state, and local governments and other public agencies is critical to achieving water quality goals across the region and state. Boulder County will advocate for legislation, regulations, and other policy approaches that focus on the critical goal of protecting water quality.

### **SUPPORT INCREASED FUNDING FOR THE ENFORCEMENT OF SAFE DRINKING WATER STANDARDS TO ENSURE SAFE AND QUALITY DRINKING WATER**

Access to safe drinking water is vital to life. While the drinking water for millions of Coloradans is protected by CDPHE, funding levels for the Colorado Safe Drinking Water program have been flat since 2007 while the population of the state and the costs of protecting drinking water continue to rise. In August 2017, the Colorado Safe Drinking Water program announced staff and service level reductions that CDPHE recognized will increase the number of violations issued to public drinking water systems. Boulder County supports funding for the CDPHE's Safe Drinking Water Program to effectively serve the state's growing population, to comply with the U.S. Safe Drinking Water Act, and to follow recommendations from the Flint Water Advisory Task Force. In addition, Boulder County supports CDPHE's programs to coach water providers on issues related to secondary drinking water standards. Secondary water standards apply to contaminants that may cause the water to appear cloudy or colored, or to taste or smell bad. These issues may cause people to stop using water from a regulated system, even though the water may pass primary safe water standards.

### **SUPPORT LICENSING OF RADON CONTRACTORS AND OTHER EFFORTS TO REDUCE RADON EXPOSURE IN COLORADO**

Radon exposure is the second-leading cause of lung cancer in the United States, behind smoking. A colorless, odorless, radioactive gas that exists naturally in soil, radon typically enters buildings through small gaps and cracks in foundations and walls. Data collected by CDPHE indicates that approximately 50 percent of homes in Colorado have radon levels above the level set by the EPA at which homeowners should take action to reduce radon in their homes. In Boulder County, the problem is even more acute: Boulder County Public Health estimates that 54 percent of all homes in the county have radon levels above the EPA's action level of 4.0 picocuries per liter of air.

As the health effects of radon are not immediate, public policy can play a critical role in raising awareness about the long-term health effects of radon exposure and increasing action to both identify and fix radon problems in Colorado's housing stock. Currently, training and certification for radon contractors – professionals who test for radon and install mitigation devices – is voluntary. Improper testing can lead to a false sense of security for

homeowners, and poorly installed mitigation systems can cause harm. To address this challenge, the Rocky Mountain chapter of the American Association of Radon Scientists and Technologists initiated a Sunrise review of the radon profession through the Colorado Department of Regulatory Agencies, as provided by state statute. Completed in October 2019, the 2019 Sunrise Review of Radon Measurement and Mitigation Specialists concludes that the best path forward is to regulate this trade. Licensure would be granted to professionals who hold certification through the two primary national certification standards, the National Radon Proficiency Program or the National Radon Safety Board.

Boulder County supports licensure of radon measurement and mitigation specialists as licensure will protect the health and safety of Coloradans by insuring that proper testing and mitigation standards are followed and, through continuing education requirements, radon specialists are informed of current standards and technological advancements. Boulder County also supports increasing homeowner awareness of the health hazards of radon through efforts such as strengthening existing real estate transaction disclosure requirements.

**RAISE OR ELIMINATE THE EXISTING STATUTORY CAP ON ONSITE WASTEWATER TREATMENT SYSTEM PERMIT FEES**

Colorado's local boards of health currently hold statutory authority to set Onsite Wastewater Treatment System permit fees to offset the actual direct and indirect costs of providing septic system permitting and inspection services. However, since 1997 the General Assembly has capped these fees at \$1,000. Twenty-three years later, these fees are woefully inadequate to meet the real costs Colorado's local public health agencies bear in providing these permitting and inspection services; Boulder County Public Health must supplement its permitting and inspection budget from the Boulder County general fund. Boulder County supports raising or eliminating this statutory fee cap, to better balance the costs of providing these important public health services between property owners and the general public.

# community justice

*To strengthen the ability of community justice agencies to provide integrated treatment services that reduce recidivism and criminal justice costs while improving public safety.*

## **SUPPORT LEGISLATION THAT PROMOTES EFFECTIVE PRETRIAL PRACTICES AND A SHIFT FROM A MONEY-BASED TO A RISK-BASED SYSTEM**

Research demonstrates that the money bail system does not increase public safety or court appearances in the pretrial population. Under the current bail system, those who can afford to post bail are released while those who cannot afford to do so remain in custody regardless of risk, which leads to bias in the jail population by race, ethnicity, gender, income, country of origin, and other factors. Legislative efforts in Colorado to make consistent the availability of risk-based assessment in place of the money bail system and pretrial services failed in 2019. Boulder County supports legislation that develops a statewide risk-based system that employs evidence-based practices to increase court appearances. A statewide system should include a preventive detention statute that includes statewide services for a pretrial assessment, other services to allow high-risk offenders to be held without money bail, and the release of low-risk offenders. Statewide pretrial services play an important role in ensuring court appearance and public safety, whereas the commercial bond industry exists primarily for profit. Boulder County opposes efforts to reduce appropriate regulation of the commercial bond industry or to impede or otherwise diminish the role of pretrial services programs.

## **SUPPORT CRIMINAL JUSTICE REFORM THAT REDUCES RECIDIVISM AT ALL INTERCEPT POINTS BY THE IMPLEMENTATION OF EVIDENCE-BASED PRACTICES IN ALTERNATIVE SENTENCING AND EXPANDED EFFORTS TO DIVERT OFFENDERS FROM INCARCERATION, INCLUDING DRUG AND ALCOHOL TREATMENT COURTS AND JAIL PROGRAMMING**

Boulder County supports legislation to advance alternative sentencing facilities, diversion, and community-based sentencing, which offer the best opportunities to reduce recidivism and associated costs to counties and taxpayers while supporting public safety. Expansion of programming and access and enhancement to data that measures evidence-informed practices at all intercept points – arrest, detention and hearing, jails and courts, re-entry, and community corrections – is necessary for an overall reduction in long-term recidivism for the county.

## **SUPPORT SYSTEMS THAT REMOVE BARRIERS AND PROVIDE A COORDINATED RESPONSE TO OFFENDER REENTRY FOLLOWING INCARCERATION IN JAIL, PRISON, OR JUVENILE DETENTION**

Prisoner reentry is a complex issue, with the transition from jail or prison to the community being challenging not only for offenders but also for their families and communities. Offender reentry efforts should seek to promote offender success in the community and reduce recidivism. Reentry programs traditionally have focused on a specific area such as employment, job training and placement, housing, access to services, or substance abuse treatment. However, given the complexity of challenges faced by returning offenders, an integrated approach to problem solving that includes cognitive behavioral treatment is crucial, with comprehensive, collaborative case management based on a continuum of service, from jail “in-reach” through successful reentry. This integrated approach must also include proper coordination and communication with community correction boards, local elected officials, and local law enforcement in the placement of offenders in local communities. Boulder County supports increased coordination between agencies and service providers to ensure successful reentry of offenders.

## **SUPPORT THE REINVESTMENT OF COST-SAVINGS ACHIEVED BY THE DEPARTMENT OF CORRECTIONS, DIVISION OF YOUTH SERVICES, AND STATE JUDICIAL IN PROGRAMS THAT PREVENT AND REDUCE INCARCERATION AND RECIDIVISM**

For the 2016-2017 state fiscal year, the budget for the Division of Youth Services was reduced by \$2 million due to the previous year’s decrease in placements of youth in juvenile detention. These reductions depicted a very positive shift in youth corrections – earlier and less invasive interventions were supporting families and youth and reducing incarcerations. Collaborative Management Programs such as Boulder County’s IMPACT partnership exemplify effective early intervention programs that reduce the need for detention, probation, and commitment. However,



prevention and early intervention services must be sustained to keep youth and adults free of incarceration. When incarceration budgets are reduced, every effort should be made to determine what services and programs are contributing to the improved outcomes and utilize dollars saved to invest in and sustain those services and programs.

# disaster resilience & recovery

*To ensure the safety of our community during emergencies, prepare for and mitigate prior to disasters, and facilitate timely and full recovery following disasters.*

## **SUPPORT EFFORTS TO STRENGTHEN STATE AND LOCAL GOVERNMENT RESILIENCY AND BUILD CAPACITY TO PREPARE FOR AND RESPOND TO DISASTERS AND CLIMATE CHANGE**

Disaster events and ecosystem disruptions deeply impact residents and communities, and demand preparation and ability to respond on the part of local governments. Data and forecasting reinforce recent experiences of communities along Colorado's Front Range: We will continue to be burdened by the negative effects of climate change, from drought to wildfires to floods and more. As we look to the future, wildfires are more catastrophic and frequent, rain events are more intense, and tornadoes are occurring in areas previously free from those hazards. Continued population growth will only exacerbate the risk. With local emergency responder and management agencies in place, county response to disasters is typically well-managed and triaged. However, the growing scale of disasters means that more resources and staff are necessary to aid in recovery, and local governments – especially smaller communities – can lack capacity for the immense immediate and long-term recovery work while maintaining regular ongoing government services and operations. Similarly, state government needs to be well-positioned to respond and to support local governments in their response and recovery. HB 18-1394 codified the Colorado Resiliency Office (CRO) to ensure its long-term viability, and HB 19-1292 funded the office through September 2022. CRO staff provides the expertise, relationships, and programs necessary to increase resiliency, decrease risk, and connect critical sectors, helping make Colorado local governments more effective and resilient in their response to and recovery from disasters. Boulder County supports continued state funding, technical support, and other resources that ensure local governments maintain continuity of operations while effectively responding to and recovering from disasters.

## **SUPPORT LEGISLATION AND FUNDING THAT ASSISTS COUNTIES IN REDUCING WILDFIRE RISK AND THE COSTS ASSOCIATED WITH WILDFIRE SUPPRESSION EFFORTS**

Local governments have various land use and land management tools available to reduce wildfire risk on public and private lands. Many counties also work closely with the community on wildfire prevention, mitigation, and suppression. The return on investment for wildfire mitigation efforts was proven through fires as recent as the 2016 Cold Springs Fire in Nederland, where effectively mitigated homes survived the fire and mitigated lands served as a safe zone for fire suppression efforts. Boulder County's nationally recognized Wildfire Partners program supports a comprehensive approach to community wildfire mitigation and resilience by providing private homeowners with wildfire mitigation assessments, technical assistance, and financial incentives for completing mitigation projects. Through the Colorado Department of Natural Resources Wildfire Risk Reduction Grant program and Federal Emergency Management Agency (FEMA) funding, Boulder County has assisted more than 2,100 homeowners in reducing their wildfire risk. Other examples of important county programs include outreach to people experiencing homelessness and living on public lands about wildfire risk and prevention through the Nederland Interagency Council for Homeless Encampments program, the private resident prescribed burn permit program, chipping and sort-yard services, and law enforcement efforts that assist with the coordination of wildfire suppression such as multi-jurisdictional cost-sharing agreements. Boulder County supports increased funding for mitigation programs as well as legislation that provides counties and law enforcement partners with the tools necessary to reduce wildfire risk in the wildland urban interface, ensure public safety, and improve collaboration during wildfire disasters.

**SUPPORT LEGISLATION AND FUNDING THAT PROMOTES FOREST RESTORATION AND WILDFIRE MITIGATION, INCLUDING THE USE OF PRESCRIBED FIRE, IN THE WILDLAND URBAN INTERFACE**

*See full policy statement in the Public Lands and Natural Resources section.*

**SUPPORT LEGISLATIVE EFFORTS TO PROMOTE WILDFIRE MITIGATION AND REDUCE THE STRUCTURAL IGNITABILITY OF HOMES IN THE WILDLAND URBAN INTERFACE**

Recent wildfires in Boulder County and across the state have reinforced the need for collaborative landowner participation in the planning and implementation of mitigation efforts in the wildland urban interface. In particular, Boulder County supports legislative efforts that promote forest health and restoration projects that improve overall forest conditions; forestry projects that reduce fuels for fire and create fuel breaks and safe escape routes; increased private homeowner awareness and participation in the creation and maintenance of defensible space and a safe home ignition zone; and increased use of ignition-resistant building materials in residential construction, renovations, decks, and additions in the wildland urban interface. Boulder County's Ignition-Resistant Materials and Construction building code is a local strategy that supports these efforts, and our nationally recognized Wildfire Partners program, which provides wildfire mitigation assessments, technical assistance, and financial incentives to private homeowners interested in reducing their wildfire risk, is another. Boulder County supports state legislation that advances wildfire mitigation and reduction of wildfire risk through ignition-resistant building codes and other means.

**SUPPORT ONGOING FUNDING FOR THE COLORADO STATE FOREST SERVICE TO PROVIDE ASSISTANCE TO PRIVATE LANDOWNERS IN IMPROVING FOREST CONDITIONS AND REDUCING WILDFIRE RISK**

The Colorado State Forest Service (CSFS) manages and treats thousands of acres of forested lands across Colorado, educates landowners and homeowners about forest stewardship and wildfire mitigation, and partners with federal and local entities on forest restoration and resiliency efforts – all with the goal of achieving healthy and resilient forests in Colorado. For local governments, CSFS is a critical partner in helping residents of forested lands better understand their role in the forest health and wildfire challenges we face, and regional field offices and staff provide local governments with technical assistance and support about local forest-related challenges. Funding for the CSFS comes from the state and federal government through various sources including state severance tax funds. With insufficient and unpredictable funding, the CSFS has limited capacity to meet the need statewide and continue to facilitate forest health efforts at the local level. Boulder County supports ongoing and increased funding for the CSFS to support wildfire mitigation efforts and community engagement around forest health and wildfire issues.

**SUPPORT EXTENSION OF AUTHORITY FOR COUNTIES TO TRANSFER GENERAL FUND DOLLARS TO THE ROAD AND BRIDGE FUND IN DECLARED DISASTERS**

Colorado statute prohibits counties from transferring General Fund dollars to their county Road and Bridge Fund for road and bridge construction projects. In response to the hundreds of millions of dollars in road infrastructure damage caused by the 2013 Flood, the General Assembly passed SB 14-007 and SB 17-034 to allow counties to transfer money from their General Fund to their Road and Bridge Fund to facilitate road reconstruction flood recovery projects. This authority was granted first for four years and extended to eight years and was limited to counties impacted by a state- or federally declared disaster. The permission to transfer funds has been of critical importance, as counties first pay for recovery projects up front and then await reimbursement from the federal government, and reimbursements often take years to receive. Without this authority, counties would not have funds initially to complete and pay for the projects and then subsequently to keep the Road and Bridge Fund whole while awaiting reimbursement.

Now, seven years after the 2013 Flood, counties continue to rebuild. In Boulder County, transportation recovery projects have taken longer for a number of reasons, including coordinating projects with impacted members of the public, acquiring more than 200 easements necessary to implement flood repair projects in a manner consistent with federal requirements, ensuring compliance with applicable floodplain and environmental permitting requirements after the hydrology and topography of adjacent creeks and rivers had changed significantly as a result of the flood event, the resource and staffing challenges associated with the simultaneous design and construction of many major capital projects, and lengthy delays in project review and reimbursement. This included a nearly year-

long delay in FEMA's provision of Congressionally mandated guidance necessary for Boulder County to address numerous project eligibility and appeals issues. As a result of these challenges, Boulder County anticipates flood recovery projects and reimbursements to continue at least into 2024. Colorado counties need this authority extended in order to fund transportation projects necessary for flood recovery and await reimbursement while ensuring financial solvency of county government.

**SUPPORT TIMELY AND RESPONSIVE STATE FUNDING MECHANISMS FOR DISASTER RESPONSE, RECOVERY, AND RESILIENCY**

Seven years into the 2013 flood recovery, much has been achieved. With strong and responsive support from the state, local governments have made incredible progress on addressing the wide and varying recovery issues in their communities, many of which dealt with critical needs such as transportation, housing, and public health and safety. However, flood recovery work continues today, as does the uncertainty of how local governments will continue to deal with flood recovery cash flow and federal funding eligibility and reimbursement issues. Boulder County asks for continued consideration of funding mechanisms as needed to allow communities to fully recover while also ensuring that local governments remain financially solvent.

# employment & income stability

*To increase employment opportunities, improve economic equity, and promote self-sufficiency.*

## **SUPPORT STRATEGIES THAT ADDRESS WAGE STAGNATION AND THE WAGE GAP FOR WORKING COLORADANS**

One-fourth of Americans have jobs that pay so little that they are not able to support their families without public benefits. Americans' wages continue to lose ground to the cost of living and inflation, eroding the ability for families to become self-sufficient. In Colorado, the costs of meeting basic needs such as housing, food, and transportation are beyond the means of those earning the minimum wage. For a family with one adult, one preschooler, and one school age child, the self-sufficiency annual salary in Boulder County is \$78,926. In Denver, the minimum hourly wage necessary to afford the median price of rent at 30 percent of gross annual income is \$35 per hour, and in the least expensive rural areas of Colorado it is \$24 per hour. In 2016, Colorado voted to increase the state minimum wage to \$12 per hour beginning January 1, 2020, yet this increase is inadequate for families to meet their basic needs. Increasing the minimum wage, addressing wage equity, and providing paid medical and family leave are strategies that Boulder County supports to address wage stagnation and the wage gap for Colorado's low-income workers.

## **SUPPORT LEGISLATION TO ENACT A PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM IN COLORADO**

Paid family and medical leave, or paid leave, provides wage replacement to workers taking temporary leave to recover from a serious illness, care for an ill family member, care for a newborn or a newly adopted or fostered child, or in some instances, recover from a traumatic event such as domestic violence. Paid family and medical leave has been demonstrated to have a myriad of positive health, well-being, and prevention affects. Some of the social and economic benefits of paid leave include increasing labor-force participation, employee retention, lifetime earnings, retirement security, increasing breastfeeding and vaccination rates, improvements in maternal mental health, and decreasing infant mortality.

The United States remains the only advanced economy in the world that does not provide paid parental leave. Only 12 percent of people working in the private sector in the U.S. have access to paid family leave through their employers. While FMLA guarantees workers 12 weeks of unpaid leave to care for a newborn or sick relative, in reality, few can afford to go that long without receiving a paycheck.

As an employer, in 2016, Boulder County began offering paid family and caregiver leave in addition to its existing paid medical leave benefits. The program has supported employee retention and satisfaction and is aligned with the county's goals of improving equity, financial security, public health, positive early childhood outcomes, and support for people as they are aging.

Boulder County supports legislation to enact a paid family and medical leave insurance program that is accessible to all employees in the state, is administered without bias or increased costs to some populations, incorporates best practice and evidence from existing programs in the U.S., and ensures that employers and employees with more robust paid family and medical leave retain access to those benefits, without increasing current costs.

**SUPPORT LOCALLY INFORMED, ACCESSIBLE PROGRAMS THAT PROMOTE ON-THE-JOB TRAINING OPPORTUNITIES, SUCH AS INTERNSHIPS AND APPRENTICESHIPS**

Experiential opportunities provided through on-the-job training, apprenticeships, internships, or job-shadowing allow job-seekers to build skills and employment histories while also helping employers to reduce personnel costs. Relevant work experience is crucial to unemployed workers, those entering the workplace for the first time or after an absence, and workers seeking to change fields to earn increased wages. Effective programs consider the local labor market, key industry clusters, and economic conditions including variable wages; support workers with challenges related to poverty; utilize incentives for employers to build pipelines for higher paying jobs; and include all relevant employers, including the nonprofit business sector, and all workers in need, rather than specific populations. State funding for training should be more flexible to address soft and technical skills and the need to pay wages as necessary. Programs should be designed at the local level to create access points and advancement within in-demand industries, such as those identified through local Workforce Centers. For example, opportunities within high-demand professions in the health care, manufacturing, and information technology fields (Boulder County's key industry sectors) provide a pathway for living wage employment and career ladders. Skills-based training in those fields will help meet the need for workers while facilitating access to well-paying jobs for lower-income individuals. Boulder County supports legislation that increases funding for locally informed programs to provide accessible on-the-job training programs.

**SUPPORT COUNTY- AND WORKFORCE CENTER-DIRECTED PROGRAMS THAT IMPROVE EMPLOYMENT OUTCOMES FOR INDIVIDUALS AND FAMILIES RECEIVING TANF AND OTHER BENEFITS**

Federal public benefits programs administered by counties have their own specific work requirements. The Temporary Assistance for Needy Families (TANF) program, for example, comes with a work participation requirement mandating that recipients engage in certain levels and types of work activities to receive the benefit, which is also required for Colorado to receive its share of federal block grant funding. The Supplemental Nutrition Assistance Program (SNAP) requires able-bodied individuals to participate in the Employment First program. Families and individuals in these programs may have unique challenges which require targeted approaches to obtaining and retaining employment, and counties and Workforce Centers are best positioned to develop and implement supportive programs that address client needs while meeting local and regional labor market demands. The Federal Workforce Innovation and Opportunity Act (WIOA) has a strong focus on serving special populations, more than ever before – and yet the accountability measures for job placement remains the same and means that more resource-intensive populations are expected to meet the same outcomes as more experienced and work-ready clients. Performance measures and outcome timelines should be tailored to the needs of job seekers within WIOA programs. One example of a program which has been successful in supporting some of the hardest to employ is the Colorado Parent Employment Project (CO-PEP), which focuses on non-custodial parents with issues meeting child support payments. Boulder County supports locally driven, innovative approaches to serving the hardest to employ Coloradans as well as flexible performance measures to improve outcomes over the long run.

# energy, environment & sustainability

*To advance climate action, reduce the use of fossil fuels, promote clean energy, and reduce waste.*

## ***Energy and Climate***

### **SUPPORT LEGISLATIVE, REGULATORY, AND ADMINISTRATIVE ACTIONS BY COLORADO STATE GOVERNMENT TO ACHIEVE THE STATE'S EMISSION REDUCTION GOALS CODIFIED IN HOUSE BILL 19-1261 AND IMPLEMENT GOVERNOR POLIS'S CLIMATE ACTION PLAN**

Climate change is a reality in Colorado and in Boulder County. According to analysis completed by the Rocky Mountain Climate Organization, the Boulder area will see temperatures exceeding 95°F an average of 75 days per year by the end of the century, compared with an average of five days per year in the late 20<sup>th</sup> century. Boulder County continues to pursue county-level efforts to reduce greenhouse gas emissions but recognizes that true progress will require comparable efforts at the state, national, and global levels.

Colorado took significant action in 2019 to codify its greenhouse gas emission reduction goals with the passage of House Bill 19-1261. This legislation creates a regulatory framework for ensuring the state makes timely progress towards its 2025, 2030, and 2050 statewide emission reduction targets of 25 percent, 50 percent, and 90 percent, respectively.

Regulatory responsibility for implementing this work has been delegated to the Air Quality Control Commission (AQCC). Boulder County will work closely with Colorado Communities for Climate Action (CC4CA) and other partners to monitor the progress of this work at the AQCC and participate as appropriate. To the extent related regulatory proceedings are undertaken at the Public Utilities Commission or other bodies, Boulder County will similarly seek to prioritize and engage in those processes.

Boulder County will also work closely with the Polis Administration and state legislators to advance the goals of the governor's "Roadmap to 100% Renewable Energy by 2040 and Bold Climate Action" plan, including support for funding as needed.

### **SUPPORT CLIMATE CHANGE PREPAREDNESS AND RESILIENCY EFFORTS**

Even in the best-case scenarios for reductions of greenhouse gas emissions, Colorado will experience significant impacts from climate change in the years to come. This will include higher temperatures, more wildfires, severe flooding, increased likelihood of drought, and other changes. For Boulder County, a 2018 study found climate change could lead to a 50 percent increase in damage from wildfires; a doubling of severe and extreme drought events; and dramatic increases in road and bridge maintenance costs due to flooding events.

Building on the creation of a permanently-funded Colorado Resiliency Office in 2019 (through HB 19-1292), Boulder County supports further efforts by the state to work with local governments to prepare for the severe weather of the future. In areas such as transportation, infrastructure, and air and water quality, the state should establish planning processes, codes, and standards designed to withstand the future weather events and patterns that will result from climate change.

### **SUPPORT LEGISLATION TO PROVIDE COLORADO COUNTIES WITH PERMISSIVE AUTHORITY TO IMPLEMENT CARBON PRICING**

Carbon dioxide is the primary greenhouse gas that is contributing to climate change. Carbon pricing is a method for accounting for the environmental and social costs of the carbon content of a fossil fuel. Because the current pricing structures of gasoline, electricity, and fuels in general include none of the long-term costs associated with climate change, or even the well-quantified near-term health costs of burning fossil fuels, there is little economic incentive to develop and implement measures to reduce carbon emissions.

A properly designed carbon pricing system will incentivize decision-makers at all levels to reduce carbon emissions through conservation, substitution, and innovation strategies, for example through energy efficiency, renewable energy, and conservation-based behavioral change. In Colorado, home rule cities have authority to present a carbon pricing system to their citizens, which the City of Boulder did with success in 2006. Boulder County supports state legislation to provide the same permissive authority to Colorado's statutory cities, towns, and counties.

### **SUPPORT POLICIES THAT PROMOTE ENERGY-EFFICIENT BUILDINGS**

Residential and commercial buildings account for more than 44 percent of the electricity and natural gas consumed in Colorado. Research suggests that, using tools such as green building codes, energy consumption disclosure requirements, and demand-side management programming, energy use in Colorado's buildings could be effectively reduced by more than 30 percent. Within this context, Boulder County supports policy, programmatic, and regulatory efforts that will lead to improvements in the energy performance of Colorado's building stock. In particular, Boulder County supports efforts to improve the energy efficiency and affordability of the existing building stock, in which there is significant energy savings potential, but which can be difficult to finance improvements for.

### **SUPPORT ONGOING AND SUSTAINABLE FUNDING FOR WEATHERIZATION AND RENEWABLE ENERGY ASSISTANCE TO LOW-INCOME HOUSEHOLDS SO THAT ALL COLORADANS HAVE ACCESS TO COMFORTABLE AND AFFORDABLE HOMES**

*See full policy statement in the Housing section.*

### **SUPPORT ENABLING LEGISLATION TO PROVIDE COUNTIES AND STATUTORY CITIES AND TOWNS WITH AUTHORITY TO IMPLEMENT LOCAL ENERGY EFFICIENCY POLICIES AND PROGRAMS**

Unlike their home rule municipal peers, Colorado counties and statutory cities and towns in many cases lack authority to adopt and implement energy conservation policies and programs. For example, energy conservation ordinances are proven policy tools for improving the energy efficiency and performance of the existing residential and commercial building stock, but only Colorado home rule cities have statutory authorization to enact such ordinances. Boulder County supports enabling legislation to provide Colorado's counties and statutory cities and towns with the authority necessary to enact policies and programs that can support and promote energy conservation within their jurisdictions.

### **EXPAND DISTRIBUTED GENERATION, ENERGY STORAGE, HIGH LEVELS OF RENEWABLE ENERGY GENERATION (DISTRIBUTED AND UTILITY-SCALE), AND APPROPRIATE TECHNOLOGIES THROUGH GRID MODERNIZATION**

A wide array of grid modernization policies and actions are available to both communities and utilities that can reduce energy consumption, better align availability of electricity to demand, expand renewable energy generation, and collectively reduce carbon pollution from the power generation sector (while also improving reliability and reducing cost). Boulder County supports policies and funding that result in these types of grid modernization efforts in Colorado, including extension of the expiring property tax exemption for community solar garden equipment attributable to residential subscribers.

### **EXPAND THE CONSIDERATION OF THE ENVIRONMENTAL AND HEALTH COSTS ASSOCIATED WITH THE USE OF FOSSIL FUELS**

The social cost of carbon is a measure of the economic harm from the environmental and health impacts of emitting one ton of carbon dioxide into the atmosphere, expressed as the dollar value of the total damages. Boulder County supports the Public Utilities Commission's new requirements in SB 19-236 to consider the social cost of carbon

when making decisions related to electric utilities. Boulder County also supports expanding the use of a social cost of carbon to other emissions modeling efforts, including to clean energy plans submitted by utilities to the AQCC. Lastly, Boulder County supports the use of a social cost of carbon in the decision-making processes associated with other emissions sectors such as heating and transportation.

### **INCORPORATE EQUITY, ACCESSIBILITY, AND JUST TRANSITION CONSIDERATIONS INTO CLIMATE POLICIES AND ACTIONS**

To reduce heat-trapping emissions and avoid the worst effects of climate change, the world must rapidly transition to a clean energy future, one built upon the pillars of energy efficiency and renewable energy, while dramatically cutting its reliance on oil, coal, and natural gas for energy production. Such a transition will without question result in large-scale social and economic impacts, with the potential for disproportionate impacts on certain communities (e.g., people of color, low-income areas, and immigrant communities). While increased investments in energy efficiency and renewable energy will generate millions of new jobs, workers and communities whose livelihoods depend on the fossil fuel industry will unavoidably face challenges. Colorado is already experiencing the effects of the clean energy transition, as coal-fired power plants are retired and coal mines dramatically reduce production or shutter altogether.

Boulder County supports the provisions of HB 19-1314 and SB 19-236 to create a Just Transition model for assisting workers and communities impacted by reductions in the use of fossil fuels for power production. Programs should be designed to ensure high participation rates and could include such strategies as transitional income and benefits support, education and training, and community and economic development. Strategies to advance a rapid transition to a clean energy future must include programs that serve as catalysts for bringing displaced workers and communities into the clean energy economy.

### **SUPPORT THE ACCELERATED RETIREMENT OF EXISTING FOSSIL FUEL BASED-GENERATION FACILITIES AND THEIR REPLACEMENT WITH COST-EFFECTIVE AND RELIABLE CLEAN ENERGY SUPPLIES, THROUGH MEANS THAT PROTECT BOTH UTILITIES AND CONSUMERS**

Wind and solar energy is now less expensive than the energy generated by many aging coal plants, and is increasingly cost competitive with natural gas power plants. Colorado is blessed with some of the best solar and wind resources in the country, which should allow for a faster and a more affordable transition to clean energy. The key to unlocking emission reductions and electricity bill savings is developing a legal framework allowing utilities and their customers to equitably share the benefits and costs. Boulder County supports actions in Colorado such as the provisions of SB 19-236 that will enable the early retirement of fossil fuel-based power plants and their replacement with clean energy sources, while protecting the economic interests of both the utilities owning the power plants and electricity customers. In Colorado, there is an opportunity to recover up to \$1.5 billion in undepreciated asset value held by existing coal-plant owners to facilitate the voluntary phased retirement of coal plants.

### **SUPPORT A COMPREHENSIVE MARKET-BASED POLICY TO REDUCE COLORADO'S GREENHOUSE GAS EMISSIONS**

Climate change is considered a market failure by economists because it imposes huge costs on society—so-called external costs—that are not normally reflected in the prices of the goods and services causing the cost. To overcome this market failure, Boulder County supports an effort to internalize these costs, by putting a price on heat-trapping emissions and allowing that price to help drive emission reductions. Such a market-based approach can be undertaken at national, regional, and/or state levels, and could take different forms. One approach would be a tax on greenhouse gas emissions. Another would be a cap-and-trade program that allows trading of limited emission rights that are sold and traded to achieve economically efficient emission reductions. Examples include the Regional Greenhouse Gas Initiative covering ten northeastern U.S. states, and California's statewide cap-and-trade program.

### **EXPAND DEMAND SIDE SAVINGS FROM EFFICIENCY AND CONSERVATION FOR ALL ENERGY TYPES**

While the 2019 legislative session produced significant greenhouse gas emissions legislation, no new action was taken to update utility-level energy efficiency goals. As greenhouse gas emissions reductions and renewable energy goals ratchet up in coming years, Boulder County supports a continued focus on least-cost energy efficiency as a

critical policy for minimizing ratepayer costs and easing the transition to more renewable energy sources. In 2017, a goal was set by executive order for utilities to achieve two percent per year in energy efficiency savings by 2020, which is readily achievable and should be extended beyond that date. The State of Massachusetts, for example, had an electric energy efficiency target of 2.95 percent for 2018.

Moreover, no recent state actions have included energy efficiency targets for natural gas utilities or unregulated fuels such as propane. Establishing a two percent annual energy efficiency savings target for these utilities is one potential action. Such actions could also include encouraging municipal and cooperative utilities to adopt and achieve similar efficiency targets and exploring mechanisms for establishing similar goals for non-utility energy providers (e.g., propane sales).

### **PROVIDE FOR EQUITABLE STRATEGIES TO ENABLE AND ACCELERATE BENEFICIAL ELECTRIFICATION**

“Beneficial electrification” refers to replacing direct fossil fuel consumption (e.g., propane, natural gas, gasoline) with electricity in end uses such as furnaces, water heaters, and automobiles. While the ability to decarbonize fossil fuels is limited, electricity will continue getting cleaner (including Colorado’s goal for 100 percent renewable electricity by 2040), meaning that electrification will generally lower greenhouse gas emissions and have the potential to lower energy costs as well. Electrification of the U.S. transportation, commercial, and residential sectors would reduce greenhouse gas emissions by 70 percent. Replacing natural gas heat with electric heat pumps is one example: heat pumps are over 200 percent efficient at capturing heat from the air, ground or waste sources. They also cool buildings more efficiently, which will be increasingly important as climate change leads to hotter weather.

Enabling policies will need to consider energy consumption holistically and across the economy. Boulder County supports policies, strategies and practices that accelerate locally sensitive beneficial electrification targeting the most practical, high impact, and valuable fuel switching opportunities while saving money for consumers, reducing greenhouse gas emissions, improving quality of life, and making the electric grid more robust and resilient.

### **REQUIRE STATE GOVERNMENT TO ASSESS CLIMATE-RELATED RISKS IN ITS INVESTMENT PORTFOLIO AND MAKE RECOMMENDATIONS TO MITIGATE THAT RISK UP TO AND INCLUDING DIVESTMENT**

*See full policy statement in the State Fiscal and Governance section.*

## ***Recycling and Waste***

### **GRANT CDPHE AUTHORITY TO IMPLEMENT A PLAN FOR MEETING COLORADO’S STATEWIDE AND REGIONAL SOLID WASTE DIVERSION GOALS**

In August 2017, the Colorado Solid and Hazardous Waste Commission adopted new statewide and regional municipal solid waste diversion goals, including separate goals for 11 Front Range counties and for the remainder of the state for the years 2021, 2026, and 2036. Boulder County supports granting CDPHE with the necessary the authority to meet these goals and supports increased data collection and reporting by the waste hauling industry, including statewide reporting standardization.

### **REDUCE THE USE OF DISPOSABLE AND SINGLE-USE PRODUCTS AND PROMOTE THE REUSE OF MATERIALS**

Existing protocols for greenhouse gas emissions inventories do not include emissions associated with the use of resources other than landfill-related emissions. However, a recent C40 Cities study investigated the consumption-based emissions from 79 cities, focusing on the goods and services consumed and used by residents, and found that total consumption-based emissions were approximately 60 percent higher than the traditional energy sector-based inventories. Construction and demolition waste, for example, is an important contributor to emissions.

Boulder County supports traditional recycling and composting initiatives, legislative efforts such as eliminating the state’s preemption of local authority to ban the use or sale of specific types of plastic materials or products or restrictions on containers for consumer products, and strategies to reduce the embodied emissions associated with the consumption of goods and services.

**FOSTER INFRASTRUCTURE, POLICIES, INCENTIVES, AND PROGRAMS FOR RECYCLING AND COMPOSTING**

Zero waste strategies such as recycling, composting, reuse, and source reduction are proven solutions that reduce emissions of both carbon dioxide and methane and can be implemented immediately. Recycling 90 percent of our discards by 2030 would reduce U.S. greenhouse gas emissions by the equivalent of closing more than 80 U.S. coal-fired power plants. However, Colorado has a poor waste diversion rate of 17 percent compared with the national average of 35 percent. Not all recycling and compost solutions are created equal, so individual proposals and policies should be evaluated based on their potential to reduce emissions in both the short- and long-term.

The largest climate benefit from recycling is the reduced energy and materials needed to manufacture new products. Boulder County supports a range of actions, including encouraging remanufacturing and end market development for recycled products and purchasing policies that include recycled-content standards. For organic waste, composting is often an effective strategy.

Forty percent of our waste is organic material, which not only produces methane when it breaks down anaerobically (e.g., in landfills), but can be a powerful climate solution when converted aerobically into compost. Research is just starting to quantify the carbon sequestration potential of this material. Boulder County supports food waste diversion and rescue efforts as well as purchasing policies that drive market development.

# equity & human rights

*To improve social, environmental, and economic justice and equality.*

## **SUPPORT POLICY TO ACHIEVE RACIAL EQUITY AND ELIMINATE RACISM**

According to the W.K. Kellogg Foundation, race is a “social construct that artificially divides people into distinct groups based on characteristics such as physical appearance (particularly color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic, and political needs of a society at a given period of time.” An Aspen Institute study found that, because of structural and cultural racism in American society, Americans “more or less take for granted a context of white leadership, dominance, and privilege. This dominant consensus on race is the frame that shapes attitudes and judgments about social issues. It has come about as a result of the way that historically accumulated white privilege, national values, and contemporary culture have interacted so as to preserve the gaps between white Americans and Americans of color.”

Economic inequities between communities of color and of white people are an example of racial injustice. As reported in Mehrsa Baradan’s 2019 research on the racial wealth gap, “When the Emancipation Proclamation was signed in 1863, the black community owned less than 0.5 percent of the total wealth in the United States...more than 150 years later...blacks still own only one percent of the wealth in the United States.” This economic disparity has been driven by racist American policies such as slavery and redlining, which is the refusal to offer credit or insurance in particular communities, a practice still in use today.

Boulder County supports legislation that increases and achieves racial equity in our state and communities, such as the use of racial equity tools to eliminate bias in the development of government programs and policies, truth and reparations processes, and other policies to eliminate bias and racism.

## **SUPPORT THE RIGHTS OF NATIVE AMERICAN NATIONS AND INDIVIDUALS IN COLORADO AND POLICY THAT SUPPORTS CONSULTATION, RECOGNITION, AND RESTORATION TO ADDRESS ISSUES RELATED TO THE LOSS OF LANGUAGE AND LANDS, PAST AND CURRENT OCCUPATION, GENOCIDE, AND COERCIVE AND BROKEN TREATIES**

First Nations, and their project Reclaiming Native Truth, conducted ground-breaking research to support greater respect, inclusion, and social justice for Native Americans. Their work states that the history of Native Americans is one of great strength and revitalization. It is a story built around values that have shaped Native cultures and U.S. society: respect for family and elders, shared responsibility to care for the land, and an obligation to do right by the next generation. It is a story of resilience through great pain and injustice, from broken treaties and loss of land and language in the past to derogatory sports mascots and biased history taught in schools today. Across more than 600 sovereign Native nations and in every profession and segment of society, Native Americans carry the cultural knowledge and wisdom that sustains Native nations and helps build a stronger future for all. In recognition of the American Declaration on the Rights of Indigenous Peoples, Boulder County supports policy that is developed in partnership with Native nations and individuals to atone for current and past wrongs. Boulder County also supports policies that ensure the protection of civil, political, economic, social, cultural, and land-based rights held by indigenous peoples; Native people’s right to maintain their cultural and spiritual identity, traditions, and values; and the protection of Native sacred sites and places of worship.

## **SUSTAIN AND STRENGTHEN RIGHTS FOR LGBTQIA+ PEOPLE IN COLORADO**

Boulder County supports continued efforts to ensure adequate protections and rights for LGBTQIA+ Coloradans. Protections such as marriage equality, anti-bullying programs in schools, banning of conversion therapy for minors, and anti-discrimination in health care and the workplace have demonstrated that Colorado is committed to equity



for LGBTQIA+ Coloradans. Access to public and private services and inclusive facilities must be protected as well. Boulder County supports strong and clear civil rights protections for LGBTQIA+ Coloradans in opposition to the influence and pressure of local and national efforts to limit those rights.

### **SUPPORT LEGISLATION THAT ENSURES EQUITABLE RIGHTS FOR TRANSGENDER, NON-BINARY, INTERSEX, TWO-SPIRIT, AGENDER, AND OTHER GENDER EXPANSIVE PEOPLE IN COLORADO, INCLUDING ACCESS TO HEALTH CARE AND OTHER SERVICES**

Transgender and other gender expansive people, including transgender and gender expansive young people, need and deserve equitable access to healthcare, education, and a variety of other public and private services. Examples include access to discrimination-free health care; adequate health insurance and care for transition surgeries and associated therapies; access to gender neutral public bathrooms; and identity support in schools and other public institutions. Denial of these services has been shown to have negative outcomes physically, mentally, financially, and socially throughout an individual's lifetime. Boulder County supports legislative and other efforts to protect and advance the rights of transgender and gender expansive Coloradans and opposes legislation that restricts these rights.

### **SUPPORT LEGISLATION THAT ENSURES THE PROTECTION OF RIGHTS FOR PEOPLE WHO HAVE IMMIGRATED TO THE UNITED STATES**

The current immigration system, which is the purview of the federal government, is ineffective, unwieldy, and backlogged, and increasingly commits human rights abuses, with a disparate focus and impact on people who have emigrated from specific areas such as the Middle East and Latin America, and people who have fewer financial resources. Action on the part of the U.S. Immigration and Customs Enforcement (ICE) has forced information sharing between local and federal law enforcement, and ICE has been accessing state identification databases to target immigrants. These actions, in addition to punitive federal practices such as deportation raids and monitoring of public buildings like courthouses, have impacted community trust in local law enforcement and increased fear among the immigrant community, affecting willingness to report crime or appear for probation appointments and court hearings. When interacting with public services, law enforcement, and courts, immigrants must be confident that their information is secure and that they will not be detained beyond what is lawfully required. Boulder County supports improved data protection for the SB 19-251 driver's license program and adequate, on-going funding for implementation of the program. Boulder County also supports comprehensive federal immigration reform and immigration policy in accordance with international human rights law and opposes new state-legislated mandates for state and local government enforcement of federal immigration law, family separation, and unreasonable or unlawful detention of or access to immigrants.

### **SUPPORT FUNDING AND POLICY TO REDUCE HEALTH DISPARITIES AND PROMOTE HEALTH EQUITY**

*See full policy statement in the Health and Well-being section.*

### **OPPOSE EFFORTS TO IMPEDE VOTING RIGHTS OF UNITED STATES CITIZENS IN COLORADO, INCLUDING REQUIREMENT OF IDENTIFICATION AT POLLING PLACES AND LIMITATION OF ABILITY TO MAIL BALLOTS TO VOTERS**

Voting is one of the greatest privileges and responsibilities that we enjoy in the United States. But for many U.S. citizens, access to their right to vote is being obstructed by unnecessary and overly burdensome requirements intentionally designed to create barriers to registering to vote and voting. Voter identification laws deny voting rights to students, minorities, the elderly, and the disabled, and restrict citizens' ability to rightfully participate in elections. Same-day voter registration and the use of student identification cards, utility bills, and documentation other than driver's licenses, passports, and state identification cards provide secure and viable options for verifying voter identity and allowing American citizens to rightfully vote. Boulder County opposes efforts to rollback mail-in ballot laws, same-day voter registration, and other measures that ensure the right to vote to all United States citizens while maintaining election security and integrity.

**SUPPORT WOMEN’S RIGHTS LEGISLATION THAT GUARANTEES THE EQUAL RIGHTS AND OPPORTUNITIES OF WOMEN IN ALL SPHERES OF LIFE AND PREVENTS SYSTEMIC DISCRIMINATION AGAINST WOMEN**

Tremendous progress has been made in the movement for gender equality, but women still face violence, discrimination, and institutional barriers to equal participation in society. Women make 78 cents for every dollar earned by men, encounter discrimination and firing for pregnancy and parenting, and homelessness due to violence committed against them. Boulder County supports legislation that provides consistent and explicit non-discrimination protections for women across key areas of life such as employment, housing, credit, education, public spaces and services, reproductive health, menstrual equity, freedom from violence, and equity in the criminal justice and court system. In 2019, Colorado passed the Equal Pay for Equal Work Act to prevent pay disparities; however, additional legislation is necessary to ensure workplace equality, such as paid family and medical leave insurance for all Coloradans. Boulder County supports legislation, policies, and practices that eliminate gender inequality and exploitation.

# health & well-being

*To protect and enhance the health of the public and ensure that Coloradans have access to high-quality, comprehensive, and affordable health services.*

## **PROTECT AND IMPROVE ACCESS TO QUALITY HEALTH CARE FOR ALL COLORADANS**

The benefits of the passage of the federal Patient Protection and Affordable Care Act (ACA) cannot be overstated. Most provisions of the ACA were implemented in 2014, and since that date Colorado has seen its rate of uninsured drop by more than half from 14 percent in 2013 to 6.5 percent in 2019, with 600,000 more Coloradans with health insurance in 2017 than in 2013. Following implementation of the ACA, the rate of medical-related bankruptcies has plummeted by 50 percent.

The essential provisions of the ACA have ensured improved access. Insurance providers are now required to charge men and women equal insurance costs, cover care for pre-existing conditions, provide at minimum 10 essential benefits, include coverage for dependents up to 26 years old on parents' insurance plans, and provide many other protections for patients. The ACA has also helped to lower costs for individuals and families who do not receive insurance through their employer. In 2018, more than 170,000 Coloradans purchased health insurance through Colorado's Marketplace, and 76 percent of those customers received financial assistance, all made possible through the ACA. The fact that Marketplace enrollments have increased year-over-year, despite the elimination of the penalty for not having insurance, is testament to the value that Coloradans are placing on access to affordable coverage. The financial assistance available through premium tax credits and cost-sharing reductions manifested as more than a \$500 average savings on monthly premiums, with the average net premium for those receiving financial assistance dropping to \$117 per month in 2019 from \$136 per month in 2018. Boulder County supports efforts to continue to protect and improve access to health care for all Coloradans.

## **PROTECT AND IMPROVE AFFORDABILITY OF HEALTH CARE IN COLORADO**

The Affordable Care Act was built upon compromise, and though the cost of health care coverage was partially addressed through Medicaid expansion, tax-credits and cost-sharing for middle income families, and a proposed transition to pay for health outcomes versus services, the final federal legislation did not include all of the key provisions necessary to address the rising cost of health care in the United States. The Colorado General Assembly has made significant efforts to address the cost of health care through addressing surprise medical billing, reinsurance, and other legislation passed in recent years, yet Coloradans continue to experience some of the highest health care costs in the United States. The Center for Improving Value in Health Care, in a 2018 study across six states, found that Colorado was the only state with higher than average costs of care across all categories: inpatient, outpatient, pharmacy, and professional, with the cost of care 19 percent higher than similar populations. The increases in cost were not attributed to increased utilization, as use of care declined during the same period in Colorado.

Increased costs are taking their toll on businesses, individuals, families, and Colorado's budget, with Medicaid now comprising 24 percent of the state budget. Even among families receiving insurance through their employer, insurance costs rose more than 60 percent from 2008 to 2017. Deductibles grew as well with Coloradans facing some of the highest out-of-pocket costs in the nation. Components of these increasing costs include rising pharmaceutical drug prices and rising profit margins of hospital systems and insurance carriers, with profit margins across all insurance types up 250 percent from 2009 to 2017. During the same period, Colorado hospitals increased prices by 76 percent and administrative costs per patient visit by almost \$4,000, a 64 percent increase, double the national average of 32 percent.

Most uninsured individuals cite the cost of insurance as the biggest barrier to obtaining coverage and view even the least expensive plans as unaffordable. As a result, individuals are turning to high-deductible health plans that feature low monthly premiums but more out-of-pocket spending. With 54 percent of the un- and underinsured reporting



they have no place to go when they are sick, high-cost services are emerging in the healthcare market, such as free-standing emergency rooms that typically charge two to three times the prices of urgent care centers for comparable levels of care. In addition, hospitals often charge uninsured patients much higher rates than those paid by patients with private or public health insurance, since the rates are not negotiated. A lack of cost transparency, hidden costs, and the proliferation of emergency rooms as the easiest-to-access care have resulted in many Coloradans facing unexpectedly high medical bills.

Boulder County supports continued efforts in Colorado to reduce the cost of health care and health care coverage, to ensure access to care and quality are protected, and to increase access to affordable preventive health care. Specific reforms could include utilization of a “Centers of Excellence” model to provide highly specialized care within specific Colorado hospitals, capping reimbursement rates among Colorado’s hospitals to a reasonable percentage of Medicare rates, increasing cost transparency and consumer education, and reducing pharmaceutical drug prices for consumers and insurers.

### **SUPPORT AND IMPROVE COLORADO’S HEALTH FIRST PROGRAM (MEDICAID) AND CHILD HEALTH PLAN PLUS AS EFFECTIVE TOOLS TO PROVIDE ACCESS TO AFFORDABLE AND QUALITY HEALTH CARE FOR INDIVIDUALS AND FAMILIES WITH LOWER INCOMES**

Boulder County’s Medicaid enrollment increased from 16,000 individuals in 2008 to 52,600 individuals in 2018. Medicaid expansion led to decreases in Colorado’s uninsured rate, with 1.3 million enrolled in Medicaid in 2017 as compared to 560,000 in 2010. Continued access to Medicaid is critical for insuring more Coloradans. However, most recently, Colorado’s Medicaid program has seen a higher than national average decrease in enrollment. Analysis by the Colorado Center on Law and Policy in November 2019 has cited policy and system barriers as some of the factors contributing to decreases in enrollment.

Connecting enrollees to preventive health programs and services is key to saving money within both the Medicaid system and the health care system overall. In pursuit of this goal, Colorado administers the Accountable Care Collaborative, with Regional Accountable Entities (RAEs) designed to improve health outcomes of adult Medicaid clients through administering access to physical and behavioral health services and focusing holistically on wellness and preventive care, as does the Healthy Communities program which coordinates healthcare for children enrolled in Medicaid and CHP+. But gaps still exist statewide in access to preventive care, specialty care, mental health, and substance abuse treatment services, forcing patients to wait for or even forego care.

Boulder County supports legislative, regulatory, and administrative action to improve systems to ensure qualified Medicaid recipients remain covered; expansion of RAEs, Healthy Communities, and other programs to increase access; ensuring access to evidence-based mental and behavioral health services is on par with access to physical health services for all Coloradans; and the growth of the Medicaid provider base through strategies such as increased provider rates and incentives for medical, dental, and behavioral health career paths.

### **SUPPORT FUNDING AND POLICY TO ELIMINATE HEALTH DISPARITIES AND PROMOTE HEALTH EQUITY**

Boulder County supports the development, expansion, and monitoring of programs to reduce health disparities. Systemic inequities across all segments of society contribute to health disparities, meaning that millions of Americans suffer from a disproportionately high burden of disease, disability, and premature death. These disparities are not naturally occurring and instead are created by policies and programs imposed by government and institutions. Efforts must include funding for the Colorado Department of Public Health and Environment’s Office of Health Equity and statewide solutions that address the root causes of inequities. An example of a statewide solution is HB 19-1184, which pilots a process to ensure information on the impact of proposed legislation on disparately impacted communities is available to legislators and the public, similar to the legislature’s current fiscal note process. Boulder County supports continued efforts to eliminate health disparities and promote health equity.

**INCREASE RESOURCES FOR FEDERALLY QUALIFIED HEALTH CARE CENTERS TO SUPPORT COMMUNITY-BASED, PRIMARY HEALTH CARE SERVICES**

Although the expansion of Medicaid has resulted in an infusion of federal funds into the medical system, the provider community cannot fully meet the demand for services. Private providers are not expanding their practice to include newly eligible Medicaid clients at the rate expected, resulting in increased demand for the services provided by community clinics and Federally Qualified Health Care Centers (FQHCs). FQHCs are essential partners in local community safety nets, having developed strong prevention service programs and a whole-client health approach that supports the medical, dental, and behavioral health needs of patients. FQHCs recognize the importance of the social determinants of health and structure care to include linkages to critical social supports such as housing, food, and child and family well-being. While many FQHC clients are covered through Medicaid, these clinics also remain the only option for care for those who are uninsured. Additional sources of funding are necessary to sustain these essential community health clinics and ensure access to their integrated behavioral health services.

**SUPPORT INTEGRATED PUBLIC HEALTH, HOUSING, AND HUMAN SERVICES STRATEGIES TO IMPROVE THE SOCIAL DETERMINANTS OF HEALTH**

The success of the health care system at reducing costs and improving health outcomes is dependent upon the strength of the community safety net which provides food, housing, employment, and family services supports to those Coloradans in greatest need. Current funding structures for the Affordable Care Act support direct health care services, administrative services, and navigation services that link people to insurance, Medicaid, and health care. These funding structures do not reflect the critical role that the human services safety net and public health prevention programs play in supporting the health of individuals within our communities. These foundational programs help Coloradans meet their basic needs and reduce costly behaviors like smoking, unhealthy eating, and substance abuse that require expensive health care interventions. Boulder County supports increased funding for programs that support the social determinants of health.

**SUPPORT EFFORTS TO IMPROVE CLIENT CORRESPONDENCE AND ADMINISTRATION OF MEDICAID AND OTHER PUBLIC BENEFITS PROGRAMS**

In 2016, a legislative interim committee was formed to examine issues associated with Medicaid client correspondence. The committee identified multiple issues, including duplicate correspondence, incomprehensible messages, conflicting requirements and requests for clients, and use of terminology not familiar to a layperson. Boulder County supports efforts to improve client correspondence across multiple benefits systems so that Medicaid, food assistance, TANF, and other program correspondence can be better coordinated to fully inform clients. In addition, client correspondence should use clear and accurate language so that counties do not have to spend additional time problem-solving with clients who cannot understand the meaning of the correspondence. Boulder County supports the continued evaluation of improvement efforts to date to ensure that implemented changes are having the intended positive impact on the client experience and access to eligibility-based programs.

# housing

*To secure and maintain safe and affordable housing, and to protect homeowners and residents in Boulder County.*

## **SUPPORT STATE POLICY AND FUNDING INITIATIVES TO INCREASE COLORADO'S STOCK OF PERMANENTLY AFFORDABLE HOUSING AND EXPAND ACCESS TO DIVERSE HOUSING OPTIONS**

Boulder County supports state and local policy efforts and funding to increase the development, acquisition, and preservation of and access to a diverse range of safe, affordable, market-rate or below market-rate, and rental housing, including ensuring local authority to address local affordable housing needs. Affordable housing is out of reach for many even as Colorado's population continues to grow. Many hard-working Coloradans cannot afford to live in the communities where they work, and 45 percent of renters and 19 percent of homeowners are cost burdened, spending more than 30 percent of their monthly budget for housing. Lack of attainable housing affects self-sufficiency for individuals and families and employee retention for employers, and a pervasive lack of affordable housing near job centers strains infrastructure. Significant advances in multi-year funding were made in the 2019 legislative session through House Bills 19-1228, -1245, -1319, and -1322. The state should ensure that coordinated planning for and distribution of those funds includes local participation, reflects local and regional needs, and is flexible to meet the broad array of needs across Colorado and achieve optimal housing balance and distribution.

Boulder County supports specific strategies for the development, acquisition, and rehabilitation of affordable housing; funding for land and property acquisition and horizontal infrastructure costs such as water, sewer, utilities, and curb gutter; rental assistance programs that target vulnerable populations; supportive housing for chronically homeless single individuals and homeless families; grants and low-interest and/or forgivable loans for new construction of for-sale homes for buyers; mobile home repair, replacement, and disposal programs; accessible, adaptable housing for older adults and people with disabilities; programs that assist persons in households with an annual income up to 120 percent of the area median income to address the need for workforce housing; and local authority to increase affordable housing, including authority to enact inclusionary zoning.

## **SUPPORT ESTABLISHMENT OF A STATEWIDE AFFORDABLE HOUSING LEADERSHIP BODY TO STRATEGICALLY PLAN, SET GOALS, AND MAINTAIN PROGRESS ON AFFORDABLE HOUSING STATEWIDE IN PARTNERSHIP WITH REGIONAL EFFORTS**

Boulder County supports establishment of a state-level affordable housing leadership body such as a commission, council, board, or task force that would be charged with elevating and achieving sustained progress on affordable housing statewide. The group would have duties and authority in the areas of coordination and integration, technical assistance, research and data, resources and funding, and regulations and policy. According to 2018 findings from The Colorado Health Foundation, Coloradans identified housing affordability as the number one important issue facing Colorado, and about three of ten Coloradans worry about losing their homes because they cannot afford their monthly housing costs. There is no current state leadership body with authority or capacity to elevate and coordinate affordable housing issues and maintain momentum over time.

The housing leadership body should develop and have oversight of a statewide housing plan, built upon regional and local priorities to allow for locally driven solutions such as those developed by the Boulder County Regional Housing Partnership to triple the amount of affordable housing countywide by 2035. The plan could address affordable housing gaps; adequacy and effectiveness of housing funding mechanisms for various income levels; integrating housing-related programs and technical assistance resources for increased collaboration and accessibility; regulations and legislation to support the acquisition, production, and preservation of affordable housing; and additional financial resources to increase affordable housing.

### **INCREASE FUNDING TO THE COLORADO HOUSING TRUST FUND TO PROVIDE AN ON-GOING, SUSTAINABLE SOURCE OF STATE FUNDING FOR PERMANENTLY AFFORDABLE HOUSING**

According to Housing Colorado, the supply gap for housing for low income households with less than \$20,000 in annual income exceeds 110,000 homes. At the current rate of affordable rental housing construction in Colorado of 823 homes per year, it would take over 100 years to eliminate this gap. In 2014, the General Assembly passed HB 14-1017, which, among other things, repurposed the Colorado Home Investment Fund to create the state's first Housing Trust Investment Fund. The Housing Trust Fund expanded the number of sources that can be used to support affordable housing production, including federal grants, and made housing production funds available to any qualified applicant, including for-profit developers, all in an effort to increase private investments and equity. However, state financial investment in the Housing Trust Fund is limited. Additional and ongoing funds are necessary to increase the pace, scale, and sustainability of affordable housing development and address the affordable housing crisis facing Colorado.

### **SUPPORT STATE EFFORTS TO END INDIVIDUAL AND FAMILY HOMELESSNESS THROUGH COMMUNITY-BASED, COMPREHENSIVE PROGRAMS**

Homelessness is among Boulder County's most pressing issues for individuals and families. On a single night in January 2019, 623 people were sleeping in homeless shelters or on the streets and other places not meant for human habitation in Boulder County. This understates the true extent of homelessness and housing instability because it does not account for those who experience homelessness at other points throughout the year, who were not found on the night of the count, or who were staying with friends and family and lacked stable housing of their own. This is especially true for families, who do not have access to an emergency shelter in Boulder County, and instead must often choose, on a nightly basis, unsafe and overcrowded temporary alternatives to being on the streets with their children.

Beginning in October 2018, Boulder County in partnership with the cities of Boulder and Longmont and community partners launched Homeless Solutions for Boulder County, a new system of coordinated services for single adults experiencing homelessness. In the first six months of the new system, 1,448 single adults age 18 and older were screened for homeless services. This count does not include individuals in families or youth under the age of 18 seeking services from other providers, who have traditionally comprised about one-quarter of Boulder County's overall homeless population. To reduce the incidence and impact of homelessness in the community, Boulder County is committed to investments in evidence-based approaches, including coordinated entry, to provide the housing and supportive service resources necessary to help individuals and families escape homelessness quickly and sustainably. Boulder County supports continued investments by the state to expand permanently supportive housing and rapid rehousing resources, a strong integrated data infrastructure that supports assessment of needs and program performance, and efforts by the Division of Housing and Office of Behavioral Health to increase Medicaid's ability to cover supportive services.

### **SUPPORT RESIDENT-OWNED COMMUNITIES AND FAIR PROTECTIONS FOR INDIVIDUALS AND FAMILIES THAT OWN OR RENT HOMES IN MANUFACTURED HOUSING COMMUNITIES**

Mobile homes are the largest source of unsubsidized affordable housing in the U.S., and as with other forms of housing, it is common for individuals and families to have much of their wealth invested in their mobile home. Because most people living in mobile home parks own their home but not the underlying land upon which it sits, property owners can wield significant power over residents' housing security. For example, if a mobile home park owner pursues redevelopment of their property, residents are at risk of losing their investment, as the likelihood of being able to relocate a home is minimal due to the scarcity of vacancies in parks and the significant cost of relocating a home. In effect, when a mobile home park redevelops or closes, residents can find themselves pushed further into poverty. Similarly, there exists a pattern of mobile home park residents facing fines or being evicted by property owners, often for illegitimate reasons. Violation of sometimes unfair and impractical park rules is often used by property owners as grounds for eviction, which leads to mobile home owners not taking action to address health, safety, or other park concerns out of fear of retribution. As the Colorado Department of Regulatory Agencies (DORA) reported in its 2018 Sunrise Review of Manufactured Home Owners and Operators, "clearly, harm is occurring in manufactured housing communities," concluding that enforcement of existing laws, amendments to

the existing Mobile Home Park Act (MHPA), and legislation supporting resident ownership of parks would further protect homeowners. In 2019, the General Assembly implemented DORA's recommendation to enforce existing laws and passed HB 19-1309, Mobile Home Park Act Dispute Resolution and Enforcement Program. Boulder County supports legislation in 2020 that amends the MHPA to protect homeowners' rights and to support resident ownership of mobile home parks to provide more stability for these affordable communities.

### **SUPPORT ONGOING AND SUSTAINABLE FUNDING FOR WEATHERIZATION AND RENEWABLE ENERGY ASSISTANCE TO LOW-INCOME HOUSEHOLDS SO THAT ALL COLORADANS HAVE ACCESS TO COMFORTABLE AND AFFORDABLE HOMES**

Low-income and vulnerable households spend a disproportionately large percentage of their income on energy utility bills. Assisting families and seniors by increasing the safety and comfort of their homes while reducing their energy bills will allow all Coloradans greater choice in where they live while also improving energy efficiency. Sources of existing funding for programs include the annual federal Weatherization Assistance Program allocation, supplemental funds from state severance tax dollars, and utility-allocated demand side management funds. Other programs assist these households with obtaining renewable energy, both onsite and as part of community solar gardens.

Additionally, programs that assist communities in transition from coal-dominated economies should include these types of weatherization and renewable energy programs to assist those community members who need it most and to help build the local clean energy economy. Boulder County supports long-term sustainable funding for these programs, in support of the goals of assisting families in reducing their energy bills, promoting safe, comfortable, and energy-efficient housing, and creating new economic opportunities for Colorado families.

### **SUPPORT COORDINATION, EFFICIENCY, AND INTEGRATION OF AFFORDABLE HOUSING FUNDING AND COMPLIANCE**

Underwriting and gap funding services for state affordable housing grants and equity sources at the Colorado Housing Finance Authority, Department of Local Affairs, and local jurisdictions are not coordinated or streamlined. Each organization has its own applications and underwriting processes that are discreet, cumbersome, and create regulatory burdens. Affordable housing development requires multiple sources of funding, each with its own underwriting and application process which results in considerable time and cost spent on administrative functions rather than on direct housing creation. Compliance for these multiple funding sources also is not integrated or efficient, and each of the 10 or more funding sources requires inspections and requests of the residents, with homes inspected multiple times per year. This creates stigma and is invasive for residents and is costly to administer for housing agencies. Boulder County supports coordinated and efficient affordable housing development funding and compliance, to reduce burdens to housing developers and residents.

# human services

*To support legislative, administrative, and funding decisions that improve systems and programs, support safety and self-sufficiency for families, and advance prevention and positive outcomes in the delivery of human services.*

## ***Systems Integration and Administration***

### **SUPPORT EFFORTS TO IMPROVE SYSTEMS THAT SERVE CHILDREN, YOUTH, AND FAMILIES THROUGH THE APPROPRIATE SYSTEM INTEGRATION, INTEROPERABILITY, AND SHARING OF DATA**

Human service and community programs exist to improve the lives of Coloradans in times of great need. The state, counties, and their partners utilize disparate and often siloed data systems to track these various programs and benefits. Individuals and families receiving services and programs can undergo multiple interviews and walk through redundant processes for different programs at the same agencies and same locations because data are not permitted to be shared across programs. Boulder County recommends data sharing and interoperability across health and social risk factors. The ability to share data while allowing for client consent management and data protections across multiple programs will greatly increase agencies' ability to improve and streamline services, providing the most impactful interventions to clients. Data sharing across programs also allows agencies to measure effectiveness of services, ensuring that public investments are generating the highest returns. Boulder County supports increasing counties' and other state-funded programs' ability to share data and increase system integration and interoperability appropriately and securely to ensure that clients experience the best possible service while maximizing program efficiency and effectiveness, including alignment of eligibility standards to reduce unnecessary administrative costs and inefficient processes. We urge the state to work closely with counties to ensure an interoperability strategy that will work effectively for counties and families. And any efforts to improve or modernize systems – such as the TRAILS modernization that began in 2018 – should have adequate planning, project management and oversight, resources, communications, and coordination with counties as well as across state departments including Colorado Department of Human Services (CDHS), Health Care Policy and Finance (HCPF), and the Office of Information Technology (OIT).

### **SUPPORT LOCAL ADMINISTRATION AND DELIVERY OF HEALTH AND HUMAN SERVICE PROGRAMS, INCLUDING ELIGIBILITY DETERMINATION AND ENROLLMENT**

Health and human services programs are best delivered through locally relevant approaches and programs that leverage partnerships to meet the needs of individuals within the community. The human services networks at the county level are comprised of public-private partnerships that include non-profit agencies, schools, human services agencies, housing agencies, law enforcement, and other stakeholders. Boulder County opposes efforts to shift to a state-administered system for delivering health and human service programming or a system which diverts clients seeking benefits to a private vendor that has little or no familiarity with local services. Data show that counties perform better in terms of timely enrollment and service provision and are better equipped to answer clients' questions about services and resources available in their community. Experience shows that community-based safety-net strategies are the best approach to addressing human service needs.

## ***Children and Family Services***

### **INCREASE FUNDING FOR THE CHILD WELFARE BLOCK GRANT TO FULLY FUND THE SYSTEM TO ENSURE ALIGNMENT WITH SB 18-254 CHILD WELFARE REFORM ACT AND FFPSA AND TO CONTINUE AND EXPAND EARLY INTERVENTION AND PREVENTION PROGRAMS IN ORDER TO BEST SUPPORT FAMILIES INVOLVED IN THE CHILD WELFARE SYSTEM**

Child welfare is a crucial service that counties provide to protect children and improve outcomes for children and families. Boulder County supports funding the Child Welfare system to fully meet the system demands, while incentivizing the outcomes and services proven to best assist families. Additional work is needed to ensure an

aligned fiscal and practice approach to successfully implement SB 18-254 and the Family First Prevention Services Act (FFPSA). A programmatic focus and future investments will be required to implement a prevention focused system transformation in coming years.

Child Welfare funding is under pressure from various directions, including increased workload, inflationary pressures not addressed in the annual funding process, and the changes still being explored related to the FFPSA implementation and transition from the expiring IV-E waiver. Increased referrals resulting from implementation of the abuse and neglect reporting hotline and trends in mental health and substance use resulting in greater complexity of cases further exacerbate the system demands. Boulder County sees many of these pressures directly, with system referrals increasing by 45 percent since 2014 while funding provided to the county to meet the system demand has decreased by 6 percent in the same time period.

Passage of the FFPSA in February 2018 brings system changes intended to support and advance the prevention and early intervention programs that Colorado has put in place over the past years. Consideration should be given to strategically investing resources such as the Child Welfare Block Grant, TANF Reserves, and Medicaid, and for data systems changes that will be needed to support implementation, such as the child welfare TRAILS system. State policies, funding, and programs must be sufficient, effective, and aligned with the FFPSA to maximize positive outcomes and continue to advance the child welfare system improvements the state has worked hard to achieve through the IV-E waiver.

#### **SUPPORT IMPROVEMENT OF CHILD WELFARE FUNDING METHODS IN ORDER TO ENSURE INVESTMENTS ARE DATA-DRIVEN, TRANSPARENT, AND ALIGNED TO ACHIEVE STATEWIDE OUTCOMES THROUGH BEST PRACTICES**

Boulder County supports a collaborative approach to improving the current child welfare funding model and process to ensure funding is linked to need across the state and that funding decisions are consistent, transparent, data-driven, and fair to all counties. Current processes have at times resulted in winners and losers, rather than focusing on need and results. Boulder County supports alignment of all funding lines with uniform goals and positive outcomes across the child welfare system, and the ability for increased flexibility in spending across programs to best meet children's needs.

#### **SUPPORT FUNDING FOR EVIDENCE-INFORMED PROGRAMS AND PROCESSES THAT REDUCE YOUTH INCARCERATION AND OUT-OF-HOME PLACEMENTS, INCLUDING THE COLLABORATIVE MANAGEMENT PROGRAM AND THE BOULDER COUNTY IMPACT PARTNERSHIP**

Evidence-informed collaborative management programs, which have been widely implemented and proven effective and replicable under the highest level of scientific scrutiny, successfully support community-based alternatives to youth confinement. Replication of these programs in communities across Colorado demonstrates reduced costs and improved outcomes in multiple systems, including education, corrections, child welfare, public benefits, and others. One example is Boulder County's Integrated Managed Partnership for Adolescent and Child Community Treatment (IMPACT) Program, which for more than two decades has provided high-need, high-risk youth with mental health, juvenile justice, and child welfare services. IMPACT is a risk-sharing model that is based on a cooperative arrangement to blend staff, resources, and funding between the partner agencies. Funding flexibility and waivers have been key to the success of the IMPACT collaborative. The project has integrated services in order to achieve program outcomes and to effectively meet the needs of the county's most at-risk children, youth and families.

IMPACT has achieved proven results for reducing out-of-home placements, psychiatric hospitalizations, and commitments while increasing the numbers of youth residing in family and kinship environments. Since 2000, more than 8,000 unduplicated Boulder County youth have remained safely in their community. Early intervention is more cost effective and produces much better outcomes than incarceration; youth who have been incarcerated have higher rates of recidivism, substance abuse, and lower employment and education rates.

An analysis of cost savings revealed that the state Division of Youth Services (DYS) has saved an estimated \$27.4 to \$30.7 million over the past 10 fiscal years in commitment and parole costs as a result of the IMPACT DHS contract.

The IMPACT program is supported in part with state funding through the 1451 Collaborative Management Program (CMP). In 2015, the state legislature recognized the effectiveness of the 1451 CMP program and provided a \$2.5 million investment in the program through SB 15-241. Boulder County supports ongoing funding for the 1451 CMP program and urges investments in evidence-based collaborative management programs for at-risk youth in Colorado. Other opportunities include the alignment of programs such as HB 1451 and SB 94 to better leverage state funds for prevention and cost-savings in youth incarceration and to increase strategic collaboration and improve funding models across systems.

### **SUPPORT INCREASED SERVICES AND ADEQUATE RESOURCES TO MEET THE NEEDS OF YOUTH AGING OUT OF FOSTER CARE**

According to state data, only 29 percent of youth in the foster care system will graduate from high school, but 36 percent of these youth will have been incarcerated between the ages of 16 and 19. National data show that 43 percent of women and 74 percent of men who emancipated from the foster care system will have been incarcerated at least once in their lives. Colorado has taken significant steps toward placing foster children in permanent homes, through adoption or reunification with their birth families. But for those youth for whom permanency was not achieved, and for all children who have spent significant time in the child welfare system, Colorado needs to increase access to the supports that are available to improve their chances of success once they age-out of the system. Housing is one such support that is largely unavailable; programs that provide transitional housing and supportive services for youth as they graduate into adulthood can help prevent incarceration and improve lifelong outcomes. One example is the Chafee Foster Care Independence program: While the program provides supports for this population, it is underfunded and has limited eligibility. Even before aging out of the system, barriers exist to older youth achieving independence, such as educational stability and ability to obtain a driver's license. Investments in this area can provide practical help to foster youth and prevent many long-term costs and poor outcomes, including jails, public assistance support, and the entry of children into the child welfare system.

### **SUPPORT THE IMPLEMENTATION OF EVIDENCE-BASED AND PREVENTION-FOCUSED STRATEGIES TO ELIMINATE CHILD ABUSE AND NEGLECT FATALITIES IN COLORADO**

The safety and well-being of children should consistently be a very high priority of our state and communities. Policy changes around child abuse and neglect are often reactive, driven by an incident that piques awareness of child maltreatment and fatalities. Colorado state and local governments have been working on proactive strategies that align with the work of the National Commission to Eliminate Child Abuse and Neglect Fatalities to identify opportunities to change our communities, partnerships, and the child welfare system to reduce the occurrence of child fatalities. Strategies include efforts to focus on primary prevention and intervention such as home visitation and counseling; strengthen and support the parents and caregivers of children at risk for abuse and neglect; leverage data from calls received by Colorado's child abuse and neglect hotline reporting system; collaborate between health and public health systems and partners; and better integrate data systems that allow for earlier identification of at-risk children. Boulder County supports efforts to reduce abuse and neglect-related child fatalities in Colorado.

### **SUPPORT EFFECTIVE PROVISION OF SERVICES, ORGANIZATIONAL TRANSPARENCY, AND RESPONSIBLE GOVERNANCE IN MANAGED SERVICE ORGANIZATIONS, REGIONAL ACCOUNTABLE ENTITIES, AND OTHER ADMINISTRATIVE SERVICE ORGANIZATIONS**

Four Managed Service Organizations (MSOs) and seven Regional Accountable Entities (RAEs) provide crucial management and oversight of health, substance use, and mental health services in Colorado. MSOs provide administration, funding, and oversight across the continuum of behavioral health services, and RAEs work through Health First Colorado, Colorado's Medicaid program, to coordinate services and connect patients with primary and behavioral health care. They are charged with ensuring consistent access to and quality of care, as well as compliance with state and federal requirements. MSOs and RAEs receive considerable public dollars to provide services to individuals and families involved with child welfare, criminal justice, and other systems, and public funds come with the responsibility of transparency, accountability, and evaluation. Although those organizations already produce reports on expenditures of public dollars, counties encounter barriers in understanding how county-

contracted funds are spent. Boulder County supports legislation and/or regulations to ensure transparency in funding decisions, public reporting of use of funding that produces useful data to inform enhanced quality service delivery to clients, and audit of those organizations and related state departments to ensure efficiency and effectiveness.

**SUPPORT ADEQUATE, ONGOING FUNDING FOR ADULT PROTECTIVE SERVICES TO ADDRESS INCREASED CASELOADS ASSOCIATED WITH MANDATORY REPORTING, AND PROVIDE FUNDING FOR PREVENTION SERVICES TO ASSIST VULNERABLE ADULTS REFERRED TO APS**

*See full policy statement in the Aging section.*

***Early Childhood and Education***

**SUPPORT INCREASED INVESTMENT IN THE CONTINUUM OF EARLY CHILDCARE AND EDUCATION, INCLUDING THE COLORADO CHILD CARE ASSISTANCE PROGRAM, TO PROVIDE SAFE, QUALITY CHILDCARE OPTIONS FOR FAMILIES WORKING TOWARDS SELF-SUFFICIENCY AND TO SUPPORT SCHOOL READINESS**

The cost of childcare presents a challenge for low- and middle-income working parents across the country. In Boulder County, childcare ranks as the costliest monthly expense for families with one preschool and one school-age child, above even housing and food costs. Colorado is ranked as the fourth least affordable state for infant and toddler care at \$13,874 to \$14,960 annually; by the time a child attends kindergarten, a family will have spent more than \$70,000. In a recent assessment of more than 3,000 Boulder County families, childcare emerged as the highest-risk unmet need for families. This means that their risk of losing, not being able to afford, finding, and keeping childcare is higher than health, food, employment, housing, or any other need.

The Colorado Child Care Assistance Program (CCCAP) provides childcare subsidies to families struggling to afford care for their kids while they work or go to school. Colorado has experienced significant shifts in the CCCAP program, primarily as a result of HB 14-1317, HB 18-1335, and federal changes to the Child Care Development Fund (CCDF) block grant. These changes have improved access to the program through increased eligibility, provider rate increases, more high-quality providers and transparency around quality, and strengthened technical infrastructure to support the system. However, the amount of funding in the program is not sufficient to meet the need. Market rate studies will drive provider rate changes and further increases, and it is important that the funding level be adjusted to account for the changes to rates or the number of children served likely will decrease year over year. Recognizing that 2017-18 funding levels allowed only 13 percent of the eligible CCCAP population to actually utilize the program, the General Assembly passed HB 18-1335 with the vision to steadily increase CCCAP access to achieve parity with general population utilization of licensed childcare, which is 31 percent.

While the General Assembly made a significant investment in CCCAP in 2018 and 2019, there is more to do toward realizing that vision. Colorado must recognize the importance of childcare as a critical support for families and an economic and community investment and increase resources for childcare assistance to better address the demand for these services. Boulder County urges the state to continue its commitment to expand access to high-quality early childcare by increasing the resources that go to this program.

**SUPPORT UNIVERSAL, FULL-DAY KINDERGARTEN AND PRESCHOOL ACROSS COLORADO**

The Polis Administration and the General Assembly successfully created a full-day kindergarten program for all Colorado children, and the administration has signaled a strong commitment to providing universal preschool access for every community in Colorado. As the administration has identified, “high-quality, full-day kindergarten and preschool promotes school readiness, closes achievement gaps, and supports the healthy development of all children. Improved access to preschool and kindergarten would also save parents money on daycare and allow parents the flexibility to go back to work sooner if they choose, not only helping families pay rent and put food on the table, but also generating additional tax revenue for the state while decreasing reliance on public assistance programs.” Boulder County recognizes that access to quality early education improves outcomes for children across lifetimes, that early childhood education is a primary prevention tool against child maltreatment, and that childcare and education provide supports for working parents. Boulder County supports preschool for all children in Colorado

and a continued, multi-year expansion of CCCAP to align with and aid in successful implementation of universal preschool as a foundational educational support for children and economic support for working families.

### *Self-Sufficiency*

#### **SUPPORT A STRATEGIC AND SUSTAINABLE FUNDING PLAN AND APPROACH FOR FEDERAL TANF FUNDS AND THE COLORADO WORKS PROGRAM**

Boulder County supports a strategic and sustainable plan for the Colorado Works program and federal TANF funding, including state and county reserves. With the child welfare system and overall funding structure in transition with implementation of FFPSA and SB 18-254, coupled with the need for ongoing flexibility to use TANF reserves for work programs and supports to help people achieve self-sufficiency, efforts and resources should be focused on investing TANF resources strategically and sustainably through long-term planning. Colorado has been appropriating the use of TANF funds at a rate greater than which funds are being awarded to the state, and as a result, there is concern about the sustainability of this funding. Colorado Works funding should be prioritized to support TANF participants in accessing employment and education services that will assist them in reaching self-sufficiency, including a provision for post TANF and cliff effect mitigation. An effective plan for TANF reserves precludes using these funds for ongoing costs or for one-time or pilot projects that are not critical or strategic, and criteria for accessing the long-term reserves should be developed with the counties.

### *Food Security*

#### **SUPPORT UTILIZATION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND FUNDING FOR THE EXPANSION OF PROGRAMS THAT INCREASE ACCESS TO HEALTHY, LOCALLY GROWN FOODS**

Although SNAP reaches 18,000 recipients in Boulder County at any given time and 27,000 annually, food security remains an issue in Boulder County and across Colorado. In Boulder County, at least half of all households receiving SNAP have one or more children under 18, and nearly a quarter have at least one person over 60. SNAP is the largest public program available to individuals and families whose income is not enough to provide for basic food needs, but there are still many individuals and families who don't access this assistance. Continued strategic outreach is needed to ensure that people experiencing food insecurity and hunger are aware of their eligibility and receive this benefit.

In addition, people who receive SNAP don't always have access to nutritious, quality foods. In Colorado, there are places where grocery stores and markets with healthy food selections are not easily accessible, particularly for those with transportation limitations. Programs such as Colorado's Double Up Food Bucks Program provide customers who utilize SNAP with an incentive to purchase locally grown, healthy foods from farmers' markets, corner stores, and other retail locations. The Double Up Food Bucks Program not only increases low-income residents' access to healthy, local produce, it also supports our local economy and farmers. For example, this program has effectively increased SNAP sales at the Boulder and Longmont farmers' markets by more than 100 percent.

Additionally, the federal government has proposed a rule to limit categorical eligibility to those receiving TANF benefits. In total, the rule change could eliminate some 33,000 Coloradans on a monthly basis, and in Boulder County would make about 1,200 individuals per month ineligible and have an annual fiscal impact of \$851,000. Because SNAP supports local businesses like grocers, ranches, and farms, this change would have a \$21 million negative annual impact on Colorado economies. Boulder County supports policies and increased funding that seek to expand the utilization of SNAP as well as programs that promote access to healthy foods, such as Double Up Colorado.

# land use & transportation

*To improve upon the built environment and quality of life for Coloradans by promoting well-planned communities.*

## **SUPPORT LEGISLATIVE AND OTHER EFFORTS TO LINK LAND USE, HOUSING, AND TRANSPORTATION PLANNING AND INVESTMENT**

Consistency and coordination between land use planning, housing development, and transportation investment will result in decreases in greenhouse gas emissions, fossil fuel consumption, and transportation infrastructure costs while increasing mobility for all. States around the country are forming agencies and offices to support such coordination between state, regional, and local stakeholders, with the goal of developing and implementing shared visions to guide local land use plans and investments in housing and transportation infrastructure. These offices typically work to strengthen state/regional/local collaboration on transportation decisions by facilitating stakeholder communication and other strategies. Boulder County supports legislative and other efforts to ensure that Colorado and its local communities are maximizing funding and other investments in support of a transportation system that increases the mobility options for all Coloradans.

## **SUPPORT THE DEVELOPMENT OF SUSTAINABLE, MULTI-MODAL TRANSPORTATION SYSTEMS AND NON-SINGLE OCCUPANT VEHICLE TRANSPORTATION STRATEGIES**

Boulder County supports transportation planning and funding with a strong multi-modal focus and investment in a regional transportation system that reduces reliance on fossil fuels. Examples include timely completion of a transit system that connects the entire Denver metropolitan region, development of multi-modal infrastructure through safe bikeways and walkways, managed HOV/transit lanes, transportation demand management, and other transit services and alternative modes programs that provide people with modal choice. New technological innovations such as autonomous vehicles and new business models such as ridesharing may provide additional opportunities to provide more diverse transportation services.

## **SUPPORT INCREASED FUNDING FOR TRANSPORTATION, INCLUDING IN PARTICULAR MULTI-MODAL TRANSPORTATION FUNDING**

Boulder County supports increased new and innovative funding for transportation improvements in Colorado. Specifically, Boulder County supports new funding streams that contain commitments to multi-modal and alternative modes of transportation, as long as these new funding streams do not supplant current Colorado Department of Transportation funding. Boulder County believes that any new road capacity funding should be invested in managed lanes that place prioritization on maximizing the travel of people (not just vehicles), and that managed lane projects must provide equitable travel choices in order to ensure that lower-income residents benefit from the public investment in a toll road (low-income residents are more likely to use public transit and carpools, and much less likely to be regular users of toll roads).

Given the lack of sustainability of current transportation funding sources, particularly gasoline and diesel taxes, Boulder County supports efforts to identify new broad-based revenue sources to supplement and ultimately replace fuel taxes. This could include usage-based models such as a Vehicle Miles Traveled (VMT) fee that has been discussed by the SB 19-239 working group exploring funding options for emerging transportation modes.

With the defeat of Proposition CC representing the most recent failure to increase statewide funding for critical transportation infrastructure, Boulder County supports exploring the creation of regional funding solutions that



could supplement inadequate statewide funding, such as providing taxing authority to Metropolitan Planning Organizations (subject to voter approval) or revising current law to make it easier to create new regional transit authorities. All regional funding models must be evaluated carefully in comparison to the costs and benefits of statewide and local approaches.

Multi-modal options are expanding but access and availability are still limited in many areas. Boulder County supports increasing the proportion of multi-modal funding in transportation plans across Colorado, assigning a significant amount of dedicated multi-modal funding with new funding sources and allocations, prioritizing the expansion of high-speed electric transit and bus rapid transit services, employing transit-oriented design principles where appropriate, promoting transit alternatives over general purpose highway lane alternatives when feasible, and expanding accessible, bicycle, and pedestrian infrastructure.

### **INCENTIVIZE MOBILITY ALTERNATIVES BASED ON ENERGY EFFICIENCY AND ENVIRONMENTAL COSTS AND BENEFITS**

Evaluating transportation alternatives in terms of their transportation efficiency (the efficiency and environmental costs of moving people and goods) can be a powerful tool for reducing emissions from the transportation sector. Boulder County supports a range of strategies for improving transportation efficiency, including: promoting a shift away from single-occupancy use of vehicles to shared and high-capacity vehicle use; comparing the efficiency of transportation alternatives based on energy consumption and carbon emissions per unit of payload delivery; employing Context Sensitive Solutions or similar processes to determine the local environmental and social impacts of all major transportation projects; including the full range of costs in the life-cycle analyses of competing transportation alternatives; supporting the use of Travel Demand Management strategies for all high-capacity highway corridors; incentives or fees designed to encourage ride-sharing or other strategies aimed at lowering per rider greenhouse gas emissions generated by ride-sharing operators; and encouraging the deployment of connected vehicle technology.

### **IMPLEMENT THE 2018 COLORADO ELECTRIC VEHICLE PLAN AND OTHER EFFORTS TO INCREASE ELECTRIFICATION OF ALL MOTOR VEHICLES**

The 2018 Colorado Electric Vehicle Plan provides a roadmap for accelerating the purchase and use of electric vehicles (EVs), including a goal of having nearly one million EVs on the road by 2030. One key component of an effective EV deployment strategy is the build out of a robust network of public charging stations, including fast charging stations. Doing so will increase general awareness of EVs and provide assurance of the ability to charge vehicles on longer trips. This is especially true in rural areas and along highway corridors. Other important elements include incentive and grant programs, increased EV availability and model types, reduced barriers to expanding EV fleets and transit, and expanding EV education and outreach. Colorado should continue taking advantage of other opportunities to expand EV deployment as well, such as the current plan to commit all of Colorado's remaining share of the Volkswagen emissions control violations settlement to the construction of electric vehicle charging infrastructure and to the purchase of zero emission transit vehicles.

### **ENSURE EFFECTIVE IMPLEMENTATION OF COLORADO'S VEHICLE EMISSIONS STANDARDS AND OTHER REGULATORY ACTIVITIES DESIGNED TO REDUCE CARBON EMISSIONS FROM VEHICLES**

Transportation remains one of the largest sources of greenhouse gas emissions in Colorado, with strengthening emissions rules and expanding electric vehicle deployment being two central strategies for reducing transportation-related greenhouse gas emissions. To this end, Boulder County supports the Air Quality Control Commission's 2019 decision to adopt California's stringent Zero Emission Vehicle (ZEV) standards, as well as the ongoing regulatory process that will implement that decision. This follows the state's 2018 decision to adopt California's Low Emission Vehicle (LEV) standards.

Boulder County also supports the intention of Governor Polis and Attorney General Weiser to take legal action to ensure that California's LEV and ZEV emissions standards remain intact, in response to the announcement from the Environmental Protection Agency that it intends to revoke California's longstanding Clean Air Act waiver. This waiver allows California to adopt more stringent emissions standards for new motor vehicles such as its LEV and ZEV rules, and for other states in turn to adopt California's standards.

# marijuana

*To ensure local authority to appropriately regulate marijuana uses and ensure effective public health education, treatment, and youth prevention programming.*

## **SUPPORT FUNDING AND PROGRAMMING FOR RECREATIONAL MARIJUANA EDUCATION, TREATMENT, AND YOUTH USE PREVENTION**

Marijuana legalization, approved by Colorado voters in 2012, has the potential to negatively impact certain residents in our communities, particularly youth, children, and those vulnerable to substance abuse and mental health disorders. The commercialization of marijuana facilitates easy access to the drug and a decrease in perceptions of harm related to its use. Boulder County continues to support the sharing of state marijuana sales tax revenues with those communities that allow the commercial sales of marijuana within their jurisdictions, both to support their regulatory and enforcement infrastructure and to promote a multi-faceted approach to prevention, early intervention, and treatment of marijuana use in order to reduce negative health and safety impacts.

## **SUPPORT EFFORTS TO ENACT AND MAINTAIN EFFECTIVE REGULATION OF MARIJUANA PRODUCTION, SALE, PROMOTION, AND USE**

Seven years' experience with legalized recreational marijuana in Colorado has demonstrated the benefits of thoughtful and cautious regulation. Research on the public health impacts of marijuana use points to concerns related to brain development through young adulthood, exacerbation of conditions for persons with mental illness or brain disorders, increased risk for stroke, and the impact on the fetus during pregnancy. The risk to the health of children is also of particular concern. A study published in 2016 in *JAMA Pediatrics* reports that the rate of marijuana exposure in children under 10 years old in Colorado, as measured through the calls to the regional poison center and visits to a children's hospital, increased significantly between 2009-2015, and at a higher rate than the rest of the United States. About 50 percent of exposures involved edible marijuana products, which frequently look like foods that are attractive to children; efforts must continue to address the potency and identification of edible marijuana products and how these products are marketed to the public, especially youth and children. Boulder County continues to support a strong regulatory structure to oversee the production, sale, promotion, and use of marijuana products in Colorado.

## **SUPPORT LEGISLATIVE, REGULATORY, AND ADMINISTRATIVE APPROACHES TO RESEARCH, DEVELOP, AND IMPLEMENT SUSTAINABLE MARIJUANA CULTIVATION PRACTICES**

National attention is increasingly being focused on the sustainability impacts of the marijuana industry in states where marijuana has been legalized. Many marijuana businesses have initiated sustainability programs to reduce their environmental impacts and are partnering with local communities for environmental and social good. Boulder County is one such local government that is collaborating with its marijuana industry to support and advance key community sustainability goals: Established in 2014, the Boulder County Marijuana Energy Impact Offset Fund aims to reduce industry environmental impacts while simultaneously reducing production costs. Commercial marijuana growers are required to either offset their electricity consumption with renewable energy or pay into the Offset Fund. The Fund is used to educate and encourage marijuana cultivation best practices for energy consumption, and supports other carbon offset projects, such as the development of local renewable energy. Boulder County is planning to expand this initiative to support other sustainable industry practices, for example relating to water consumption and industry waste. As the primary regulator of the state's marijuana industry, the State of Colorado will play a critical role in helping the industry reduce its environmental footprint. Boulder County strongly supports state initiative in this area.

# oil & gas

*To support expanded ability for Colorado local governments to regulate the oil and gas industry in concert with community needs and desires.*

## **SUPPORT STRONG, TIMELY, AND EFFECTIVE REGULATORY IMPLEMENTATION OF THE MAJOR REFORMS OF OIL AND GAS INDUSTRY REGULATION ENACTED IN SB 19-181**

In 2019, Colorado enacted SB 19-181, landmark legislation reforming the regulation of oil and gas operations in the state. Boulder County strongly supported this legislation and played a significant role in helping to craft it. The legislation created a statutory and regulatory framework for the accomplishment of many longstanding policy goals of Boulder County regarding oil and gas development, including:

- Reducing impacts on Colorado’s land, air, and water;
- Reducing public health and safety impacts;
- Affirming and expanding the ability of counties and local governments to regulate oil and gas operations through land use and other authorities;
- Reforming the mission of the Colorado Oil and Gas Conservation Commission (COGCC) to ensure the commission protects public health, public safety, and the environment; and
- Revising Colorado’s forced pooling regulations to better protect the interests of private and public mineral rights owners.

While the enactment of SB 19-181 represented enormous progress in improved regulation of oil and gas development in Colorado, much work remains to be done to build and implement the regulatory structures required to achieve the goals the legislation set out to address. An extensive series of regulatory proceedings at both the COGCC and the Air Quality Control Commission (AQCC) to create the initial implementation rules for SB 19-181 will take several years to complete. Following this initial round of proceedings, significant ongoing effort will be required to implement, enforce, and where called for amend these rules over the course of time.

Boulder County supports effective and timely regulatory and administrative implementation of SB 19-181’s provisions in a manner that strongly prioritizes public health, safety, and environmental protection, consistent with the intent of the legislation and with Boulder County’s longstanding policy goals for improved regulation of the oil and gas industry.

## **SUPPORT INCREASING COLORADO’S SEVERANCE TAXES, REDUCING OR ELIMINATING INDUSTRY EXEMPTIONS, AND PURSUING OTHER APPROACHES TO INCREASE STATE REVENUES RECEIVED FROM OIL AND GAS DEVELOPMENT**

Severance taxes are taxes that states levy on minerals “severed,” or removed, from the ground. Every major energy-producing state, including Colorado, levies severance taxes to make up for the permanent loss of nonrenewable natural resources and to mitigate the impacts of energy and mineral development on local communities. By almost every measure – annual collections, annual collections as a percentage of total state tax collections, actual tax rates – Colorado’s severance tax regime lags those of other energy-producing states. In combination, Colorado’s low severance tax rates, stripper well exemption, and severance tax credit of 87.5 percent of ad valorem taxes both reduces the revenues available to the state and its local governments to address the impacts of oil and gas development and provides no opportunity to leverage this burgeoning – and ultimately finite – industry for the benefit of Colorado’s people and environment. Boulder County supports increasing Colorado’s severance tax rates and pursuing other policy approaches – for example, eliminating industry tax credits – to increase state tax revenues collected from oil and gas development, end taxpayer subsidization of oil and gas producers, ensure better mitigation of the industry’s near- and long-term impacts, and provide broader benefit to Colorado for the extraction of nonrenewable energy resources. Increased severance tax revenues could also be utilized to support implementation of Colorado’s renewable energy and greenhouse gas emissions reduction goals.

### **SUPPORT CREATION OF A SCIENTIFIC ADVISORY COMMITTEE TO PROVIDE INDEPENDENT REVIEW OF AND ADVICE REGARDING THE TECHNICAL BASES FOR THE REGULATIONS PROMULGATED BY THE COLORADO OIL AND GAS CONSERVATION COMMISSION AND AIR QUALITY CONTROL COMMISSION**

In 1978, the U.S. Congress directed the Environmental Protection Agency (EPA) to establish a Science Advisory Board to provide independent, science-based advice to the EPA administrator. The Science Advisory Board is charged with reviewing the quality and relevance of scientific and technical information that is used by the EPA as the basis for agency regulations; reviewing EPA research programs and plans; providing science advice as requested by the Administrator; and advising the agency on scientific matters in general. Similarly, the EPA's Clean Air Scientific Advisory Committee, created through the Clean Air Act, provides independent, science-based advice on the technical bases for the National Ambient Air Quality Standards while also advising the EPA on air quality research, sources of pollution, and strategies to attain and maintain air quality. Boulder County supports the creation of a scientific advisory committee based on these models to provide independent, science-based review of the technical bases for the regulations promulgated by the COGCC and the AQCC. Such a committee would provide the COGCC and AQCC with the capacity to review the ever-growing body of data and research regarding the impacts of oil and gas development in Colorado, for example in relation to public and environmental health, and assist the COGCC and AQCC in developing regulations that best serve to protect Colorado's people and its land.

### **REVISE COLORADO'S FORCED POOLING REGULATIONS TO BETTER PROTECT THE INTERESTS OF PRIVATE AND PUBLIC MINERAL RIGHTS OWNERS**

Known by a variety of terms, including compulsory drilling, mandatory pooling, and statutory pooling, forced pooling is a regulatory process overseen by the COGCC, whereby some mineral rights owners can compel other mineral rights owners to involuntarily relinquish their rights if their refusal to voluntarily do so will prevent the development of an oil and gas resource. Said another way, the regulatory goal behind forced pooling is that a mineral interest owner who refuses to enter into a lease should not be permitted to prevent development of mineral interests owned by others.

Forced pooling intersects with Boulder County priorities and values primarily in the realm of open space and land and natural resource conservation. For example, when the county purchases land in fee simple for open space purposes, the properties typically fall into one of three categories in respect to mineral rights: 1) The mineral rights have been severed from the property, and belong to another party; 2) The mineral rights are subject to an active lease, and the county purchase is contingent on meeting the conditions of the lease; or 3) The mineral rights are purchased along with the property. Mining, including oil and gas development, is prohibited on county-owned open space lands. Because forced pooling can result in the development of county-owned mineral rights, the process is in direct conflict with adopted county policy.

SB 19-181 significantly improved Colorado's forced pooling statutes to better protect private and public mineral rights owners. It increased to 45 percent the share ownership and control of mineral rights before forced pooling is allowed, and slightly increased the statutorily-defined royalty percentage for mineral rights owners who are forced pooled, to incentivize negotiation between industry and mineral rights owners. Boulder County supports these measures, and further supports prohibiting the forced pooling of mineral rights that are publicly owned or encumbered by a conservation easement that prohibits oil and gas development. Boulder County also supports changes to the forced pooling regulations to require oil and gas companies to demonstrate that forced pooling is technically required to extract resources from unwilling lessors. Lastly, Boulder County supports requiring agreement from a simple majority of mineral rights owners (51 percent) prior to forced pooling being allowed.

### **REPEAL AND/OR AMEND HB 14-1371 TO REQUIRE PROPERTY TAX REVENUES FROM OIL AND GAS PRODUCTION TO BE ALLOCATED PROPORTIONALLY TO ALL LOCAL GOVERNMENT TAXING DISTRICTS LOCATED WITHIN A DRILLING UNIT**

The development and utilization of horizontal drilling techniques has enabled oil and gas operators to drill across multiple jurisdictional boundaries from a single well pad. Horizontal drilling brings two specific kinds of impacts to jurisdictions that are adjacent to drilling operations: these jurisdictions have no formal ability to influence the COGCC review process of new drilling applications, and state law mandates that only those jurisdictions containing

wellheads will be allocated production value for property tax purposes. This single allocation of property tax revenues from oil and gas production came about through HB 14-1371, which became law absent the Governor's signature in 2014. Boulder County supports repeal or amendment of HB 14-1371, to require oil and gas property tax revenue to be allocated proportionally to all local government taxing entities located within a drilling unit. Boulder County will also support General Assembly action on other issues that result from cross-jurisdictional drilling, including prohibiting drilling across jurisdictional boundaries without agreements with those jurisdictions, and providing standing at the COGCC for all local governments where cross-jurisdictional drilling is proposed.

**SUPPORT SUFFICIENT FUNDING FOR STAFFING AND OTHER NECESSARY RESOURCES AT THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO EFFECTIVELY DEVELOP AND IMPLEMENT THE NEW SET OF OIL AND GAS REGULATIONS AUTHORIZED BY SB 19-181**

SB 19-181 was landmark legislation that authorized numerous new regulatory proceedings and rule-makings to allow for more effective oversight of the oil and gas industry, with a much stronger focus on protecting public health and the environment. As one of the key state agencies involved in implementing many of these regulations, the Colorado Department of Public Health and Environment (CDPHE) needs to be provided with the resources necessary to develop, implement, and enforce this new set of laws and regulations that will protect the public interest. Boulder County supports increased funding for CDPHE to hire and support inspectors, scientists, and other personnel needed to ensure that the legislative intent of SB 19-181 to protect public health and the environment will be successfully implemented. Boulder County also supports legislation to ensure that CDPHE is able to acquire the equipment and other resources it needs to accurately monitor air quality and emissions associated with the oil and gas industry and other sources.

**INCREASE PROTECTIONS FOR MINERAL AND SURFACE RIGHTS OWNERS TO LEVEL THE PLAYING FIELD WITH OIL AND GAS OPERATORS**

Most mineral and surface rights owners face significant disadvantages when negotiating lease provisions with the oil and gas industry. Industry representatives come to the negotiating table armed with financial, technical, and legal resources that few mineral and surface rights owners can compete with. As a result, lease provisions far too often benefit the oil and gas industry at the expense of the public.

Boulder County supports reforms to level the playing field between the oil and gas industry and mineral and surface rights owners. These reforms could include:

- Regulating certain lease provisions to ensure they are equally beneficial to all parties. These could include: limiting lease terms to a reasonable duration; prohibiting the transferability of leases from one operator to another without consent of the lessor; and termination of leases where the level of resource production is minimal.
- Providing for increased transparency so that all parties can negotiate on an equal footing. Such measures could include: requiring oil and gas operators to disclose prices paid for comparable agreements; requiring that royalty offers be calculated based on net costs instead of gross costs to make it easier for mineral and surface rights owners to evaluate the true value of those offers; and requiring a third-party audit of lease-related expenses being charged to mineral and surface rights owners to ensure they are fair and reasonable.
- Accelerating royalty payments so that mineral and surface rights holders can more easily afford legal counsel and other professional services necessary for them to negotiate fair compensation for their resources.

# public lands & natural resources

*To promote land conservation and preservation and outdoor opportunities for Coloradans.*

## **SUPPORT THE RESEARCH, DEVELOPMENT AND IMPLEMENTATION OF CARBON SEQUESTRATION PRACTICES TO IMPROVE SOIL HEALTH AND PRODUCTIVITY AND SEQUESTER CARBON FROM THE ATMOSPHERE**

Research indicates that carbon sequestration through agricultural, land management, and forestry practices is a potentially powerful tool to absorb excess carbon from the atmosphere and help mitigate the effects of climate change. In addition to reducing heat-trapping emissions, carbon sequestration in soils is also shown to have many co-benefits, including improved soil health, improved crop yields, increased water retention, and restoration of native plant and animal species. Carbon sequestration practices include but are not limited to methods such as applying compost to rangeland and croplands, using slow-release fertilizers and nitrification inhibitors, planting cover crops, reducing tillage or growing crops without tillage, planting trees and shrubs as windbreaks on cropland, and applying biochar to reclaim and restore land and boost soil fertility. Boulder County supports applicable practices and state funding that increase carbon sequestration efforts and improve overall soil health and productivity.

## **SUPPORT LEGISLATION AND FUNDING THAT PROMOTES FOREST RESTORATION AND WILDFIRE MITIGATION, INCLUDING THE USE OF PRESCRIBED FIRE, IN THE WILDLAND URBAN INTERFACE**

Wildfire mitigation measures modify the forest environment surrounding a structure that is at risk from destruction by a wildfire, while forest health efforts improve the conditions of Colorado's forests to restore ecosystems to a healthier state. Together, these efforts have the benefit of minimizing the destructive effects of wildfire on Colorado's communities, land, and environment. Activities such as developing and maintaining defensible space and a safe home ignition zone around homes, forest thinning, and prescribed fire are common and proven tools for reducing wildfire risk. Local governments have access to an array of tools to reduce the risk of wildfire by considering the amount and type of development that occurs in areas at risk for wildfire and establishing requirements for wildfire mitigation measures for any development within these areas. Boulder County supports the use and expansion of wildfire mitigation and forest restoration efforts across Colorado's forests.

## **SUPPORT THE PRESERVATION AND DEVELOPMENT OF TOOLS THAT THE STATE, LOCAL GOVERNMENTS AND OTHERS USE TO CONSERVE AND PROTECT COLORADO'S LAND AND NATURAL RESOURCES**

Colorado's environment defines its quality of life and economy. Recognizing this, the state and its local government partners have developed an array of public policy and programmatic initiatives designed to preserve and protect Colorado's land and natural resources; examples include the Conservation Easement Tax Credit and Great Outdoors Colorado. Boulder County will continue to utilize these tools to protect our local environment and will advocate for their continuation and expansion to ensure the preservation of the environment and quality of life that Coloradans have grown to expect.

## **OPPOSE LEGISLATION AND OTHER EFFORTS TO TRANSFER COLORADO'S FEDERAL PUBLIC LANDS TO STATE OWNERSHIP**

Boulder County supports the protection of Colorado's federal public lands including national parks, wildlife refuges, forests, historic sites, and wilderness areas, and will oppose legislation that attempts to authorize state control of these lands. Public lands provide economic, environmental, ecological, recreational, and health benefits to the state and local communities. Year after year, public surveys consistently show that Coloradans overwhelmingly appreciate and support the opportunities these benefits provide, and that an overwhelming majority of state residents believe

that federal public lands should continue to be owned and managed by the federal government. Public lands serve as economic drivers for local communities by increasing tourism, income and employment opportunities, and land and home values. In 2018, Colorado's outdoor recreation economy supported 229,000 direct jobs and \$9.7 billion in wages and salaries, while generating \$28.0 billion in consumer spending and \$2.0 billion in state and local tax revenue. Additionally, western states, including Colorado, woefully lack resources to manage the millions of acres of federal public lands located within their borders. The transfer of these lands to state control raises legitimate concerns that the land will be sold to private interests or the natural resources exploited to pay for firefighting and other management costs. Finally, existing case law and constitutional interpretation strongly suggest that states have no constitutional authority to force federal land transfers. Theories based on state enabling acts do not circumvent the fact that the U.S. Constitution's Property Clause and Supremacy Clause make state legislation intending to force federal land transfers unconstitutional. For all these reasons, Boulder County will strongly oppose state legislation or other efforts to transfer Colorado's federal public lands to state ownership.

### **SUPPORT LEGISLATION THAT PROMOTES THE EFFICIENT UTILIZATION AND CONSERVATION OF WATER**

Colorado's lakes, rivers and streams, and water delivery systems provide clean drinking water for our cities and towns and are critical to supporting the state economy, fish and wildlife populations, and our way of life. Within this context, state and local government water policy must result in water supply and management decisions that are environmentally and economically sustainable in order to conserve, protect, and restore Colorado's rivers. Boulder County staff participated directly in the two-year long effort to draft Colorado's Water Plan, the state's first comprehensive water plan. The inclusion of conservation, land use, and watershed health metrics in the plan will move the state toward sustainable water resource management practices and create public policy incentives to achieve greater conservation and more efficient use of Colorado's water supply; state legislation and other policy approaches will be important tools in this effort. In addition, Boulder County has established Land and Water Stewardship as a 2019-2023 Strategic Priority and will work towards the goal of expanding and maximizing utilization of the county's water portfolio to support sustainable agriculture and healthy riparian and aquatic ecosystems.

### **SUPPORT RESOLUTION TO CONFLICTS BETWEEN THE FEDERAL ENDANGERED SPECIES ACT AND STATE WATER LAW**

Currently, the federal Endangered Species Act (ESA) prohibits certain modifications to endangered species habitat. Designed to protect and enhance the quality of habitat for federally listed species, these restrictions describe the specific kinds of activities allowable within habitat areas. Meanwhile, state water law establishes maintenance standards for ditches and stream corridors, including the removal of vegetation for enabling stream flows. At times, these state maintenance standards come into conflict with the federal ESA restrictions. Boulder County supports bringing resolution to these conflicting requirements.

### **INCREASE STATE CAPACITY AND RESOURCES TO RESPOND TO INVASIVE SPECIES**

Invasive species are a continual threat to Colorado's landscapes, wildlife, aquatic habitat, agriculture industry, and native plants. One of the most recent examples is the state's experience with the Emerald Ash Borer (EAB). Its September 2013 discovery in the City of Boulder marked the western-most infestation of the federally quarantined EAB, and the first in Colorado. Despite robust state and local education and other efforts, including a regional quarantine, EAB has continued to spread and today the estimated 1.45 million ash trees within the Denver metro area are at risk. The regional quarantine has been rescinded, recognition that the pest has won.

EAB presents a cautionary tale as Colorado works to address the threats of aquatic nuisance species, noxious weeds, and forest pests. For example, management of forest pests requires significant financial investments from institutions and individuals trying to save trees or remove and replace them. Local governments, the state Department of Agriculture, the U.S. Department of Agriculture, as well as private industry and the public must work collaboratively to slow or stop the spread of invasive species. Funding, public education campaigns, and proactive agency planning will be critical to the effort. As a start, Boulder County supports increasing state resources and directing them to broad, stakeholder collaboration efforts as primary strategies for addressing invasive species in Colorado.

**FOSTER A STRONG STEWARDSHIP AND CONSERVATION ETHIC AMONGST COLORADO'S DIVERSE POPULATIONS**

Colorado's natural environment depends upon the next generation of residents and visitors to sustain and promote the health of local, state, and federal public lands. Boulder County supports programs and efforts that foster stewardship and long-term support for our public lands, such as youth corps programs, programs to get children, seniors and multicultural populations outdoors, and efforts to link urban areas to parks and public lands. A key county organizational strategic priority is to develop and begin implementation of a Cultural Responsiveness and Inclusion Strategic Plan to guide engagement with underserved populations in Boulder County. Boulder County supports initiatives, and funding for those initiatives, aimed at establishing outdoor experiences and an appreciation for our public lands among our diverse populations.

**SUPPORT STATE EFFORTS TO ESTABLISH AND COMPLETE REGIONAL TRAIL SYSTEMS THAT LINK COMMUNITIES AND CONNECT VISITORS TO IMPORTANT LANDMARKS AND AMENITIES**

Boulder County supports statewide efforts to assist with the completion of regional trail systems that have been identified and supported by communities through local planning processes. One such state-level initiative in support of this goal is the Colorado the Beautiful (CTB) Grant Program, which funds connectivity projects through regional trail planning and construction grants. A joint partnership between Colorado Parks and Wildlife and Great Outdoors Colorado, the CTB grant program provides a unique opportunity to overcome funding, ownership, access, and other obstacles to the completion of regional trails throughout Colorado. Boulder County supports additional efforts like the Colorado the Beautiful Grant program to develop regional trails to link communities and local and federal public lands to provide transportation and access to outdoor amenities and active outdoor recreation.

**SUPPORT ONGOING FUNDING FOR THE COLORADO STATE FOREST SERVICE TO PROVIDE ASSISTANCE TO PRIVATE LANDOWNERS IN IMPROVING FOREST CONDITIONS AND REDUCING WILDFIRE RISK**

*See full policy statement in the Disaster Resiliency and Recovery section.*

**REVISE STATE STATUTE TO PROVIDE PERMISSIVE AUTHORITY FOR COLORADO LOCAL GOVERNMENTS TO LIMIT THE USE OF ELECTRIC SCOOTERS TO PAVED SURFACES**

Like electric bikes, electric scooters, or e-scooters, are another emerging mobility technology. E-scooters can serve as a viable and efficient "first mile" and "last mile" transportation option, but their rapid deployment in many urban areas, including Denver, has resulted in regulators struggling to catch up. To address this challenge, in the 2019 State Legislative Session the General Assembly passed and Governor Polis signed into law HB 19-1221, updating the state statutes that regulate the operation of e-scooters.

As a result of these changes, e-scooters are now included within the statutory definition of "vehicles." Similar to e-bikes, e-scooters do not need to be registered and are generally permitted on roads with some exceptions. While HB 1221 allows local authorities to prohibit electric scooters on bike or pedestrian paths, the law does state that "[a] local government may regulate the operation of an electric scooter in a manner that is no more restrictive than the manner in which the local government may regulate the operation of a class 1 electrical assisted bicycle." CRS § 42-4-221(8.5)

After extensive study and completion of a pilot study, Boulder County recently approved the use of Class 1 and 2 e-bikes on county trails on the plains where regular bikes are allowed. Electric scooters were not studied as part of this project, nor were they approved for use on county open space trails. While e-scooters are designed for urban transportation and not well suited to the crusher fines or dirt trails found throughout the Boulder County open space and parks system, as a result of HB 19-1221, the county cannot permit e-bikes on its trail system without also allowing e-scooters on the same trails.

Boulder County finds itself in the untenable position of wanting to support our residents' desire to utilize e-bikes on open space trails but having to take e-scooters as part of the bargain, with no public discussion or staff analysis regarding the myriad of safety and other issues raised by the prospect of e-scooters utilizing trails designed for recreation. Thus, the county supports providing Colorado's home rule municipalities and statutory cities, towns, and counties with permissive authority to limit the use of e-scooters to trails with paved surfaces.

# state fiscal & governance

*To improve the fiscal position of the state to sustain services to Coloradans today and into the future.*

## **SUPPORT EFFORTS TO BRING FISCAL STABILITY TO THE STATE OF COLORADO**

The state and its counties are intertwined in many significant ways when it comes to the delivery of services to Colorado residents. As a result, Boulder County will continue to engage with any substantive efforts to evaluate and address the ongoing structural and budgetary challenges that negatively impact the fiscal stability and sustainability of the State of Colorado, and by extension, its local government partners. For example, in 2019 the county supported Proposition CC, which would have eliminated the Taxpayer Bill of Rights (TABOR) revenue cap under which the state has been operating since the passage of TABOR in 1992, and directed this revenue to K-12 education, higher education, and transportation needs. State fiscal stability efforts should look to: Reform TABOR to at minimum eliminate the ratchet effect and lift the revenue and spending limits included in it; amend the Gallagher Amendment to address the ongoing reduction in the state's Residential Assessment Rate and the complex interaction between residential and commercial property taxes; explore creative solutions such as local government revenue sharing and service taxes; repeal or modify the three-percent TABOR reserve requirement; and conduct a periodic review and assessment of Colorado's tax credits and exemptions to ensure that these benefits create public value.

## **REQUIRE STATE GOVERNMENT TO ASSESS CLIMATE-RELATED RISKS IN ITS INVESTMENT PORTFOLIO AND MAKE RECOMMENDATIONS TO MITIGATE THAT RISK UP TO AND INCLUDING DIVESTMENT**

Despite the overwhelming scientific consensus that greenhouse gas emissions need to be dramatically reduced in the immediate future, new fossil fuel infrastructure that will make the problem even worse continues to be constructed. This construction is supported in part by state government-administered pension plans (such as the Public Employees' Retirement Association, or PERA) that invest in the fossil fuel industry. To date, over 1,100 institutions representing nearly \$10 trillion in assets have opted to divest from the fossil fuel industry. Boulder County supports legislation such as HB 19-1270, which had it become law, would have required PERA to commission an assessment of the climate-related risks in its portfolio and make recommendations to mitigate that risk.

# notes







