

House State, Veterans, and Military Affairs Committee

Overview

The House State, Veterans, and Military Affairs Committee (SVMA or State Affairs) considers matters concerning elections, campaign finance, military and veterans affairs, and other subject areas related to state government. In addition, the committee has legislative oversight responsibility for the departments of State and Military and Veterans Affairs.

Legislative Staff

The following legislative staff are assigned to research issues and draft bills that may appear before the House and Senate State Affairs Committees.

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Meeting Times and Locations

The House State Affairs Committee meets Wednesday afternoons beginning at 1:30 p.m. The committee often also meets on Thursday mornings upon adjournment. The committee's designated meeting room is LSB-A. The committee sometimes meets in a different room to accommodate larger crowds or the needs of other committees. Changes to the committee's regular schedule are announced on the House floor prior to adjournment. Schedule changes will also be posted on Twitter by the committee staff. If you wish to receive Twitter updates, go to <https://twitter.com/COStateAffComm> and follow the committee.

Joint Meetings with the Senate State Affairs Committee

The SMART Government Act requires the House and Senate State Affairs committees to hold annual hearings with the Department of Military and Veterans Affairs and the Department of State. At

the hearings, the departments must present their annual performance plan, regulatory agenda, and requested budget. The hearings must be held between November 1, 2016, and January 10, 2017. The Senate State Affairs Committee meets jointly with the House State Affairs Committee to conduct these hearings. During the legislative session, joint meetings of the House and Senate State Affairs committees may be held on Wednesday afternoons, as needed.

Stakeholders

The State Affairs committees cover a wide variety of issues, and members can expect to see an assortment of witnesses at committee meetings. The following entities are stakeholders that regularly appear before the General Assembly regarding state affairs issues:

- *Department of Military and Veterans Affairs.* The Department of Military and Veterans Affairs (DMVA) is led by the Adjutant General (TAG) of the Colorado National Guard, an appointee of the Governor. The department oversees the Colorado National Guard, the Civil Air Patrol, and the Veterans Memorial Cemetery of Western Colorado. The Division of Veterans Affairs assists veterans through county veterans service centers and statewide grant programs.
- *Department of State.* The Secretary of State, a statewide elected official, is the state's top elections official. In this capacity, the Department of State manages the state's voter registration database, handles candidate filings and campaign finance disclosures, certifies voting systems, and oversees the Title Board for proposed initiatives. The department is also responsible for regulating lobbyists, notaries, charities and fundraisers, and bingo and raffles. Finally, the department manages business licensing and the Uniform Commercial Code.
- *Division of Veterans Community Living Centers in the Department of Human Services.* Colorado's five veterans community living centers provide long-term care and housing to eligible veterans and their spouses. They are managed through the Department of Human Services (DHS).
- *County clerks and recorders.* County clerks are elected officials who administer coordinated and general elections in Colorado. Their other roles at the county level can include the administration of motor vehicle titling and registration, real estate recording, and marriage licenses.
- *Municipal clerks.* Municipal clerks are appointed officials who administer municipal (local) elections. Their other roles generally include records management and support for their municipalities' elected officials and boards and commissions.
- *Special districts.* Special districts in Colorado are political subdivisions responsible for providing services such as water, sanitation, and fire protection. Special district officials are generally elected by residents of the district, and districts have legal authority to conduct their own elections.
- *Local government associations.* Local government officials often work together through associations that advocate at the General Assembly for their members' concerns. (Examples: Colorado Municipal League, Colorado Counties Incorporated.)
- *Political parties.* Major and minor political parties are often concerned with the administration

of elections and candidate and campaign finance regulations.

- *Government transparency and accountability organizations.* National and state advocacy organizations focused on government accountability and transparency are frequently concerned with elections administration, public meetings, public records, and ethics laws. (Examples: Common Cause, League of Women Voters, Colorado Ethics Watch, American Civil Liberties Union.)
- *Voting rights and election security organizations.* Some state and national groups focus particularly on elections issues. (Examples: Colorado Voter Group, Vote Vets.)
- *Veterans organizations.* A variety of national and state organizations advocate on behalf of veterans. (Examples: United Veterans Committee, American Legion.)

Glossary of Frequently Used Terms

Relevant military and veterans terms:

Active duty: The National Guard can serve on federal ("Title 10") active duty or state ("Title 32") active duty. Federal active duty status constitutes full-time duty in the active military service of the United States and is activated by the President. The Governor can activate National Guard personnel to state active duty in response to natural or man-made disasters or homeland defense missions. A National Guard member must have served on federal active duty to qualify as a veteran for purposes of federal benefits.

BRAC: Base Realignment and Closure (BRAC) is the process by which the federal Department of Defense reorganizes its base structure, including closing bases. A BRAC commission makes recommendations for changes based on criteria specified by Congress. Five BRAC rounds, most recently in 2005, have closed installations nationwide, including the Fitzsimons Army Medical Center and Lowry Air Force Base in the Denver metro area. No future BRAC rounds have currently been authorized.

Civil Air Patrol: A federally chartered nonprofit corporation, created as an auxiliary to the U.S. Air Force. Its purposes include: encouraging citizens to contribute to developing aviation and maintaining air supremacy; providing aviation education and training; and fostering civil aviation in local communities.

Commissioned officer: A military officer holding a position of authority through a commission, most commonly from a service academy, a Reserve Officers' Training Corps (ROTC), or an officer candidate school. Commissioned officer ranks include lieutenants, captains, majors, colonels, admirals, and generals.

County veterans service officer (CVSO): CVSOs assist veterans in claiming earned benefits from the U.S. Department of Veterans Affairs (VA). They often serve as the first point of contact between a veteran and the VA. They take information and refer it to state veterans service officers, who, with power of attorney, are certified to represent veterans before the VA. CVSOs are appointed by the counties in which they serve, and the counties receive state funds for the program.

Deployment: The rotation of forces into and out of an operational area. Deployed service members go to another country for as little as 90 days or as long as 15 months and earn combat pay.

Enlisted: An enlisted service member in any branch of the military was recruited into the service without an officer's commission. Privates, corporals, and specialists are enlisted ranks in the Army and Marine Corps, while airmen and seamen are enlisted ranks in the Air Force and Navy, respectively.

Homestead exemption (property tax exemption for disabled veterans): For qualified disabled veterans, 50 percent of the first \$200,000 in actual value of their primary residence is exempted from property taxation in Colorado. The state pays the exempted portion of the property tax. To qualify, an individual must have served on active duty, been honorably discharged, and have a service-connected disability rating from the VA of 100 percent "permanent and total." This exemption was adopted as Referendum E in 2006.

Honorable discharge: Discharge releases a member of the military from his or her obligation to serve, and is distinct from retirement or separation. An honorable discharge is obtained by meeting or exceeding the standards of performance and personal conduct. Involuntary discharge can still be characterized as honorable, as long as it is not due to misconduct. Most veterans benefits require an honorable discharge.

Military Family Relief Fund: A tax checkoff provides funds for the Military Family Relief Fund, which is administered by the nonprofit Colorado National Guard Foundation. It provides financial assistance to active duty military members and their families who are affected by mobilization.

National Guard: The National Guard is comprised of the Air National Guard and the Army National Guard, both of which are reserve components of the United States armed forces. The guard has a dual federal and state mission. It is administered by the National Guard Bureau at the federal level and the Adjutant General at the state level.

Non-commissioned officer: NCOs hold positions of authority in the military forces that are obtained by promotion through the enlisted ranks. NCO ranks in the Air Force and Army are sergeants. In the Marine Corps they are corporals, and in the Navy they are petty officers.

Post-9/11 G.I. Bill: Veterans who served at least three years of active duty since September 11, 2001, are eligible for tuition benefits under the Post-9/11 Veterans Educational Assistance Act of 2008, known as the "Post-9/11 G.I. Bill." Veterans of previous conflicts may be eligible for benefits under previous G.I. bills. Post-9/11 G.I. Bill benefits cover the cost of tuition for a public undergraduate education and may be used up to 15 years after leaving active duty. Participants also receive stipends to cover living expenses and books.

Readiness center: Colorado has 20 National Guard readiness centers, formerly known as armories, located throughout the state. Each is the training and operational center for an Army National Guard unit. Most are state buildings on state land, though some are leased or located on federal land within existing military installations.

Service-connected disability: A disability resulting from an injury or illness that was incurred or aggravated during active military service. The VA determines a disability rating, from 10 percent to 100 percent, based on the amount by which the veteran's earning potential will be diminished as a result of the disability. Depending on the medical condition, the rating may be increased or decreased over time.

State defense force: State law authorizes the Governor to establish and maintain a state supplemental military force, separate from the National Guard.

VA: The U.S. Department of Veterans Affairs, formerly the Veterans Administration, is the primary administrator of benefits for military veterans. The VA provides health care at no charge to veterans who meet disability and income qualifications. In some cases, veterans can also pay co-pays to access VA care. Other VA benefits include pensions, disability compensation, home loan guarantees, life insurance, and burial services.

Veterans Community Living Centers (VCLCs): The Colorado Department of Human Services operates five VCLCs, formerly known as state veterans nursing homes, in Aurora, Florence, Monte Vista, Rifle, and Walsenburg. VCLCs offer short-term rehabilitation and long-term skilled nursing services for veterans and spouses who meet medical admission criteria. Additionally, the State Veterans Center at Homelake (Monte Vista) offers domiciliary cottages similar to an assisted living facility. VCLC rates are comparable to private nursing homes, but the actual cost is lower for veterans because the VA pays a portion.

Veterans Trust Fund: The Colorado State Veterans Trust Fund was established to provide moneys for the VCLCs, state veterans cemeteries, the Division of Veterans Affairs, and veterans programs operated by nonprofit veterans organizations. The fund receives 1 percent of the proceeds (up to a maximum of \$1 million) from the Master Tobacco Settlement Agreement, and it is allocated in grants by the Colorado Board of Veterans Affairs.

Relevant elections terms:

Canvass: The compilation of election returns and validation of the outcome. In Colorado, the canvass is conducted by a canvass board, consisting in a partisan election of the designated election official and individuals appointed by the major political parties, or in a nonpartisan election of registered electors appointed by the governing body that called the election. The canvass board is charged with confirming that the number of ballots counted does not exceed the number of ballots cast and that the number of ballots cast does not exceed the number of registered electors. The canvass board then certifies to the Secretary of State the abstract of votes cast.

Coordinated election: An election run by a county clerk that includes races in more than one overlapping political jurisdiction.

Designated election official: The individual designated by the governing body of a political jurisdiction to run the jurisdiction's elections. Generally a county or municipal clerk, but can also include outside counsel in a special district election.

Election judge: A registered elector appointed by the designated election official to perform assigned election duties. Designated election officials have some discretion in the number of election judges they appoint, but in partisan elections, the two major political parties are each entitled to fill half of the judge positions at each precinct.

Elector: A person who is legally qualified to vote in Colorado.

Fair Campaign Practices Act (FCPA): Article 45 of Title 1, C.R.S., the section of law governing campaign contributions and disclosure. The FCPA in its current form was enacted by initiative in 1996 and has been subsequently amended both by initiative and by the General Assembly.

General election: The election held on the Tuesday after the first Monday of November in an even-numbered year.

HAVA: The Help America Vote Act of 2002 is a federal law that, among other things, sets minimum standards for election administration. HAVA allocated significant federal funds to the states for this purpose, including about \$47 million to Colorado that has largely been exhausted. HAVA's requirements include standards for accessibility, voting system technology, maintenance of state voter registration records, and provisional ballots.

Identification: Under Colorado law, the following are considered identification for voting purposes:

- a valid Colorado driver's license;
- a valid ID card issued by the Department of Revenue;
- a valid U.S. passport;
- a valid employee ID with a photograph from a government employer;
- a valid pilot's license;
- a valid U.S. military ID card with a photograph;
- a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the elector;
- a valid Medicare or Medicaid card;
- a certified copy of a U.S. birth certificate;
- certified naturalization documentation;
- a valid student ID with a photograph issued by an institution of higher education in Colorado;
- a valid veteran ID card issued by the Veterans Health Administration with a photograph;
or
- a valid ID card issued by a federally recognized tribal government.

Independent expenditure: An expenditure for a communication expressly advocating the election or defeat of a clearly identified candidate that is not made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a candidate's authorized committee, or a political party committee.

Initiated measure: A statutory or constitutional measure proposed by the people. Pursuant to the Colorado Constitution, an initiated measure is limited to a single subject. A statutory initiated measure can be placed on the statewide ballot when signatures of at least 5 percent of the total number of votes cast for all candidates for the office of Secretary of State at the previous general election are gathered. Statutory initiated measures become law upon receiving a majority of votes cast. Constitutional initiated measures are subject to the additional requirement that signatures collected must include at least 2 percent of the registered voters in each of the state's 35 senate districts. Constitutional initiated measures become law upon receiving 55 percent of the votes cast, except when a proposed amendment repeals rather than changes part of the constitution, in which case a simple majority of votes is required.

Issue committee: In Colorado, a group of two or more persons whose major purpose is supporting or opposing a ballot question is called an issue committee. An issue committee with contributions or expenditures exceeding \$200, or which has printed more than 200 petition sections, must register with the Secretary of State.

Major political party: Any political party whose candidate in the last gubernatorial election received at least 10 percent of the votes cast. Currently, the Republican and Democratic parties meet

this standard.

Minor political party: A political party that is not a major political party and meets statutory qualifications. A minor political party must adopt a constitution or bylaws, and it can be recognized by: submitting a petition to the Secretary of State signed by at least 10,000 registered electors; having a candidate for statewide office in either of the last two general elections receive at least 5 percent of the total votes cast for that office; or having 1,000 or more registered electors affiliated with the party. Currently, the American Constitution Party, Green Party, and Libertarian Party have met these requirements.

Motor Voter: The common name for the National Voter Registration Act of 1993, which requires states to provide voter registration opportunities to electors when applying for a driver's license or public assistance. The law also created a federal "postcard" registration form and limited the circumstances under which registered voters can be removed from states' voter rolls.

Municipal election: An election conducted pursuant to the Municipal Election Code (Article 10 of Title 31, C.R.S.), run by a municipal clerk rather than a county clerk and recorder. Regular municipal elections are held on the first Tuesday in April, unless a municipality has voted to hold them on the first Tuesday of November in an odd-numbered year or coordinated with a November general election in an even-numbered year.

NCOA: The National Change of Address database consists of change-of-address requests filed with the U.S. Postal Service. Under state law, the Secretary of State and county clerks can search the NCOA to identify voters who have moved.

Precinct caucus: A meeting of registered electors of a precinct, organized by, and subject to the rules and regulations of, a political party. Precinct caucuses elect delegates to send to assemblies, where candidates are nominated for placement on the ballot.

Presidential primary election: In presidential election years, the primary election is conducted as a mail ballot election on a date set by the Governor, no later than the third Tuesday in March. Voters are not required to affiliate with a political party in order to vote in the presidential primary election.

Primary election: For state races, the election held on the last Tuesday in June of each even-numbered year. Voters will receive a combined ballot that shows all candidates for elected office for each political party; unaffiliated voters may only vote in contests for one political party. Political parties are also allowed, by statute, to opt out of holding a primary election that is open to unaffiliated voters and to instead nominate candidates in an assembly that is limited to affiliated voters.

Provisional ballot: States are required under HAVA to offer provisional ballots to voters who believe they are eligible to vote even after being identified as ineligible, or voters who do not comply with identification requirements. Provisional ballots are reviewed after the election, and if the voter was eligible to vote, the ballot is counted. Voters can call or visit a website to determine the outcome of their provisional ballots.

Ranked voting: A method of casting and tabulating votes that allows electors to rank the candidates for an office in order of preference and uses these preferences to determine the winner of the election. Includes instant runoff and proportional voting methods.

Reapportionment: The process used to reallocate the 435 seats in the U.S. House of Representatives amongst the 50 states following each decennial census. Congressional seats are apportioned to each state based on that state's percentage of the total population of all 50 states. However, each state is guaranteed at least one seat by the Constitution. Colorado was apportioned seven Congressional seats based on the 2010 Census.

Reapportionment commission: The Colorado Reapportionment Commission is responsible for redistricting all 100 state legislative seats following the decennial census. Pursuant to the state constitution, the commission consists of four legislative leaders, three persons appointed by the Governor, and four persons appointed by the Chief Justice of the Colorado Supreme Court.

Recall election: Every elected officer of the state of Colorado or its political subdivisions is subject to recall from office. For state officers, a recall election is held after a recall petition is circulated and signed by 25 percent of the entire vote cast at the last preceding general election for all candidates for the office the incumbent occupies. Recall petitions cannot be circulated during an officer's first or last six months in office, except that a recall petition can be filed against a member of the General Assembly after the fifth day of the legislative session. If a recall petition is deemed sufficient, the officer can resign within five days, or a recall election is called. The date for the recall election must be set not less than 30 nor more than 60 days after the petition is deemed sufficient, except that if a general election is to be held within 90 days, the recall election is held as part of that election.

Redistricting: The process of redrawing the boundaries of congressional and state legislative electoral districts to reflect population changes that result from the decennial census results. Local governments must also redistrict their local districts. The General Assembly is responsible for redistricting the state's Congressional seats following federal standards including precise mathematical equality in population among districts.

Referred measure: A ballot question or issue submitted by the General Assembly or the governing body of a political subdivision to eligible electors.

SCORE: Colorado's electronic pollbook, containing the list of eligible electors who are permitted to vote in an election. SCORE was created to comply with HAVA and is short for Statewide Colorado Registration and Election. It is maintained by the Secretary of State and made available to county clerks.

Special election: Any election called by a governing board for submission of non-TABOR ballot issues and other matters, as authorized by its enabling legislation.

Unaffiliated voter: An elector who is registered but not affiliated with a political party.

UOCAVA: The federal Uniformed and Overseas Absentee Voting Act of 1986, as amended by the Military and Overseas Voter Empowerment (MOVE) Act of 2009, governs voting rights for U.S. citizens residing overseas. It is implemented in Colorado by the Uniform Military and Overseas Voters Act (UMOVA, Article 8.3 of Title 1, C.R.S.). UOCAVA ballots must be mailed at least 45 days before the election. In Colorado, UOCAVA voters can opt to receive these ballots electronically. Once a voter has printed and filled out this ballot, it can be mailed back, or in some circumstances the scanned ballot can be returned electronically, provided the voter also signs an affidavit acknowledging that doing so will void the secrecy of their ballot.

Voter registration drive: The distribution and collection of voter registration applications by two or more persons for delivery to a county clerk.

Voter service and polling center (VSPC): A location established for holding elections that offers the following services: voting, including by provisional ballot; registering to vote; updating voter registration; receiving original and replacement ballots; and mail ballot drop-off. Requirements for geographic distribution and hours of VSPCs are provided in statute.

Watcher: An eligible elector other than a candidate on the ballot who has been selected by a political party or candidate to observe election processes.

Other areas of interest:

Amendment 41: A 2006 initiated amendment, titled Ethics in Government and codified as Article XXIX of the Colorado constitution. Amendment 41 includes a gift ban, restrictions on lobbying after leaving office, and the creation of the Independent Ethics Commission.

CGIA: The Colorado Governmental Immunity Act, Article 10 of Title 24, C.R.S., codifies the doctrine of sovereign immunity in Colorado. It identifies circumstances under which the state and its employees may be liable and the relief available in those cases.

Colorado Sunshine Law: Article 6 of Title 24, C.R.S., includes provisions regarding the regulation of lobbyists, as well as the state's open meetings law. Under the sunshine law, any meeting of two or more members of any state public body at which public business is discussed or at which any formal action may be taken is declared to be a public meeting open to the public at all times.

CORA: The Colorado Open Records Act, Part 2 of Article 72 of Title 24, C.R.S., declares that all public records, minus a number of exemptions, are open for inspection by any person within a reasonable time frame. If a printout of the record is requested, a copying fee can be charged by the record's custodian. In some cases, an hourly fee may be charged for research and retrieval.

Independent Ethics Commission (IEC): The IEC was created in Amendment 41 to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics questions arising under Amendment 41 or elsewhere. Four of the five members of the IEC are appointed by the Senate, the House, the Governor, and the Chief Justice of the Colorado Supreme Court. The fifth member is a local government official or employee appointed by the other four members. Any person may file a written complaint with the IEC, and if the IEC determines that the complaint is not frivolous, it will conduct an investigation, hold a public hearing, and render findings on the complaint.

Sources:

- *Code of Federal Regulations*
- *Colorado Revised Statutes*
- *Department of Defense Dictionary of Military and Associated Terms*
- *Joint Budget Committee Staff*
- *Legislative Council Staff*
- *National Conference of State Legislatures*
- *National Guard Bureau*
- *Office of the Secretary of State*
- *United States Code*