

March 25, 2013

***Bill Tracking: http://www.coloradocapitolwatch.com/bill-tracker-votes/0/391/2013/0/***

*"I predict future happiness for Americans, if they can prevent the government from wasting the labors of the people under the pretense of taking care of them.” - Thomas Jefferson*

***Days Until Sine Die:  45***

**Memorial Service Held for Tom Clements, Executive Director of Colorado Prisons**

A public memorial service for slain corrections Chief, Tom Clements, was held Monday (March 25) morning in Colorado Springs, the Governor's office announced Thursday.  The memorial was at New Life Church, in Colorado Springs.

A private funeral is set for Sunday but details about that funeral will not be released.

Clements, 58, was shot and killed Tuesday night as he answered the door of his home in Monument.

Clements was serving as the Executive Director of the Colorado Department of Corrections (DOC).  His murder has sparked a massive multi-state investigation, potentially ending with a high-speed chase and shootout with law enforcement officers in Texas and the death of a suspect.

"Our family has lost a devoted husband and a beloved father," Clements' family wrote in a media release.  "There are no words at this time to describe our grief and loss.  We thank our friends and those praying for us here and across the nation.  Your well-wishes and prayers bring us strength."

Gov. John Hickenlooper and others praised Clements for innovations that helped decrease Colorado's recidivism rate and dramatically reduced the number of inmates in segregation.

But not all of Clements' changes have been popular among the rank-and-file.  Two prisons closed under Clements' watch, and he would soon have been involved in deciding which other prisons to close in response to a dwindling prison population.

*The Denver Post* earlier this week reported that Governor Hickenlooper appointed Clements in January 2011.  He came to Colorado from Missouri.  In Colorado he supervised a staff of 6,022 employees at 20 public prisons.  There were 20,379 Colorado inmates as of the end of 2012.

Clements is survived by his wife and two adult daughters, Rachel and Sara.

Tony Carochi, appointed Wednesday as DOC Interim Executive Director, wrote to all corrections employees.

"Even as the hours have passed since we first learned about the death of Mr. Clements, the shock and grief still feels unreal," Carochi wrote.

Hickenlooper has ordered all flags lowered to half-staff until the day after Clements' funeral.

The House of Representatives and Senate both convened at 1:00 p.m. on Monday in order to allow lawmakers to attend the memorial service.

**State Revenue Forecast Improves by $227.9 Million for FY 2012-13**

The Governor’s Office of State Planning and Budgeting (OSPB) announced on Monday state general fund revenue is projected to be $227.9 million higher in the current fiscal year than was forecast in December.

For FY 2013-14, the forecast is $256.1 million higher than the prior projection.  The increase in the revenue forecast is due to continued better-than-expected growth in individual and corporate income tax revenue.

Under current law, the excess funds in the new revenue forecast for the current fiscal year will be transferred to the State Education Fund.  This fund supports per-pupil funding in Colorado school districts.

The Governor’s Office will work with the Joint Budget Committee and the rest of the General Assembly to identify prudent increases to the existing budget request for next year.  In addition to the recent request for improvements to the Child Welfare system, priorities include education and one-time uses of the funds for building maintenance and technology upgrades.

OSPB reports in the forecast that growth may slow next year.

“While economic activity at the national level continues to be modest and uneven, Colorado has many attributes necessary for success in the post-Great Recession economy, fostering its position among the top states in economic performance,” according to the forecast.  “Economic growth is expected to moderate in 2013 due to recent federal tax rate increases and budget reductions, the heightened uncertainty surrounding the federal debt level, and headwinds from the European economic and financial crisis.”

In addition to the announcement from OSPB, the Legislature's Joint Budget Committee also heard a competing forecast from Legislative Council who presented more conservative estimates.  Highlights from the Legislative Council forecast:

·      The recovery in Colorado’s economy is among the most vibrant in the nation. Consistent improvement in the labor and real estate markets, growth in consumer spending, a rebound in manufacturing activity, and increasing strength in the business and financial sectors point to a gradually maturing recovery in the private sector. Federal fiscal policy will weigh down economic growth in the short run, but healthier growth should resume later this year. However, the recovery will still require loose monetary policy, and a fragile global economy remains a risk to the outlook.

·      In FY 2012-13, the General Fund is expected to end the year with a surplus of $848.0 million.

·      In FY 2013-14, the State Education Fund will receive a one-time transfer from the General Fund pursuant to House Bill 12-1338 equal to the FY 2012-13 General Fund surplus of $848.0 million.  This transfer is in addition to the ongoing transfer to the State Education Fund required by Amendment 23.

·      The General Assembly will have $924.3 million more to spend in the General Fund during FY 2013-14 than the amount budgeted for FY 2012-13; this amount does not account for expenditure pressures resulting from inflation and caseload growth or other legislative priorities.

·      The reserve increase and transfers authorized by Senate Bill 09-228 are not expected to occur during the forecast period.

·      Revenue subject to TABOR is expected to be $238.6 million below the Referendum C cap in FY 2014-15, the last year of the forecast period.  Depending on economic growth and legislative tax and fee policy changes, a TABOR surplus could be generated within the next two to four years.

The Joint Budget Committee is expected to complete its work on the FY 13-14 Long Bill this week.

**FMLA Expansion Narrowed in House**

The House of Representatives on Friday, at the request of the bill's sponsor, amended House Bill 1222, the Colorado-specific expansion of the Federal Family and Medical Leave Act, on second reading.  The bill’s sponsor, Cherylin Peniston (D-Westminster) amended the measure to limit the Colorado-specific expansion of the definition of a family member to those in a "civil union" or "domestic partnership" that are registered with a municipality.

The amendment narrows the number of categories of those family members for whom a worker could take leave.

The legislation creates a Colorado-specific expansion of leave under the Federal Family and Medical Leave Act (FMLA), which will allow a worker, who is eligible for FMLA leave, to take up to 12 weeks leave in a year to care for an individual if that person:

·       Is the worker’s partner in a civil union (Governor John Hickenlooper signed civil unions into law on Thursday).

·       Is the parent or child of the “employee or of the employee’s spouse or partner in a civil union...”

·       Is the employee’s “domestic partner” and has registered the partnership with a city or the State or is recognized by the employer as the worker’s domestic partner.

Only two cities in Colorado have domestic-partner registries:  Denver and Boulder.

The legislation, prior to the sponsor's amendment, in addition to a "civil untion" or "domestic partnership" included:

·      the "parent, child, grandparent, grandchild, sibling, first cousin, aunt, uncle, niece, or nephew of the employee or employee's spouse or partner in a civil union"; and

·      a person who as entered into a "designated beneficiary agreement" as defined by state law with the employee.

The bill still contains a “private right-of-action” provision, which would allow a worker, should he or she be denied leave by an employer to take care of family members as defined by HB 1222, to go to state court “to recover damages or equitable relief” from the employer.  A similar provision already exists under the Federal FMLA for workers who want to take their claims to Federal court.

HB 1222 applies to private employers with 50 or more workers, government agencies and elementary and secondary schools.

Representative Amy Stephens (R-Monument) was also successfull in amending the measure to sunset the State law if the U.S. Congress amends the Federal FMLA to include civil unions or domestic partnerships.

The measure is now waiting to be heard by the full House on third reading.

***Denver Post*:  Hickenlooper Signs Gun Bills, Says They Don't Prevent Gun Ownership**

Gov. John Hickenlooper said the "fairly significant" gun bills he signed into law Wednesday morning do not "prohibit gun ownership of any weapon."

He said his office later today will release a "signing statement" to try to explain how the bills, particularly one that limits ammunition rounds, should be interpreted.

The Governor held a news conference in the west foyer of the Capitol after he signed the bills in his office.  He was surrounded by the legislators who sponsored the gun bills.

"Thank you, Governor, for signing bills that are common-sense solutions...," said Rep. Rhonda Fields (D-Aurora), whose son was murdered and whose district includes the Aurora theater shooting last summer was in her district.

"While we cannot prevent every act of violence, we must do what we can to reduce the frequency and impact of these horrible events, and I am proud of the work we did and are doing to make Colorado safer."

With Hickenlooper signing these gun control measures, Colorado joined New York as the first states to pass stricter gun laws after the shooting at an elementary school in Newtown, Conn., ignited the national debate over guns.

Sandy Phillips and her husband, Lonnie, traveled from San Antonio, TX., to see Hickenlooper sign the gun control bills into law.

Their daughter, Jessica Ghawi, 24, was killed eight months ago to the day in a massacre at the Aurora movie theater that left 12 dead and 58 injured.

"It's a good day," said Sandy, thumbing her cell phone screen which featured a picture of Jessica.  "The state of Colorado is making great strides to save lives.  Hopefully other states will follow in this state's footsteps."

Megan Sullivan's older brother, Alex, was also shot and killed in the theater shooting.  She and her family have sat in the House and Senate galleries and listened closely through hours of floor debate among lawmakers over these gun control measures.

"My brother was killed by a person with a hundred round magazine," Sullivan said.  "He didn't have a chance.  He's watching the movie and the next minute he's dead."

Sullivan noted the mass shooting in Tucson, where the gunman was tackled while switching out a large-capacity magazine, and her support of the measure limiting ammunition magazines of more than 15 rounds.

"If it's three seconds, it's three seconds," Sullivan said.  "My brother didn't have three seconds.  But now other Coloradans could have that time to intervene if a gunman were shooting."

Hickenlooper, who describes himself as "relentlessly pro-business," signed the three gun bills despite warnings from thousands of Coloradans that at least one measure would force companies to leave the state.

In the process, Hickenlooper, who rarely mentioned he was a Democrat when he ran for Governor in 2010, for the first time has incurred the wrath of a large number of Republicans who came to the Capitol by the hundreds to testify against the gun measures.

But two political observers, consultant Eric Sondermann and pollster Floyd Ciruli, said the Governor's biggest challenges probably aren't the gun bills but what happens in the second half of the session when faced with bills from his own party on oil and gas and repealing the death penalty.

"We're just getting warmed up here," Ciruli said.  "The Democrats have got the bit in their mouth and they are moving down the road."

Ciruli also believes Hickenlooper has positioned himself as a moderate on the gun bills, so far publicly supporting only three of the seven Democratic measures initially introduced.

The Governor signed:  HB 1224, limits ammunition magazines to 15 rounds; HB 1229, requires universal background checks for gun sales or transfers; and HB 1228, requires gun customers to pay for the costs of the background checks.

To mark the occasion, Senate Republicans on Tuesday draped a New York flag at the entrance to the minority office.

During the debate, Republicans charged the Democratic legislature was getting its marching orders from the White House and New York City Mayor Michael Bloomberg, who formed Mayors Against Illegal Guns.  The flag was altered to include faces of Hickenlooper and Bloomberg.

"I called Bloomberg the de facto Governor of Colorado, and now he and Hickenlooper share a flag," said Senate Minority Leader Bill Cadman (R-Colorado Springs).

Hickenlooper said he began working on the bill for universal background checks last August by talking to Coloradans, and met little resistance.

The magazine bill has produced the most ire, after Erie-based Magpul, the largest producer of ammunition magazines in the state, said it would leave if the measure passes.  Suppliers to Magpul, too, said the measure would cost them jobs.

"Our moving efforts are underway.  It's going to be a phased approach, and until the move is complete, we're going to continue manufacturing magazines in Colorado," said Doug Smith, Magpul's chief operating officer.  "Within the next 30-days we will manufacture our first magazine outside the state of Colorado."

Smith noted that he will meet with economic developers from Nebraska, Texas and Wyoming in the coming weeks and the company is likely to have multiple locations in the future.

"This ordeal has taught us to be more diverse geographically," Smith said.

Magpul officials have said the move will cost hundreds of jobs and upward of $85 million in potential spending this year.

Sondermann said he had thought the Governor might send the ammunition bill back to the legislature to work on problems Republicans have pointed out in recent days.

"But he's not choosing that option," Sondermann said.  "He'll probably find other opportunities to demonstrate independence or centrism but it's not on this.

"I think particularly given the fracking issue, where there's a significant distance between him and the center of the Democratic universe, he probably doesn't have as much room on other issues."

But Hickenlooper signed off on the measure.

"Large magazines have the potential to turn killers into killing machines," said Hickenlooper spokesman Eric Brown.

"This law won't stop bad people from doing bad things.  But it does open the possibility that a person determined to kill people might be slowed down even for an instant.  That instant might mean the difference between life and death for some people."

Only a few months ago, Hickenlooper was mentioned as a potential 2016 presidential candidate.  In poll after poll, his favorability ratings were higher than President Obama's and most Governors.

But now Hickenlooper is attracting national attention as the Western governor backing gun control.

Asked whether the debate had hurt his image as a "quirky, lovable Governor," Hickenlooper smiled.

"I'm still quirky," he said.  "I'm not sure I was that lovable.  And I am still relentlessly pro business."

**Independence Institute Announces Lawsuit to Overturn New Gun Rules**

The Independence institute on Wednesday announced they will lead a civil rights lawsuit against the State of Colorado to attempt to overturn the new gun laws.  Their lawsuit, they said will be based on the Second and Fourteenth Amendments to the United States Constitution, among other grounds.  The lawsuit will be brought on behalf of a large coalition of local and national law enforcement, including many of the Sheriffs who opposed the bills, disability rights organizations, gun safety organizations, civil rights organizations, and others.

Lead attorney in the lawsuit will be Dave Kopel, who is also a Denver University Adjunct Professor of Constitutional Law.  Kopel served on the U.S. Supreme Court oral argument team which won the 2008 case District of Columbia v. Heller.  His briefs and scholarship have been cited by Justices Alito, Breyer, and Stevens, and by the 10th Circuit Court of Appeals, among others.

**House GOP Bill of the Week:  VINE System**

A bipartisan bill to fund Colorado’s statewide victim notification system cleared the House Local Government Committee last week.  House Bill 1241, sponsored by state Reps. Bob Gardner (R-Colorado Springs) and Rhonda Fields (D-Aurora) reduces local government expenditures by allowing the state to shoulder the costs of Colorado’s victim notification system.

This system provides an invaluable service to victims in Colorado.  Access to safe and reliable information like the custody status of an offender is critical to ensuring the safety and wellbeing of victims and their families.

In 2007, the U.S. Department of Justice offered grants to help establish Colorado’s victim information and notification system—the Statewide Automated Victim Information Notification Everyday (VINE) system.  The system allows crime victims and other interested parties to access timely and reliable information about criminal cases twenty-four hours a day by phone, Web or email.

“This is a statewide issue.  VINE is one of the best products that have come along to provide victims knowledge that empowers them.” – Patty Moschner of the Douglas County Sheriff’s office said.

Federal grants helped create Colorado’s victim notification system, but not its ongoing costs.  Because the notification system is administered by the County Sheriffs of Colorado, creating an appropriation for it from the state General Fund, as HB 1241 does, could reduce county expenditures by more than $400,000.

House Bill 1241 enjoys support from County Sheriffs of Colorado, the Colorado Department of Public Safety, the Colorado Coalition Against Domestic Violence, the Colorado Coalition Against Sexual Assault, the Colorado Organization for Victim Assistance and the Colorado District Attorney’s Council.  It now moves to the House Appropriations committee for further consideration.

***Denver Post*:  "Wage theft" bill tabled by Colorado House**

A bill that sought to make "wage theft" a crime in Colorado was postponed indefinitely on Tuesday, but may make a reappearance next year.

Rep. Jonathan Singer (D-Longmont), said he would talk to business groups and bring back a different version in the 2014 session.

"I intend to work with the business community to make sure we have a bill that works," he told members of the House Committee for Business, Labor Economic & Workplace Development.

House Bill 1227 would have made the nonpayment of earned wages, now a civil matter, a crime in cases where employers were solvent and able to pay.

Singer said that 40 percent of workers at some point in their careers will have their wages improperly withheld and are forced into small claims court to seek redress for what is technically theft.

"You are stealing their ability to put food on the table," he said.

The bill contained an exemption for employers unable to pay, but it also expanded the definition of employer to include officers or agents, not just owners, who asserted control over management.

**Stroke and STEMI Bill Introduced**

On Wednesday Senator Angela Giron (D-Pueblo) and Representatives Joann Ginal (D-Ft. Collins) and Dianne Primavera (D-Broomfield) introduced Senate Bill 225 which aims to develop a state-wide system to improve quality of care to patients suffering stroke and heart attack.  The bill directs the Department of Public Health and Environment to Develop a System for designating hospitals based on their ablity to treat stroke and heart attack patients and to maintain stroke and STEMI heart attack databases to enable the compilation of information and statistics on the care provided to stroke and STEMI heart attack patients.

The bill has been assigned to the Senate Committee on Health and Human Services.

**Hickenlooper Signs Colorado Civil Union Act**

Governor John Hickenlooper on Thursday signed into law Senate Bill 11 authorizing civil unions.  The measure, sponsored by Senator Pat Steadman (D-Denver) and Speaker of the House, Mark Ferrandino (D-Denver), both gay lawmakers, ends three years of debate on the issue.

Supporters of civil unions tried unsuccessfully each of the past two years to get the measure through both chambers of the General Assembly and to the Governor's desk but the then Republican-controlled House killed both of those measures.

Colorado now joins eight other states that allow civil unions.  Nine other states and the District of Columbia allow same-sex marriage.

***House GOP*:  Democrats Continue to Push Anti-Jobs Agenda**

Democrats in the Colorado State Legislature passed two bills out of House and Senate committees Thursday that will significantly increase the cost of doing business for energy developers in Colorado.  House Bill 1267 drastically increases fines for oil and gas companies while Senate Bill 202 creates new and costly regulations for these same job providers.

“There are more than 200,000 unemployed Coloradans in our state and Democrats are pushing an agenda that will directly and negatively impact an industry that supports more than 100,000 Colorado jobs,” said state Rep. Ray Scott, a Republican from Grand Junction who voted against HB 1267 during its hearing in the House Transportation and Energy Committee.

House Bill 1267, sponsored by state Rep. Mike Foote (D-Lafayette) and Sen. Matt Jones (D-Louisville) raises the daily maximum fine serious violators face from $1,000 to $15,000, which is a 1,400 percent increase.

“For a caucus that listed jobs as their ‘number one priority,’ increasing a fine by 1,400 percent overnight for one of our economy’s best economic engines is irresponsible,” Scott added.  “Colorado’s energy development strategy must be executed responsibly, but it also should be done in a way that will not derail our fragile economic recovery.”

Senate Bill 202, sponsored in the House by Rep. Jonathan Singer (D-Longmont) and Jones again in the Senate, creates a list of new inspection requirements for oil and gas companies, requiring them to pay for four times as many inspectors as they already have.

“Most people in Colorado want the General Assembly to focus on jobs and improving the economy,” said Sen. Greg Brophy, a Republican from Wray who voted against the bill in the Senate Agriculture, Natural Resources and Energy Committee.  “They want us to work together to create jobs in Colorado, not overregulate and outsource them.  The Democrats’ decision to attack one of the most promising job sectors is troubling.”

The Democrats’ push for stricter inspection requirements comes despite new rules already being placed on the industry that will require them to pay for additional inspectors.  Opponents of the bill also argued that the industry self-inspects so much today that incidences are actually over-reported.

Colorado ranks fifth in the country in U.S. natural gas production and eleventh in oil production.  The industry supports more than 100,000 jobs and injects nearly $32 billion into the state economy.  Job creators in Colorado’s oil and gas industry also pay more than 95 percent of the state’s severance tax revenue—a vital funding source for schools and local governments.

***Denver Post*:  Hickenlooper Veto Comment on Death Penalty Scrambles Repeal Effort**

House Democrats on Thursday acknowledged they're torn on how to proceed with a measure to repeal the state's death penalty after Gov. John Hickenlooper indicated he could veto the bill if it arrived at his desk.

"I'm not sure what's going to happen with this bill, or when and if we will vote on it," said Rep. Daniel Kagan (D-Cherry Hills Village) who is Chairman of the House Judiciary Committee.  "As a caucus we have to discuss some things."

House Democrats are considering a caucus meeting Friday to talk about the issue.

On Tuesday — after more than nine hours of testimony from proponents and opponents — Kagan asked that a vote be delayed on the measure, which would repeal the death penalty for any crimes committed after July 1.

The committee will meet again Tuesday, though Kagan said a decision hasn't been made on whether to continue forward with the measure.

A decision to withhold a vote on House Bill 1264 followed a luncheon Tuesday where Hickenlooper, a Democrat, told House members of his party that he had issues with the legislation and mentioned a possible veto.

After Hickenlooper signed a civil-unions bill into law Thursday, he was asked about the death penalty.

"At least the last time I was out there it seemed like a pretty significant majority of people still favored the death penalty," Hickenlooper said.  "I think it's worth a little more discussion before we mail in the votes, as it were."

Moreover, Hickenlooper said he generally thinks that issues have a sense of time.

"Should we have done civil unions five years ago?  Sure.  Was the majority of people in the state five years ago for it?  Probably not.  Are they now?  Yes," he said.  "I'm wondering whether we don't need just a little more maturation."

Whether to repeal capital punishment is not a party-line issue.

Reps. Claire Levy (D-Boulder) and Jovan Melton (D-Aurora) sponsors of HB 1264, have bipartisan support for the bill.

Melton said he has enough votes for Democrats to push forward with his bill to repeal the death penalty, despite Hickenlooper's remarks.

"We're not going to pull back at all.  It's a decision the Governor's going to have to make when it arrives at his desk," Melton said Thursday.

By contrast, Rep. Rhonda Fields (D-Aurora) who has a personal connection to the state's death row because two men on it were convicted of killing her son in 2005, wants voters in 2014 to decide whether to repeal the death penalty.  Fields, who is the lone sponsor of a bill that would create such a ballot issue, has expressed that she is staunchly against repeal of capital punishment in Colorado.

She has introduced her measure as an alternative to having lawmakers give a final say on the ultimate penalty.

On Twitter on Thursday, Fields criticized Melton, saying that when he was her campaign manager, he never called the death penalty "failed policy."

She later deleted the post and offered an apology.

Hickenlooper's mention of vetoing the measure has drawn scorn from some of those who testified in favor of the bill.

Boulder County District Attorney Stan Garnett, the Democratic nominee for attorney general in 2010, on Facebook called Hickenlooper's idea of vetoing the measure a "shame."

"Many committed Democrats risked their careers on this important effort.  We need to do the right thing while we can, and can't always have our fingers in the air, testing the political winds," wrote Garnett.

Rep. Tony Exum (D-Colorado Springs) said if HB 1264 arrived on the House floor, he would vote in favor of it.

"But it's an issue I've lost sleep over," Exum said, "and I'm sure a lot of my colleagues have as well."

***CACI*:  Carbon Tax Would Harm Colorado's Economy**

*New Study Finds Proposed Carbon Tax Would Hurt Colorado Manufacturing Growth, Jobs and Energy Prices*

The National Association of Manufacturers (NAM) and the Colorado Association of Commerce and Industry (CACI) have released a study conducted by NERA Economic Consulting that shows a carbon tax would have a devastating impact on manufacturing in Colorado.

The report, titled Economic Outcomes of a U.S. Carbon Tax, found that levying such a tax would result in higher prices for natural gas, electricity, gasoline and other energy commodities.  Manufacturing output in energy-intensive sectors could drop by as much as 15.0 percent and in non-energy-intensive sectors by as much as 7.7 percent.

"As talk has continued in Washington about a carbon tax, the results of this study are very troubling as Coloradans would see their energy bills go up across the board," said CACI President Chuck Berry, "Businesses throughout Colorado would be dealt a costly blow.  We are facing an unemployment rate of just under 8 percent in Colorado, and a carbon tax will only cause us more economic harm."

Key findings for Colorado include the following:

·       This tax would deal a blow to employment in Colorado with a loss of worker income equivalent to 17,000 jobs in 2013 and 39,000 to 52,000 by 2023.

·       The cost of using natural gas would increase by more than 40 percent in 2013, the first year of the carbon tax study, adding to household energy bills and increasing operating costs for many Colorado businesses.

·       Gas prices at the pump would jump by more than 20 cents a gallon in 2013.

·       Households in Colorado would see a significant increase in their electricity rates, with an average increase of 8.4 percent in 2013.

·       By 2023, the hardest hit economic sectors in Colorado would be coal, which would lose between 46 percent and 59 percent in economic output, energy-intensive manufacturing, which would lose between 2.5 and 3.2 percent, and non-energy-intensive manufacturing, which would lose between 0.7 and 1.1 percent.

"The notion that some policymakers have in Washington that an economy-wide tax of this nature is a good idea is flatly wrong," said NAM President and CEO Jay Timmons.  "Our nation's economy and family budgets can't take it.  As consumers of one-third of our nation's energy supply, manufacturers and our employees will struggle with higher energy prices.  A carbon tax will severely harm our ability to compete with other nations."

The study examined two carbon tax scenarios:  one levied at $20 per ton increasing at 4 percent and the other designed to reduce carbon dioxide (CO2) emissions by 80 percent.  Both cases would have a negative impact on the economy.

**Jeff Ackermann Named Director of Colorado Energy Office**

Gov. John Hickenlooper announced on Tuesday that Jeff Ackermann will be the Director of the Colorado Energy Office.

Ackermann currently leads the research efforts at the Colorado Public Utilities Commission, focusing on issues ranging from electric system planning to the effective use of energy efficiency and renewable energy.

“Colorado is leading the nation in promoting energy efficiency and developing domestic energy resources from natural gas to wind to solar,” Hickenlooper said.  “Jeff Ackermann is a welcome addition to our team and will help continue efforts to expand our state’s energy industry, create jobs and grow the economy.”

Ackermann, who lives in Denver, established a research team for monitoring, analyzing and reporting on emerging trends and developments in Colorado’s energy sector for the Public Utilities Commission.  In his previous role at the Commission, he assisted in creating and integrating electric and gas Demand-Side Management (DSM) into the business practices of Colorado’s energy utilities.

“The Colorado Energy Office has a compelling mission, working at the crossroads of the energy economy and economic development,” Ackermann said.  “I am honored to join the Hickenlooper team and bring my skills and experience to advance Colorado’s globally recognized efforts related to energy.”

Prior to working for the PUC, Ackermann was manager of the state’s low-income DSM programs at the state’s energy office.  He provided leadership in this area twice in his career, from 2004-2007 and 1984-1995, at which time he played an integral role in negotiating a state-utility partnership that has been serving low-income households since 1993.

Ackermann has worked in the philanthropic world, promoting various advocacy strategies for low-income households.  He was a product developer at Public Service Company of Colorado, where he was the team lead for the design, development and implementation of Windsource, the nation’s most successful customer-driven renewable energy development.

Ackermann earned a bachelor’s degree from Albion College and a master’s degree in Nonprofit Management from Regis University.

Ackermann will start on April 1, 2013.

***Denver Post*:  Colorado Unemployment Down to 7.3 Percent in January**

Colorado's unemployment rate continued downward in January, falling to 7.3 percent from December's 7.5 percent, the state Department of Labor and Employment said Monday.

The rate is down 1 percentage point from 8.3 percent in January 2012.  The national unemployment rate in January was 7.9 percent.

Behind the January unemployment rate — which is calculated from the labor department's monthly survey of individuals — were these facts:  The number of people actively participating in the labor force increased by 6,000 during the month to 2.75 million, and total employment increased by 11,800 to 2.55 million, causing the number of unemployed to decline by 5,800.

Employers in Colorado added 7,100 nonfarm payroll jobs from December to January for a total of 2.34 million jobs, according to a separate but related labor-department survey of business establishments, also released Monday.  Private-sector payroll jobs increased by 8,200, and government decreased by 1,100.

Between January 2012 and January 2013, nonfarm payroll jobs in Colorado increased by 57,000, with an increase of 54,200 in the private sector.

Broomfield economist Gary Horvath said he had predicted the state would add 40,000 jobs in 2012, and "most everyone else was below that."

"Last year was substantially stronger than anyone expected," said Horvath.  "It indicates the private sector was strong and government was strong. Nationwide, government was not strong.  So we kind of bucked the trend."

Alexandra Hall, chief economist for the labor department, said the state economy is picking up steam.

"Colorado has been growing quite steadily since June 2011," said Hall.  "And that growth rate has even increased in the past five or six months."

The average growth for 2012 was 2.3 percent, but 2012 finished with a growth rate of 2.5 percent.

"We are coming out of the Great Recession at a much faster clip than we came out of the 2001 dot-com bust," Hall said.  "If our current growth continues at the 2.3 percent average, we are looking at having recovered all the nonfarm payroll jobs lost in Colorado due to the Great Recession by maybe May.  If it slows down, maybe we will have recovered by June or July."

Hall said Colorado lost 154,800 nonfarm payroll jobs in the Great Recession but has recovered 134,200 of those jobs.  She said it will take 59 to 60 months to recover all the jobs lost during the Great Recession, which is the same time it took Colorado to recover from the dot-com bust, but more jobs were lost in the recession.

Horvath said Colorado is in a position to continue to add government jobs, particularly with the strong growth in the private sector.

"As cities and counties begin to do better, they are going to be able to maintain their employment or hire new workers.  We are going to be able to have teachers on payroll and possibly add teachers or employment in the education sector," said Horvath.

"That's a big part of the government sector.  So I think this bodes very well for where the economy is headed overall," he added.

**Governor's Office of Information Technology Selected as Participant in the National Center of Women and Information Technology's (NCWIT) Pacesetters Program**

The Colorado Governor’s Office of Information Technology (OIT) has been selected by the National Center of Women and Information Technology (NCWIT) to participate in its Pacesetters program.  OIT is the only public sector agency to be selected and joins 35 esteemed universities and companies such as Carnegie Mellon University, Purdue University, The Women’s College at University of Denver, Aetna, Cisco, and Intel.

NCWIT Pacesetters is a two-year program in which senior leaders from companies and universities publicly commit to increasing the number of women in their computing and technology workforce.  Participants use innovative recruitment and retention methods to tap new talent pools and introduce interventions for those at risk of leaving, with the goal of bringing significant “net new” women to their organizations.  The program is sponsored by the National Science Foundation, Google, and Qualcomm.

“Women have been under-represented in the information technology field and the numbers continue to decline,” stated Kristin D. Russell, Secretary of Technology and State Chief Information  Officer.  “We are honored to have been selected into this important program.”

According to NCWIT, women currently hold only 25 percent of all computing-related occupations in the U.S. and comprise just 18 percent of all computing and information sciences degrees earned at U.S. institutions.  Further, more than half (56 percent) of technical women leave their jobs at the mid-career level, when their loss is most costly to companies.  Additionally, research has found that women’s increased participation has been tied to higher profits, better return on investment, and more innovative teams.  With an estimated 1.4 million technology jobs being added to the workforce by 2020, according to the U.S. Department of Labor, women represent a valuable, untapped talent pool.

“By participating in NCWIT Pacesetters, these organizations are holding themselves accountable for a quantifiable ‘net new women’ goal within an aggressive timeframe,” said Lucy Sanders, CEO of NCWIT.  “We applaud them for their exemplary commitment to increasing their numbers of technical women and we’re excited to help them achieve their goals.”

**State of Colorado's Secretary of Technology and Chief Information Officer Honored as One of Government TEchnology's Top 25 Doers, Dreamers & Drivers of 2013**

e.Republic’s Government Technology magazine and the Center for Digital Government have named Kristin D. Russell one of the Top 25 Doers, Dreamers & Drivers of 2013.  This prestigious annual award honors public sector visionaries for the strides they have made in using technology to improve and strengthen government performance and citizen services.

Ms. Russell leads the Governor's Office of Information Technology (OIT) where she holds the dual role of Secretary of Technology and State Chief Information Officer.  OIT is engaged in an effort to transform government information technology services from “business as usual” to enterprise level solutions that offer innovative, quality services and develop strategic relationships with customers who have the critical mission of serving Coloradans on a daily basis.  This includes initiatives such as the Colorado Information Marketplace, a comprehensive data sharing website; cloud computing  and the move of approximately 26,000 state employees from 15 disjointed and aging email systems to Google Apps for Government; and the Citizen Engagement Platform as a Service (CEPaaS), a concept that leverages cloud and standard technologies to provide a platform that can be used across state agencies and will enable us to truly look at citizens as customers and manage their engagement with government in a more holistic, elegant, and proactive manner.

“The annual GT Top 25 is our way of acknowledging the hard work and innovative ideas that make our communities safer, more successful and better places to live,” says Steve Towns, Executive Editor of Government Technology.

The Top 25 Doers, Dreamers and Drivers are profiled in a special edition of Government Technology.  “It is an honor to be among such an esteemed and diverse group of individuals who work hard every day to improve their communities through their innovative and collaborative efforts,” said Ms. Russell.  “This award is truly a testament to my team and all they have accomplished towards making government more effective, efficient and elegant.”

**Gov. Hickenlooper announces Boards and Commissions Appointments**

The *Colorado State Child Fatality Prevention Review Team* reviews specified deaths of children from birth to 18 years of age involving circumstances in which the children are receiving services from a county department or in which there has been a report of suspected abuse or neglect in order to develop a community approach to the problem of child abuse and neglect.  The member appointed for a term expiring Sept. 1, 2014:

·       Robert Curtis Gaiser of Broomfield, to serve as a representative of local government, and occasioned by the resignation of the Hon. Janet Lynn Rowland of Grand Junction.

The members appointed for terms expiring Sept.1, 2015:

·       James Eldan Crone of Fort Morgan, to serve as a sheriff who represents the county sheriffs within the state, and represents a rural area of the state, reappointed;

·       Leora Joseph of Denver, to serve as a district attorney.

·       Rebecca Rae Wiggins of Denver, to serve as an attorney who represents county attorneys within the state who practice in the area of dependency and neglect, reappointed.

·       Michael A. Ensminger of Divide, to serve as a sheriff who represents the county sheriffs within the state.

·       Kathleen Moore of Littleton, to serve as a representative of local fire department employees within the state.

·       Elise Hayes Peterson of Denver, to serve as a representative of nurses who specialize in traumatic injury or children’s death.

The *Commission on Family Medicine* works to ensure family medicine residency programs meet the standards established by American medical association for residency training in family medicine.  The Commission also monitors the state’s residency programs and locates specific areas of the state that are underserved by family physicians.  The members appointed, effective July 1, 2013, for terms expiring July 1, 2016:

·       James L. Helgoth of Boulder, to serve as a health care consumer from the 2nd Congressional District and as a Democrat, reappointed.

·       Freddie L. Jaquez of Alamosa, to serve as a health care consumer from the 3rd Congressional District and as a Democrat.

·       Doris Leigh Ralston of Colorado Springs, to serve as a health care consumer from the 5th Congressional District and as a Republican.

The *Scientific and Cultural Facilities District* preserves and develops scientific and cultural facilities for the economic development and tourism to maintain and promote such facilities.  The member appointed for a term expiring May 15, 2015:

·       Elaine D. Torres of Denver.

The *Western Interstate Commission on Higher Education* is comprised of three members each from 13 western states.  The commission studies the needs of professional and graduate educational facilities in this region, the resources for meeting such needs and the long-range effects of the commission’s findings on higher education.  Each state’s commissioners submit a report to their Governor and General Assembly.  The member appointed for a term expiring March 28, 2017:

·      Loretta Patricia Martinez of Denver

**The Watercooler**

The Colorado Water Congress met on Monday but took no action on any bills.

**The Calculator**

House Bills Introduced:  279

Senate Bills Introduced:  229

Number of Bills PI'd:  101 (20%)