

July 2, 2013

*"Giving money and power to government is like giving whiskey and car keys to teenage boys." – P.J. O'Rourke*

**Job Growth Soars as Revenue Forecast Improves by $307.5 million for FY 2012-13**

The state’s employment level has returned to its pre-Great Recession amount of 2.4 million jobs and Colorado has seen the fourth-fastest job growth in the country since the end of the recession, the Governor’s Office of State Planning and Budgeting (OSPB) announced on Thursday, June 20.

The announcement came at the same time OSPB told the General Assembly’s Joint Budget committee that state General Fund revenue is projected to be $307.5 million higher in the current fiscal year than was forecast in March.  For FY 2013-14, the forecast is $213.2 million higher than the prior projection.

The increase in the revenue forecast is due to collections in FY 2012-13 from a larger-than-expected amount of estimated individual income tax payments received in April.  The economy continues to add jobs in several industry sectors such as professional and technical services, construction, leisure and hospitality, retail trade, health care and finance.  Furthermore, OSPB expects nearly 31,000 housing permits to be issued in 2013, a 31.5 percent growth rate from 2012.

This continued job and income growth will support more economic activity to generate tax and fee revenue for public services.

The total General Fund surplus this fiscal year, or the amount of money above the required reserve amount, is projected at $1.1 billion, which will go to the State Education Fund.

Under current law, $30 million in excess funds in the new revenue forecast will be transferred to the Colorado Water Conservation Board Fund.  Seventy-five percent of the remainder, $113.6 million, will be transferred to the State Education Fund, which 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.

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

“As expected in the previous forecast, the national economy has shown signs of softening, continuing a pattern of uneven growth since the end of the Great Recession.  However, Colorado has maintained its economic momentum, making it among the best performing economies in the nation,” according to the forecast.  “The state’s economic performance can be attributed to a high level of human capital and solid growth in most of its major industries.  This momentum could cause revenue to outperform expectations.  Colorado’s economy, and thus tax revenue, can still be adversely affected by several outside factors, including a potential further slowing in the national economy.  The economy also continues to be vulnerable to the recession in Europe and the potential for adverse consequences from federal fiscal and monetary policies.”

**Gov. Hickenlooper Names New Legislative Director**

Gov. John Hickenlooper announced on Friday, June 28, Tracee Bentley will join his senior leadership team as Legislative Director.  She will replace Christine Scanlan, who resigned to become President and CEO of The Keystone Center in Keystone.

Bentley now works as the Deputy Director of the Colorado Energy Office and lobbies the General Assembly.  She will join the Governor’s Office in late July and help lead the administration’s legislative strategy and continue to work directly with members of the General Assembly.

“Tracee possesses a keen ability to bring different people together to solve complex problems,” Hickenlooper said.  “She knows her way around the Capitol, has a solid bipartisan reputation and maintains good relationships that transcend political lines.”

Bentley will join a team led by Alan Salazar, the Governor’s Chief of Strategic Operations, and work closely with Deputy Legislative Director David Archer and Legislative Liaison Cally King.

Before joining the Colorado Energy Office in 2011, Bentley ran a Colorado-based, bipartisan lobbying firm.  She earlier worked as the Western United States Director for a national initiative called 25x’25.  In that role, she assembled and led policy and grassroots efforts with key agricultural organizations in more than 20 states to generate rural economic development and move toward home-grown energy and away from foreign oil.

Bentley also worked as the Director of National Affairs for the Colorado Farm Bureau, where she spearheaded important issues including energy, immigration, farm policy and international trade.

Bentley earned both a bachelor’s degree and a master’s degree from Colorado State University.  Before earning her bachelor’s degree, Bentley worked in Washington, D.C., for former U.S. Sen. Ben Campbell.

**The Keystone Center Announces Appointment of Christine Scanlan as President and Chief Executive Officer**

On Wednesday, June 12,The Keystone Center, a collaborative solution-driven nonprofit working on energy, environment, and health issues, announced that its Board of Trustees has selected Christine Scanlan as the organization’s next President and CEO.  Scanlan will join The Center on July 15.

Scanlan brings a vast amount of public policy experience, both statewide and nationally.  Since 2010, Scanlan has served as Colorado Governor John Hickenlooper’s Director of Legislative Affairs and Strategic Initiatives, where she served as the point person for the Governor’s legislative agenda.  In 2008, she was appointed as a Colorado State Representative for District 56.

Scanlan has been lauded for her collaborative work with both Republicans and Democrats and was a prime sponsor of more than 60 bills passed into law during her tenure in the Colorado State House.  A prominent champion of education reform, Scanlan has earned a reputation as a strong leader in education policy.  She is well respected across state government and across the business community.

“Christine is an incredibly talented bridge-builder,” said Governor Hickenl  
ooper.  “She has accomplished a great deal in Colorado and beyond by helping leaders see past differences and move toward real change.  The Keystone Center is the perfect forum for her to continue building on that work.”

Scanlan worked at The Keystone Center from 1994 to 2008, rising to Senior Vice President and Chief Operating Officer.  Her strengths, which include fundraising, administration, and board development, will serve her well.  She will succeed Dede Hapner, Vice President of FERC and ISO Relations at Pacific Gas and Electric Company and Co-Chair of The Keystone Center’s Board of Trustees, who has served as the organization’s Interim President and CEO since previous CEO Gary Grappo’s departure in April.

Scanlan lives in Dillon, CO with her husband Tim, with whom she has three grown daughters.

*About The Keystone Center*

Founded in 1975, The Keystone Center is an independent nonprofit organization that brings together public, private, and civic sector leaders.  The Center provides mediation and facilitation services that incorporate innovative decision-making methods.  The result:  action-oriented, sustainable solutions to complex energy, environmental, and public health issues.  The Keystone Center is headquartered in Keystone, CO with an office in Washington, DC.

**Gov. Hickenlooper Announces Resignation of Dr. Chris Urbina**

Gov. John Hickenlooper on Thursday, June 13, announced Dr. Chris Urbina, the Executive Director and Chief Medical Officer of the Colorado Department of Public Health and Environment, would resign from his position effective June 28.

“Chris is a true public servant and valued member of our Cabinet,” Hickenlooper said.  “We are grateful for his work at the Colorado Department of Public Health and Environment, particularly his support of safe and responsible development of the state’s oil and natural gas resources.  Chris also led the department in implementing LEAN process improvements to create a more responsive and effective operation that reduced unnecessary and ineffective rules and regulations.”

Urbina played an integral role recently as a member of the Amendment 64 Implementation Task Force and co-lead the Consumer Safety/Social Issues subgroup of the Task Force.  Two years ago, under Urbina’s leadership, CDPHE worked with the Colorado Department of Agriculture to warn the public about a listeria outbreak from cantaloupe.  The warnings helped reduce the number of illnesses in Colorado and nationwide.  Urbina was quick to visit the Rocky Ford region and helped the cantaloupe industry recover from the outbreak.

Karin McGowan, Deputy Director of CDPHE, is serving as Interim Executive Director.  A search for a new Executive Director and Chief Medical Officer will begin immediately.

Shortly after Urbina’s announcement, multiple news outlets began reporting on a recently released report detailing multiple problems at the State’s toxicology laboratory, which Urbina oversaw as the Executive Director of CDPHE.

The report has lead to the suspension of all blood-alcohol and blood-drug testing at the state toxicology lab until further notice.  Testing will be done at an independent lab.

The report revealed potentially biased lab results, incidents of poor lab supervision, problems with security measures used to protect blood samples, and training issues.

**DORA Announces Resignation of Insurance Commissioner Jim Riesberg**

Department of Regulatory Agencies (DORA) Executive Director, Barbara Kelley, announced on Friday, June 21, that Jim Riesberg, Insurance Commissioner and Director for the Division of Insurance, is resigning from his position, effective July 8.  Riesberg has served as Insurance Commissioner since July, 2011.

"Jim brought rich experience and a passion for public service to the Division of Insurance," said Gov. John Hickenlooper.  "We are honored he served on our team and we wish him well in the future."

Riesberg’s leadership and wealth of legislative and insurance experience was instrumental in achieving the alignment of state and federal regulation for the Patient Protection and Affordable Care Act, evidenced through the successful passage of HB 13-1266.  His dedication to providing a voice to stakeholder groups in proposed legislative issues ensured the division was inclusive in its approach to regulation, effectively balancing the needs of consumers with those of the insurance industry across the board.

“I have the utmost respect for the employees, work and role of the division and DORA.  It has been an honor to serve as the Insurance Commissioner, and to make a notable, sensible impact for the industry,” says Riesberg.  “While I feel it is the right time for me to step away from this role, I am confident in the division’s continued and on-going success.”

Executive Director Kelley and the Governor’s Office will begin the search for a new permanent Commissioner of Insurance immediately.  In the interim, Doug Dean, Director of the Public Utilities Commission, will also serve as Interim Insurance Commissioner, until a permanent appointment is made.  Dean previously held the Insurance Commissioner position from January 2003 through February 2005.

Bobbie Baca, Supervisor of the Property & Casualty Section in Consumer Affairs will remain as the division’s main point of contact for matters relating to wildfires/disaster assistance for homeowners and insurance policy issues.

**Gov. Hickenlooper Names New Department of Corrections Executive Director**

Gov. John Hickenlooper announced on Friday, June 14, Rick Raemisch will be the next Executive Director of the Colorado Department of Corrections.

Raemisch’s career spans three decades as a deputy sheriff, prosecutor, elected sheriff and head of the Wisconsin’s Department of Corrections, where he was responsible for more than 22,000 inmates, more than 73,000 probation and/or parolees and approximately 1,000 juveniles in institutions or on supervision.

Raemisch will start work in July and have a chance to transition into the new role alongside Interim Executive Director Roger Werholtz.

“I consider myself a strong law and order individual, but I also believe that people can change,” Raemisch said.  “More than 90 percent of all inmates return to where they came from.  They will go back in one of two ways:  they will either go back angry and likely re-offend; or they will go back prepared to re-enter the community and be law-abiding citizens.”

During his time as Secretary of the Wisconsin Department of Corrections, Raemisch and his team safely lowered the prison population for three years in a row for the first time since the first Wisconsin prison was built in 1850.  He also built strong re-entry initiatives and saw positive results.

“The problems facing corrections tend to be universal across the nation,” Raemisch said.  “Some of the major ones are dealing with the mentally ill, sex offenders, racial disparity, effective treatment and education programs and the overuse of segregation.  I am honored Gov. Hickenlooper asked me to come to Colorado to lead the state’s Department of Corrections.”

Raemisch’s professional career started at the Dane County Sheriff’s Office in Madison, Wis.  He worked from 1976 to 1988 as a deputy sheriff and then as an undercover narcotics detective, who also investigated homicides.  During the same time, he attended law school and then joined the Dane County District Attorney’s Office in Madison as an Assistant District Attorney.  He held that job for a year before joining the U.S. Attorney’s Office in Madison in 1989 as an Assistant U.S. Attorney.

Raemisch was appointed sheriff in Dane County in 1990 and elected four more times.  In 1997, he entered the private sector until 2002 when he re-entered the public sector as a tax appeals commissioner for the State of Wisconsin’s Tax Appeals Commission.

Raemisch joined the State of Wisconsin’s Department of Corrections in 2003 and for the next four years worked as Division Administrator of Community Corrections, in which he had oversight of 68,000 probation and parolees, and then worked as Deputy Secretary.  Raemisch was named Secretary of the Wisconsin Department of Corrections in 2007.

Since 2011, Raemisch has worked as Dean of the School of Human and Protective Services at Madison College in Madison.  He oversees programs in Emergency Medical Services, Criminal Justice, Fire, Human Services and Early Childcare Education.

Raemisch earned a bachelor’s degree from the University of Wisconsin-Stevens Point and a J.D. with honors from the University of Wisconsin Law School.  He has received numerous honors throughout his career including being named the Wisconsin Law Enforcement Executive of the Year by Wisconsin Attorney General Jim Doyle.

***Denver Post*:  Colorado Parole Chief Tim Hand Fired**

The Department of Corrections has fired State Parole Chief Tim Hand in the wake of the murder of corrections chief Tom Clements, whom officials believe was killed by a parolee.

"The notice went out to staff today (Thursday, June 13)," Alison Morgan, spokeswoman for the Colorado Department of Corrections, said.

Interim corrections chief Roger Werholtz "made the decision to separate Mr. Hand," Morgan said.

"Effective June 30, 2013, Tim Hand, will no longer be with the Colorado Department of Corrections as the Director of the Division of Adult Parole, Community Corrections, and Youthful Offender System," Werholtz wrote in an e-mail to employees.

Morgan declined to comment on the reasons for Hand's firing because of DOC policy.

Hand has worked for DOC for more than 23 years.  He started working for the department on Jan. 1, 1990.  Clements appointed Hand as the parole director two years ago.  Hand was placed on paid administrative leave last month.

Hand was replaced temporarily by Steve Hager, warden of the youth offender system, who will continue as interim parole division director.

**Morse Supporters Dispute Recall Signatures at Administrative Hearing, Grion Recall Signatures Verified**

Lawyers supporting Senate President John Morse (D-Colorado Springs), on Thursday, June 27, argued in front of Deputy Secretary of State, Suzanne Staiert, that the recall petition filed against Morse was improperly worded and must be thrown out.  They say organizers of the recall didn't use certain Constitutional language when gathering signatures on petitions.

Lawyers for Morse’s opponents say their petition language has been used for years and that the petition’s wording was certified by the Secretary of State’s office.

Secretary of State Scott Gessler earlier this month announced the petition to recall Morse was found sufficient as required by statute after recall supporters turned in more than 10,000 valid signatures.  Recall supporters were required to gather 7,178 valid signatures, equaling 25 percent of all the votes cast in the previous election for Senate District 11.

Deputy Secretary Staiert must issue her ruling on Morse’s protest by Wednesday, July 3rd, the same day Morse’s colleague, Democratic Senator Angela Giron of Pueblo will protest a recall petition filed against her.

Morse and Giron both are targets of recall efforts by 2nd Amendment supporters after helping pass tougher gun control laws in this year’s legislative session.

Organizers of the effort to recall Giron last month submitted to the Secretary of State 12,648 valid signatures.  They needed about 11,300 verified for a recall election.

Whatever the decision on the validity of the wording on the recall petitions, in either recall attempt, it’s almost guaranteed the losing side will appeal in district court.

Barring a successful protest in either of the recall attempts, at the conclusion of the protest period, Governor Hickenlooper will be responsible for setting an election date.  The election date must be held between 45 and 75 days from the end of the protest period.

**Colorado Commits to Kids Launches Petition Drive to Qualify for 2013 Ballot**

A group of Colorado civic, business and community leaders last month filed a committee, Colorado Commits to Kids, and announced they are officially launching a petition drive to place an initiative (proposed Initiative 22) on the November ballot asking voters to invest in Colorado’s economic future by raising additional money for K-12 schools.

“This measure is critical to driving economic well-being of both students and the state of Colorado in the future,” said Chad McWhinney, CEO and founder of the McWhinney development company and a supporter of the Colorado Commits to Kids initiative.

The goal of the ballot measure will be to raise the money to enact Senate Bill 213, a rewrite of the School Finance Act that modernizes Colorado schools by creating smaller classes, hiring and supporting effective teachers and connecting students with a 21st century education.  Governor Hickenlooper signed into law SB213 on Tuesday, May 21.

It is estimated that, in its first year, the initiative would raise $950 million to invest in an education system that emphasizes accountability and results.

From 2008 to 2012, Colorado cut more than $1 billion in funding from schools.

Additionally, Colorado ranks at or near the bottom in a number of categories, including:  per-pupil spending, class size and teacher pay.

“It’s no secret that we need to invest more in education in Colorado if we want our students and state to have a bright economic future,” said Barbara Baumann, President of Cross Creek Energy Corp. and another supporter of the Colorado Commits to Kids initiative.  “The initiative will put high-quality teachers and principals in our schools and set students on a path to success.”

The Colorado Forum’s Fiscal Planning Project has been working since last fall to identify a funding mechanism to meet the needs of the state’s education system.  Proposed Initiative 22 would ask voters to implement a two-tiered tax increase to raise the rates on taxable income of $75,000 or less from 4.63 percent to 5 percent.  Those earning more than $75,000 per year would pay 5 percent on their first $75,000 of taxable income and a rate of 5.9 percent on any taxable income above that amount.

Analysts estimate a person with an annual income of $45,000 would pay an additional $166.50 a year, while someone who earns $100,000 a year would contribute an extra $595 annually.

The rate on taxable income in Colorado was set at 5 percent as recently as 1999, when it was lowered by the State Legislature.

If approved, the ballot measure would also make a key change to how future state funding for schools is determined.  It repeals a section in Amendment 23 that requires funding for public education to increase by the annual rate of inflation and instead adopts a provision that sets aside a minimum of 43 percent of the state's tax revenue for K-12 schools.

The initiative’s two-tiered tax rate is a sticking point for some in the business community who have argued against anything but an across-the-board flat-tax increase.

"Our organization is on the record opposing a graduated tax.  However, we haven't taken a position on the ballot measure," said Tamra Ward, President and CEO of Colorado Concern, a reform-minded collection of CEOs who advocate for business.  Ward said her organization will not decide whether to oppose, support or stay neutral on the measure until it is officially on the November ballot.

State Sen. Mike Johnston (D-Denver), who spent two years crafting the school finance legislation, said the ballot proposal is the most fair taxing mechanism to pay for needed changes.

While Johnston acknowledged that some business groups do not support the two-step proposal, he said it has the support of others in the business community.

"The flat-tax proposal would make Colorado the single-highest flat tax in the country, and it would represent twice as large an increase on the average taxpayer as the two-step proposal does," Johnston said.

Kelly Brough, President and CEO of the Denver Metro Chamber of Commerce, said her board will wait until August to take a position on the proposed tax increase.  But Brough raised concerns about the effect such a tax increase could have on small businesses, which she said are at the heart of economic job growth in the state.

"This particular proposal has a disproportionate impact on that group," Brough said.  "Our concern with the tiered, or graduated tax has been the negative impact on small businesses in Colorado and their success."

Eric Brown, Director of Communications for Gov. John Hickenlooper, did not directly respond to a question from the *Denver Post* on whether the Governor supports the two-tier tax proposal.

"Colorado has approved some of the most robust education reforms in the country," Brown said.  "These are reforms the Governor fully supports.  Now, it appears voters will get a chance to endorse the changes and set a new course for Colorado kids.  We look forward to following the petition process and continuing to talk to the business community and other stakeholders about these reforms."

Colorado Commits to Kids will need to gather 86,105 valid signatures from Colorado voters in order to qualify for the November ballot.  The deadline to submit petitions is 3:00 p.m. on Aug. 5.

Last month the Governor’s Office announced Andrew Freedman, Chief of Staff for Colorado Lt. Gov. Joe Garcia and a senior advisor to Colorado Gov. John Hickenlooper, is leaving his post to become Campaign Director for the Colorado Commits to Kids ballot initiative.

“Andrew is immensely talented and passionate about promoting education reform,” said Hickenlooper.  “We will miss his leadership in the Lieutenant Governor’s office and his daily contributions as part of our senior leadership team.”

Freedman will work with political veterans Mike Melanson and Ben Davis on the Colorado Commits to Kids initiative.

Freedman earned a law degree from Harvard University in 2010 and worked on Hickenlooper’s gubernatorial campaign.  After the 2010 election, he was tapped to be Garcia’s Chief of Staff.  In that role, he has been the Lieutenant Governor’s point person on education issues.

*The proposal*

Shall state taxes be increased by $950,100,000 annually in the first full fiscal year and by such amounts as are raised thereafter by amendments to the Colorado Constitution and the Colorado revised statutes concerning funding for preschool through 12th-grade public education, and, in connection therewith, increasing the current state income tax rate on individuals, estates and trusts, and imposing an additional rate so higher amounts of income are taxed at higher rates; requiring the resulting increases in tax revenues be spent only for improvements to preschool through 12th-grade public education; allowing all tax revenues attributable to this measure to be collected and spent without future voter approval; requiring at least 43 percent of state sales, excise and income tax revenues be deposited in the State Education Fund; and repealing certain existing public education funding requirements?

**Hickenlooper Signs Renewable Energy Bill, Critics Say it will Raise Utility Rates**

On Wednesday, June 5, Governor John Hickenlooper signed into law Senate Bill 252, increasing the renewable energy requirement on the state’s rural electric coops and Tri-State Generation and Transmission.  The Governor also signed an Executive Order related to the legislation and issued a signing statement addressed to the General Assembly.

The new law’s major provisions increase from 10 to 25 percent the share of retail electricity sales that must be achieved from eligible energy resources by rural electric cooperatives servicing more than 100,000 customers, beginning in the year 2020.  Under the new law, the allowable retail rate impact for rural coops is raised from 1 percent to a maximum of 2 percent.

TriState Generation and Transmission, the state’s only generation and transmission cooperative, is also subject to the new law’s renewable energy requirement and retail rate impact cap.

The Governor’s Executive Order creates an advisory committee to provide input to the Director of the Colorado Energy Office on the implementation of the new law.

“This legislation will expand economic opportunities across Colorado through the development of wind, solar, and other innovative energy resources,” the order says.  “Rural areas, in particular, will benefit economically from the expansion of renewable resources because the vast majority of renewable resources are located outside of the State’s urban centers.  For example, this bill will expand construction and manufacturing opportunities in rural areas through large wind and solar projects and will create jobs in the newly eligible waste-to-energy and coal mine methane industries.”

“The reasons for signing the legislation outweigh the reasons for vetoing the bill, but this bill is imperfect,” the order continues.  “Some of the concerns raised during the legislative process were not given due consideration.  Top among these concerns are the feasibility of the implementation timetable and consumer protections.  The advisory committee will work to fully address these concerns, culminating in proposals for the 2014 legislative session.”

The Governor said in his signing statement, “After careful consideration, I signed Senate Bill 252, legislation that expands economic opportunities for wind, solar and other renewable technologies in Colorado.  The development and deployment of most of these innovations are already taking place in rural communities across Colorado.  That fact has influenced our administration’s review of this legislation.”

“We believe that this legislation, while imperfect, is necessary to keep diversifying electric generation and reaping the associated rate, economic and environmental benefits.  Vetoing this bill and waiting until the 2014 legislation session for a more perfect version would set Colorado back one year in our pursuit of a more diverse energy portfolio.  We cannot afford to lose this valuable time, especially with the expiration of the Federal Production Tax Credit on wind generation at the end of this year.”

“Opponents of this legislation have raised a number of objections -- all of which we weighed seriously,” the signing statement continued.  “We believe these concerns point, not to a veto, but rather to a commitment in favor of finding appropriate compromise in the next legislative session.

Senate Republicans in a press release blasted the Governor for signing the bill into law.

“Today Governor Hickenlooper signed Senate Bill 252, a measure that increases utility rates on working families across the state by mandating that customer-owned rural cooperatives and utilities increase their renewable energy standard when they can least afford it.”

Senate Minority Leader Bill Cadman (R-Colorado Springs) said, “Senate President John Morse initiated the urban attack on rural Colorado when he sponsored SB 252.  With his signature, Governor Hickenlooper joins Morse in perhaps the largest unfunded government mandate in Colorado history.”

He went on to say, “In addition to disregarding the bipartisan opposition to this legislation, the Governor is ignoring the common interests of Coloradans in favor of special interests of extremists.  Colorado families, businesses owners, farmers and ranchers will now be on the hook for billions of dollars in increased utility rates.  Additionally, all government entities -- municipalities, school districts, fire departments -- will now face unnecessary rate increases.”

**Gov. Hickenlooper Signs Firefighter Legislation, Protects Local Control**

Gov. John Hickenlooper signed legislation on Wednesday, June 5, that respects local authority over collective bargaining for firefighters and protects the political rights of firefighters to petition local government.

Senate Bill 25, the “Colorado Firefighter Safety Act” avoids a mandate on collective bargaining for firefighters by leaving the decision to local voters and defers to local petition requirements when a measure may be headed to the ballot.  The bill went through significant changes during the legislative process before meeting the Governor’s criteria.

“We indicated that the original bill under consideration would be vetoed, and urged an alternative approach that met the following three goals:  ensure protection of firefighters to exercise their legitimate political rights; afford an opportunity for firefighters to hold meaningful discussions with their employers on issues of concern such as workplace safety, equipment needs and other employment issues; and respect local control,” the Governor said in a signing statement addressed to the General Assembly.

The Governor’s statement said many other states, including neighboring states, such as Wyoming and Idaho, mandate collective bargaining for firefighters, without requiring firefighters to use a petition process.

“With this legislation, Colorado takes a different approach that maintains the voters’ ability to make locally accordant decisions regarding collective bargaining, while recognizing the unique need to encourage conversations on safety given the distinct occupational hazards firefighters face,” the signing statement said.  “Implementation of this law may require future legislation to reconcile technical and structural issues; however, we believe that resolving these issues are not insurmountable, nor do they justify a veto.  We are committed to making this approach work in ways that keep faith with the criteria we announced earlier in the legislative session.  Toward that end, we stand ready to work with municipalities, special districts, firefighters and other stakeholders to address any issues that may arise.”

**Governor Signs more Bills**

**Senate Bill 50** by Senator Nancy Todd (D-Aurora) and Representative Don Coram (R-Montrose) incrementally increases the solid waste user fee applicable to commercial vehicles at attended solid waste disposal sites from seven cents per ton of waste to 14 cents.

**Senate Bill 73** by Senator Greg Brophy (R-Wray) and Representative Jerry Sonnenberg (R-Sterling) requires the Water Quality Control Division in the Colorado Department of Public Health and Environment to take certain steps when proposing new or amended requirements affecting water dischargers under Category 7 general permits.

**Senate Bill 82** by Senator Jeanne Nicholson (D-Black Hawk) and Representative Claire Levy (D-Boulder) creates a permanent interim committee, the Wildfire Matters Review Committee, to review and propose legislation related to wildfire prevention and mitigation in the state.

**Senate Bill 147** by Senator Cheri Jahn (D-Wheat Ridge) and Representative Bob Gardner (R-Colorado Springs) clarifies the presumption that a buyer of goods is not liable for a workers’ compensation claim if a leased or subcontracted employee who is delivering goods to the buyer is injured while not on the buyer’s premises.

**Senate Bill 169** by Senator Larry Crowder (R-Alamosa) and Representative Tim Dore (R-Elizabeth) allows for the reintroduction of black-footed ferrets in Colorado without legislative approval if the reintroduction:

·      Occurs on private land with landowner consent; and

·      Is pursuant to a federal programmatic safe harbor agreement and enhancement-of-survival permit.

**Senate Bill 197** by Senator Evie Hudak (D-Westminster) and Representatives Beth McCann (D-Denver) and Rhonda Fields (D-Denver) imposes new requirements on the transfer of firearms and ammunition for persons subject to certain civil protection orders, mandatory protection orders, and persons convicted of offenses with an underlying domestic violence component.

**House Bill 1007** by Representative Cherylin Peniston (D-Westminster) and Senator Evie Hudak (D-Westminster) establishes the Early Childhood and School Readiness Legislative Commission as a legislative study committee beginning in the 2013 interim.

**House Bill 1020** by Representative Frank McNulty (R-Highlands Ranch) and Senator Ellen Roberts (R-Durango) sets forth new requirements concerning the collection and treatment of forensic medical evidence of alleged sexual assault.

**House Bill 1130** by Representatives Jerry Sonnenberg (R-Sterling) and Randy Fischer (D-Ft. Collins) and Senators Nancy Todd (D-Aurora) and Randy Baumgardner (R-Cowdry) allows the State Engineer to reapprove an interruptible water supply agreement up to two additional times by following the process outlined in the bill.

**House Bill 1154** by Representative Mike Foote (D-Lafayette) and Claire Levy (D-Boulder) and Senator Pat Steadman (D-Denver) creates a new article in the criminal code for offenses against pregnant women.

**House Bill 1160** by Representative Dan Pabon (D-Denver) and Senator Steve King (R-Grand Junction) adjusts all of the penalties for the crime of theft, based on the value of the goods or property stolen, making some current felonies into misdemeanors and some current misdemeanors into class 1 petty offenses.

**House Bill 1230** by Representatives Angela Williams (D-Denver) and Dan Pabon (D-Denver) and Senator Lucia Guzman (D-Pueblo) creates a state compensation program for persons who are found actually innocent of felony crimes after serving time in jail, prison, or juvenile placement.

**House Bill 1299** by Speaker of the House Mark Ferrandino (D-Denver) and Senator Pat Steadman (D-Denver) modifies the SMART Act and the legislative interim committee process.

**House Bill 1320** by House Minority Leader Mark Waller (R-Colorado Springs) and House Majority Leader Dickey Lee Hullinghorst (D-Longmont) allows a qualifying institution of higher education to count any student identified as a “Colorado Scholar” as two resident students for purposes of calculating the required percentages and fractions of resident to nonresident students.  An institution is qualified if it creates a Colorado Scholar program to award institutional financial aid or scholarships to resident undergraduates based on competitive, merit-based criteria.

**58 Organizations Across the State Selected to Become Part of Connect for Health Assistance Network**

Connect for Health Colorado last month announced that 58 groups across the state have been selected to provide in-person assistance to customers of the new health insurance marketplace starting in October.  The organizations will become part of the Connect for Health Assistance Network and will serve local communities, helping individuals, families and small employers consider health plan options, apply for insurance affordability programs, and sign up for health coverage.  Fifty-six of the organizations have been offered grants to support activities and two have not requested grant support.

“This is a significant step towards opening the new health insurance marketplace in Colorado,” said Patty Fontneau, ED/CEO of Connect for Health Colorado.  “We are excited to start work with our new partners to educate Coloradans about our marketplace, our customer support services and how we can connect Coloradans to quality health insurance options.  The Assistance Network will be an important resource for Colorado consumers, especially for those who have never bought health insurance before and will have many questions about their options and new financial assistance programs.”

Connect for Health Colorado received applications from every region of the state and from a variety of organizations, including consumer advocacy groups, county agencies, medical providers, health education groups, and trade associations.

After a thorough evaluation process, Connect for Health Colorado notified organizations of the intent to award grant dollars, totaling $17 million, for 18 months, including the first two open-enrollment periods for health coverage.  Selected organizations demonstrated the understanding and ability to reach target populations as a trusted local resource, to provide application assistance, and the ability to conduct education and outreach.  The organizations will have broad geographic reach and available resources to serve specific populations.

The grantee organizations include 19 community/non-profit and faith-based organizations, 18 hospitals and clinics, 13 public health or public services, and two trade organizations.  Six regional hubs have been identified and all areas of the state are represented.  At least 23 organizations will serve both individuals and small businesses, and two will serve the small business market only.

The marketplace is a public, non-profit entity that was established by a 2011 state law.  More information is available at [www.ConnectforHealthCO.com](http://Onsightpublicaffairs.us4.list-manage1.com/track/click?u=bc4bffd17f1231309d708beae&id=fe55a9789c&e=1ebb769611).

**More on Connect for Health Colorado…**

*PBS Newshour*:  Colorado is in the midst of preparing to roll out a new way for residents to get health coverage using an insurance exchange.  Health correspondent Betty Ann Bowser reports on the challenges for the state in spreading the word about the program and getting Coloradans to enroll.

<http://www.pbs.org/newshour/bb/health/jan-june13/colorado_06-25.html>

**Magpul Floods State with High Capacity Magazines, Says “Good Bye” to Colorado**

An estimated 5,000 Second Amendment supporters gathered at Infinity Park in Glendale on Saturday afternoon in a last minute protest against a new state law banning the sale of magazines of more than 15 rounds.

The event, which organizers called the “Farewell to Arms Freedom” festival was hosted by Free Colorado, a nonprofit group supporting firearms rights.

“You are in the Vatican of Liberty, the Luxembourg of freedom,” Glendale Mayor Mike Dunfon told the crowd.

1,500 high capacity magazines were given away at the event while the rest were sold at a discounted price of $10 with all of the proceeds going to support Free Colorado’s recall efforts against State Senate President John Morse (D-Colorado Springs) and State Senator Angela Giron (D-Pueblo).

Magpul, the Erie-based manufacturer of magazines and firearm accessories donated a total of 20,000 magazines for the event.  Some of the magazines were brought in by a helicopter bearing Magpul’s logo.  The company, earlier this year, pledged to leave the state if the high capacity magazine ban became law.  The company has yet to say where it will relocate, but says it is in talks with other states.

The magazine ban as well as another new law requiring universal background checks go into effect today.  In addition to the recall efforts, the new laws have prompted a federal lawsuit from a number of groups and many of Colorado’s Sheriffs.

**State Issues Emergency Rules for Recreational Marijuana**

The Colorado Department of Revenue today issued rules for how recreational marijuana will be grown and sold starting next year.  The legislature this past session approved legislation to implement Amendment 64, setting in motion the rulemaking process.  Amendment 64, approved by voters last November, required the Department to issue rules by July 1, 2013.

The more than 60 pages of emergency rules outline how recreational marijuana stores will be licensed and regulated when retail sales begin in January.  The rules released today don’t apply to medical marijuana stores.

The major provisions in the emergency rules include:

·      A requirement that labels include potency, expiration dates and a disclaimer that marijuana isn’t legal outside Colorado and hasn’t been safety-tested;

·      A disclaimer that “there may be health risks associated with the consumption of this product”;

·      A prohibition on labeling marijuana with claims that the product brings any health benefits; and

·      Qualifications for who can work in marijuana businesses and how the marijuana can be transported and stored.

Like medical marijuana regulations, it is expected the Department plans to establish seed-to-sale tracking of marijuana, making growers and sellers responsible for each plant sold at retail.

The emergency rules will be in effect until the Department completes permanent rules, a process that is expected to take most of the summer.  The Department plans to begin accepting license applications for recreational marijuana businesses October 1.

The legislature also passed a measure to place before votes a question concerning the implementation of a sales tax and an excise tax on recreational marijuana.  The referred measure, if passed this November would grant the Legislature the authority to raise or lower both the sales tax and the excise tax but neither can be higher than 15%.

Washington State, the only other state to legalize recreational, or adult marijuana use is also finalizing draft rules for retail sales starting next year.  Both states await word from the U.S. Department of Justice about how it plans to respond to the states' legalization of marijuana and conflicts with federal law.

**Study Shows Slower Prisoner Population Growth, No Recommendation for Immediate Prison Closures**

The Governor’s Office of State Planning and Budgeting (OSPB) announced on Thursday, June 20, the preliminary findings of prison study called for in legislation passed last year by the General Assembly.

Those findings show the recent drop in the prison population is tapering off and the prison population will begin to grow slightly in coming years.  Under this scenario, the State does not need to close additional facilities for the foreseeable future but still may if the scenario changes.

In the event that current inmate population forecasts fall short, the study recommends that the privately-run Cheyenne Mountain Re-entry Center in El Paso County be considered for closure.  Other facilities recommended for possible closure include Rifle, Kit Carson, Fourmile and Skyline Correctional Centers.

In light of several years of declining prison populations, the State has closed several facilities and bed units.  Approximately 3,200 beds in both public and private facilities have been taken off-line since 2009.  House Bill 12-1336 last year directed OSPB to contract for a study of Colorado’s prison system.  The study was conducted by CNA, a non-profit research group.

In anticipation of the release of the study, representatives from OSPB, the Colorado Department of Local Affairs, the Colorado Department of Corrections and the Governor’s Office of Economic Development and International Trade hosted a series of meetings in prison communities throughout Colorado.  The meetings were held to discuss the State’s plan for appropriately utilizing state prisons and assisting communities which may be adversely impacted by changes in utilization or prison closures.

When complete, the Prison Utilization Study will provide facts regarding the age and mission of Colorado’s prison facilities, a baseline projection of how many and what level of inmates the State can expect to have and a recommendation of which facilities should be considered for closure if forecasts fall short.  The study will also provide economic impact information for areas of Colorado with a prison.

CNA will complete its report by the end of June.  In the coming months and as state statute directs, OSPB will work with the Joint Budget Committee (JBC) of the General Assembly to compose a five-year plan for the prison system.

The immediate next steps are for OSPB to take feedback and comments from stakeholders, including community leaders and the Colorado Department of Corrections. OSPB and the JBC will determine a schedule for completing the five-year plan. A different list of potential closures may be included in the five-year plan, but no decisions have been made at this time.

***Denver Post*:  Colorado gets Funding for Parole Absconders, Sex Offenders**

Legislators on a key budget committee on Thursday, June 20, approved about $850,000 in annual funding for a new fugitive unit to hunt down parolees who have absconded and nearly $1 million to bolster treatment of sex offenders in prison.

The Colorado Corrections Department will use most of the money for sex offender treatment to hire 13 employees.  But even with the new hires, it will take corrections officials eight years to eliminate a backlog of 1,600 prisoners on a waiting list for sex offender treatment, according to projections.

The fugitive unit would have a supervisor and nine new parole officers who would concentrate on parolees who have fled supervision.  The unit also would track down people who walk away from community corrections facilities.

Corrections officials say the unit is needed because nearly 3,500 parolees have absconded from parole supervision in the past two years.  The new fugitive unit will allow regular parole officers to concentrate on their caseloads instead of devoting their time trying to find those missing parolees, corrections officials add.

The funding for the fugitive unit is the latest initiative following the killings of Colorado Corrections Chief Tom Clements and pizza delivery driver Nathan Leon, allegedly by a parolee.

Even as they approved funding for the fugitive unit, members of the Joint Budget Committee made clear that they continue to have questions about caseloads of parole officers and whether some parole terms are too long for lower level offenders.  They said they wanted corrections officials to come back and brief them again in September.

Both State Rep. Claire Levy, a Democrat from Boulder, and JBC chairman Pat Steadman, a Democrat from Denver, said they may push to reduce mandatory parole terms for lower level offenders as a way to cut the caseloads of parole officers.

Levy said she also wants to consider putting more resources into managing parolees during their first week out of prison.

"I hope this is the beginning of the conversation, and that we really look at all of our parole supervision," Levy said.

The funding for the fugitive unit was approved on a 4-1 vote, with Sen. Kent Lambert, a Republican from Colorado Springs, dissenting because he said there were too many unanswered questions about the state's parole operations.

"The department still has tremendous waste in how it is being managed," he said.

**Gov. Hickenlooper and Bill Abbott, President & CEO, Hallmark Channel & Hallmark Movie Channel Announce New TV Series to be Filmed in Colorado**

When Hallmark Channel's second original primetime series "When Calls the Heart" begins filming this summer, it will mark the first time a TV series has been filmed in the gorgeous surroundings of Telluride, Colorado.  It also will be the first narrative TV series filmed in Colorado since 1991, when the "Father Dowling Mysteries" series was filmed in the state.  With the new series, Hallmark will add up to 200 jobs and estimates a $15 million economic impact.

"We are delighted with Hallmark Channel's choice of Colorado for its latest series," said Gov. John Hickenlooper.  "With Hallmark Channel's brand behind it, the show will have a positive economic impact for our state and provide tremendous national exposure for Telluride and all of Colorado."

Hallmark Channel's choice of Colorado to film episodes of "When Calls the Heart" was facilitated by the Colorado Film Office with the legislation signed last year by Gov. Hickenlooper.  Bill Abbott, President and CEO, Hallmark Channel and Hallmark Movie Channel, said, "Hallmark Channel is coming to the gorgeous state of Colorado.  The state provides the perfect backdrop for our Western inspired series, 'When Calls the Heart' and we are incredibly proud to infuse the state's economy with new jobs and resources as a result of filming our family targeted program here."

The legislation added incentives to make Colorado more competitive for television and film production.

"While we can't compete side-by-side with other state incentive programs, we continue to see the benefits of our modest incentive package coupled with Colorado's talented workforce and extraordinary scenery," said Donald Zuckerman, Colorado's Film Commissioner.

**Colorado Creative Industries and the Boettcher Foundation Announce**

**Five Newly Certified Creative Districts**

Colorado Creative Industries (CCI), a division of the Colorado Office of Economic Development and International Trade, and the Boettcher Foundation announced late last month the certification of five new creative districts through the Colorado Creative Districts Program:  Pueblo Creative Corridor, Corazon de Trinidad, North Fork Valley Creative District, Ridgway Creative District and Telluride Creative District.

Initiated in 2011 with the signing of House Bill 11-1031, the Colorado Creative District's program first certified Denver's Arts District on Santa Fe and Downtown Salida, with an additional 13 districts granted prospective and emerging status.

"The goal of this program is to help Colorado Creative Districts achieve the administrative structure, funding streams, community engagement process, strategic plan and staff structure that provide both immediate sustainability and opportunities to evolve," said Margaret Hunt, Director of Colorado Creative Industries.

The second-year grants will provide $15,000 and technical assistance opportunities to each of the five new Certified Creative Districts.  They will also be eligible to receive a Boettcher Leadership Award of $10,000.

About Colorado's new creative districts:

**Pueblo Creative Corridor** - 225 artists participate in the Pueblo Creative District whose activities attract 82,570 participants annually.  The Packard Foundation has recently invested $50,000 to support more artist work/live spaces in the district in the near future.

**Corazon de Trinidad** - Trinidad's creative district includes six pieces of "mystery art", which appear on several vacant buildings, while the artist remains unknown to the public at large.

**North Fork Valley Creative District** - The North Fork Valley Creative District in the heart of the Western Slope in Delta County encompasses the three towns of Paonia, Hotchkiss and Crawford.

**Ridgway Creative District** - Home to a thriving arts community encompassing visual, design, performing, textile, culinary, brewing and publishing arts, where more than 10% of its 900 residents are artisans.

**Telluride Creative District** - Creative District Certification acknowledges Telluride's remarkable accomplishments in the arts over the last 40 years.  The Town of Telluride is a 2010 Governor's Arts Award recipient and engages over 1,600 artists in its Creative District activities that attract over 255,000 participants annually.  The Creative District recently spearheaded the Town's Master Plan that coordinates and integrates arts and creative activities in local life.

This year's awarded Prospective Districts include the Aurora Cultural Arts District, Downtown Colorado Springs, Greeley Creative District, Longmont Arts and Entertainment District, and RiNo Art District.

The next deadline to apply for Creative District Certification is May, 2014.  For more information, please visit [www.coloradocreativeindustries.org](http://r20.rs6.net/tn.jsp?e=001KuxUWhDmCGFErSvf1cKGn9qIozjk-H4eKQMssY_zZ0bPlDr7Pxfhq1s6l4YknMANNTzA2rvbgNZFeNOTKLxEbjy1U7upKWXiIQXn5idRbvhjWCYthgKtAKut987cH0OM).

**State of Colorado to Open Washington, D.C., Office**

Gov. John Hickenlooper announced on Wednesday, June 19, Colorado will open an office in Washington, D.C., joining 32 other states already with offices in the nation’s capital.  The office will not be used to advance the political agenda of any one person or group.

“This move will give state government a stronger voice in Washington and play a critical role in advancing the state’s economy,” Hickenlooper said.  “We look forward to working closely with Colorado’s congressional delegation and our new Washington representative to improve our state’s capacity to pursue economic opportunities, access federal grants and navigate other priorities.”

The Governor’s Office hired Jena Griswold, a Colorado native who practiced general litigation for Paul Hastings LLP, in Washington, D.C., as the Colorado Washington Representative.  Previously, Griswold worked as a Deputy Voter Protection Coordinator and gained extensive legislative and legal experience working for Congresswoman Diana DeGette and for the Venezuelan Victims of Human Rights Violations.  She earned a bachelor’s degree from Whitman College and a J.D. from the University of Pennsylvania Law School.

Griswold will staff Capitol Hill meetings and track federal legislation affecting Colorado and the legislative priorities of the nonpartisan National Governors Association and Western Governors’ Association.  She will work closely with the Governor’s Office of Policy, Research and Legislative Affairs and support the Governor and Cabinet members during visits to Washington, D.C.

The office will also play a critical role in advancing the state’s economy through many strategies, including financial and technical assistance in support of local and regional economic development activities throughout Colorado.  Other duties will include researching available grant funding available to Colorado and coordinating with the Governor’s Office and state agencies to apply for federal grants.

The office will be funded by grants to the Office of Community Partnerships and with General Fund dollars allocated to the Governor’s Office.  Colorado previously operated a Washington, D.C., office under former Gov. Bill Owens.

***Denver Post*:  Poll: More than 70 percent of Coloradans Support Immigration Reform**

Seventy-three percent of Coloradans support comprehensive immigration reform legislation, according to a poll out Thursday, June 13.

The poll found 18 percent either “somewhat oppose or strongly oppose” immigration reform.  Nine percent of those polled said they weren’t sure.

Democratic pollster Public Policy Polling surveyed 651 Colorado voters on June 3 and 4.  The poll, conducted across 29 states, was paid for by a consortium of pro-immigration groups including the Alliance for Citizenship, Partnership for a New American Economy and Republicans for Immigration Reform.  The poll’s margin of error across all the states is plus or minus 5 percentage points.

Among those Coloradans polled, 69 percent said they supported a plan that required undocumented immigrants currently living in the U.S. pay a penalty, learn English, pass a criminal background check, pay taxes and wait a minimum of 13 years before they are eligible for citizenship.

Eighty-one percent of respondents said immigration reform is “important” — either “very important” or “somewhat important — to address this year, according to the poll.

Democratic Sen. Michael Bennet is in the “gang of eight” Republicans and Democrats that originally crafted the bill.  The Senate gave final approval to the on Thursday, June 27.

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The Aurora Chamber Board of Directors voted on June 26 to support immigration reform along the lines of the Senate Bill, concluding, “While we may not agree with every single provision of the bill and will be closely monitoring amendments and revisions, we fee that what has been presented is our best chance to fix what we all agree is a broken system.”

Chamber President Kevin Hougen joined supporters of comprehensive reform efforts on Sunday, June 30, at a press conference on the campus of the University of Denver. Also at the rally were Democratic U.S. Senators Michael Bennet and Mark Udall and former U.S. Senator and former Secretary of the Interior Ken Salazar. They encouraged the U.S. House of Representatives to take up the comprehensive reform measure.  The supporters represented a broad coalition of agriculture, business, civic, and labor organizations who for months have been working in support the Senate bill.

The House of Representatives has been working on its own immigration reform measure but no formal proposal has been presented.

***Denver Post*:  Supreme Court Halts Use of Key Part of Voting Law**

A deeply divided Supreme Court threw out the most powerful part of the landmark Voting Rights Act on Tuesday, June 25, a decision deplored by the White House but cheered by mostly Southern states now free from nearly 50 years of intense federal oversight of their elections.

Split along ideological and partisan lines, the justices voted 5-4 to strip the government of its most potent tool to stop voting bias—the requirement in the Voting Rights Act that all or parts of 15 states with a history of discrimination in voting, mainly in the South, get Washington's approval before changing the way they hold elections.

Chief Justice John Roberts, writing for a majority of conservative, Republican-appointed justices, said the law's provision that determines which states are covered is unconstitutional because it relies on 40-year-old data and does not account for racial progress and other changes in U.S. society.

The decision effectively puts an end to the advance approval requirement that has been used to open up polling places to minority voters in the nearly half century since it was first enacted in 1965, unless Congress can come up with a new formula that Roberts said meets "current conditions" in the United States.  That seems unlikely to happen any time soon.

To read more about the Court’s ruling, click here:  <http://www.denverpost.com/ci_23534163/high-court-voids-key-part-voting-rights-act>

***Denver Post*:  Colorado's Ron Binz Nominated to Head Federal Energy Commission**

Ron Binz, a former Chairman of the Colorado Public Utilities Commission, has been picked by President Barack Obama to head the Federal Energy Regulatory Commission.

The Binz nomination was one of 14 sent to the Senate last week, according to a White House statement.

Binz, 64, was an advocate for energy efficiency and renewable energy during his tenure at the Colorado utilities commission and drew fire from coal mining interests and Republican legislators.

Appointed by former Gov. Bill Ritter, the PUC under Binz was seen as "overreaching," said State Rep. Spencer Swalm (R-Centennial).

"They seemed more concerned with promoting renewable energy than holding down bills," Swalm said.

Binz served as Chairman of the utilities commission from January 2007 to April 2011.  He did not reply to a telephone request for comment Thursday.

His regulatory affairs career began in 1984 when he was appointed first Director of the Colorado Office of Consumer Counsel where he represented consumers in electric rate cases until 1995.

"Ron was Colorado's first consumer counsel and has done a lot to promote energy efficiency and new technology," said Bill Levis, the Director of the Consumer Counsel's Office.  "These are things the FERC will have to look at."

The FERC oversees interstate electricity sales, wholesale electric rates, hydroelectric licensing, natural gas prices and oil pipelines.

In recent years, the commission has been dealing with issues ranging from natural gas pipeline safety to cyber-security to overhauling the electric grid.

"Ron Binz has the right background for the key questions facing the FERC," said Tom Darin, a former U.S. Department of Energy official.

Darin is western regional representative for the American Wind Energy Association, a trade group.

Binz has a master's degree in mathematics from the University of Colorado Denver and since leaving the Colorado utilities commission has been an energy industry consultant.

If confirmed by the Senate, Binz would replace John Wellinghoff, the Chairman, on the five-member commission.

Binz's most contentious Colorado policy initiative was promoting the Clean Air-Clean Jobs Act which offered incentives for closing aging coal-fired power plants and switching to natural gas.

It was fiercely opposed by the coal industry and independent power producers, who tried to get Binz to recuse himself from the case, charging conflicts of interest.  Binz rejected the claim.

The act passed, and the utilities commission implemented the law approving the closure of six old coal-fired power plants, the addition of pollution controls at two others and the building of new gas-fired generation — a plan that cost about $1 billion.

Former Republican State Sen. Andy McElhaney filed an ethics complaint against Binz for industry reimbursement for travel to a conference.

The Colorado Independent Ethics Commission ruled that while Binz had not followed state travel policy, he "did not breach the public trust ... because Mr. Binz did not personally benefit."

In April 2011, Binz resigned from the PUC and opened a consulting practice focusing on clean energy policies.

"Ron has represented consumers, and he works well with utilities," the wind energy association's Darin said.

Ralph Izzo, Chief Executive Officer of the Public Service Enterprise Group, which operates East Coast utilities, in a statement called Binz's nomination "a strong and timely choice."

"Ron has both the experience and intellect to hit the ground running," Izzo said.

**Southeastern Colorado Drought Coverage**

***Denver Post, June 7, 2013*:  Southeastern Colorado Wheat Crop a Disaster from Drought, Freezes**

Ongoing drought and late-spring freezes are conspiring to produce one of southeastern Colorado's poorest wheat crops in memory.

"It's the worst I've ever seen," said Kiowa County farmer Chris Tallman.  "We are at zero. We will have absolutely no wheat crop.  The entire county is full of dead wheat fields."

Drought has been a constant conundrum for much of the past decade.  But wheat growers suffered an additional blow in April when a series of freezes damaged the already weakened wheat crop.

"The freeze was just the death knell," said farmer Burl Scherler, who grows wheat near the Kansas border.  "I've never in my 40 years here had a wheat stand just die like this."

To read more about the drought, click here: <http://www.denverpost.com/breakingnews/ci_23406079/southeastern-colorado-wheat-crop-disaster-from-drought-freezes>.

**Federal Government Declares Drought Disaster for 12 Colorado Counties**

Gov. John Hickenlooper, on Friday, June 14, was notified by U.S. Secretary of Agriculture, Tom Vilsack, that 12 counties qualify for federal disaster relief because of drought conditions.  Six counties were declared primary natural disaster areas due to a recent drought and an additional six were declared as contiguous disaster counties.

The primary counties are Dolores, Hinsdale, La Plata, Montezuma, Ouray and San Miguel.  The contiguous counties are Archuleta, Gunnison, Mineral, Montrose, Saguache and San Juan.

The federal disaster relief includes Farm Service Agency (FSA) emergency loans.  Farmers in eligible counties have eight months from the date of the declaration to apply for emergency loan assistance.  FSA will consider each emergency loan application on its own merits, taking into account the extent of production losses, security available and repayment ability.

Local FSA offices can provide farmers with more information.

**New Judges Appointed**

On Tuesday, June 4, Lieutenant Governor Joe Garcia appointed Wayne Patton to serve as a district court judge in Clear Creek, Eagle, Lake and Summit counties, which are in the 5th Judicial District.

Patton is now the Lake County Court Judge and the County Court Magistrate for Eagle County.  Previously, Patton was the Summit County Court Magistrate and worked in private practice at the Patton Law Office and the Law Office of J.E. Losavio Jr.  He also worked as the Leadville City Attorney and as a special county attorney for Lake County.  Before attending law school, he served in the U.S. Army.

Patton earned a bachelor’s degree from Denison University and a J.D. from the Sturm College of Law at the University of Denver.

The appointment is effective July 1, 2013.

Lt. Gov. Joe Garcia also appointed John Neiley to serve as a district court judge in Garfield, Pitkin and Rio Blanco counties, which are in the 9th Judicial District.

Neiley currently works in private practice as a partner at the law firm Neiley & Alder, where he practices primarily in civil litigation with a focus on real estate transactions and land use and development.  Neiley also has experience in medical malpractice defense, insurance defense, enforcement of Federal Trade Commission consumer protection laws and enforcement of antitrust laws.  Previously, he worked as a partner at Richmond, Neiley & Sprouse, LLC; as an associate at Downey, Rauch & Sleeman, P.C.; and as a staff attorney for the Federal Trade Commission’s Denver Regional Office.

Neiley earned a bachelor’s degree from the University of Colorado and a J.D. from the University of Colorado School of Law.

The appointment is effective July 1, 2013.

**Boards and Commissions Appointments Announced**

Colorado’s 22 judicial districts have judicial district nominating commissions that select nominees for district and county judicial vacancies.  Each district nominating commission is chaired by a justice of the Supreme Court, who is a non-voting member of the commission.  The member appointed to the **12th Judicial District Judicial Nominating Commission** for a term expiring Dec. 31, 2018:

·      Barbara Zollars of Monte Vista, to serve as an attorney and as a Democrat from Rio Grande County, and occasioned by the resignation of Kimberly Cortez of La Jara.

The **Colorado Advisory Council for Persons With Disabilities** coordinates with state boards, advisory councils, and commissions established for or related to persons with disabilities and advises the Governor and General Assembly on legislation and state policy affecting persons with disabilities.  The council also monitors the state’s implementation of Title II of the federal “Americans with Disabilities Act of 1990”, acts as an additional entry point for public grievances regarding disability issues and referring those grievances to the appropriate state agency or personnel and develops procedures relating to the council’s internal operations.  The member appointed for a term expiring Oct. 7, 2014:

·      Cindy Y. Corwin of Morrison, to serve as a representative of the Department of Personnel and Administration, a state agency serving persons with disabilities, and occasioned by the resignation of Tracy L. Creekmore of Littleton.

The **Colorado Agricultural Development Authority** makes financing available to farmers and other agricultural enterprises through the sale of bonds.  The appointment must be confirmed by the Colorado Senate.  The member appointed for a term expiring June 30, 2017:

·      Randall A. Wilks of Burlington, to serve as a Democrat and a member with knowledge of agricultural activity in the state, and who shall represent the various agricultural operations and geographical regions of the state, reappointed.

The **Colorado Tourism Board of Directors** sets and administers policies regarding expenditures from the Colorado Travel and Tourism Fund for promoting travel and tourism and related activities that benefit the state.  The appointments must be confirmed by the Colorado Senate.  The members appointed for terms expiring June 2017:

·      Anne Catherine Klein of Durango, to serve as an at large member from tourism-based industries, and from a small community.

·      Barbara Jean Bowman of Grand Junction, to serve as a representative of cultural event and facility groups.

The **Juvenile Justice and Delinquency Prevention Advisory Council** advises the Division of Criminal Justice and the Governor on matters pertaining to juvenile justice in Colorado.  They also assist, review and approve the annual Juvenile Justice and Delinquency Prevention Plan.  The member appointed for a term expiring July 31, 2015:

·      Tracy A. Kraft-Tharp of Arvada, to serve as a local elected official, and occasioned by the resignation of Albus Brooks, Denver.

The members appointed for terms expiring July 31, 2017:

·      Dana Wilks of Denver, to serve as a representative of probation agencies.

·      Elizabeth Ann Ford of Aurora, to serve as a representative of private/non-profit organizations.

**The Petroleum Storage Tank Advisory Committee** establishes procedures, practices and policies governing the process for applying to the underground storage tank fund.  The fund reimburses eligible applicants for allowable costs in cleaning up petroleum contamination from petroleum storage tanks.  The member appointed for a term expiring Oct. 16, 2013:

·      Bruno Arthur Busnardo of Westminster, and occasioned by the resignation of Kirby A. Boutelle of Broomfield, and to serve as an underground tank installer.

The member appointed for a term expiring Oct. 16, 2016:

·      Bruno Arthur Busnardo of Westminster, to serve as an underground tank installer, reappointed.

**The Renewable Energy Authority Board of Directors** directs the allocation of State matching funds to the extent required to support one or more proposals of a consortium consisting of the Colorado School of Mines, Colorado State University, University of Colorado, and National Renewable Energy Laboratory for federal energy research funding and energy-related research funding from federal agencies and other public and private entities.  The authority promotes rapid transfer of new technologies developed by the consortium; develop educational and research programs for Colorado State colleges in collaboration with the consortium that will translate into high-technology employment; become a regional resource and clearinghouse for renewable energy information; support development of the consortium.  The appointment must be confirmed by the Colorado Senate.  The member appointed for a term expiring July 1, 2015:

·      Jeffrey Paul Ackermann of Denver, and occasioned by the resignation of Tanuj “TJ” Deora of Denver.

**Lt. Gov. Garcia Announces Colorado Commission of Indian Affairs At-Large Members**

Lt. Gov. Joe Garcia, on Monday, June 24, announced two at-large members for the Colorado Commission of Indian Affairs (CCIA).

Lucille Echohawk, Executive Director of the Denver Indian Family Resource Center and Maymangwa Flying Earth, Attorney for the U.S. Small Business Administration were elected to serve three-year appointments on the commission.

“These are dedicated individuals who have unique skills and backgrounds and have a strong voice in strengthening the government-to-government relationship between Colorado and its Native American residents,” said Garcia.

The at-large members were announced at the CCIA quarterly meeting on the Ute Mountain Ute reservation in Towaoc, CO south of Cortez.  They are elected by other members of CCIA.  Lt. Gov. Garcia serves as the chair of the CCIA.

CCIA is an 11 member commission, comprised of Southern Ute Tribal Chairman Jim Newton, Ute Mountain Ute Tribal Chairman Gary Hayes, their appointees and several state department representatives.  There are also non-voting members representing various local, state, and federal agencies and organizations.

CCIA was created in 1976 to deal with state/Native American issues in Colorado.  The Southern Ute and Ute Mountain Ute Tribes are sovereign governments within Colorado’s boundaries.

**The Watercooler**

***Boulder Daily Camera*:  Hickenlooper Legal Adviser James Eklund Named Director of Colorado Water Conservation Board**

James Eklund, a legal counselor to Gov. John Hickenlooper and former assistant state attorney general, has been named the new Director of the Colorado Water Conservation Board, according to a news release issued last month.

The 15-member board and the Executive Director of the Colorado Department of Natural Resources named Eklund to the post.

A fifth-generation Coloradan, Eklund will lead state water policy and planning efforts, including establishing a statewide water plan, as outlined in a recent executive order from Hickenlooper.

As part of the Governor's administration, Eklund has worked on legislative and legal matters pertaining to water, including state water rights and groundwater concerns in the South Platte River Basin.

While with the Attorney General's office from 2006 to 2010, Eklund represented the Colorado Department of Natural Resources, the Water Conservation Board and the state engineer's office in compact negotiations with other Western states.

**Chamber Government Affairs Committee on Hiatus in July**

The Aurora Chamber Government Affairs, Education and Energy Committee will not meet in July due to the July 4 holiday and to give time for the Public Issues Executive Committee to plan for the 2013-14 Business Year.

Next meeting of the group will be on Aug. 1 at 7:30 am at the Chamber. Board Vice President for Public Issues, Tom Henley, will preside.

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