February 11, 2014

***http://www.coloradocapitolwatch.com/bill-tracker-votes/0/391/2014/0/***

***“Never believe anything in politics until it has been officially denied.”***

***– Otto von Bismarck***

***Days until Sine Die:  86***

***United States Olympic Medal Count:  Gold – 2   Silver – 0   Bronze - 3***

Axiom thanks the many news sources from which we gather relevant stories for our weekly newsletter.  In most cases you will be able to read the full text article for each headline below by clicking on the link provided.  The purpose of this format is to share newsworthy items while ensuring we adhere to copyright law.

 **Executive Order declares disaster due to extreme weather, eases commercial transportation rules to increase propane delivery**

*Office of the Governor*

Gov. John Hickenlooper signed an Executive Order last Friday that declares a disaster emergency due to extreme winter weather and authorizes a temporary exception to the hours-of-service regulations for commercial motor vehicles used in the transportation of propane.

The governor’s order says:

“Temperatures in Colorado have dropped below zero for consecutive weeks.  The recent extreme winter weather has caused an emergency situation by significantly reducing the availability of propane and impeding the delivery of necessary propane to many areas of Colorado.  The extreme winter weather caused the cost of propane to skyrocket across the country and significantly reduced the supply.  The commercial vehicle industry is impeded from continuing statewide propane fuel delivery operations for winter heating purposes.  As a result, many Coloradans are left without a mechanism to heat their homes.”

Federal and state law sets the hours which commercial vehicle drivers may operate. “Those restrictions are impeding the commercial vehicle industry from delivering fuel to Coloradans in need,” the order says.

In general, natural gas carriers may allow their drivers to be on duty for a total of 14 hours of which only 11 hours can be drive time before requiring the driver to take 10 hours of rest. Without 10 hours of rest the driver is not allowed to drive any commercial vehicle or be allowed to perform any safety sensitive function for the carrier.  A driver who works every day of the week is allowed to be on duty for a total of 70 hours every eight consecutive days before they are required to log 34 hours of off-duty time. A driver with weekends off is allowed to be on duty for only 60 hours every seven consecutive days before they are required to log 34 hours of off duty time.

“The provisions of (applicable state law) are hereby suspended to the extent that they prevent the delivery of necessary propane winter heating fuel to distribution points within Colorado,” the governor’s order says.

The order will remain in effect through March 7, 2014.

**Colorado Exports Set Record in 2013**

*Office of Economic Development & International Trade*

Colorado's exports of manufactured, agricultural and mineral products increased 6.3 percent in 2013 compared to 2012, growing from $8.2 billion to $8.6 billion. Colorado's rate of growth topped the 2 percent national average for merchandise export growth for the same period.  Key merchandise export categories for Colorado include industrial machinery, computer and electronic machinery, medical and surgical instruments, and fresh and frozen meat. Among Colorado's top ten exports, aircraft & spacecraft (+62%), wood pulp (+63%) and raw hides (+19%) showed significant increases.

Canada retains its position as Colorado's top export market, reaching a record $2 billion, up 3 percent over 2012. Key exports to Canada include engine and motor parts, beef, petroleum and pork. Mexico retains its position as Colorado's second largest export market, reaching $917 million in sales in 2012, an 8 percent increase. Mainland China remained third with $772 million in exports, a 14 percent increase. Japan moved up to fourth at $442 million, followed by Republic of Korea, Switzerland, the Netherlands and Malaysia.  [Click here](http://www.advancecolorado.com/international-business) to read more.

 **Bill to Grant Tax Incentive to Aerospace Industry Scheduled for First Committee Hearing**

HB 14-1178, sponsored by Speaker Mark Ferrandino (D-Denver) and Minority Leader Brian DelGrosso (R-Loveland), will be heard by the House Finance committee this Thursday.  The bill creates a sales and use tax **exemption for “qualified property” used in space flight.  Qualified property includes, for example, space vehicles and components, equipment to be placed in a space vehicle and fuel for space flight.**

Aerospace companies that build satellites and related equipment in Colorado are currently storing and maintaining their space-related property in other, more tax-friendly states.  The companies would like to store the equipment in Colorado but because the state’s sales and use tax takes effect after 60 days, they have to take “title ownership” of the equipment, thereby subjecting them to the tax.  Four leading aerospace-industry states (Arizona, California, Florida, Virginia) already have similar exemptions.

**Wage Claim Bill Passes Second Senate Committee**

SB 14-5, sponsored by Sen. Jessie Ulibarri (D-Commerce City) and Rep. Jonathan Singer (D-Longmont) passed the Senate Finance committee last week.  The bill previously passed the Judiciary committee with a fairly major amendment.  As amended, the bill directs unresolved claims by workers over wages, benefits and vacation pay to the Colorado Department of Labor and Employment (CDLE), which would then investigate and could cite employers and issue orders for employers to pay workers.  Currently, the Colorado Civil Wage Claim Act provides remedies for a worker who claims that an employer owes wages to that person.  The CDLE can investigate such a claim and determine penalties but the employee can only recover those penalties in court.  SB 5 provides the CDLE with enforcement powers that it does not currently have, to investigate and levy penalties.  The business community was opposed to a wage claim bill last year that was much broader, and led by the Colorado Association of Commerce and Industry, worked closely with the sponsors of SB 5 to address their concerns and narrow the bill to what is now making its way through the legislature.

**Gov's Race Poll: Hick Holds Comfortable Lead over GOP Challengers**

*Denver Post*

Gov. John Hickenlooper holds a comfortable lead over his Republican challengers in a new poll that shows Coloradans give him good marks for trust, leadership and understanding their needs.  The poll, released last week, shows 52 percent of Coloradans approve of the job Hickenlooper is doing, the highest since Quinnipiac started polling in Colorado in June 2013.  Coloradans picked economy and jobs as the most important issue in the governor’s race, and 53 percent of them approve of the way the governor is handling that issue.  Thirty-seven percent disapprove. [Click here](http://www.denverpost.com/news/ci_25067982/poll-hickenlooper-holds-comfortable-lead-over-gop-challengers) to read more.

 **Measure to Keep Seizure-Prone Drivers off Colorado Roads Fails**

*Durango Herald*

Rep. Don Coram’s bill to keep drivers prone to seizures off the road failed to pass through the House Health, Insurance and Environment committee last week.  HB 14-1068 would have required doctors to report patients who might lose consciousness to the state driver’s license office, so the patients’ licenses could be suspended.  Doctors who failed to do so could have faced fines or even jail.  [Click here](http://durangoherald.com/article/20140204/NEWS01/140209842/Measure-to-keep-seizure-prone-off-Colo-roads-fails-) to read more.

 **Colorado Legislator Reintroduces Bill to Tax Internet Sales**

*Denver Business Journal*

A Denver lawmaker has reintroduced legislation to require out-of-state Internet retailers to collect Colorado sales taxes, emboldened that court decisions of the past year will change the fate of a proposal that died in 2013.  Rep. Angela Williams, D-Denver, said that House Bill 1269, which was introduced Tuesday, will require retailers without a physical presence in Colorado to collect and remit state sales taxes if they engage in any activity in connection with the selling, leasing or delivery of tangible personal property or taxable services within the state.  The taxation of on-line sales has been a hot topic here since 2010, when the legislature passed a law requiring out-of-state internet retailers to record the amount of sales tax owed to Colorado by their customers.   [Click here](http://www.bizjournals.com/denver/news/2014/02/04/colo-legislator-reintroducing-bill-to.html) to read more.

 **Statewide Basin Roundtable Summit**

*Colorado Water Conservation Board*

Registration is now open for the Statewide Basin Roundtable Summit on March 6, 2014 at the Denver Marriott West.  This event, hosted by the Colorado Water Conservation Board, will provide an opportunity for Roundtable and IBCC members, interested stakeholders and the public to interact and share information statewide.  All attendees are required to register for the event.  While registration is free for Roundtable and IBCC members, registration for members of the public and other interested parties is $75.  There will be a reception following the Summit.

 Specific goals of the Summit include:

Goal 1 - Provide a forum for Basin Roundtables to share progress on Basin Implementation Plans, goals and measurable outcomes statewide.

Goal 2 - Raise awareness statewide regarding the status of the IBCC's conceptual agreement and allow for additional input from Basin Roundtables.

Goal 3 - Engage in Colorado's Water Plan and discuss the strategy for incorporating Basin Implementation Plans into the water plan.

Goal 4 - Showcase the methods used by Basin Roundtables to engage local level stakeholders and the public in the Basin Implementation Planning process.

 Link to [Registration](http://www.cowatercongress.org/External/WCPages/WCEvents/EventDetail.aspx?EventID=317)

Link to [Draft Agenda](http://www.cowatercongress.org/external/wcpages/wcmedia/documents/Events%20-%20CWC%20Handling/CWCB%20BRTSummit-DraftAgenda-012414.pdf)

 **Expanding Access to Capital for Small Businesses Passes House**

*Colorado House Dems*

A bill sponsored by Rep. Pete Lee (D-Colorado Springs) to increase the amount of money a Colorado based business may raise from a Colorado stock offering passed the House last week with unanimous bipartisan support.  Under current law, a Colorado business may not raise more than $1 million in an in-state only stock offering. Rep. Lee’s bill would increase this amount to $5 million under a set of provisions designed to promote business and increase access to capital in Colorado. The company conducting the offering must have its headquarters in Colorado, a majority of its employees working in Colorado and 80 percent of the funds raised must be spent on operations in Colorado.  HB14-1079 will now head to the Senate for consideration.

 **Colorado GOP Wants to Nix Same-Day Voter Registration**

*Denver Post*

Colorado Republicans launched their bid last week to undo a new elections law that allows same-day registration, saying they're still not convinced the change isn't a recipe for possible voting fraud.  Democrats insist the new law is sound and won't be changed.  The Republican proposal includes a two-year "time out" on the new law, which added same-day registration and a requirement that ballots go by mail to all registered voters. Republicans want to undo that law, at least temporarily, while a bipartisan panel reviews the measure.

 Republican’s chief concern with the law is same-day voting registration, which makes voting more convenient for people who forget to register but could also make it more  difficult to determine who is eligible to vote in an election.  Democrats insist the election law is sound.  [Click here](http://www.denverpost.com/news/ci_25052720/colorado-gop-mounts-plan-undo-new-elections-law) to read more.

 **Division of Insurance to Undertake Study on Colorado Healthcare Costs**

*Colorado Division of Insurance*

In response to concerns about higher premiums in some areas of the state, the Colorado Division of Insurance (DOI) will launch a study of healthcare costs, which is the key driver of premiums in Colorado.  The study follows a decision by DOI to not make changes to Colorado's current eleven geographic rating areas for individual and small group health insurance for 2015.  Under the Affordable Care Act, geographic areas are one of four factors that health insurance companies can use to set plan premiums.

 The primary aim of DOI's health costs study will be the collection of data, while looking for variation in costs from region to region and why they occur.  For this study, the DOI will gather a diverse group of stakeholders including representatives of hospitals, healthcare providers, insurance carriers and the pharmaceutical industry.  Insurance Commissioner Marguerite Salazar is working to pull this group together so that work can begin as soon as possible.

 The Colorado Division of Insurance regulates the insurance industry and assists consumers and other stakeholders with insurance issues.  [Click here](http://cdn.colorado.gov/cs/Satellite?c=Page&childpagename=DORA-DI/DORALayout&cid=1251623445671&pagename=CBONWrapper) to visit the DOI website.

**Farm Fresh Celebrates 30th Anniversary with Cover Art Contest**

*Colorado Creative Industries*

Colorado Creative Industries and the Colorado Department of Agriculture today announced a cover art contest in honor of the 30th anniversary of the Colorado Farm Fresh Directory, a listing of farms, farmers' markets, CSAs, u-picks and roadside stands that offer fresh produce and other farm products direct to the consumer. Amateur and professional artists are encouraged to submit original artwork for the contest. The winning entry will be featured on the cover of the 2014 Colorado Farm Fresh Directory and the artist will receive $500 courtesy of Colorado Creative Industries.

 Entries must relate to Colorado agriculture in some way. Artwork may be created in any medium, but must be submitted as digital files. The Farm Fresh Directory is the Colorado Department of Agriculture's most popular publication, and 110,000 copies of Farm Fresh will be distributed statewide the last week of May.

 The 2014 Farm Fresh Directory will be available on the Colorado Department of Agriculture's website.  The deadline for entries is March 14, 2014. For more contest information, visit [www.coloradoagriculture.com](http://www.coloradoagriculture.com/).

 **Secretary of State's Office Opines in Favor of Parties Forming Independent Expenditures**

*Denver Post*

Political parties in Colorado that want to operate independent expenditures free of contribution limits received the green-light on Thursday in an opinion offered by the secretary of state's office.  The opinion, written by Deputy Secretary of State Suzanne Staiert, explicitly states, "a political party may form an independent expenditure committee ... and may raise funds in any amount from any permissible source."  This comes in response to a petition filed in December by the Colorado Republican party asking for guidance from the secretary of state’s office on an effort to create and independent expenditure to solicit unlimited funds.  Those funds from the independent expenditure could then be pumped into elections to support candidates running for governor or legislative seats.  Staiert notes that her advisory opinion is not binding in a court of law.  [Click here](http://blogs.denverpost.com/thespot/2014/02/06/colorado-secretary-states-office-offers-opinion-favor-parties-forming-independent-expenditures/105791/) to read more.

 **Bill to Limit Lawn Size Gains Traction**

*Durgango Herald*

An idea crafted in Durango to save water by limiting the size of suburban lawns survived its first legislative hearing Thursday.   The bill, dreamed up by Durango area water engineer Steve Harris, has grabbed the attention of homebuilders, local governments, water suppliers and farm advocates. His plan breaks several taboos, offending proponents of private-property rights, local control by cities and people who simply enjoy big lawns.  His plan met opposition from many organizations, however, including homebuilders, local governments, water suppliers and farm advocates.  As of 2016, SB 14-17 would require any new development that relied on buying agricultural water rights to limit the lawn area of its lots to 15 percent, with an exemption for parks and open space.  [Click here](http://durangoherald.com/article/20140206/NEWS01/140209694/0/s/Ellen-Roberts%E2%80%99-bill-to-limit-lawn-size-gains-traction) to read more.

 **Ballot Initiative Update**

The following ballot initiative proposals have all completed the review and comment hearing process required for ballot initiatives.  After review and comment, revised proposals must be sent to the Secretary of State to begin the title setting process. The Title Board consists of the Attorney General, the director of the Office of Legislative Legal Services and the Secretary of State (SoS).  The signature gathering process may  begin after the title is set by the Title Board. The number of valid signatures required for an initiative to be placed on the ballot for the 2014 election is 86,105.

 Initiative #48 (Labeling Genetically Modified Food) submitted October 1st, 2013 deals with the labeling of genetically modified food.  It seeks to inform the public about what they are consuming in order to “protect the public’s health, safety and welfare.”  The labeling also notifies individuals with certain objections against genetically modified foods due to religious reasons.  Currently, there is no federal law that addresses these concerns nor have there been any answers to the long-term safety and health consequences of producing and consuming genetically modified food.  Status:  *Title set.*

 Initiative #49 (Carrying Restrictions for Concealed Handguns on Campuses) submitted October 22nd, 2013 seeks to eliminate the current right of a concealed handgun permit holder to carry that handgun on the campus of a public college or university.  Status:  *Review and comment hearing held 11/05/2013.*

 Initiative #54 (Election of Justices and Judges) submitted December 12th, 2013 outlines how a two-thirds majority is calculated and establishing that justices and judges require that majority of the votes in order to retain their office.  Status:  *Review and comment hearing held 01/07/2014.*

 Initiative #55 (Duties of the Independent Ethics Commission) submitted December 17th, 2013 requires that judges and justices be subject to the independent ethics commission.  This would eliminate the current commission on judicial discipline and transfer their duties to the new independent ethics commission.  Status:  *Review and comment hearing held 01/07/2014.*

 Initiative #56 (Restrictions on Pet Animal Euthanasia) submitted December 31st, 2013 would prohibit the euthanasia of pet animals unless the animal is in “extreme pain and suffering.”  Also the initiative desires to make an effort to reduce the amount of homeless animals using more “humane efforts rather than killing.”  *Status:  Review and comment hearing held 12/31/13.*

 **Important Dates for the 2014 election:**

Last day to submit a ballot proposal:  March 21, 2014

Last day for a review and comment hearing:  April 4, 2014

Last Title Board meeting:  April 16, 2014

Deadline to submit signatures to Secretary of State:  3:00 p.m., August 4, 2014

Last day for the Secretary of State to make a determination on sufficiency of signatures: September 3, 2014

**The Calculator**

House Bills Introduced:  273

Senate Bills Introduced:  143

Number of Bills PI’d:  38