



# Legislative Newsletter



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**May 8, 2017**

*An up-to-date review of Colorado government and politics especially for the Aurora Chamber of Commerce.  
Compiled and edited by Axiom Strategies, Inc.*

"Success is not final, failure is not fatal: it is the courage to continue that counts."  
- Winston Churchill

## **Colorado lawmakers reach sweeping deal to stave off \$528 million cut to hospitals**

*Denver Post*

Top Colorado lawmakers last Thursday announced a major agreement to avert potentially catastrophic cuts to the state's hospitals, capping off weeks of tense negotiation on the far-reaching package.

The measure would reverse a planned \$528 million cut to hospitals, while boosting funding to roads and schools. It also would provide a tax break to small businesses, hike recreational marijuana taxes, increase Medicaid co-pays and lower the state's spending cap by \$200 million.

Despite concerns on both sides, top lawmakers said the bill has the votes to pass both chambers. Initially viewed as a longshot when it was introduced in March, the legislation now contains a dozen major provisions that touch virtually every top spending priority at the state Capitol.

## **Measure to spur condo construction finally passes, but it's not "a magic bullet"**

*Denver Post*

Now that state lawmakers have passed the first measure in years to abate construction-related lawsuits against condo builders, new developments should start sprouting across the metro area like so many spring flowers.

Right?

Not so fast, says Home Builders Association of Denver CEO Jeff Whiton.

House Bill 1279, which stipulates that legal action against a builder for alleged construction flaws can only proceed when more than half of all homeowners in a condominium complex agree to it, is "not the cure-all" for what has become an anemic number of condo starts in Colorado.

## **Senate Gives Omnibus Revenue-and-Spending Bill Preliminary OK** *Colorado Association of Commerce & Industry*

May 5, 2017 - About mid-day today, the Senate gave preliminary, voice-vote approval on Second Reading to an omnibus revenue-and-spending bill, SB-267, that seeks to address in some way and to some degree a large array of unresolved, controversial issues: transportation, Medicaid, the hospital provider fee, K-12 education and state agency spending.

Conversion of the hospital provider fee (HPF) to a state enterprise is the central, critical keystone of the compromise.

The Senate must approve the bill Monday on a recorded, final Third Reading vote, which will send the bill to the House with the session ending Wednesday.

Yesterday, a bipartisan group of senators and representatives announced a "grand compromise" on numerous revenue-and spending provisions, which follows weeks of intense discussion between the parties and between the two chambers.

SB-267, the vehicle for the compromise is, which was introduced March 27th, and it had in the Senate Appropriations languished until earlier this morning as lawmakers worked hard to forge the compromise.

SB-267 is co-sponsored by Senator Lucia Guzman (D-Denver) and Senate President Pro Tem Jerry Sonnenberg (R-Sterling).

## **Family-leave program for employers meets its end in Colorado Legislature**

*Denver Business Journal*

Colorado businesses will not have to participate in a statewide family-leave program for employees, after a committee of the state Legislature last Wednesday rejected a new attempt to get an employee-funded system for all workers up and going.

The issue of offering such a system -- one that ensures workers who don't have family-leave benefits through their jobs can take time off to care for loved ones while getting paid -- has come up during three of the past four years in the Legislature.

## **Colorado looks to marijuana tax as budget fix, stretching the limits of what voters approved**

*Denver Post*

In last-minute negotiations between Colorado lawmakers on a major spending bill, a dubious budget fixer has emerged: marijuana taxes.

The tentative legislation unveiled last week seeks to extract additional money from Colorado's burgeoning cannabis industry by raising the recreational marijuana special sales tax from 10 percent to the maximum 15 percent rate.

The new dollars are earmarked for rural schools and a tax break for business owners on personal property - two purposes that diverge from the original intent of voters who in 2013 approved Proposition AA imposing taxes on recreational marijuana.

## **Another business personal-property tax cut bites the dust in Colorado Legislature**

*Denver Business Journal*

Yet another business personal property tax cut died in yet another "kill committee" of the Colorado Legislature last Wednesday, though for once the quest for such a break that is widely sought by business may not be over.

Democrats on the state House of Representatives' State, Veterans and Military Affairs Committee killed Senate Bill 9 over Republican objections.

SB 9 would have raised from \$7,300 to \$10,000 the maximum amount of equipment a business can own without having to pay annual property taxes on it.

## **Colorado House panel kills bill to expand alcohol sales at Walmart, liquor stores**

*Denver Post*

After a raucous debut, last call came early for a bill expanding alcohol sales in Colorado.

With no discussion last Friday morning, the House Appropriations Committee rejected the controversial measure 5-8, declining to send it on to the full House floor for a vote.

House Bill 1370 would have allowed liquor stores to expand to up to nine locations under 10 years. Walmart also would have been allowed to expand alcohol sales to up to 20 locations over 20 years, putting them on a level playing field with grocery stores under a broad overhaul passed last year.

## **After two years of debate, Colorado teen sexting bill heads to Gov. John Hickenlooper**

*Denver Post*

A compromise teen sexting bill is heading to the desk of Colorado's governor after passing both chambers of the state's legislature and more than two years of fierce debate about how to address the complicated issue that's becoming more prevalent.

"It's all equal parts relief and happiness," said Rep. Yuelin Willett, R-Grand Junction, who has been one of the champions of the legislation. "I think it's actually a better bill than when it started. I think it actually ended up around the right place after about 30 stakeholders fought over it for two years."

House Bill 1302 was approved the state Senate last Thursday after unanimously passing the House.

## **The Colorado State Board of Education is getting more authority to reject waiver requests**

*Chalkbeat*

Colorado schools and districts seeking flexibility from state law will need to make a more compelling case after state lawmakers Tuesday gave the State Board of Education greater authority to reject such requests.

Last year, the state board began raising concern over the quality of so-called "innovation plans" submitted to them by some of the state's lowest-performing schools. State law allows schools to submit plans to obtain waivers in an effort to boost student achievement.

## **A Bigger Boost for Startups in CO Advanced Industries**

*Colorado House Democrats Communications*

May 3, 2017 - The House voted this morning to approve Rep. Tracy Kraft-Tharp's bill to extend and expand a program that is credited with creating nearly 700 good-paying jobs at Colorado high-tech startup companies since 2014.

Current law allows tax credits of up to \$50,000 to incentivize investment in bioscience, aerospace, advanced manufacturing, energy, electronics, engineering and information technology startups. HB17-1090, sponsored by Reps. Kraft-Tharp, D-Arvada, and Jim Wilson, R-Salida, extends the credit through 2022 and doubles, to \$1.5 million, the maximum amount of credits available in any year. Eligible businesses would have annual revenues of less than \$5 million or have been in business for less than five years, but would no longer need to meet both criteria.

"Access to seed capital is one of the key challenges facing early-stage companies," Rep. Kraft-Tharp said. "This bill reduces risks to investors and draws additional investment dollars to Colorado's emerging high-tech economy."

Eight House Republicans joined the united Democratic caucus in the 43-20 vote to pass this jobs and economic development bill, which now heads to the Republican-controlled Senate.

Colorado's legislation session is ending. Here's what you missed and what to watch in final days.  
Denver Post

And the 100 lawmakers returned to the Capitol with a new political wind. President Donald Trump's administration added to the partisanship and cast a long shadow in policy debates.

Click on link below to look at the top 10 issues from the 2017 legislative session and what to watch before adjournment Wednesday.

## **Lacey Hays Says Goodbye to Axiom**

Axiom announces the bittersweet departure of our Administrative Assistant, Lacey Hays. It is always sad to lose a loyal, dedicated, hard working team member but we are excited to see her embrace a new opportunity in our industry. Effective June 2nd, 2017 Lacey will leave Axiom to join Stealey II, Inc as their newest lobbyist. We know Lacey will bring great energy and commitment to her new role and we look forward to seeing her at the capitol next session.

## **Gov. Hickenlooper Announces Boards and Commission Appointments**

*Office of the Governor*

Monday, May 1, 2017 - Gov. John Hickenlooper announced Boards and Commissions appointments to the 13th and 14th Judicial District Judicial Nominating Commissions and the Human Trafficking Council.

Each of Colorado's 22 judicial districts has a judicial district nominating commission that selects 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.

Each judicial district nominating commission consists of seven citizens residing in that judicial district. No more than four members can be from the same political party, and there must be at least one voting member from each county in the district. In all districts with populations of more than 35,000, the voting members consist of three people admitted to practice law in Colorado and four people not admitted to practice law in Colorado. In judicial districts with populations under 35,000, at least four voting members are people not admitted to practice law in Colorado. It is determined by majority vote of the governor, attorney general and chief justice how many, if any, of the remaining three members will be persons admitted to practice law in Colorado.

Commission members serve six-year terms. Non-lawyers, who are the majority of every nominating commission, are appointed by the governor. Lawyer members are appointed by joint action of the governor, attorney general, and chief justice.

#### 13th Judicial District Judicial Nominating Commission

For a term expiring Dec. 31, 2022:

- Lauren Parsons of Sterling, to serve as an attorney and as a Democrat from Logan County, occasioned by the resignation of Garen Gervey from Sterling, appointed.

#### 14th Judicial District Judicial Nominating Commission

For a term expiring Dec. 31, 2022:

- Harper Lisa Loudon of Steamboat Springs, to serve as a non-attorney and as an Unaffiliated from Routt County, occasioned by the resignation of James Stimson from Steamboat Springs, appointed.

The Human Trafficking Council brings together leadership from community-based and statewide anti-trafficking efforts to build and enhance collaboration among communities and counties within the state, to establish and improve comprehensive services for victims and survivors of human trafficking, to assist in the successful prosecution of human traffickers and to help prevent human trafficking in Colorado.

For a term expiring Aug. 1, 2018:

- Commander Jerry Daniel Peters of Brighton, to serve as a representative of a statewide association of police chiefs, and occasioned by the resignation of Daniel James Steele of Parker, appointed.

Friday, May 5, 2017 - Gov. John Hickenlooper announced Boards and Commissions appointments to the Denver Metropolitan Area Regional Air Quality Council, Colorado Opportunity Scholarship Initiative Advisory Board and Radiation Advisory Committee.

The Denver Metropolitan Area Regional Air Quality Council is the lead agency for air quality planning with the responsibility to prepare air quality plans for the Denver metropolitan region to demonstrate and ensure long-term compliance with federal air quality standards.

For a term expiring April 30, 2019:

- Douglas Wade Rex of Castle Pines, to serve as a representative of the Denver Regional Council of Governments, and occasioned by the resignation of Jennifer Leigh Schaufele of Greenwood Village, appointed;

For terms expiring April 30, 2020:

- Robert Earl Broom of **Aurora**, to serve as a representative of broad public interest, reappointed;
- Frank William Bruno of Boulder, to serve as a representative with transit expertise, appointed;
- Jack William Ihle of Denver, to serve as a representative of entities that are or have stationary sources, reappointed;

- Vanessa Mazal of Boulder, to serve as a member of the public to represent the conservation community, appointed;
- Brian William Payer of Denver, to serve as a representative of the general business community, reappointed;
- Robert C. Roth of **Aurora**, to serve as a representative of local government in the Denver Metropolitan area, appointed;
- Natalia E. Swalnick of Arvada, to serve as a citizen at large, reappointed.

The Colorado Opportunity Scholarship Initiative Advisory Board promotes academic excellence by awarding scholarships and grants to deserving institutions and students while forging strong community partnerships, encouraging contributions to the fund and providing students with a strong support network.

For a term expiring Aug. 1, 2018:

- Wendell Lorenzo Pryor of Denver, to serve as a representative of the system of four year postsecondary institutions in the State, and occasioned by the resignation of Douglas M. Price of Denver, appointed.

The Radiation Advisory Committee (RAC) provides technical advice relating to the radiation control program, which regulates the possession, use and disposal of radioactive material and radiation producing machines. The program also regulates highly technical and specialized activities across a broad range of practices, including the use of radiation on humans for diagnostic and therapeutic purposes, in research at a variety of private and university settings and in a wide variety of industries. The Radiation Advisory Committee provides access to knowledgeable representatives of these various practice areas who can advise and educate the program about the technical concerns, standard and unusual practices, and the business realities of the regulated operations in a non-confrontational, collaborative setting.

For a term expiring Jan. 1, 2019:

- Kelly B. Fulton of Golden, to serve as a representative of industry, and occasioned by the resignation of Vinod Ravindran, PE of Aurora, appointed.

## **Calculator**

**Days Left to Sine Die: 2**

**House Bills Introduced: 374**

**Senate Bills Introduced: 306**

**Dead Bills: 227**

**Governor Signed: 204**