



Legislative Newsletter



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*An up-to-date review of Colorado government and politics especially for the Aurora Chamber of Commerce.
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"Politics, it seems to me, for years, or all too long, has been concerned with right or left instead of right or wrong."
- Richard Armour

Supreme Court makes landmark ruling for condo developers *Denver Business Journal*

The Colorado Supreme Court on Monday, June 5th, upheld the right of condominium developers to require disputes go to binding arbitration, essentially putting into state law a contentious provision that construction-defects reform advocates said was the key to reviving a largely defunct condo market but could not get legislative Democrats to back.

The decision to uphold a lower-court ruling in Vallagio at Inverness Residential Condominium Association v. Metro Homes Inc. is likely to have wide-ranging effects, especially after Gov. John Hickenlooper last month signed into law a separate bill concerning defects reform.

Colorado transportation advocates nix efforts to seek tax hike in November *Denver Post*

A coalition pushing for a sales tax hike to improve Colorado roads will not take the question to the ballot in November.

The decision from FixItCO announced last Wednesday is a capstone to the debate this year about how to improve the state's transportation network, but the organization is pledging to renew its efforts for the 2018 election.

"If we don't move forward (in 2018), the economy is at risk, people's safety is at risk and our quality of life is at risk," said Tony Milo, the executive director of the Colorado Contractors Association, one of the leading advocates.

In April, the coalition filed ballot language to generate \$3.5 billion for road and transit projects by increasing the statewide sales tax to 3.52 percent from the current 2.9 percent.

Rare legal challenge involving Colorado's urban renewal laws says South Metro fire district stands to lose millions of dollars

Denver Post

In an unusual legal challenge of a powerful Colorado redevelopment resource, a south suburban Denver fire district claims in a lawsuit that it stands to lose millions of dollars because of property tax money that is wrongly being diverted to the town of Parker's urban renewal authority.

At the heart of South Metro Fire Rescue's lawsuit are Colorado's complex urban renewal statutes, which give local governments unique financing tools to attract developers to economically struggling parts of town where financial incentives may be required to jump-start redevelopment efforts.

Jared Polis to join crowded 2018 race for governor, tells The Post he wants "a Colorado that works for everybody"

Denver Post

Congressman Jared Polis plans to join the crowded race for governor this week, and in doing so, the Boulder Democrat will advocate a vision for Colorado that tests how far to the left the state has shifted politically in the last decade.

In an interview with The Denver Post, the fifth-term lawmaker said his platform will focus on three initiatives: getting Colorado to use 100 percent renewable energy by 2040, ensuring parents can access free, full-day

preschool or kindergarten for children age 3 and older, and encouraging companies in the state to provide stock options to employees.

"This is a campaign of big, bold ideas, and I'm trying to make them happen," Polis said. "We want a Colorado that works for everybody."

His entry further scrambles a contest that already lacks a clear favorite, and it all but guarantees that the 2018 race to replace Gov. John Hickenlooper will be one Colorado's wildest elections in years. Polis' run is notable too, given that the onetime Internet wunderkind can use his sizable fortune to fund his campaign and - if he wins - Polis would make history as the state's first openly gay governor.

Dominick Moreno announces bid for Congress in increasingly crowded Democratic race

Denver Post

One more state lawmaker is entering the Democratic competition for a Denver area congressional seat.

Sen. Dominick Moreno of Commerce City announced his candidacy Wednesday, May 24th, for the 7th Congressional District post being vacated by U.S. Rep. Ed Perlmutter, who is running for governor in 2018.

He joins fellow state Sen. Andy Kerr and state Rep. Brittany Pettersen, both of Lakewood, in the contest.

Moreno, 32, is touting his legislative record as what sets him apart - noting the bill he carried to require breakfast for students at low-income schools in Colorado and his work this year in crafting a \$26.8 billion state spending plan as a member of the powerful budget committee.

Monument Republican Paul Lundeen announces run for term-limited Kent Lambert's Senate District 9 seat

Colorado Politics

State Rep. Paul Lundeen, a Monument Republican and former chairman of the State Board of Education, declared last Wednesday he's running for the Senate District 9 seat held by state Sen. Kent Lambert with the term-limited GOP incumbent's endorsement.

Gov. Hickenlooper signs controversial civil asset forfeiture bill, calls it "important first step" in addressing problems with practice

Denver Post

Gov. John Hickenlooper last Friday signed into law a controversial bill that changes how state law enforcement seize money and property suspected of being linked to crimes, despite pressure from Colorado sheriffs and police chiefs who say the measure will hurt investigations.

"Government should never keep assets seized from innocent people," Hickenlooper said in a written statement. "House Bill 1313 is an important first step to address problems inherent in the civil forfeiture laws."

The Democrat's decision came within about an hour of his deadline to sign or veto bills passed during the legislative session and amid down-to-the-wire speculation about whether he would reject the measure. In making the legislation law, he created a task force to further analyze and develop policies involving civil asset forfeiture, and directed legislators to seek ways to fund police departments and sheriffs offices that could lose money because of the new statute.

Gov. John Hickenlooper refused to sign these two bills that will become law. Here's why.

Denver Post

Gov. John Hickenlooper will allow two measures to become law without his signature, a rare move that he said is designed to protest actions by lawmakers to "veil a bill's true cost to the taxpayers."

The Democrat explained his decision in letters sent last Tuesday to the Republican-led Senate, where he said lawmakers made last-minute changes to delay the implementation - and shroud the price tag - for two bills designed to address mental illness in the criminal justice system.

Even as he emphasized that he supports the substance of the legislation, Hickenlooper said he could not put his name on Senate Bill 12 and Senate Bill 19.

Justice Department: No prosecution in over-budget Denver veterans hospital

Colorado Politics

The Justice Department has declined to prosecute two Veterans Affairs Department executives after lawmakers accused them of misleading Congress about massive cost overruns at a Denver-area VA hospital.

The House Veterans Affairs Committee asked for a perjury investigation last fall, claiming the executives repeatedly gave false testimony that masked serious problems with the hospital construction project.

The Justice Department told lawmakers in a May 19 letter that there was insufficient evidence to prosecute. Republican U.S. Rep. Mike Coffman of Colorado released the letter to The Associated Press on Thursday.

The decision means no one has yet been fired or charged since the cost of the hospital ballooned to nearly \$1.7 billion, almost triple earlier estimates.

Marijuana home-grows to be limited to 12 plants with Colorado governor's signature

Colorado Politics

Gov. John Hickenlooper on Thursday signed legislation that limits growing marijuana at home to 12 plants, a top agenda item for his administration this year.

The legislation was somewhat controversial, as a handful of lawmakers argued that it would negatively impact medical marijuana patients who have been granted the ability to grow more than 12 plants.

The bill was amended to allow medical cannabis patients and caregivers to cultivate up to 24 plants if they have a doctor's recommendation, register with the state and have permission from their local jurisdiction.

But for the average recreational marijuana grower, the 12-plant limit will take effect in 2018.

Green light, go: Self-driving cars are officially legal in Colorado

Colorado Politics

Now self-driving cars are really a thing in Colorado. Gov. John Hickenlooper signed Senate Bill 213 to put the autonomous vehicles into state law Thursday, June 1st.

Hickenlooper said it was the first time he ever signed a bill on the back of a car, political PR pro Cinamon Watson, who was there for the ceremony, passed along to me after.

The bill was sponsored by Sens. Owen Hill, R-Colorado Springs, and Dominick Moreno, D-Commerce City, with Reps. Jeff Bridges, D-Greenwood Village, and Faith Winter, D-Westminster.

A study released last month suggested automated vehicles could drive 95 percent of the miles traveled each year in the U.S. as soon as 2030. Hill cited a portion of the RethinkX report that projected driverless cars could save the average family up to \$5,600 a year.

Hickenlooper completes signing of 4 eco-devo laws

Denver Business Journal

As Gov. John Hickenlooper winds down his bill-signing activities following the 2017 legislative session, he has placed his signature on four bills aimed at helping the state recruit and retain companies in an increasingly competitive atmosphere.

While several of the pieces of legislation extend already successful programs, others offer new opportunities for the Colorado Office of

Economic Development and International Trade, including one new law that creates what an OEDIT leader called the first "classic economic-development tax credits" that can be bought and sold to benefit companies that don't have any tax liability.

Gov. Hickenlooper Announces Boards and Commission Appointments

Office of the Governor

- Thursday, June 8, 2017 - Gov. John Hickenlooper announced Boards and Commissions appointments to the Behavioral Health Transformation Council, Advisory Committee on Licensing of Child Care Facilities and State Interagency Coordinating Council.

The Behavioral Health Transformation Council works to reduce the economic and social costs of untreated behavioral health disorders through the systemic transformation of the behavioral health system from one that is fragmented and siloed into one that is streamlined, efficient and effective for Colorado citizens.

For a term expiring Aug. 30, 2019:

- o Tonya D. Wheeler of Arvada, to serve as a representative of Advocates for Recovery, and occasioned by the resignation of Suquana Charley of Denver, appointed.

The Advisory Committee on Licensing of Child Care Facilities counsels the Department of Human Services on the licensing of child care facilities and includes day care centers, family care homes, residential child care facilities and camps.

Effective July 1, 2017, for terms expiring July 1, 2020:

- o Zerrel Appel of Parker, to serve as a parent representative, reappointed;
- o Diane Carlson of Lakewood, to serve as a representative of a licensed facility, appointed;
- o Sarah Elizabeth Pekala of Lafayette, to serve as a representative of a licensed facility, appointed;
- o David Charles Zuniga of Thornton, to serve as a representative of a licensed facility, reappointed.

The State Interagency Coordinating Council (SICC) advises the Colorado Department of Human Services on implementation of the Individuals with

Disabilities Education Act of 2004. Part C of the Act, relates to the support and services for infants and toddlers with disabilities and their families.

For a term expiring June 30, 2018:

- o Marcia Kristine Andersen of Greeley, to serve as a parent of an infant or toddler with disabilities, reappointed;

For terms expiring June 30, 2019:

- o Roanna Lynn Davis of Thornton, to serve as a representative of a provider of early intervention services, reappointed;
- o Danae Davison of Arvada, to serve as a parent of an infant or toddler with disabilities, appointed;
- o Elizabeth Heimbach of Centennial, to serve as a representative of a rural parent of an infant or toddler with disabilities, appointed;
- o Charise Maria Hunter of Ignacio, to serve as a representative of the Colorado Commission on Indian Affairs, reappointed;
- o Amanda Delizzio Kute of Colorado Springs, to serve as a service provider of early intervention services, reappointed;
- o Angela June Magoon, MS, CCC-SLP of Brighton, to serve as a service provider of early intervention services, reappointed;
- o Andrew Woglom of Denver, to serve as a representative of a parent of an infant or toddler with disabilities, reappointed.

- Tuesday, June 6, 2017 - Gov. John Hickenlooper announced Boards and Commissions appointments to the Air Quality Control Commission, Independent Ethics Commission, State Medical Assistance and Services Advisory Council, Mined Land Reclamation Board, Colorado Natural Areas Council, Private Occupational School Board, Supreme Court Nominating Commission and Board of Veterans' Affairs.

The Air Quality Control Commission develops and maintains a comprehensive program for the prevention and control of air pollution in Colorado. The major goal of this program is to meet national ambient air quality standards.

For a term expiring Jan. 31, 2020:

- o Megan Elyse Garvey of Denver, to serve as a person with appropriate scientific and technical experience, and occasioned by the resignation of Jeffrey Todd Mitchell of Aspen, appointed.

The Independent Ethics Commission ("IEC") is charged with the implementation of Article XXIX of the Colorado Constitution. The purpose of the IEC is to give advice and guidance on ethics issues arising under Article 29 of the Colorado Constitution and any other standards of conduct or reporting requirements as provided by law, and to hear complaints, issue findings and assess penalties and sanctions where appropriate.

The Commission has jurisdiction over all State executive and legislative branch elected officials and employees, and local officials and employees, unless the county or municipality is a home-rule entity with its own ethics code. The Commission does not have jurisdiction over judges or employees of the judicial branch.

Effective June 30, 2017 for a term expiring July 1, 2021:

- o Gary Michael Reiff of Englewood, appointed.

The State Medical Assistance and Services Advisory Council assists the Dept. of Health Care Policy and Financing in the preparation and implementation of a comprehensive medical plan for low-income families.

For a term expiring Nov. 11, 2018:

- o William Ernesto Irizarry, Jr., PharmD of Denver, a pharmacist licensed in the state, and occasioned by the resignation of Daniel Scales of Denver, appointed.

The Mined Land Reclamation Board meets to carry on a continuing review of the problems of mining and land reclamation in Colorado.

For a term expiring March 1, 2020:

- o Lauren Duncan, MS of Littleton, to serve as an individual with substantial experience in conservation, and occasioned by the resignation of Randolph Craig Fischer of Fort Collins, appointed.

The Colorado Natural Areas Council advises the Executive Director of the Department of Natural Resources on the administration of the Colorado Natural Areas Program and approves the registration and designation of natural areas by Department of Natural Resources.

Effective June 30, 2017, for a term expiring June 30, 2021:

- o Dina Anne Clark of Denver, to serve as a member with interest in the preservation of natural areas, appointed.

The Private Occupational School Board advises on standards for educational services in private occupational schools. The Board also grants accreditation to schools that meet the standards established by the Board. For a term expiring July 1, 2018:

- o Abbas Richard Behbehani of Arvada, to serve as a representative of the general public and who is employed by a lending institution located in Colorado and is familiar with the Colorado college access network, and occasioned by the resignation of Joseph James Wolf of Arvada, appointed.

The Supreme Court Nominating Commission recommends candidates to serve as judges for the Supreme Court and the Court of Appeals. The chief justice of the Supreme Court chairs the commission and is a non-voting member. This commission includes one citizen admitted to practice law in Colorado and one citizen not admitted to practice law residing in each of the state's seven congressional districts, and one additional citizen not admitted to practice law in Colorado.

Commission members serve six year terms. Non-attorneys are appointed by the Governor. Attorneys are appointed by the joint action of the Governor, Attorney General and the Chief Justice of the Supreme Court.

For a term expiring Dec. 31, 2022:

- o Daniel Ramos, Denver, to serve as a non-attorney and as a Democrat from the First Congressional District, appointed.

The Colorado Board of Veterans' Affairs studies the problems facing veterans and makes recommendations to the Department of Military and Veterans Affairs, Division of Veterans' Affairs, concerning programs needed to assist veterans.

Effective June 30, 2017 for terms expiring June 30, 2021:

- o Lacey Golonka of Castle Rock, an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, appointed;

- o Bennie Jack Rudder of Alamosa, to serve as an Unaffiliated and a veteran who has been honorably released or separated from the Armed Forces of the United States, reappointed.

- Friday, June 2, 2017 - Gov. John Hickenlooper announced Boards and Commissions appointments to the Business Experiential-Learning

Commission, Colorado Medical Board, Colorado Traumatic Brain Injury Board and Colorado Water Conservation Board.

The Business Experiential-Learning Commission develops, evaluates and implements a systemic solution for integrated work-based education and training to meet the needs of Colorado's economy. The Commission focuses on three main areas: engaging business involvement in educating and training students and workers in partnership with the State's K-16 education system, workforce system and related civic agencies; creating a digital badging system to provide the opportunity for students, interns, apprentices and workers to document skills they have obtained in the workplace, and to share that information with the K-16 system to support curriculum development; and leveraging existing resources to create a portal of information to connect students, job-seekers, schools, employers and civic agencies with experiential learning, training opportunities and careers.

For terms expiring June 9, 2019:

- o Thomas Bosshard of Louisville, to serve as a representative of the business or industrial community, reappointed;
- o Navin C. Dimond of Cherry Hills Village, to serve as a representative of the business or industrial community, reappointed;
- o Phillip B. Kalin of Denver, to serve as a representative of the business or industrial community, reappointed;
- o Richard Lee Lewis, Jr. of Aurora, to serve as a representative of the business or industrial community, reappointed;
- o Douglas Munson of Morrison, to serve as a representative of the business or industrial community, reappointed;
- o Samuel Tawney Gilchrist of Castle Rock, to serve as a representative of Colorado AFL-CIO, appointed.

The Colorado Medical Board reviews applications for medical licenses. In cases involving any professional or ethical violations of the Medical Practices Act, the board holds hearings and assists the state's district attorneys in the prosecution of all persons, firms, associations, or corporations charged with improper conduct.

For terms expiring May 3, 2021:

- o Stephen Karl Frankel, M.D., FCCP, FCCM of Greenwood Village, to serve as a doctor of medicine, reappointed;

- o Omid Jazaeri, M.D., FACS of Denver, to serve as a doctor of medicine, reappointed.

The Colorado Traumatic Brain Injury Board awards grants from the Colorado Traumatic Brain Injury Trust Fund.

Effective June 30, 2017 for terms expiring June 30, 2020:

- o Rae Dawn Comstock, BS, MS, PhD of Lakewood, appointed;
- o Dilaawar "Danny" Jal Mistry, MD, MS, ATC of Grand Junction, reappointed.

The Colorado Water Conservation Board (CWCB) aids in the protection and development of the waters of the state. The Board is responsible for water project planning and finance, stream and lake protection, flood hazard identification and mitigation, weather modification, river restoration, water conservation and drought planning, water information, and water supply protection.

For terms expiring Feb. 12, 2020:

- o Heather Renae Dutton of Del Norte, to serve as a representative from the Rio Grande drainage basin and as a Republican, appointed;
- o Jack Martin Goble of Hasty, to serve as a representative from the Arkansas drainage basin and as an Unaffiliated, appointed;
- o Celene Nicole Hawkins of Durango, a resident of the San Miguel-Dolores-San Juan drainage basin and a Democrat, appointed.

- Wednesday, May 31, 2017 - Gov. John Hickenlooper announced Boards and Commissions appointments to the Colorado Channel Authority.

The Colorado Channel Authority televises the proceedings of the Colorado House of Representatives and Senate and such other programming of a state governmental nature as the Authority may approve.

For a term expiring Oct. 6, 2019:

- o Bart Warren Miller of Centennial, an Unaffiliated, to serve as a representative who has experience in the business operations of broadcast journalism, and occasioned by the resignation of Scott Alan Nachtrieb of Highlands Ranch, appointed.

Calculator

Days Left to Sine Die: 0

House Bills Introduced: 375

Senate Bills Introduced: 306

Dead Bills: 239

Governor Signed: 285