

April 27, 2015



<http://www.coloradocapitolwatch.com/bill-tracker-votes/0/391/2015/0/>

***"Extremes to the right and to the left of any political dispute are always wrong."***

***- Dwight D. Eisenhower***

**Days Til Sine Die: 9**

**Colorado snow tires bill to detour mountain traffic jams stalled out**

*The Denver Post*

An effort meant to ease the nightmarish winter traffic on the Interstate 70 mountain corridor has run into its own traffic jam at the statehouse. While high country coalitions are passionate about legislation that would require drivers on the infamous route to have adequate tire tread or chains during times of snow and ice, a Western Slope conservative says the measure needs more study. "They're playing politics with a lot of people's time," said Routt County resident Jim Hunter, who commutes to Denver on Sundays for his weekday job. "What can they not get about it?" The bill was amended jointly by Democrats and Republicans in the Senate to make the issue a study, not a tire requirement.

**Colorado Legislature declines to limit patient billing by out-of-network doctors**

*The Denver Business Journal*

Colorado doctors Monday scuttled an attempt in the Legislature to limit what they can charge patients not in their insurance networks - even as those same physicians promised to sit down and discuss bigger-picture insurance issues over the summer. Republicans on the Senate Business, Labor and Technology Committee voted along party lines to kill Senate Bill 259, an effort to rein in health-care costs by state Sen. Irene Aguilar, D-Denver, that hadgone through several iterations in the past few months. The final version of the bill would have banned out-of-network physicians from forcing patients to pay them any more than their maximum deductible and co-payment amounts.

**Colorado urban-renewal reform battles take a twist with 2 legislative votes**

*The Denver Business Journal*

Legislators who have been debating whether urban-renewal programs need significant reform now have two such bills to choose from - one backed by Colorado cities and one supported by county governments. City and county governments have been at odds over whether cities should have to promise more of their own funds to tax-increment financing schemes aimed at providing incentive money for investment in urban renewal areas. Typically, cities will create the urban renewal area, suspend the taxes on property or sales in the designated area and developers use the savings to finance their projects.

**Construction-defects bill sent to Colorado House 'kill' committee**

*The Denver Post*

A much-debated bill touted as a fix for the state's construction-defects law, which has been blamed for drying up the new condo market in Colorado, appears bound for a legislative burial in the House. Speaker Dickey Lee Hullinghorst, D-Boulder, introduced Senate Bill 177 on Wednesday on the House floor and promptly assigned it to the State, Veterans and Military Affairs Committee, considered a "kill committee" for the measure. The Republican-controlled Senate passed the bill, which is designed to make it more difficult for homeowners to sue for faulty construction, earlier this month.

**Alternative construction-defects reform package is coming from Colorado Democrats**

*The Denver Business Journal*

As many as four new bills dealing with affordable housing and construction defects - including a measure that could reverse state law on pre-judgment interest in defects cases - could be coming to the Legislature this week. The bills wills be coming as House Democrats who are unhappy with the current defects-reform bill try to come up with their own solutions to jump-start Colorado's non-existent affordable-condominium market. Rep. Max Tyler, a Lakewood Democrat who is set to sponsor each of the bills, gave indication of the measures' general intent nearly two weeks ago. But a flier circulating Tuesday among interest groups involved with the construction-defects debate laid out in more detail the package of bills that is likely to be offered as an alternative to the existing Senate Bill 177.

**EXCLUSIVE: Bill that could delay Gaylord hotel project is in the works at Legislature**

*The Denver Business Journal*

A bill that could be introduced this session would require cities wanting to declare agricultural land blighted under urban-renewal plans to seek voter approval for the move beforehand - a proposal that throws up a roadblock to construction of the Gaylord Rockies hotel in Aurora. Proponents - the sponsors are Senate President Bill Cadman and Senate Majority Leader Mark Scheffel - say the bill is not aimed specifically at the controversial 1,500-room Gaylord hotel/conference center that is the target of two ongoing lawsuits seeking to strip its public funding. Instead, they say they are responding to increasing concerns from residents and government leaders about cities' attempts to redirect taxpayer funding to fix up parcels of land that were not considered blighted by most of the population.

**Aurora Gaylord hotel seals tax package by starting construction**

*The Denver Post*

Construction work began Tuesday on the Gaylord Rockies Hotel, a move that could make it harder for opponents to overturn state tax incentives backing the 1,500-room hotel and conference center. "We are under construction," said Wendy Mitchell, president and CEO of the Aurora Economic Development Council. "Anything worthwhile is hard and takes time." About two dozen workers with Mortenson Construction planted boundary stakes around the 80-acre parcel north of East 64th Avenue and east of a proposed extension of Himalaya Road in the High Point development south of Denver International Airport.

**Senate committee OKs bill to boost oversight of Colorado title firms**

*The Denver Post*

A bill that would formally create a commission to oversee the title insurance industry sailed through a state Senate committee Wednesday. The Colorado Title Insurance Commission would be a nine-member body with three consumer representatives, and would replace the current 15-member council that for a dozen years has only offered suggestions on how to improve the industry. Members of the Senate Business, Labor and Technology Events committee voted 8-1 to move Senate Bill 210 to the Finance Committee after hearing testimony from homeowners who lost thousands of dollars in purportedly protected escrow funds to theft.

**Tax break proposal for Colorado data centers runs out of juice**

*The Denver Business Journal*

Colorado economic developers will not have a new arrow in their quiver in efforts to attract data centers to the state next year. Sponsors of a bill in the Colorado Legislature that would have created tax breaks of as much as $3 million per company for data-center equipment purchases turned the bill Wednesday into a study of the issue instead. Under the new plan for House Bill 1158, the Joint Technology Committee would look into the benefits and drawbacks of such a tax credit after the 2015 legislative session ends and recommend whether such a break should be reintroduced in 2016.

**Colorado joins oil-producing states' lawsuit against BLM**

*The Denver Post*

Colorado on Friday joined a lawsuit by oil-producing states challenging the federal government's new rules for fracking on federal public lands. The lawsuit contends the U.S. Bureau of Land Management cannot impose regulations on hydraulic fracturing, arguing that federal law lets states regulate oil and gas operations. Wyoming and North Dakota launched the litigation.

**USGS drafting new hazard maps as oil and gas boom causes quakes**

*The Denver Post*

Earthquakes of magnitude 3 or greater are 100 times more likely now than in 2008 in regions of Colorado and seven states that are hotbeds for oil and gas drilling, federal geologists said Wednesday. This has prompted the government to prepare new seismic-risk maps for construction, insurance and public safety. The question of who bears the costs of possible damage and quake-resistant construction has yet to be decided. But a U.S. Geological Survey team, based in Colorado, also has started a series of meetings with engineers and designers.

**Student data privacy bill one step away from governor's desk**

*The Denver Post*

The state House of Representatives on Thursday approved a bill that will limit the student data that technology companies will be allowed to collect, use or sell for commercial purposes. The data privacy bill, Senate Bill 173, was already approved by the Senate. The bill will have to pass a counted vote on third reading in the House, and then would head to the governor's desk. The bill was amended by the House Education Committee this week, despite opposition from parents groups that say the amendments weakened the bill.

**Hemp seed bill clears Colorado Senate**

*9 News*

An effort to help Colorado's new hemp farmers find seeds that produce hemp and not marijuana is advancing in the state Legislature. A bill approved 35-0 Thursday would set up a "certified seed" program through the state Department of Agriculture. The lack of reliable hemp seeds has kept many farmers from experimenting with the new crop. Hemp and marijuana are the same plant, cannabis sativa. But hemp is low in the psychoactive ingredient in pot, THC. Plants with too much THC must be destroyed.

New Legislation of Interest

House Bill 15-1367, recommended by the Joint Budget Committee and as amended by the House Appropriations committee, refers a ballot issue to voters on November 3, 2015, asking whether the state may retain and spend revenue collected from the Proposition AA excise and special sales taxes on retail marijuana in FY 2014-15.

House Bill 15-1342 a bill to allow workers unfettered access to personnel files dies in the house.

House Bill 15-1158 was "layed over" until May 11th killing the bill.

**Final candidate for CEO of Obamacare exchange withdraws name**

*Compass Colorado*

The Denver Business Journal reported late last week that the finalist for the position of CEO of Colorado's Obamacare exchange, Robert Malone, has withdrawn his name for consideration for the position. The new CEO of the exchange will have to take the helm in a challenging environment - the exchange is facing audit, is still having healthcare cancellation struggles, and open enrollment will be starting almost immediately after a new leader takes over. In addition, Sharon O'Hara, chairwoman of the board expressed her doubts about the long-term financial viability of the organization. When contacted to clarify her remarks expressing her doubts about the viability of the exchange week-before-last, O'Hara cited Malone's skills as an executive as a primary reason for her optimism about the future of the exchange. Now with Malone's withdrawal, new concerns have arisen about the direction of the exchange.

**Connect for Health Colorado® Announces Interim CEO**

*Connect for Health Colorado Press Release*

The Connect for Health Colorado® Board of Directors on Monday named Kevin Patterson - a longtime veteran of public service roles at the state and local level in Colorado - as interim Chief Executive Officer for Colorado's Health Insurance Marketplace. He will start his new position May 8. Patterson succeeds Interim CEO Gary Drews, who has led the Marketplace since August 2014 and who did not seek the permanent CEO position. In March, Drews informed the Board he would be leaving in mid-May, but offered to stay on in a transition role as needed.

**June Taylor named Executive Director of Department of Personnel and Administration**

*Office of the Governor*

On Wednesday, April 22, 2015. Gov. John Hickenlooper announced today June Taylor will be executive director for the Colorado Department of Personnel and Administration. She will assume this role on May 11, 2015. Taylor is now Senior Manager of Culture, Diversity and Equal Opportunity Programs for Lockheed Martin Space Systems Company, managing all equal opportunity, affirmative action and diversity programs for the national business operations. "June has a wealth of personnel experience in both public and private sector. She has successfully managed critical human resource initiatives that include bringing in top talent, driving performance initiatives, and creating best practices for equal opportunity," said Hickenlooper. "With her experience and leadership, we will raise the bar even higher for the state." Prior to joining Lockheed Martin, Taylor spent more than a decade as an attorney with the federal government, litigating complex cases in the areas of energy, telecommunications and employment law. She also served in multiple leadership roles for the Federal Communications Commission, including chief of staff where she was responsible for bureau operations which included policy, outreach and mediating consumer complaints and inquiries within the Commission. "I am excited to have this opportunity to work for Governor Hickenlooper and to join such a distinguished team," said Taylor. "I look forward to working shoulder to shoulder with the employees of DPA who are dedicated to providing the highest quality service to Coloradans." Taylor graduated cum laude and Phi Beta Kappa from the University of New Mexico, and earned her JD from the University Of Denver College Of Law. She is a member of the Colorado Asian Pacific American Bar Association and Lockheed Martin's Council of Asian American Leaders.

**Gov. Hickenlooper signs budget bill for next fiscal year**

*Office of the Governor*

On Friday, April 24, 2015. Gov. John Hickenlooper today signed Senate Bill 15-234 (the "FY 2015-2016 Long Appropriations Bill") and thanked legislators for their bipartisan and collaborative work in preparing the budget. "We applaud the cooperative spirit displayed by the Seventieth General Assembly in crafting this bill and its accompanying legislative items," Hickenlooper said in a letter to lawmakers. "This budget crafts a careful balance between the public needs that accompany a growing economy and the fiscal prudence ahead of looming challenges caused by our conflicting constitutional provisions."

The next fiscal year's budget includes these noteworthy items:

• K-12 Education - With the expected passage of the annual School Finance Act, funding for primary and secondary education will increase with inflation and enrollment over the prior year, augmented by an ongoing $25 million reduction in the negative factor.

• Higher Education - The budget provides meaningful support to increase access for all Colorado families to higher education. With nearly $100 million in new General Fund appropriations, we have increased the availability of scholarship opportunities for Colorado students and tuition increases will be below 6.0 percent. Fiscal Year 2015-16 is also the first year of a bold performance funding model wherein performance factors, school mission, and student success are major components of resource allocations.

• State Infrastructure - The FY 2015-16 budget contains over $240 million in investments to maintain and improve critical State buildings and systems. $52 million is set aside to complete the DRIVES project in the Department of Revenue, which will overhaul the IT systems used for drivers' licenses and vehicle registrations. In addition, this budget provides support for critical building refurbishments in departments ranging from Human Services to Higher Education, located all across the state.

• Child Welfare - To address ongoing challenges with funding for child welfare at the county level, this budget allows for an additional 100 caseworkers in counties throughout Colorado.

• Transportation - For the first time since FY 2007-08, Colorado will provide meaningful General Fund support to transportation needs. In accordance with SB 09-228, we will transfer $102.6 million to the Highway Users Tax Fund to support critical road construction and transit projects.

• TABOR Refunds - Under current law, Coloradans will receive rebates of excess revenue per the provisions of 1992's Taxpayer's Bill of Rights. From FY 2014-15 to FY 2015-16, it is estimated that direct refunds to taxpayers will be between $186.5 million and $340.2 million. This budget also includes the potential liability for a separate rebate of new taxes collected under Proposition AA.

**The Calculator**

**House Bills Introduced: 384**

**Senate Bills Introduced: 280**

**Number of Bills PI'd: 208**

**Bills Signed by the Governor: 138**