

Take A Look At What Is Happening In Colorado State Policy News

Axiom Newsletter



April 2nd, 2018

"The most difficult thing is the decision to act, the rest is merely tenacity. The fears are paper tigers. You can do anything you decide to do. You can act to change and control your life; and the procedure, the process is its own reward."

- Amelia Earhart

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Colorado House approves \$28.9 billion budget, boosting funding to roads and schools

Denver Post

The Colorado House of Representatives last Thursday gave final approval to a \$28.9 billion state budget package - but not before approving upward of \$50 million in new spending on

pet projects that run the gamut, from drug treatment and youth programs to grants for affordable housing and school security.

Wednesday's debate on the 2018-19 fiscal year budget began shortly after 1 p.m. and stretched late into the night, with lawmakers filing 95 initial amendments - and several more as the night went on - to secure additional funding for a wide range of public services.

When lawmakers returned Thursday morning, six Republicans joined 36 Democrats to approve the budget bill 42-22, sending it to the state Senate for consideration next week.

The proposal keeps intact the basic framework of what the Joint Budget Committee approved last week, using unexpected revenue growth to earmark \$495 million for transportation, \$225 million for the state pension and \$150 million to buy down the state's ongoing annual underfunding of K-12 schools.

The most significant addition made by the House in dollar terms: a bipartisan deal to designate more than \$35 million for school security improvements and resource officers, over the objections of several Democrats.

Republicans sought \$50 million for school safety throughout the night but ultimately compromised on the lower amount.

"I have walked the halls of many schools to assess security, organized community simulated active-shooter drills, and was lucky to have never lost a student to an attack in my 40 years as an educator - I want to take every measure necessary to ensure no other educator or school does either," said Rep. Jim Wilson, R-Salida, who helped broker the \$35 million compromise with Rep. Alec Garnett, D-Denver.

In a separate amendment, offered by Rep. Dave Williams, R-Colorado Springs, the House pulled \$750,000 from a governor's office film incentive program to further boost funding for security measures. A Republican amendment to strip the office of its \$500,000 operating budget, however, was defeated by Democrats.

But perhaps the most significant political maneuver was a late-night amendment from House Speaker Crisanta Duran and Transportation Chairwoman Faith Winter to send the bulk of the \$495 million the budget sets aside for transportation to local governments and multimodal projects, such as mass transit.

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Colorado transportation funding bill clears Senate, House eyes backup plan

Colorado Politics

The Colorado Senate passed legislation last Wednesday to use sales tax money already in the state budget to fix up the state's clogged, aging transportation system.

After days of debate and amendments, Senate Bill 1 passed 35-0 and moves to the House, where Democrats have an eight-seat majority and a lot of ideas on how transportation money should be divvied up.

In its current form, the legislation would take \$250 million a year out of the state budget to repay \$3.5 billion in bonds for a state system the state highway department says needs \$9 billion to catch up with growth. The bill also was amended last week to delay the request to voters until November 2019.

Several ballot initiatives outside the Capitol for this November, however, could skew the equation.

A statewide coalition of chambers of commerce, municipalities, counties and trade associations have filed a handful of ballot proposals. They are expected to eventually settle on one. Voters could be asked to approve as much as 1 cent more on the statewide sales tax, or as little as 0.35 percent to divide up between multi-modal projects along with municipal and county governments.

After the marathon debate on amendments, there was no floor debate on the bill before it passed unanimously Wednesday morning.

Fix Colorado Roads, a coalition of business interests that have been driving transportation funding conversation at the Capitol for years, are pleased with the progress.

"Colorado's interstates and its regionally significant transportation projects took a huge step forward with today's unanimous Senate vote," said Fix Colorado Roads' Sandra Hagen Solin. "All agreed the challenges along our interstates and state roadways finally need to be meaningfully addressed and funded."

The Senate deal includes \$495 million for next year's budget that Gov. John Hickenlooper has requested, but transportation proponents also want an ongoing source of state money to pay back the bonds over a 20-year term. How much the legislators commit from the state budget could affect how much, if any, voters might be asked to approve in new taxes in November.

If Senate Bill 1 fails, Democrats already are touting House Bill 1340 on how to spend the money that governor has asked for in the budget. In that legislation, the \$495 million would be divided up with 35 percent for state projects, 25 percent each for county and municipal projects, as well as 15 percent for transit.

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Judge blocks part of 'Raise the Bar' measure on Colorado constitutional changes

Colorado Politics

A federal judge on Tuesday blocked part of a 2016 voter-approved measure that makes it more difficult to amend the Colorado Constitution.

The ruling could have a big impact on various measures proposed or under discussion for the state's November ballot.

U.S. District Judge William Martinez declared unconstitutional a part of Amendment 71, dubbed "Raise the Bar," setting tougher standards for the circulation of petitions to put a constitution change on the statewide ballot.

The new rule said at least 2 percent of each petition's signatures must be gathered in each of Colorado's 35 state Senate districts.

That portion of Amendment 71 violates the U.S. Constitution's principle of "one person, one vote," because of the difference in the registered-voter population of the various Senate districts, the judge ruled.

Martinez had objected to the provision in a preliminary ruling last month, but gave state officials a chance to show justification for it on constitutional grounds.

Tuesday, he permanently enjoined officials from enforcing 71's tougher signature-gathering rule, saying that unless the state "can reshape its state senate districts to embrace roughly equal total and registered voter population," the rule violates the U.S. Constitution's Equal Protection Clause.

Prior to 71's passage, there was no rule about gathering a minimum number of signatures in each Senate district. Signatures could be collected without regard to geography.

That often meant that petition drives focused on Colorado's heavily populated Front Range counties and skipped rural areas.

Martinez's ruling left in place another part of Amendment 71, however - one that requires a 55-percent-majority vote in an election to approve constitutional changes, up from the simple majority previously required.

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Groups pushing Colo. redistricting change join up to get on the ballot

Colorado Politics

Fair Districts Colorado and People Not Politicians, two groups that want to reconfigure how the state draws congressional and legislative boundaries, will work together in a bid to get measures on the ballot in November, they said in a joint announcement last Tuesday.

"This is a victory for compromise and common sense over partisanship and the broken status quo to the benefit of all Coloradans," said Kent Thiry, CEO of Denver-based health company DaVita Inc., who helped launch Fair Districts last October. "This was a tough issue with high stakes, but we are proud to have worked through a tough negotiation and built a smart and balanced plan."

The merger creates a broad partnership of groups that haven't always agreed.

Fair Districts Colorado includes the League of Women Voters of Colorado, former Republican Gov. Bill Owens and former Democratic Gov. Dick Lamm, as well as former House Speaker

Frank McNulty, R-Highlands Ranch, and former Colorado Secretary of State Bernie Buescher, a Democrat from Grand Junction.

People Not Politicians includes the ACLU of Colorado, Colorado Common Cause, the NAACP, New Era Colorado Foundation, Padres Y Jovenes Unidos and ProgressNow Colorado.

In a press release, the groups said initiated ballot measures 170 and 171 would "advance fair, effective and less extremist representation in Colorado by, among other things, eliminating political gerrymandering and ensuring more competitive elections."

They have six months from last Friday to collect 98,402 signatures to get the constitutional changes on the November ballot.

The groups are proposing:

- Independent commissions to draw district maps for the General Assembly and U.S. House members. Each commission would have balanced representation with Republican, Democrat and unaffiliated members, with safeguards to ensure unaffiliated members do not have ties to either major party.
- Criteria to prohibit gerrymandering while respecting federal voting laws on "communities of interest" for racial and ethnic minorities, as well as rural communities. Mapmakers will aim to keep municipalities and counties within the same district or districts.
- Less partisanship in the map-drawing process with the help of non-partisan staff and the public, plus a requirement for a super-majority to adopt a final map. Legal challenges will face more scrutiny.
- "Robust" transparency and public-participation guidelines

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Colorado House says 'game over' to arcades offering cash prizes

Colorado Politics

A bill that would effectively ban arcades that pay out cash prizes passed the Colorado House on a strong 47-14 vote.

House Bill 1234 would define simulated gambling devices to include the pay-for-play games. That puts in peril the small businesses that offer the games, but opponents say they're skirting the laws that limit gambling to Black Hawk, Central City and Cripple Creek.

The bill bounces to the state Senate.

The businesses argue their games aren't luck, like slot machines; they're skill.

"We are continuing to express to the General Assembly that this bill is the death knell for adult skill game arcades," Chris Howes, the executive director of the Colorado Skill Games & Entertainment Association, told Colorado Politics Monday. "These are simply arcades that

feature video games that are fun to play because the player is in control. Everyone knows that the big casinos feature games where the player has zero control over the dice, the wheel or the slot machine.

"This legislation pulls the rug out from under after our small business owners who have invested hundreds of thousands of dollars in a legal business operation and who have never lost in a court of law. Now the casino industry wants to shut them down and is using the strong arm of government to do so. We hope that the Senate will see through this injustice, and we were thankful to see the wide ideological range of opposition the bill received in the House."

The bill is sponsored by House Majority Leader KC Becker of Boulder and Republican Rep. Paul Lundeen, a Republican from Monument. Sen. Bob Gardner, a Republican from Colorado Springs, will carry the legislation in the upper chamber.

Supporters said the bill gives law enforcement and local governments more control over simulated gambling devices that offer cash payouts. The legislature passed a law three years ago that resulted in a series of raids at such arcades, but only one case has made it before a judge, and it was tossed out because it was found too vague.

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Colorado House eliminates funding for film incentives during budget debate

Denver Business Journal

While many legislative observers fixed their eyes on the debate over transportation funding in the state budget last Wednesday, Colorado House members also voted to de-fund the state's six-year-old film-incentive program, ramp up enforcement of laws on the construction and drilling industries and increase spending for affordable housing.

Each of the more than 30 amendments added during a roughly 12-hour debate will be discussed again next week in the state Senate and likely will make the final budget only if it can make it through that chamber as well. Any additional spending that stays on the \$28.9 billion budget also must be offset by cuts elsewhere - a concern that seemed to elude House members on Wednesday.

"I hope somebody's got a calculator adding up how far out of balance we're going to be as we go to conference committee," said a frustrated Rep. Millie Hamner, the Dillon Democrat who chairs the Joint Budget Committee.

Though not a major shift in finances, the most striking change on Wednesday came when a number of Democrats teamed with Republicans to eliminate funding for the controversial film-incentive program, which has been a target of conservative GOP lawmakers for years but previously has garnered enough bipartisan support to survive. That support appeared to erode particularly because of a scathing audit the program received in June saying that it gave funds to films that were not eligible for the incentives or did not submit paperwork needed to get the incentives.

State funding for the program already had dropped from \$5 million in recent years to \$750,000 this year, but Republicans argued that even that amount should go next year to the School Safety Resource Center cash fund in the Department of Public Safety instead, particularly with fears heightened after the most recent mass school shooting in Florida.

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Denver parks could allow full-strength beer as city seeks public input on raft of changes to alcohol policy

Denver Post

Denver's confusing patchwork of alcohol rules for parks soon could be streamlined in a way that allows more leeway for festivals, races and private events such as weddings to pour beer, wine and liquor.

And when a change in state law takes effect at the start of next year, the elimination of 3.2 percent alcohol beer as a legal category may allow everyday visitors to bring more-potent brews into public parks in Denver. That change also could apply in other cities that have relied on the state definition, unless they change local laws and policies.

Denver's rewrite of its park alcohol policies was prompted by the end of 3.2 beer in Colorado law, as part of a 2016 bill that will allow more grocery stores to sell full-strength beer and wine. But it also wraps in other requests for change.

The basic idea, according to a city summary, "is to simplify the policy, provide more clarity to users, institute consistency" and accommodate the change in state law.

Denver's current alcohol policy dates to 2008 and last was revised in 2012.

"Parks and Rec is in the very early stages of starting the outreach effort to the city," deputy director Scott Gilmore said.

Denver Parks and Recreation plans to launch a survey early this week as it seeks input from neighborhood groups, event organizers and the public.

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Gov. Hickenlooper Announces Boards and Commission Appointments

Office of the Governor

Tuesday, March 27, 2018 - Gov. Hickenlooper today announced Boards and Commissions appointments to the Board of Trustees for the Colorado School for the Deaf and the Blind, Community Corrections Advisory Council, Colorado Health Service Corps Advisory Council, Rural Veterinary Education Loan Repayment Council, and Western Interstate Commission on Higher Education.

The Board of Trustees for the Colorado School for the Deaf and the Blind advises and consults with the Commissioner of Education regarding the management of the school and

the education of its students.

For a term expiring July 1, 2020:

- Andy McElhany of Colorado Springs, a Republican, reappointed.

The Community Corrections Advisory Council advises and assists the Division of Criminal Justice by analyzing, identifying and recommending policy modifications for the community corrections programs.

For a term expiring Feb. 28, 2019:

- Martha Kovener, PMP of Lafayette, to serve as a representative of victim/prisoner advocates, and occasioned by the resignation of Dianna Jean Lawyer-Brook of Boulder, appointed.

The Colorado Health Service Corps Advisory Council acts as the state advisory body of the Colorado Health Service Corps and reviews applications received from health care professionals to participate in the program, subject to available appropriations. The Colorado Health Service Corps is a state, federal, and private partnership that seeks to improve access to health care professionals by repaying the educational loans of providers who agree to practice in areas with a health professional shortage. The program emphasizes long-term retention of health professionals in underserved communities and seeks to increase health equity for all Coloradans.

For a term expiring Nov. 20, 2018:

- Khanh Thi Tuong Nguyen of Denver, to serve as a representative of a foundation that funds health care professional loan forgiveness program in Colorado, and occasioned by the resignation of Maribel Cifuentes of Thornton, appointed.

The Rural Veterinary Education Loan Repayment Council assists veterinarians with education loan repayments in exchange for providing veterinary services in rural areas of the state. Repayments from the fund to eligible for veterinarians who: have graduated from an accredited doctor of veterinary medicine schools; currently live in Colorado or, at some point, have lived in Colorado for at least three years; agree to practice veterinary medicine for up to four years in a rural area of the state that is experiencing a shortage of veterinarians that the council designates for participation in the program.

For terms expiring Oct. 1, 2020:

- Kayla Cochran Henderson, DVM of Monte Vista, to serve as a representative of the Colorado Veterinary Medical Association, appointed;
- Scott Johnson of Kit Carson, to serve as a member of the public, appointed;

For terms expiring Oct. 1, 2022:

- Melinda Frye, BS, DVM, MS, PhD of Fort Collins, to serve as a member of the faculty or staff at the Colorado State University College of Veterinary Medicine and Biomedical Sciences, appointed;
- Keith Allan Roehr, DVM of Broomfield, to serve as the designee of the Colorado Commissioner of Agriculture, appointed;
- Edward Paul Schneider of Windsor, to serve as a representative who represents the interests of the Colorado livestock industries, appointed.

The Western Interstate Commission on Higher Education is composed of three members each from 13 western states. The commission studies the needs of professional and graduate educational facilities in this region, the resources for meeting such needs and the long-range effects of the commission's findings on higher education. Each state's commissioners submit a report to their Governor and General Assembly.

For a term expiring March 28, 2022:

- Kim Hunter Reed, PhD of Denver, reappointed.

Thursday, March 29, 2018 - Gov. Hickenlooper today announced Boards and Commissions appointments to the Caring for Colorado Foundation Board of Directors, Colorado Coroners Standards and Training Board, the 17th Judicial District Judicial Performance Commission, and the Jefferson County Public Trustee.

The Caring for Colorado Foundation Board of Directors promotes and serves the health care needs of the people of Colorado. To do so, the Foundation makes grants in communities throughout the state to increase access to direct health services, to implement prevention programs, to share health information and to improve the health care infrastructure. Caring for Colorado strives to make lasting health improvements for individuals and communities.

For terms expiring on the date of the first annual meeting in 2022 of the Caring for Colorado Foundation Board of Directors:

- Edward Jude Casias, JD of Dillon, appointed;
- Kristina Catherine Daniel, MA, MBA of Alamosa, appointed;
- Leslie Karen Loyd of Wray, reappointed;
- Constance "Connie" M. Rule of Denver, appointed;
- Ryan Douglas Sells, CPA of Highlands Ranch, reappointed.

The Colorado Coroners Standards and Training Board develops a curriculum for a 40-hour training course for new coroners and approves the qualifications of the instructors who teach the course; approves training providers to certify coroners in basic medical-legal death investigation pursuant to C.R.S. §30-10-601.8 (2); and approves training providers and programs used to fulfill the annual 16-hour in-service training requirement specified in C.R.S. §30-10-601.8 (3).

For a term expiring March 1, 2020:

- Monica Broncucia-Jordan of Brighton, a coroner of a county with a population of 50,000 or more, reappointed;

For terms expiring March 1, 2021:

- Randy V. Keller of Canon City,, a coroner from a county with population of less than 50,000, but more than 15,000, appointed;
- Sheriff Brett Daniel Schroetlin of Granby, a county sheriff, reappointed.

Commissions on Judicial Performance provide voters with fair, responsible and constructive evaluations of judges and justices seeking retention. The results also provide judges with information to help improve their professional skills as judicial officers.

17th Judicial District

For a term expiring Nov. 30, 2019:

- Barbara Jean Kelly of Broomfield, to serve as a non attorney and occasioned by the resignation of Lila Pedroza of Broomfield, appointed.

Public Trustees handle public transactions and foreclosures on real estate properties. They oversee the administration of Deeds of Trust including releasing them when a loan has been satisfied and foreclosing in the event of default. The public trustee is also responsible for the collection of tax accounts for Land Purchase Contracts for Deed within his or her county.

Jefferson County Public Trustee

Effective April 1, 2018, for a term expiring upon the appointment of the Public Trustee for Jefferson County:

- Catherine A. Bortles of Golden, to represent Jefferson County, and occasioned by the resignation of Margaret Taylor Chapman, appointed

Calculator

Days Left to Sine Die: 37
House Bills Introduced: 345
Senate Bills Introduced: 222
Dead Bills: 109
Governor Signed: 81

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