



Under the Dome, Week 8

Highlights of the Week

The week kicked off with an announcement from Republican Attorney General Cynthia Coffman that moving hospital provider fee revenues into an enterprise fund is not unconstitutional. The Governor had requested the AG's legal opinion earlier this year and individuals on both sides of the issue were anxiously awaiting the result. Attorney General Coffman made it clear that she was not getting involved in the politics and her legal opinion was "based solely on the law and its application to the facts." Proponents of the change applauded the opinion. Senate President Bill Cadman responded that he would take the legal opinion into consideration, however, he believes the legal opinion doesn't touch on his biggest concern which is whether the threshold of what the state can spend without getting taxpayer approval decreases. Lawmakers will receive the next revenue forecast on March 18th, and immediately take action to finalize the budget for the coming year. If the revenue forecast doesn't come in strong, there is expected to be increased pressure to move the hospital provider fee into an enterprise. Implications of the current budget issues are far reaching. After years of effort, [Amazon finally agreed to start collecting Colorado sales tax](#) on Colorado based purchases, which will increase revenue into the state. However, since Colorado has hit the TABOR revenue limit, barring any other change in law the majority of those new monies will be refunded to tax payers.

Legislators received a brief reprieve this week, to attend their local caucuses on Tuesday evening. Legislators were let out Tuesday after floor work and didn't return on Wednesday until 11am. Colorado's democratic caucus broke attendance records throughout the state, fueled it seems by enthusiasm for Bernie Sanders. The state Republican party decided last year to not conduct a straw poll for the presidential race. The crowded caucuses this year reignited conversations about moving Colorado to a presidential primary system as opposed to a caucus system. Representative Alec Garnett, who sponsored a bill last year to make the move to primaries, has expressed interest in bringing a similar bill forward this year. Both state party chairs, Rick Palacio and Steve House, have also expressed a desire to relook at how Colorado casts votes in the lead up to Presidential elections.

The House Education committee revisited the testing debate Monday while considering HB 1131 by Representative Carver. The bill would remove the requirement that Colorado participates in PARCC, allow local districts to consider local testing options, and allow the state board to reduce required testing further. After hours of testimony, the bill was laid over for action at a future date. The Senate Finance Committee considered legislation to require the state's pension (PERA) to divest in companies engaging in the Boycott Divest Sanction (BDS) movement against Israel. Proponents of the BDS movement and the state's pension board testified against HB 1284 while members of the Colorado Jewish community testified in support. PERA is already required to divest from companies that conduct business in Sudan and Iran. The bill passed Senate Finance unanimously and will be heard on the Senate floor next week.

The Colorado Rural Electric Association held their day at the capitol Tuesday. It coincided with the House Transportation hearing for SB 055, Rural Electric Cooperative Election Procedures, which allows ballots for CEA board of director elections to be mailed directly to a third party and states that a mail ballot sent in a signed envelope without the secrecy sleeve or inner envelope is valid and must be counted. The third party is required to deliver the ballots to the CEA under seal promptly after the count. The bill will next be heard on the House Floor.

Bills of the Week

Oil and Gas Regulation Two bills were introduced this week that aim to place more restrictions on oil and gas operations. HB 1310 by Representative Salazar and Senator Carroll holds oil and gas operations liable if an earth quake occurs and anyone is injured. The bill is assigned to the House Health Insurance and Environment Committee. SB 129 by Senator Jones and Representative Arndt changes the legislative declaration for the oil and gas taskforce to read “Administer the responsible, balanced development, production, and utilization of the natural resources of oil and gas in the state of Colorado in a manner consistent with protection of public health, safety, and welfare, including protection of the environment and wildlife resources.” Replacing the current “foster” with “administer” was one of the recommendations advocated by environmental interests but not advanced by the taskforce. SB 129 was killed on Thursday with bipartisan opposition. Representative Foote is expected to introduce a bill in the next few weeks related to local control of oil and gas operations. There have also been several ballot titles pulled to this effect.

State Bank Meetings SB 126 by Senator Roberts and Representatives Garnett and Nordberg will allow state banks the same discretion as national banks regarding board meetings, while preserving state regulatory authority to require meetings of boards more frequently than quarterly in the Banking Board deems that prudent for any particular bank. The bill decreases regulations and government interference in banks. It passed out of the Senate Business Committee unanimously and was placed on the Senate consent calendar.

Tax Credit for Purchase of Alternative Fuel Vehicles Introduced this week, HB 1332 by Representatives Duran and Rankin and Senators Scott and Johnston will make changes to Colorado’s existing credit for alternative fuel vehicles in order to make the credit more accessible for consumers. The bill will turn the credit in to a point-of-sale incentive with a set value, and will allow a consumer to transfer the credit to a financing entity if they chose to finance their purchase. The bill has been assigned to the House Finance Committee.

Incentives for Rural Teachers The Senate Education Committee considered SB 104 on Thursday afternoon. The bill develops different incentives for teachers to teach in rural schools and districts. Incentives in the bill include financial incentives for student teachers to help offset tuition in educator prep programs and stipends for concurrent enrollment or National Board Certified Teachers. The bill also included the creation of rural education centers, however, they were removed due to fiscal concerns and were replaced with a recruitment coordinator. The bill passed out of committee 6-3. The bill still does carry a high fiscal note and its future is unclear.

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