



Under the Dome, Week 15

Highlights of the Week

Thursday marked the 100th day of the 2017 General Assembly with Senate President Grantham holding a press availability where he said that after more than five months of work, he had only five days to find a path forward for the transportation funding bill. HB 1242 is scheduled for consideration by the Senate Finance Committee on Tuesday, April 25th. The final hope for Republican support, Senator Jack Tate, indicated he could not support the bill despite the amendments adopted in the Senate Transportation Committee. Despite that, the coalition behind HB 1242 has continued to mount pressure on all members of the General Assembly including delivering 700 letters of support of the bill to Senator Tate's office. Simultaneously, SB 267 which enterprises the Hospital Provider Fee, resets the TABOR base, and directs additional resources to rural schools and roads, also came to a screeching halt when Democrats in the House indicated they weren't interested in passing the bill unless the provision to reset the base was eliminated. Although neither HB 1242 nor SB 267 are dead yet, everyone under the gold dome is referring to them as on "life support." If SB 267 doesn't pass, the Legislature will have to figure out what to do about the impending and significant funding cuts to hospitals included in the pending budget bills.

While two of the biggest priorities for 2017 took a turn for the worse, construction defects reforms finally seemed to catch a break. Two hours before the hearing for HB 1279 in the House State Affairs Committee, the House Democrats and House Republicans issued a joint press release about a breakthrough in negotiations that had up to this point hit a wall for the past three years. House Assistant Majority Leader Alec Garnett and House Assistant Minority Leader Cole Wist led negotiations with both sides and came up with a bill that will require the approval of a majority of members of a homeowners association before the HOA board can initiate legal proceedings against a general contractor and it also requires HOA boards to distribute members a report on the expected costs of proposed litigation and to notify members that their ability to sell their properties may be impaired during the lawsuit. During the House State Affairs Committee hearing witnesses from the Homeownership Opportunity Alliance as well as the Build Our Homes Right Coalition both testified in support of the bill. It passed the State Affairs Committee unanimously and won a voice vote on the House Floor Friday.

The Lt. Governor's Health Care package made its way to the House Floor this week after each bill received initial approval on a party line vote from the House Health Insurance and Environment Committee last week. HB 1237 allows the state to provide their health benefits to

local governments who enter into an agreement with the state. HB 1286 requires any health insurance company that provides health insurance to state employees must also offer plans on the state health care exchange Connect for Health Colorado. HB 1318 requires annual reporting by health plans on pharmaceutical costs. The bills were debated on second reading of the House; however, they have seemingly stalled out and have been laid over for the third and final vote in the House. Another of the Lt/ Governor's health care bills, HB 1236 on hospital transparency, passed the House but was sent to the Senate "kill committee" which indicates that the entire package faces a tough road in the Senate.

The Senate committees were fairly quiet this week despite entering the last days of session. The Senate State Affairs Committee met on Monday and killed HB 1210 which would have required school districts to adopt prevention and early intervention strategies to reduce the need for early childhood and K-2nd grade suspensions and expulsions. Last minute opposition from the Colorado Rural Alliance led to the bill's demise despite bipartisan support in the House and more than 40 organizations in support of the bill. HB 1210's companion bill, HB 1211, Educator Professional Development for Discipline Strategies, was also sent to the Senate State Affairs Committee but was referred to the Senate Education Committee where after a brief hearing on Thursday it was laid over for further action.

The House kept a very busy committee schedule this week. On Monday, the House Education Committee approved HB 1340 which creates a legislative interim committee to study school finance issues and make legislative recommendations on how to meet the educational needs of Colorado's students. The bill passed unanimously while similar legislation to create an interim committee to develop the vision of education in Colorado passed the House but was then assigned to the Senate State Affairs Committee. On Tuesday, the House Public Health and Human Services Committee stayed late to consider several pieces of legislation including a bill to create a marijuana resources bank of educational materials that could be accessed by schools and other programs (SB 025) as well as legislation to allow students as young as 12 to access mental health care without the consent of parents (HB 1320). Both bills passed the committee and are headed to the House floor for consideration.

On Wednesday, the House Transportation Committee met into the evening listening to debate on HB 1336. The bill changes the requirements related to forced pooling in the oil and gas industry. The industry provided opposition testimony while environmentalist and community activist testified in support. The bill passed on a party line vote and won't likely make it through the Senate. The House Local Government Committee worked until midnight Wednesday night and ultimately two Democrats joined Republicans to kill HB 1320, which would have limited local law enforcement's ability to restrict where homeless individuals camp overnight. House Judiciary worked until midnight Wednesday and Thursday's afternoon committee stretched until 3am on Friday morning.

On Wednesday, both the House and the Senate honored outgoing President of Metropolitan State University of Denver, Dr. Stephen Jordan, with a touching tribute to his work and many accomplishments during his twelve year tenure. On Friday, the House took up HBJ 1025 which

asks the Governor to seek clemency for Rene Lima-Marín who was accidentally released on parole and turned his life around, and then was re-incarcerated after the mistake was discovered. Lima-Marín's wife and children joined community activist from Together Colorado on the floor to hear the resolution. It was passed on a unanimous vote and is next headed to the Senate on May 4th.

With only 13 working days left in the 2017 legislative session, there are still several high priority issues to tackle. Despite the success on certain issues such as construction defects reform, there are still several key items that need to be tackled such as balancing the FY 2017-18 budget which still hasn't been sent to a conference committee for final balancing details to be worked out.

Bills of the Week

Lowering the Number of People Required to Qualify for a Carpool The debate over HOV/HOT lanes in Colorado continues with the introduction of HB 1348. The bill sponsored by Representative Lebsack and Senator Scott sets a limit on the number of people required for a car to be considered a high occupancy vehicle (HOV). Last year, the HOV number increased from 2 to 3 people which angered many Coloradans. HB 1348 returns HOV from 3 to 2 passengers on North I-25. If passed, the bill will go into effect on or after July 1, 2018. It is assigned to the House Local Government Committee and will be heard on Wednesday, April 26th.

Use of Apprentices for Colorado Projects Last week, the House Business Committee considered HB 1300, Apprentice Utilization in Public Projects. The bill requires that any public project costing more than \$500,000 and not receiving any federal dollars must have a minimum of a quarter of their workforce be apprentices. This minimum applies to the positions that are have traditionally have apprentices in a contractor's workforce. There is a fine if contractors do not meet the 25% minimum. Several apprentices came in support of the bill. However, the Associated General Contractors, who have been at the forefront of promoting apprenticeship programs in Colorado, testified in opposition to the bill. The bill passed the House Business Committee on a party line vote and passed second reading of the House on a voice vote Friday.

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