



Under the Dome, Week 2

Highlights of the Week

The Governor submitted his supplemental budget requests for the current fiscal year this week and one proposal in particular garnered a lot of attention. Governor Hickenlooper asked the General Assembly to introduce legislation to reduce the Senior Homestead Exemption by half in FY 2017-18 (\$68.1 million) and increase the special sales tax on recreational marijuana to 12% in FY 2017-18 (\$41.9 million). These two measures are meant to offset the \$135.1 million reduction in property taxes triggered by the Gallagher Amendment and provide that funding to K-12 schools. The Gallagher Amendment kicks in when residential property values grow faster than non-residential property values – the residential assessment rate will drop in the coming year by 17.6%. Although the conversations are ongoing, there doesn't seem to be strong support for this proposal.

The legislature kicked off Monday to honor Martin Luther King Jr's life and accomplishments. On Tuesday, the House and Senate took up resolutions to honor MLK and in recognition of the 111th year of the National Western Stock Show in Colorado. Committees met on their regular schedule this week for briefings and a number took up their first bills of the session. On Wednesday, the House Local Government Committee considered legislation from the Wildfire Matters Legislative Interim Committee – HB 1026 Reverse Mortgage Repayment When Home is Uninhabitable. The legislation allows those who are unable to live in their home for at least 60 days and fewer than five years due to a natural disaster to not repay the advance received on a reverse mortgage. The Independent Bankers of Colorado and Mortgage Lenders oppose the bill. Representative Singer was pressed by the committee to show that there was need for this bill but could only relay the experience of a constituent of his. Due to the uncertainty around the bill it was laid over for action next week. In the Senate, the Judiciary Committee considered a few different bills including SB 015 by Senator Aguilar, Unlawful Marijuana Advertising. This legislation was originally proposed by the Marijuana Cost Benefit Analysis Interim Committee but didn't end up moving forward as a committee bill because Legislative Council blocked it. Senator Aguilar used one of her bill titles to ensure that the proposal to prevent illegal sales of marijuana online was considered. The legislation makes it a level 2 drug misdemeanor for a person not licensed to sell medical or retail marijuana to advertise for the sale of marijuana or marijuana concentrate. The bill passed the Judiciary Committee and will be heard on the Senate Floor Monday.

Members from both chambers traveled to DC for President Trump's inauguration and the House and Senate gaveled in and out fairly quickly on Friday morning.

Bills of the Week

Repeal of the Death Penalty This week Senate Minority Leader Guzman introduced legislation that would appeal the death penalty on July 1, 2017. The House sponsor of SB 095 is Representative Alec Garnett. It has been a few years since the legislature debated the merits of the death penalty but the issue has been front of mind with the trial and sentencing of Aurora Theater shooter James Holmes.

Governor Hickenlooper has also postponed the date of death for an inmate on death row, although he did not commute his sentence. The legislation is not expected to pass the Republican controlled Senate.

Prevailing Wages for CDOT Public-private Initiatives The state department of transportation (department) is currently authorized to solicit proposals and consider unsolicited proposals for public-private initiatives for certain public projects. The bill specifies that the department may consider proposals, whether solicited or unsolicited, for a public-private initiative only if the proposal includes labor costs for construction that use no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area set by the United States department of labor as directed by the federal 'Davis-Bacon Act'.

Paring Down Teacher Accountability Senator Mike Merrifield is once again bringing legislation to gut SB10-191, Colorado's model teacher accountability and evaluation law. SB 067 eliminates the requirement that at least 50% of an evaluation must be determined by the academic growth of the teacher's students or the students in the principal's school. The bill grants school districts the flexibility to continue to use student academic growth, in an amount not to exceed 20%, in educator evaluations. The bill is assigned to the Senate Education Committee.

Free Speech on Higher Education Campuses SB 062 by Senator Neville and Representative Humphrey prohibits public institutions of higher education from restricting a student's right to speak in any way in a public forum. A higher education institution is also prohibited from imposing an unreasonable restriction on the time, place, and manner of student speech that occurs in a public forum. There are penalties for violating this provision. The legislation is scheduled to be heard in the Senate Education Committee on February 2nd.

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