



Under the Dome, Week 9

Highlights of the Week

From start to finish, legislators tackled some of the most controversial topics this week. On Monday, the House Finance Committee met past midnight to hear from the proponents and opponents of two bills aimed to close the loophole that has allowed gray market marijuana in the state. The gray market for marijuana is considered marijuana that is legally grown but illegal distributed. HB 1220 and HB 1221 both passed committee with strong bipartisan support. However, during the floor debate on Friday, two amendments were added to HB 1220 as an attempt to compromise with the caregivers who feel most directly threatened under the bill. The amendments raised the plant cap from 12 to 16 and decreased the penalty from a felony to a misdemeanor for someone's first offense. Final votes in the House will occur Monday.

While the House engaged in a lively debate about marijuana, the Senate heard SB 061 on second reading. SB 061 would require school districts to share their local mill levy funds equally with charter schools. The conversation kicked off with friendly amendments by Senators Williams, Moreno and Fields that phased in the sharing of funds in order to mitigate any immediate financial impact on the affected school districts and clarified that a school district may go to their voters to ask which public school students will benefit from local mill dollars. There were various other unfriendly amendments that opponents tried to add to the bill as well but those were defeated. The Senate decided to lay the bill over until Monday as it became clear that the debate was going to need further debate on additional amendments. Earlier in the week the full House unanimously passed HB 1181 which will replace the 9th grade CMAS with the PSAT. The House also gave initial approval to HB 1138 which requires the Department of Public Safety to include information about bias motivated crimes reported to the Department of Law in their SMART Act presentation to the legislature.

“Deals” of the Week

Usually in our weekly Under the Dome articles we highlight the bills of the week, however, this week it's more appropriate to highlight the “deal” of the week. After six months of tedious, productive, and creative negotiations, the Senate President and Speaker of Colorado unveiled the highly anticipated transportation funding deal. HB 1242 will refer a measure to the ballot to increase sales tax by .62% (for a total of 3.5%) for a period of 20 years. In the first year, it is estimated to raise an estimated \$702 million for transportation. The money will go towards state needs and also provide local communities the flexibility to spend transportation money in a way that best meets the needs of their communities. The proposal calls for \$3.5 billion in bonding projects for the state, enhances transparency and accountability via a website that will

allow Coloradans to track the progress costs and timeline for projects, and directs 15% of the new revenue towards multi modal projects. The existing FASTER Road Safety vehicle registration surcharge will decrease substantially as an offset. The proposal has already received praise from the Fix It Colorado Coalition, the Colorado Contractors Association, the Denver Metro Chamber of Commerce, Club 20, Conservation Colorado, and the Colorado Association of Commerce and Industry. Sponsors President Grantham, Speaker Duran, Senate Transportation Chair Randy Baumgardner, and House Transportation Chair Diane Mitsch Bush have a long road ahead but have all expressed their dedication to pass legislation which will allow voters to decide if they want to dedicate a permanent revenue source to fix Colorado's broken roads.

Bills of the Week

Autonomous Vehicles in Colorado On Monday, the Senate introduced SB13-213 by Senator Hill, Senator Moreno and Representatives Winter and Bridges. The bill would specifically authorize the use of automated vehicles without a human driver, if the vehicle can follow all applicable state and federal laws. If a vehicle cannot follow all state and federal laws, the operator is required to consult with the Colorado Department of Transportation and the Colorado State Patrol. The bill also establishes the regulation of automated vehicles as a matter of statewide concern, in order to avoid a patchwork of regulation. Several other states have passed legislation expressly authorizing automated vehicles.

No More Spring Forward? HB 1226, which will be considered by the House Agriculture Committee the day after Spring Forward, will make daylight savings time year round in Colorado. The bill doesn't move the state to all year daylight savings though until all other states in Mountain Standard Time also move to the same schedule. The bill, sponsored by Representative Dan Pabon and Representative Phil Covarrubias, is opposed by Denver International Airport as well as Colorado's ski resorts, who are concerned that moving to year round daylight savings means there will be less sunlight in the morning when ski resorts need to conduct avalanche tests and safety checks on the ski lifts.

The Ralph Carr Freedom Defense Act Representative Salazar and Representative Esgar introduced HB 1230 this week, which is named after former Colorado Governor Ralph Carr who opposed the building of Japanese internment camps in Colorado during World War II. The bill aims to prevent federal government overreach to protect Colorado's vulnerable communities by directing the state to not provide information such a religious affiliation, race, ethnicity, immigration status, or sexual orientation to the federal government. The bill is scheduled to be heard in the House Judiciary Committee on Thursday.

Budget Update:

The JBC handled a bulk of their figure setting this week, tackling the Department of Health Care Policy and Financing, the Department of Higher Education, and the Department of Education. The JBC set aside \$5.7 billion for K-12 funding of which \$4.2 billion is from General Fund monies. This equates to an increase of \$178 per pupil and is \$140 million more than the

Governor requested in his budget proposal on November 1st. The numbers could change if the March revenue forecast comes in particularly bad. Within the Department of Higher Education, the JBC approved \$20 million in additional funding for institutions, in line with the Governor's request. There is a total of \$175.2 million in General Fund for financial aid. The JBC decided to support the funding formula as proposed by the Department of Higher Education but also requested a Request For Information (RFI) to look at whether there should be a factor added for first generation college students and if other factors should be adjusted to better align the formula with the state's master plan for higher education. History Colorado's budget sits under the Department of Higher Education. The JBC unanimously approved \$1.5 million in General Fund support for Colorado's 8 community museums to begin implementation of a multiple phase process to sustainability.

During the Colorado Department of Health Care Policy and Financing Briefing, the JBC tabled a handful of potentially controversial or big ticket items. They specifically decided not to vote on a \$5.1 million appropriation to reimburse Connect for Health Colorado (the state's health exchange) for eligibility determination for Medicaid and CHP+, as well as a request to restrict Hospital Provider Fee revenue as suggested by the Governor. Implementation of the cap would lead to a significant cut in revenue for hospitals in the coming year. The JBC approved changes to the Medical Services Premiums appropriation for the current and future fiscal year. The staff recommendation was lower than the Governors' request due to the change in forecast that came after the Governor's budget proposal was presented. The goal is to have all figure setting wrapped up by next week before the March Revenue Forecast on Friday, March 17th. The week of March 20th the JBC will work to finalize the last details of the budget in case changes are needed due to the information received from the revenue forecast.

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