

**GRAND JUNCTION CITY COUNCIL
MONDAY, FEBRUARY 2, 2015**

**WORKSHOP, 5:00 P.M.
CITY AUDITORIUM
250 N. 5TH STREET**

To become the most livable community west of the Rockies by 2025

1. **Senate Bill 05-152** [Supplemental Documents](#)
2. **Westside Beltway** [Supplemental Documents](#)
3. **Drainage**
4. **Update on Zoning Code Amendments** [Supplemental Documents](#)
5. **Legislative Update** [Supplemental Documents](#)
6. **Other Business**
7. **Board Reports**

SB 05-152 Override

FEBRUARY 2, 2015

Background

- Concerns from businesses, citizens and partnering organizations
- Research and Outreach to Charter and Century Link
- SB 05-152 discussed at January 16th Workshop
- Consideration of Ballot Measure to Ask Voters for Override

What is Broadband?

- High-Speed Internet
- CURRENT FCC Definition
 - 4 Down / 1 Up
- PROPOSED FCC Definition
 - 25 Down / 3 Up
- Increase demand, increased applications lead to increased speed needs
- Nielsen's Law

Why is it important?

- 4th Utility
- Citizen and Business Needs
- Expectation in Site Selection for Relocation or Expansion
- Direct link between access and job creation

National Broadband Map

- National Telecommunications and Information Administration & Federal Communications Commission started in 2011
- Data is gathered from broadband providers and state agencies
- Colorado Broadband Data and Development Program
 - Gathers data from providers & performs data validation and verification processes including consumer and provider speed test comparisons, 3rd party vendor and FCC database comparisons, drive testing (mobile) and surveys)
- Data updated every six months.

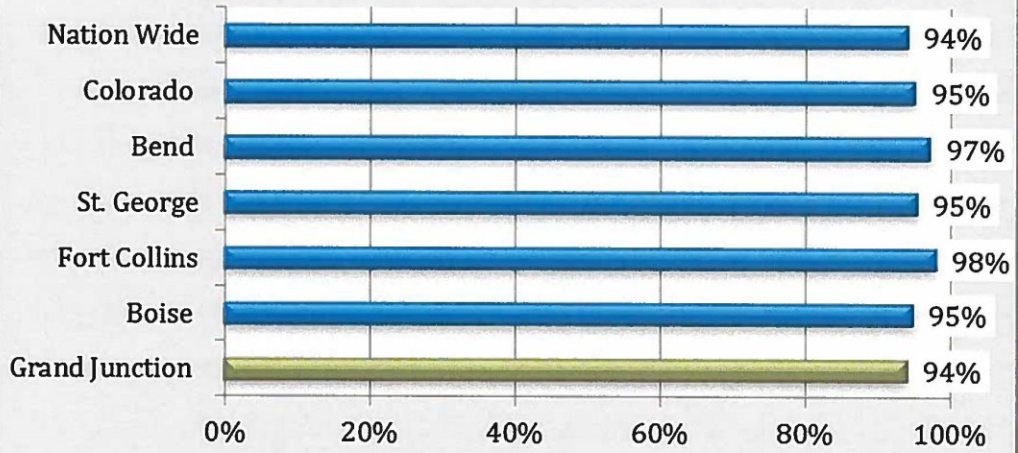
Speed Comparison

- Speeds shown in Data Transfer Rates
 - Volume of Data per Second

- Pipeline Comparison:
 - 3 Mbps is a **1 cm** pipe
 - 10 Mbps is a **1.3 inch** pipe
 - 100 Mbps is a **1 foot** pipe
 - 1 Gig is an **10 foot** pipe

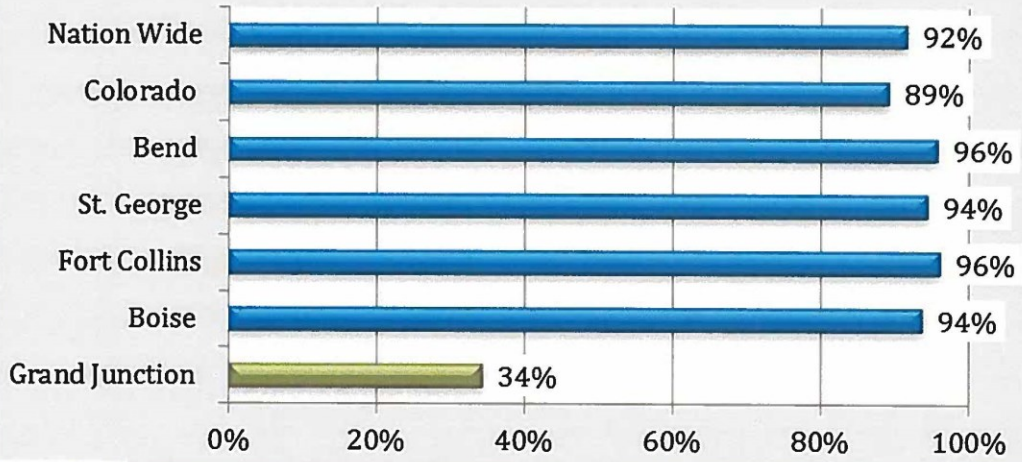
Download Speeds > 3 Mbps

Percentage of Population with Access to 3 Mbps or Greater



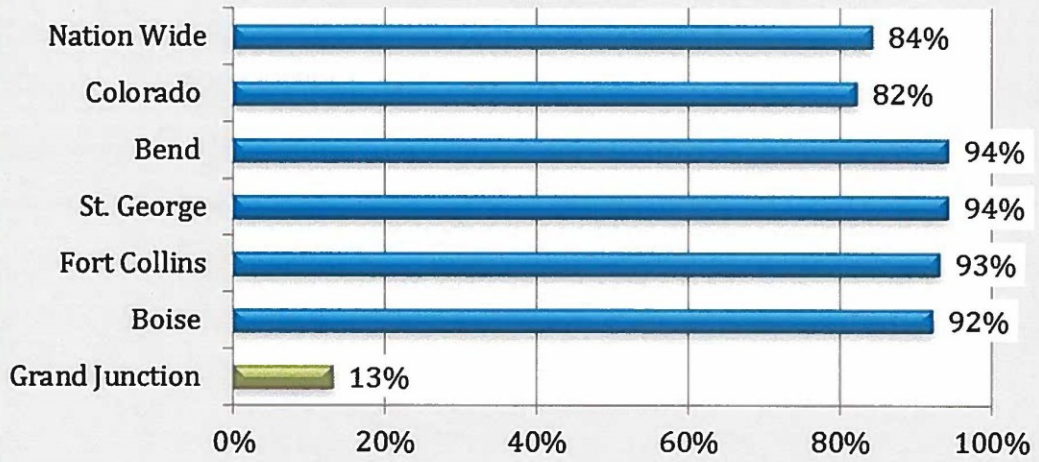
Download Speeds > 10 Mbps

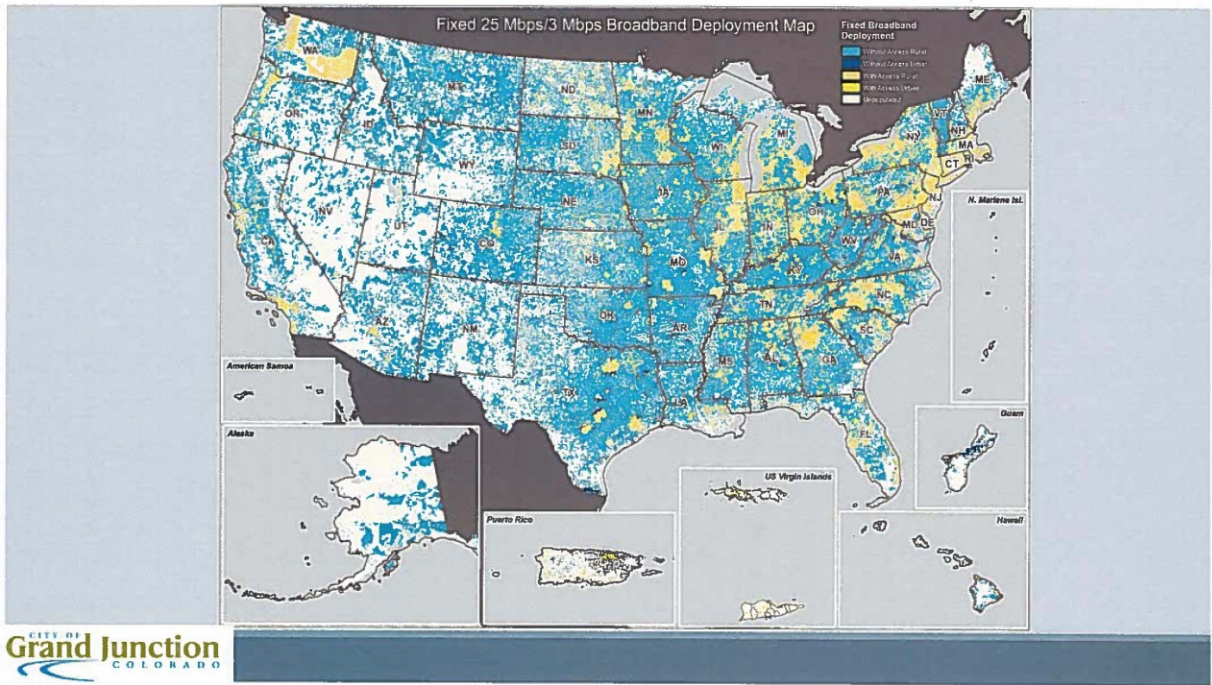
Percentage of Population with Access to 10 Mbps or Greater



Download Speeds > 25 Mbps

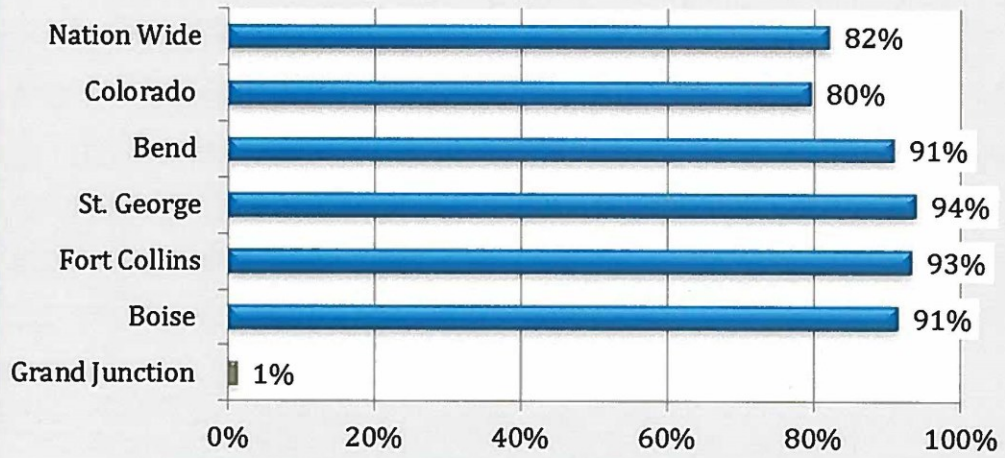
Percentage of Population with Access to 25 Mbps or Greater





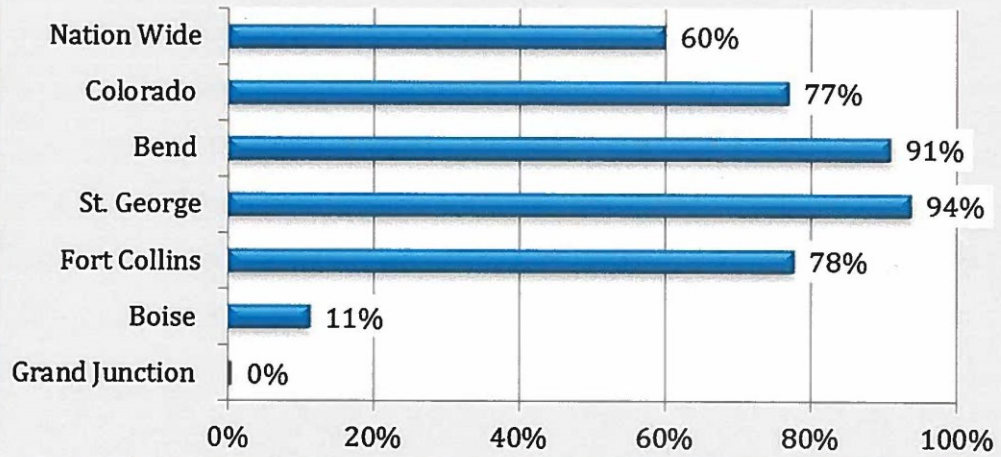
Download Speeds > 50 Mbps

Percentage of Population with Access to 50 Mbps or Greater



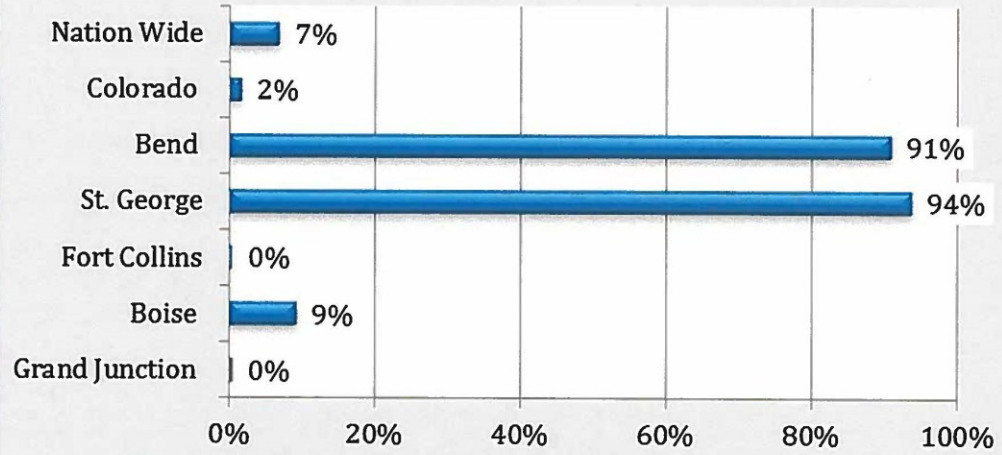
Download Speeds > 100 Mbps

Percentage of Population with Access to 100 Mbps or Greater



Download Speeds > 1 Gig

Percentage of Population with Access to 1 Gig or Greater



Download Speeds

Percentage of Population with Access

	>10 Mbps	>25 Mbps	>50 Mbps	>100 Mbps
St. George	94%	94%	94%	94%
Bend	96%	94%	91%	91%
Boise	94%	92%	91%	11%
Fort Collins	96%	93%	93%	78%
Nation Wide	92%	84%	82%	60%
Colorado	89%	82%	80%	77%
<i>Grand Junction</i>	<i>34%</i>	<i>13%</i>	<i>1%</i>	<i>0%</i>

Upload Speeds

Percentage of Population with Access

	>10 Mbps	>25 Mbps	>50 Mbps	>100 Mbps
St. George	94%	94%	94%	94%
Bend	92%	91%	91%	91%
Boise	65%	10%	10%	10%
Fort Collins	93%	83%	83%	0%
Nation Wide	61%	24%	18%	15%
Colorado	82%	10%	8%	2%
<i>Grand Junction</i>	<i>8%</i>	<i>1%</i>	<i>1%</i>	<i>0%</i>

Current State

Existing Challenges

- High Costs and/or Limited Access for Existing Businesses
- Barrier for Entry for Prospects

Current Work-in-Progress

- Expressing needs to providers
- Working with ED Partners
- Co-Trenching and Conduit

City Council Workshop Westside Beltway

February 2nd, 2015



Basis for Discussion

- Refinancing Riverside Parkway bonds in 2012 realized \$7.5 million in interest savings by significantly reducing interest rate
- Early payoff is not expected until 2021
- No New Taxes
- Ask voters for continued use of TABOR funds for Westside Beltway
 - Invest accumulated TABOR savings
 - Opportunity to finance projects at historically low interest rates and avoid inflationary costs
- Stimulate Economic Development
 - Capital investment creates jobs, wages and spending (during AND after construction)
 - The 25 Road/F ½ Road/24 Road Corridor will be a key future commerce route especially as the area continues to grow and expand.
 - Improved transportation infrastructure bolsters existing business and encourages future investment and development.

The Community Voice

Taken from Daily Sentinel editorials:

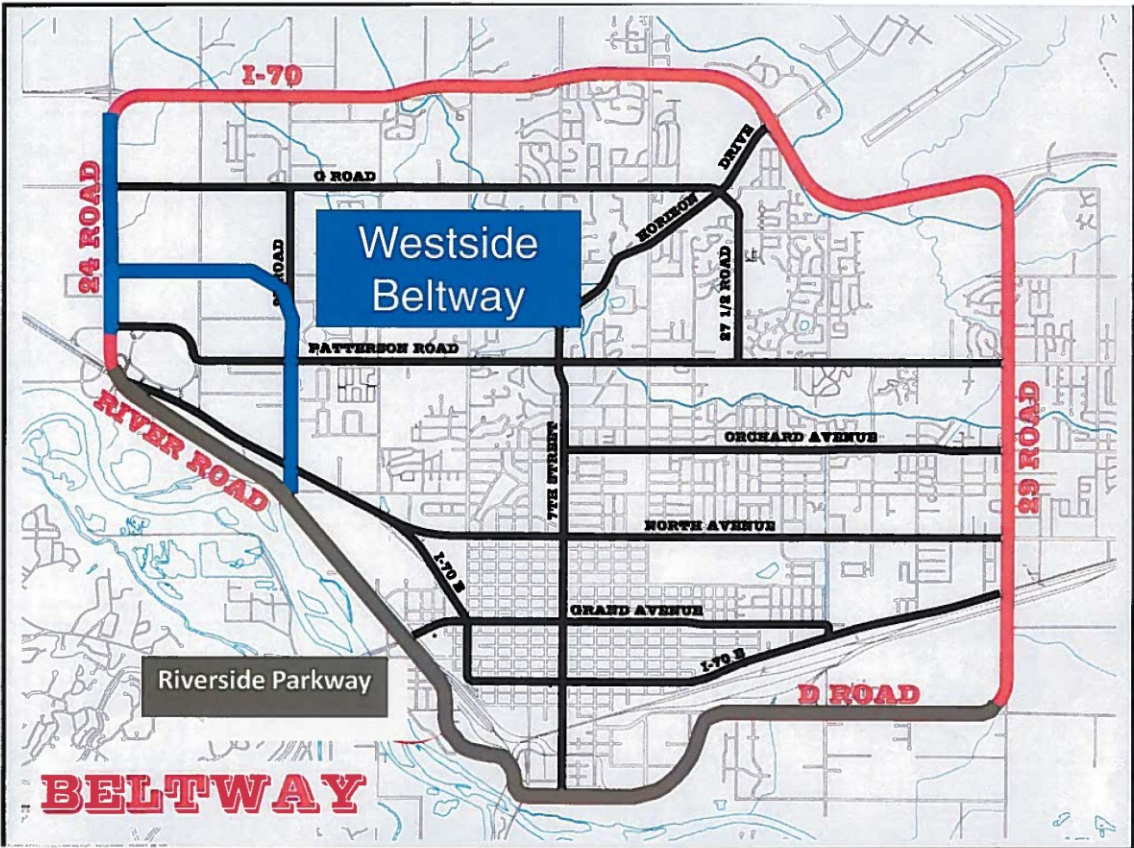
*"If the public sentiment points toward support for a western beltway, at least there's **the promise of economic development associated with it.**"*

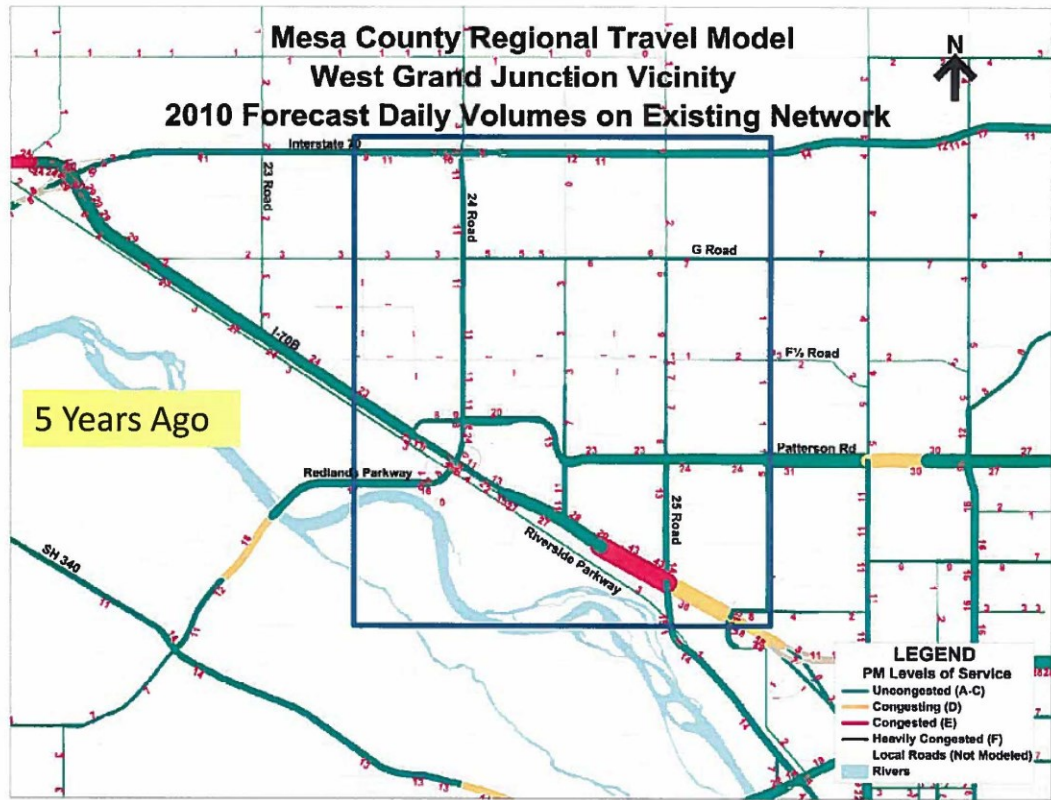
*"We must break out of the boom-and-bust mentality and we think that starts with **investing in ourselves.**"*

*"On May 7, the Grand Junction City Council unanimously adopted the city's first economic development plan, formalizing an approach to bolster business. The plan recognizes that **local economic success depends on regional economic success.**"*

*"Our fear is that local officials could grow complacent if unemployment keeps shrinking. As it is, too many people are still mired in a "just wait til the next boom" mentality, unwilling to **invest in education, infrastructure and amenities that drive economic development and attract new businesses and investment.**"*

*"Economic development efforts rarely result in "home runs" — where a major employer sets up shop ready to hire hundreds. More often it's a bunch of entities pulling in the same direction, notching small victories that collectively have a big impact on the community. **Recent signs are positive, but efforts must be ongoing.**"*

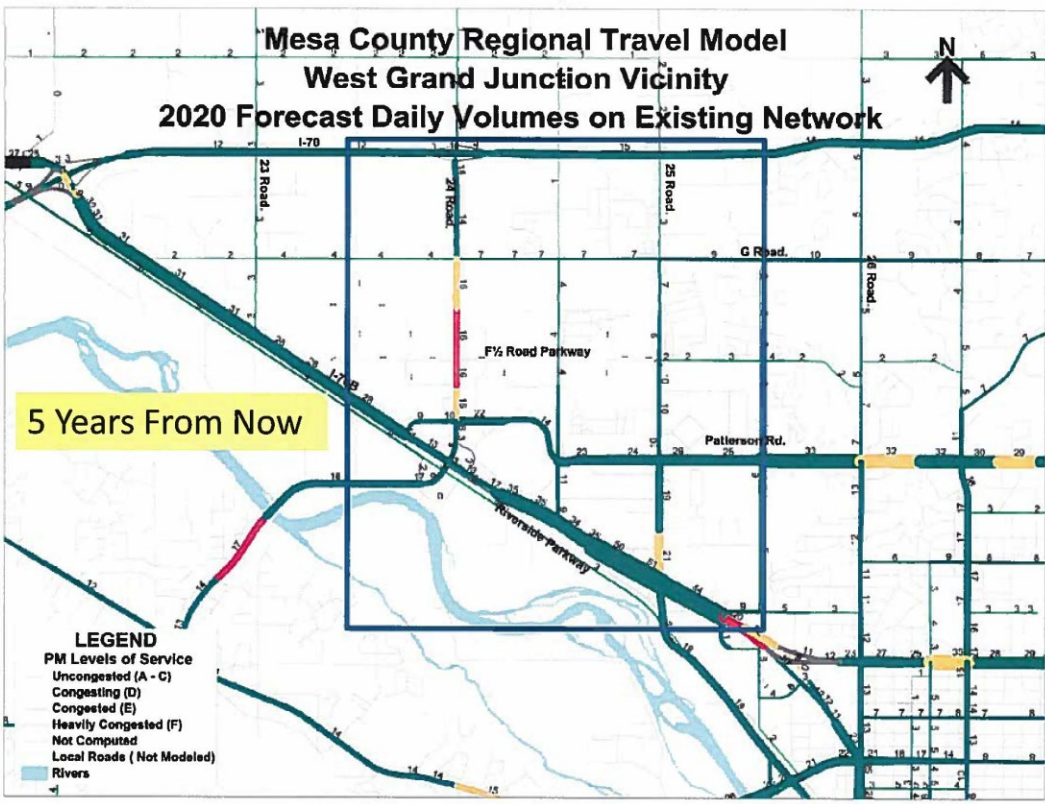




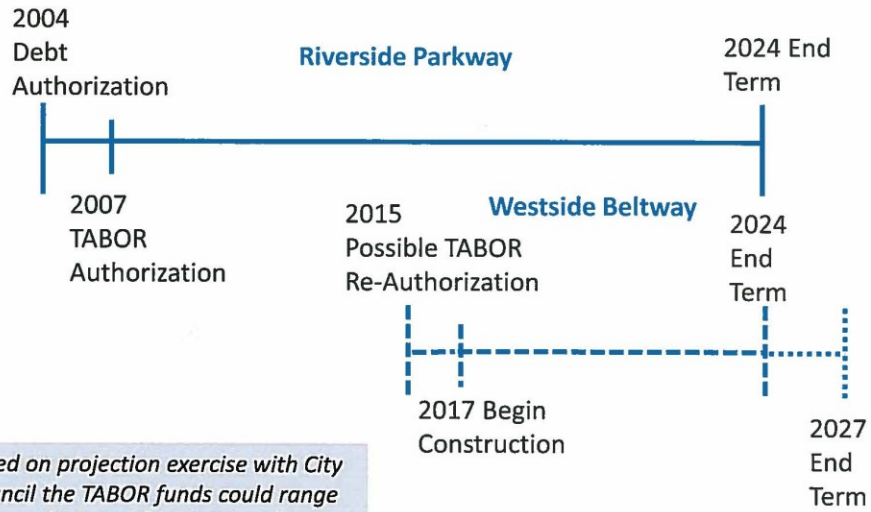
Mesa County Regional Travel Model West Grand Junction Vicinity 2020 Forecast Daily Volumes on Existing Network



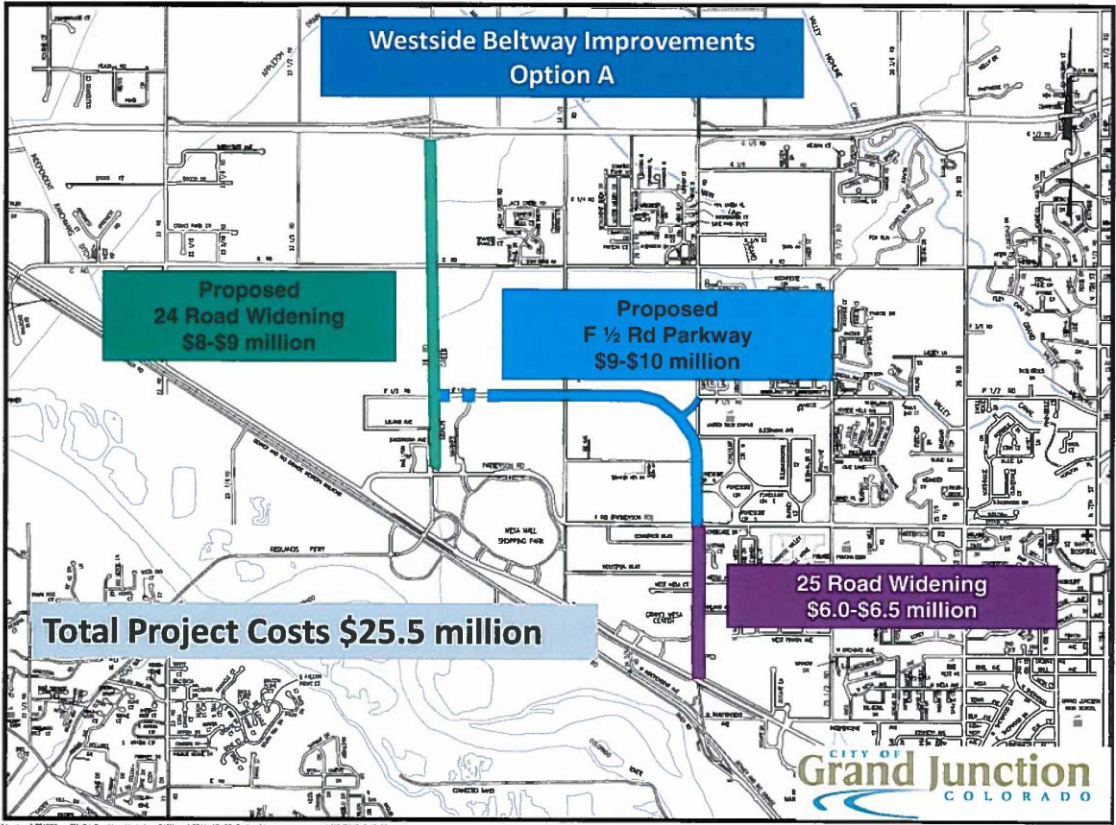
5 Years From Now



Timelines

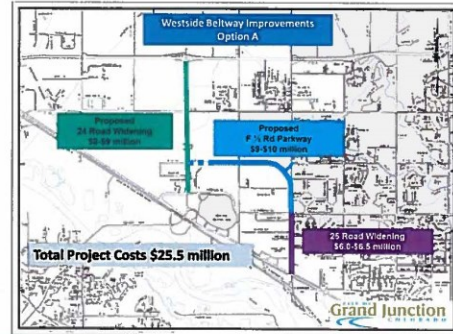


Based on projection exercise with City Council the TABOR funds could range between \$1.2 and \$1.8 million per year.



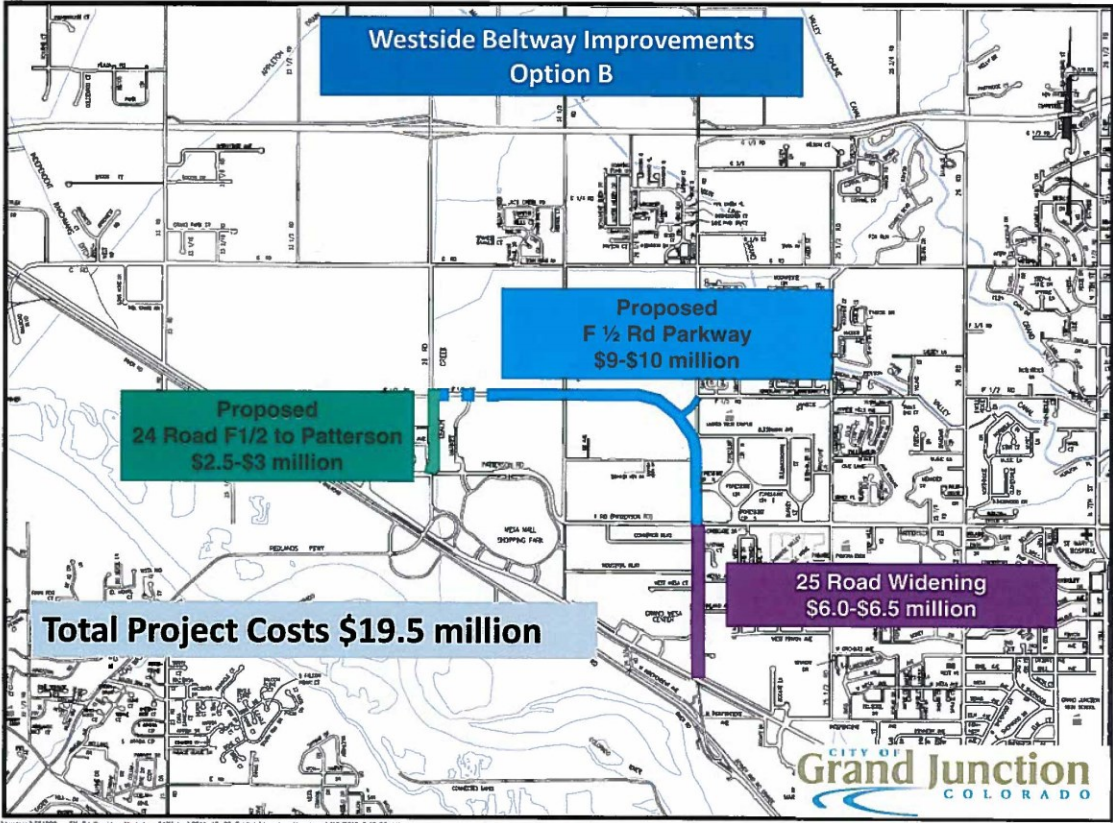
Option A Question Funding All Projects

Financing All Projects (in millions)	
Project Cost	\$ 25.50
Use Cash in Retirement Fund 2016	(11.50)
Balance Needed	\$ 14.00
Plus Issuance Costs	0.50
New Debt	\$ 14.50



Debt Issuance \$14.5 million				
Option A1				
End Term	2024			
Current Market Rate			Sensitivity Analysis	
Interest Rate	Annual Payment	Total Debt Service Costs	Interest Rate Range	Maximum Debt Service Costs
1.50%	\$1.7 million	\$15.7 million	1% to 3%	\$16.7 million
Option A2				
End Term	2027			
Current Market Rate			Sensitivity Analysis	
Interest Rate	Annual Payment	Total Debt Service Costs	Interest Rate Range	Maximum Debt Service Costs
2.25%	\$1.5 million	\$17.7 million	2% to 3%	\$19.0 million



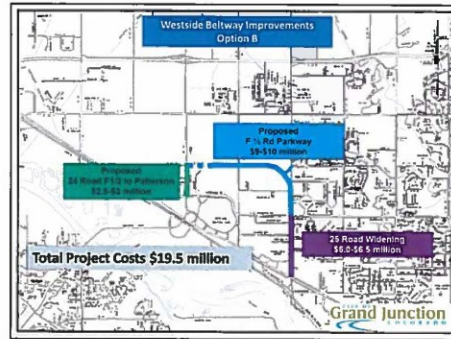


\\smapsp\FS1802 - F3 Rd Corridor, West - 24\Map\2014-17-05 Corridor\Location Map.mxd, 1/13/2015 8:10:58 AM

Option B Question Reduced Scope 24 Rd

Financing Reduced Scope (in millions)	
Cash in Retirement Fund 2016	\$ 11.50
25 Road	(6.50)
24 Road F 1/2 to Patterson Only	(3.00)
Remaining Cash	\$ 2.00
New Debt for F 1/2 Road	8.00

} \$10 million Total for F 1/2 Road

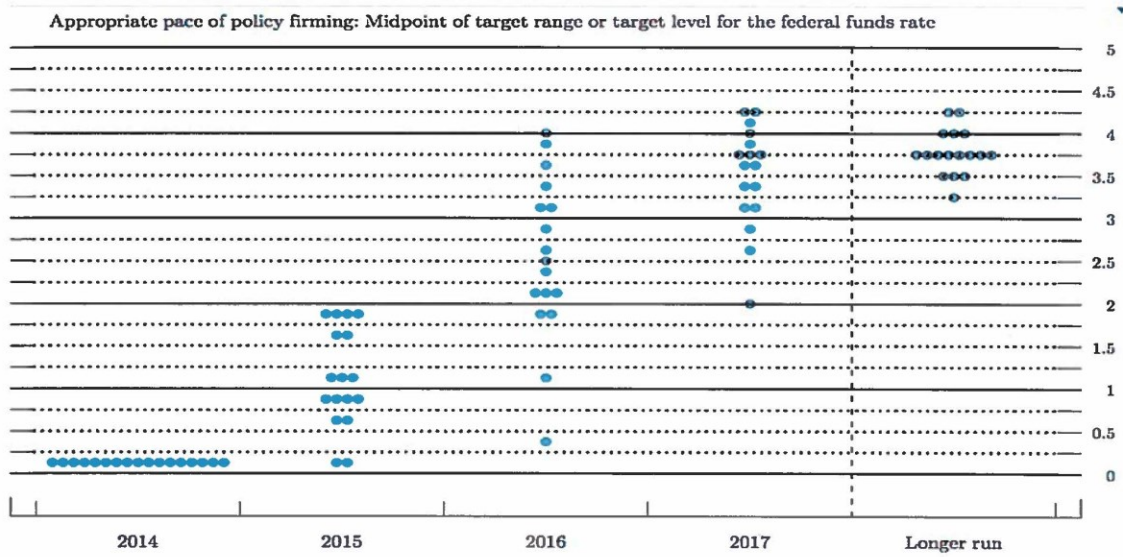


Debt Issuance \$8 million				
End Term	2024			
Current Market Rate				
			Sensitivity Analysis	
Interest Rate	Annual Payment	Total Debt Service Costs	Interest Rate Range	Maximum Debt Service Costs
3.00%	\$1.1 million	\$10.1 million	2.75% to 3.75%	\$10.7 million



Fed Dot Plot

(Source: Business Insider)



Basis for Discussion

- Refinancing Riverside Parkway bonds in 2012 realized \$7.5 million in interest savings by significantly reducing interest rate
- Early payoff is not expected until 2021
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- Stimulate Economic Development
 - Capital investment creates jobs, wages and spending (during AND after construction)
 - The 25 Road/F ½ Road/24 Road Corridor will be a key future commerce route especially as the area continues to grow and expand.
 - Improved transportation infrastructure bolsters existing business and encourages future investment and development.

Option B

AUTHORIZING THE CITY TO INCUR ADDITIONAL DEBT FOR TRANSPORTATION PROJECT(S) (WESTSIDE BELTWAY) AND TO KEEP AMOUNTS IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED TO SPEND UNDER TABOR IN ORDER TO PAY DEBT SERVICE AND FINANCING AND CONSTRUCTION COSTS OF THE WESTSIDE BELTWAY PROJECT(S).

"WITHOUT ANY INCREASE OF ANY EXISTING TAX RATE AND WITHOUT IMPOSING ANY NEW TAXES SHALL CITY OF GRAND JUNCTION, COLORADO (CITY) DEBT BE INCREASED \$8,000,000.00 WITH A REPAYMENT COST OF \$ [REDACTED] TO PROVIDE FINANCING FOR THE PURPOSE OF PAYING FOR ALL OR ANY PORTION OF THE COSTS OF THE DESIGN AND CONSTRUCTION OF TRANSPORTATION IMPROVEMENTS KNOWN AND REFERRED TO AS THE WESTSIDE BELTWAY WHICH INCLUDES 25 ROAD FROM I-70 B/HIGHWAY 6&50 TO F 1/2 ROAD, F 1/2 ROAD TO 24 ROAD AND 24 ROAD SOUTH FROM F 1/2 ROAD TO PATTERSON ROAD; SHALL SUCH DEBT BE PAYABLE FROM SUCH CITY REVENUES AS THE CITY COUNCIL MAY DETERMINE AND BE ISSUED WITH SUCH TERMS AS THE CITY COUNCIL DETERMINES TO BE NECESSARY AND IN THE BEST INTERESTS OF THE CITY; AND SHALL THE CITY, WITHOUT ANY INCREASE OF ANY EXISTING TAX RATE AND WITHOUT IMPOSING ANY NEW TAXES, BE AUTHORIZED TO RETAIN ALL REVENUES IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED TO SPEND UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION (TABOR), INCLUDING THE CURRENT RIVERSIDE PARKWAY DEBT RETIREMENT FUND, FOR 2015 AND SUBSEQUENT YEARS UNTIL 2024, FOR THE PAYMENT OF ALL CITY DEBT ISSUED FOR RIVERSIDE PARKWAY AND THE WESTSIDE BELTWAY UNTIL ALL DEBT IS PAID IN FULL, WITH ALL AMOUNTS RETAINED TO BE USED FOR PAYMENT OF THE COSTS OF THE FINANCING, DEBT, INTEREST AND COSTS OF ISSUANCE AND CONSTRUCTION INCURRED FOR THESE PROJECTS?"

Option A

AUTHORIZING THE CITY TO INCUR ADDITIONAL DEBT FOR TRANSPORTATION PROJECT(S) (WESTSIDE BELTWAY) AND TO KEEP AMOUNTS IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED TO SPEND UNDER TABOR IN ORDER TO PAY DEBT SERVICE AND FINANCING AND CONSTRUCTION COSTS OF THE WESTSIDE BELTWAY PROJECT(S).

"WITHOUT ANY INCREASE OF ANY EXISTING TAX RATE AND WITHOUT IMPOSING ANY NEW TAXES SHALL CITY OF GRAND JUNCTION, COLORADO (CITY) DEBT BE INCREASED \$14,500,000.00 WITH A REPAYMENT COST OF \$_____ TO PROVIDE FINANCING FOR THE PURPOSE OF PAYING FOR ALL OR ANY PORTION OF THE COSTS OF THE DESIGN AND CONSTRUCTION OF TRANSPORTATION IMPROVEMENTS KNOWN AND REFERRED TO AS THE WESTSIDE BELTWAY WHICH INCLUDES 25 ROAD FROM I-70 B/HIGHWAY 6&50 TO F 1/2 ROAD, F 1/2 ROAD TO 24 ROAD AND 24 ROAD FROM PATTERSON ROAD TO THE INTERCHANGE AT I-70; SHALL SUCH DEBT BE PAYABLE FROM SUCH CITY REVENUES AS THE CITY COUNCIL MAY DETERMINE AND BE ISSUED WITH SUCH TERMS AS THE CITY COUNCIL DETERMINES TO BE NECESSARY AND IN THE BEST INTERESTS OF THE CITY; AND SHALL THE CITY, WITHOUT ANY INCREASE OF ANY EXISTING TAX RATE AND WITHOUT IMPOSING ANY NEW TAXES, BE AUTHORIZED TO CONTINUE TO RETAIN ALL REVENUES IN EXCESS OF AMOUNTS WHICH THE CITY IS PERMITTED TO SPEND UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION (TABOR), INCLUDING THE CURRENT RIVERSIDE PARKWAY DEBT RETIREMENT FUND, FOR 2015 AND SUBSEQUENT YEARS UNTIL 2024/2027, FOR THE PAYMENT OF ALL CITY DEBT ISSUED FOR RIVERSIDE PARKWAY AND THE WESTSIDE BELTWAY UNTIL ALL DEBT IS PAID IN FULL, WITH ALL AMOUNTS RETAINED TO BE USED FOR PAYMENT OF THE COSTS OF THE FINANCING, DEBT, INTEREST AND COSTS OF ISSUANCE AND CONSTRUCTION INCURRED FOR THESE PROJECTS?"

Outdoor Storage/Outdoor Display

ZCA-2014-435

Amending the Grand Junction Municipal Code
Sections 21.03.070 and 21.04.040(h).



Community Development

Display vs. Storage What is the difference?

- Auto dealerships “display” cars.
- Storage units are displayed.
- Large pieces of granite and/or stone are displayed as they are too large to move in and out at the end of the business day.
- Outdoor storage would include:
 - inoperable vehicles,
 - pallets of building materials
 - items that a customer would not normally browse through to make a selection or are not for immediate retail sale.









Conditional Use Permits were obtained so these businesses could have permanent display areas in the front of their buildings.

Current Code

- In the C-1 Zoning District, outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside or behind the principal structure except when a CUP (Conditional Use Permit) has been issued.
- Portable display of retail merchandise may be permitted subject to the code.



- Merchandise displayed in doorway areas are increasingly common and expected with retail businesses. Displays that are immediately adjacent to the primary facade near the customer entrance that do not negatively impact pedestrian and parking areas or beyond the roof overhang, it is suggested that these should not warrant special or conditional permitting.

In the B-1 Zoning District

- Outdoor storage and permanent displays are prohibited. Portable display of retail merchandise may be permitted as elsewhere provided in the code.
- Suggested to add the following language....
- “Outdoor display” does not include merchandise displayed immediately adjacent to the primary façade near the customer entrance(s) that does not protrude into parking areas or drive aisles or beyond the eaves, roof overhang or covered entrance area; rather, these displays are considered permissible extensions of the indoor retail operations.



C-2 Zoning District

- Outdoor storage and display areas are not allowed within the front yard setback. Permanent and portable display of retail merchandise is permitted.
- This sentence contradicts itself.
- It is suggested that clarifying this section by stating outdoor storage is not allowed within the front yard. Outdoor display of retail merchandise is permitted subject to the Code.

Examples of Outdoor Storage

Old Winair site in C-1 zone district.

Their new site on Lang Drive.



Grand Junction



Storage is now behind the building, not near the street as was the case in their old location.

CITY OF
Grand Junction
COLORADO

Outdoor Storage meeting Code

Air photo



Street View



Storage is behind the building as the Code requires.



Outdoor Storage



Upon annexation this type of storage would not be allowed.

Proposed Amendments to the Code

- Allowing display areas in the front yard in the C-1 zone district without a conditional use permit.
- Clarifying the C-2 performance standards regarding outdoor display and outdoor storage.
- Exempting specially regulated “outdoor display” display areas under eaves, canopies or other storefront features immediately adjacent to buildings.

Proposed Changes to the Zoning and Development Code

Updated 26 Jan 2015

1. Amend the 24 Road Corridor Design Standards and Guidelines to change the size of lettering for signs.

Many businesses that lie within the 24 Road Overlay boundaries have sought variances to the sign regulation specifically increasing the size of lettering for signs facing 24 Road. These have all been approved through the variance process by the Planning Commission. To date all of the variance requests for larger sign letters have been granted by Planning Commission. Removing this barrier will help speed up the process for businesses locating within the 24 Road corridor.

2. Placement of Bay Doors

Currently loading docks in I-1 and I-2 must be located on the side or in the rear of the building. There is no mention of bay doors without loading docks. A Code change is suggested for buildings with bay doors at grade, and not part of a loading dock, be allowed on the front of the building.

3. DIA Guarantee and Security Requirements

The City presently requires security of 120% for public improvements installed as part of a development, which is generally in the same range of other Colorado city requirements. Since the most recent economic downturn, cash and credit available to fund new development has been tight, requiring some developers to undertake projects in multiple filings where the usual economies of scale are lost. City staff has been working creatively with developers to bridge this crisis, in many instances accepting forms of security that are less than ideal (such as deeds of trust on real property). Staff will work with local developers in hopes of restoring the economies of scale and encouraging new development.

4. Amend Minimum Setbacks in Mixed Use and Industrial Districts; and Remove building size limitations from C-1, C-2, CSR, MU, BP, I-O, and I-1 zone districts and remove the requirement of a Conditional Use Permit.

Currently, each of non-residential zone districts (C-1, C-2, CSR, MU, BP, I-O, I-1 and I-2) has a maximum building size and all, except I-1, allow for an increase in building size with a Conditional Use Permit (CUP). The Code also has minimum setbacks in the Mixed Use and Industrial zone districts. Staff proposes to use existing standards in place to eliminate the need for the maximum building size and develop setbacks that provide more uniformity among these zone districts.

Proposed Changes to the Zoning and Development Code

Updated 26 Jan 2015

5. Establish a new “Administrative Variance Committee” and define its authority.

The purpose of this amendment will be to provide flexibility in varying from certain Code requirements (with defined criteria) to produce the best project possible within each zone district. Some examples include variances in type and placement of landscaping and buffering requirements between two sites.

6. Neighborhood Meetings

The Zoning and Development Code requires neighborhood meetings for most proposed changes to existing land uses. Recent discussions with the development community involved the need for these meetings including a suggestion that they could be eliminated entirely. Staff proposes to develop some options for Planning Commission and City Council to consider related to neighborhood meetings.

7. Sign Code Amendments

The City’s sign code currently does not reflect many of the technology changes for signage including the use of electronic signs and billboards. Staff proposes to work with the community, including local sign companies, to develop updated standards and regulations that provide clear standards for the use of electronic signs.

Modifications to Economic Gardening Pilot Project**HB 15-1002****Sponsors:** Lee

This bill modifies the Economic Gardening Pilot Project and extends its termination date to June 30, 2018. The bill repeals statutory deadlines and time limits and allows each company to negotiate terms of engagement with the Office of Economic Development and International Trade. A participating company is allowed to use between 40 and 100 hours of pilot project services before renegotiating its terms of engagement. The bill increases the one-time participation fee from \$750 to \$1,500 and appropriates \$200,000 for the additional fiscal years of 16-17 and 17-18.

**Status:** 01/07/2015 Introduced In House - Assigned to Business Affairs and Labor + Appropriations**Repeals Merchant Licensing****HB 15-1028****Sponsors:** Kyser; Jahn

The bill repeals a requirement that auctioneers, corporations, and other persons obtain a license from the board of county commissioners before selling, vending, or retailing any goods, wares, or merchandise. The bill also repeals standards for the licensing process and penalties for operating without a license.

AGNC- SUPPORT**Status:** 01/28/2015 Introduced In Senate - Assigned to Business, Labor, & Technology**Internet Sweepstakes Café Simulated Gaming****HB 15-1047****Sponsors:** Lawrence

The bill declares that internet sweepstakes cafés and similar establishments in which simulated gambling devices are used to award prizes to customers do not comply with existing constitutional and statutory requirements for the conduct of licensed gambling activity in Colorado and, creates the new class 3 misdemeanor crime of unlawful offering of a simulated gambling device.

CML- SUPPORT**Status:** 01/29/2015 House Committee on Business Affairs and Labor Refer to House Committee of the Whole**Life Insurance Principle-Based Reserve Requirement****HB 15-1048****Sponsors:** Williams; Nordberg

Reserve requirements for life insurance companies are currently based on regulatory requirements put into effect in the 1960s, 1970s, and 1980s. The bill authorizes the commissioner of insurance to adopt more modern, principle-based reserving requirements for life insurance companies. The bill grants the commissioner of insurance authority to adopt a valuation manual and standard ordinary mortality table adopted by the National Association of Insurance Commissioners for use in determining the minimum nonforfeiture standard for life insurance policies.

Status: 01/29/2015 House Committee on Health, Insurance, & Environment Refer to Appropriations

Review State Rules to Reduce Burden on Small Business**HB 15-1139****Sponsors:** Windholz; Guzman

This bill requires a state agency to prepare an economic impact statement before adopting any rule that may adversely impact a small business.

Status: 01/28/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

No Credit Card Fee on Tax Portion of Sale**HB 15-1154****Sponsors:** Becker, **Coram**; Hill, **Scott**

The bill prohibits the collection of an interchange fee, defined as a fee established by a payment card network for the purpose of compensating the issuer of a credit or debit card for its involvement in an electronic payment transaction, on the portion of the total price that represents taxes imposed by the state or a local government. A 2-year grace period allows for the continuation of existing contracts and software that do not separately account for taxes, but the bill applies to all transactions on and after July 1, 2017.

Status: 01/28/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

Working Group for Economic Development in Distressed Regions**HB 15-1157****Sponsors:** **Willett** and Pabon; Heath and Merrifield

This bill creates the Economic Development Working Group for highly distressed rural and urban regions of the state. The bill requires the group to establish regions, discuss and evaluate economic development efforts in the region and their best practices; discuss and evaluate the possibility of creating tax-free zones or other economic development tools for their regions; and make detailed legislative recommendations to the general assembly in order to quickly improve the economic vitality of those regions. The group consists of 4 members of the general assembly, the Executive Director of the Office of Economic Development and International trade and four non-voting members appointed by the legislative members.

**Status:** 01/29/2015 Introduced In House - Assigned to Business Affairs and Labor + Appropriations

Expanded Licensed Premises Types for Entertainment Districts**HB 15-1192****Sponsors:** Becker; Neville

Under current law, premises licensed under the "Colorado Liquor Code" as a tavern, hotel and restaurant, brew pub, retail gaming tavern, or vintner's restaurant may attach to a common consumption area within an entertainment district established by a local government. The bill expands the types of licensed premises that may be included in an entertainment district, allowing beer and wine licensees, manufacturers that operate sales rooms, and limited wineries to attach to a common consumption area within an entertainment district.

**CML- SUPPORT****Status:** 01/30/2015 Introduced In House - Assigned to Business Affairs and Labor**Rural Economic Development Emergency Assistance Grant Program****SB 15-036****Sponsors:** Donovan

This bill creates a Rural Economic Emergency Assistance Grant Program to help communities that experience a significant economic event, such as a plant closure, that may have a quantitative effect on unemployment within the community, the program makes grants available. The bill transfers \$2 million from the general fund and allows the Director of the Department of Local Affairs to determine standards for grant awards. Eligible communities meet the bill's definition of rural if they are:



- a county of under 50,000 residents;
- a municipality of under 50,000 residents, so long as that municipality is at least 50 miles distant from any municipality of 50,000 or more residents; or
- the unincorporated part of a county at least 50 miles distant from a municipality of 50,000 or more residents.

CML- SUPPORT**Status:** 01/07/2015 Introduced In Senate - Assigned to State, Veterans, & Military Affairs**County Workforce Development Property Tax Incentives****SB 15-082****Sponsors:** Marble and Hodge; Moreno and Lawrence

The bill authorizes a county to establish a workforce development program to provide financial assistance to high school graduates in the county who pursue post-secondary education or training from an accredited institution of higher education or certified training program. Any county that establishes a workforce development program may also establish a workforce development fund to accept contributions for the purpose of the program. The bill also authorizes a county that has established a workforce development program to offer an incentive, in the form of a county property tax credit or rebate, to a residential or commercial property owner in the county who contributes to a county workforce development fund.

**Status:** 01/14/2015 Introduced In Senate - Assigned to Local Government

Administration of Local Government Elections
Sponsors: Neville; Neville

HB 15-1051

The bill expands the authority of the Department of State (DOS) to oversee all election codes incorporated into state statute, including the election codes governing municipal and special district elections (local elections). The bill also changes procedures for signature verification in non-coordinated local elections conducted by mail ballot. Specifically, the DOS is required to provide local election officials with the three most recent signatures of voters on file in the statewide voter registration system (SCORE), and two election judges are required to compare voters' signatures on mail ballots with those provided by the DOS. If the two judges agree, the ballot is either counted or the existing cure process under the state election code for signature discrepancies is followed. If the two judges disagree, the designated election official must review the signature to determine if there is a match or a discrepancy that must be resolved.

CML- OPPOSE

Status: 01/07/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

The Statewide Initiative Process

HB 15-1057

Sponsors: Court, DelGrosso, Rankin; Sonnenberg, Hodge

This bill requires the Legislative Council of the General Assembly to prepare an initial fiscal impact statement for each initiative submitted to the title board. The abstract must be printed at the beginning of each page of an initiative petition section that is circulated for signatures. The impact statement will also be included in the Blue Book.

CML- SUPPORT

Status: 01/07/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

Overseas Citizens Municipal Election Voting Access

HB 15-1130

Sponsors: Nordberg; Garcia

The bill extends certain deadlines that govern the conduct of municipal elections to ensure that such military personnel and civilians have similar ability to vote in municipal elections as they do in federal, state, and county elections.

CML- SUPPORT

Status: 01/20/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

Voter ID for Same Day Voter Registration

HB 15-1140

Sponsors: Coram; Sonnenberg and Baumgardner

This bill requires voters who wish to register the same day of an election to provide photo identification. If passed, the bill will be submitted to a vote of the registered electors of the state of Colorado at the next biennial regular general election for their approval or rejection under the referendum powers of the state constitution.

Status: 01/28/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

Invasive Phreatophyte Grant Program**HB 15-1006****Sponsors:** Coram; Sonnenberg

HB 14-1006 creates an Invasive Phreatophyte Management Grant Program. The program is to be funded with annual transfers of \$5 million for 5 years beginning in the next fiscal year. The grant program will fund projects that manage and remove invasive phreatophytes, including Russian-olive, within riparian areas of the state (river fronts and flood plains). Grants are to be made available to public entities, private entities and private individuals that can demonstrate best practices for management of invasive phreatophytes to decrease water consumption. The bill is a Water Resource Review Committee sponsored bill and has bipartisan support.

Grand Junction Area Chamber of Commerce: SUPPORT**AGNC- SUPPORT**

Status: 01/07/2015 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources + Appropriations

Hydroelectric Power**HB 15-1118****Sponsors:** Brown

This bill amends the definition of renewable energy resources that can be used to meet the state's renewable energy standard (RES) to include all hydroelectricity and pumped hydroelectricity. The bill repeals the allowance in current law for new hydroelectricity with a generation capacity of 10 megawatts (MW) or less, and hydroelectricity in existence on January 1, 2005, with a generation capacity of 30 MW or less.

Status: 01/15/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

Local Government Fracking Ban Liable Royalties**HB 15-1119****Sponsors:** Buck

This bill specifies that local governments that ban hydraulic fracturing of an oil and gas well are liable to the royalty owner for the value of the lost royalties.

CML-OPPOSE

Status: 01/15/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs + Appropriations

Wind Energy Development Agreement**HB 15-1121****Sponsors:** Becker, Sonnenberg

This bill modifies statute concerning wind energy agreements between surface estate owners and wind energy developers. This bill establishes that until an agreement is recorded with the office of the county clerk and recorder, the agreement is not binding on anyone other than the parties to the agreement and those with notice of the agreement. The agreement as well as any associated releases must be recorded in both the grantor and grantee indices and under the names of all parties. The bill defines a wind energy developer of record as the developer named in an agreement recorded in county land records. Rights under a recorded agreement executed on or after July 1, 2012, expire after 15 years unless the agreement provides otherwise or unless wind-powered energy generation has occurred on the subject property.

Status: 01/28/2015 House Committee on Transportation & Energy Refer Unamended to House Committee of the Whole

Multi-Agency Review of State Carbon Emission Plan
Sponsors: Cooke, Sonnenberg

SB 15-092

The bill requires that, before the Colorado Department of Public Health and Environment (CDPHE) adopts a state plan for the reduction of carbon emissions by Colorado electric utilities in accordance with pending federal regulations, the proposed plan be:

- Reviewed by the PUC in an evidentiary hearing to determine, among other things, its likely impact on the rates paid for electricity by consumers;
- Limited in its impact on rates to a 2% or less average annual increase;
- Approved by the PUC in an order that is accompanied by a report, jointly signed by the PUC and the department, summarizing the effects of the plan on rates, reliability, and Colorado's economy;
- Adopted by both houses of the general assembly in a resolution approved by a two-thirds affirmative vote; and
- Subject to annual review by utilities with regard to its effects on reliability.

Status: 01/14/2015 Introduced In Senate - Assigned to State, Veterans, & Military Affairs

Compensate Owners of Mineral Interests for Extraction Regulations
Sponsors: Sonnenberg

SB 15-093

This bill states that when a local government adopts or implements an ordinance, resolution, rule, regulation, or other form of official policy concerning mineral extraction operations that has the effect of reducing the fair market value of the owner's mineral interest by at least 60%, the owner's interest is deemed to have been taken for a public use and allows owner to obtain compensation from the local government for the full diminution in the fair market value of the owner's interest caused by the regulatory impairment of the local government.

CML-OPPOSE

Status: 01/14/2015 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy

~~Compensate Owners of Mineral Interests for Extraction Regulations~~ *Greg Mattingly* **SB 15-120**
Sponsors: Hones; Winter

The bill requires all providers of retail electric service in Colorado, including municipal utilities and cooperative electric associations, to develop a grid modernization plan outlining how the provider, over a 10-year period, proposes to make measurable progress toward the following grid modernization objectives:

- Optimizing demand-side management;
- Optimizing supply-side management;
- Achieving advanced metering functionality within 5 years;
- Increasing electric grid reliability by improving integration capabilities for distributed resources; and
- Achieving advanced metering infrastructure functionality within 5 years.

Status: 01/26/2015 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy

Repeal Punitive Damages in Employment Discrimination
Sponsors: DelGrosso**HB 15-1172**

In the 2013 legislative session, the general assembly enacted legislation enabling plaintiffs in employment discrimination cases filed under state law, which applies to all employers regardless of size and which permits certain employment discrimination claims not currently allowed under federal law, to seek an award of compensatory and punitive damages. The bill eliminates the ability of a plaintiff filing an employment discrimination claim under state law to obtain a punitive damage award.

Status: 01/29/2015 Introduced In House - Assigned to Judiciary

Department of Labor and Employment Audit Authority
Sponsors: Tate**HB 15-1176**

The bill limits the authority of the Department of Labor and Employment to conduct audits or investigations to the initial purpose of the audit or investigation.

Status: 01/29/2015 Introduced In House - Assigned to Business Affairs and Labor

Repeal Job Protection Civil Rights Enforcement act
Sponsors: Woods; Szabo, **Thurlow, Willett****SB 15-069**

In 2013, the general assembly enacted HB13-1136, the "Job Protection and Civil Rights Enforcement Act of 2013" (act), which established compensatory and punitive damage remedies, as well as front pay, for a person who proves that an employer engaged in a discriminatory or unfair employment practice under state law. With the exception of the expansion of age-based discrimination claims to individuals who are 70 years of age or older, the bill repeals all components of the act and restores the equitable relief remedies that were available to employment discrimination victims making claims under state law prior to the passage of the act.

Status: 01/14/2015 Introduced In Senate - Assigned to Business, Labor, & Technology

Electronic Wage Payment
Sponsors: Balmer; Pabon**SB 15-101**

The bill allows employers, at their discretion, to pay wages by electronic credit transfer to an employee's account in a financial institution or to deposit wages on a paycard if the following conditions apply. The employee has the option of electronic credit transfer to a financial institution account in lieu of credit to a paycard. The employee has 7 days after receiving notice of the option to designate an account for electronic credit transfer. The employer provides the employee with a written or electronic explanation of any fees associated with both electronic credit transfer and paycard. The employer provides the employee with one withdrawal either by check, automated teller machine withdrawal, or electronic transfer per pay period with no fees. The employer offers a program to the employee that does not charge a monthly maintenance fee to use the prepaid paycard. The employer allows the employee to always have the option to be paid by electronic credit transfer in lieu of credit to a paycard.

Status: 01/22/2015 Introduced In Senate - Assigned to Business, Labor, & Technology

Concerning Liability of Individual Members of BOCCs
Sponsors: Vigil

HB 15-1074

The bill prohibits a judgment against a board of county commissioners arising solely from an act of the board from being enforced against an individual member of the board.

AGNC- SUPPORT

Status: 01/28/2015 House Committee on Local Government Refer Unamended to House Committee of the Whole

Transparency of Title 32, Special Districs
Sponsors: Lesbock, Singer

HB 15-1092

This bill makes several changes to law regarding special districts. Specifically, the bill requires a special district to include a copy of certain resolutions in its annual budget filing with the Department of Local Affairs (DOLA);

- changes the responsibility for electronically posting special district election results from the Secretary of State (SOS) to DOLA, eliminating statutory direction for the General Assembly to make appropriations to the SOS for this service;
- requires a court order of a special district name change to be filed with the county clerk for the name change to be effective;
- requires the governing board of a special district to call for nominations for a special election when the sitting board was appointed by the board of county commissioners due to vacancies;
- requires the special district to include its name within the name of any special improvement district it establishes as a sub-entity; and
- reorganizes provisions concerning the public disclosure of contact information, board members, meeting times, tax rates, and elections.

Status: 01/14/2015 Introduced In House – Assigned to Local Government

Limitations on Municipal Annexation Served by a Metropolitan District
Sponsors: Van Winkle, Holbert

HB 15-1107

This bill adds a procedure for any municipality to annex unincorporated land area that is within the service area of a metropolitan district and has a population of at least 70,000 residents. Prior to the commencement of annexation proceedings, the municipality must obtain the approval of annexation by a two-thirds vote of the governing board of the metropolitan district. Metropolitan districts are a type of special district formed to provide multiple services to residents, both inside and outside the boundaries of municipalities. Under current law, annexation may be initiated by the petition of land owners seeking to be included in an adjacent municipality, or by the municipality seeking to enlarge its geographic territory.

CML-OPPOSE

Status: 01/15/2015 Introduced In House – Assigned to Local Government

Energy Cost Savings Contracts Entered Into by Government Entities
Sponsors: Jones; Tyler

SB 15-134

Current law allows a state agency or political subdivision to enter into a vehicle fleet operational and fuel cost-savings contract if the amount of actual savings for each year during the contract period exceeds the amount of annual contract payments, including maintenance costs. The bill clarifies that moneys included in annual contract payments for a cost-savings contract do not include moneys that would otherwise be allocated for vehicle purchases and vehicle operation and maintenance costs for the applicable fiscal year.

Status: 01/28/2015 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy

Modifications to Urban Renewal

SB 15-135

Sponsors: Martinez Humenik and Jahn, Hodge, Holbert, Todd

This bill increases the maximum number of Urban Renewal Commissioners on an Urban Renewal Authority from 11 to 13 and specifies that one County Commissioner may be appointed to the Authority. The bill also requires all funds remaining from TIF not otherwise used for the project to be refunded to the tax bodies based upon percentage contribution.

CML- SUPPORT

Status: 01/28/2015 Introduced In Senate - Assigned to Local Government

Extend Report Date Statewide Radio Communication**SB 15-002**

Sponsors: Roberts; Brown

The bill extends the date by which the Department of Public Safety must report its findings regarding statewide radio communications to the Joint Budget Committee from December 1, 2014, to June 30, 2015. The report is required pursuant to Senate Bill 14-127, which directed the department to undertake a needs assessment of and formulate a business plan for the Digital Trunked Radio System.

Status: 01/22/2015 Introduced In House - Assigned to Judiciary

Wildfire Risk Reduction Grand Program**SB 15-022**

Sponsors: Roberts

Senate Bill 13-169 created the Wildfire Risk Reduction Grant Program funded through the Wildfire Risk Reduction Cash Fund which included an initial \$9,800,000 in funding. A portion of the grants are available for capacity-building efforts to provide local governments, community groups, and collaborative forestry groups with the resources necessary to provide site-based hazardous fuel reduction treatments. This bill transfers an additional \$9.8 million and expands the definitions of hazardous fuels.

CML- SUPPORT**Status:** 01/15/2015 Senate Committee on Agriculture, Natural Resources, & Energy Refer to Appropriations

Transfer Pension Plan Funds to FPPA**SB 15-025**Sponsors: Jones, **Scott**; Milton

Under current law, a former or current police officer or firefighter who is a member of the Fire and Police Pension Association (FPPA) may use distributions from another eligible pension plan to purchase service credit in the FPPA's statewide defined benefit plan. This bill creates a new, separate process to roll over distributions from other pension accounts, causing the transaction to be considered a rollover rather than a purchase of service credit under applicable tax law. Federal tax law recognizes a distinction between the purchase of pension benefits and a rollover between pension funds. This bill allows FPPA members to receive tax treatment as a rollover when transferring funds.

Status: 01/30/2015 Senate Second Reading Laid Over Daily - No Amendments

FPPA Member Contribution Rate**SB 15-026**

Sponsors: Balmer; Ginal

The interim bill specifies the procedures for new members entering the Fire and Police Pension Association (FPPA) statewide defined benefit pension plan for firefighters. Any new members entering the FPPA system due to a merger, consolidation, exclusion, or dissolution of an existing pension plan, will pay the continuing uniform contribution rate established by the FPPA. In 2014 and recent years, a number of fire protection districts have initiated mergers intended to improve cost effectiveness and other service measures. Mergers involving districts not participating in FPPA plans may result in new FPPA members at various levels of seniority and advancement toward retirement status. The bill may increase the contribution rate required for local governments that have individuals who join the FPPA system.

Status: 01/30/2015 Senate Second Reading Laid Over Daily - No Amendments

Medical Tests for All Assault Victims
Sponsors: Cooke, Johnston; Foote

SB 15-126

Under current law, testing for communicable diseases is required for persons charged with or convicted of assault in either the second or third degree when bodily fluids come into contact with a peace officer, firefighter, emergency medical care provider, or emergency medical service provider. This bill expands the requirement if the person's body fluids come into contact with the victim.

Status: 01/30/2015 Senate Third Reading Laid Over Daily - No Amendments

Foreclosure Sale Continuation HOA Assessment**HB 15-1113**

Sponsors: Roupe

The bill creates a requirement that if the foreclosing party causes a continuance of a foreclosure sale on a common interest community (HOA) property, that party is responsible to pay common expense assessments (HOA dues) for the period between the designated date of sale and the actual date of sale. The bill provides that the foreclosing party is not liable for HOA dues in the event of a short sale, certain errors in the foreclosure notice, or if the foreclosure is withdrawn.

Status: 01/15/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs

Public Trustee Conduct Electronic Foreclosure Sale**HB 15-1142**

Sponsors: McCann, Coram; Guzman

The bill authorizes the public trustee of a county to conduct foreclosure sales through the internet or another electronic means, and allows for the collection of a specific fee for sales that are conducted electronically.

Status: 01/28/2015 Introduced In House - Assigned to Business Affairs and Labor + Finance

Real Estate Title Vest in Entity Once Formed**SB 15-049**

Sponsors: Martinez Humenik; Keyser

Under current law, when a grantee of a real estate title is a corporation whose incorporation papers have not yet been filed, the title vests upon incorporation. The bill requires only that the corporate entity be formed before the title vests, and expands the law to apply to all entities recognized in Colorado statute, which can include a domestic or foreign company, partnership, cooperative, nonprofit association, or other types of allowable organizations.

Status: 01/28/2015 Senate Committee on Business, Labor, & Technology Refer Unamended to Senate Committee of the Whole

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Status: 01/28/2015 Senate Committee on Business, Labor, & Technology Refer Unamended to Senate Committee of the Whole

Allowing Counties to Implement Specified Taxes on Retail Marijuana
Sponsors: Singer

HB 15-1007

This bill, recommended by the Marijuana Revenues Interim Committee clarifies that counties and statutory cities have the authority to levy a voter approved special sales tax on retail marijuana and gives them authority to levy a voter approved excise tax. In 2013, voters passed Proposition AA, which allowed the state to levy a 10 percent sales tax and a 15 percent excise tax on retail marijuana. Home-rule cities also have the authority to levy voter approved taxes on retail and medical marijuana. Proposition AA was silent on the authority of counties and statutory cities to levy sales or excise taxes on retail marijuana.

Voters have approved taxes on marijuana in four counties:

- 3% sales tax on retail marijuana in Adams County;
- 3.5% tax on retail marijuana in Pueblo County;
- 5% excise tax on retail marijuana in Huerfano County; and
- 4% sales tax on medical marijuana and medical marijuana paraphernalia in Park County.

In addition, several statutory cities collect taxes on retail marijuana.

AGNC- SUPPORT
CML-OPPOSE

Status: 01/07/2015 Introduced In House - Assigned to Finance

Agricultural Land Destroyed by Natural Causes
Sponsors: Hamner, Roberts

HB 15-1008

This bill, allows agricultural land destroyed by a natural cause on or after January 1, 2012 to retain its agricultural classification for a rehabilitation period consisting of the year of destruction and the next four property tax years. During the rehabilitation period, the bill specifies that the owner must make progress toward restoring agricultural use or, in the case of forest land, must comply with an approved forest management plan. Undeveloped land that is not suitable for agricultural production is generally classified as vacant. Colorado's method for valuing agricultural land is based on agricultural production, whereas vacant land is valued based on the property as a whole and bears a relatively greater tax burden for a property otherwise similar to an agricultural parcel.

Status: 01/07/2015 Introduced In House - Assigned to Finance

Sales and Use Tax Exemption for Dyed Diesel
Sponsors: Becker; Sonnenberg

HB 15-1012

This bill expands the sales and use tax exemption for dyed diesel fuel. It also exempts dyed diesel from sales taxes levied by counties and cities. Dyed diesel fuel is fuel used for off-road use only and is not subject to the state's special fuels taxes. Dyed diesel can only be used in equipment that is not used on public roads. This includes farm equipment, heavy construction equipment, and generator use.

Status: 01/28/2015 House Committee on Transportation & Energy Refer Unamended to Appropriations

Sales and Use Tax Refund for Data Centers
Sponsors: DelGrosso; Holbert

HB 15-1158

Beginning January 1, 2016, the bill allows a sales and use tax refund to the owner, operator, or tenant of a facility that is a qualified data center or a qualified refurbished data center for the state sales or use tax paid on information technology equipment (IT equipment) that is used and maintained in the qualified data center or qualified refurbished data center for at least one year. The refund also applies to IT equipment that is purchased to replace or upgrade IT equipment and IT equipment that is relocated to the state.



Status: 01/29/2015 Introduced In House - Assigned to Business Affairs and Labor + Finance + Appropriations

Instream Flow Incentive Tax Credit
Sponsors: Arndt, Donovan

HB 15-1159

In 2009, the general assembly enacted the instream flow incentive tax credit for water rights holders for 6 years. When enacted, the tax credit included a trigger that made the credit unavailable if total general fund revenues for a particular fiscal year would not be sufficient to grow the total state general fund appropriations by 6% over the previous fiscal year's appropriations. The bill extends the instream flow incentive tax credit for water rights holders for an additional 5 income tax years.

Status: 01/29/2015 Introduced In House - Assigned to Agriculture, Livestock, & Natural Resources + Finance + Appropriations

Sales and Use Tax Refund for Medical and Clean Technology
Sponsors: Kraft-Tharp; Heath

HB 15-1180

The bill recreates and reenacts, with amendments, a refund for state sales and use tax paid by a qualified medical technology or clean technology taxpayer (qualified taxpayer). A qualified taxpayer is a business entity that:

- Employs 35 or fewer full-time employees in Colorado;
- Is headquartered in Colorado or has more than 50% of its employees in Colorado; and
- Conducts research and development of medical technology or clean technology.



From 2015 through 2019, a qualified taxpayer may claim a refund for state sales and use tax paid on tangible personal property used in Colorado directly and predominately in research and development of medical technology or clean technology. The maximum annual refund is \$50,000.

Status: 01/29/2015 Introduced In House - Assigned to Business Affairs and Labor + Finance

Colorado is Honoring our Military Tax Exemption
Sponsors: Keyser; Crowder

HB 15-1181

The bill exempts all military income of a resident service person from Colorado state income tax for 5 tax years commencing with the 2016 income tax year.

Status: 01/29/2015 Introduced In House - Assigned to State, Veterans, & Military Affairs + Finance + Appropriations

Modified Qualified State Tuition Program Tax Deductions
Sponsors: Merrifield

SB 15-118

Current state law allows for a state income tax deduction to any taxpayer in amounts equal to the full amounts of both contributions made by a taxpayer to the qualified state tuition program CollegInvest and distributions of investment earnings taken from the plan. This bill would allow taxpayers to subtract 200% of the contributions or distributions for incomes under \$75,000; 150% of contributions and distributions for incomes between \$75,000 and \$200,000; and 100% of contributions and distributions for incomes between \$200,000 and \$250,000.

Status: 01/26/2015 Introduced In Senate - Assigned to Finance

Tax Incentives for Agritourism-Related Activities
Sponsors Garcia; Dore

SB 15-127

This bill creates a state income tax credit for private advertising or marketing agencies that donate advertising or marketing services of a local government with fewer than 120,000 residents for the purpose of marketing or promoting an Agritourism activity. The agency may deduct 50% of the costs that were donated, up to \$10,000 in any year. The bill also creates an income tax credit for taxpayers who purchase equipment to be used for Agritourism purposes. The credit is equal to the purchase price of the equipment and capped at \$500 annually with a 5-year carry forward.



Status: 01/28/2015 Introduced In Senate - Assigned to Agriculture, Natural Resources, & Energy + Finance

Income Tax Credit for Property Taxes Paid Eligibility
Sponsors Sheffel; Thurlow

SB 15-141

Last year, legislation passed that created an income tax credit to reimburse taxpayers for personal property taxes paid. In order to qualify, the person must have less than \$15,000 in personal property subject to business personal property tax. This bill increases the property cap from \$15,000 to \$25,000 for 2015 and grows the cap for the next 4 years by an amount equal to inflation.



CML SUPPORT

Status: 01/28/2015 Introduced In Senate - Assigned to Finance



Government Affairs Videoconference

02/03/15
7:00 a.m. – 8:32 a.m.
Gallegos Board Room, Colorado Mesa University

AGENDA

Event: Legislative Videoconference
Facilitator: Greg Motz, John Marshall, Vice-Chairs

Agenda topics

Welcome and thank our Sponsor: Grand Valley Power John Marshall
Everyone

Self Introductions

View From the Capitol

Representative Yeulin Willett, Representative Dan Thurlow, Representative Don Coram (Invited), Senator Ray Scott

Bills:

HB15-1057 Fiscal Impact Statements on Initiatives PG 7
HB15-1065 Regulatory Reform Act of 2015 PG 2
HB15-1085 County Fiscal Information Online
HB15-1119 Fracking and Royalty Owners PG 7
SB15-069 Repeal Civil Rights Act of HB13-1136 PG 13
SB15-093 Fracking and Royalty Owners PG 11
SB15-120 Grid Modernization Act PG 11
SB15-127 Agritourism Tax Credits PG 29
SB15-141 Person Property Tax Credit Increase PG 29

Updates/Important Information

Next Videoconference: February 17

Legislative Trip to the Capitol March 5-6