

BOARD UPDATE



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LEGISLATIVE SUMMARY (as of Jan. 20, 2016)

This legislative summary lists the status of all legislation that the Denver Regional Council of Governments (DRCOG) supports, opposes or monitors during the 2016 legislative session, as of Jan. 20, 2016. For additional information, contact Rich Mauro, senior legislative analyst, at 303-480-6778. The DRCOG Legislative Policy Statement as adopted by the Board of Directors states, in part:

DRCOG's legislative activity will be generally focused on the following types of issues:

- (1) Proposals of special significance to the Denver region, or which would have a unique effect upon local governments in this region;
- (2) Proposals that affect DRCOG as an agency or would affect one or more of its programs; and
- (3) Legislation to implement DRCOG special task force recommendations. Support for or opposition to a bill or legislative funding measure will be given, and be subject to reassessment, according to a bill's or measure's consistency with DRCOG's adopted principles and plans.

Bill No. / Sponsor	Short Title Bill Summary	Status	Staff Comments	DRCOG Position Legislative Policy
AGING BILLS				
HB16-1027 Danielson	Criminal Deposition for At-risk Persons The bill allows the prosecution to make a request for both at-risk adults and at-risk elders. If the motion relates to an at-risk elder, the court shall schedule the deposition. If the motion relates to an at-risk adult, there is a rebuttable presumption that the deposition should be taken to prevent injustice. The court may deny the motion if it finds that granting the motion will not prevent injustice.	House Judiciary	DRCOG has supported bills to strengthen this statute for the last four years. Under current law, the prosecution may request to take the deposition of an at-risk adult victim or witness if the victim or witness may be unavailable at trial. This bill, which was requested by District Attorneys, expands that authority to at-risk elders.	Support DRCOG supports increases in consumer protections for older adults and their caregivers.
HB16-1065 Conti	Income Tax Credit For Home Health Care Creates an income tax credit (up to a maximum of \$3000) to assist a qualifying senior with seeking health care in his or her home. In the first 2-years, the credit is for a percentage of the costs incurred for home modifications. In the next 2-years, it adds home health care services. In the following 2-years, it adds durable medical equipment and telehealth equipment. If the December revenue estimate shows the budget will not be sufficient to grow total state appropriations by 6% over the previous year, the tax credit is not allowed for the subsequent calendar year income tax but the taxpayer can claim the credit in next year the credit is allowed.	House Health, Insurance & Environment/ House Finance	As a tax credit, this bill would cost the state foregone revenues that could be significant. Since the fiscal note has not yet been released, staff recommends monitoring this bill until more information about its impact becomes available.	Monitor DRCOG supports increased funding for programs providing services to older adults, persons with disabilities, and their caregivers, especially services that support individuals continuing to live independently in their homes and communities.

Bill No. / Sponsor	Short Title Bill Summary	Status	Staff Comments	DRCOG Position Legislative Policy
SB16-078 Martinez Humenik / Primavera	Assisted Living Facilitator Competency Requirement The bill requires an operator of an assisted living facility to ensure that the administrator of the facility completes 30 credits of continuing competency every 2 years. The operator must maintain records on the facility premises as proof of the fulfillment of the competency requirements. The Colorado Department of Public Health and Environment is required to promulgate rules concerning the competency requirements.	Senate Business, Labor & Technology	Although staff believes there should be additional competency requirements for Assisted Living Administrators, staff is concerned this bill preempts work be done currently by the Assisted Living Working Group at the state Department of Public Health and Environment. DRCOG opposed a similar bill last year.	Staff Discretion to Oppose DRCOG supports increases in the quality of care and consumer protections for older adults and their caregivers.
TRANSPORTATION BILLS				
HB16-1008 J. Becker & Winter/ Heath & Cooke	Roadway Shoulder Access for Buses The Colorado Department of Transportation (CDOT) is authorized to designate an area on a roadway not otherwise laned for traffic for use by commercial vehicles designed to transport sixteen passengers or more, including the driver, that are operated by a governmental entity or government-owned business that transports the general public or by a contractor on behalf of such an entity or government-owned business. CDOT must consult with the Colorado State Patrol before making such a designation and establishing conditions of use for the designated area. CDOT must impose and each authorized user must acknowledge the conditions of use for the designated area by written agreement.	House Transportation & Energy	This bill provides statutory authorization necessary for projects such as that contemplated for US 36.	Support DRCOG supports legislation that promotes efforts to create and fund a multimodal transportation system. DRCOG supports funding for programs that provide transportation for "access to jobs" for low-income workers who cannot afford to live near where they work, and for safe routes to schools.
HB16-1018 Mitsch-Bush & Carver/Todd	Transportation Advisory Committee Procedures Transportation Legislation Review Committee. The bill amends current law to require the Statewide Transportation Advisory Committee (STAC) to provide advice and comments to both CDOT and the Transportation Commission, rather than only to CDOT. The bill also specifies that the STAC will provide advice on budgets and transportation policy, programming, and planning.	House Transportation & Energy	Current law only requires the STAC to advise CDOT on the needs of the transportation systems in the state and to review and comment on all regional transportation plans submitted for the transportation planning regions of the state.	Support DRCOG supports legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests.
HB16-1031 Carver	Modify Transportation Commission Membership Transportation Legislation Review Committee. The bill requires the TLRC to study current statutory Transportation Commission districts during the 2016 interim to determine whether the number and boundaries of the districts should be modified. To assist the TLRC in its work, by August 1, 2016, Legislative Council Staff (LCS), with the cooperation of CDOT, present a research study to the TLRC that documents changes in the current 11 districts since the last time the General Assembly modified the districts, to include population, number of lane miles, and annual vehicle miles traveled. In doing so, LCS must take into account existing county and municipal boundaries, regional transportation areas and districts, and transportation planning regions. The TLRC must hold public hearings in major geographical regions of the state regarding potential district modifications. The TLRC may recommend legislation to modify the districts.	House Transportation & Energy	Transportation Commission members are appointed from 11 statutorily defined Transportation Commission districts and the General Assembly has not modified the number or boundaries of the districts since 1991. An early draft of this bill proposed to change the Transportation Commission districts and representation to reflect the 15 transportation planning region districts. This would have meant that the DRCOG region would have had just one representative on the Transportation Commission. Currently the DRCOG region is represented by three of the eleven districts.	Actively Monitor DRCOG supports: • Legislation to ensure that representation on the Transportation Commission reflects approximately equal populations based on the most recent population census. • Transportation planning that is coordinated between DRCOG, CDOT, RTD and affected local communities, with each participating transportation agency's plan recognizing the region's priorities in the context of statewide transportation priorities. • A strong role for MPOs placing MPOs on equal footing with CDOT in selecting projects to be funded to ensure that local, regional and state transportation needs are met in a coordinated and cooperative manner. • Legislation that reinforces collaboration between state and regional transportation agencies and recognizes their respective roles, responsibilities and interests.

Bill No. / Sponsor	Short Title Bill Summary	Status	Staff Comments	DRCOG Position Legislative Policy
HB16-1039	Interstate 70 Motor Vehicle Traction Equipment			Support with modification from Jefferson County-extend only to SH-74 (Evergreen).
Mitsch-Bush & Rankin/ Todd & Donovan	Transportation Legislation Review Committee. The bill broadens current law to require the traction equipment to be carried on I-70 between Milepost 133 (Dotsero) and milepost 259 (Morrison) when icy or snow-packed conditions are present. The bill also requires that this traction control equipment be used when icy or snowy conditions are present.	House Transportation & Energy	Currently, a person is required to use certain traction control equipment, such as chains or snow-rated tires, when the CDOT restricts road use due to a winter storm.	DRCOG supports approaches that make use of the roadways and transit facilities more efficient, including programs for incident management and Intelligent Transportation Systems. DRCOG supports efforts that improve or expand real-time traveler information.
HB16-1061	Military Installation Transportation Needs Planning			Monitor
Nordberg & Carver	The bill requires the comprehensive Statewide Transportation Plan prepared by CDOT to include an emphasis on coordination with federal military installations in the state to identify the transportation infrastructure needs of the installations and ensure that those needs are given full consideration during the formation of the plan.	House Transportation & Energy	This is a new idea and DRCOG staff needs time to research the implications of the bill.	DRCOG supports regional and statewide efforts at such consensus building and will work to pursue multimodal transportation solutions. DRCOG supports using the regional and statewide transportation planning processes to explore and identify transportation solutions and will evaluate state legislative and administrative actions for consistency with this policy.
HB16-1067	Regional Transportation Authority Mill Levy			Support
Mitsch-Bush/ Donovan	Current law authorizes a regional transportation authority (RTA) to impose a uniform mill levy of up to 5 mills on all taxable property within its territory, but the authorization is scheduled to repeal on January 1, 2019. The bill extends the authorization until January 1, 2029.	House Local Government	Existing RTAs, such as the Roaring Fork Transportation Authority and the Pikes Peak Rural Transportation Authority, have proposed this legislation because the mill levy is an important tool for them to fund local transportation infrastructure projects. DRCOG supported the RTA legislation.	DRCOG supports increased funding for transportation to preserve the system, address congestion and safety, and provide multimodal options for people of all ages, incomes and abilities.
SB16-011	Terminate Use of FASTER Fee Revenue for Transit			Oppose
T. Neville/ P. Neville	Repeals the statutory provisions that require transit-related uses of the FASTER fee revenue. As a result, the revenue must be used only for road safety projects, as defined by FASTER.	Senate Transportation	DRCOG supported FASTER (SB09-108), including the transit provisions. Under current law, \$15 million per year of revenue from the road safety surcharge, daily vehicle rental fee, supplemental oversize and overweight vehicle surcharge, supplemental unregistered vehicle fine, and late vehicle registration fee imposed pursuant to FASTER is used for transit-related projects as follows: <ul style="list-style-type: none"> • \$10 million is used by the department of transportation (CDOT) for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of such projects; and • \$5 million is credited to the state transit and rail fund and used by the transit and rail division of CDOT to provide grants to local governments for local transit projects. 	DRCOG supports increased funding for transportation to preserve the system, address congestion and safety, and provide multimodal options for people of all ages, incomes and abilities.

Bill No. / Sponsor	Short Title Bill Summary	Status	Staff Comments	DRCOG Position Legislative Policy
SB16-057 Kefalas/ Ginal & Tyler	Mobile Home Owners Leasing Space Mobile Home Parks The bill grants new powers to the Division of Housing within the Department of Local Affairs in connection with the promotion of the mutual interests of landlords and home owners within mobile home parks, pursuant to its statutory authority and subject to available appropriations; requires the division to maintain for public dissemination a list of local government agencies and community-based nonprofit organizations that are created and empowered to mediate disputes between or among landlords, management, and home owners within mobile home parks; requires the management of a mobile home park to adopt reasonable written rules and regulations concerning all home owners' use and occupancy of the premises; and requires the parties to a dispute to submit to alternative dispute resolution.	Senate State Affairs	The bill is an attempt to support the viability of mobile home parks as an affordable housing option in the state. There is a lot of detail in the bill that staff has not had time to fully analyze but this is an issue the board has considered in the past and we wanted to bring it to your attention again.	Actively Monitor DRCOG supports the following principles pertaining to the quality, quantity and affordability of housing in the Denver metro area: <ul style="list-style-type: none"> • Regional approaches to addressing the affordable housing issue that incentivize local efforts, particularly as they relate to preservation of existing affordable housing stock. • An adequate supply of permanently affordable housing located near job and transit hubs and continued public- and private sector support for such an effort. • Increased state financial support for loan and grant programs for low- and moderate-income housing. • Collaboration among public and private entities, including efforts to develop loan programs and address the jobs-housing connections. • Actions to provide more accessible and obtainable housing options for seniors.