



2016 Final Report

2016 Session Summary

The Colorado state legislature adjourned Wednesday, May 11th. The 2016 session ended with little progress on issues that lawmakers on both sides of the aisle claimed were top priorities in January. By Sine Die, progress on Construction Defects sputtered its way to an uneventful death. Introduced late in the session and beleaguered by Senate Republican politics around the Hospital Provider Fee, a \$3.5 billion transportation funding effort was swiftly killed by House Democrats. In this election year climate, the General Assembly introduced over 680 bills, many of which were political “messaging” bills, crafted to either help or hurt vulnerable legislators in November. The legislative session has been a partisan fight, with more major policy defeats than bipartisan victories.

One bright spot of legislative compromise was the passage of the state budget. Governor Hickenlooper signed a \$27 billion state budget that avoided \$373 million in cuts. That did not stop the continued fiscal hemorrhage of transportation funding – which suffered a cut of \$50 million from its anticipated \$200 million allocation.

Democrats kept the business community on its toes with the introduction of a flurry of employment and labor bills that increased regulatory burden and seemed to pit employees against their employers in a variety of ways.

Though this legislative session has been dubbed by some to be the “do-nothing” legislature, lawmakers did build on last year’s forward momentum in workforce development.

Overall, much effort was expended this session protecting business from relentless politicized efforts that would have made doing business in Colorado more-costly and burdensome.

Defending and Preserving a Business Friendly environment:

GreenCO supports maintaining and improving Colorado’s business friendly environment by opposing legislation that increases regulatory burden or exposes businesses to additional litigation. **HB1388 “Ban the Box”** would have eliminated employers’ ability to inquire about an applicant’s criminal history before an interview which would have added time to the hiring process and possibly exposed employers to a bevy of liability issues. As expected, it was supported in the democrat-controlled house but died in the republican-

controlled Senate after heavy lobbying by business stakeholders. **HB1432**

“Personnel Files Inspection Right” was passed only after it was amended to allow employees to have limited access to their employee files once a

year. **HB1435 “Low Wage Employee Corporate Responsibility Act”** would have required employers

- 686 bills introduced
- 288 bills killed
- 391 bills with bipartisan sponsorship

of 250 or more to pay a fee to pay for a state-run health insurance program for low-wage employees. Widely condemned upon its introduction, the bill was killed as soon as it reached the Senate. **HB1438 “Employer Accommodations Related to Pregnancy”** passed through both chambers after business stakeholders reached a compromise with the bill sponsors which included amendments that stripped additional requirements for accommodations from the bill and protected employers from possible increased litigation.

- **Investment in infrastructure:** GreenCO supports legislative investment in Colorado infrastructure including transportation, buildings, schools, and water projects. These investments provide the economic platform for growth in Colorado for the long term. **SB210 “Fix Colorado Roads Act”** would have created a bonding scenario similar to the T-Rex project in 1999. The bill would have required a vote of the people in the 2016 election to extend the current transportation bond and receive \$3.5 billion. This bill failed in the House.
- **Sales Tax Policy Work:** GreenCO supports the effort in Colorado to provide a standard set of definitions for sales and use tax by local government. GreenCO also supports finding those practices and interpretations that are either unproductive or punitive to Colorado businesses in the sales tax programs and seeking uniform solutions to eliminate these practices. **SB 36 “Surety Requirements for Appealing Tax Bills Claimed Due”**, after intense stakeholder work in the interim, enjoyed success this year with its final passage in early May.
- **Work Force Development/Education:** GreenCO supports the funding of schools and higher education, and also supports expanding vocational/technical/skilled trade career education. A handful of workforce development bills were

introduced that sought to expand some of the progress made in 2015. **HB 1288 “Industry Infrastructure Grant Program”** created a collaborative effort between CDLE and industry to standardize industry certification programs. It enjoyed the support of the business community and passed late in the session. **HB1289 “Incentives to Complete Career Development Courses”** creates a career development success pilot program to provide financial incentives for school districts and charters schools to encourage pupils to successfully complete industry certificates, internships, and pre-apprenticeship programs. It passed both chambers with support from business stakeholders.

- **Colorado Water Plan:** With the state’s Water Plan finally completed and made public in November 2015, GreenCO was able to review and analyze the plan to determine future policy focus and identify areas of opportunity. Legislators, true to their word, did not introduce much legislation in the 2015-2016 session derived from the Plan. GreenCO expects to see Water Plan legislation in the 2016-2017 session and beyond. The Water Plan will allow the industry to position itself as the eminent expert and policy leader at both the state and local level.
- **Relationship Building with Legislators, Agencies, Water Providers:** In April, GreenCO held a landscape irrigation technology luncheon for legislators, representatives of various agencies, and water providers. At the luncheon, GreenCO members presented their products and had one-on-one conversations with stakeholders important to our legislative efforts. This was just one of many forums that GreenCO will be engaged in to improve the relationship with legislators and our continued effort to educate them about the industry.

GreenCO Priority Bill Outcomes

Active Engagement, Lobbying, & Testimony				
<p>GreenCO was heavily involved in multiple pieces of legislation this session. The following bills were designated as priorities, meaning we directed our lobbyists to actively engage with other stakeholders, lobby all members of the General Assembly, provide testimony during committee, create fact sheets to ensure GreenCO's position and engage in all bill amendments.</p>				
Bill Number	Short Title	GreenCO Position	Outcome	GreenCO Actions
HB 1005*	Residential Precipitation Collection Rain Barrels	Support	Passed	Tier 2: GreenCO testified and worked with bill sponsors other stakeholders to provide fact sheets to support the bill.
SB 36*	Surety Requirement For Appealing Tax Bills Claimed Due	Support	Passed	Tier 2: GreenCO provided support to the coalition and assisted in lobbying the issue knowing this is the first step toward a better sales tax environment.
HB 1001*	State Contract/ Certify with Equal Pay Laws	Oppose	Failed	Tier 3: GreenCO was part of the business stakeholder opposition that successfully lobbied against this bill
HB 1002*	Employee Leave Attend Child's Academic Activities	Oppose	Failed	Tier 3: GreenCO was part of the business stakeholder coalition that lobbied the bill's defeat
SB 210	Fix Colorado Roads Act	Support	Failed	Tier 3: With this bill being introduced late in the session GreenCO provided support based on the issue that CO needs to address its transportation needs.

*indicates priority bill

Asked to Engage by Other Key Stakeholders

There were several other bills introduced during the 2016 session that GreenCO was asked to engage in. Whether that meant lending support on a piece of legislation or expending political capital to kill unfriendly proposals, GreenCO was as an important source for information.

Bill Number	Short Title	GreenCO Position	Outcome	GreenCO Actions
HB 1288	Industry Infrastructure Grants Program	Monitor	Passed	Tier 3: GreenCO monitored this bill due to the outlying impacts of the bill for its members. GreenCO was not directly impacted by this legislation.
HB 1289	Incentives to Complete Career Development Courses	Monitor	Passed	Tier 2: GreenCO worked with the collation and testified in support of the bill in the House and Assisted the Coalition in the Senate.
HB 1313	Authorization Local Government Master Plan Include Water Plan Goal	Monitor	Failed	Tier 2: GreenCO was asked to provide industry specific feedback. GreenCO has been invited by the sponsor to meet over the summer to discuss the issue further.
HB 1388	Employee Hiring Criminal History Employee “Ban the Box”	Monitor	Failed	GreenCO was part of the coalition that lobbied against the bill
HB 1392	Water Banks Administration	Monitor	Failed	Tier 3: GreenCO worked alongside sponsors to understand the bill and has been invited in 2016 to continue to participate and be involved
HB 1432	Personnel Files Inspection Right	Monitor	Passed	Tier 3: GreenCO monitored and worked with other stakeholders to continue the discussions around the issue.
HB 1435	Low Wage Employer Corporate Responsibility Act	Monitor	Failed	Tier 3: GreenCO was invited to a number of stakeholder meetings to discuss the impact and echoed the concerns we had knowing the bill would not pass.
HB1438	Employer Accommodations Related to Pregnancy	Oppose	Passed	Tier 2: This bill was amended in the House to protect Republicans in competitive races not to have a vote against pregnant women. GreenCO maintained its opposition based on priorities.

GreenCO Legislative Scorecard

The “scorecard” below rates GreenCO’s PAC donations and the voting records of the candidates we supported. For legislation to be considered against the voting percentage it had to be voted on for 3rd reading by either House or Senate or a vote in committee by GreenCO endorsed legislators. The bills that are listed are the bills that GreenCO-designated priority legislation that had a support position. Due to a number of bills being killed in the House, many House Representatives did not have the opportunity of voting on GreenCO priority bills.

GreenCO Scorecard					
Legislator	HB 1005	HB1001	HB1002	SB 36	SB 210
Kit Roupe	With GreenCO	With GreenCO	Against GreenCO	With GreenCO	N/A
Angela Williams	With GreenCO	Against GreenCO	Against GreenCO	With GreenCO	N/A
Tracy Kraft-Tharp	With GreenCO	Against GreenCO	Against GreenCO	With GreenCO	N/A
J. Paul Brown	With GreenCO	With GreenCO	With GreenCO	With GreenCO	N/A
Laura Woods	With GreenCO	N/A	N/A	With GreenCO	With GreenCO
Beth Humenik	With GreenCO	N/A	N/A	With GreenCO	With GreenCO

	Highlight indicates endorsement only
	With GreenCO
	Against GreenCO
	N/A

Beyond the Legislative Session: Election 2016

With the legislature adjourned for the year, we will turn our attention to the 2016 election. Colorado’s statehouse election promises to be one of the most competitive in the country. The state Senate has a difference of partisan balance of just one seat. This was also the case in 2014. With 18 out of 35 seats up for election, certain Senate districts will be hotly contested. In the State House, all 65 seats are up for election and the partisan balance is three seats. Both parties will spend millions of dollars to defend or expand their power in both chambers. Over the summer, GreenCO will analyze the political landscape, conduct candidate interviews, and determine which races will be key to our legislative efforts moving forward.