

Memo

To: RTD
From: Brandeberry McKenna Public Affairs (BBMK)
Date: February 27, 2017
Re: Update

Congratulations on the opening of the R Line! It was great to see RTD Board Members, Executive Staff, State and Local Elected Officials at the event to celebrate this great achievement.

BBMK continues to schedule and attend meetings with General Manager Genova to update newly elected legislators on the District's activities.

BBMK is working with the Chair of the House Transportation Committee Representative Diane Mitsch Bush to coordinate a P3 discussion during the interim. We had originally planned it during the discussion but the Chair asked us to move the date as to not distract from the larger transportation funding conversation under the dome.

BBMK monitors and attends transportation committee meetings as well as continues to participate in discussions regarding state wide transportation infrastructure funding needs.

SB17-153 Southwest Chief and Front Passenger Rail Commission sponsored by Senators Garcia and Crowder and Rep. Esgar passed the Senate. The bill replaces the Southwest Chief Rail Line Commission housed in CDOT with the Southwest Chief and Front Passenger Rail Commission. The new commission will assume the duties of the old commission which was set to repeal on July 1, 2017. These duties include the coordination of efforts to ensure that track repairs and upgrades required for continuation of existing Southwest Chief Rail service in Colorado are completed, extending rail service to Pueblo and exploring the benefits of extending service to Walsenberg. The Commission is also tasked with developing draft legislation that facilitates the development of a passenger rail system that provides service in and along the I-25 corridor. *An appointee from the District would be a member of the Board. This bill supported by CDOT is a way to have all stakeholders involved in this discussion formally at the table.*

HB17-1171 Authorize New Transportation Revenue Anticipation Notes sponsored by Reps. Carver and Buck is scheduled for a hearing on March 29th at 1:30pm in the House State Veterans and Military Affairs Committee. This bill requires that the Transportation Commission submit a ballot question in November of 2017 asking voters to approve \$3.5 billion in bonds for transportation funding. The bill would also set aside 10 percent of all future state sales tax for transportation projects.

During the fall the Secretary of State's office convened a CORA Working Group. There were two bills introduced because of the committee's discussions.

SB17-040 Public Access to Government Files sponsored by Senators Kefalas and Gardner and Rep. Pabon is scheduled for a hearing on March 1st at 1:30pm in the Senate State Veterans and Military Affairs Committee. The bill concerns public access to digital database records. *The Secretary of State is supporting this legislation. Several organizations such as the Colorado Counties Incorporate, Sherriff's Association and Colorado Water Congress have opposed the bill. The AG's office will be offering amendments to the bill which BBMK forwarded to the district for review.*

HB17-1177 Mediation for Disputes Arising Under CORA sponsored by Reps. Wist and Garnett and Senator Cooke is scheduled for a hearing on March 16 upon adjournment in the State Veteran's and Military Affairs Committee. This bill is intended to encourage records requesters and government entities to resolve disputes through mediation rather than in the court system. The bill would require the requesters and records custodians to evenly split the cost of hiring a mediator.

In addition to monitoring transportation related legislation BBMK continues follow closely any sales tax bills which have a direct operational impact on the district.

HB17-1103 Sales and Use Tax Exemption for Historic Aircraft sponsored by Reps. Nordberg and Pabon and Senators Moreno and Gardner passed the House Appropriations Committee this morning. This bill is trying to address an issue of out of state historic aircraft owners wanting to loan the aircrafts to museums in Colorado and want to make sure there is no tax imposed during this process. *The fiscal note only mentions a "potential impact." BBMK will monitor the bill however does not think it would have a significant impact on the District.*

HB17-1127 Exempt Feminine Hygiene Products from Sales Tax sponsored by Rep. Lontine and Senator Martinez Humenik passed the House Finance Committee. The bill creates a state sales tax exemption, commencing January 1, 2018, for all sales, storage, and use of feminine hygiene products. *The bill has a large fiscal note and will likely not survive the appropriations committee because of the current makeup of the legislature.*

HB17-1195 Create a State Sales Tax Exemption for Diapers sponsored by Rep. Winter and Senator Martinez Humenik was introduced and assigned to the House Finance and House Appropriations Committee. The bill creates a sales tax exemption, commencing January 1, 2018 for the sale, storage and use of diapers. The bill further allows local taxing jurisdictions to adopt the same exemption.

BBMK is monitoring bills related to Construction Defects and have included them for board members that are interested in this issue.

SB17-045 Construction Defect Claim Allocation of Defense Costs sponsored by Senators Williams and Grantham and Reps Wist and Duran is waiting to be scheduled in the Senate

Appropriations Committee. This is a bipartisan measure concerning a requirement for the equitable allocation of the costs of defending a construction defect claim.

SB17-156 Homeowners Association Construction Defect Lawsuit Approval Timelines sponsored by Senator Hill and Rep. Wist is scheduled for a hearing on February 27th at 2pm in the Senate Business Labor and Technology Committee. The bill is supported by the Homeownership Opportunity Alliance. The bill requires written consent of a majority of homeowners in an association prior to initiating litigation, disclosure of the costs and duration of litigation and a process for alternative dispute resolution.