Meeting Agenda of the
TRANSPORTATION ADVISORY COMMISSION
June 8, 2017
8:30 a.m.

109 East Industrial Boulevard
Pueblo West, CO 81007

Agenda items marked with * indicate additional materials are included in the packet.

Individuals Requiring Special Accommodations Should Notify the City MPO’s Office (719) 553-2242 by Noon on the Friday Preceding the Meeting.

1. Call Meeting to Order

2. Introductions and Public Comments (non-agenda items only)

3. Approval of Minutes*
   May 11, 2017
   Action Requested: Approve/Disapprove/Modify

4. CDOT Region II TIP/STIP Policy Agenda Item(s)*
   Action Requested: Approve/Disapprove/Modify
   Project Name: Ilex – I-25 at City
   STIP Number: SPB3865
   Project Location and Description: I-25 Ilex Design Build
   Fund Source(s): FASTER Bridge Enterprise 2017
   Federal Program Funds: $
   State Matching Funds: $3,269,267
   Local Matching Funds: $
   Other Project Funds: $
   TOTAL PROJECT FUND AMENDMENT: $3,269,267
   This TIP Amendment request adds funding for the Ilex construction phase. This funding will be added to the construction phase to cover the cost associated with the 2 span bridge over Thomas Phelps Creek and the Union Pacific Rail Road easement. The total needed to build the 2 span bridge is $5,104,749.

5. TIP/STIP Administration Modifications Agenda Item(s)*
   No Action Required
   CDOT Region 2 requests for PACOG MPO/TPR TIP amendment(s)
   Project Name: I-25 City Center to 29th St
   STIP Number: SPB3865
   Project Location and Description: I-25 City Center to 29th St
   Fund Source(s): National Freight Program
   Federal Program Funds: $
State Matching Funds: $2,000,000
Local Matching Funds: $
Other Project Funds: $
TOTAL PROJECT FUND AMENDMENT: $2,000,000
This administrative request adds funding to the preconstruction activities in the I-25 Corridor.

Project Name: Sh 96 Lincoln from Abriendo to Orman Safety Project
STIP Number: SPB3865
Project Location and Description: Sh 96 Lincoln from Abriendo to Orman Safety Project
Fund Source(s): Hazard Elimination
Federal Program Funds: $104,967
State Matching Funds: $21,820
Local Matching Funds: $
Other Project Funds: $
TOTAL PROJECT FUND AMENDMENT: $126,787
This administrative request adds funding to the Design phase activities in this project. The Historic clearances for easements and the utility phases are the areas that these funds will be applied.

Project Name: Ilex – I-25 at City
STIP Number: SPB3865
Project Location and Description: I-25 Ilex Design Build
Fund Source(s): FASTER Bridge Enterprise 2017
Federal Program Funds: $
State Matching Funds: $1,835,482
Local Matching Funds: $
Other Project Funds: $
TOTAL PROJECT FUND AMENDMENT: $1,835,482
This administrative request rolls forward funding for Ilex that was originally programmed in the design phase. This funding will be added to the construction phase to cover the cost associated with the 2-span bridge over Thomas Phelps Creek and the Union Pacific Rail Road easement.

6. FY2017 Roll Forward Projects*
7. CDOT Region II Updates
8. SB17-267 Sustainability of Rural Colorado*
9. Staff Reports:
   DRAFT Pueblo West Transit Report*
   FY 2017 Mid-Year Review Summary
   FFY 2018-2019 Scope of Work*
11. Items from TAC Members or scheduling of future agenda items
12. Adjourn at or before 10:30 am
Minutes of the
TRANSPORTATION ADVISORY COMMISSION
May 11, 2017
8:30 a.m.
Community Room of the Municipal Justice Center, 200 South Main Street
Agenda Items Marked with * indicate additional materials included in packet

1. Call Meeting to Order
Chairman: John Adams
Time of Call: 8:34 a.m.
MPO Members Present: John Adams, Bart Mikitowicz, Hannah Haunert
TAC Members Present: Dan Centa, Darrin Tangeman, Don Bruestle, Pepper Whittlef, Wendy Pettit, Shawn Winters
CAC Members Present: Joe Garcia
Others Present: Salvatore Piscitelli

2. Introductions and Public Comments (non-agenda items only).
Sal Piscitelli had a few concerns about re-marking of the streets, bus stops without amenities, and what was happening on Overton Rd. Pepper Whittlef said that every summer for about 3 months they re-paint the yellow and white lines. Wendy Pettit said that we do not own the ROW to place a bus amenity there. Wendy said that it is to clean out the Fountain River and if Sal wants more information to call Larry Small.

Joe Garcia wanted to know about the rumble strips by 29th St, the erosion control in Beulah, and the bus stop Hwy 45 east of the new Walmart. Wendy Pettit said that they do have FHWA approval for the rumble strips but they might become vertical rather than horizontal.

Dan Centa had a concern about the widening of Hwy 50 W and that Pedestrians would have a hard time crossing. Joe Garcia suggested an overpass. Wendy Pettit suggested talking to Ajin or Karen about these issues. She said that there will be $1.6b out of the Legislator but is not sure where it will end up. There will not be enough in the TAP to help. Darrin Tangeman said that there is a GOCO Grant to help with the trails. Dan asked if it is possible for a grade separation. Wendy said that it probably will not work. Joe said that a grade separation would cost $25m.

Wendy Pettit said that with the new bill, $50m would need to be drawn from other accounts.

Don Bruestle asked about the activation pedestrian crosswalk light on Santa Fe & Mechanic, he said that the west side light is not working. Pepper Whittlef said that it is not working and CDOT does not want to replace it. CDOT wants to put an in-roadway pedestrian crossing sign, they are the flexible sign. Pepper would need to a volunteer to place and remove it, the Convention Center will give her an answer tomorrow.

3. Approval of Minutes of the regular meeting held on April 13, 2017
Motion to Approve: Sal Piscitelli
Second: Don Bruestle
4. **CDOT Region II TIP/STIP Policy Agenda Item(s)**

CDOT Region II request(s) for PACOG MPO/TPR TIP amendment(s) FY 2017-2020 Transportation Improvement Program

- **Project Name:** US 50 Bridge Asset Management-Culvert Program
- **STIP Number:** SR26710.044
- **Project Location and Description:** US 50B bridges K-18-BY and K-18-BZ at MM 318
- **Fund Source(s):** Bridge asset management
  - Federal Program Funds: $41,395
  - State Matching Funds: $8,605
  - Local Matching Funds: $
  - Other Project Funds: $

**TOTAL PROJECT FUND AMENDMENT:** $50,000

This amendment provides for channel stabilization countermeasures to be installed in the channel downstream to protect the bridges. Work to be included is as follows:

- Structure design
- Survey/ROW plans to identify easements
- Environmental clearance

**Motion to Approve:** Joe Garcia
**Second:** Don Bruestle
**Unanimous**

5. **CDOT Region II TIP/STIP Administrative Notification**

PACOG did approve the 2018-2021 TIP.

6. **CDOT Region II Updates**

Wendy Pettit said that the roll forwards will be in the June meeting.

7. **Legislative Update**

There was a Hospital bill that passed (Bill 17-267) and it allocates $1.6b over 20 years. Wendy Pettit said that the 228 money goes away completely and that the FASTER money stays intact. Leasing and Bonding State property will help the fund.

Southwest Chief and Front Range Passenger Rail Commission

There has been a push to get the Amtrak to Pueblo and will expire on July 1. Fort Collins and Trinidad would be included.

8. **CDOT Infrastructure Tour – May 16, 2017 at 10:00 am**

There is a tour for the Ilex construction and streetscape project, this will include the new Traffic Signal at D St. Ilex NB onramp will be shut down for a few days and will be reopened.

9. **Staff Reports:**

- **Safety Performance Measures Setting Targets**
  
  There are a set of goals and objectives for each category. We need to either accept CDOT’s targets or come up with our own goals. There are 3 categories: Number of Fatalities, Serious Injuries, or PED-Bicycle Crashes are included in the safety goals. CDOT’s fatalities is 1.2/100m miles traveled. John Adams looked back on a 5-year rolling average (2012-2016) and our rate is 1.99 fatalities/100m miles traveled. He wants to know if we should accept CDOT’s or our own. CDOT has more lane miles than we do. If CDOT does not meet their goals, then they would need to use the FASTER Safety money.
Pueblo West Transit Demand Analysis
There is a good amount of student population for Transit demand. Darrin said that June 16th is the meeting to go over the survey. 42% in favor of transit and 58% were not. There will be a circular service in Pueblo West and then head into Pueblo. There were over a thousand students from PCC and CSU-P.

West Pueblo Connector Update
The study has been completed and will have another public hearing in June.

Active Transportation Activities
We are going to get a quote from Trillian and Nelson/Nygaard to put our maps (Bike & Transit Routes) into Google Maps.

Tellis will be running our TIP, a web-based application.

ADA public workshop is next Thursday, May 18th.

Bike to work day is May 19th.

The use of Pueblo.gov would be a landing page for the different departments and the MPO.

A Bike Map GIS workshop will be held in July. Wendy Pettit said to use Dan Dahlke for help.

TOD Committee – Transit Oriented Development – Focus would be on the Union Depot and a half mile radius around it for the regional Transit into the City. Pepper Whittlef said she would like to be on this committee.

John Adams and Bart Mikitowicz will be taking inventory for the different areas that need attention and for the bike map and other maps.

Dan Centa asked about the enhancement for the Levee and if it was structure. Pepper Whittlef said that was taken care of. Wendy Pettit said it was for a structure. Dan asked about the TAPER projects. Pepper said there are two: Trail and Median on Northern Ave between Hollywood/Lehigh and the trail on Northern by Cambridge/Moore towards the State Fair Grounds. The trails will be concrete. Shawn Winters updated that McCulloch between Joe Martinez and Industrial Blvd will be concrete and gravel on the side. There will be a bid for TAP Trail 1, it runs from Spaulding to west utility corridor and ties into West McCulloch and will be asphalt. TAP 3 will need a scoping meeting with CDOT. It will run N McCulloch between Industrial Blvd and Platteville.

Don Bruestle wanted to know about the money that would come from Ballot Issue 1A. Darrin Tangeman will know more the next day.

FY 2017 Mid-Year Review Summary
John Adams said that it went very well. We will get a replacement for Michael Snow within a month. The deadline was extended and there have been 11 applications.

10. June 8th, 2017 TAC Meeting Location
We will do a survey on the location.

11. Items from TAC Members or scheduling of future agenda items
General discussion on what is happening in everybody’s community.
Transportation Planning Education – A class that will present an overview of what Transportation Planning is and its specific processes.

12. Adjournment
Chairman John Adams adjourned the meeting at 9:53 a.m.
May 16, 2017

PACOG
211 E. D Street.
Pueblo, Colorado 81003
(719) 553-2244  FAX (719) 549-2359

CDOT Region 2 request(s) for PACOG MPO/TPR TIP amendment(s) To FY 2017-2020 Transportation Improvement Program
Administrative notification of Roll Forward Project Funding in the MPO and TPR area(s) - no TAC or Board action required.

Administrative Action:

Project Name:  Ilex - I-25 at City Center Dr.
STIP Number:  SPB3865
Project Location and Description:  I-25 Ilex Design Build
Fund Source(s):  FASTER Bridge Enterprise 2017
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CDOT Region 2 request(s) for PACOG MPO/TPR TIP amendment(s) To FY 2017-2020 Transportation Improvement Program
Requires TAC and PACOG Board action to approve/disapprove/modify

Policy Amendment:

Project Name:  Ilex -I25 at City Center Dr.
STIP Number:  SPB3865
Project Location and Description:  I-25 Ilex Design Build
Fund Source(s):  FASTER Bridge Enterprise 2017
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Please let me know if you have any additional questions about the proposed TIP modification action. You may reach me at 719-546-5748.

Sincerely,

Wendy Pettit
CDOT Region 2 Planning

Cc:
Jennifer Billings (R2 RE)
Jason Ahrens (R2 BO)
Ajin Hu (R2 SPE)
To: PACOG  
John Adams  
211 E. D Street.  
Pueblo, Colorado 81003  
(719) 553-2244 FAX (719) 549-2359

CDOT Region 2 request(s) for PACOG MPO/TPR TIP amendment(s)  
FY 2012-2017 Transportation Improvement Program  
Administrative notification of Roll Forward Project Funding or TIP/STIP Policy amendment(s) in the MPO and TPR area(s) - no TAC or Board action required.

Administrative Action:

Project Name: Sh 96 Lincoln from Abriendo to Orman Safety Project  
STIP Number: SP63865  
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Other Project Funds: $  
TOTAL PROJECT FUND AMENDMENT: $126,787

This administrative request adds funding to the Design phase activities in this project. The Historic clearances for easements and the utility phases are the areas that these funds will be applied.

Please let me know if you have any additional questions about the proposed Notifications.

Sincerely,

Wendy Pettit  
CDOT Region 2 Planning  

Cc: Jamie Collins (OFMB)  
Karen Rowe (R2 RTD)  
Jason Ahrens (R2 BO)  
Tim Kirby (DTD)  
Matt Jagow (R2 Traffic)
May 19, 2017

To: PACOG
   John Adams
   211 E. D Street.
   Pueblo, Colorado 81003
   (719) 553-2244  FAX (719) 549-2359

CDOT Region 2 request(s) for PACOG MPO/TPR TIP amendment(s)

FY 2012-2017 Transportation Improvement Program

Administrative notification of Roll Forward Project Funding or TIP/STIP Policy amendment(s) in the MPO and TPR area(s) -no TAC or Board action required.

Administrative Action:

Project Name: I-25 City Center to 29th Street
STIP Number: SPB3865
Project Location and Description: I-25 City Center to 29th street
Fund Source(s): National Freight Program
Federal Program Funds: $
State Matching Funds: $ 2,000,000
Local Matching Funds: $
Other Project Funds: $
TOTAL PROJECT FUND AMENDMENT: $2,000,000

This administrative request adds funding to the preconstruction activities in the I-25 corridor

Please let me know if you have any additional questions about the proposed Notifications.

Sincerely,

Wendy Pettit
CDOT Region 2 Planning

Cc: Jamie Collins (OFMB)
   Karen Rowe (R2 RTD)
   Jason Ahrens (R2 BO)
   Michael Snow (DTD)
   Ajin Hu (R2 SPE)
Purpose
To review the staff recommendations for funding for the first two years of the National Highway Freight Program.

Action
None. Transportation Commission input on the staff recommendation, with action requested in May.

Background
The National Highway Freight Program is a new formula freight program created under the FAST Act. The National Highway Freight Program provides approximately $15 million (federal) annually to Colorado, beginning in FY 15-16. A staff recommendation has been developed for the first two years of funding (FY 15-16 and FY 16-17). Beginning in December 2017, projects must be identified in a State Freight Plan in order to be eligible for funding. The Multimodal Freight Plan and State Freight and Passenger Rail Plan, both currently in development, will identify a long-term freight investment strategy for subsequent years of funding. It is anticipated that this subsequent process will take a more targeted, programmatic approach to identifying priorities focused on specific types of freight needs such as truck parking, shoulders, truck signal prioritization, etc.

Details
Eligibility and evaluation criteria for the initial National Highway Freight Program project selection process were developed in the fall with input from the Statewide Transportation Advisory Committee (STAC), Freight Advisory Council (FAC), and Transportation Commission. In December staff from the Regions and DTD used the eligibility and evaluation criteria and planning partner input to identify and evaluate candidate projects. Based on the results of evaluation, and input from the STAC and FAC, Region and DTD staff developed several different project selection scenarios. Scenarios were reviewed with STAC, FAC, and the Transportation Commission in January and February. The FAC Steering Committee provided further input by developing a series of “project selection principles” (Attachment A) and identifying a likely level of support for each project based on how well it appeared to align with these principles. Highlights of the input provided over the last few months include:

- Freight focus. The FAC advocated strongly that projects should have a clear freight focus or benefit. The FAC expressed strong support for truck parking projects and freight safety projects as well as for smaller, more programmatic investments that target specific freight issues.
- Need for clear wins for freight. The FAC has discussed the need to identify some clear, quick-to-move forward projects to demonstrate what can be done with dedicated freight funding.
- Need to prepare for other funding opportunities. The RAMP program cleared out many of the “shelf” projects ready for construction in each Region. This limits our ability to respond to new funding opportunities, including discretionary grant programs such as TIGER or FASTLANE. The Regions have expressed a strong need for investment in preconstruction activities to advance projects, and the Transportation Commission in recent meetings has indicated the importance of being “ready” with high priority projects, should additional funding become available.
- Geographic equity. Recent discussions of the Transportation Commission and the STAC have included recognition of the need to strongly consider geographic equity in project selection processes.
- Balanced approach. Three scenarios were developed for discussion purposes - one with a focus on construction projects, one focused on advancing projects to prepare for other funding opportunities, and one focused on statewide programs. A hybrid scenario was also developed. Support was generally expressed for a balanced, hybrid approach.

Seeking to balance input received, DTD and Region staff developed a staff recommendation for funding (Attachment B). Projects are organized into three categories: Truck Safety, Truck Parking, and Freight Mobility.
The recommended projects total approximately $36 million, and leverage roughly $6 million in additional new commitments provided through a recently created Preconstruction Pool and through activities planned with State Planning and Research (SPR) funds. Highlights of the staff recommendation include:

- **Leverages SPR funds**, including commercial vehicle crash hot spots and truck ramps, and provide foundation for expanded investment in subsequent years of the National Highway Freight Program.
  - Projects: Truck Ramp Restoration (SPR); Truck Ramp Technology Implementation (SPR); Truck Safety (SPR)
- Provides funding for throughout the state.
  - Projects: Port-of-Entry (POE) Mobile Site Improvement / Highway Pullouts
- Provides funding to through truck parking improvements on I-70, and Truck Parking Information Management Systems (TPIMs). Leverages SPR funds to initiate truck parking inventory and analysis and provide foundation for expanded investment in truck parking in subsequent years of the National Highway Freight Program.
  - Projects: I-70 Truck Parking; Truck Parking Information Management Systems (TPIMs); Truck Parking/Region 5 Rest Area Improvements for Truck Parking (SPR)
- Provides funding for , ready to proceed in the next year.
- Provides funding for , ready to proceed in the next year.
  - Projects: SH 14 Sterling "S" Curve; US 85: Corridor Improvements
- Provides funding to , supplementing additional funding recently committed through the creation of a new Preconstruction Pool program.
  - Projects: US 85/Vasquez: I-270 to 62nd Ave. Interchange; I-25: City Center Dr. to 29th St.; US 287 Lamar Reliever Route; I-70 West: Vail Pass Auxiliary Lanes
- Provides funding to initiate a on I-25.
  - Projects: I-25: Valley Highway Phase 3.0

**Advisory Committee Input**

The staff recommendation was presented to the FAC Steering Committee and the STAC in March. The FAC Steering Committee generally concurred that the staff recommendation represented a good, balanced recommendation that they anticipated the full FAC will support. The staff recommendation will be shared with the full FAC at their April meeting. The STAC reviewed and discussed at their meeting on March 24, and voted to recommend Transportation Commission approval of the staff recommendation.

**Questions**

Staff requests Transportation Commission review of the staff recommendation for funding. The Transportation Commission may want to consider the following as possible options for direction to staff on how to proceed:

1. Advance the staff recommendation as proposed for adoption by the Transportation Commission in May
2. Advance the staff recommendation with changes
3. Do not advance the staff recommendation and consider other options

**Next Steps**

- **May -** Transportation Commission approval of projects
- **May - October -** Development of Freight Investment Plan (element of Multimodal Freight Plan) identifying priorities for subsequent years of funding.

**Attachments**

- Attachment A: FAC Key Principles for Project Selection
- Attachment B: National Highway Freight Program: FY 16 - FY 17 Project Selection - Staff Recommendation
- Attachment C: Draft Resolution of Approval
Freight Advisory Council (FAC)

National Highway Freight Program - Key Principles for Project Selection

February 2017

- Support National Highway Freight Program Goals*
- Support Colorado Freight Goals – safety, mobility, economic vitality, maintenance, sustainability/environmental impacts**
- Projects should have a clear freight focus to improve the movement of goods, where:
  - Improvement directly impacts freight-related or freight-reliant jobs or industry in Colorado, or
  - Goods movements is the primary driver and direct beneficiary of the improvement
- In general, projects should improve the safety, mobility, or condition the Colorado Freight Corridors to improve commercial transportation on a broader regional or interstate level
- Projects should clearly demonstrate how freight funds can be used to address immediate freight issues
- The Colorado Freight Advisory Council has identified these high-priority focus areas
  - Safety
  - Truck parking
  - Emergency pullouts and shoulders
  - Low clearance infrastructure, specifically bridges
*National Highway Freight Program Goals:
  - Invest in infrastructure improvements and to implement operational improvements on the highways of the United States that:
    - strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States
    - reduce congestion and bottlenecks on the National Highway Freight Network
    - reduce the cost of freight transportation
    - improve the year-round reliability of freight transportation
    - increase productivity, particularly for domestic industries and businesses that create high-value jobs
  - Improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas
  - Improve the state of good repair of the National Highway Freight Network
  - Use innovation and advanced technology to improve the safety, efficiency, and reliability of the National Highway Freight Network
  - Improve the efficiency and productivity of the National Highway Freight Network
  - Improve the flexibility of States to support multi-State corridor planning and the creation of multi-State organizations to increase the ability of States to address highway freight connectivity
  - Reduce the environmental impacts of freight movement on the National Highway Freight Network

**Colorado Freight Goals:
  - Improve the safety of the Colorado freight system
  - Improve the mobility of the Colorado freight system
  - Improve economic vitality through freight investment, programs, and initiatives
  - Improve maintenance of the Colorado freight system
  - Improve sustainability and reduce environmental impacts of freight movement.
<table>
<thead>
<tr>
<th>Region</th>
<th>TPR</th>
<th>Project Name</th>
<th>Project Description</th>
<th>NHFP Request Amount</th>
<th>NHFP Staff Recommended Funding Amount</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statewide</td>
<td>Statewide</td>
<td>Truck Ramp Restoration</td>
<td>Improvements to truck ramps. Truck ramps currently have no dedicated source of funding for maintenance. Over time, as the materials settle the ramps will become less and less effective in slowing a commercial vehicle.</td>
<td>$2.00</td>
<td>$ -</td>
<td>Support expressed by FAC Steering Committee. Staff recommends that Phase 1 be funded with State Planning and Research (SPR) funds, with implementation funding to follow in Phase 2, funded in year 3 or 4 of the program.</td>
</tr>
<tr>
<td>Statewide</td>
<td>Statewide</td>
<td>Truck Ramp Technology Implementation</td>
<td>Implementation of newer truck arrestor technologies and speed warning systems to reduce the need to use truck ramps.</td>
<td>$2.50</td>
<td>$ -</td>
<td>Support expressed by FAC Steering Committee. Staff recommends that Phase 1 to be funded with State Planning and Research (SPR) funds, with implementation funding to follow in Phase 2, funded in year 3 or 4 of the program.</td>
</tr>
<tr>
<td>Statewide</td>
<td>Statewide</td>
<td>Truck Safety</td>
<td>Improvements to identified Commercial Vehicle Crash Hotspots, using appropriate strategies unique to the location. Address other targeted truck safety issues, including less than 2' shoulders.</td>
<td>$4.00</td>
<td>$ -</td>
<td>Support expressed by FAC Steering Committee. Staff recommends that Phase 1 to be funded with State Planning and Research (SPR) funds, with implementation funding to follow in Phase 2, funded in subsequent years. Several locations will also be addressed in construction projects recommended for funding below.</td>
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<td>Statewide</td>
<td>Statewide</td>
<td>Port-of-Entry (POE) Mobile Site / Highway Pullout Improvements</td>
<td>Improvements to highway pullouts used by Colorado State Patrol (CSP) as POE Mobile Sites and identified as high priorities for improvements, including leveling, paving, barrier separation and other improvements. POE Mobile Sites are used to conduct temporary or random commercial vehicle inspections, or as pullout for emergency use or temporary truck parking. Currently, most of these site are nothing more than compact soil with little or no improvements. CSP has identified 14 high priority POE mobile sites with an estimated cost to of $2.8 M to improve.</td>
<td>$2.80</td>
<td>$1.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends partial funding, with additional funding reconsidered in subsequent years. $1 million will fund approximately 5 sites.</td>
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<tr>
<td>1</td>
<td>Greater Denver Area</td>
<td>US 85: Louviers to Meadows Widening</td>
<td>Reconstruction of two lane roadway to four lanes with a divided median and acceleration/ deceleration lanes. NHFP will complete a larger construction funding package, providing for freight-related elements including widened paved shoulders. Corridor includes a commercial vehicle crash hot spot, serves an industrial area including a railroad auto transfer facility, and also serves as an alternative to I-25 between Denver and Castle Rock. Total project cost of $31 M with $20 M in funding already identified.</td>
<td>$11.10</td>
<td>$6.10</td>
<td>Support expressed by FAC Steering Committee. Staff recommends partial funding more closely aligned with freight project elements including widened paved shoulders. Region indicates that it expects to be able to identify additional sources of funds to meet remaining $5 M need or reduce scope or both so that project can proceed without delay.</td>
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<td>1 Greater Denver Area</td>
<td>US 85/Vasquez: I-270 to 62nd Ave. Interchange</td>
<td>Reconstruction of interchange at I-270 and intersection at 60th Ave. to improve safety and capacity, adding grade separation, and improving access points. Important freight, energy, and industrial corridor with significant safety, geometric and mobility issues affecting freight movement. Project location includes a commercial vehicle crash hot spot. NHFP will supplement other funding sources and support preconstruction activities. Total project cost of $82 M.</td>
<td>$10.00</td>
<td>$4.00</td>
<td>Possible support expressed by FAC Steering Committee. Staff recommends partial funding at $4 M level to support possible future advancement as an urban FASTLANE grant. Some preconstruction activities identified for funding through the recently created Preconstruction Pool. Coupled with Preconstruction Pool funds, $4 M in freight funds will clear project through NEPA, initial design (up to 30%), and initial ROW.</td>
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<td>3</td>
<td>Gunnison Valley</td>
<td>US 50: Little Blue Canyon</td>
<td>Reconstruction and widening of US 50 to improved geometric design standards, and other safety, drainage, and access improvements. Includes passing lanes, shoulders, and mitigation of a land-slide. NHFP will complete a larger construction funding package, providing for freight-related elements including shoulders and safety improvements. Project location includes a commercial vehicle crash hot spot. Total project cost of $33 M.</td>
<td>$4.00</td>
<td>$2.00</td>
<td>Possible support expressed by FAC Steering Committee. Staff recommends partial funding at $2 M level, which will bring project very close to a complete funding package for construction. Region indicates that it expects to be able to utilize $2M of RPP and FASTER Safety funds in FY 18-19 so that project can proceed without delay.</td>
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<td>5 San Luis Valley</td>
<td>US 160 Wolf Creek Safety Improvements</td>
<td>Safety improvements based on US 160 Wolf Creek Pass Safety Audit, including improvements to road curvature, rumble strips, shoulder widening in pull-out locations, addition of crash barrier, highway re-stripping, informational signing, and Variable Message Signs (VMS) targeting freight traffic.</td>
<td>$1.60</td>
<td>$1.60</td>
<td>Support expressed by FAC Steering Committee. Staff recommends full funding.</td>
<td></td>
</tr>
<tr>
<td>5 Region wide</td>
<td>Region 5 Mountain Pass Chain Up Stations and Critical Safety Needs</td>
<td>Lengthening and widening of chain up stations to improve capacity and addition of a safety buffer between live traffic, addition of overhead LED lighting, and replacement of sub-standard road closure gates.</td>
<td>$2.55</td>
<td>$2.55</td>
<td>Support expressed by FAC Steering Committee. Staff recommends full funding.</td>
<td></td>
</tr>
</tbody>
</table>

**TRUCK PARKING**

<table>
<thead>
<tr>
<th>Region</th>
<th>TPR</th>
<th>Project Name</th>
<th>Project Description</th>
<th>NHFP Request Amount</th>
<th>NHFP Staff Recommended Funding Amount</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statewide</td>
<td>Statewide</td>
<td>Truck Parking</td>
<td>Implementation of findings of Truck Parking Study, including possible improvements to existing facilities or development of new facilities.</td>
<td>$5.00</td>
<td>-</td>
<td>Support expressed by FAC Steering Committee. Staff recommends that Phase 1 to be funded with State Planning and Research (SPR) funds, with implementation funding to follow in Phase 2, funded in year 3 or 4 of the program.</td>
</tr>
<tr>
<td>Region</td>
<td>TPR</td>
<td>Project Name</td>
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<tr>
<td>Statewide</td>
<td>Statewide</td>
<td>Truck Parking Information Management System (TPIMS)</td>
<td>Development of TPIMS to monitor availability of truck parking at locations where deployed and provide notification to drivers via in-dash communications or roadside signs. NHFP will supplement existing project and provide for expanded deployment to additional locations.</td>
<td>$9.00</td>
<td>$1.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends small initial funding to supplement existing project. Existing project currently funded with approximately $1M through RoadX. Recommend additional funding in year 3 or 4 of the program, in tandem with additional truck parking implementation.</td>
</tr>
<tr>
<td>3 Region wide</td>
<td>3</td>
<td>I-70 Truck Parking</td>
<td>Development of up to four truck parking locations along I-70 in the vicinity of Glenwood Springs.</td>
<td>$2.70</td>
<td>$2.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends funding at $2M level, which will fund two parking locations in West Glenwood between US 6 and I-70, and potentially a third location.</td>
</tr>
<tr>
<td>5 San Luis Valley, Southwest</td>
<td>5</td>
<td>Region 5 Rest Area Improvements for Truck Parking.</td>
<td>Expansion of truck parking at the Sleeping Ute (MP 46.5) and Shaw Creek (MP 191.4) Rest Areas on US 160. This project will expand the Sleeping Ute truck parking from 2 to 6 spaces and expand the Shaw Creek truck parking from 4 to 10 spaces.</td>
<td>$2.22</td>
<td>$ -</td>
<td>Support expressed by FAC Steering Committee. Staff recommends funding in year 3 or 4 of the program as part of expanded implementation following completion of Truck Parking Study.</td>
</tr>
</tbody>
</table>

**Freight Mobility**

<table>
<thead>
<tr>
<th>Region</th>
<th>TPR</th>
<th>Project Name</th>
<th>Project Description</th>
<th>NHFP Request Amount</th>
<th>NHFP Staff Recommended Funding Amount</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Greater Denver Area</td>
<td>1</td>
<td>I-25: Valley Highway Phase 3.0: Santa Fe to Bronco Arch (including bridges)</td>
<td>Replacement of low-vertical clearance bridges at 23rd and Speer, interchanges, and roadway widening. NHFP will supplement other sources and support Planning and Environmental Linkages study and inclusion of low-vertical clearance bridges. The low vertical clearance bridges serve as a significant impediment to freight movement and are frequently hit. Construction costs are estimated at $50M, including $40M for bridges.</td>
<td>$2.00</td>
<td>$1.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends funding at $1M level so that low-vertical clearance bridges can be included as part of planned I-25 Central Planning and Environmental Linkages study, with possibility of additional funds for NEPA and design in subsequent years.</td>
</tr>
<tr>
<td>2 Pueblo Area</td>
<td>2</td>
<td>I-25: City Center Dr. to 29th St.</td>
<td>New Pueblo Freeway improvements in Pueblo to the north of City Center Dr. Including complete reconstruction and widening of I-25 between 29th St. and City Center Dr., construction of a split-diamond interchange, additional exit ramps near 6th St., and construction of a one-way frontage road between ramps. Upgrades to current design standards will improve freight mobility and safety. Project includes a commercial vehicle crash hot spot. NHFP will supplement other funding sources and support preconstruction activities for possible future advancement as an urban FASTLANE grant.</td>
<td>$2.00</td>
<td>$2.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends full funding to support possible future advancement as an urban FASTLANE grant. Some preconstruction activities identified for funding through the recently created Preconstruction Pool. Coupled with Preconstruction Pool funds, $2M in freight funds will fund ROW plans, advanced strategic ROW acquisitions, preliminary design (30%) of design-bid-build segments, and RFP for design-build project development.</td>
</tr>
<tr>
<td>Region</td>
<td>TPR</td>
<td>Project Name</td>
<td>Project Description</td>
<td>NHFP Request Amount</td>
<td>NHFP Staff Recommended Funding Amount</td>
<td>Comments</td>
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<tr>
<td>2</td>
<td>Southeast</td>
<td>US 287: Lamar Reliever Route</td>
<td>Realignment of US 50 to the south, new US 50/US 287 interchange, and realignment of US 287 to new reliever route. NHFP will supplement other funding sources and support preconstruction activities on US 287 realignment for possible future advancement as a rural FASTLANE grant.</td>
<td>$ 1.00</td>
<td>$ 1.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends full funding to support possible future advancement as a rural FASTLANE grant. Some preconstruction activities identified for funding through the recently created Preconstruction Pool. Coupled with Preconstruction Pool funds, $1 M in freight funds will fund preliminary design (30%) of the US 287 Reliever Route, ROW Plans (30%), and advanced strategic ROW acquisitions for the East Interchange and US 50 realignment.</td>
</tr>
<tr>
<td>3</td>
<td>Intermountain</td>
<td>I-70 West: Vail Pass Auxiliary Lanes</td>
<td>Addition of auxiliary lanes on Vail Pass to accommodate slow moving commercial vehicles and alleviate substantial speed differentials causing lane changes, back-ups, and crashes. NHFP will supplement other funding sources and support preconstruction activities for possible future advancement as a rural FASTLANE grant.</td>
<td>$ 7.00</td>
<td>$ 2.00</td>
<td>Staff recommends partial funding at $2 M level to support possible future advancement as a rural FASTLANE grant. Some preconstruction activities identified for funding through the recently created Preconstruction Pool. Coupled with Preconstruction Pool funds, $2 M in freight funds will advance the project to FIR level plans, complete a template Environmental Assessment, develop scope, schedule, and budget, and a strategy to phase the project and design of future Plan, Specification, and Estimates (PS&amp;E) packages.</td>
</tr>
<tr>
<td>4</td>
<td>Eastern</td>
<td>SH 14: Sterling &quot;S&quot; Curve</td>
<td>Realignment of SH 14 to an &quot;S&quot; curve alignment in order to connect I-76 while eliminating 90 degree turns, which are difficult for trucks to navigate. NHFP funding will complete a larger construction funding package. Total project cost of $17 M.</td>
<td>$ 9.50</td>
<td>$ 7.50</td>
<td>Possible support expressed by FAC Steering Committee. Staff recommends partial funding at $7.5 M level. Region indicates that it expects to be able to identify additional sources of funds so that project can proceed without delay.</td>
</tr>
<tr>
<td>4</td>
<td>Upper Front Range, North Front Range, Greater Denver Area</td>
<td>US 85: Corridor Improvements</td>
<td>Safety, intersection, and interchange improvements on important freight and rail corridor. NHFP will supplement other construction funding sources and support freight-related elements including improvements identified in US 85 Corridor FASTLANE grant application.</td>
<td>$ 7.00</td>
<td>$ 2.00</td>
<td>Support expressed by FAC Steering Committee. Staff recommends partial funding at $2 M level. If project is not selected for FASTLANE grant, then smaller project can be undertaken. Project is very scalable, and funding can supplement additional sources identified and included in recent FASTLANE grant application.</td>
</tr>
</tbody>
</table>

**TOTAL - RECOMMENDED PROJECTS (REQUESTED)**  $ 87.97

**TOTAL - RECOMMENDED PROJECTS (FUNDING RECOMMENDED)**  $ 35.75
<table>
<thead>
<tr>
<th>Region</th>
<th>TPR</th>
<th>Project Name</th>
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<th>NHFP Request Amount</th>
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</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Grand Valley</td>
<td>I-70: Palisade to Debeque</td>
<td>Full project includes reconstruction with realignment of curves and other safety improvements. NHFP funding will complete design and ROW. The project will correct a sharp curve at the western entrance to Debeque Canyon that has resulted in numerous crashes involving commercial motor vehicles.</td>
<td>$3.00</td>
<td>$3.00</td>
<td>Support expressed by FAC Steering Committee. Some preconstruction activities identified for funding through the recently created Preconstruction Pool. Since initial request Region has largely identified sufficient funding to move forward with completion of design and ROW.</td>
</tr>
<tr>
<td></td>
<td>Statewide</td>
<td>Statewide</td>
<td>Minor Freight Improvement Projects Program</td>
<td>$3.00</td>
<td>$3.00</td>
<td>Possible support expressed by FAC Steering Committee. Staff suggests more targeted and specific applications rather than a general improvement pool.</td>
</tr>
<tr>
<td></td>
<td>Statewide</td>
<td>Statewide</td>
<td>Multimodal Connection Improvement Bank</td>
<td>$1.50</td>
<td>$1.50</td>
<td>Possible support expressed by FAC Steering Committee. Staff suggests additional research be completed prior to consideration for funding. Suggest also identifying possible specific, targeted intermodal or freight rail projects. Up to 10% of NHFP funds can be applied to surface transportation projects that improve the flow of freight into and out of a freight intermodal or freight rail facility.</td>
</tr>
<tr>
<td></td>
<td>Statewide</td>
<td>Statewide</td>
<td>Signal Prioritization Program</td>
<td>$2.00</td>
<td>$2.00</td>
<td>Possible support expressed by FAC Steering Committee. Staff suggests identifying specific corridor applications and consider for funding at a later date.</td>
</tr>
<tr>
<td>1</td>
<td>Greater Denver Area</td>
<td>I-25 North: US 36 to 120th</td>
<td>Full project includes improvements on I-25 between US 36 and 120th including auxiliary lanes, additional lane between 84th Ave and Thornton Parkway and reconstruction of 88th Ave Bridge. NHFP funding will complete NEPA, design, and construction of 88th Ave. bridge. This is a frequently hit, low vertical clearance bridge.</td>
<td>$11.00</td>
<td>$11.00</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding. Bridge is not currently low-vertical clearance and will only become so as a result of additional roadway improvements which will raise the roadway.</td>
</tr>
<tr>
<td>Region</td>
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<tr>
<td>1 Greater Denver Area</td>
<td>I-70 West: Floyd Hill</td>
<td>Full project includes reconstruction of westbound bridge at US 6 (MP 244) and construction of third lane westbound down Floyd Hill to bridge. Construction of third lane to Twin Tunnels- either Peak Period Shoulder Lanes (PPSL) or permanent. NHFP funding will allow Tier II NEPA to proceed and advance projects.</td>
<td>$ 5.00</td>
<td>$ -</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding at this time. Staff suggests consideration of funding at a later date when project is further developed and more is known regarding specific freight improvements.</td>
<td></td>
</tr>
<tr>
<td>2 Pikes Peak Area</td>
<td>US 24 West: I-25 to Woodland Park</td>
<td>Construct drainage improvements on US 24 between MP 293.0-294.0. Needed as a result of the Waldo Canyon Fire. Improvements will improve safety and mobility and are needed to ensure the roadway remains open during weather events.</td>
<td>$ 5.00</td>
<td>$ -</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, considering project more of a general mobility need than a freight need. Not a major truck route, low percent truck and no specific freight improvements.</td>
<td></td>
</tr>
<tr>
<td>2 Pikes Peak Area</td>
<td>SH 21: Research Pkwy. Interchange (Phase of the SH 21 Woodmen to SH B3 EA)</td>
<td>Complete design of the SH 21/Research Interchange, which is currently an at-grade signalized intersection. The corridor is the second busiest in the Pikes Peak Region, and planned as a limited access freeway. Corridor serves significant retail, as well as four military bases, and the Colorado Springs Airport.</td>
<td>$ 1.00</td>
<td>$ -</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, considering project more of a general mobility need than a freight need. Low percent truck and no specific freight improvements. Some preconstruction activities identified for funding through the recently created Preconstruction Pool.</td>
<td></td>
</tr>
<tr>
<td>2 Pikes Peak Area</td>
<td>SH 85 / Charter Oaks Rd</td>
<td>Full project will widen Santa Fe Rd (SH 85) and pave and upgrade Charter Oaks Rd. to standard. NHFP funding will advance the project to RFP stage for design-build. SH 85 provides access to small industrial park and for truck traffic to Fort Carson at Gate 19 using Charter Oaks Rd.</td>
<td>$ 6.30</td>
<td>$ -</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, citing importance to Fort Carson but recognizing more limited freight applicability. Low percent truck and no specific freight improvements. Primarily an off-system facility. Staff suggests investigation of other funding sources, including Federal Lands Access Program (FLAP).</td>
<td></td>
</tr>
<tr>
<td>2 Pueblo Area</td>
<td>US 50: West of Pueblo (Phase of the US 50 West EA)</td>
<td>Widening of US 50 Westbound from MP 307.6-311.2. This is a congested corridor primarily zoned for retail and industrial use. Widening will reduce traffic congestion and improve freight movement.</td>
<td>$ 12.00</td>
<td>$ -</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, considering project more of a general mobility need than a freight need. Low percent truck and no specific freight improvements. Some preconstruction activities identified for fun.</td>
<td></td>
</tr>
<tr>
<td>2 Pueblo Area</td>
<td>SH 47 and Fountain Creek Stabilization</td>
<td>Realignment of Fountain Creek and bank stabilization to protect SH 47 from high water events. SH 47 provides alternative to US 50 and I-25, provides access to retail businesses, and alternative access to the Pueblo Airport, and adjacent industrial park including a Target distribution center.</td>
<td>$ 2.00</td>
<td>$ -</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, considering project more of a general maintenance need than a freight need. Low percent truck and no specific freight improvements.</td>
<td></td>
</tr>
<tr>
<td>3 Intermountain</td>
<td>SH 13 Rio Blanco South</td>
<td>Reconstruction of NHS route and important energy corridor to add shoulders, and game fence. There are two final projects in this corridor.</td>
<td>$ 13.00</td>
<td>$ -</td>
<td>Support expressed by FAC Steering Committee. Staff suggests consideration of funding at a later date.</td>
<td></td>
</tr>
<tr>
<td>Region</td>
<td>TPR</td>
<td>Project Name</td>
<td>Project Description</td>
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<tr>
<td>4</td>
<td>Eastern</td>
<td>US 385: Intersection, Shoulders, and Other Safety Improvements at Problem Locations</td>
<td>Project includes shoulders and other safety improvements to enable passage for Oversize / Overweight trucks. US 385 is the eastern most North/South roadway that provides suitable access from I-70 to I-76 and I-80 in Nebraska. Narrow lane widths coupled with little to no shoulder in locations makes for unsafe driving conditions. Project is very scalable, with multiple different freight improvements possible at different levels of funding.</td>
<td>$10.00</td>
<td>-</td>
<td>Support expressed by FAC Steering Committee. Staff suggests consideration of funding at a later date.</td>
</tr>
<tr>
<td>4</td>
<td>Upper Front Range, Eastern</td>
<td>SH 71 Super 2</td>
<td>Reconstruction of corridor to Super 2 configuration from Simonton to Brush, and Brush to Nebraska StateLine. The project will construct 12' travel lanes, 8'-10' shoulders, and other safety treatments designed to accommodate large trucks, including Oversize / Overweight permitted trucks. NHFP funding will provide for design to 30%, enabling design/build.</td>
<td>$6.00</td>
<td>-</td>
<td>Possible support expressed by FAC Steering Committee. Staff suggests consideration of funding at a later date. Some preconstruction activities identified for funding through the recently created Preconstruction Pool.</td>
</tr>
<tr>
<td>4</td>
<td>Upper Front Range</td>
<td>SH 52 Interchange in Hudson</td>
<td>NHFP funds will complete funding package for reconstruction of interchange. Sight distance issues mix with unsafe turning movements in a confined area. Unclear turn movement restrictions means vehicles tend to take chances on illegal turns. Poor visibility from one side of the bridge to the other causes problems. Project will improve turning movements, sight distance and access points that are causing conflicts.</td>
<td>$20.00</td>
<td>-</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, considering project more of a general mobility need than a freight need. Low percent truck and no specific freight improvements.</td>
</tr>
<tr>
<td>5</td>
<td>Southwest</td>
<td>US 160: Towaoc Passing Lanes</td>
<td>Construction of new, 12-foot passing lanes for approximately 6,000 feet in both directions. The project also includes full depth reclamation and flattening of slopes, the installation of 3 box culverts as well as new signage and guardrails, shoulder widening, and access improvements. US 160 is a significant freight route in this part of the state, with over 700 trucks per day, representing more than 10% of AADT.</td>
<td>$9.10</td>
<td>-</td>
<td>Possible support expressed by FAC Steering Committee. Staff suggests consideration of funding at a later date. Some preconstruction activities identified for funding through the recently created Preconstruction Pool.</td>
</tr>
<tr>
<td>5</td>
<td>Southwest</td>
<td>US 550/US 160 Connection Finalize Pre-Construction</td>
<td>This phase of the US 550/US 160 Connection project will finalize pre-construction. This final phase will purchase ROW required for US160-CR302, complete the final design for the connection and prepare the project for advertisement.</td>
<td>$10.50</td>
<td>-</td>
<td>FAC Steering Committee indicated reluctance to support for freight funding, considering project more of a general mobility need than a freight need.</td>
</tr>
</tbody>
</table>

**TOTAL - OTHER PROJECTS (REQUESTED)**  
$113.90  
**TOTAL - OTHER PROJECTS (FUNDING RECOMMENDED)**  
$ -
Transportation Commission Resolution
May 18, 2017

WHEREAS, in 2015, the Fixing America’s Surface Transportation (FAST) Act created the National Highway Freight Program to improve the efficient movement of freight on the National Highway Freight Network; and

WHEREAS, the National Highway Freight Program is a new formula program for freight projects with funding authorized for federal fiscal year (FFY) 2016 through FFY 2020; and

WHEREAS, the National Highway Freight Program is anticipated to provide approximately $15 million (federal) annually to Colorado through FFY 2020; and

WHEREAS, projects have been identified and evaluated for the first two years of funding (FFY 2016 and FFY 2017) based on eligibility and evaluation criteria developed in cooperation with the Freight Advisory Council (FAC) and Statewide Transportation Advisory Committee (STAC); and

WHEREAS, the eligibility and evaluation criteria were developed based on federal program requirements and goal areas identified in the 2040 Statewide Transportation Plan, State Highway Freight Plan, and Transportation Commission Policy Directive 14.0; and

WHEREAS, projects identified for consideration based on eligibility and evaluation criteria were reviewed by the FAC and STAC and significant input was provided on the priority of different project and project types, the significance of project benefits to freight, and the appropriateness for freight funding; and

WHEREAS, based on the results of evaluation and input provided, 14 projects totaling $35.75 million have been identified for National Highway Freight Program funding; and

WHEREAS, an additional five projects have been identified for program development using State Planning and Research (SPR) funds and will be considered for funding for implementation in subsequent years of the National Highway Freight Program; and

WHEREAS, the projects identified for funding represent a balanced portfolio of projects with significant benefits to freight mobility and safety, and

WHEREAS, the projects were identified with the support of the FAC and STAC; and

NOW THEREFORE BE IT RESOLVED, the Commission approves the 14 projects identified as FY 2016 – FY 2017 National Highway Freight Program Projects, dated May 18, 2017; and
BE IT FURTHER RESOLVED, in the case of approved projects that assume other funding sources, funding approval may be reconsidered and other projects proposed in substitute if these other sources become unavailable and project implementation is significantly delayed; and

BE IT FURTHER RESOLVED, upon completion of an approved project, any National Highway Freight Program funds that remain as a result of project savings are to be made available for the implementation of other projects identified for potential National Highway Freight Program funding; and

BE IT FURTHER RESOLVED, the Commission directs staff to take appropriate steps to move forward with the obligation of National Highway Freight Program funds for the approved projects, including required designations under the National Highway Freight Network, and amendments to Transportation Improvement Programs (TIPs) or Statewide Transportation Improvement Program (STIP).
FY 2016 – FY 2017 National Highway Freight Program Projects

May 18, 2017

- **Port-of-Entry (POE) Mobile Site / Highway Pullout Improvements** – Improvements to highway pullouts used by Colorado State Patrol as POE Mobile Sites and identified as high priorities for improvements, including leveling, paving, barrier separation and other improvements.
- **US 85 Louviers to Meadows Widening** – Reconstruction of two lane roadway to four lanes with a divided median and acceleration/deceleration lanes. NHFP will complete a larger construction funding package, providing for freight-related elements including widened paved shoulders.
- **US 85/Vasquez: I-270 to 62nd Ave. Interchange** – Reconstruction of interchange at I-270 and intersection at 60th Ave. to improve safety and capacity, adding grade separation, and improving access points. NHFP will supplement other funding sources and support preconstruction activities for possible future advancement as an urban FASTLANE grant.
- **US 50 Little Blue Canyon** – Reconstruction and widening of US 50 to improved geometric design standards, and other safety, drainage, and access improvements. NHFP will complete a larger construction funding package, providing for freight-related elements including shoulders and safety improvements.
- **US 160 Wolf Creek Safety Improvements** – Safety improvements based on US 160 Wolf Creek Pass Safety Audit, including improvements to road curvature, rumble strips, shoulder widening in pull-out locations, addition of crash barrier, highway re-striping, informational signing, and Variable Message Signs (VMS) targeting freight traffic.
- **Truck Parking Information Management System (TPIMS)** – Development of TPIMs to monitor availability of truck parking at locations where deployed and provide notification to drivers via in-dash communications or roadside signs. NHFP will supplement existing project and provide for expanded deployment to additional locations.
- **I-70 Truck Parking** – Development of up to four truck parking locations along I-70 in the vicinity of Glenwood Springs.
- **I-25: Valley Highway Phase 3.0: Santa Fe to Bronco Arch** – Replacement of low-vertical clearance bridges, interchanges, and roadway widening. NHFP will supplement other sources and support Planning and Environmental Linkages study and inclusion of low-vertical clearance bridges.
- **I-25: City Center Dr. to 29th St.** – New Pueblo Freeway improvements in Pueblo to the north of City Center Dr. including complete reconstruction and widening of I-25 between 29th St. and City Center Dr., construction of a split-diamond interchange, additional exit ramps near 6th St., and construction of a one-way frontage road between ramps. NHFP
will supplement other funding sources and support preconstruction activities for possible future advancement as an urban FASTLANE grant.

- **US 287: Lamar Reliever Route** – Realignment of US 50 to the south, new US 50/US 287 interchange, and realignment of US 287 to new reliever route. NHFP will supplement other funding sources and support preconstruction activities on US 287 realignment for possible future advancement as a rural FASTLANE grant.

- **I-70 West: Vail Pass Auxiliary Lanes** – Addition of auxiliary lanes on Vail Pass to accommodate slow moving commercial vehicles and alleviate substantial speed differentials causing lane changes, back-ups, and crashes. NHFP will supplement other funding sources and support preconstruction activities for possible future advancement as a rural FASTLANE grant.

- **SH-14 Sterling “S” Curve** – Realignment of SH 14 to an “S” curve alignment in order to connect I-76 while eliminating 90 degree turns, which are difficult for trucks to navigate. NHFP funding will complete a larger construction funding package.

- **US 85 Corridor Improvements** – Safety, intersection, and interchange improvements. NHFP will supplement other construction funding sources and support freight-related elements including improvements identified in US 85 Corridor FASTLANE grant application.
<table>
<thead>
<tr>
<th>Project WBS</th>
<th>STIP ID</th>
<th>STIP ID 2</th>
<th>Funding Program</th>
<th>COOT Region 02</th>
<th>Planning Year 2017</th>
<th>Fiscal year 2017</th>
<th>Project</th>
<th>Programmed</th>
<th>Budgeted</th>
<th>Unbudgeted</th>
<th>Regional Priority</th>
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<tbody>
<tr>
<td>$1660.00</td>
<td>SR25079</td>
<td>Region 2 TAP</td>
<td>279,000.00</td>
<td>19319.20.10</td>
<td>$1,208,000.00</td>
<td>$1,208,000.00</td>
<td>$1,208,000.00</td>
<td>$1,208,000.00</td>
<td>$1,208,000.00</td>
<td>$1,208,000.00</td>
<td>$1,208,000.00</td>
</tr>
<tr>
<td>$193,000.00</td>
<td>SR25079.C01</td>
<td>City of Pueblo Santa Fe Ave Streetscape Phase 2</td>
<td>105,046.00</td>
<td>19319.20.10</td>
<td>$1,208,000.00</td>
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Result: $5,279,457.00 $978,984.00 $2,362,473.00 $0.00
SENATE BILL 17-267


CONCERNING THE SUSTAINABILITY OF RURAL COLORADO.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) In comparison to the urban and suburban areas of the state, rural Colorado, on average and with some exceptions, faces complex demographic, economic, and geographical challenges including:

(I) An older population that requires more medical care;
(II) Less robust and diverse economic activity and associated lower average wages and household incomes; and

(III) Greater challenges, due to distance and less adequate transportation infrastructure, in accessing critical services such as health care; and

(b) The purpose of this legislation is to ensure and perpetuate the sustainability of rural Colorado by addressing some of these demographic, economic, and geographical challenges and by such other means as the general assembly, in its considered judgment, finds necessary and appropriate.

(2) The general assembly further finds and declares that the sustainability of rural Colorado is directly connected to the economic vitality of the state as a whole, and that all of the provisions of this act, including provisions that on their face apply to and affect all areas of the state but that especially benefit rural Colorado, relate to and serve and are necessarily and properly connected to the general assembly's purpose of ensuring and perpetuating the sustainability of rural Colorado.

SECTION 2. In Colorado Revised Statutes, amend 2-3-119 as follows:

2-3-119. Audit of healthcare affordability and sustainability fee - cost shift. Starting with the second full state fiscal year following the receipt of the notice from the executive director of the department of health care policy and financing pursuant to section 25.5-4-402.3 (7), C.R.S., and thereafter, at the discretion of the legislative audit committee, the state auditor shall conduct or cause to be conducted a performance and fiscal audit of the hospital provider healthcare affordability and sustainability fee established pursuant to section 25.5-4-402.3, C.R.S.

SECTION 3. In Colorado Revised Statutes, 2-3-1203, repeal (8)(a)(V) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (8) (a) The following statutory authorizations for the designated advisory committees will repeal on July
1, 2019:

(V) The hospital provider fee oversight and advisory board created in section 25.5-4-402.3, C.R.S.;

SECTION 4. In Colorado Revised Statutes, add 22-54-139 as follows:

22-54-139. Additional funding for schools - use of retail marijuana sales tax revenue transferred to state public school fund - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRE:

(a) "LARGE RURAL DISTRICT" MEANS A DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ONE THOUSAND PUPILS OR MORE BUT FEWER THAN SIX THOUSAND FIVE HUNDRED PUPILS.

(b) "PER PUPIL DISTRIBUTION AMOUNT" MEANS:

(I) FOR A LARGE RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ALL LARGE RURAL DISTRICTS; AND

(II) FOR A SMALL RURAL DISTRICT, AN AMOUNT EQUAL TO THIRTY MILLION DOLLARS MULTIPLIED BY THE PERCENTAGE SPECIFIED IN SUBSECTION (2)(b) OF THIS SECTION AND THEN DIVIDED BY THE SUM OF THE TOTAL FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF ALL SMALL RURAL DISTRICTS;

(c) "SMALL RURAL DISTRICT" MEANS A DISTRICT IN COLORADO THAT THE DEPARTMENT OF EDUCATION DETERMINES IS RURAL, BASED ON THE GEOGRAPHIC SIZE OF THE DISTRICT AND THE DISTANCE OF THE DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA, AND THAT HAD A FUNDED PUPIL COUNT FOR THE PRIOR BUDGET YEAR OF FEWER THAN ONE THOUSAND PUPILS.
(2) For the 2017-18 budget year, all of the gross retail marijuana sales tax proceeds transferred from the general fund to the state public school fund created in section 22-54-114 (1) as required by section 39-28.8-203 (1)(b)(I.3)(B) is appropriated from the state public school fund to the department for monthly distribution to each large rural district and each small rural district for the purpose of improving student learning and the educational environment, including but not limited to loan forgiveness for educators and staff, technology, and transportation, as follows:

(a) Fifty-five percent of the money is allocated to large rural districts and distributed to each large rural district in an amount equal to the per pupil distribution amount multiplied by the large rural district's funded pupil count for the prior budget year for proportional apportionment to every school in the district based on the number of students enrolled in each school for the prior budget year; and

(b) Forty-five percent of the money is allocated to small rural school districts and distributed to each small rural district in an amount equal to the per pupil distribution amount multiplied by the small rural district's funded pupil count for the prior budget year for proportional apportionment to every school in the district based on the number of students enrolled in each school for the prior budget year.

(3) For the 2018-19 budget year and for each budget year thereafter, all of the gross retail marijuana sales tax proceeds transferred from the general fund to the state public school fund created in section 22-54-114 (1) as required by section 39-28.8-203 (1)(b)(I.5)(B) is appropriated from the state public school fund to the department to meet the state's share of the total program of all districts and funding for institute charter schools.

SECTION 5. In Colorado Revised Statutes, 23-1-106, amend (10.2)(a) as follows:

23-1-106. Duties and powers of the commission with respect to
capital construction and long-range planning - legislative declaration - definitions. (10.2) (a) (I) Notwithstanding any law to the contrary AND EXCEPT AS PROVIDED IN SUBSECTION (10.2)(a)(III) OF THIS SECTION, all academic facilities acquired or constructed, or an auxiliary facility repurposed for use as an academic facility, solely from cash funds held by the state institution of higher education and operated and maintained from such cash funds or from state moneys MONEY appropriated for such purpose, or both, including, but not limited to, those facilities described in paragraph (b) of subsection (9) SUBSECTION (9)(b) of this section, that did not previously qualify for state controlled maintenance funding will qualify for state controlled maintenance funding, subject to funding approval by the capital development committee and the eligibility guidelines described in section 24-30-1303.9. C.R.S.

(II) For purposes of this paragraph (a) SUBSECTION (10.2)(a), the eligibility for state controlled maintenance funding commences on the date of the acceptance of the construction or repurposing of the facility or the closing date of any acquisition. The date of the acceptance of construction or repurposing shall be determined by the office of the state architect.

(III) IF AN ACADEMIC FACILITY IS ACQUIRED OR CONSTRUCTED, OR IF AN AUXILIARY FACILITY IS REPURPOSED FOR USE AS AN ACADEMIC FACILITY, SOLELY FROM CASH FUNDS HELD BY THE STATE INSTITUTION OF HIGHER EDUCATION AND OPERATED AND MAINTAINED FROM SUCH CASH FUNDS, THEN AS OF THE DATE OF THE ACCEPTANCE OF CONSTRUCTION OR REPURPOSING THAT OCCURS ON OR AFTER JULY 1, 2018, THE FACILITY IS NOT ELIGIBLE FOR CONTROLLED MAINTENANCE FUNDING.

SECTION 6. In Colorado Revised Statutes, 24-1-119.5, add (9) as follows:

24-1-119.5. Department of health care policy and financing - creation. (9) THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN SECTION 25.5-4-402.4 (3) SHALL EXERCISE ITS POWERS AND PERFORM ITS DUTIES AND FUNCTIONS AS IF THE SAME WERE TRANSFERRED BY A TYPE 2 TRANSFER, AS DEFINED IN SECTION 24-1-105, TO THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

SECTION 7. In Colorado Revised Statutes, 24-4-103, amend (8)(c)(I) as follows:

PAGE 5-SENATE BILL 17-267
24-4-103. Rule-making - procedure - definitions - repeal.

(8) (c) (I) Notwithstanding any other provision of law to the contrary and the provisions of section 24-4-107, all rules adopted or amended on or after January 1, 1993, and before November 1, 1993, shall expire at 11:59 p.m. on May 15 of the year following their adoption unless the general assembly by bill acts to postpone the expiration of a specific rule, and commencing with rules adopted or amended on or after November 1, 1993, all rules adopted or amended during any one-year period that begins each November 1 and continues through the following October 31 shall expire at 11:59 p.m. on the May 15 that follows such one-year period unless the general assembly by bill acts to postpone the expiration of a specific rule; except that a rule adopted pursuant to section 25.5-4-402.3 (5) (b) (III), C.R.S., shall expire SECTION 25.5-4-402.4 (6)(b)(III) EXPIRES at 11:59 p.m. on the May 15 following the adoption of the rule unless the general assembly acts by bill to postpone the expiration of a specific rule. The general assembly, in its discretion, may postpone such expiration, in which case, the provisions of section 24-4-108 or 24-34-104 shall apply, and the rules shall expire or be subject to review as provided in said those sections. The postponement of the expiration of a rule shall not constitute legislative approval of the rule nor be AND IS NOT admissible in any court as evidence of legislative intent. The postponement of the expiration date of a specific rule shall not prohibit any action by the general assembly pursuant to the provisions of paragraph (d) of this subsection (8) SUBSECTION (8)(d) OF THIS SECTION with respect to such the rule.

SECTION 8. In Colorado Revised Statutes, 24-30-1303.9, amend (7)(a)(II), (7)(a)(III), and (7)(a)(IV); and add (7)(a)(V) as follows:

24-30-1303.9. Eligibility for state controlled maintenance funding - legislative declaration. (7) (a) Controlled maintenance funds may not be used for:

(II) Auxiliary facilities as defined in section 23-1-106 (10.3); C.R.S.;

(III) Leasehold interests in real property; or

(IV) Any work properly categorized as capital construction; OR

(V) FACILITIES DESCRIBED IN SECTION 23-1-106 (10.2)(a)(III).
SECTION 9. In Colorado Revised Statutes, add 24-37-305 as follows:

24-37-305. 2018-19 fiscal year - required reductions in departmental and executive branch budget requests. (1) (a) Except as otherwise provided in subsection (1)(b) of this section, for the 2018-19 budget year, each principal department of state government that submits a budget request to the office of state planning and budgeting shall request, when submitting the budget request, a total budget for the department that is at least two percent lower than its actual budget for the 2017-18 fiscal year.

(b) The requirement specified in subsection (1)(a) of this section does not apply to the department of education created in section 24-1-115 (1) or the department of transportation created in section 24-1-128.7 (1).

(2) The office of state planning and budgeting shall strongly consider the budget reduction proposals made by each principal department pursuant to subsection (1) of this section when preparing the annual executive budget proposals to the general assembly for the governor as required by section 24-37-302 (1)(g) and shall seek to ensure, subject to section 24-37-303, that the executive budget proposal for each department is at least two percent lower than the department's actual budget for the 2017-18 fiscal year.

SECTION 10. In Colorado Revised Statutes, 24-75-219, repeal as added by Senate Bill 17-262 (2)(c.3)(I) and (2)(c.7)(I) as follows:

24-75-219. Transfers - transportation - capital construction - definitions. (2)(c.3) On June 30, 2019, the state treasurer shall transfer:

(1) One hundred sixty million dollars from the general fund to the highway users tax fund; and

(c.7) On June 30, 2020, the state treasurer shall transfer:

(1) One hundred sixty million dollars from the general fund to the
highway users tax fund; and

SECTION 11. In Colorado Revised Statutes, 24-77-103.6, amend (6)(b)(I) as follows:

24-77-103.6. Retention of excess state revenues - general fund exempt account - required uses - excess state revenues legislative report. (6) As used in this section:

(b) (I) "Excess state revenues cap" for a given fiscal year means: either of the following:

(A) If the voters of the state approve a ballot issue to authorize the state to incur multiple-fiscal year obligations at the November 2005 statewide election, an amount that is equal to the highest total state revenues for a fiscal year from the period of the 2005-06 fiscal year through the 2009-10 fiscal year, adjusted each subsequent fiscal year for inflation and the percentage change in state population, plus one hundred million dollars, and adjusting such sum for the qualification or disqualification of enterprises and debt service changes; or

(B) If the voters of the state do not approve a ballot issue to authorize the state to incur multiple-fiscal year obligations at the November 2005 statewide election, FOR EACH FISCAL YEAR UP TO AND INCLUDING THE 2016-17 FISCAL YEAR, an amount that is equal to the highest total state revenues for a fiscal year from the period of the 2005-06 fiscal year through the 2009-10 fiscal year, adjusted each subsequent fiscal year for inflation, the percentage change in state population, the qualification or disqualification of enterprises, and debt service changes;

(C) FOR THE 2017-18 FISCAL YEAR, AN AMOUNT THAT IS EQUAL TO THE EXCESS STATE REVENUES CAP FOR THE 2016-17 FISCAL YEAR CALCULATED PURSUANT TO SUBSECTION (6)(b)(I)(B) OF THIS SECTION, ADJUSTED FOR INFLATION, THE PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES, LESS TWO HUNDRED MILLION DOLLARS; AND

(D) FOR THE 2018-19 FISCAL YEAR AND EACH SUCCEEDING FISCAL YEAR, THE AMOUNT OF THE EXCESS STATE REVENUES CAP FOR THE 2017-18 FISCAL YEAR CALCULATED PURSUANT TO SUBSECTION (6)(b)(I)(C) OF THIS
SECTION, ADJUSTED EACH SUBSEQUENT FISCAL YEAR FOR INFLATION, THE PERCENTAGE CHANGE IN STATE POPULATION, THE QUALIFICATION OR DISQUALIFICATION OF ENTERPRISES, AND DEBT SERVICE CHANGES.

SECTION 12. In Colorado Revised Statutes, add part 13 to article 82 of title 24 as follows:

PART 13
LEASE-PURCHASE AGREEMENTS FOR STATE PROPERTY

24-82-1301. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Due to insufficient funding, necessary high-priority state highway projects and state capital construction projects, including projects at state institutions of higher education, in all areas of the state have been delayed, and the state has also delayed critical controlled maintenance and upkeep of state capital assets;

(b) By issuing lease-purchase agreements using state buildings as collateral as authorized by this part 13, the state can generate sufficient funds to accelerate the completion of many of the necessary high-priority state highway projects and capital construction projects that have been delayed and better maintain and preserve existing state capital assets;

(c) It is the intent of the general assembly that a majority of the additional funding for state capital construction projects realized from issuing lease-purchase agreements be used for controlled maintenance and upkeep of state capital assets.

24-82-1302. Definitions. As used in this part 13, unless the context otherwise requires:

(1) "Capital construction" has the same meaning as set forth in section 24-30-1301 (2).

(2) "Controlled maintenance" has the same meaning as set forth in section 24-30-1301 (4).
(3) "ELIGIBLE STATE FACILITY" MEANS ANY FINANCIALLY UNENCUMBERED BUILDING, STRUCTURE, OR FACILITY THAT IS OWNED BY THE STATE, INCLUDING A BUILDING, STRUCTURE, OR FACILITY DETERMINED TO BE ELIGIBLE BY A GOVERNING BOARD OF A STATE INSTITUTION OF HIGHER EDUCATION, AND DOES NOT INCLUDE ANY BUILDING, STRUCTURE, OR FACILITY THAT IS PART OF THE STATE EMERGENCY RESERVE FOR ANY STATE FISCAL YEAR AS DESIGNATED IN THE ANNUAL GENERAL APPROPRIATION ACT.

(4) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A STATE INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102 (10), AND THE AURARIA HIGHER EDUCATION CENTER CREATED IN ARTICLE 70 OF TITLE 23.


(2) (a) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 24-82-102 (1)(b) AND 24-82-801, AND PURSUANT TO SECTION 24-36-121, NO SOONER THAN JULY 1, 2018, THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, SHALL EXECUTE LEASE-PURCHASE AGREEMENTS, EACH FOR NO MORE THAN TWENTY YEARS OF ANNUAL PAYMENTS, FOR THE PROJECTS DESCRIBED IN SUBSECTION (4) OF THIS SECTION. THE STATE SHALL EXECUTE THE LEASE-PURCHASE AGREEMENTS ONLY IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

(I) DURING THE 2018-19 STATE FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS;

(II) DURING THE 2019-20 STATE FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE
HUNDRED MILLION DOLLARS;

(III) DURING THE 2020-21 STATE FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS; AND

(IV) DURING THE 2021-22 FISCAL YEAR, THE STATE SHALL EXECUTE LEASE-PURCHASE AGREEMENTS IN AN AMOUNT UP TO FIVE HUNDRED MILLION DOLLARS.

(b) THE ANTICIPATED ANNUAL STATE-FUNDED PAYMENTS FOR THE PRINCIPAL AND INTEREST COMPONENTS OF THE AMOUNT PAYABLE UNDER ALL LEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION SHALL NOT EXCEED ONE HUNDRED FIFTY MILLION DOLLARS.

(c) THE STATE, ACTING BY AND THROUGH THE STATE TREASURER, AT THE STATE TREASURER'S SOLE DISCRETION, MAY ENTER INTO ONE OR MORE LEASE-PURCHASE AGREEMENTS AUTHORIZED BY SUBSECTION (2)(a) OF THIS SECTION WITH ANY FOR-PROFIT OR NONPROFIT CORPORATION, TRUST, OR COMMERCIAL BANK AS A TRUSTEE AS THE LESSOR.

(d) ANY LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION SHALL PROVIDE THAT ALL OF THE OBLIGATIONS OF THE STATE UNDER THE AGREEMENT ARE SUBJECT TO THE ACTION OF THE GENERAL ASSEMBLY IN ANNUALLY MAKING MONEY AVAILABLE FOR ALL PAYMENTS THEREUNDER. PAYMENTS UNDER ANY LEASE-PURCHASE AGREEMENT MUST BE MADE, SUBJECT TO ANNUAL ALLOCATION PURSUANT TO SECTION 43-1-113 BY THE TRANSPORTATION COMMISSION CREATED IN SECTION 43-1-106 (1) OR SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY, AS APPLICABLE, FROM THE FOLLOWING SOURCES OF MONEY:

(I) FIRST, NINE MILLION DOLLARS ANNUALLY, OR ANY LESSER AMOUNT THAT IS SUFFICIENT TO MAKE EACH FULL PAYMENT DUE, SHALL BE PAID FROM THE GENERAL FUND OR ANY OTHER LEGALLY AVAILABLE SOURCE OF MONEY FOR THE PURPOSE OF FULLY FUNDING THE CONTROLLED MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS IN THE STATE TO BE FUNDED WITH THE PROCEEDS OF LEASE-PURCHASE AGREEMENTS AS SPECIFIED IN SUBSECTION (4)(a) OF THIS SECTION;
(II) Next, fifty million dollars annually, or any lesser amount that is sufficient to make each full payment due, shall be paid from any legally available money under the control of the Transportation Commission solely for the purpose of allowing the construction, supervision, and maintenance of state highways to be funded with the proceeds of lease-purchase agreements as specified in subsection (4)(b) of this section and section 43-4-206 (1)(b)(V); and

(III) The remainder of the amount needed, in addition to the amounts specified in subsections (2)(d)(I) and (2)(d)(II) of this section, to make each full payment due shall be paid from the general fund or any other legally available source of money.

(e) Each agreement must also provide that the obligations of the state do not create state debt within the meaning of any provision of the state constitution or state law concerning or limiting the creation of state debt and are not a multiple fiscal-year direct or indirect debt or other financial obligation of the state within the meaning of section 20 (4) of article X of the state constitution. If the state does not renew a lease-purchase agreement executed as required by subsection (2)(a) of this section, the sole security available to the lessor is the property that is the subject of the nonrenewed lease-purchase agreement.

(f) A lease-purchase agreement executed as required by subsection (2)(a) of this section may contain such terms, provisions, and conditions as the state treasurer, acting on behalf of the state, deems appropriate, including all optional terms; except that each lease-purchase agreement must specifically authorize the state or the governing board of the applicable state institution of higher education to receive fee title to all real and personal property that is the subject of the lease-purchase agreement on or before the expiration of the terms of the agreement.

(g) Any lease-purchase agreement executed as required by subsection (2)(a) of this section may provide for the issuance, distribution, and sale of instruments evidencing rights to receive rentals and other payments made and to be made under the
LEASE-PURCHASE AGREEMENT. The instruments may be issued, distributed, or sold only by the lessor or any person designated by the lessor and not by the state. The instruments do not create a relationship between the purchasers of the instruments and the state or create any obligation on the part of the state to the purchasers. The instruments are not notes, bonds, or any other evidence of state debt within the meaning of any provision of the state constitution or state law concerning or limiting the creation of state debt and are not a multiple fiscal-year direct or indirect debt or other financial obligation of the state within the meaning of section 20 (4) of article X of the state constitution.

(h) Interest paid under a lease-purchase agreement authorized pursuant to subsection (2)(a) of this section, including interest represented by the instruments, is exempt from Colorado income tax.

(i) The state, acting by and through the state treasurer and the governing boards of the institutions of higher education, is authorized to enter into ancillary agreements and instruments that are necessary or appropriate in connection with a lease-purchase agreement, including but not limited to deeds, ground leases, sub-leases, easements, or other instruments relating to the real property on which the facilities are located.

(j) The provisions of section 24-30-202 (5)(b) do not apply to a lease-purchase agreement executed as required by or to any ancillary agreement or instrument entered into pursuant to this subsection (2). The state controller or his or her designee shall waive any provision of the fiscal rules promulgated pursuant to section 24-30-202 (1) and (13) that the state controller finds incompatible or inapplicable with respect to a lease-purchase agreement or an ancillary agreement or instrument.

(3) (a) Before executing a lease-purchase agreement required by subsection (2)(a) of this section, in order to protect against future interest rate increases, the state, acting by and through the state treasurer and at the discretion of the state treasurer, may enter into an interest rate exchange agreement
PURSUANT TO ARTICLE 59.3 OF TITLE 11. A LEASE-PURCHASE AGREEMENT EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION IS A PROPOSED PUBLIC SECURITY FOR THE PURPOSES OF ARTICLE 59.3 OF TITLE 11. ANY PAYMENTS MADE BY THE STATE UNDER AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3) MUST BE MADE SOLELY FROM MONEY MADE AVAILABLE TO THE STATE TREASURER FROM THE EXECUTION OF A LEASE-PURCHASE AGREEMENT OR FROM MONEY DESCRIBED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION.

(b) ANY AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3) MUST ALSO PROVIDE THAT THE OBLIGATIONS OF THE STATE DO NOT CREATE STATE DEBT WITHIN THE MEANING OF ANY PROVISION OF THE STATE CONSTITUTION OR STATE LAW CONCERNING OR LIMITING THE CREATION OF STATE DEBT AND ARE NOT A MULTIPLE FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE CONSTITUTION.

(c) ANY MONEY RECEIVED BY THE STATE UNDER AN AGREEMENT ENTERED INTO PURSUANT TO THIS SUBSECTION (3) SHALL BE USED TO MAKE PAYMENTS ON LEASE-PURCHASE AGREEMENTS ENTERED INTO PURSUANT TO SUBSECTION (2) OF THIS SECTION OR TO PAY THE COSTS OF THE PROJECT FOR WHICH A LEASE-PURCHASE AGREEMENT WAS EXECUTED.

(4) PROCEEDS OF LEASE-PURCHASE AGREEMENTS EXECUTED AS REQUIRED BY SUBSECTION (2)(a) OF THIS SECTION SHALL BE USED AS FOLLOWS:

(a)(I) THE FIRST ONE HUNDRED TWENTY MILLION DOLLARS OF THE PROCEEDS OF LEASE-PURCHASE AGREEMENTS ISSUED DURING THE 2018-19 STATE FISCAL YEAR SHALL BE USED FOR CONTROLLED MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS IN THE STATE AS FOLLOWS:

(A) THIRTEEN MILLION SIX THOUSAND EIGHTY-ONE DOLLARS FOR LEVEL I CONTROLLED MAINTENANCE;

(B) SIXTY MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND THREE HUNDRED FIVE DOLLARS FOR LEVEL II CONTROLLED MAINTENANCE;

(C) FORTY MILLION TWO HUNDRED NINE THOUSAND FIVE HUNDRED THIRTY-FIVE DOLLARS FOR LEVEL III CONTROLLED MAINTENANCE; AND
(D) The remainder for capital construction projects as prioritized by the Capital Development Committee.

(II) The Capital Development Committee shall post the list of specific controlled maintenance projects and the cost of each project funded pursuant to Subsection (4)(a)(I)(A), (4)(a)(I)(B), or (4)(a)(I)(C) of this section on its official website no later than May 11, 2017.

(b) The remainder of the proceeds shall be credited to the State Highway Fund created in Section 43-1-219 and used by the Department of Transportation in accordance with Section 43-4-206 (1)(b)(V).

SECTION 13. In Colorado Revised Statutes, 25.5-3-108, amend (17) as follows:

25.5-3-108. Responsibility of the department of health care policy and financing - provider reimbursement. (17) Subject to adequate funding being made available under Section 25.5-4-402.3, Section 25.5-4-402.4, the state department Colorado Healthcare Affordability and Sustainability Enterprise created in Section 25.5-4-402.4 (3) shall increase hospital reimbursements up to one hundred percent of hospital costs for providing medical care under the program.

SECTION 14. In Colorado Revised Statutes, 25.5-4-209, amend (1)(b); and add (1)(c) and (1)(d) as follows:

25.5-4-209. Payments by third parties - copayments by recipients - review - appeal - children's waiting list reduction fund. (1) (b) Subject to any limitations imposed by Title XIX AND THE REQUIREMENTS SET FORTH IN SUBSECTION (1)(c) OF THIS SECTION, a recipient shall be required to pay at the time of service a portion of the cost of any medical benefit rendered to the recipient or to the recipient's dependents pursuant to this article ARTICLE 4 or article 5 or 6 of this title TITLE 25.5, as determined by rule RULES of the state department.

(c) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (1)(c)(II) OF THIS SECTION, ON AND AFTER JANUARY 1, 2018, FOR PHARMACY AND FOR HOSPITAL OUTPATIENT SERVICES, INCLUDING URGENT CARE CENTERS
AND FACILITIES AND EMERGENCY SERVICES, THE RULES OF THE STATE DEPARTMENT REQUIRED BY SUBSECTION (1)(b) OF THIS SECTION MUST REQUIRE THE RECIPIENT TO PAY:

(A) FOR PHARMACY, AT LEAST DOUBLE THE AVERAGE AMOUNT PAID BY RECIPIENTS IN STATE FISCAL YEAR 2015-16; OR

(B) FOR HOSPITAL OUTPATIENT SERVICES, AT LEAST DOUBLE THE AMOUNT REQUIRED TO BE PAID AS SPECIFIED IN THE RULES AS OF JANUARY 1, 2017.

(II) FOR BOTH PHARMACY AND HOSPITAL OUTPATIENT SERVICES, THE AMOUNT REQUIRED TO BE PAID BY THE RECIPIENT SHALL NOT EXCEED ANY SPECIFIED MAXIMUM DOLLAR AMOUNT ALLOWED BY FEDERAL LAW OR REGULATIONS AS OF JANUARY 1, 2017.

(d) THE STATE DEPARTMENT SHALL EVALUATE OPTIONS TO EXEMPT INDIVIDUALS WHO ARE QUALIFIED FOR INSTITUTIONAL CARE BUT ARE INSTEAD ENROLLED IN HOME- AND COMMUNITY-BASED SERVICE WAIVERS FROM THE INCREASED PAYMENT REQUIREMENTS SPECIFIED IN SUBSECTION (1)(c) OF THIS SECTION.

SECTION 15. In Colorado Revised Statutes, 25.5-4-402, amend (3)(a) as follows:

25.5-4-402. Providers - hospital reimbursement - rules. (3) (a) In addition to the reimbursement rate process described in subsection (1) of this section and subject to adequate funding BEING made available pursuant to section 25.5-4-402.3 SECTION 25.5-4-402.4, the state department COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE CREATED IN SECTION 25.5-4-402.4 (3) shall pay an additional amount based upon performance to those hospitals that provide services that improve health care outcomes for their patients. This amount shall be determined by The state department SHALL DETERMINE THIS AMOUNT based upon nationally recognized performance measures established in rules adopted by the state board. The state quality standards shall MUST be consistent with federal quality standards published by an organization with expertise in health care quality, including but not limited to, the centers for medicare and medicaid services, the agency for healthcare research and quality, or the national quality forum.
SECTION 16. In Colorado Revised Statutes, repeal as amended by Senate Bill 17-256 25.5-4-402.3.

SECTION 17. In Colorado Revised Statutes, add 25.5-4-402.4 as follows:

25.5-4-402.4. Hospitals - healthcare affordability and sustainability fee - legislative declaration - Colorado healthcare affordability and sustainability enterprise - federal waiver - fund created - rules. (1) Short title. The short title of this section is the "COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE ACT OF 2017".

(2) Legislative declaration. The general assembly hereby finds and declares that:

(a) The state and the providers of publicly funded medical services, and hospitals in particular, share a common commitment to comprehensive health care reform;

(b) Hospitals within the state incur significant costs by providing uncompensated emergency department care and other uncompensated medical services to low-income and uninsured populations;

(c) This section is enacted as part of a comprehensive health care reform and is intended to provide the following services and benefits to hospitals and individuals:

(I) Providing a payer source for some low-income and uninsured populations who may otherwise be cared for in emergency departments and other settings in which uncompensated care is provided;

(II) Reducing the underpayment to Colorado hospitals participating in publicly funded health insurance programs;

(III) Reducing the number of persons in Colorado who are without health care benefits;
(IV) Reducing the need of hospitals and other health care providers to shift the cost of providing uncompensated care to other payers;

(V) Expanding access to high-quality, affordable health care for low-income and uninsured populations; and

(VI) Providing the additional business services specified in subsection (4)(a)(IV) of this section to hospitals that pay the healthcare affordability and sustainability fee charged and collected as authorized by subsection (4) of this section by the Colorado healthcare affordability and sustainability enterprise created in subsection (3)(a) of this section;

(d) The Colorado healthcare affordability and sustainability enterprise provides business services to hospitals when, in exchange for payment of healthcare affordability and sustainability fees by hospitals, it:

(I) Obtains federal matching money and returns both the healthcare affordability and sustainability fee and the federal matching money to hospitals to increase reimbursement rates to hospitals for providing medical care under the state medical assistance program and the Colorado indigent care program and to increase the number of individuals covered by public medical assistance; and

(II) Provides additional business services to hospitals as specified in subsection (4)(a)(IV) of this section;

(e) It is necessary, appropriate, and in the best interest of the state to acknowledge that by providing the business services specified in subsections (2)(d)(I) and (2)(d)(II) of this section, the Colorado healthcare affordability and sustainability enterprise engages in an activity conducted in the pursuit of a benefit, gain, or livelihood and therefore operates as a business;

(f) Consistent with the determination of the Colorado supreme court in Nicholl v. E-470 Public Highway Authority, 896 P.2d 859 (Colo. 1995), that the power to impose taxes is
INCONSISTENT WITH ENTERPRISE STATUS UNDER SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, IT IS THE CONCLUSION OF THE GENERAL ASSEMBLY THAT THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CHARGED AND COLLECTED BY THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE IS A FEE, NOT A TAX, BECAUSE THE FEE IS IMPOSED FOR THE SPECIFIC PURPOSES OF ALLOWING THE ENTERPRISE TO DEFRAY THE COSTS OF PROVIDING THE BUSINESS SERVICES SPECIFIED IN SUBSECTIONS (2)(d)(I) AND (2)(d)(II) OF THIS SECTION TO HOSPITALS THAT PAY THE FEE AND IS COLLECTED AT RATES THAT ARE REASONABLY CALCULATED BASED ON THE BENEFITS RECEIVED BY THOSE HOSPITALS; AND

(g) SO LONG AS THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE QUALIFIES AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, THE REVENUES FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CHARGED AND COLLECTED BY THE ENTERPRISE ARE NOT STATE FISCAL YEAR SPENDING, AS DEFINED IN SECTION 24-77-102 (17), OR STATE REVENUES, AS DEFINED IN SECTION 24-77-103.6 (6)(c), AND DO NOT COUNT AGAINST EITHER THE STATE FISCAL YEAR SPENDING LIMIT IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I).


(b) **The enterprise constitutes an enterprise for purposes of section 20 of article X of the state constitution so long as it retains the authority to issue revenue bonds and receives less**
THAN TEN PERCENT OF ITS TOTAL REVENUES IN GRANTS FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED. SO LONG AS IT CONSTITUTES AN ENTERPRISE PURSUANT TO THIS SUBSECTION (3)(b), THE ENTERPRISE IS NOT SUBJECT TO ANY PROVISIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(c)(I) THE REPEAL OF THE HOSPITAL PROVIDER FEE PROGRAM, AS IT EXISTED PURSUANT TO SECTION 25.5-4-402.3 BEFORE ITS REPEAL, EFFECTIVE JULY 1, 2017, BY SENATE BILL 17-267, ENACTED IN 2017, AND THE CREATION OF THE COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE AS A NEW ENTERPRISE TO CHARGE AND COLLECT A NEW HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AS AUTHORIZED BY SUBSECTION (4) OF THIS SECTION AND PROVIDE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE-FUNDED BUSINESS SERVICES TO HOSPITALS THAT REPLACE AND SUPPLEMENT SERVICES PREVIOUSLY FUNDED BY HOSPITAL PROVIDER FEES IS THE CREATION OF A NEW GOVERNMENT-OWNED BUSINESS THAT PROVIDES BUSINESS SERVICES TO HOSPITALS AS A NEW ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, DOES NOT CONSTITUTE THE QUALIFICATION OF AN EXISTING GOVERNMENT-OWNED BUSINESS AS AN ENTERPRISE FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR SECTION 24-77-103.6 (6)(b)(II), AND, THEREFORE, DOES NOT REQUIRE OR AUTHORIZE ADJUSTMENT OF THE STATE FISCAL YEAR SPENDING LIMIT CALCULATED PURSUANT TO SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION OR THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I).

(II) NOTWITHSTANDING SUBSECTION (3)(c)(I) OF THIS SECTION, BECAUSE THE REPEAL OF THE HOSPITAL PROVIDER FEE PROGRAM, AS IT EXISTED PURSUANT TO SECTION 25.5-4-402.3 BEFORE ITS REPEAL BY SENATE BILL 17-267, ENACTED IN 2017, WILL ALLOW THE STATE TO SPEND MORE GENERAL FUND MONEY FOR GENERAL GOVERNMENTAL PURPOSES THAN IT WOULD OTHERWISE BE ABLE TO SPEND BELOW THE EXCESS STATE REVENUES CAP, AS DEFINED IN SECTION 24-77-103.6 (6)(b)(I), IT IS APPROPRIATE TO RESTRAIN THE GROWTH OF GOVERNMENT BY LOWERING THE BASE AMOUNT USED TO CALCULATE THE EXCESS STATE REVENUES CAP FOR THE 2017-18 STATE FISCAL YEAR BY TWO HUNDRED MILLION DOLLARS.

(d) THE ENTERPRISE’S PRIMARY POWERS AND DUTIES ARE:

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(I) To charge and collect the healthcare affordability and sustainability fee as specified in subsection (4) of this section;

(II) To leverage healthcare affordability and sustainability fee revenue collected to obtain federal matching money, working with or through the state department and the state board to the extent required by federal law or otherwise necessary;

(III) To expend healthcare affordability and sustainability fee revenue, matching federal money, and any other money from the healthcare affordability and sustainability fee cash fund as specified in subsections (4) and (5) of this section;

(IV) To issue revenue bonds payable from the revenues of the enterprise;

(V) To enter into agreements with the state department to the extent necessary to collect and expend healthcare affordability and sustainability fee revenue;

(VI) To engage the services of private persons or entities serving as contractors, consultants, and legal counsel for professional and technical assistance and advice and to supply other services related to the conduct of the affairs of the enterprise, including the provision of additional business services to hospitals as specified in subsection (4)(a)(IV) of this section; and

(VII) To adopt and amend or repeal policies for the regulation of its affairs and the conduct of its business consistent with the provisions of this section.

e The enterprise shall exercise its powers and perform its duties as if the same were transferred to the state department by a Type 2 transfer, as defined in section 24-1-105.

(4) Healthcare affordability and sustainability fee. (a) For the fiscal year commencing July 1, 2017, and for each fiscal year thereafter, the enterprise is authorized to charge and collect a healthcare affordability and sustainability fee, as described in
42 CFR 433.68 (b), on outpatient and inpatient services provided by all licensed or certified hospitals, referred to in this section as "hospitals", for the purpose of obtaining federal financial participation under the state medical assistance program as described in this Article 4 and Articles 5 and 6 of this Title 25.5, referred to in this section as the "state medical assistance program", and the Colorado indigent care program described in part 1 of Article 3 of this Title 25.5, referred to in this section as the "Colorado indigent care program". The enterprise shall use the healthcare affordability and sustainability fee revenue to:

(I) Provide a business service to hospitals by increasing reimbursement to hospitals for providing medical care under:

(A) the state medical assistance program; and

(B) the Colorado indigent care program;

(II) Provide a business service to hospitals by increasing the number of individuals covered by public medical assistance and thereby reducing the amount of uncompensated care that the hospitals must provide;

(III) Pay the administrative costs to the enterprise in implementing and administering this section subject to the limitation that administrative costs of the enterprise are limited to three percent of the enterprise's expenditures based on a methodology approved by the office of state planning and budgeting and the staff of the joint budget committee of the general assembly; and

(IV) Provide or contract for or arrange the provision of additional business services to hospitals by:

(A) Consulting with hospitals to help them improve both cost efficiency and patient safety in providing medical services and the clinical effectiveness of those services;

(B) Advising hospitals regarding potential changes to federal and state laws and regulations that govern the
(C) **Providing coordinated services to hospitals to help them adapt and transition to any new or modified performance tracking and payment systems for the programs administered pursuant to this Article 4 and Articles 5 and 6 of this Title 25.5, which may include data sharing, telehealth coordination and support, establishment of performance metrics, benchmarking to such metrics, and clinical and administrative process consulting and other appropriate services;**

(D) **Providing any other services to hospitals that aid them in efficiently and effectively participating in the programs administered pursuant to this Article 4 and Articles 5 and 6 of this Title 25.5; and**

(E) **Providing funding for, and in cooperation with the State Department and hospitals supporting the implementation of, a Health Care Delivery System Reform Incentive Payments Program as described in subsection (8) of this section.**

(b) **The enterprise shall recommend for approval and establishment by the State Board the amount of the healthcare affordability and sustainability fee that it intends to charge and collect. The State Board must establish the final amount of the fee by rules promulgated in accordance with Article 4 of Title 24. The State Board shall not establish any amount that exceeds the Federal limit for such fees. The State Board may deviate from the recommendations of the enterprise, but shall express in writing the reasons for any deviations. In establishing the amount of the fee and in promulgating the rules governing the fee, the State Board shall:**

(I) **Consider recommendations of the enterprise;**

(II) **Establish the amount of the healthcare affordability and sustainability fee so that the amount collected from the fee and Federal matching funds associated with the fee are sufficient**
TO PAY FOR THE ITEMS DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION, BUT NOTHING IN THIS SUBSECTION (4)(b)(II) REQUIRES THE STATE BOARD TO INCREASE THE FEE ABOVE THE AMOUNT RECOMMENDED BY THE ENTERPRISE; AND


(c) (I) IN ACCORDANCE WITH THE REDISTRIBUTIVE METHOD SET FORTH IN 42 CFR 433.68 (e)(1) AND (e)(2), THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, MAY SEEK A WAIVER FROM THE BROAD-BASED HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REQUIREMENT OR THE UNIFORM HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE REQUIREMENT, OR BOTH. IN ADDITION, THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, SHALL SEEK ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION. SUBJECT TO FEDERAL APPROVAL AND TO MINIMIZE THE FINANCIAL IMPACT ON CERTAIN HOSPITALS, THE ENTERPRISE MAY EXEMPT FROM PAYMENT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE CERTAIN TYPES OF HOSPITALS, INCLUDING BUT NOT LIMITED TO:

(A) PSYCHIATRIC HOSPITALS, AS LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(B) HOSPITALS THAT ARE LICENSED AS GENERAL HOSPITALS AND CERTIFIED AS LONG-TERM CARE HOSPITALS BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

(C) CRITICAL ACCESS HOSPITALS THAT ARE LICENSED AS GENERAL HOSPITALS AND ARE CERTIFIED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT UNDER 42 CFR PART 485, SUBPART F;
(D) INPATIENT REHABILITATION FACILITIES; OR

(E) HOSPITALS SPECIFIED FOR EXEMPTION UNDER 42 CFR 433.68 (e).

(II) IN DETERMINING WHETHER A HOSPITAL MAY BE EXCLUDED, THE ENTERPRISE SHALL USE ONE OR MORE OF THE FOLLOWING CRITERIA:

(A) A HOSPITAL THAT IS LOCATED IN A RURAL AREA;

(B) A HOSPITAL WITH WHICH THE STATE DEPARTMENT DOES NOT CONTRACT TO PROVIDE SERVICES UNDER THE STATE MEDICAL ASSISTANCE PROGRAM;

(C) A HOSPITAL WHOSE INCLUSION OR EXCLUSION WOULD NOT SIGNIFICANTLY AFFECT THE NET BENEFIT TO HOSPITALS PAYING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE; OR

(D) A HOSPITAL THAT MUST BE INCLUDED TO RECEIVE FEDERAL APPROVAL.

(III) THE ENTERPRISE MAY REDUCE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE FOR CERTAIN HOSPITALS TO OBTAIN FEDERAL APPROVAL AND TO MINIMIZE THE FINANCIAL IMPACT ON CERTAIN HOSPITALS. IN DETERMINING FOR WHICH HOSPITALS THE ENTERPRISE MAY REDUCE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, THE ENTERPRISE SHALL USE ONE OR MORE OF THE FOLLOWING CRITERIA:

(A) THE HOSPITAL IS A TYPE OF HOSPITAL DESCRIBED IN SUBSECTION (4)(c)(I) OF THIS SECTION;

(B) THE HOSPITAL IS LOCATED IN A RURAL AREA;

(C) THE HOSPITAL SERVES A HIGHER PERCENTAGE THAN THE AVERAGE HOSPITAL OF PERSONS COVERED BY THE STATE MEDICAL ASSISTANCE PROGRAM, MEDICARE, OR COMMERCIAL INSURANCE OR PERSONS ENROLLED IN A MANAGED CARE ORGANIZATION;

(D) THE HOSPITAL DOES NOT CONTRACT WITH THE STATE
DEPARTMENT TO PROVIDE SERVICES UNDER THE STATE MEDICAL ASSISTANCE PROGRAM;

(E) IF THE HOSPITAL PAID A REDUCED HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, THE REDUCED FEE WOULD NOT SIGNIFICANTLY AFFECT THE NET BENEFIT TO HOSPITALS PAYING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE; OR

(F) THE HOSPITAL IS REQUIRED NOT TO PAY A REDUCED HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AS A CONDITION OF FEDERAL APPROVAL.

(IV) THE ENTERPRISE MAY CHANGE HOW IT PAYS HOSPITAL REIMBURSEMENT OR QUALITY INCENTIVE PAYMENTS, OR BOTH, IN WHOLE OR IN PART, UNDER THE AUTHORITY OF A FEDERAL WAIVER IF THE TOTAL REIMBURSEMENT TO HOSPITALS IS EQUAL TO OR ABOVE THE FEDERAL UPPER PAYMENT LIMIT CALCULATION UNDER THE WAIVER.

(d) THE ENTERPRISE MAY ALTER THE PROCESS PRESCRIBED IN THIS SUBSECTION (4) TO THE EXTENT NECESSARY TO MEET THE FEDERAL REQUIREMENTS AND TO OBTAIN FEDERAL APPROVAL.

(e) (I) THE ENTERPRISE SHALL ESTABLISH POLICIES ON THE CALCULATION, ASSESSMENT, AND TIMING OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE. THE ENTERPRISE SHALL ASSESS THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE ON A SCHEDULE TO BE SET BY THE ENTERPRISE BOARD AS PROVIDED IN SUBSECTION (7)(d) OF THIS SECTION. THE PERIODIC HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE PAYMENTS FROM A HOSPITAL AND THE ENTERPRISE'S REIMBURSEMENT TO THE HOSPITAL UNDER SUBSECTIONS (5)(b)(I) AND (5)(b)(II) OF THIS SECTION ARE DUE AS NEARLY SIMULTANEOUSLY AS FEASIBLE; EXCEPT THAT THE ENTERPRISE'S REIMBURSEMENT TO THE HOSPITAL IS DUE NO MORE THAN TWO DAYS AFTER THE PERIODIC HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE PAYMENT IS RECEIVED FROM THE HOSPITAL. THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE MUST BE IMPOSED ON EACH HOSPITAL EVEN IF MORE THAN ONE HOSPITAL IS OWNED BY THE SAME ENTITY. THE FEE MUST BE PRORATED AND ADJUSTED FOR THE EXPECTED VOLUME OF SERVICE FOR ANY YEAR IN WHICH A HOSPITAL OPENS OR CLOSES.
(II) The enterprise is authorized to refund any unused portion of the healthcare affordability and sustainability fee. For any portion of the healthcare affordability and sustainability fee that has been collected by the enterprise but for which the enterprise has not received federal matching funds, the enterprise shall refund back to the hospital that paid the fee the amount of that portion of the fee within five business days after the fee is collected.

(III) The enterprise shall establish requirements for the reports that hospitals must submit to the enterprise to allow the enterprise to calculate the amount of the healthcare affordability and sustainability fee. Notwithstanding the provisions of Part 2 of Article 72 of Title 24 or Subsection (7)(f) of this section, information provided to the enterprise pursuant to this section is confidential and is not a public record. Nonetheless, the enterprise may prepare and release summaries of the reports to the public.

(f) A hospital shall not include any amount of the healthcare affordability and sustainability fee as a separate line item in its billing statements.

(g) The state board shall promulgate any rules pursuant to the "State Administrative Procedure Act", Article 4 of Title 24, necessary for the administration and implementation of this section. Prior to submitting any proposed rules concerning the administration or implementation of the healthcare affordability and sustainability fee to the state board, the enterprise shall consult with the state board on the proposed rules as specified in Subsection (7)(d) of this section.

(5) Healthcare affordability and sustainability fee cash fund.

(a) Any healthcare affordability and sustainability fee collected pursuant to this section by the enterprise must be transmitted to the state treasurer, who shall credit the fee to the healthcare affordability and sustainability fee cash fund, which fund is hereby created and referred to in this section as the "fund". The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to
THE FUND. THE STATE TREASURER SHALL INVEST ANY MONEY IN THE FUND NOT EXPENDED FOR THE PURPOSES SPECIFIED IN SUBSECTION (5)(b) OF THIS SECTION AS PROVIDED BY LAW. MONEY IN THE FUND SHALL NOT BE TRANSFERRED TO ANY OTHER FUND AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THE PURPOSES SPECIFIED IN THIS SUBSECTION (5) AND IN SUBSECTION (4) OF THIS SECTION.

(b) All money in the fund is subject to federal matching as authorized under federal law and is continuously appropriated to the enterprise for the following purposes:

(I) To maximize the inpatient and outpatient hospital reimbursements to up to the upper payment limits as defined in 42 CFR 447.272 and 42 CFR 447.321;

(II) To increase hospital reimbursements under the Colorado indigent care program to up to one hundred percent of the hospital's costs of providing medical care under the program;

(III) To pay the quality incentive payments provided in section 25.5-4-402 (3);

(IV) Subject to available revenue from the healthcare affordability and sustainability fee and federal matching funds, to expand eligibility for public medical assistance by:

(A) Increasing the eligibility level for parents and caretaker relatives of children who are eligible for medical assistance, pursuant to section 25.5-5-201 (1)(m), from sixty-one percent to one hundred thirty-three percent of the federal poverty line;

(B) Increasing the eligibility level for children and pregnant women under the children's basic health plan to up to two hundred fifty percent of the federal poverty line;

(C) Providing eligibility under the state medical assistance program for a childless adult or an adult without a dependent child in the home, pursuant to section 25.5-5-201 (1)(p), who earns up to one hundred thirty-three percent of the federal poverty
LINE; AND

(D) PROVIDING A BUY-IN PROGRAM IN THE STATE MEDICAL ASSISTANCE PROGRAM FOR DISABLED ADULTS AND CHILDREN WHOSE FAMILIES HAVE INCOME OF UP TO FOUR HUNDRED FIFTY PERCENT OF THE FEDERAL POVERTY LINE;

(V) TO PROVIDE CONTINUOUS ELIGIBILITY FOR TWELVE MONTHS FOR CHILDREN ENROLLED IN THE STATE MEDICAL ASSISTANCE PROGRAM;

(VI) TO PAY THE ENTERPRISE'S ACTUAL ADMINISTRATIVE COSTS OF IMPLEMENTING AND ADMINISTERING THIS SECTION, INCLUDING BUT NOT LIMITED TO THE FOLLOWING COSTS:

(A) ADMINISTRATIVE EXPENSES OF THE ENTERPRISE;

(B) THE ENTERPRISE'S ACTUAL COSTS RELATED TO IMPLEMENTING AND MAINTAINING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE, INCLUDING PERSONAL SERVICES, OPERATING, AND CONSULTING EXPENSES;

(C) THE ENTERPRISE'S ACTUAL COSTS FOR THE CHANGES AND UPDATES TO THE MEDICAID MANAGEMENT INFORMATION SYSTEM FOR THE IMPLEMENTATION OF SUBSECTIONS (5)(b)(I) TO (5)(b)(III) OF THIS SECTION;

(D) THE ENTERPRISE'S PERSONAL SERVICES AND OPERATING COSTS RELATED TO PERSONNEL, CONSULTING SERVICES, AND FOR REVIEW OF HOSPITAL COSTS NECESSARY TO IMPLEMENT AND ADMINISTER THE INCREASES IN INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(I) OF THIS SECTION, INCREASES IN THE COLORADO INDIGENT CARE PROGRAM PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(II) OF THIS SECTION, AND QUALITY INCENTIVE PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(III) OF THIS SECTION;

(E) THE ENTERPRISE'S ACTUAL COSTS FOR THE CHANGES AND UPDATES TO THE COLORADO BENEFITS MANAGEMENT SYSTEM AND MEDICAID MANAGEMENT INFORMATION SYSTEM TO IMPLEMENT AND MAINTAIN THE EXPANDED ELIGIBILITY PROVIDED FOR IN SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION;
(F) The enterprise's personal services and operating costs related to personnel necessary to implement and administer the expanded eligibility for public medical assistance provided for in subsections (5)(b)(IV) and (5)(b)(V) of this section, including but not limited to administrative costs associated with the determination of eligibility for public medical assistance by county departments; and

(G) The enterprise's personal services, operating, and systems costs related to expanding the opportunity for individuals to apply for public medical assistance directly at hospitals or through another entity outside the county departments, in connection with section 25.5-4-205, that would increase access to public medical assistance and reduce the number of uninsured served by hospitals;

(VII) To offset the loss of any federal matching money due to a decrease in the certification of the public expenditure process for outpatient hospital services for medical services premiums that were in effect as of July 1, 2008;

(VIII) Subject to any necessary federal waivers being obtained, to provide funding for a health care delivery system reform incentive payments program as described in subsection (8) of this section; and

(IX) To provide additional business services to hospitals as specified in subsection (4)(a)(IV) of this section.

(6) Appropriations. (a) (I) The healthcare affordability and sustainability fee is to supplement, not supplant, general fund appropriations to support hospital reimbursements. General fund appropriations for hospital reimbursements shall be maintained at the level of appropriations in the medical services premium line item made for the fiscal year commencing July 1, 2008; except that general fund appropriations for hospital reimbursements may be reduced if an index of appropriations to other providers shows that general fund appropriations are reduced for other providers. If the index shows that general fund appropriations are reduced for other providers, the general fund appropriations
FOR HOSPITAL REIMBURSEMENTS SHALL NOT BE REDUCED BY A GREATER PERCENTAGE THAN THE REDUCTIONS OF APPROPRIATIONS FOR THE OTHER PROVIDERS AS SHOWN BY THE INDEX.

(II) IF GENERAL FUND APPROPRIATIONS FOR HOSPITAL REIMBURSEMENTS ARE REDUCED BELOW THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM MADE FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, THE GENERAL FUND APPROPRIATIONS WILL BE INCREASED BACK TO THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM MADE FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, AT THE SAME PERCENTAGE AS THE APPROPRIATIONS FOR OTHER PROVIDERS AS SHOWN BY THE INDEX. THE GENERAL ASSEMBLY IS NOT OBLIGATED TO INCREASE THE GENERAL FUND APPROPRIATIONS BACK TO THE LEVEL OF APPROPRIATIONS IN THE MEDICAL SERVICES PREMIUM LINE ITEM IN A SINGLE FISCAL YEAR AND SUCH INCREASES MAY OCCUR OVER NONCONSECUTIVE FISCAL YEARS.

(III) FOR PURPOSES OF THIS SUBSECTION (6)(a), THE "INDEX OF APPROPRIATIONS TO OTHER PROVIDERS" OR "INDEX" MEANS THE AVERAGE PERCENT CHANGE IN REIMBURSEMENT RATES THROUGH APPROPRIATIONS OR LEGISLATION ENACTED BY THE GENERAL ASSEMBLY TO HOME HEALTH PROVIDERS, PHYSICIAN SERVICES, AND OUTPATIENT PHARMACIES, EXCLUDING DISPENSING FEES. THE STATE BOARD, AFTER CONSULTATION WITH THE ENTERPRISE BOARD, IS AUTHORIZED TO CLARIFY THIS DEFINITION AS NECESSARY BY RULE.

(b) IF THE REVENUE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE IS INSUFFICIENT TO FULLY FUND ALL OF THE PURPOSES DESCRIBED IN SUBSECTION (5)(b) OF THIS SECTION:

(I) THE GENERAL ASSEMBLY IS NOT OBLIGATED TO APPROPRIATE GENERAL FUND REVENUES TO FUND SUCH PURPOSES;

(II) THE HOSPITAL PROVIDER REIMBURSEMENT AND QUALITY INCENTIVE PAYMENT INCREASES DESCRIBED IN SUBSECTIONS (5)(b)(I) TO (5)(b)(III) OF THIS SECTION AND THE COSTS DESCRIBED IN SUBSECTION (5)(b)(VI) OF THIS SECTION SHALL BE FULLY FUNDED USING REVENUE FROM THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND FEDERAL MATCHING FUNDS BEFORE ANY ELIGIBILITY EXPANSION IS FUNDED; AND
(III) (A) If the State Board promulgates rules that expand eligibility for medical assistance to be paid for pursuant to subsection (5)(b)(IV) of this section, and the State Department thereafter notifies the Enterprise Board that the revenue available from the Healthcare Affordability and Sustainability Fee and the federal matching funds will not be sufficient to pay for all or part of the expanded eligibility, the Enterprise Board shall recommend to the State Board reductions in medical benefits or eligibility so that the revenue will be sufficient to pay for all of the reduced benefits or eligibility. After receiving the recommendations of the Enterprise Board, the State Board shall adopt rules providing for reduced benefits or reduced eligibility for which the revenue will be sufficient and shall forward any adopted rules to the Joint Budget Committee. Notwithstanding the provisions of section 24-4-103(8) and (12), following the adoption of rules pursuant to this subsection (6)(b)(III)(A), the State Board shall not submit the rules to the Attorney General and shall not file the rules with the Secretary of State until the Joint Budget Committee approves the rules pursuant to subsection (6)(b)(III)(B) of this section.

(B) The Joint Budget Committee shall promptly consider any rules adopted by the State Board pursuant to subsection (6)(b)(III)(A) of this section. The Joint Budget Committee shall promptly notify the State Department, the State Board, and the Enterprise Board of any action on the rules. If the Joint Budget Committee does not approve the rules, the Joint Budget Committee shall recommend a reduction in benefits or eligibility so that the revenue from the Healthcare Affordability and Sustainability Fee and the matching federal funds will be sufficient to pay for the reduced benefits or eligibility. After approving the rules pursuant to this subsection (6)(b)(III)(B), the Joint Budget Committee shall request that the Committee on Legal Services, created pursuant to section 2-3-501, extend the rules as provided for in section 24-4-103(8) unless the Committee on Legal Services finds after review that the rules do not conform with section 24-4-103(8)(a).

(C) After the State Board has received notification of the approval of rules adopted pursuant to subsection (6)(b)(III)(A) of
THIS SECTION, THE STATE BOARD SHALL SUBMIT THE RULES TO THE ATTORNEY GENERAL PURSUANT TO SECTION 24-4-103 (8)(b) AND SHALL FILE THE RULES AND THE OPINION OF THE ATTORNEY GENERAL WITH THE SECRETARY OF STATE PURSUANT TO SECTION 24-4-103 (12) AND WITH THE OFFICE OF LEGISLATIVE LEGAL SERVICES. PURSUANT TO SECTION 24-4-103 (5), THE RULES ARE EFFECTIVE TWENTY DAYS AFTER PUBLICATION OF THE RULES AND ARE ONLY EFFECTIVE UNTIL THE FOLLOWING MAY 15 UNLESS THE RULES ARE EXTENDED PURSUANT TO A BILL ENACTED PURSUANT TO SECTION 24-4-103 (8).

(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF, AFTER RECEIPT OF AUTHORIZATION TO RECEIVE FEDERAL MATCHING FUNDS FOR MONEY IN THE FUND, THE AUTHORIZATION IS WITHDRAWN OR CHANGED SO THAT FEDERAL MATCHING FUNDS ARE NO LONGER AVAILABLE, THE ENTERPRISE SHALL CEASE COLLECTING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE AND SHALL REPAY TO THE HOSPITALS ANY MONEY RECEIVED BY THE FUND THAT IS NOT SUBJECT TO FEDERAL MATCHING FUNDS.

(7) **Colorado healthcare affordability and sustainability enterprise board.** (a) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (7)(a)(II) OF THIS SECTION, THE ENTERPRISE BOARD CONSISTS OF THIRTEEN MEMBERS APPOINTED BY THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE, AS FOLLOWS:

(A) **FIVE MEMBERS WHO ARE EMPLOYED BY HOSPITALS IN COLORADO, INCLUDING AT LEAST ONE PERSON WHO IS EMPLOYED BY A HOSPITAL IN A RURAL AREA, ONE PERSON WHO IS EMPLOYED BY A SAFETY-NET HOSPITAL FOR WHICH THE PERCENT OF MEDICAID-ELIGIBLE INPATIENT DAYS RELATIVE TO ITS TOTAL INPATIENT DAYS IS EQUAL TO OR GREATER THAN ONE STANDARD DEVIATION ABOVE THE MEAN, AND ONE PERSON WHO IS EMPLOYED BY A HOSPITAL IN AN URBAN AREA;**

(B) **ONE MEMBER WHO IS A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF HOSPITALS;**

(C) **ONE MEMBER WHO REPRESENTS A STATEWIDE ORGANIZATION OF HEALTH INSURANCE CARRIERS OR A HEALTH INSURANCE CARRIER LICENSED PURSUANT TO TITLE 10 AND WHO IS NOT A REPRESENTATIVE OF A HOSPITAL;**

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(D) **One member of the health care industry who does not represent a hospital or a health insurance carrier;**

(E) **One member who is a consumer of health care and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity;**

(F) **One member who is a representative of persons with disabilities, who is living with a disability, and who is not a representative or an employee of a hospital, health insurance carrier, or other health care industry entity;**

(G) **One member who is a representative of a business that purchases or otherwise provides health insurance for its employees; and**

(H) **Two employees of the state department.**

(II) The initial members of the enterprise board are the members of the hospital provider fee oversight and advisory board that was created and existed pursuant to section 25.5-4-402.3(6), prior to July 1, 2017, and such members shall serve on and after July 1, 2017, for the remainder of the terms for which they were appointed as members of the advisory board. The powers, duties, and functions of the hospital provider fee oversight and advisory board are transferred by a **Type 3** transfer, as defined in section 24-1-105, to the enterprise, and the hospital provider fee oversight and advisory board is abolished.

(III) **The governor shall consult with representatives of a statewide organization of hospitals in making the appointments pursuant to subsections (7)(a)(I)(A) and (7)(a)(I)(B) of this section. No more than six members of the enterprise board may be members of the same political party.**

(IV) **Members of the enterprise board serve at the pleasure of the governor. All terms are for four years. A member who is appointed to fill a vacancy shall serve the remainder of the unexpired term of the former member.**
(V) The governor shall designate a chair from among the members of the enterprise board appointed pursuant to subsections (7)(a)(I)(A) to (7)(a)(I)(G) of this section. The enterprise board shall elect a vice-chair from among its members.

(b) Members of the enterprise board serve without compensation but must be reimbursed from money in the fund for actual and necessary expenses incurred in the performance of their duties pursuant to this section.

(c) The enterprise board may contract for a group facilitator to assist the members of the enterprise board in performing their required duties.

(d) The enterprise board has, at a minimum, the following duties:

(I) To determine the timing and method by which the enterprise assesses the healthcare affordability and sustainability fee and the amount of the fee;

(II) If requested by the health and human services committee of the senate or the public health care and human services committee of the house of representatives, or any successor committees, to consult with the committees on any legislation that may impact the healthcare affordability and sustainability fee or hospital reimbursements established pursuant to this section;

(III) To determine changes in the healthcare affordability and sustainability fee that increase the number of hospitals benefitting from the uses of the healthcare affordability and sustainability fee described in subsections (5)(b)(I) to (5)(b)(IV) of this section or that minimize the number of hospitals that suffer losses as a result of paying the healthcare affordability and sustainability fee;

(IV) To recommend to the state department reforms or changes to the inpatient hospital and outpatient hospital reimbursements and quality incentive payments made under the
STATE MEDICAL ASSISTANCE PROGRAM TO INCREASE PROVIDER ACCOUNTABILITY, PERFORMANCE, AND REPORTING;

(V) TO DIRECT AND OVERSEE THE ENTERPRISE IN SEEKING, IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION;

(VI) TO RECOMMEND TO THE STATE DEPARTMENT THE SCHEDULE AND APPROACH TO THE IMPLEMENTATION OF SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION;

(VII) IF MONEY IN THE FUND IS INSUFFICIENT TO FULLY FUND ALL OF THE PURPOSES SPECIFIED IN SUBSECTION (5)(b) OF THIS SECTION, TO RECOMMEND TO THE STATE BOARD CHANGES TO THE EXPANDED ELIGIBILITY PROVISIONS DESCRIBED IN SUBSECTION (5)(b)(IV) OF THIS SECTION;

(VIII) TO PREPARE THE REPORTS SPECIFIED IN SUBSECTION (7)(e) OF THIS SECTION;

(IX) TO MONITOR THE IMPACT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE ON THE BROADER HEALTH CARE MARKETPLACE;

(X) TO ESTABLISH REQUIREMENTS FOR THE REPORTS THAT HOSPITALS MUST SUBMIT TO THE ENTERPRISE TO ALLOW THE ENTERPRISE TO CALCULATE THE AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE; AND

(XI) TO PERFORM ANY OTHER DUTIES REQUIRED TO FULFILL THE ENTERPRISE BOARD’S CHARGE OR THOSE ASSIGNED TO IT BY THE STATE BOARD OR THE EXECUTIVE DIRECTOR.

JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, THE GOVERNOR, AND THE STATE BOARD. THE REPORT SHALL INCLUDE, BUT NEED NOT BE LIMITED TO:

(I) THE RECOMMENDATIONS MADE TO THE STATE BOARD PURSUANT TO THIS SECTION;


(III) AN ITEMIZATION OF THE TOTAL AMOUNT OF THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE PAID BY EACH HOSPITAL AND ANY PROJECTED REVENUE THAT EACH HOSPITAL IS EXPECTED TO RECEIVE DUE TO:

(A) THE INCREASED REIMBURSEMENTS MADE PURSUANT TO SUBSECTIONS (5)(b)(I) AND (5)(b)(II) OF THIS SECTION AND THE QUALITY INCENTIVE PAYMENTS MADE PURSUANT TO SUBSECTION (5)(b)(III) OF THIS SECTION; AND

(B) THE INCREASED ELIGIBILITY DESCRIBED IN SUBSECTIONS (5)(b)(IV) AND (5)(b)(V) OF THIS SECTION;

(IV) AN ITEMIZATION OF THE COSTS INCURRED BY THE ENTERPRISE IN IMPLEMENTING AND ADMINISTERING THE HEALTHCARE AFFORDABILITY AND SUSTAINABILITY FEE;

(V) ESTIMATES OF THE DIFFERENCES BETWEEN THE COST OF CARE PROVIDED AND THE PAYMENT RECEIVED BY HOSPITALS ON A PER-PATIENT BASIS, AGGREGATED FOR ALL HOSPITALS, FOR PATIENTS COVERED BY EACH OF THE FOLLOWING:

(A) MEDICAID;

(B) MEDICARE; AND

(C) ALL OTHER PAYERS; AND
(VI) A SUMMARY OF:

(A) THE EFFORTS MADE BY THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, TO SEEK ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM AS DESCRIBED IN SUBSECTION (8) OF THIS SECTION; AND

(B) THE PROGRESS ACTUALLY MADE BY THE ENTERPRISE, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, TOWARDS THE GOAL OF IMPLEMENTING SUCH A PROGRAM.


(II) FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, AND EXCEPT AS MAY OTHERWISE BE PROVIDED BY FEDERAL LAW OR REGULATION OR STATE LAW, THE RECORDS OF THE ENTERPRISE ARE PUBLIC RECORDS, AS DEFINED IN SECTION 24-72-202 (6), REGARDLESS OF WHETHER THE ENTERPRISE RECEIVES LESS THAN TEN PERCENT OF ITS TOTAL ANNUAL REVENUES IN GRANTS, AS DEFINED IN SECTION 24-77-102 (7), FROM ALL COLORADO STATE AND LOCAL GOVERNMENTS COMBINED.

(III) THE ENTERPRISE IS A PUBLIC ENTITY FOR PURPOSES OF PART 2 OF ARTICLE 57 OF TITLE 11.

(8) Health care delivery system reform incentive payments program - funding and implementation. THE ENTERPRISE, ACTING IN CONCERT WITH OR THROUGH AN AGREEMENT WITH THE STATE DEPARTMENT IF REQUIRED BY FEDERAL LAW, SHALL SEEK ANY FEDERAL WAIVER NECESSARY TO FUND AND, IN COOPERATION WITH THE STATE DEPARTMENT AND HOSPITALS, SUPPORT THE IMPLEMENTATION, NO EARLIER THAN OCTOBER 1, 2019, OF A HEALTH CARE DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS PROGRAM THAT WILL IMPROVE HEALTH CARE ACCESS AND OUTCOMES FOR INDIVIDUALS SERVED BY THE STATE DEPARTMENT.
WHILE EFFICIENTLY UTILIZING AVAILABLE FINANCIAL RESOURCES, SUCH A PROGRAM MUST, AT A MINIMUM:

(a) INCLUDE AN INITIAL PLANNING PHASE TO:

(I) ASSESS NEEDS; AND

(II) DEVELOP ACHIEVABLE OUTCOME-BASED METRICS TO BE USED TO MEASURE PROGRESS TOWARDS PROGRAM GOALS, INCLUDING THE GOALS OF HEALTH CARE DELIVERY SYSTEM INTEGRATION, IMPROVED PATIENT OUTCOMES, AND MORE EFFICIENT PROVISION OF CARE; AND

(b) ADDRESS THE FOLLOWING FOCUS AREAS:

(I) CARE COORDINATION AND CARE TRANSITION MANAGEMENT;

(II) INTEGRATION OF PHYSICAL AND BEHAVIORAL HEALTH CARE SERVICES;

(III) CHRONIC CONDITION MANAGEMENT;

(IV) TARGETED POPULATION HEALTH; AND

(V) DATA-DRIVEN ACCOUNTABILITY AND OUTCOME MEASUREMENT.

SECTION 18. In Colorado Revised Statutes, add 25.5-4-402.7 as follows:

25.5-4-402.7. Unexpended hospital provider fee cash fund - creation - transfer from hospital provider fee cash fund - use of fund - repeal. (1) The unexpended hospital provider fee cash fund, referred to in this section as the "fund", is hereby created in the state treasury. On June 30, 2017, the state treasurer shall transfer to the fund all money in the hospital provider fee cash fund created in section 25.5-4-402.3 (4)(a), as that section existed before its repeal by Senate Bill 17-267, enacted in 2017. The state treasurer shall credit all interest and income derived from the deposit and investment of money in the fund to the general fund. Money in the fund is continuously appropriated to the state department through October 30, 2018, for the purpose of paying
CLAIMS INCURRED BEFORE JULY 1, 2017, THAT WERE PAYABLE PURSUANT TO SECTION 25.5-5-402.3 (4), AS THAT SECTION EXISTED BEFORE ITS REPEAL BY SENATE BILL 17-267, ENACTED IN 2017. THE STATE DEPARTMENT SHALL REFUND ANY MONEY IN THE FUND DERIVED FROM HOSPITAL PROVIDER FEES THAT IS NOT EXPENDED FOR THE PURPOSE OF PAYING CLAIMS TO THE HOSPITALS THAT PAID THE FEES.

(2) THIS SECTION IS REPEALED, EFFECTIVE NOVEMBER 1, 2018.

SECTION 19. In Colorado Revised Statutes, 25.5-5-201, amend (1) introductory portion, (1)(o)(II), and (1)(r)(II) as follows:

25.5-5-201. Optional provisions - optional groups - repeal.
(1) The federal government allows the state to select optional groups to receive medical assistance. Pursuant to federal law, any person who is eligible for medical assistance under the optional groups specified in this section shall receive both the mandatory services specified in sections 25.5-5-102 and 25.5-5-103 and the optional services specified in sections 25.5-5-202 and 25.5-5-203. Subject to the availability of federal financial aid funds, the following are the individuals or groups that Colorado has selected as optional groups to receive medical assistance pursuant to this article and articles 4 and 6 of this title TITLE 25.5:

(o) (II) Notwithstanding the provisions of subparagraph (I) of this paragraph (o), subsection (1)(o)(I) of this section, if the moneys in the hospital provider fee cash fund established pursuant to section 25.5-4-402.3 (4) section 25.5-4-402.4, together with the corresponding federal matching funds, are insufficient to fully fund all of the purposes described in section 25.5-4-402.3 (4) (b) section 25.5-4-402.4 (5)(b), after receiving recommendations from the hospital provider fee oversight and advisory board COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to section 25.5-4-402.3 (6) section 25.5-4-402.4 (3), for individuals with disabilities who are participating in the medicaid buy-in program established in part 14 of article 6 of this title TITLE 25.5, the state board by rule adopted pursuant to the provisions of section 25.5-4-402.3 (5) (b) (III) section 25.5-4-402.4 (6)(b)(III) may reduce the medical benefits offered or the percentage of the federal poverty line to below four hundred fifty percent or may eliminate this eligibility group.
(r) (II) Notwithstanding the provisions of subparagraph (I) of this paragraph (r), SUBSECTION (1)(r)(I) OF THIS SECTION, if the moneys MONEY in the hospital provider HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to section 25.5-4-402.3 (4) SECTION 25.5-4-402.4, together with the corresponding federal matching funds, are IS insufficient to fully fund all of the purposes described in section 25.5-4-402.3 (4) (b) SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the hospital provider fee oversight and advisory board COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to section 25.5-4-402.3 (6) SECTION 25.5-4-402.4 (3), for persons eligible for a medicaid buy-in program established pursuant to section 25.5-5-206, the state board by rule adopted pursuant to the provisions of section 25.5-4-402.3 (5) (b) (III) SECTION 25.5-4-402.4 (6)(b)(III) may reduce the medical benefits offered, or the percentage of the federal poverty line, or may eliminate this eligibility group.

SECTION 20. In Colorado Revised Statutes, 25.5-5-204.5, amend (2) as follows:

25.5-5-204.5. Continuous eligibility - children - repeal. (2) Notwithstanding the provisions of subsection (1) of this section, if the moneys MONEY in the hospital provider HEALTHCARE AFFORDABILITY AND SUSTAINABILITY fee cash fund established pursuant to section 25.5-4-402.3 (4) SECTION 25.5-4-402.4, together with the corresponding federal matching funds, are IS insufficient to fully fund all of the purposes described in section 25.5-4-402.3 (4)(b) SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the hospital provider fee oversight and advisory board COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to section 25.5-4-402.3 (6) SECTION 25.5-4-402.4 (3), the state board by rule adopted pursuant to the provisions of section 25.5-4-402.3 (5) (b) (III) SECTION 25.5-4-402.4 (6)(b)(III) may eliminate the continuous enrollment requirement pursuant to this section.

SECTION 21. In Colorado Revised Statutes, add 25.5-5-420 as follows:

25.5-5-420. Advancing care for exceptional kids. WITHIN ONE HUNDRED TWENTY DAYS OF THE ENACTMENT OF THE FEDERAL "ADVANCING
CARE FOR EXCEPTIONAL KIDS ACT", SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE DEPARTMENT SHALL SEEK ANY FEDERAL APPROVAL NECESSARY TO FUND, IN COOPERATION WITH HOSPITALS THAT MEET THE SPECIFIED REQUIREMENTS, THE IMPLEMENTATION OF AN ENHANCED PEDIATRIC HEALTH HOME FOR CHILDREN WITH COMPLEX MEDICAL CONDITIONS. REQUIREMENTS FOR PARTICIPATION BY THE STATE DEPARTMENT, ALONG WITH THE REQUIREMENT OF AN ENHANCED PEDIATRIC HEALTH HOME, ARE STIPULATED BY THE "ADVANCING CARE FOR EXCEPTIONAL KIDS ACT" AND SHALL BE COMPLIED WITH ACCORDINGLY.

SECTION 22. In Colorado Revised Statutes, 25.5-8-103, amend the introductory portion, (4)(a)(II), and (4)(b)(II) as follows:

25.5-8-103. Definitions - repeal. As used in this article ARTICLE 8, unless the context otherwise requires:

(4) "Eligible person" means:

(a)(II) Notwithstanding the provisions of subparagraph (I) of this paragraph (a), SUBSECTION (4)(a)(I) OF THIS SECTION, if the moneys in the hospital provider fee cash fund established pursuant to section 25.5-4-402.3 (4) SECTION 25.5-4-402.4 (5), together with the corresponding federal matching funds, are insufficient to fully fund all of the purposes described in section 25.5-4-402.3 (4) (b) SECTION 25.5-4-402.4 (5)(b), after receiving recommendations from the hospital provider fee oversight and advisory board COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to section 25.5-4-402.3 (6) SECTION 25.5-4-402.4 (3), for persons less than nineteen years of age, the state board may by rule adopted pursuant to the provisions of section 25.5-4-402.3 (5) (b) (III) SECTION 25.5-4-402.4 (6)(b)(III) reduce the percentage of the federal poverty line to below two hundred fifty percent, but the percentage shall not be reduced to below two hundred five percent.

(b)(II) Notwithstanding the provisions of subparagraph (I) of this paragraph (b), SUBSECTION (4)(b)(I) OF THIS SECTION, if the moneys in the hospital provider fee cash fund established pursuant to section 25.5-4-402.3 (4) SECTION 25.5-4-402.4 (5), together with the corresponding federal matching funds, are insufficient to fully fund all of the purposes described in section
SECTION 25.5-4-402.3 (4) (b) after receiving recommendations from the hospital provider fee oversight and advisory board COLORADO HEALTHCARE AFFORDABILITY AND SUSTAINABILITY ENTERPRISE established pursuant to section 25.5-4-402.3 (6), for pregnant women, the state board by rule adopted pursuant to the provisions of section 25.5-4-402.3 (5) (b) (III) may reduce the percentage of the federal poverty line to below two hundred fifty percent, but the percentage shall not be reduced to below two hundred five percent.

SECTION 23. In Colorado Revised Statutes, 29-2-105, amend (1) introductory portion and (1)(d)(I) introductory portion; and add (1)(d)(I)(O) as follows:

29-2-105. Contents of sales tax ordinances and proposals - repeal. (1) The sales tax ordinance or proposal of any incorporated town, city, or county adopted pursuant to this article shall be imposed on the sale of tangible personal property at retail or the furnishing of services, as provided in paragraph (d) of this subsection (1) of subsection (1)(d) of this section. Any countywide or incorporated town or city sales tax ordinance or proposal shall include the following provisions:

(d) (I) A provision that the sale of tangible personal property and services taxable pursuant to this article shall be the same as the sale of tangible personal property and services taxable pursuant to section 39-26-104, C.R.S., except as otherwise provided in this paragraph (d) of this subsection (1)(d). The sale of tangible personal property and services taxable pursuant to this article shall be subject to the same sales tax exemptions as those specified in part 7 of article 26 of title 39 C.R.S.; except that the sale of the following may be exempted from a town, city, or county sales tax only by the express inclusion of the exemption either at the time of adoption of the initial sales tax ordinance or resolution or by amendment thereto:


SECTION 24. In Colorado Revised Statutes, add 39-3-209 as follows:

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39-3-209. State expenditure for property tax exemptions - mechanism for refunding of excess state revenue - legislative declaration. (1) The General Assembly hereby finds and declares that:

(a) Although the exemptions allowed by this Part 2 are exemptions from local government property taxes, the State must reimburse local governments for the net amount of property tax revenues lost as a result of the exemptions and therefore bears the full cost of the exemptions;

(b) Section 3.5 of Article X of the state constitution authorizes the General Assembly to raise or lower the maximum amount of actual value of residential real property of which fifty percent is exempt pursuant to this Part 2;

(c) In order to eliminate the cost of the exemption and fund other state needs, the General Assembly, as authorized by Section 3.5 of Article X of the state constitution, has at times temporarily suspended the exemption for qualifying seniors allowed by this Part 2 by lowering to zero the maximum amount of actual value of residential real property of which fifty percent is exempt;

(d) The General Assembly intends to allow seniors to rely on predictable and sustainable exemptions by fully funding the property tax exemption for qualifying seniors in the future, and it is more likely to be able to do so if the cost of the exemption, which exclusively benefits taxpayers who reside in Colorado, constitutes a refund of excess state revenues for state fiscal years for which such refunds are required; and

(e) Section 20 of Article X of the state constitution authorizes the state to use any reasonable method to make required refunds of excess state revenues, and the payment by the state of reimbursement to local governments for the net amount of property tax revenues lost as a result of the property tax exemptions allowed by this Part 2, which exemptions directly reduce the tax liability of taxpayers Colorado residents throughout the state, is a reasonable method of making such

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REFUNDS.

(2) **For any state fiscal year commencing on or after July 1, 2017, for which state revenues, as defined in Section 24-77-103.6 (6)(c), exceed the excess state revenues cap, as defined in Section 24-77-103.6 (6)(b)(I)(C) or (6)(b)(I)(D), and are required to be refunded in accordance with Section 20 of Article X of the State Constitution, the lesser of all reimbursement paid by the state treasurer to each treasurer as required by Section 39-3-207 (4) for the property tax year that commenced during the state fiscal year or an amount of such reimbursement equal to the amount of excess state revenues for the state fiscal year that are required to be refunded is a refund of such excess state revenues.**

**SECTION 25.** In Colorado Revised Statutes, 39-22-537, amend (3)(a) introductory portion and (6) as follows:

**39-22-537. Credit for personal property taxes paid - legislative declaration - definitions - repeal.** (3) (a) For any income tax year commencing on or after January 1, 2015, but prior to January 1, 2019, a taxpayer who qualifies under paragraph (b) of this subsection (3) of this section is allowed a credit against the tax imposed by this article that is equal to a percentage of the property taxes paid for personal property in Colorado during the income tax year. For a given income tax year, a taxpayer's percentage is equal to one hundred percent minus the sum of the taxpayer's federal marginal income tax rate for the year and the state income tax rate for the year; except that the percentage is equal to one hundred percent for an organization that:

(6) This section is repealed, effective July 1, 2022.

**SECTION 26.** In Colorado Revised Statutes, add 39-22-537.5 as follows:

**39-22-537.5. Credit for personal property taxes paid - legislative declaration - definitions - repeal.** (1) The general assembly declares that the purpose of the tax expenditure in this section is to minimize the negative impact of the business personal property tax on businesses.
(2) As used in this section, unless the context otherwise requires:

(a) "Property tax" means the ad valorem tax imposed pursuant to section 3 of article X of the state constitution but does not include public utilities assessed pursuant to section 39-4-102, and does not include the graduated annual specific ownership tax imposed pursuant to section 6 of article X of the state constitution.

(b) "Taxpayer" includes an organization exempt from federal taxation pursuant to section 501(c) of the Internal Revenue Code.

(3) (a) For income tax years commencing on or after January 1, 2019, a taxpayer is allowed a credit against the tax imposed by this article 22 equal to the property tax paid in Colorado during the income tax year on up to eighteen thousand dollars of the total actual value of the taxpayer's personal property.

(b) A taxpayer may not claim a tax credit under this section for the payment of delinquent property taxes that were owed for a prior property tax year.

(c) The amount of the credit under this section that exceeds the taxpayer's income taxes due is refunded to the taxpayer.

(4) To claim a credit under this section, a taxpayer must submit to the department of revenue a copy of a property tax statement described in section 39-10-103 for all of the taxpayer's personal property for the property tax year for which the credit is claimed.

SECTION 27. In Colorado Revised Statutes, 39-22-627, amend (1)(b), (3), and (6); and repeal (9) as follows:

(1) (b) In order for the provisions of paragraph (a) of this subsection (1) SUBSECTION (1)(a) OF THIS SECTION to take effect, the amount of state revenues required to be refunded for the specified state fiscal year shall MUST exceed the total of the adjusted amount set forth in section 39-22-123 (4)(c), OF REIMBURSEMENT FOR PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTIONS ALLOWED BY PART 2 OF ARTICLE 3 OF THIS TITLE 39 PAID BY THE STATE TREASURER TO EACH COUNTY TREASURER AS REQUIRED BY SECTION 39-3-207 (4) FOR THE PROPERTY TAX YEAR THAT COMMENCED DURING THE SPECIFIED STATE FISCAL YEAR plus the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate from four and sixty-three one-hundredths percent to four and one-half percent of federal taxable income, as determined pursuant to this section.

(3) If one or more ballot questions are submitted to the voters at a statewide election to be held in November of any given calendar year that seek authorization for the state to retain and spend all or any portion of the amount of excess state revenues for the state fiscal year ending during said calendar year, the executive director shall not reduce the state income tax rate until the results of said election are known so that the state income tax rate may be reduced only if, after the results of said election, the amount of excess state revenues required to be refunded for the state fiscal year exceeds the total of the adjusted amount set forth in section 39-22-123 (4)(c), OF REIMBURSEMENT FOR PROPERTY TAX REVENUES LOST AS A RESULT OF THE PROPERTY TAX EXEMPTIONS ALLOWED BY PART 2 OF ARTICLE 3 OF THIS TITLE 39 PAID BY THE STATE TREASURER TO EACH COUNTY TREASURER AS REQUIRED BY SECTION 39-3-207 (4) FOR THE PROPERTY TAX YEAR THAT COMMENCED DURING THE SPECIFIED STATE FISCAL YEAR plus the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate from four and sixty-three one-hundredths percent to four and one-half percent of federal taxable income, as determined pursuant to this section.

(6) If, based on the financial report prepared by the controller in accordance with section 24-77-106.5, C.R.S., the controller certifies that the amount of the state revenues for any state fiscal year commencing on or after July 1, 2010 JULY 1, 2017, exceeds the limitation on state fiscal year spending imposed by section 20 (7)(a) of article X of the state constitution for that state fiscal year and exceeds the amount of excess state revenues that the voters statewide have authorized the state to retain and

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spend for that state fiscal year by less than the total of the adjusted amount set forth in section 39-22-123 (4)(c); of reimbursement for property tax revenues lost as a result of the property tax exemptions allowed by part 2 of article 3 of this title 39 paid by the state treasurer to each county treasurer as required by section 39-3-207 (4) for the property tax year that commenced during the specified state fiscal year plus the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate from four and sixty-three one-hundredths percent to four and one-half percent of federal taxable income as calculated by the executive director pursuant to subsection (2) of this section, then the reduction in the state income tax rate allowed pursuant to subsection (1) of this section shall not be allowed for the income tax year commencing during the calendar year in which the state fiscal year ended.

(9) If, by operation of section 39-22-123 (6), excess state revenues are no longer refunded through an earned income tax credit, the total of the adjusted amount set forth in section 39-22-123 (4)(c) is not added to the estimated amount by which state revenues would be decreased as the result of a reduction in the state income tax rate for purposes of the calculations set forth in paragraph (b) of subsection (1) and subsections (3) and (6) of this section.

SECTION 28. In Colorado Revised Statutes, add 39-26-729 as follows:

39-26-729. Retail sales of marijuana. On and after July 1, 2017, all retail sales of marijuana upon which the retail marijuana sales tax is imposed pursuant to section 39-28.8-202 are exempt from taxation under part 1 of this article 26.

SECTION 29. In Colorado Revised Statutes, 39-28.8-202, amend (1)(a)(I) as follows:

39-28.8-202. Retail marijuana sales tax. (1) (a) (I) In addition to the tax imposed pursuant to part 1 of article 26 of this title 39 and the sales tax imposed by a local government pursuant to title 29, 30, 31, or 32, but except as otherwise set forth in subparagraphs (II) and (III) of this paragraph (a) sub-sections (I)(a)(II) and (I)(a)(III) of this section, beginning January 1, 2014, and through June 30, 2017.
30, 2017, there is imposed upon all sales of retail marijuana and retail
marijuana products by a retailer a tax at the rate of ten percent of the
amount of the sale. And beginning July 1, 2017, there is imposed upon all
sales of retail marijuana and retail marijuana products by a retailer a tax at
the rate of eight percent of the amount of the sale. Beginning July 1,
2017, there is imposed upon all sales of retail marijuana and retail
marijuana products by a retailer a tax at the rate of fifteen percent of the
amount of the sale. The tax imposed by this section is computed in accordance
with schedules or forms prescribed by the executive director of the department;
except that a retail marijuana store is not allowed to retain any portion of the retail
marijuana sales tax collected pursuant to this part 2 to cover the expenses of collecting
and remitting the tax and except that the department of revenue may require a
retailer to make returns and remit the tax described in this part 2 by
electronic means.

SECTION 30. In Colorado Revised Statutes, 39-28.8-203, amend
(1) introductory portion, (1)(a)(I), and (1)(b)(I); repeal (1)(a)(I.5); and add
(1)(b)(I.3) and (1)(b)(I.5) as follows:

39-28.8-203. Disposition of collections - definitions. (1) The
proceeds of all money collected from the retail marijuana sales tax
are initially credited to the old age pension fund created in section 1 of
article XXIV of the state constitution in accordance with paragraphs (a) and
(f) of section 2 of article XXIV of the state constitution and thereafter
are transferred to the general fund in accordance with section 7 of article XXIV of the state constitution. For each fiscal year in
which a tax is collected pursuant to this part 2, an amount shall be
appropriated or distributed from the general fund as follows:

(a) Except as otherwise set forth in subparagraph (I.5) of this
paragraph (a), before July 1, 2017, an amount equal to fifteen percent of
the gross retail marijuana sales tax revenue collected by the
department is apportioned to local governments. On and after July 1,
2017, an amount equal to ten percent of the gross retail
marijuana sales tax revenue collected by the department is
apportioned to local governments. The city or town share is
apportioned according to the percentage that retail marijuana sales tax
revenue collected by the department within the boundaries of the
city or town bear to the total retail marijuana sales tax revenue
collected by the department. The county share is apportioned according to the percentage that retail marijuana sales tax revenues collected by the department in the unincorporated area of the county bear to total retail marijuana sales tax revenues collected by the department.

(I.5) If the ballot issue is placed on the November 3, 2015, ballot and a majority of the electors voting thereon vote "No/Against", then beginning January 1, 2016, the amount that would otherwise be distributed to a local government through subparagraph (I) of this paragraph (a) is halved until the total reduction that results from this subparagraph (I.5) is greater than or equal to the amount that was distributed to the local government under this paragraph (a) for the fiscal year 2014-15. Thereafter, the local government receives the full apportioned amount required by subparagraph (I) of this paragraph (a). The reduction in a local government’s distribution does not increase the amount apportioned to other local governments.

(b) (I) Until July 1, 2017, the state treasurer shall transfer from the general fund to the marijuana tax cash fund an amount equal to eighty-five percent of the gross retail marijuana sales tax revenues collected by the department.

(I.3) On and after July 1, 2017, but before July 1, 2018, of the ninety percent of the gross retail marijuana sales tax revenue in the general fund remaining after the allocation to local governments required by subsection (1)(a)(I) of this section is made, the state treasurer shall retain twenty-eight and fifteen one-hundredths percent less thirty million dollars in the general fund for use for any lawful purpose and shall transfer from the general fund:

(A) Seventy-one and eighty-five one-hundredths percent to the marijuana tax cash fund; and

(B) Thirty million dollars to the state public school fund created in section 22-54-114 (1) for use as specified in section 22-54-139 (2).

(I.5) On and after July 1, 2018, of the ninety percent of the gross retail marijuana sales tax revenue in the general fund
REMAINING AFTER THE ALLOCATION TO LOCAL GOVERNMENTS REQUIRED BY SUBSECTION (1)(a)(I) OF THIS SECTION IS MADE, THE STATE TREASURER SHALL RETAIN FIFTEEN AND FIFTY-SIX ONE-HUNDREDTHS PERCENT IN THE GENERAL FUND FOR USE FOR ANY LAWFUL PURPOSE AND SHALL TRANSFER FROM THE GENERAL FUND:

(A) SEVENTY-ONE AND EIGHTY-FIVE ONE-HUNDREDTHS PERCENT TO THE MARIJUANA TAX CASH FUND; AND

(B) TWELVE AND FIFTY-NINE ONE-HUNDREDTHS PERCENT TO THE STATE PUBLIC SCHOOL FUND CREATED IN SECTION 22-54-114(1) FOR USE AS SPECIFIED IN SECTION 22-54-139(3).

SECTION 31. In Colorado Revised Statutes, 43-4-206, amend (1) introductory portion, (1)(b) introductory portion, (1)(b)(V), (2)(a) introductory portion, (2)(b), and (3) as follows:

43-4-206. State allocation. (1) Except as otherwise provided in subsection (2) of this section, after paying the costs of the Colorado state patrol and any other costs of the department, exclusive of highway construction, highway improvements, or highway maintenance, as that are appropriated by the general assembly, sixty-five percent of the balance of money in the highway users tax fund shall be paid to the state highway fund and shall be expended for the following purposes:

(b) Except as otherwise provided in subsection (2) of this section, all moneys money in the state highway fund not required for the creation, maintenance, and application of the highway anticipation or sinking fund and all moneys money in the state highway supplementary fund are available to pay for:

(V) The construction, reconstruction, repairs, improvement, planning, supervision, and maintenance of the state highway system and other public highways, including any county and municipal roads and highways, together with the acquisition of rights-of-way and access rights for the same. Any proceeds of lease-purchase agreements executed as required by Section 24-82-1303 (2)(a) that are credited to the state highway fund pursuant to Section 24-82-1303 (4)(b) shall be used only for qualified federal aid highway projects that are
INCLUDED IN THE STRATEGIC TRANSPORTATION PROJECT INVESTMENT PROGRAM OF THE DEPARTMENT OF TRANSPORTATION AND THAT ARE DESIGNATED FOR TIER 1 FUNDING AS TEN-YEAR DEVELOPMENT PROGRAM PROJECTS ON THE DEPARTMENT’S DEVELOPMENT PROGRAM PROJECT LIST, WITH AT LEAST TWENTY-FIVE PERCENT OF THE MONEY BEING USED FOR PROJECTS THAT ARE LOCATED IN COUNTIES WITH POPULATIONS OF FIFTY THOUSAND OR LESS AS OF JULY 2015 AS REPORTED BY THE STATE DEMOGRAPHY OFFICE OF THE DEPARTMENT OF LOCAL AFFAIRS. NO MORE THAN NINETY PERCENT OF THE PROCEEDS SHALL BE EXPENDED FOR HIGHWAY PURPOSES OR HIGHWAY-RELATED CAPITAL IMPROVEMENTS, AND AT LEAST TEN PERCENT OF THE PROCEEDS SHALL BE EXPENDED FOR TRANSIT PURPOSES OR FOR TRANSIT-RELATED CAPITAL IMPROVEMENTS.

(2) (a) Notwithstanding the provisions of subsection (1) of this section, the revenues accrued to and transferred to the highway users tax fund pursuant to section 39-26-123 (4)(a) or 24-75-219, C.R.S., or appropriated to the highway users tax fund pursuant to House Bill 02-1389, enacted at the second regular session of the sixty-third general assembly, and credited to the state highway fund pursuant to section 43-4-205 (6.5) shall be expended by the department of transportation for the implementation of the strategic transportation project investment program: in the following manner:

(b) Beginning in 1998, the department of transportation shall report annually to the transportation committee of the senate and the transportation and energy committee of the house of representatives concerning the revenues expended by the department pursuant to paragraph (a) of this subsection (2) of this section and, beginning in 2018, any proceeds of lease-purchase agreements executed as required by section 24-82-1303 (2)(a) that are credited to the state highway fund pursuant to section 24-82-1303 (4)(b) and expended by the department pursuant to subsection (1)(b)(V) of this section. The department shall present the report at the joint meeting required under section 43-1-113 (9)(a) and the report shall describe for each fiscal year, if applicable:

(1) The projects on which the revenues credited to the state highway fund pursuant to paragraph (a) of this subsection (2) are to be expended, including the estimated cost of each project, the aggregate amount of revenue actually spent on each project, and the

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amount of revenue allocated for each project in such fiscal year. The department of transportation shall submit a prioritized list of such projects as part of the report.

(II) The status of such projects that the department has undertaken in any previous fiscal year;

(III) The projected amount of revenue and net proceeds that the department expects to receive under this subsection (2) and subsection (1)(b)(V) of this section during such the fiscal year;

(IV) The amount of revenue and net proceeds that the department has already received under this subsection (2) and subsection (1)(b)(V) of this section during such the fiscal year; and

(V) How the revenues expended under this subsection (2) and subsection (1)(b)(V) of this section during such the fiscal year relate to the total funding of the federal aid transportation projects that are included in the strategic transportation project investment program.

(3) Notwithstanding the provisions of subsection (1) of this section, the revenues credited to the highway users tax fund pursuant to section 43-4-205 (6.3) shall be expended by the department of transportation only for road safety projects, as defined in section 43-4-803 (21); except that the department shall, in furtherance of its duty to supervise state highways and as a consequence in compliance with section 43-4-810, expend ten million dollars per year of the revenues for the planning, designing, engineering, acquisition, installation, construction, repair, reconstruction, maintenance, operation, or administration of transit-related projects, including, but not limited to, designated bicycle or pedestrian lanes of highway and infrastructure needed to integrate different transportation modes within a multimodal transportation system, that enhance the safety of state highways for transit users.

SECTION 32. Appropriation - adjustments to 2017 long bill. (1) To implement this act, the general fund appropriations made in the annual general appropriation act for the 2017-18 state fiscal year to the department of health care policy and financing are decreased by $320,035 for medical services premiums.
(2) To implement this act, cash funds appropriations made in the annual general appropriation act for the 2017-18 state fiscal year from the hospital provider fee cash fund, created in section 25.5-4-402.3 (4)(a), C.R.S., to the department of health care policy and financing are decreased by $597,380,996 as follows:

### Executive director's office, general administration

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<th>Category</th>
<th>Amount</th>
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<td>Personal services</td>
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<td>Health, life, and dental</td>
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<td>Legal services</td>
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<td>Administrative law judge services</td>
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<tr>
<td>Leased space</td>
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<td>Payments to OIT</td>
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<td>General professional services and special projects</td>
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<td>Medicaid management information system reprourement contracts</td>
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<td>Colorado benefits management systems, operating and contract expenses</td>
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<td>Colorado benefits management systems, health care and economic security staff development center</td>
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### Executive director's office, eligibility determinations and client services

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<tr>
<td>Contracts for special eligibility determinations</td>
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<tr>
<td>Hospital provider fee county administration</td>
<td>$4,945,446</td>
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<tr>
<td>Medical assistance sites</td>
<td>$402,984</td>
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Customer outreach $336,621
Centralized eligibility vendor contract project $1,745,342

**Executive director's office, utilization and quality review contracts**
Professional services contracts $372,339

**Executive director's office, provider audits and services**
Professional audit contracts $250,000

**Executive director's office, indirect cost recoveries**
Indirect cost assessment $218,771

**Medical services premiums**
Medical and long-term care services for medicaid eligible individuals $380,854,898

**Behavioral health community programs**
Behavioral health capitation payments $25,785,121
Behavioral health fee-for-service payments $373,007

**Office of community living**
Support level administration $221
Adult supported living services $133,235
Case management $28,272

**Indigent care program**
Safety net provider payments $155,648,093
Children's basic health plan administration $2,416
Children's basic health plan medical and dental costs $8,604,997

(3) For the 2017-18 state fiscal year, $861,416,161 is appropriated to the department of health care policy and financing. This appropriation is from the healthcare affordability and sustainability fee cash fund created in section 25.5-4-402.4 (5), C.R.S. To implement this act, the department may use this appropriation as follows:

**Executive director's office, general administration**
Personal services $2,480,099
Health, life, and dental $278,894  
Short-term disability $3,870  
S.B. 04-257 amortization equalization disbursement $107,750  
S.B. 06-235 supplemental amortization equalization disbursement $107,748  
Salary survey $26,618  
Merit pay $13,447  
Operating expenses $57,372  
Legal services $123,811  
Administrative law judge services $72,169  
Leased space $247,365  
Payments to OIT $378,109  
CORE operations $148,145  
General professional services and special projects $1,202,500  

**Executive director's office, information technology**  
**Contracts and projects**  
Medicaid management information system maintenance and projects $3,794,276  
Medicaid management information system reprocurement contracts $708,606  
Colorado benefits management systems, operating and contract expenses $3,450,954  
Colorado benefits management systems, health care and economic security staff development center $95,832  

**Executive director's office, eligibility determinations and client services**  
Medical identification cards $43,200  
Contracts for special eligibility determinations $4,338,468  
Hospital provider fee county administration $4,945,446  
Medical assistance sites $402,984  
Customer outreach $336,621  
Centralized eligibility vendor contract project $1,745,342  

**Executive director's office, utilization and quality review contracts**  
Professional services contracts $372,339  

**Executive director's office, provider audits and services**
Professional audit contracts $250,000

**Executive director's office, indirect cost recoveries**
Indirect cost assessment $218,771

**Medical services premiums**
Medical and long-term care services for medicaid eligible individuals $644,809,063

**Behavioral health community programs**
Behavioral health capitation payments $25,785,121
Behavioral health fee-for-service payments $373,007

**Office of community living**
Support level administration $221
Adult supported living services $133,235
Case management $28,272

**Indigent care program**
Safety net provider payments $155,648,093
Children's basic health plan administration $2,416
Children's basic health plan medical and dental costs $8,604,997

(4) For the 2017-18 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive $262,665,969 in federal funds to implement this act. The appropriation in subsection (2) of this section is based on the assumption that the department will receive this amount of federal funds to be used for medical services premiums.

**SECTION 33. Appropriation.** For the 2016-17 state fiscal year, $3,750 is appropriated to the department of revenue. This appropriation is from the general fund. To implement this act, the department may use this appropriation for tax administration IT system (GenTax) support.

**SECTION 34. Effective date.** (1) Except as otherwise provided in this section, this act takes effect upon passage.

(2) Sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 of this act
take effect July 1, 2017.

(3) (a) Sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 of this act do not take effect if the centers for medicare and medicaid services determine that the amendments set forth in sections 2, 3, 6, 7, 11, 13, 15 through 20, 22, and 32 of this act do not comply with federal law.

(b) If the centers for medicare and medicaid services make the determination described in subsection (3)(a) of this section, the executive director of the department of health care policy and financing shall, no later than June 1, 2017, notify the revisor of statutes in writing of that determination by e-mailing the notice to revisorofstatutes.ga@state.co.us.

SECTION 35. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Kevin J. Grantham                               Crisanta Duran
PRESIDENT OF THE SENATE                           SPEAKER OF THE HOUSE
                                                OF REPRESENTATIVES

Effie Ameen                                      Marilyn Eddins
SECRETARY OF THE SENATE                          CHIEF CLERK OF THE HOUSE
                                                OF REPRESENTATIVES

APPROVED_____________________________________

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO

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Pueblo West Transit Feasibility Study
Final Report

May 2017
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1 EXECUTIVE SUMMARY

Study Purpose

The Pueblo West Feasibility Study is funded by Pueblo Area Council of Governments and was initiated in response to an ongoing interest in transit service by citizens of the Pueblo West Metropolitan District. The purpose of the study is to evaluate the demand for transit service within the Pueblo West Metropolitan District based on demographic, socio-economic, employment and student characteristics, as well as community feedback.

Market Analysis

The market analysis determined that areas north of Industrial Blvd. and west of Pueblo West High School do not currently support fixed-route transit based on demographic and socio-economic densities and the lack of non-residential land uses. Population and employment densities are not expected to increase significantly in these areas based on future land use plans.

Areas south of and along US-50, west of Purcell Blvd., and east of McColloch Blvd. have the highest transit demand in Pueblo West. Transit demand in this area is comparable to areas of Pueblo with limited (60-minute) service. Areas along Spaulding Ave. and Joe Martinez Blvd. are likely to have increased transit demand in the future due as residential and commercial infill development occurs.

Community Feedback

Public meetings were held at Pueblo West Fire Station #3 on Tuesday, April 4 to discuss existing conditions in Pueblo West and potential transit service options. An online survey was also made available to the community and received 200 responses.

Overall, the Pueblo West community has moderate support for transit with 42% of survey respondents believing there is a need for transit service in Pueblo West. Residents supportive of transit were most interested in providing access to employment opportunities, medical facilities and recreational destinations in the City of Pueblo. Residents not supportive of transit were primarily concerned with potential tax increases.

Recommendations

The study concludes that Pueblo West does not yet have sufficient demand or community support for all-day fixed-route transit. However, the demand for transit service in Pueblo West will to increase as infill development occurs south of SH-50 and east of Pueblo West High School.

Short-term alternatives to existing county-wide, curb-to-curb transportation for seniors and persons with disabilities include the creation of a volunteer senior shuttle and a partnership between Pueblo County and a transportation network company to provide partially subsidized trips. A longer-term transportation option would be a feeder route from Pueblo West to Pueblo.
2 MARKET ANALYSIS

DEMOGRAPHIC AND SOCIO-ECONOMIC CHARACTERISTICS

This section focuses on demographic and socio-economic characteristics that are more likely to ride transit in Pueblo West. The evaluation includes data from the 2014 American Community Survey. Topics analyzed and mapped in this section include:

- General Population
- Seniors
- Young Adults
- Persons with Disabilities
- Zero-Vehicle Households
- Transit Demand Index
General Population

The total population of Pueblo West is 29,643. Approximately 60% of residents, or 17,590 people, live south of US-50 and east of Pueblo West High School. The densest areas of Pueblo West surround Desert Hawk Golf course. Areas north of US-50 have a significantly lower population density than the rest of Pueblo West.

Population densities of 10 persons per acre or more generally support all-day transit service. The only census blocks in Pueblo West with over 10 persons by acre are south of Joe Martinez Blvd.

**Figure 1** General Population
Senior Population

Seniors (age 65 and older) are more likely to depend on transit than younger adults. Seniors are also less likely to walk more than ¼ mile to a bus stop.

The total number of seniors that live in Pueblo West is 3,579. Seniors in Pueblo West are most heavily concentrated south of US-50, near the Desert Hawk golf course and mobile home parks near Joe Martinez Blvd. and Purcell Blvd. Nearly 65% of Pueblo West seniors, or 2,297 seniors, live south of US-50 and east of Pueblo West High School.

Figure 2 Senior Population
Young Adult Population

Young adults today are more likely to consider transit as a transportation option than previous generations. The total number of young adults (ages 18-22) in Pueblo West is 1,333. Similar to the senior population, many young adults are concentrated around Desert Hawk Golf Course, and south of US-50. Nearly 65% of young adults, or 856 young adults, live south of US-50 and east of Pueblo West High School.

Figure 3 Young Adult Population
Disabled Resident Population

Persons with disabilities are more likely to depend on transit and/or paratransit service. The total number of disabled residents in Pueblo West is 2,591. Over 70% of the disabled residents, or 1,827 disabled residents, live south of US-50 and east of Pueblo West High School.

Mobile home communities south of Joe Martinez Blvd. have a higher concentration of persons with disabilities than other areas of Pueblo West. However, the density of persons with disabilities in this area is far lower than most Pueblo neighborhoods.

Figure 4 Disabled Resident Population
Zero-Vehicle Households

The total number of zero-vehicle households in Pueblo West is 377. Over 85% of the zero-vehicle households, or 327 households, live south of US-50 and east of Pueblo West High School.

The geographic distribution of zero-vehicle households largely mirrors that of general population density. The density of zero-vehicle households south of Joe Martinez Blvd. is comparable to areas of Pueblo with low transit ridership.

Figure 5  Zero-Vehicle Households
Transit Demand Index

The transit demand index is the combined densities of zero-vehicle households, residents with disabilities, seniors, and young adults at the Block Group level. The composite index highlights areas with the highest transit demand.

Areas south of US-50, along McCulloch Blvd., Joe Martinez Blvd., and Purcell Blvd., have greater transit demand than the rest of Pueblo West. However, these areas have transit demand similar to areas of Pueblo with minimal transit service and low ridership.

Figure 6  Transit Demand Index
EMPLOYMENT CHARACTERISTICS

This section focuses on employment characteristics based on data from the 2015 Longitudinal Employer Household Dynamics.

Employment Density

Employment density within Pueblo West is highest between US-50 and Industrial Blvd. Additional employment is present along Joe Martinez Blvd., and McCulloch Blvd. An employment center located at the intersection of US-50 and Purcell Blvd. includes Walgreens, Parkview-Pueblo West Emergency Services, Safeway, Family Dollar and Hanson Clinic. Other large employers include Wal-Mart, the U.S. Post Office, and the Desert Hawk golf course.

Figure 7  Employment Density
Job Locations of Pueblo West Residents

Approximately 11,700 Pueblo West residents are employed and 6,900 live south of US-50 and east of Pueblo West High School. The majority of employed Pueblo West residents commute to Pueblo for their primary job. The largest employers of Pueblo West residents are Parkview Medical Center, EVRAZ Rocky Mountain Steel, St. Mary-Corwin Medical Center, Pueblo Community College, and La Vista Correctional Facility.

Figure 8 Job Locations of Pueblo West Residents
COLLEGE/UNIVERSITY STUDENT CHARACTERISTICS

Colorado State University-Pueblo Students

CSU-Pueblo anonymized student home locations were analyzed to show density in Pueblo West. Approximately 78% of CSU-Pueblo students residing in Pueblo West live south of US-50. The driving distance from home to campus for these students ranges from approximately 7-13 miles.

Figure 9    CSU-Pueblo Student Home Location Density
Pueblo Community College Students

Pueblo Community College (PCC) anonymized student home locations were analyzed to show density in Pueblo West. The distribution of PCC students is nearly identical to that of CSU-Pueblo students in terms of distribution.

Figure 10  PCC Student Home Location Density
RIDESHARING

CDOT Park-and-Ride

The Colorado Department of Transportation (CDOT) maintains a park-and-ride at the southeast intersection of US-50 and S McCulloch Blvd that functions as a carpool/vanpool origin. The destination(s) of rideshare users utilizing the CDOT park-and-ride has not been confirmed.

Additional informal rideshare origins for commuters traveling to correctional facilities in Florence have also been reported at Walmart and Safeway stores along US-50.

Figure 11  CDOT Park-and-Ride

Photo Credits: Google Maps and Nearmap
Distance between CDOT Park-and-Ride and Destinations

Research shows that park & rides are most successful when driving distance to activity centers is 12 miles or greater. The driving distances between the Pueblo West park-and-ride and major destinations in Pueblo. It should be noted that most Pueblo West residents live east of the CDOT park-and-ride and that commuters are generally less inclined to travel in the opposite direction of their destination to access a park-and-ride facility.

Figure 12 Driving Distance from Park & Ride to Pueblo Destinations
SENIOR/DISABLED TRANSPORTATION

The Senior Resource Development Agency provides county-wide, curb-to-curb transportation for seniors (age 65 and older) and persons with disabilities.

The service operates Mondays through Fridays from 8:00 a.m. - 5:00 p.m. SRDA operates wheelchair-accessible vans that include bicycle racks trips. Reservations are required at least 48-72 hours in advance of trips.
ZONING

The majority of Pueblo West is comprised of low-density A-3 residential zoning. However, zoning types that require development patterns with can support transit are present along Industrial Blvd., Spaulding Ave., Joe Martinez Blvd., and Purcell Blvd. These transit-supportive land uses include:

- B-4 Community Business District
- R-5 Mixed Residential and Office
- R-6 Mixed Residential and Commercial

The Pueblo West zoning map was revised in August 2015.

Figure 13  Pueblo West Zoning
FUTURE LAND USE

An update to the Land Demand Analysis for 2002 Pueblo County Comprehensive Plan was completed in 2014 and includes the following changes in future land use in Pueblo West:

- Increase in Special Development Area and Arterial Commercial Mixed Use along US-50.

If development follows this zoning change, increases in number of employees and economic activity, in a transit-supportive urban form, will increase transit demand.

Figure 14  Pueblo County Future Land Use Plan (2014)
POPULATION PROJECTIONS

Regional 2040 population projections were provided by Pueblo Area Council of Governments (PACOG) and City of Pueblo, and provide insight into expected growth of Pueblo West. Pueblo County’s total population is projected to increase rapidly by approximately 69,237 people between the years 2010 and 2040, based on forecasted trends. Generally, the southern half of Pueblo West, south of US-50, is projected to grow in population faster than the northern half.

Figure 15 2040 Population Density Projection

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1 Pueblo County Department of Planning and Development, Pueblo Regional Development Plan, Addendum August 2014
3 COMMUNITY FEEDBACK

Community outreach efforts for the Pueblo West Transit Feasibility Study consisted of two public meetings and an online survey.

PUBLIC MEETINGS

Two public meetings were held at Pueblo West Fire Station #3 on Tuesday, April 4 to discuss existing conditions in Pueblo West and potential transit service options. The public meetings were advertised in utility bills and on social media via the I Live in Pueblo West facebook page.

Each public meeting consisted of a brief presentation summarizing existing conditions and potential transit options followed by a group discussion. Meeting attendees were also given the opportunity to express their opinions directly with the project team and discuss transportation options by community size and potential transit service types for Pueblo West. Over 30 residents attending the public meetings.

Figure 16   Public Meeting Poster – Transportation Options by Community Size
### Public Meeting Poster – Potential Transit Service Types

<table>
<thead>
<tr>
<th>Transit Service Types</th>
<th>Description</th>
<th>Benefits</th>
<th>Challenges</th>
<th>Vehicle Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Circulator</td>
<td>A local circulator typically operates on an hourly weekday, and is designed to directly serve important destinations and corridors.</td>
<td>Reduces travel time, provides direct service to major destinations.</td>
<td>Requires additional infrastructure investment.</td>
<td>Bus</td>
</tr>
<tr>
<td>Feeder</td>
<td>Feeder services are designed to provide an easy connection to major destinations or transit centers.</td>
<td>Increases connectivity, provides access to various destinations.</td>
<td>Requires extensive route planning and coordination.</td>
<td>Van, Bus, Train</td>
</tr>
<tr>
<td>Express</td>
<td>Express service is designed around typical commute schedules and operates at peak times between park-and-ride and major employment destinations.</td>
<td>Efficient during peak hours, reduces congestion.</td>
<td>Limited availability, requires advanced scheduling.</td>
<td>Bus, Train</td>
</tr>
<tr>
<td>Flex Route</td>
<td>Flex service is a hybrid between fixed-route and demand-response service. Flex routes travel along a fixed alignment with scheduled start times, but can deviate from the route up to 3/4 mile to directly serve a destination if requested by a rider.</td>
<td>Flexibility, accommodates demand.</td>
<td>Limited flexibility, requires coordination.</td>
<td>Van, Bus, Train</td>
</tr>
<tr>
<td>Vanpool</td>
<td>Vanpools consist of shared-ride transportation for groups of commuters.</td>
<td>Cost-effective, reduces emissions.</td>
<td>Requires coordination among participants.</td>
<td>Van, Bus, Train</td>
</tr>
</tbody>
</table>

**Figure 17**
ONLINE SURVEY

To gather community feedback and inform a recommended service plan, an online survey was circulated in the Pueblo West and Pueblo communities, and open for four weeks. Advertisement for the survey was included on the March utility bill mailing, and resulted in 200 survey respondents. Thirteen of the survey respondents (7%) also attended a public meeting on April 5, 2017.

Residence Location

The vast majority (96%) of survey respondents were people who live in Pueblo West. A few people who took the survey live in Pueblo, Trinidad, St. Charles Mesa, and in Pueblo County.

Figure 18  Residence Location
Community Experience with Public Transit

Seventy percent of respondents stated that they have taken public transit, while 30% of respondents have not.

Figure 19    Public Transit Experience

Access to a Personal Vehicle

The vast majority of respondents (98%) stated they have access to a personal vehicle.

Figure 20    Personal Vehicle Ownership
Need for Transit in Pueblo West

The survey participants are split on whether there is a need for transit service in Pueblo West. Fifty-eight percent of participants stated there is no need, and 42% of participants stated there is a need.

Figure 21 Need for Transit in Pueblo West

Specific Transit Need for Pueblo West

Of the 84 respondents who believe there is a need for transit in Pueblo West, 82% believe there is a need for transit connections between Pueblo and Pueblo West and 52% believe there is a need for transit service within Pueblo West.

Figure 22 Specific Transit Need for Pueblo West
**Employment Status**

The majority of participants are employed (78%). Of those that are employed, over half (53%) work in Pueblo. Twenty-seven percent work in Pueblo West, and another 21% work elsewhere. The most common place outside of Pueblo and Pueblo West is Colorado Springs. Other places participants work include: multiple sites, Canon City, Florence, Pueblo County, Fremont County, and Denver.

**Figure 23  Employment Status**

**Figure 24  Employment Location**
**Age**

More than half (58%) of respondents are between 35 and 64 years of age. Thirty percent of participants are between 25 and 34 years.

*Figure 25  Age of Survey Respondent*
**Student Status**

Only a small portion of participants stated that they are a student, 11% (22). Seven participants stated they attend Pueblo Community College, five attend CSU-Pueblo, four are enrolled online, and one attends Pueblo High School.

![Pie Chart showing student status with 11% Yes and 89% No](image)

**Figure 26**  
**Student Status**

![Bar Chart showing schools attended with Pueblo Community College 7, CSU-Pueblo 5, Other 5, Online 4, Pueblo High School 1](image)

**Figure 27**  
**School Attended**
4 RECOMMENDATIONS

The study concludes that Pueblo West does not yet have sufficient demand or community support for all-day fixed-route transit. However, the demand for transit service in Pueblo West will increase as infill development occurs south of SH-50 and east of Pueblo West High School.

Short-term alternatives to existing curb-to-curb transportation for seniors and persons with disabilities include the creation of a volunteer senior shuttle and a partnership between Pueblo County and a transportation network company to provide partially subsidized trips for Pueblo West residents. A longer-term transportation option would be a feeder route between Pueblo West to Pueblo.

SHORT-TERM RECOMMENDATIONS

Volunteer Senior Shuttle

Volunteer driver programs typically provide mileage reimbursement to individuals that operate their own vehicles when they take individuals to medical appointments or other services, thereby negating the need for additional labor and capital costs. This kind of program can provide service to riders who may otherwise be unreachable and/or are too costly to serve. Leveraging volunteer labor can make community transit services more affordable. Having volunteer drivers can increase schedule flexibility and reduce costs.

Recruiting and retaining volunteers (typically recently retired seniors) can be challenging and requires on-going effort/attention. In addition, most volunteer drivers are limited to ambulatory passengers. Most volunteers are reimbursed for mileage. The higher the reimbursement, the greater the number of people willing to become volunteers. The IRS mileage reimbursement guideline (updated annually) is the amount volunteers can be "reimbursed" without it counting as income they would have to declare. Any program should consider paying the maximum.

Additionally, time needs to be devoted to continuing volunteer recruitment, recognition, and training. Volunteer programs may take years to establish, and volunteers can be in short supply. Fuel costs and vehicle insurance can be prohibitive, and insurance coverage requirements may limit participation.

Transportation Network Company Partnership

The need for advance notice has discouraged many potential customers from using flexible service. As transit network companies (TNCs), such as Uber and Lyft, have demonstrated it is possible to design apps that enable short-term summoning of transit vehicles engaged in a form of flexible service, making these services more attractive. The customer has more control of the scheduling of their trip and does not need to plan 24 or more hours in advance. In some areas, transit agencies are partnering with TNCs to provide first and last mile connectivity.
LONG-TERM RECOMMENDATIONS

Fixed-Route Service

Future fixed-route transit service in Pueblo West should include a connection to Pueblo. Service in Pueblo West should focus on residential areas south of SH-50 with Walmart Supercenter as its terminal point. The route should operate bi-directionally within Pueblo West to minimize indirect travel for riders. Potential destinations in Pueblo include Parkview Medical Center, Social Security Office, and Pueblo Mall, creating connections with Routes 3 and 6.

The round-trip time for the proposed Pueblo West feeder route is 60 minutes, including layover. Transit routes that operate during peak hours only (7-9 a.m. and 3-6 p.m.) preclude afternoon and evening shift employees from using the service. In addition, seniors typically prefer to ride transit during midday hours. As a result, the route should operate every 60 minutes from 6:00 a.m. to 6:00 p.m. on weekdays with a 15-passenger cutaway van.

The annual cost of providing all-day feeder service is 3,300 hours, which translates to approximately $200,000 per year for labor, fuel, maintenance and administration based on the existing Pueblo Transit fully allocated cost model. Implementation of the Pueblo West feeder route should occur when the population south of US-50 and east of Pueblo West High School reaches 25,000 persons and/or 9,000 employees. These figures assume a 1% transit mode share for employees, 2 daily boardings per rider, 15 boardings per service hour and 7.5 boardings per one-way trip, which is appropriate for a cutaway vehicle. Retired seniors and college/university students are not factored into this projection.

Figure 28 Proposed Pueblo West Feeder Route
APPENDIX A - ONLINE SURVEY COMMENTS
**Against Transit Service in Pueblo West**

We can't keep the roads we have now maintained and want to talk about public transportation?? Bad idea. Roads are trashed and there are potholes everywhere. This is the last thing we need out there.

I don't believe our taxes should go for public transportation, we have more important needs to be taken care of. I don't understand how someone who relies on public transportation would move to a rural area and then demand it. If you must rely on buses, move to the inner city.

I don't mean to sound arrogant nor condescending but Pueblo west is not a place for people that do not own a car or cannot legally drive with the exception of the elderly for which there are already provisions in place.

This will bring alot of unwanted people out here to commit crimes.

I feel as though brining public transportation to Pueblo West is going to become a bridge for more panhandling in our community. It is already an issue now and it is going to increase ten fold if public transportation is put into place.

Don't do it.

I am a homeowner in Pueblo West. I DO NOT want public transportation between Pueblo and Pueblo West.

Public transportation is not necessary in rural areas as the costs would be excessive and not productive. Pueblo West is and was designed to be a ‘bedroom community’. If public transportation is required in one's life, he/she should live where required services are offered.

No public transportation loses money in the majority of smaller towns/municipalities it serves. Please keep Pueblo West for the hard working people who try to keep it nice. We moved here to avoid the drugs and high crime rate, now they're invading our nice community. If the trend keeps up, we will be moving somewhere with less pot shops and where the criminals stay away.

the marijuana store in the area have brought enough criminals into Pueblo West. Let's not start bussing them in.

If you have moved to PW... you don't need transportation... that's just common sense. Just like the 100's of other small towns in CO which does not have a public transportation system. Complete waste of money..... much like the idiotic structure that was built in the middle of the roundabout. Who decides on these things? You must have not traveled the United States to see that the monstrosity is #1 complete waste of money #2 an eyesore #3 visually blocks the oncoming traffic.

Spending tax payers money again.... I do not care what pot it comes out of, it is our tax dollars. PW metro board is no different than the swamp scum in Washington, just lower on the totem pole.

There are better ways to spend taxpayer money. This is not one of them.

Another way to waste taxpayers money and bring more crime to Pueblo West on my dime.

We moved to Pueblo West for acreage and quiet. People knew what the community was like when they moved here. Maybe they should move to town. And if people want to come out here to shop for a tax break, I should not be penalized. I do not want increased taxes to pay for a service for the unemployed.

If you are transit dependent Pueblo West should not be on you list of places to live. Why should tax payers have to fund a transit service for a rural / semi rural area. Residents should take their own personal mobility needs into consideration before renting or buying in an area with no existing public transit service.

The population of PW is way too disperse. In order to be even remotely financial viable, you would have to limit the service to only a few bus stops, which means that people would have to drive to the bus stop. Now you are buying property and building expensive parking lots. It would become another expensive government program that few people use, increasing the tax burden on the community, but never going away regardless of how much money it loses. Strongly opposed!!!
County tax dollars need to be spent somewhere else. This would be another waste of resources. Fix the roads in PW, build a new jail or hire more SO deputies.

Fix the roads and enforce the covenants. Too many houses are looking run down (furniture, cars, junk parked in front yards)

Public transportation is found in city limits. Why bring it put here. I moved out here to get away from the in town atmosphere. I use to love Pueblo West. I really hope this doesn't happen. I also wish I knew about the meeting so I could of attended.

I don't want to pay for this!!

I believe there is no need for public transit in Pueblo West. A person who has no vehicle simply does not move to a place that is unwalkable. For those few who do, there are taxis, uber, lyft, and services such as dial-a-ride if they qualify. These options cost far less than raising taxes for the whole community.

The reason we moved here was to get away from traffic from buses, trains and way to many people. Why spoil a wonderful thing? When people move here they know the situation. It's fine just the way it is.

Your entire survey deals with whether I have a job or a car! I am not willing to pay for other people to travel to Pueblo West so that they can buy pot or avoid paying taxes in the city they choose to live! People need to leave where they can afford to buy or work. I live in Pueblo West to be away from those type of people that are living off of the system! Pueblo West has greater needs in the form of road repairs, firemen and equipment, why are we looking for others ways to spend money we do not have. This plan means more taxes!!! I will sell and move first! Les Cain 719-252-3475

I've lived in an area that got public transportation and all it did was cause riff raft to move into the area. It's a horrible idea.

No new taxs!!

It seems to me that adding a bus stop to this area would only invite criminal activity. I think it's a terrible idea

Please keep your traffic inside the city limits; we moved out to Pueblo West to get away from all the bull in Pueblo. And Pueblo should not have a bus either; never more that 5 people on those big gas drinking busses. Stop abusing the tax payers hard earned money!!!

We moved to this community because it's not a city. Don't bring public transportation here and don't put in sidewalks!!!

This is a money pit.

No

House values and safety will be compromised with the increased crime rate that accompanies public transport.

Fix the roads!

NO TO PUBLIC TRANSPORTATION!

No

Spend the money/taxes on a couple cops or more sheriffs patrolling

I'd like real research done into the various claims people are making on both sides of the discussion. For example, what would be the realistic costs of proposed transportation and where would the funds come from? And for those claiming that public transportation will bring crime, are there any legitimate studies to support that claim? It is my understanding that is false/has been disproven. But either way, concrete info beats stereotypes and "what ifs"

Adding a transit system would increase traffic, create a need for sidewalks along highway 50, and transit shelters at bus stops also. These would create congestion. Designed as a retirement/home owner community most people own their own method of transportation.
<table>
<thead>
<tr>
<th>Supportive of Transit in Pueblo West</th>
</tr>
</thead>
<tbody>
<tr>
<td>I would like to see a transit system run after 9pm. Take transit down town and enjoy a meal and couple drinks.</td>
</tr>
<tr>
<td>Having transit in the home areas is probably not a need.. but to and from major outlet areas where shopping happens and majority of jobs are is a huge benefit to those of us that travel to and from Pueblo West from Pueblo. Show studies to those people who live in Pueblo west that crime rates do not rise with public transit. Many people have &quot;complained&quot; that public transit will bring crime. This is not the case.</td>
</tr>
<tr>
<td>This would be great for kids to take to and from parks or things like the library. Also for anyone who cannot drive or doesn't have a vehicle to get around easier.</td>
</tr>
<tr>
<td>Start a train from pueblo west connecting canon city and pueblo, then just plan expansions later on. Allowing more revenue to flow around southern Colorado and generate revenue and create more jobs in the process. I can go on and on. <a href="mailto:jeremy_gibson10@yahoo.com">jeremy_gibson10@yahoo.com</a></td>
</tr>
<tr>
<td>My only concern is that is would stay clean and be safe.</td>
</tr>
<tr>
<td>Local transportation to main places like Walmart Safeway and around parks would be great and then a transfer station on to Pueblo buses would be amazing</td>
</tr>
<tr>
<td>Pueblo west seems to have a high population of retirees they may need these services more than I do please consider this request if the elders in the community need it.</td>
</tr>
<tr>
<td>As we grow, there is a need for this service - not only for the elderly and disabled, but for the young and impoverished as well.</td>
</tr>
<tr>
<td>I really wish I would have been able to make it to the meetings but weather kept me away. I am a proponent of public transportation.</td>
</tr>
<tr>
<td>Bringing public transportation would benefit those of us who share one car between 4 people and trying to juggle schedules.</td>
</tr>
<tr>
<td>Please don't make public transportation from Pueblo West to Pueblo expensive. If the cost isn't affordable, people won't use it. Thanks!</td>
</tr>
<tr>
<td>I have 2 older sons that would love to be able to get jobs after work like Walmart but they do not have access to a car. Public transit would be a Godsend to them.</td>
</tr>
<tr>
<td>Busses that would make after school activities and athletics more accessible to students. Doesn't have to be huge city busses. We can start small with passenger vans.</td>
</tr>
<tr>
<td>As the population ages public transportation will become essential</td>
</tr>
</tbody>
</table>
This is a need for our young residents. However I do believe some elderly could benefit from it as well.

My son could benefit from the service to and from Pueblo. Furthering better public transportation is always a plus for both communities.

I didn't attend the public meetings because they were not held at time that was conducive to someone who spends two hours a day commuting to the nearest community with sufficient economic development to provide employment options. Transit in Pueblo West would absolutely improve the area, provide access to additional areas of town and help develop commercial and economic growth. That said, an initial service between Pueblo transit center and multiple points in Pueblo West (Walmart, Library, Safeway, etc) could be valuable in gauging the interest and usage levels. While I don't believe that at this time a regular bus service route within PW would be valuable, we need to begin exploring possible solutions for the growth that will continue to occur in the next 20 years.

It would be very helpful for my clients (in Pueblo) to have at least minimal transportation from the bus stop at SSA to the industrial part north of 50. It would be helpful for those in PW to be able to get to SSA and on to Pueblo as well as to the business areas in PW. Dr. Linda Perkins, Christlife Ministries 719-647-9235 lperkins@mychristlife.org

I think it would be helpful, yet I think it would increase more criminal activity with people now having a way from Pueblo here. More panhandlers.

It would be nice if there was a route from PWHS to the library or nearby. My kids walk after school regularly. If they are walking with a friend, I don't mind, but sometimes they have to walk by themselves and I worry. I don't want a service that runs to Pueblo. I think it's only inviting trouble. There are already services for the elderly if they need to go into town for appointments. Also, we live on the northside of 50, so if there was a route that ran over there, it would help my kids be able to get summer jobs. We're about 7 miles from Walmart, and I don't want them walking or biking that far. The fire station, for instance, is still far away, but manageable if they needed to walk that distance.

I believe there are numerous individuals who could attain gainful employment if transportation were available. I am retired but would use public transportation if available.

I think a lot of the people want it so they don't have to drive their children to town to the movies, mall, etc. I think it would bottle neck Hwy 50 West and McCulloch and Purell Blvd more than it is now. They are talking about 2 bus pick ups in Pueblo West which are at these intersections, if they don't have a car, how do they propose to get to the bus stop, Buses do not need to be driving all over Pueblo West!

I am the sole transportation for my elderly father. He would have much more independence if he could get to the store and appointments independently.
Pueblo Area Council of Governments

Metropolitan Planning Organization (MPO)
Transportation Planning Region (TPR)

CPG GRANT

SCOPE OF WORK

FFY 2018-2020

(OCT. 1, 2018 – SEPT. 30, 2020)

Prepared By:
City of Pueblo Urban Transportation Planning Division
INTRODUCTION

WORK ELEMENT 1810 Program Administration & Coordination
1811 - Agreements and Bylaws
1812 - Unified Planning Work Program
1813 - Budget and Financial Management
1814 - Staff and Professional Development
1815 - Public Involvement Activities
1816 MPO Committee Meetings
1617 - Miscellaneous Administrative Activities

WORK ELEMENT 1820 – DATA COLLECTION AND MANAGEMENT
1821 – Traffic Counting and Data Management
1822-Traffic Crash Monitoring Program
1823-Database Management

WORK ELEMENT 1830 – TRANSPORTATION PLANS, PERFORMANCE MEASURES, AND SCENARIO PLANNING
1831 – Metropolitan Transportation Plan
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WORK ELEMENT 1840 SHORT RANGE PLANNING AND PROGRAMS
1841 – Transportation Improvement Program
1842 – Federal Highway Functional Classification Review
1843 – Regional And Statewide Planning Participation
1844 – Bike and Pedestrian Plan
1845– General Consultant Services

Financing, 2018 & 2019 Estimated Budgets
INTRODUCTION


Organization, Management & Funding

The general objectives of the FFY2018-2019 UPWP are to:

1. Assist all participating agencies in achieving applicable comprehensive planning goals and in fulfilling the statutory requirements of FAST-Act and associated planning regulations adopted by the FHWA and FTA.
2. Assist all participating agencies in fulfilling their continuing responsibilities to the community including, but not limited to,
   a) Using the products of the transportation planning process as a major contribution to other comprehensive planning activities, and providing the mechanisms for the continued integration of transportation planning with land use and other comprehensive planning.
   b) Updating and revising basic transportation planning, regional socioeconomic, environmental, land use, and transportation system operating data using applicable GIS or other technologies for these systems.
   c) Modifying developed plans and programs as warranted by changes in travel patterns or urban conditions, and translating plans into action programs for project implementation.

3. Carry out specific transportation planning functions required for the continued certification of the Pueblo area urban transportation planning process including the biennial development and annual refinement of the UPWP, the annual development of the TIP, and updates to financial forecast to the Long Range Transportation Plan (LRTP) to the horizon of 2045.

**WORK ELEMENT 1810 PROGRAM ADMINISTRATION & COORDINATION**

Objective - To manage, support, improve, adapt, administer, and coordinate the cooperative, continuous, and comprehensive transportation planning process as required by FAST Act.

**1811 - AGREEMENTS AND BYLAWS**

Products/Actions:
- Complete and execute planning partner memorandum of understandings, as needed, to implement the transportation planning process.
- Assist in updating bylaws as necessary resulting in changes as approved by the PACOG Board identified in the Reorganization Study conducted in FY 2016/17. Includes possible restructuring the Technical Advisory Commission (TAC) widening membership to include other stakeholders (ie, Trucking, Rail,).
- Assist in maintaining required materials as necessary. (ie. Agendas, Minutes, Financial Records, etc.).

**1812 - UNIFIED PLANNING WORK PROGRAM**

Products/Actions:
- Amend FY 2018 UPWP as necessary.
- Mid-Year progress report.
- Complete year-end report for FY2017.
- Amend 2018 - 2019 UPWP as needed.
- Review and modify the format of the UPWP as needed.
**1813 - BUDGET AND FINANCIAL MANAGEMENT**

Products/Actions:
- CDOT monthly Metropolitan Transportation Planning reimbursements.
- Prepare MPO Budget for PACOG Board adoption.
- Prepare Sub-Delegation Budget and Appropriation Ordinances for City of Pueblo.
- Prepare for and participate in PACOG audit(s) if required under Single Audit Requirements.

**1814 - STAFF AND PROFESSIONAL DEVELOPMENT**

Products/Actions:
- Actively participate in Statewide training and educational meetings hosted by CDOT/FHWA/FTA and other organizations within the State.
- Make applicable transportation planning training available to staff, committee members, and member agency partners.
- Develop staff training and transition plan for the MPO during the next 2-3-year period.
- Develop, implement and conduct an orientation program for new committee members.
- Staff Training on Travel Demand Model, TransCAD (OUT-OF-STATE)
- Staff Training course conducted by Nation Highway Institute or National Transit Institute (OUT-OF-STATE)
- Staff Attendance at Transportation Research Board’s Annual Meeting (OUT-OF-STATE)
- Staff participation in AMPO’s Annual Conference (OUT-OF-STATE)

**1815 - PUBLIC INVOLVEMENT ACTIVITIES**

Products/Activities:
- Project specific public involvement.
- Review and update the Public Participation Plan (PPP) as needed.
- Amend Title VI and LEP Policy as needed.
- Issue press releases and advisories related to transportation planning and projects in the region.
- Develop and expand a stakeholder’s contact list for notification of planning activities.
- Maintain MPO website.
- Work collaboratively with local, state and federal officials and agencies to help achieve established transportation goals and objectives.
- Actively participate in meetings and planning sessions of various public and private stakeholder groups that have direct or indirect involvement in transportation planning, land use planning, economic development, community development, infrastructure development.

**1816 MPO COMMITTEE MEETINGS**

Products/Actions:
- 10-12 PACOG Board meetings annually.
- 10-12 CAC/TAC Committee meetings annually.
- Participate in local committee’s (ie., ADA,PACE, Sustainability)
1617 - MISCELLANEOUS ADMINISTRATIVE ACTIVITIES

Products/Actions:
- Perform the routine administrative, personnel, contractual and management activities and tasks necessary to maintain and support a viable long-range transportation planning process.
- Procure, upgrade and/or maintain computer systems, software and equipment required to carry out an efficient and effective transportation planning process.

WORK ELEMENT 1820 – DATA COLLECTION AND MANAGEMENT

Objective – to develop and maintain data necessary for informed decision making relating to the MPO transportation system.

1821 – TRAFFIC COUNTING AND DATA MANAGEMENT

Products/Actions:
- Obtain, update, convert, refine, and maintain traffic count data for the Pueblo area. This includes national highway system, state highway system, county and local roadways.
- Continue traffic counting program to support transportation modeling and impacts on urban or non-urban areas.
- Continue bike/pedestrian counting on trails within the Study area.

1822-TRAFFIC CRASH MONITORING PROGRAM

Products/Actions:
- Update and maintain crash databases.
- Analyze traffic and collision data for trends.
- Prepare projections and reports for planning uses.
- Publish Crash Summary Data annually with 5-years historical crash data.

1823-DATABASE MANAGEMENT

Products/Actions:
- Update MPO Databases and GIS layers as information becomes available.
- Prepare and maintain maps, records, booklets, etc. that summarize or depict the PACOG MPO census data.
- Conduct other census related work and activities necessary to support transportation planning.
- Provide current transportation planning materials and maps as requested by citizens and various agencies within the MPO region.
- Establish an Area Wide Pavement Condition Rating System and Collect Base Data for Inventory and Performance Measures.
Objective – To review and amend as needed the approved Long Range Transportation Plan, and implementation required performance measures.

1831 – METROPOLITAN TRANSPORTATION PLAN

Products/Actions:
- Ongoing updating and maintenance of a 6-year capital plan of projects for inclusion into the TIP.
- Monitor the approved 2040 LRTP and make amendments where significant changes have been identified.
- Amend performance measures as needed to be consistent with state-wide measures.
- Review local plans for consistency with the LRTP.

1832 – IMPLEMENTATION OF PERFORMANCE MEASURES

Products/Actions:
- Develop baseline performance measures consistent with CDOT’s measures.
- Coordinate with CDOT’s implementation of performance measures as final rule making is completed.
- Amend performance measures as needed to be consistent with state-wide measures.
- Report annually on Goals of the established measures.

1833 – TRAVEL DEMAND MODEL

Products/Actions:
- Continue to run project scenarios based on projects identified in the 2040 LRTP.
- Continue to refine the TDM developed in 2015 as new social/economic data becomes available.
- Update local transportation system data to reflect changes to the future transportation network as modified by local or county government actions.

1834 – GENERAL CONSULTANT SERVICES

This element is developed as a placeholder for funding for consultant’s services to assist with planning activities, which provides flexibility to the MPO to use a portion of additional PL funds at a later time. General consultant services may be used for Long Range Transportation Plan activities, traffic count program or planning studies. Planning contracts under consideration will be approved by CDOT and the PACOG Board by specific Resolution.
WORK ELEMENT 1840 SHORT RANGE PLANNING AND PROGRAMS

Objective – These are intended to be planning activities that will completed annually or completed in a specific FFY of the UPWP.

1841 – TRANSPORTATION IMPROVEMENT PROGRAM

To prepare the Transportation Improvement Program to ensure that all expected funding sources are accurately accounted for and programmed, consistent with policies to ensure adoption by PACOG, CDOT, and FHWA.

Products/Actions:

- Prepare, coordinate, and distribute required administrative modifications and amendments to the adopted TIP following a review of compliance/progress verification, along with submittal of corresponding request for inclusion in the State Transportation Improvement Program (STIP).
- Produce and distribute an annual list of projects obligated the prior FFY within.
- Plan, organize and facilitate the updating of the TIP on an annual basis and apply fiscal constraint to a proposed projects list. Validate or modify the list of programmed projects to be executed in subsequent years of the adopted TIP.
- In conjunction with the amendment and update of the FY2018-2021 Transportation Improvement Program (TIP), MPO Annual Certification of the Planning Process (23 CFR 450.334 & CFR 613.100).
- Implement a project tracking system utilizing TELLUS or similar project/mapping management system for visualization of projects and locations.
- In accordance with state and federal requirements and policies, analyze the potential environmental and environmental justice impacts of proposed projects.

1842 – FEDERAL HIGHWAY FUNCTIONAL CLASSIFICATION REVIEW

- In coordination with CDOT, review the existing Functional Classifications and update as necessary.

1843 – REGIONAL AND STATEWIDE PLANNING PARTICIPATION

Products/Actions:

- Regular participation in regional planning activities in cooperation with PACOG member entities.
- Regular attendance at State Transportation Advisory Committee (STAC) meetings.
- Review major annexation plans for transportation impacts.
- Evaluate development impacts which may require amendments to the adopted Long Range Transportation Plan and/or Transportation Improvement Program.
- Review land use issues affecting the transportation system.
- Attendance at Transportation Commission (TC) meetings if necessary to represent the interests of the PACOG MPO/TPR.
- Participation and support the Southwest Chieftain North Front Range Passenger Rail Commission.
- Participation in joint or coordinated planning studies conducted cooperatively by the four Front Range MPOs.
- Regular participation in statewide committees for special studies that may have impacts in the PACOG MPO area, (ie Freight, Rail, Intracity transit)
1844 – BIKE AND PEDESTRIAN PLAN

Products/Actions:

- Collect inventory of existing facilities and conditions using GPS ARC Collector.
- Regional outreach for update plan development.
- Coordinate with CDOT Region 2 Bike Plan for consistency and connectivity of routes.
- Develop a New Pueblo Area Bicycle and Trails Map.
- Print and disseminate new maps for public.

1845– GENERAL CONSULTANT SERVICES

This element is developed as a placeholder for funding for consultant’s services to assist with planning activities, which provides flexibility to the MPO to use a portion of additional CPG funds at a later time. General consultant services may be used for Long Range Transportation Plan activities, traffic count program, Pavement Condition Rating or planning studies. Planning contracts under consideration will be approved by CDOT and the PACOG Board by specific Resolution.

FINANCING, 2018 & 2019 ESTIMATED BUDGETS

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