



Pikes Peak Area
Council of Governments
Communities Working Together

MEETING AGENDA
PPACG LEGISLATIVE COMMITTEE
March 20, 2023, 8:30 a.m.

PPACG Upper Conference Room – 15 S. 7th St., Colorado Springs, CO 80905

<http://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 245 091 919 978

Passcode: AtGdNi

Meeting will be held in a hybrid format to allow in-person attendance as well as a remote option.

1. Call to Order – Commissioner Stone and/or Mayor Dixon
2. Federal update
 - A. National Association of Regional Councils and USAging (Handout only) ☒
3. Colorado Legislative Update – Dan Jablan
 - A. Review of recently introduced bills
 - B. Review of emphasis bills ☒
 - C. Review of the remaining bill tracking list (time permitting):
<https://www.coloradocapitolwatch.com/bill-tracker-votes/0/6512/2023/0/>
 - D. Questions
4. Member open discussion

The purpose of the Legislative Committee is to draft the annual Policy Statement on Legislative Issues for Board of Directors approval, help develop legislative bills, develop position statements on proposed bills, laws, regulatory actions and other initiatives, meet with elected representatives and lobbyists in order to communicate PPACG's position, to testify before legislative bodies, boards and commissions, and work with other similar agencies and groups in formulating legislative positions.

A quorum of Board members may be present at this meeting.

Federal transportation update provided by the National Association of Regional Councils

CONGRESS

The Senate is in session. The House will return March 22.

Schumer asks for expanded investigation into Norfolk Southern, other railroads

Senate Majority Leader Chuck Schumer (D-N.Y.) is urging the National Transportation Safety Board (NTSB) to expand its investigation into Norfolk Southern to include other major railroads to determine ways to improve rail safety in the aftermath of the derailment in East Palestine, Ohio, last month. Schumer said in a letter to NTSB Chair Jennifer Homendy, first reported by Politico Playbook, that the agency should expand its investigation to include all Class I freight railroads, which are those that have the largest operating revenues in the country. The railroads include BNSF Railway, CSX, Union Pacific, Canadian National, Canadian Pacific and Kansas City Southern. Schumer said a “troubling and fatal” combination of regulations being rolled back, more than 26,500 rail accidents and incidents happening nationwide in the past five years and more than 30,000 employees losing their jobs necessitates a “full and comprehensive investigation.”

To learn more, [go here](#).

The Senate Appropriations Committee Begins the Appropriations Process

The Senate Appropriations Committee leadership and members have met to begin working on a topline spending figure, and set an aggressive schedule to meet appropriations deadlines and return to “normal order”. That includes working with Senate leadership to set aside to consider all 12 appropriations bills, one by one. Senator Patty Murray (D-WA), the chair of the committee, indicated that while they expect the House appropriations bills to be drastically different the Senate bills, the committee plans on moving forward, and will iron out these differences when the House-Senate Conference Committee meets to combine the various appropriations bills.

The Debt Limit: Is One Congressional Chamber Softening?

The chair of the House Freedom Caucus has indicated that the group does not intend to make any “unmovable demands” during debt limit negotiations. According to Politico Pro, even as the House Freedom Caucus identified 10 conditions before they will even consider voting for a debt limit raise, Rep. Scott Perry (R-PA), the caucus chair, made it clear that there are no red lines being drawn, and that the caucus is open to negotiations.

The ten unmovable demands include: ending the \$400 billion student loan bailout, rescinding unobligated Covid funds, recouping the \$80 billion in IRS expansion funds; recouping climate change funding in the Inflation Reduction Act, and cutting future funding by setting the topline discretionary spending at FY 2022 levels for 10 years, The Caucus has also demanded that the House cut \$3 trillion in long term funding, curtail burdensome regulations; increase production of domestic energy, restore Clinton-era work requirements, and pass a preemptive continuing resolution with non-defense discretionary spending at pre-Covid 19 levels. It is not likely that the Senate or the president will agree to these demands.

ADMINISTRATION

USDOT announces rail safety investments, investigation into Norfolk Southern

The U.S. Department of Transportation (US DOT) said it is proposing major investments into rail safety and rail infrastructure as it continues to look into concerns arising from Norfolk Southern’s derailing in East Palestine, Ohio. The department said it has called for more than \$1 billion to expand the US DOT’s Federal Railroad Administration’s (FRA) core safety efforts and improve critical rail infrastructure as part of President Joe Biden’s FY 2024 budget. That includes \$273.5 million to support the agency’s railroad safety personnel, expand inspection and audit capabilities, enhance data analysis to identify the root causes of railroad safety incidents, and increase outreach and partnerships to address and eliminate threats to public safety. Additionally, the expanded FRA budget would include \$760 million for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) program and the Railroad Crossing Elimination program providing more grant funding to improve nearly all facets of railroad safety,

as well as \$59 million for cross-cutting Research & Development to advance new rail safety technologies and practices.

To learn more, [go here](#).

\$700M in Grants for Local EV Chargers Announced

The Biden administration opened up applications Tuesday for \$700 million in grants for local governments and other entities to install electric vehicle chargers in their communities, a long-awaited step of rolling out the federal government's 2021 infrastructure law. Unlike earlier rounds of funding to help states build a national charging network, the competitive grants announced this week are designed to fill in gaps where chargers are less likely to be installed by private entities. Money from the new Charging and Fueling Infrastructure (CFI) grant program will help cities, counties and tribal governments provide chargers in rural areas, downtowns, residential neighborhoods and underserved areas. Those governments can also use the money to build out alternative fuel corridors where needed. Biden administration officials expect that most of the money going to local governments will be used to build Level 2 chargers, rather than the "fast chargers" mandated along highways paid for with state grants. The slower chargers are easier to build and more practical for local residents than fast chargers, which are usually geared for motorists on long trips.

To learn more, [go here](#).

DOT's Fiscal 2024 Budget Request Boosts Safety, Supply Chain Programs

Safety and freight connectivity programs are prioritized in the White House's fiscal 2024 budget request for the U.S. Department of Transportation. As part of a \$6.9 trillion budget blueprint delivered to a divided Congress on March 9, President Joe Biden highlighted efforts meant to improve safety along the nation's highways while boosting supply chain connectivity. The budget's transportation portfolio also focused on climate change, environmental justice and the adoption of emerging technologies. Responding to nearly 43,000 highway fatalities reported in 2021, the president's budget would dedicate more than \$1.3 billion for the National Highway Traffic Safety Administration. That agency is tasked with promoting safety across transportation corridors. Specific to supply chain connectivity, the budget would dedicate \$230 million for the Port Infrastructure Development Program. The request for port connectivity improvements would be in addition to funding authorized in 2021's \$1.2 trillion Infrastructure Investment and Jobs Act.

To learn more, [go here](#).

Tesla Autopilot Doesn't Live Up to Its Name, Buttigieg Says

Tesla Inc.'s name for its trademark driver-assistance system lacks "common sense," according to the country's top transportation regulator. Using the term Autopilot as a feature of its electric vehicles belies Tesla's own requirement for drivers to keep both hands on the wheel, US Transportation Secretary Pete Buttigieg said Monday, adding that marketing language is not part of his department's investigations. The National Highway Traffic Safety Administration, a DOT agency, has opened probes into Autopilot's role in collisions with other vehicles and sudden-braking incidents. "I wouldn't call something 'Autopilot' if the manual explicitly says that you have to have your hands on the wheel and the eyes on the road all the time," Buttigieg said in an interview with Bloomberg News in Washington. "That's not saying anything about the NHTSA scope of investigation, I'm just saying at a common sense level. I think that's a concern."

To learn more, [go here](#).

The President Forwards His Budget Request to Congress

On Thursday, March 9, President Joseph Biden forwarded part one – the annual summery volume -- of his budget for fiscal year (FY) 2024 to Congress. The annual summary volume typically lays out the president's main budget message, top priorities, some brief details on each agency's request and summary tables. Today, Monday, March

13, the president is expected to release more detailed appropriations language and analytical perspectives that include explanatory materials.

Like most presidential budgets, it is, for all practical purposes, “dead on arrival,” and unlikely to be followed in any significant ways. Nonetheless, the president’s budget does provide the Senate and House with a framework from which to develop their budgets, and appropriations bills.

According to the White House, President Biden’s budget is a blueprint to build on the economic progress that has been made over the past two years and continue to lower everyday costs for the American people. The White House said that this could be done by cutting taxes for families with children and American workers, lowering health care costs by making permanent some Covid-related subsidies, expanding Medicaid, reducing the price of prescription drug costs, expanding access to quality affordable health care, expanding access to child care for working Americans, lowering housing costs by increasing the affordable housing supply, lowering university costs and making community colleges tuition free, lowering home energy and water costs, and increasing food security.

Departmental Requests are Outlined in the President’s Budget Proposal

The budget proposal also lays out the priorities of each federal department.

Transportation Department: The president’s Transportation Department budget would continue to fund implementation of the Bipartisan Infrastructure Bill by providing more than \$76 billion for highway, highway safety, and transit formula programs, \$1.5 billion for rail safety and efficiency, and \$7.5 billion for Amtrak. The budget request also proposes setting aside funds to address pedestrian safety, aviation safety, ports, and waterways,

Health and Human Services Department: The Department of Health and Human Services (HHS) would receive \$4.1 billion for the Low-Income Home Energy Assistance Program (LIHEAP) funds and \$375 million for weatherization projects. communities.

Environmental Protection Agency and Energy Department: If adopted, \$1.8 billion would be set aside for Environmental Protection Agency (EPA) environmental justice initiatives, and \$4 billion for water infrastructure that is focused on decreasing health disparities in underserved, marginalized, and rural communities. EPA would receive more than \$24 billion in climate resilience funding to ensure local “resilience to floods, wildfires, storms, extreme heath, and drought,” as well as strengthening “America’s natural disaster response capabilities.” Meanwhile the Department of Energy (DOE) would receive \$1.2 billion to invest in industrial decarbonization activities, especially in marginalized communities.

Commerce Department: The Commerce Department’s budget request includes \$4 billion in mandatory funds for the Economic Development Administration’s (EDA) Regional Technology and Innovation Hub programs, as well as \$200 million for EDA to continue the Recompete Pilot Program, and \$100 million for the Good Jobs Challenge. The budget also provides for \$1.6 billion for the Census Bureau.

Department of Labor: In addition to traditional employment and training programs funded by the Department of Labor, the president would provide \$200 million for a new employment and training program that would support development of public-private partnerships between employers, education providers, training providers, and community-based organizations, \$335 million for apprenticeship programs, and \$100 million to increase community college involvement in high quality job training. However, these are all new programs, and it remains an open question as to whether Congress would expand existing workforce development programs.

Federal Emergency Management Agency: The Federal Emergency Management Agency (FEMA) would receive \$3.9 billion for its climate resilience programs in addition to the \$1 billion provided for by the Bipartisan Infrastructure Bill, and \$500 billion for flood mapping and related activities.

Department of Housing and Urban Development: The Department of Housing and Urban Development (HUD) would receive \$3.7 billion to address homelessness, \$1.8 billion to increase the supply of affordable housing, and \$3.4 billion for the Community Development Block Grant (CDBG) Program to invest in local communities to support economic development, social services, and other activities that enhance neighborhoods.

Needless to say, there is substantially more funding outlined in the President's Budget, but we will explore those levels of funding once the House and Senate begin developing and passing their respective budget and appropriations bills.

Federal aging update provided by the USAging

President Biden presented his FY 2024 budget blueprint to Congress last week. The \$6.8 trillion budget aims to reduce the deficit by \$3 trillion over 10 years, invest in paid family leave and other Administration priorities, expand on the Inflation Reduction Act's prescription drug reforms and much more, while paying for these increased investments and deficit reduction activities by raising taxes on those making more than \$400,000.

USAging's top FY 2024 Older Americans Act funding priorities received significant increases in the Administration's budget. OAA Title III B Supportive Services, Title III E National Family Caregiver Support Program and Title VI Native American Aging Programs all secured at least 20 percent increases in the budget proposal.

There were little to no increases recommended for the State Health Insurance Assistance Program, Community Care Corps or the Chronic Disease Self-Management Program.

Here's how key aging programs fared in the President's budget:

- USAging's top appropriations priority, OAA Title III B Supportive Services, would see a 22 percent increase (\$90 million). USAging will build on the President's strong recommendation and work with Congress to ensure the highest-possible funding level for III B.
- OAA Title III E National Family Caregiver Support Program would increase by \$45 million, a 20 percent increase over this fiscal year, to total \$250 million.
- OAA Title III C Nutrition, as mentioned above, would receive an overall 20 percent increase under the budget. The President's budget proposal recommends that the bulk of the \$217 million boost to nutrition programs go into III C 1 for congregate meals and would further widen the gap between C 1 and C 2 from \$174 million to \$350 million—the opposite of what the Biden Administration has endorsed in past budgets. USAging continues to advocate for enhanced flexibility for AAAs to fund the range of nutrition activities needed in their service areas without being unduly restricted by funding silos.
- OAA Title VII's Ombudsman Program. Although the President asked for \$36 million in last year's budget, this year's recommendation of \$27 million is just a few thousand above the current funding level. However, the President would more than double funding for elder rights, including Adult Protective Services.
- As mentioned earlier, OAA Title III D Evidence-Based Health and Wellness programs received only a \$60,000 increase over current levels.



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March 17, 2023

New bills for consideration

[HB23-1221](#) – Water Quality Data Standards (03/13/23 Monitor reconsider after 03/22/23 if necessary)

[HB23-1240](#) - Sales & Use Tax Exemption Wildfire Disaster Construction

[HB23-1242](#) – Water Conservation in Oil and Gas Operations

Priority Bills

Bill #	Title	Position	Status	Hearing
HB23-1052	Mod Prop Tax Exemption for Veterans With Disab	Support	Passed House; Assigned to Senate State Affairs	Not yet scheduled
HB23-1075	Wildfire Evacuation and Clearance Time Modeling	Amend	Passed House Agriculture Committee, referred to Appropriations	Not yet scheduled
HB23-1101	Ozone Season Transit Grant Program Flexibility	Amend	Passed House; Passed Senate Conference Committee formed.	03/20/23 @ 8:00AM
HB23-1184	Low-income Housing Property Tax Exemptions	Support	Passed House Transportation, Housing & Local Govt and Finance; Referred to Appropriations	Not yet scheduled
SB23-016	Greenhouse Gas Emission Reduction Measures	Amend	Amended, Passed Senate Trans & Energy and Finance. Referred to Appropriations	Not yet scheduled
SB23-036	Veterans with Disab Prop Tax Exemption Reqmnts	Support	Passed Senate; Passed House State Affairs, referred to Appropriations	Not yet scheduled
SB23-059	State Parks and Wildlife Area Local Access Funding	Support	Amended, Passed Senate Agriculture & Natural Resources, referred to Finance	Not yet scheduled
SB23-108	Allowing Temporary Reductions in Property Tax Due	Monitor	Passed Senate; Assigned to House Finance	Not yet scheduled
SB23-111	Public Employees' Workplace Protection	Oppose	Amended, Passed Senate Local Govt, referred to Appropriations	Not yet scheduled

SB23-161	Financing to purchase Firefighting Aircraft	Support	Passed Senate Finance, referred to Appropriations	Not yet scheduled
SB23-166	Establishment of a Wildfire Resiliency Code Board	Amend	Amended, Passed Senate Local Govt & Housing, referred to Appropriations	Not yet scheduled
SB23-172	Protecting Opportunities and Workers' Rights Act	Oppose	Assigned to Senate Judiciary	03/27/23 @ 1:30

Full list of bills

<https://app.coloradocapitolwatch.com/bill-tracker-votes/0/6512/2023/0/>