

LEGISLATIVE REPORT

CCI Meeting Reminder

All Steering Committee meetings are held at CCI.

Friday, January 25

9:00 – 10:30 a.m.

Public Lands

10:30 – 12:00 p.m.

Agriculture, Wildlife & Rural Affairs

12:30 – 2:00 p.m.

Land Use & Natural Resources

2:00 – 3:30 p.m.

Health & Human Services

Friday, February 8

9:00 – 10:30 a.m.

Tourism, Resorts & Economic Development

10:30 – 12:00 p.m.

General Government

12:30 – 2:00 p.m.

Taxation & Finance

2:00 – 3:30 p.m.

Transportation & Telecommunications

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66th General Assembly Convenes

And we're off to the races! On Wednesday, January 9, the 66th General Assembly marked the start of another legislative session and already more than 250 bills have been introduced. Over the next 120 days, CCI will represent county interests and lobby at the statehouse for legislation benefiting our members. If the interim since the last session is any indication, there are likely to be several very lively policy debates in the coming weeks.

There are some significant county issues that CCI will be actively working on this session. Elections will be first out of the gate. We expect that the Legislature will be moving the proposed election reform bills quickly to ensure enough time to implement any changes prior to what is expected to be the busiest election in Colorado history. There is still significant discussion taking place about whether or not to require mail ballots across the state. Several bills affecting the distribution of energy impact revenues, specifically severance tax and federal mineral lease revenues, have already been introduced and more will come before the end of session. CCI will continue to provide counties information on these debates and discussions and will weigh in where there is agreement among the counties on policy. To date, CCI's position has been that revenues should be returned to impacted areas and not be diverted to new state purposes. Tax increment financing, transportation and health care will be major issues that CCI will closely follow as well. Nearly all legislation approved by the CCI legislative committee in October has been introduced. For current updates on these and other bills, attend the monthly steering committees in person or by telephone, keep an eye on the CCI website, and feel free to contact CCI at any time with your concerns or questions.

Even though legislators will hear very frequently from CCI lobbyists, remember that your legislators want to hear from you too! There are two very practical reasons why your legislators are interested in what you have to say:

* You are a specialist in one of their legislative responsibilities

* You are not only a constituent, but also were elected to represent the viewpoint of constituents who are residents of your county.

If you need tips or suggestions or would just like the latest information before talking to a legislator, let us know! You can also find the "Top Ten Lobbying Tips for County Commissioners" that may help you in communicating with your legislators on CCI's web page in the members only section under "Steering Committee Packets and Information". (www.ccionline.org <<file://www.ccionline.org>>).



Agriculture, Wildlife & Rural Affairs (AWRA)

HB08-1096, Hunting Confined Animals Fine Penalty (Stafford)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

This bill deals with confined hunting where animals, in the case of this bill, mammals, are "intentionally confined, tied, staked, caged, or otherwise restrained from engaging in normal movement". It prohibits a person from offering someone the opportunity to hunt, wound, or take any mammal that is within a confined, i.e. fenced, area. It does allow for exceptions when slaughtering mammals for purposes of meat, leather, or fur production or humanely euthanizing a mammal for health, safety, or scientific purposes.

HB 1096 was assigned to the House Agriculture committee and has not yet been calendared.

Questions or Comments? Contact Andy Karsian at 303.883.9381 or akarsian@ccionline.org.

General Government (GG)

HB08-1090, Expanding the Definition of Legal Newspapers (M .May, Tochtrop)

CCI Position: Support

This is a CCI legislative priority. Currently some counties do not have a choice of where they may publish legal notices. Due to the narrow definition of legal newspapers in statute, counties are stuck with only one newspaper in which to publish legal notices. This bill seeks to expand the definition by allowing counties to use newspapers that are distributed in their counties.

CCI has worked with the Press Association to craft this bill and is encouraged by conversations had to date. We have asked the bill sponsors to amend the title to tighten to reflect more accurately the intent of the bill.

HB1090 was assigned to the State, Veterans & Military Affairs committee and has not yet been calendared.

SB08-032, Bond Commissioner and Bond Breach Hearings (Harvey, McNulty)

CCI Position: Support

This is also a CCI legislative priority. There are four judicial districts that utilize bond commissioners to facilitate pre-trial work. This bill would allow the bond commissioner to apply for a bond revocation hearing when a defendant violates the terms of his/her bond. What some counties have found is that a defendant accused of domestic abuse or drug use will violate their bond conditions but because of full dockets and heavy caseloads, a hearing may not be scheduled for up to a month. This bill will allow the bond commissioner to appear before the judge to request and schedule a hearing, thereby reducing the time spent getting the defendant into court.

SB 032 was heard in the Senate State, Veterans & Military Affairs committee and passed unanimously. It will go on the Senate consent calendar.

Questions or Comments? Contact Andy Karsian at 303.883.9381 or akarsian@ccionline.org.

Health & Human Services (HHS)

HB08-1006, Foster Care Sibling Visits (Jahn)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

If a child in foster care and sibling both request a visit, this bill requires that the county department of social services arrange such a visit. At the same time, the department is required to deny such a request if it is determined that a visit would not be in the best interest of the child or sibling. At the present time these visits are only authorized in CDHS State Board rules, and the proponents feel that putting this provision in statute would provide more clear authority for such visits, when they are in the best interests of the child in placement.

SB08-022, Children's Basic Health Plan Overexpenditure (Sandoval, Ferrandino)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

This bill allows end-of-year expenditures by the Department of Health Care Policy and Financing for the Children's Basic Health Plan (CBHP) to exceed state appropriations. However, sufficient funds must be anticipated through end-of-year reversions of funds appropriated but unspent from the department, the Health Care Expansion Fund, or the CBHP Trust. The approval of the governor is required. This bill is being fast-tracked and should be adopted and on the governor's desk in short order.

SB08-025, Food Safety Act Of 2008 (Boyd, Gagliardi)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

The rule-making authority relating to retail food safety is currently within the Department of Public Health and Environment. This bill shifts the responsibility to the State Board of Health. These responsibilities include getting input from stakeholders, setting fees for licenses to cover costs of the department and local boards of health for administrative costs of the Retail Food Establishment Protection Program.

Despite compelling testimony, this bill was postponed indefinitely on January 16th. The opponents, Colorado Restaurant Association and the grocery and convenient stores association, made a strong pitch to work with the proponents regarding appropriate fees. There is some possibility that this discussion could lead to some interim solutions.

Questions or Comments? Contact Pat Ratliff at 303.668.0264 or plr45@aol.com.

Land Use & Natural Resources (LUNR)

HB08-1014, Track Residential Well Ownership Records (Looper, Gordon)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

The State Engineer and the Division of Water Resources have acknowledged that only 30% or so of the current domestic wells are registered in their office. This creates a vacuum with regard to water resource data. The bill will require that when a piece of residential real estate that has a small capacity well or domestic exempt water well is sold, the buyer must provide information to the Division of Water Resources in the Department of Natural Resources. The buyer is required to fill out a "registration of existing well" form for any well that is not already registered. It is up to the Real Estate Commission to set rules to include the right forms in the right contracts. The intent is to

get a better understanding of the state-wide reliance on these domestic and small capacity wells, as part of the effort to understand this important resource and the extent of wells throughout Colorado.

HB08-1053, Electronic Submission Of Plats (McNulty)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

This is a CCI legislative priority. Right now, the law requires that the submission of plats have to be sent by very specific standards in print (Title 38). This bill gives county surveyors and other local government officials the permissive ability to receive plats for recording and filing by an electronic means of choice. Under legislation adopted in 2002, Title 24, local governments can accept and transmit a wide variety of documents in electronic format. The directions for plat filings, in Title 38, were never conformed to this new authority. HB 1053 conforms Title 38 to the provisions in Title 24, creating uniformity throughout county and municipal systems when desirable. HB 1053 is completely permissive. It passed second reading with a single friendly amendment.

Questions or Comments? Contact Pat Ratliff at 303.668.0264 or plr45@aol.com.

Taxation & Finance (TF)

HB08-1013, School-related Sales Tax Exemption (Sonnenberg)

CCI Position: CCI will take a position on this bill at the January 18th steering committee.

This bill allows sales made by schools, associations of parents or teachers, booster clubs, student organizations or other groups that promote student activities to be exempt from sales tax.

HB08-1033, Historic Preservation Income Tax Credit (Levy, Sandoval)

CCI Position: CCI will take a position on this bill at the January 18th steering committee.

This bill extends the income tax years from January 1, 2010 that the taxpayer could claim a tax credit for costs related to preserving a historic property to January 1, 2020. Counties could be the certified local government to review the qualifications of such tax credit claims. This allows a certified local government to adopt a one-time resolution to act as a reviewing entity for the purpose of performing various administrative, rehabilitation project review, and verification functions to determine whether a taxpayer is qualified to claim the tax credit.

Questions or Comments? Contact Bill Clayton at 303.884.7618 or claytonwjc@aol.com.

Tourism/Resorts & Economic Development (TRED)

Questions or Comments? Contact Chip Taylor at 303.883.9380 or jtaylor@ccionline.org

Transportation & Telecommunications (TT)

HB08-1007, Modify Toll Road Notice Requirements (Looper)

CCI Position: CCI will take a position on this bill at the January 18th steering committee.

This bill concerns the sending of notice by a private toll road company's proposed toll project. Instead of requiring the company to send it to every county clerk and recorder of the encompassed counties, it requires the notice be sent to each municipal, county or regional planning commission that is responsible for any part of the planning in the three mile corridor.

The bill has requirements for public viewing of notices, as well as declaring filings by the company before the bill's effective date to be void.

HB08-1010, Motor Vehicle Traffic Fines (McFadyen, Takis)

CCI Position: CCI will take a position on this bill at the January 18th steering committee.

This bill originated from the Transportation Legislation Review Committee. It raises the minimum fine for a class two traffic misdemeanor from \$10 to \$150, class one traffic misdemeanor from \$100 to \$300 and fines for a number of motor vehicle traffic infractions.

Right now, the local jurisdiction gets to keep 100% of a seatbelt violation fine if the violation, taking place on state and federal highway, is ticketed by a peace officer employed by that jurisdiction. This bill decreases that amount to 50% and the rest is credited to the highway users tax fund (HUTF). The minimum fine for DUI, DWAI, UDD, and habitual user driving is doubled, and if these violations take place on state and federal highways, the amount of the fine that is credited to HUTF is raised from 50% to 75%.

Questions or Comments? Contact Tony Lombard at 303.884.9113 or tony@lombardclayton.com.

Public Lands (PL)

HB08-1069, Motorized Vehicles on Public Land , (Curry, Tochtrop)

CCI Position: CCI will take a position on this bill at the January 25th steering committee.

This bill comes from the Division of Wildlife, in collaboration with a large group of stakeholders, including CCI. If this bill passes, law enforcement officers will be able to ticket OHV users going off trail. Public land agencies will increase signage and add more detailed maps. If an OHV user breaks the law while hunting or fishing than points can be taken off their hunting/fishing license.

Questions or Comments? Contact Andy Karsian at 303.883.9381 or akarsian@ccionline.org.

Misc.
