



Colorado Counties, Inc.

February 25, 2008

# Legislative Report

## CCI Meeting Reminder

All Steering Committee meetings are held at CCI.

### **Friday, March 7**

- 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

### **Friday, March 14**

- 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

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## **COLORADO DELEGATION HEADS TO D.C.**

This coming Friday, a delegation of Colorado county commissioners and council members will head to Washington, D.C. for the National Association of Counties (NACo) Legislative Conference. Forty-six commissioners and council members plan to attend the Conference, a 15% increase over last year's attendance level. As in past years, the Conference agenda is packed with NACo steering committee meetings, concurrent educational sessions, general sessions and Capitol Hill visits.

At the NACo steering committee meetings, local leaders will be asked to weigh in on thirty-four proposed resolutions, eight of which are Colorado resolutions. If adopted, these resolutions, ranging from reforms to the Help America Vote Act to increasing allowable uses of Title IV-E foster care funds, will help shape NACo's work between now and July 2008.

Educational and general sessions promise to engage local leaders with a variety of interests and backgrounds. Sessions will cover topics like: workforce housing, disaster planning, climate change, jail health care costs, SAFETEA-LU reauthorization, farm bill and adult protective services.

On Wednesday March 5<sup>th</sup>, commissioners and council members will meet with all nine members of Colorado's congressional delegation. The morning will begin with a joint breakfast meeting with Senators Allard and Salazar and end late in the day with a meeting with Representative Lamborn. These meetings will give local leaders an opportunity to highlight Colorado's national priorities which include transportation funding, payment in-lieu of taxes (PILT), forest health and restoration, and farm bill reauthorization.

This year's NACo Legislative Conference promises to be a productive and informative opportunity for local leaders. Those attending will be prepared to share their experiences and knowledge with CCI's steering committees on Friday March 7<sup>th</sup> and Friday March 14<sup>th</sup>.

## General Government (GG)

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### **HB08-1326, Verify Lawful Presence for Public Benefits (Lambert, Schultheis)**

**CCI Position: Oppose**

This bill would have required counties to verify the lawful presence of individuals seeking public benefits. The difference between this bill and HB06-1023, passed during a special session, is that HB 1326 excluded private donations to nonprofits, as well as, all other funding from federal or state sources.

The bill was intended to clarify the scope of HB06-1023. However, committee testimony on HB 1326 showed that it would have created even more confusion for counties and nonprofits. The bill was postponed indefinitely by the State Affairs Committee.

### **HB08-1329, Inactive Registration and Mail Ballot Elections (Marshall, Gordon)**

**CCI Position: Monitor**

This bill requires county clerks to mail voter confirmation cards to all voters prior to the 2008 election. In the past, if a voter did not vote in a general election, then that person is placed on an inactive voter list. The clerks are concerned that the problems some counties faced in the 2007 election led to some voters being listed as inactive, therefore rendering those individuals unable to vote. This bill would give the clerks another opportunity to ensure that voter rolls are current prior to the expected record turnout for the 2008 election. This bill would drive an increased cost to county clerks.

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

## Health & Human Services (HHS)

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### **HB08-1250, County Social Services Funds Relief (Pommer, Johnson)**

**CCI Position: Support**

The county contingency fund was created to supplement social services funding in counties where the mill levy was insufficient as a funding source. This bill changes the formula used to determine which counties are eligible to receive funds from this source, as well as, changing the fund to be known as the county tax base relief fund.

This bill will permit state assistance funding for the most tax-burdened counties and would permit the JBC to move the balance of the county contingency fund to the county administration line, where these new funds will be available without local matching responsibilities. Furthermore, all funds moved to county administration are then eligible for federal matching funds, spreading the dollars much further. County directors have worked with CCI and the Colorado Department of Human Services in crafting this legislation as a long-sought solution to the funding needs of poorer counties.

Since the bill's introduction, there are discussions of a possible amendment. The amending language will remove references to mill levies, since that part of the old formula will be inaccurate over time. There will also be budget changes reflected in the Long Bill that show the shift of funds to the county administration line. CCI's position is to support the bill with these anticipated changes.

**HB08-1342, Child Support Enforcement Procedures (Kefalas, Ward)**

**CCI Position: Pending**

First of all, this bill clarifies that an independent contractor working for a county government agency to collect debt is not considered a collection agency and is not a “debt collector” as defined in the statute. Then the bill sets procedures for adding another child to an existing case involving the same parents. It also ensures the confidential collection of social security numbers of all individuals involved. Other provisions provide guidelines for liquidating securities to satisfy past due child support obligations. Finally, this bill allows the state agency enforcing child support matters to put an administrative lien on insurance payments, awards and settlements of the person owing child support.

This is, in part, the annual legislation concerning parental support obligations. It includes language to permit county support enforcement actions to proceed separately and be distinct from routine debt collection operations.

**SB08-160, Children's Health Care (Hagedorn, McGihon)**

**CCI Position: Monitor**

This bill changes the eligibility standard for the baby and kid care program under Medicaid to 133% of federal poverty line. It ensures 12 months continual enrollment for children’s basic health plan, if eligible, and changes the eligibility requirement from 205% to 225% of federal poverty line. It allows the Department of Health Care Policy and Finance to change that eligibility standard to as high as 250% of the federal poverty line, depending on available appropriations. The bill will increase the number of children throughout the state who receive health care by extending eligibility.

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

**Land Use & Natural Resources (LUNR)**

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**HB08-1319, Factory Built Structure Requirements (Soper, Kester)**

**CCI Position: Support with Amendments**

As current law dictates, factory built structures, commercial structures, and manufactured homes have to be certified if they are manufactured, repaired, or sold in Colorado. HB 1319 attempts to ensure the safety of occupied structures that were built or repaired outside of Colorado. It requires the Division of Housing to make rules for the training, certification, and testing of installers of manufactured units. Occupied units must have an approval insignia showing inspection passage.

Counties are interested in this legislation, in particular, because the bill recognizes the need to inspect residential and non-residential manufactured structures that are brought into the state without the in-factory reviews normally applied by the state. This will ease many local concerns regarding safety and structural soundness of these buildings that tend to become prevalent in high-labor areas, such as the oil and gas exploration sites throughout the state.

## **HB08-1340, Colorado Housing Investment Fund (Kefalas, Boyd)**

**CCI Position: Pending**

This bill creates the Colorado housing investment fund as administered by the State Division of Housing. The funds are to be distributed through grants and loans for affordable housing needs. Fifty percent of the fund is available to local governments. Of that amount, counties with 26,000 people or more receive portions based on their populations. The rest of the local government share is distributed to counties with less than 26,000 people through competitive grants. It requires the Secretary of State to submit a documentary fee increase with the conveyance of real property to the voting public. The bill specifies how this fee increase revenue would be split between the fund and counties.

Affordable housing is a significant concern for many counties, particularly those in tourism and resort areas. This bill may provide a reliable funding source to expand the availability of affordable housing throughout impacted areas of the state.

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

### **Public Lands (PL)**

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## **HB08-1269, Incentives for Sale of Beetle Kill Pine Products (White, Gibbs)**

**CCI Position: Support**

The number of trees dying annually because of insect infestation in Colorado's high country is increasing dramatically. The market for the wood from the dead trees is limited. This bill would allow the state, counties, and municipalities to exempt the "blue stained" wood and the products using this wood from sales and use tax.

Testimony in the Finance Committee showed how reducing the amount of tax on this wood could increase production and use of the blue stained wood. Home construction, for example, could use the blue stained lumber for framing instead of wood coming from other states.

The bill passed out of committee on a 6 – 5 vote and was sent to Appropriations.

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

### **Taxation & Finance (TF)**

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## **HB08-1218, Allow Counties to Form Power Authority (Rose)**

**CCI Position: Monitor**

HB 1218 is a permissive bill giving counties the same ability to enter into intergovernmental agreements with other cities and counties in Colorado, as well as, those in neighboring states, to form electrical power authorities. Cities and towns have had this power under current statute. This bill gives counties the same power. This bill was postponed indefinitely on February 7 in the House Committee on Local Government.

## **HB08-1225, Business Personal Property Tax Exemption (Rice, Williams)**

### **CCI Position: Support**

The current value of business personal property that can be exempt from property tax is \$2,500. This bill raises the limit to \$4,000 for 2008 tax year, \$5,500 for 2009 and 2010, and \$7,000 for 2011 and 2012. After 2012, it will increase biennially by increments according to the Denver-Boulder-Greeley consumer price index. Counties will lose a small amount of property tax revenues as a result of increasing exemptions. Most agencies and private industry representatives testified in favor of this bill. This bill is now in House Appropriations.

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

## **Tourism, Resorts & Economic Development (TRED)**

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## **HB08-1183, New Job Performance-based Incentive (Hodge, Veiga)**

### **CCI Position: Support as Amended**

As introduced, HB 1183 modified the "performance-based incentive" criteria employers must meet to be eligible for grants or loans from the Colorado Economic Development Commission. Specifically, the bill detailed the number of new jobs employers in new and rural areas had to create within a six month time frame, as opposed to a one month time frame, to qualify for a grant or loan from the commission.

Rather than detailing eligibility criteria in legislation, CCI preferred that the commission be granted the discretion to establish these criteria via rule making. HB 1183 was amended in the House to do just this. The bill also requires the commission to annually report to the House and Senate the total amount of grants and loans awarded by the commission.

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

## **Transportation & Telecommunications (TT)**

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## **HB08-1151, Boy Scouts Centennial License Plates (Lambert, Schultheis)**

### **CCI Position: Monitor**

This original bill creates a special boy scouts centennial license plate to be available from 2009 to 2011. These license plates can be purchased for a one-time fee of \$25 plus other required fees. The revenue from the \$25 fee is split between Highway Users Tax Fund (HUTF) and Licensing Services Cash Fund (LSCF). Since counties and municipalities receive 35% of HUTF, there will be an increase in revenue for counties and municipalities because of this fee.

An amendment was made by the House Transportation and Energy Committee to increase the one-time fee for the license plate to \$50. The additional \$25 is distributed to LSCF.

## **HB08-1171, Purchase Price Exclude Federal Excise Tax (Casso)**

### **CCI Position: Monitor**

This bill takes the federal excise tax (FET) out of the purchase price of some heavy trucks, trailers, and tractors, so that the buyer does not pay sales and use and county specific ownership taxes on these federal charges. Consequently, HB 1171 decreases the amount

collected by counties in specific ownership tax, as well as, sales and use tax for those counties that include the FET in the price of leased vehicles. This bill has not been amended since introduction and is in House Appropriations.

Questions or Comments? Contact Tony Lombard at 303.884.9113 or [tony@lombardclayton.com](mailto:tony@lombardclayton.com).