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Legislative Review Committee Agenda

Meeting Notes

March 4, 2014, 4:00 p.m.

City Manager's Conference Room

Present: Wade Troxell, Councilmember; Ross Cunniff, Councilmember; Wendy Williams, Assistant City Manager; Steve Roy, City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: Lisa Poppaw, Councilmember

Guests: Kevin Jones, Chamber of Commerce

Councilmember Troxell called the meeting to order at 4:29 pm.

Adoption of the minutes from the March 4, 2014 meeting were moved for approval by Councilmember Cunniff and seconded by Councilmember Troxell. Minutes were adopted without amendment.

Dan Weinheimer reviewed **legislation with an adopted LRC position.**

Dan noted **HB14-1077** which **increases the amount in the Colorado Oil and Gas Conservation Commission environmental response fund** and has a City support position was **signed into law** by Governor Hickenlooper on March 27.

HB14-1105 which **allows sale of fuel to other governmental entities** and has a City **support** position was **signed into law** on April 7.

HB14-1152 which limits the **retention of passive surveillance records** and has a City **oppose** position was **signed into law** on April 7. This limits Fort Collins' ability to retain camera footage related to surveillance cameras and photo radar to three years.

HB14-1193 would limit the amount of **research and retrieval fees for public records sought under CORA**. The City has adopted an **oppose unless amended** position seeking to amend the bill so that fees are set according to recent court adopted amounts. The bill has been amended to provide the first hour free, a \$30 per hour fee after that and to prevent someone from splitting a request into one-hour intervals in an attempt to circumvent paying fees for City staff time. Dan recommended altering the adopted position to monitor the bill. **LRC did not alter its position. The bill is in a conference committee.**

HB14-1267 supporting the **reintroduction of Black-footed Ferrets** on public land is awaiting action by the Governor. Dan indicated that the City has sought a signing ceremony for the bill. LRC has an adopted **support** position on this bill.

SB14-009 which requires separate **disclosure of separate ownership of mineral estate** in real estate transactions was **signed into law** by the Governor on March 27. LRC had adopted a **support** position on this bill.

SB14-022 which concerns City investments and allowing investment in **community development financial institutions** was **signed into law** April 8. LRC adopted a **support** position on this bill.

SB14-089 which would **prohibit state agreements on payment in lieu of taxes** was **vetoed** by the Governor on March 28. Dan noted that this veto was significant because it was the second bill vetoed this session and Governor Hickenlooper did not veto any bills in 2013. LRC had adopted a **monitor** position on that bill.

SB14-145 concerns **water conservation incentives** and the LRC adopted a position of **oppose unless amended**. Dan noted that he expected the bill to be postponed indefinitely (killed) by the sponsor at the April 10 hearing in the Senate Agriculture Committee.

Dan reviewed new legislation with the Committee.

HB14-1301 seeks to provide **state safe routes to school program funding**. Dan noted that the City has an active safe routes to school program which does education, activities and infrastructure around schools to improve safety and safe bike riding practices for kids. He said that federal funding of the program is going away so this measure is attempting to provide state funding. LRC adopted a **support** position.

HB14-1327 consists of several **measures to expand deployment of communication networks** for broadband. Dan noted that staff recommended an oppose position. The bill would usurp local land use decision-making by instituting a 90-day “shot clock” for cities to approve a request for permit. The bill also seeks joint trenching – notification when the City or other contractors are opening the roadway for construction – which could be an efficiency limiting additional road work. LRC adopted an **oppose** position.

HB14-1343 addresses **firefighter and peace officer post-traumatic stress disorder (PTSD) workers compensation coverage**. The bill seeks to mandate presumption that PTSD results from a work place event for peace officers. Dan noted that the bill was amended to instead be a task force in the interim rather than requiring a presumptive PTSD finding. LRC adopted an **oppose** position.

HB14-1356 seeks to **strengthen the penalty authority of the Colorado Oil and Gas Conservation Commission**. The bill would lift the cap on fines related to oil and gas infractions and to allow the state to levy heavy financial penalties on negligent companies. LRC adopted a **monitor** position on the bill.

SB14-162 seeks to establish a **quality management program for pre-hospital EMS providers**. The idea of the bill is that it could establish standards for training and practices related to EMS providers, helping to improve patient care. Dan presented the bill as something that might impact Poudre Fire Authority but

stated he had not yet received comments from PFA. LRC adopted a **monitor** position.

SB14-172 is about **firefighter heart circulatory malfunction benefits**. This bill seeks to mandate purchase of an insurance product to cover the costs of presumptive heart-related care for firefighters. The bill seeks to control an expensive mandate with another mandate – the purchase of the insurance. Dan said that CML is working hard on the bill to refer the concept to the Fire and Police Pension Association’s Death and Disability fund rather than to cities. LRC adopted an **oppose** position.

SB14-181 would **prohibit use of automated camera vehicle identification**. Dan shared that the bill would stop Fort Collins from using red light camera and photo radar but could also prevent the use of automated parking enforcement. Police Services provided compelling information about speed and safety compliance resulting from the use of photo radar. LRC adopted an **oppose** position.

Dan shared that a draft Urban Renewal Authority bill has been drafted and shared with cities through CML. Since the bill was draft LRC could not consider a position but Dan noted that the next meeting (and final meeting during the 2014 session) is April 22. LRC members agreed that the Committee may need a special meeting to consider a position on the URA bill.

The meeting was adjourned at 5:05 pm.