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## Legislative Review Committee Agenda

Meeting Notes

April 9, 2013, 4:00 p.m.

City Manager's Conference Room

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

Absent: *Third Committee member pending appointment*

Guests: none

Councilmember Poppaw called the meeting to order at 4:38 pm.

Adoption of the minutes from the March 26, 2013 meeting were moved for approval by Councilmember Poppaw and seconded by Councilmember Troxell. Minutes were adopted without amendment.

Dan Weinheimer stated that unless Committee member sought additional information about bills with existing positions he was going to summarize the four new bills and the status of oil and gas-related legislation.

Dan started with **HB13-1288** which would **establish a statewide uniform sales and use tax base**. Dan noted that staff is willing to study the issue in a deliberate way. He stated that this bill would propose to study the issue of a uniform statewide tax base but that CML was going to be looking at amending the bill. Based on the recommendations of staff, LRC adopted an **oppose** position on this bill.

**HB13-1292** is called the **Keep Jobs in Colorado Act** and Dan noted that it attempts to do several things with state contracting, most notably altering an existing law requiring 80% of a subcontractor's employees to reside in Colorado. The bill would amend this existing law to apply to general contractors and audit. Councilmember Poppaw sought to understand more details of the bill, noting that staff was not recommending a position. Steve Roy stated that the City's primary concern would be if the bill altered Fort Collins' ability to use either design-build or request for proposal process but at this time staff did not believe the bill impacted those purchasing options. Councilmember Troxell sought to understand CML's position. Dan said that he was not aware of a formal position and that CML was reaching out to assess members' concerns. Councilmember Poppaw asked about the managerial-level construction tradespeople and how that might

factor into the 80% rule. Dan said that because its 80% total employees and there are waivers for trades that Coloradans cannot provide that its unlikely to impact the average construction project. He said it appeared the purpose of the bill was to retain more state-funded contract money within Colorado by paying residents to do work. LRC adopted a **monitor** position on the bill based on interest but no apparent impact.

**HB13-1295** was considered and would simplify state sales tax collection to **prepare for the Marketplace Fairness Act** implementation at the federal level. Dan noted this bill seeks to prepare Colorado to participate should the Marketplace Fairness Act pass the U.S. Congress. The federal bill would provide states and cities an opportunity to collect sales tax from internet sales. Staff recommended a support position for the bill. Councilmember Troxell questioned whether the bill would see sales tax collected at the state level and if that would limit the amount available to cities. Staff was unable to answer the question because the bill was so newly introduced. Dan noted that CML supports the bill. LRC adopted a **monitor** on the bill until such time staff can determine the process for cities to collect sales tax.

**SB13-252** would adopt several **energy efficiency** measures. Dan described the bill as having several energy efficiency program ideas included. He said that during a hearing the previous day that the mandate on municipal utilities was amended out of the bill and so it may be less objectionable. Councilmember Troxell noted that he was in favor of a bill that supported additional options for renewable energy. Councilmember Poppaw asked whether the City should support the bill especially given that it would not impose a mandate on Fort Collins Utilities. Staff had been recommending a monitor position the bill. The LRC adopted a **support** position for the bill.

Dan then briefly summarized the oil and gas-related bills that are active in the General Assembly. He noted that the City has adopted support positions on each of the seven bills and that all remain active and several will have hearings in the coming week.

The meeting was adjourned at 5:01pm.