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## Legislative Review Committee Agenda

Meeting Notes

April 22, 2014, 4:00 p.m.

City Manager's Conference Room

Present: Wade Troxell, Councilmember; Lisa Poppaw, Councilmember; Ross Cunniff, Councilmember; Wendy Williams, Assistant City Manager; John Duvall, Senior Assistant City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: Steve Roy, City Attorney

Guests: Kevin Jones, Chamber of Commerce; Jonathan Carnehan, citizen

Councilmember Troxell called the meeting to order at 4:10 pm.

Adoption of the minutes from the April 8, 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**. **HB14-1267** regarding **Local Government and Black-footed Ferrets** was approved by both houses and set for the Governor's signature. This bill was introduced on behalf of Fort Collins and a local signing ceremony is anticipated Saturday, May 17. LRC has adopted a **support** position.

Dan reviewed two new bills.

**HB14-1375** the "**Urban Redevelopment Fairness Act**" would amend Urban Renewal Authority (URA) statute to make three substantive changes. The bill would add a County Commissioner appointee to city URA boards, would require cities to return pro rata shares of tax increment back to underlying taxing authorities upon completion of a project, and would require cities to pledge an equal percentage of sales tax increment to the property tax increment sought from underlying taxing authorities. LRC adopted an **oppose** position to this bill.

**HB14-1383** seeks to provide **Worker's Compensation physician choice**. Staff recommended that the LRC adopt an oppose position to this bill because of concerns that it will increase costs while delivering lower-quality care to injured employees. Injured employees are currently offered the choice of treating physicians within the City-approved corporate providers and offer a change of physician or corporate provider if the injured employee is unhappy with treatment. The City of Fort Collins takes great care in ensuring the best possible care is provided by utilizing an RFP process to ensure the highest degree of care

is provided and requires level II accredited physicians for injury treatment. The bill would double the eligible doctors required by law from 2 to 4. Fort Collins does not have enough doctors locally to double the approved physicians and still provide excellent care. LRC adopted an **oppose** position.

Councilmembers asked that Dan add two bills to the City legislative tracking. **HB14-1366** concerns regulating the **sale of edible marijuana products**. The bill would require marijuana edible products be packaged in a manner that makes clear the contents are not for consumption of children and that they contain marijuana. LRC adopted a **monitor** position.

**SB14-093** was added as a bill to **monitor** this bill concerning **pipeline rights of way** that would allow pipeline companies that convey oil, gas, or other petroleum products to acquire rights of way using eminent domain.

Dan provided a brief update on train horn noise efforts that the City has undertaken to date. He informed the LRC that a draft waiver to the federal train horn rule application would be drafted and submitted to Federal Railroad Administration officials. This draft would start negotiations toward a possible Fort Collins waiver application.

Jonathan Carnehan asked about the U.S. Food and Drug Administration (FDA) proposed rule on spent grains from brewing processes and asked that the LRC consider a position. Spent grains from breweries are often provided as animal feed rather than being landfilled. The FDA draft rule proposed to regulate spent (used) grain from the brewing process in a manner consistent with both human food safety requirements and animal feed standards. The change would impose additional cost on brewers and likely end the sustainable practice. *FDA has since made clear it will not impose such rules.*

The meeting was adjourned at 4:37 pm.