

**Federal, State and Intergovernmental Relations (FSIR) Meeting**  
January 24, 2019

Members Present: Council Member Charlie Richardson, Chair; Council Member Marsha Berzins, Vice-Chair; Council Member Crystal Murillo, Member

Others Present: Scott Berg, Stephen Clark, Michael Crews, Shawn Day, Jeff Edwards, Matthew LaCrue, Debora O'Connor, Robin Peterson, Nancy Rodgers, Roberto Venegas, Nancy Wishmeyer

**1. APPROVAL OF MINUTES FROM NOVEMBER 30, 2018 MEETING**

Minutes from November 30, 2018 were approved as written.

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**2. Federal Update & State Updates**

Summary of Issue and Discussion: At the discretion of the Chair federal and state updates were not presented.

Outcome: Information only.

Follow-up Action: None.

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**3. State Legislative Session Bill Review:**

Senate Bill 19-030 Remedying Improper Guilty Pleas: The bill would address that in some instances when criminal defendants entered a guilty plea in connection to a deferred judgment, they were not advised that there may be additional penalties that attach to the plea even if the plea is later withdrawn and the case is dismissed.

**Discussion:** Judge Shawn Day, following up on an email sent recently about the bill, explained that this is a very broad bill, and it covers areas that are not required by law right now. A specific concern is regarding immigration issues that can be addressed by adding additional advisement requirements. He recommended an active 'oppose' position.

Matthew LaCrue shared that he and Megan Dollar of CML met with the bill's sponsor Senator Julie Gonzales. The Senator is working on amending some of the language contained in the bill to specifically address immigration cases. The amendment is expected to be released on January 29 the day before the bill is scheduled to be heard in committee. The committee agreed to monitor the bill pending review of the revised bill language.

**Position:** Monitor

House Bill 19-1018 End Local Government Opt Out Of Unclaimed Property: The bill would eliminate the current exception provided to local governments to opt out of the Unclaimed Property Act.

**Discussion:** Robin Peterson explained that with this bill, Aurora would have to give the dollar value of unclaimed property to the state; there is no mention of what the state will do with the money.

Ms. Peterson then explained the city's unclaimed checks process: vendors with unclaimed checks of \$1,000 or more receive a phone call and a reissued check. This has been successful as we do not have any unclaimed checks over \$1,000. For amounts of \$100-\$999, we send certified letters; approximately 25% of vendors respond and we reissue a check. Aurora gets maybe two calls per year from a vendor asking where their check is. Approximately once a month the city receives open records requests for unclaimed checks from for-profit companies trying to connect people with their money. These companies do not have better results than the city does in trying to return unclaimed checks to their rightful owner. R. Peterson noted that the city is giving the state \$30,000 per year that we haven't been able to collect.

Nancy Rodgers added that there is also concerns regarding transparency. Currently, local governments have an exception from the state unclaimed property act and this bill would remove that exception. The bill is about local control. N. Rodgers noted that the Police would also be affected by the bill because they also handle unclaimed property.

Matthew LaCrue stated that on this bill CCI is neutral, but CML is opposed because of the issues with municipalities and local control. House Transportation & Local Government Committee Chairman Rep. Matt Gray wants this bill to be readdressed, looked at by Counsel, and to have the title and bill content match. CML is working with the sponsor to re-write the bill. The committee agreed to monitor the bill pending review of the revised bill language.

**Position:** Monitor

House Bill 19-1035 Remove Fee Cap Electrical Inspection Local Government Higher Education: The bill would enable local governments to charge more than 15% over what the state charges to perform an electrical inspection.

**Discussion:** Scott Berg explained that the state dictates what electrical fees can be charged for electrical permits. If passed, this bill will allow local jurisdictions to charge fees that allow for cost recovery. The committee agreed to actively support.

**Position:** Active Support

House Bill 19-1033 Local Governments May Regulate Nicotine Products: The bill would enable local governments to impose an additional sales tax on nicotine products.

**Discussion:** Jeff Edwards explained that Aurora is exempt from nicotine sales tax because the state gives us money from its own nicotine tax collected in the city. If we drop our exemption we would lose the share back in tax revenue from the state. The state charges a flat 84¢-per-pack flat

tax; Aurora gets 27% of that amount for nicotine sold in the city. Council could tax cigarettes/nicotine and there is no cap for the amount to be charged. The committee agreed to actively support.

**Position:** Active Support

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4. **MISCELLANEOUS MATTERS FOR CONSIDERATION**  
FSIR meetings will be held at 1:30pm the 2nd and 4th Fridays of each month through May.
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5. **CONFIRM NEXT MEETING**  
February 8, 2019 at 1:30pm in Mt. Elbert.
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Approved:

  
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CM Charlie Richardson  
Committee Chair

2-7-19  
Date