



# 2023 Policy Statement

## 2023 POLICY STATEMENT OVERVIEW

CCI's *2023 Policy Statement* was developed through a broad-based, membership-driven policy development process. In July 1997, counties changed CCI's committee structure in order to expand the opportunities for commissioners to shape CCI policy and allow policy to be adopted earlier in the year. The new committee structure retained CCI's seven existing steering committees - Agriculture, Wildlife and Rural Affairs; General Government; Health and Human Services; Land Use and Natural Resources; Public Lands; Taxation and Finance; and Transportation and Telecommunications. However, the new structure also created a Legislative Committee to consider legislative proposals and policy statement changes recommended by all of the steering committees before the beginning of each legislative session. As restructured, CCI's steering committees as well as the Legislative Committee, include a representative from every member county.

In 2003, a new Tourism and Resorts steering committee was formed to focus on the myriad of county issues related to tourism. Tourism and Resorts is CCI's eighth steering committee. In 2005, this steering committee's name was changed to Tourism, Resorts and Economic Development to better reflect the scope of issues assigned to it. In 2014, a new Justice and Public Safety steering committee was formed to focus on county issues related to safety.

The *2023 Policy Statement* was developed with input from all nine steering committees and provides general direction to CCI and its steering committees. The nine steering committees will convene regularly during the 2023 session of the General Assembly and are charged with the responsibility of adopting CCI's position on specific legislation as it is introduced. This statement serves as a guide to those committees as they debate issues and take a "CCI position."

CCI's legislative program is a year-round, ongoing activity. This statement guides CCI staff positions pending specific action by a steering committee and serves as a guide to those committees as they debate issues and take a "CCI position."

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## LEGISLATIVE PRINCIPLES

The principles outlined below are the result of discussion held at all five district meetings in August 2009. They are meant as self-enforcing principles that allow CCI members to make final determination in each instance. All meetings will be run in accordance with Robert's Rules of Order as indicated in the CCI Bylaws. In every case, a CCI initiated bill needs sponsors, an appropriate coalition to support the measure, the support of CCI members and consistent lobbying and vote counting to be successful.

CCI's steering committees should be presented, through staff assignment of legislation, those bills which will clearly have an impact on county responsibilities and interests. Before initiating a bill or taking a position, CCI should also carefully consider the likelihood of success of a legislative proposal. In this way we keep the faith with legislators who support us and sponsor our bills. CCI should be conscious of fiscal realities when considering initiating or taking a position on a piece of legislation. Bills that could have an effect on our members' responsibilities, if modified, should be monitored by CCI staff and brought to the steering committee if a change in the bill warrants consideration of a position.

CCI initiated legislation should be realistic and closely related to the conduct of our members' responsibilities if we are to retain a high level of credibility. CCI's primary focus should be on matters of importance to our members. Local elected officials groups, county and otherwise, as well as other interest groups, should be encouraged to find sponsors for and initiate their own proposals, allowing our members and CCI to take a supportive role when the bill is introduced.

All issues for deliberation should be placed on the appropriate committee agenda in a timely manner in accordance with CCI's 5-day advance notice policy to allow adequate consideration.

## **PREAMBLE**

County commissioners, as elected officials representing the interests of their citizens through Colorado Counties, Inc. (CCI), affirm the following principles for effective governance.

### **UNFUNDED MANDATES AND THE REAL COLORADO INITIATIVE**

In order to effectively serve the needs of their communities, county officials must have the resources and authority commensurate with the responsibilities placed on them by state and federal laws, regulations and court decisions.

The state and federal government must exercise fiscal restraint and responsibility. CCI strongly opposes cost shifting from the state and federal government to local governments. In all decision making, state government should refrain from solving state budget shortfalls with county government resources.

CCI also strongly supports the provision of adequate funding for any future state or federally-imposed mandates upon local government, including the need for technology improvements necessary to fulfill these mandates.

State and federal government should base decisions about laws and regulations affecting county governments on comprehensive data and measurable outcomes. Relying on these two standards to scrutinize existing and proposed laws and regulations will help reduce unnecessary, unfunded or underfunded mandates, streamline government and utilize limited resources more efficiently.

State and federal officials should also consider other programmatic models that might exist and the possible limitations on local control that might result from new legislation, rules or regulations. The most effective governance results from local, state and federal officials working in true partnership toward the development and implementation of programs and services.

### **LOCAL CONTROL AND FLEXIBILITY**

County officials are elected officials closest and most responsive to the citizens. We strongly support the concept of true home rule power and authority for counties consistent with those given to municipalities.

CCI supports regulatory and legislative efforts enabling volunteer organizations to continue providing services to their communities.

### **INTEGRITY OF THE RULE-MAKING PROCESS**

County officials oppose any administrative effort to promulgate rules and regulations that interpret the law in a manner negatively impacting counties. We believe county commissioners are important and necessary stakeholders in any rule-making process and will oppose any efforts to exclude counties from participating in legislative and regulatory efforts.

### **INTERGOVERNMENTAL PARTNERSHIPS**

Counties recognize the important role all levels of government play in our intergovernmental system. We respect the unique and important roles of the federal, state and local government, and believe counties are more than an administrative arm of state government. We support efforts to provide counties with the greatest autonomy and flexibility possible. Commissioners represent the

interests of their constituents, and counties must be viewed as partners, not as a “special” interest. Counties must be involved in executive department restructuring that directly affects county operations and programs administered by county government.

## **COUNTY REPRESENTATION**

CCI supports realistic and equitable recognition of the role of county government in carrying out coordinated government programs, including commissioner representation on state boards, and commissions and working groups appointed by members of the executive, legislative or judicial branch whose decisions affect county government.

## **AGRICULTURE, WILDLIFE AND RURAL AFFAIRS**

### **AGRICULTURE**

CCI recognizes agriculture is an essential economic sector and supports activities and measures that work to ensure the profitability of agriculture. CCI supports programs that encourage state owned and operated facilities to use Colorado agricultural products where feasible. CCI supports efforts to promote the agriculture industry in Colorado. CCI supports right-to-farm ordinances and the acquisition of conservation easements and conservation leases to maintain agricultural uses. CCI supports efforts that manage and minimize noxious weeds, undesirable plants, rodents, insects and other negative impacts and undue burdens on agricultural interests. CCI endorses Colorado's strategic plan to stop the spread of noxious weeds and works with other endorsing organizations in the public and private sectors to implement this plan. CCI supports current Colorado open range laws and fence laws and will oppose any changes that weaken those existing laws. CCI supports the management of fuel loads and healthy forests. CCI recognizes the unique needs of producers and opposes actions that jeopardize the viability of the agricultural industry and which fail to respect private property rights. CCI supports the policy that land classified as agriculture and the assessed valuation of agricultural land should be based on production capacity versus market value.

### **WETLANDS**

Wetlands are critical to the viability of agriculture, wildlife habitat and the environment. CCI believes the public-at-large, not individual property owners, must bear the burden to protect vital wetlands. CCI urges Congress and the states to review practices, statutes and policies in order to protect agricultural interests.

### **WATER**

CCI recognizes adequate supplies of water are critical to the agricultural industry and that water is one of Colorado's most precious natural resources. CCI supports Colorado's doctrine of prior appropriation, necessary water conservation efforts and reuse efforts to seek and maintain state primacy and county control, the application of county powers, including 1041 powers, to water projects to address local impacts, and protection of Colorado's water resources. CCI believes that 1041 powers must be broadly and liberally construed to ensure maximum flexibility and authority for counties and will oppose any attempt to limit the application of local 1041 powers. CCI supports cooperative statewide water planning efforts which do not negatively impact the basin of origin communities and are supported by those communities. CCI opposes attempts by the federal government to usurp the system of prior appropriation in the issuance of necessary federal permits and opposes federally reserved water rights. CCI supports efforts to maintain and seek state primacy of federal water quality programs and believes provision of adequate funding to counties is essential to ensure compliance with the federal Clean Water Act.

### **WILDLIFE**

Wildlife resources, in addition to their inherent values, provide crucial economic benefits to all citizens and CCI supports enhancement of the local government role, including the creation of wildlife advisory committees in the management and utilization of Colorado's wildlife resources. CCI encourages the Colorado Division of Parks and Wildlife to work with counties in conducting actual census counts of big game populations to calibrate existing population estimate models. CCI supports efforts of the Colorado Wildlife Commission and the Colorado Division of Parks and Wildlife to manage species appropriately with due consideration of cost-benefit and economic

impacts. CCI endorses activities that improve hunting and fishing within the state consistent with local authority while minimizing and mitigating impacts from hunting and fishing on other affected areas and private property. CCI supports management of predatory animals and seeks funding from the Legislature to help offset these costs. CCI supports reasonable reimbursement for damage to crops and other private property caused by wildlife. CCI supports efforts to amend the Endangered Species Act in order to improve flexibility under the act. CCI demands consideration of sound-science, cost-benefit and economic impact analyses and recovery plans when proposing species for listing and balancing of the impact of the Endangered Species Act with that of other legislation. CCI supports proactive and creative efforts to restore or reintroduce endangered species considering all potential impacts and subject to local government involvement and approval.

## **RURAL AFFAIRS**

CCI recognizes the uniqueness and necessity of rural counties in Colorado and urges county and state officials to take a strong leadership role in revitalizing communities in their county. CCI believes local control is essential and will oppose any efforts to supersede, override, preempt or limit local authority. CCI supports programs assisting rural communities with development and fostering sustainable rural economies. CCI supports full staffing and funding of all Colorado State University Cooperative Extension and Research and Experiment Station agent positions by Colorado State University and believes counties must have a voting seat on the CSU Extension Advisory Board due to county contributions to this program. CCI opposes renewable energy mandates that will result in undue fiscal hardship to rural agriculture users.

## **UNIVERSAL ACCESS**

CCI supports the adoption of telecommunications policy that encourages equitable access to telecommunications services (especially highspeed internet access) in both urban and rural areas but that does not unduly burden any single segment of the telecommunications market. CCI supports the development of federal resources and other mechanisms to assist providing telecommunications services, including both data and voice transmission, to all areas. Universal service funds should be paid into by all communication service providers and should be used for the purpose of maintaining and enhancing service in high cost areas.

## **GENERAL GOVERNMENT**

### **COUNTY POWERS**

County government should have power and resources commensurate with the responsibilities placed upon it. Where a service or function is a matter of local concern, local legislative authority is both appropriate and desirable. Counties assume a municipal role for many citizens in unincorporated areas by offering law enforcement, transportation, parks and recreation, waste management, sewer and other services. CCI supports passage of legislation enhancing these county powers, including enhancement of the functional home rule option, and encourages ongoing study to determine the need for state legislation that better provides tools and resources for counties to deliver services at the local level. CCI strongly supports prior county approval of programs that must be funded with county property taxes but are not controlled or generated at the county level.

### **STATE AGENCY ACCOUNTABILITY**

CCI believes that state agencies deriving revenue from locally assessed fines, fees, permit processes and document review must clearly justify and quantify the local benefit of the tasks funded by these revenues.

### **JUDICIAL REVIEW**

CCI supports continued access to the courts by counties to secure judicial review of governmental agency actions.

### **SPECIAL DISTRICT REVIEW**

CCI supports continuing county control over the formation, modification, and continuation of special districts.

### **ECONOMIC DEVELOPMENT**

CCI urges and supports a strong partnership among counties, the state, municipalities and private business and industry in the design and implementation of economic development incentives and programs.

### **COUNTY ADMINISTRATIVE AND PERSONNEL CONTROL**

CCI supports counties' right to full indemnification from the state for liability resulting from the actions of employees in the course of state mandated duties.

### **WORKERS' COMPENSATION**

CCI supports workers' compensation reforms that will assist in better risk management and health care cost containment, as well as proposals that will lower other associated costs. CCI opposes mandates that raise workers' compensation costs.

### **GOVERNMENTAL IMMUNITY**

CCI supports maintaining the protection afforded by the governmental immunity statutes.



## **LAW ENFORCEMENT AND CRIME**

CCI supports a continuum of approaches to prevent youth and gang violence, ranging from increased efforts to punish criminal activities to designing effective prevention and early intervention programs for youth and families at risk. Where possible, programs should remain flexible to permit development of locally appropriate solutions. CCI supports continuing counties' ability to enforce the law.

## **PRIVATE PROPERTY RIGHTS**

CCI strongly supports preservation of private property rights, including water rights, and government responsibility to provide just compensation for the taking of private property as defined by the Colorado Constitution and the United States Constitution. CCI recognizes the necessary balance between private property and the public interest.

## **ELECTIONS**

CCI supports equitable sharing of the costs of elections by all governmental entities with a stake in elections. CCI supports giving county governing bodies the local authority and flexibility to make local decisions on the conduct of elections in consultation with county election officials.

## **ELECTED OFFICIAL COMPENSATION**

CCI believes the compensation of all county elected officials should be changed simultaneously to avoid tension between elected officials that results from salary increases being awarded to some but not others.

## **SALARY REPORTING REQUIREMENTS**

CCI strongly supports equal treatment in the statutes regarding the responsibility of municipalities, special districts and counties to report personnel salary information. CCI also supports giving counties flexibility in methods of reporting county personnel salary and financial information.

## **PRIVATIZATION**

CCI believes privatization can be an effective management tool in the delivery of goods and services from local governments to their residents. Given the unique geographic characteristics, economic needs and other special circumstances of the various areas of Colorado, CCI believes privatization determinations should be made at the level closest to the taxpayers, not at the state level.

# **HEALTH AND HUMAN SERVICES**

## **HEALTH AND ENVIRONMENT**

### **PUBLIC AND ENVIRONMENTAL HEALTH**

#### **MISSION AND FUNCTIONS**

It is the policy of CCI that the health of the public be protected and promoted to the greatest extent possible through the public health system while respecting individual rights to dignity, health information privacy, nondiscrimination, due process, and other legally protected interests.

CCI supports the mission of state and local public health agencies to provide leadership and protect and promote the public's health by: (1) Promoting healthy conditions; (2) Providing or promoting the provision of essential public health services and functions that are appropriate for the populations being served; (3) Encouraging collaboration among public and private sector partners in the public health system; and (4) Seeking adequate funding to provide essential public health services and functions or accomplish public health goals through public or private sources.

This policy statement shall not be construed to require an individual or agency within the public health system to provide specific health services or to mandate local public health agencies to implement unfunded programs. CCI supports increasing state funding for local public health. CCI advocates for a stable, long-term, state funding source. CCI supports licensing, inspection, quality improvement, and health protection functions and an equitable system allowing counties to recoup their costs.

CCI acknowledges public health's core functions to assess the community's health and recommend policies to improve the public's health identified by the center for disease control, national association of county health officers, and the American Public Health Association.

CCI recognizes the following as essential public health roles: (1) Monitor health status to identify and solve community health problems; (2) Investigate and diagnose health problems and health hazards in the community; (3) Inform, educate, and empower individuals about health issues; (4) Mobilize public and private sector to identify and solve health problems; (5) Develop policies, plans, and programs that support individual and community health efforts; (6) Enforce laws and regulations that protect health and ensure safety; (7) Link individuals to needed personal health services; (8) Continue to provide or work toward the provision of health care when otherwise unavailable; (9) Encourage a competent public health workforce; (10) Evaluate personal and population-based health services; and (11) Research for new insights and innovative solutions to health problems.

#### **ROLES AND RESPONSIBILITIES**

CCI supports state and local government's responsibility for assuring that the health system accomplishes the mission of public health as long as adequate resources are available to do so. While certain public health functions must be performed by state and local public health agencies, these agencies may also collaborate with public and private sector partners within the public health system. The provision of essential public health services and functions are shared goals of the public health system to achieve the mission of public health.

## **PUBLIC HEALTH POWERS**

CCI recognizes that state and local public health agencies should be authorized to provide or implement **LOCAL PUBLIC HEALTH SERVICES AND FUNCTIONS CONSISTENT WITH THE NEEDS OF EACH COUNTY, AND THEREFORE MUST RETAIN AND EXPAND LOCAL CONTROL BY LOCAL ELECTED LEADERS HELD ACCOUNTABLE BY LOCAL VOTERS.** ~~the following essential public health services and functions: (1) Utilization of a broad range of flexible powers to protect and promote the public's health including compulsory or mandatory power;~~ **(2) THIS INCLUDES THE FOLLOWING ESSENTIAL PUBLIC HEALTH SERVICES AND FUNCTIONS:** (1) Provision of public health information, programs, or messages to the public that promote healthy behaviors or lifestyles or educate individuals about health issues; (2) Promotion of efforts among public and private sector partners to develop and fund programs or initiatives that identify and ameliorate health problems; (3) Provision or endorsement of performance management standards for the public health system; (4) Development and provision of certification, credentialing, or effective training for members of the public health workforce; (5) Development, adoption, and implementation of public health plans that guide or support community public health efforts; (6) Establishment of formal or informal relationships with private sector partners within the public health system; (7) Enforcement of existing laws and administrative regulations (including emergency regulations), and proposal of new laws, amendments to existing laws, or administrative regulations that may serve as tools to protect the public's health; (8) Identification, assessment, prevention, and amelioration of conditions of public health importance through surveillance, epidemiological tracking, program evaluation, and monitoring and screening programs; treatment; abatement of public health nuisances; administrative inspections or other techniques; (9) Promotion of the availability, affordability and accessibility of quality health care services through health care facilities or providers; (10) Promotion of the availability of and access to preventive and primary health care when not otherwise available through the private sector, including acute and episodic care, prenatal and postpartum care, evidence based home visitation programs, child health, family planning, school health, chronic disease prevention, child and adult immunizations, testing, and screening services, dental health, nutrition, and health education and promotion services; and (11) Systematic and regular review of the public health system to recommend modifications to improve public health outcomes.

CCI supports initiatives that provide comprehensive local and state solutions; that focus on preventive, cost-effective and locally flexible approaches; and that manage, fairly distribute and leverage resources. CCI opposes the preemption or elimination of local health and environmental rules and policies. Any Medicaid managed care system should address access to quality care.

## **BEHAVIORAL HEALTH POLICY**

CCI supports an enhanced state focus on and adequate state and federal funding to provide locally-based efficient and effective behavioral health services. CCI supports implementation of exemplary local programs through state-funded incentives. CCI supports removal of funding barriers to evidence-based practices.

CCI supports collaboration among state and county departments of human services, law enforcement, judicial, mental health centers and substance abuse providers on all behavioral health issues that are of mutual interest. CCI supports efforts to structure state departments to facilitate collaboration. Placing mental health and substance abuse treatment and funding under various departments discourages effective treatment for individuals with co-occurring disorders. Mental illness and substance abuse diagnosis and treatment services should be consolidated so people with co-occurring disorders can achieve recovery.

CCI is in support of legislation that promotes effective and coordinated mental health and substance abuse treatment through the appropriate sharing of information.

CCI supports training of law enforcement officers to more effectively recognize and take appropriate action with offenders who have mental health and/or substance abuse disorders. Appropriate diversion for mental illness and substance abuse is extremely important. These critical services should be available before, during and after incarceration.

## **FUNDING**

The state shall reimburse counties for all locally administered state public and environmental health programs. CCI opposes any local public and environmental health mandates without adequate funding. CCI opposes shifting responsibility and liability from the private sector or other levels of government to county government. CCI opposes any requirement for county financial support for Medicaid services. CCI advocates a stable, long-term state funding source for statewide poison control information services. CCI supports full state funding of the negative effects of the 2005 Deficit Reduction Act.

## **MEDICAID SERVICES**

CCI supports improvements to the Medicaid delivery system and supports programs, policies and laws that encourage full enrollment for Medicaid and CHP+.

CCI advocates counties continuing to have a significant role in the improvement and expansion of Medicaid.

CCI advocates a local application site in each county at the option of local government.

CCI opposes any requirement for county financial support for Medicaid services.

CCI advocates 100 percent reimbursement from the state to each county to administer the food stamp, Medicaid and other adult assistance programs.

## **HUMAN SERVICES**

CCI advocates local administration of the social services system in order to maximize the flexibility and responsiveness of the system to local needs, while ensuring efficient management and local control. CCI opposes any effort that has as its objective centralization of human services. CCI supports flexibility at the county level in providing benefits and services to best meet local needs without shifting costs to counties and negatively impacting county government.

CCI supports county exercise of the choice of federal options to counties. CCI supports a clear, fair and streamlined process for county waivers.

## **PERSONNEL MATTERS**

CCI supports county control of personnel matters consistent with applicable federal law. CCI supports immunity for social services personnel and social services delivery agencies and state support of defense and liability.

## **HUMAN SERVICES FINANCING**

CCI supports county input into a state budget management process to avoid supplemental appropriations requests for foreseeable circumstances. CCI supports the continued mitigation of excessive county tax burdens including but not limited to the county tax base relief fund. CCI supports changes in the maintenance of effort (MOE) requirements to allow flexible funding for social services programs and to minimize or avoid increasing and to more equitably distribute fiscal responsibility of counties.

CCI advocates 100 percent reimbursement from the state to each county to administer the food stamp, Medicaid and other adult assistance programs.

## **WORKFORCE INNOVATION AND OPPORTUNITY ACT IMPLEMENTATION**

The federal “Workforce Innovation and Opportunity Act of 2014 ” (WIOA) requires increased local input in developing the state plan for workforce development centers and allows increased local control over the implementation of such plan. The purposes of WIOA are to establish a central, coordinated delivery of services at the local or regional level providing job training, adult education and literacy programs and services through a more streamlined and flexible workforce development system. WIOA allows local governments increased responsibility for the administration of the workforce program.

Further, CCI recognizes and fully supports the major purpose and goal of WIOA, which is to facilitate and promote partnerships with the private sector and employers who play a primary role in the successful implementation of WIOA.

In order to achieve successful implementation of WIOA in Colorado, CCI supports the following:

- The local elected official (LEO) shall maintain a strong role in all phases and levels of WIOA implementation;
- The elimination of the current fragmentation of programs and coordination of such programs at the state and local level;
- The establishment of a local delivery model with local flexibility in delivering and operating employment and training services; and
- Delivery of such services within local areas developed by and at the option of local governments.

CCI supports a workforce system under WIOA in Colorado that provides counties with the maximum flexibility in meeting WIOA requirements and assures decision-making at the local level. CCI supports a workforce system allowing for the creation of local workforce boards to oversee the network.

CCI supports local control throughout the establishment and implementation WIOA.

## **CHILD SUPPORT ENFORCEMENT**

CCI supports effective child support enforcement practices and holding parents responsible for the support of their minor children.

## **FOSTER CARE/OUT-OF-HOME PLACEMENT**

The counties and other entities involved with out-of-home placements should have the option to negotiate rates and resolve differences on placement decisions at the local level.

## **COLORADO CHILDREN’S CODE**

CCI recognizes the primary responsibility for children lies with parents, and governmental intervention is only appropriate in those circumstances where the physical, mental or emotional health of the child or the safety of the community is threatened. CCI supports the rights of children to reside in a safe environment and to be free from physical, mental and emotional harm, and that all actions taken be in the best interests of the child. The ultimate decision-making authority under any administrative grievance process under the Children's Code must rest with an entity or person(s) under the control and direction of the county commissioners.

CCI does not support revisions in their entirety to the Children's Code. Any revisions, partial or whole re-writes or updates to the Children's Code must rest with an entity or person(s) under the control and direction of the county commissioners.

## **HARDSHIP EXEMPTIONS**

CCI supports county input into developing fair and objective criteria for hardship exemptions for needy families exceeding the 60-month lifetime limit for receipt of assistance set forth in federal law.

## **EARLY CHILDHOOD CARE AND EDUCATION**

CCI recognizes the importance of excellent early childhood development for all the children of Colorado so that they may grow up to be good citizens, good neighbors and successful participants in the economic life of our communities. CCI also recognizes a role for the organization and its member counties in promoting excellent early childhood development.

Excellent early childhood development addresses the needs of children for strong families, proper nutrition, good health, and high quality early care and education.

Therefore CCI supports programs, policies and laws that support the healthy development of children, including high quality child care, nutrition, health, and recognition of parents as a child's primary teacher in a secure loving environment, all in ways that are consistent with CCI's commitment to local control and decision-making in order to assure services, programs, costs, and policies fit the local needs of its member counties.

CCI advocates for a safe, healthy, and quality childcare environment through consultation with local childcare providers by local public health nurses and environmental health specialists.

CCI recognizes the importance of early childhood care and education as a workforce issue and as an important early development tool while respecting parental choice. CCI supports locally controlled, quality, accessible and affordable childcare for all families.

CCI advocates local control of income eligibility requirements, parental co-pays, and provider reimbursement rates.

## **VETERAN SERVICES**

CCI supports sustainable funding for veteran services in Colorado.

## **JUSTICE AND PUBLIC SAFETY**

### **EMERGENCY MANAGEMENT AND MITIGATION**

CCI supports and protects counties' emergency management roles while maintaining the effectiveness of our all-hazards public safety preparedness programs, and emergency responses to natural and manmade disasters. CCI urges that additional state and federal resources be made available to enhance and expand community resiliency planning and mitigation for emergency disasters like wildfire, flood, tornado and drought.

### **FIRE PREVENTION, MITIGATION AND CONTROL IN THE WILDLAND URBAN INTERFACE (WUI)**

CCI supports additional funding for planning and implementation of programs designed to reduce the threat of wildfire. Due to the growing number of homes in the wild land/urban interface, CCI supports county efforts to develop comprehensive plans, building codes and community partnerships that address the threats of wildfire. CCI supports the state emergency fire fund and the shared efforts at increasing this fund. Additional state funding for fire prevention, mitigation and response should not come out of the energy and mineral impact assistance fund

CCI supports the state emergency fire fund and the shared efforts at increasing this fund.

### **CRIMINAL JUSTICE PLANNING AND COORDINATION**

CCI supports strong and efficient relationships between all levels of government with respect to the criminal justice system and public safety systems. CCI supports the responsible expenditure of taxpayer funds in association with the safe and effective operations of Colorado's courts and public safety systems.

### **LAW ENFORCEMENT AND CRIME**

CCI supports a continuum of approaches to prevent violence, ranging from increased efforts to punish criminal activities to designing effective prevention and early intervention programs for youth and families at risk. Where possible, programs should remain flexible to permit development of locally appropriate solutions.

### **COURTS**

CCI supports the concept and use of drug courts and other specialty courts to divert mentally ill and drug using offenders away from the traditional court system. CCI supports adequate state funding for courthouse security that pays for the needs of individual counties.

### **JUDICIAL REVIEW**

CCI supports counties' ability to secure judicial review of governmental agency actions.

### **BEHAVIORAL HEALTH**

CCI supports the goal that the mentally and developmentally disabled should not be incarcerated in local jails, and that programs to provide alternative institutional or community-based residential facilities and services should be developed.

CCI supports funding for services and treatment to offenders who are released from incarceration into the community.

## **IMMIGRATION**

CCI recognizes that immigration is a federal responsibility, and therefore encourages Congress to develop meaningful immigration legislation that eliminates unfunded mandates on county governments and helps counties work with federal partners to meet the needs of our communities. CCI believes that when counties choose to partner with the federal government on immigration enforcement, counties should be reimbursed for expenditures.



## **LAND USE AND NATURAL RESOURCES**

### **LAND USE**

CCI supports local control over the various uses of land and their impacts, while recognizing that activities relative to growth, development, natural resources and environmental management, and the public response to those activities, vary from one community to another. CCI will oppose any efforts to supersede, override or preempt local land use authority. Land that has a reduced value by virtue of being open space or having a conservation easement should be valued at no less than the original value if condemned by another entity.

### **LAND USE TOOLS**

CCI supports coordinating planning activities with state, federal and other local governments. CCI supports mechanisms that mitigate the costs of growth and redevelopment. Impact fees, real estate transfer taxes and other growth-financing tools should be available to counties. CCI also supports the ability of counties to engage in transferable/ purchase development right programs, conservation easements/leases, and fee simple acquisitions of open space properties. CCI supports reasonable legislative action to provide better tools allowing counties to address the impacts from 35-acre or larger parcels of land.

CCI supports any effort to maintain or strengthen the statutory powers granted to counties under article 65.1 of title 24, Colorado Revised Statutes, referred to as “1041 powers.” CCI believes 1041 powers must be broadly and liberally construed to ensure maximum flexibility and authority for counties.

CCI encourages member counties to participate in the creation of master plans and comprehensive plans between municipalities and counties. CCI adamantly supports strong public involvement in the development of comprehensive plans and master plans. CCI opposes requiring the submission of a comprehensive plan or master plan to the electorate, which lacks legislative liability for enforcement. CCI supports the current format of comprehensive plan or master plan approval. CCI will not support the expansion of standing to allow unaffected parties to sue local governments beyond the tests established by the United States and Colorado Supreme Courts for standing.

### **PRIVATE PROPERTY RIGHTS**

CCI strongly supports preserving private property rights and government responsibility to provide just compensation for the taking of private property as defined by the Colorado Constitution and the United States Constitution. CCI recognizes the necessary balance between private property and the public interest.

### **AFFORDABLE HOUSING**

CCI holds that affordable housing is an important local issue, and the question of what constitutes affordable housing will vary from jurisdiction to jurisdiction but CCI supports a broad range of affordable housing opportunities. CCI supports giving counties the authority to enter into agreements with property owners and developers for affordable housing as part of site-specific land use approvals.

## **CONSTRUCTION**

Counties have a public safety responsibility to ensure code-abiding construction. CCI opposes efforts to reduce county construction review and oversight authority. CCI supports the timely adjudication, including appropriate penalties, of building code violations. CCI supports efforts to enforce "green construction", recycling efforts, and wildlife and wildfire safe construction.

## **NATURAL RESOURCES**

CCI supports adequate local and state regulation of extractive industries. CCI opposes any state or federal efforts to preempt or limit local government regulatory authority over any extractive industry. CCI encourages coordination among industry, local governments and state agencies regarding current and future development.

It is crucial local governments have the funds necessary to address the impacts of the energy industry and increase their economic viability. Therefore, CCI supports the continued allocation of severance tax and federal mineral lease revenues to areas of the state that are socially and economically impacted by the development, processing or energy conversion of minerals and mineral fuels. CCI is strongly opposed to any diversion or taking of the local government severance and or mineral lease tax funds by the Governor or General Assembly.

## **WATER**

CCI recognizes water is one of Colorado's most precious natural resources, and an adequate, dependable supply of water is crucial to all areas of the state. Therefore increased yields and conservation measures are paramount to insuring the future of Colorado's water supply. The enhancement/development of existing local water supplies in the pursuit of additional storage should consider improvements to and rehabilitation of existing structures as well as the development of new structures. The securing and improving of the storage of local water supplies is deemed necessary and prudent for the protection and security of the state's water supply. These endeavors should seek to benefit both the area of origin and the area of use. CCI supports Colorado's doctrine of prior appropriation, and pursuant to the Colorado Constitution and state statutes, water rights are private property rights to use for decreed beneficial purposes. CCI also supports necessary water conservation and reuse efforts, efforts to seek and maintain state primacy and county control, the application of 1041 powers to water projects to address local impacts, and protection of Colorado's water supply. Therefore, future water supply solutions, water conservation and reuse measures should respect and not injure existing water rights. In addition, such measures and solutions shall seek to increase Colorado's ability to capture and put to beneficial use that water which the state is entitled to under existing and any future water compacts. Furthermore, the State of Colorado should provide incentive-based solutions and when possible funding mechanisms to assist local governments in achieving these goals. As all Coloradoans have a vested interest in solving Colorado's water resource/supply problems there must be a concerted effort to educate all Coloradoans on the importance of water, the need to conserve and manage this vital yet limited resource in order to provide for the needs of the future generations of Coloradoans. CCI opposes attempts by the federal government to usurp the system of prior appropriation in the issuance of necessary federal permits and opposes federally reserved water rights.

## **ENVIRONMENT**

CCI supports appropriate efforts to preserve Colorado's natural environment while managing its resources in a responsible manner. CCI encourages state and federal mitigation of the impacts and

burdens imposed upon local governments when forced to implement unfunded environmental mandates. CCI supports efforts to seek state and local primacy when appropriate.

CCI supports the establishment of appropriate health-related standards for emissions and discharges based on sound scientific data and the use of risk/cost-benefit and economic impact analyses. In regards to Wetlands, CCI believes the public-at-large, not individual property owners, must bear the burden to protect vital wetlands. CCI urges Congress and the states to review practices, statutes and policies in order to protect and preserve agricultural interests.

CCI opposes any designation of wild and scenic rivers or any designation in Colorado where the impacted counties have not participated in the designation, or where the designation would conflict with local land use policies.

CCI supports responsible county authority to mitigate and manage impacts from solid and hazardous waste facilities and will oppose efforts to preempt or limit local authority.

CCI supports voluntary conservation measures that enhances or protects local community values and public goals and that are consistent with applicable laws and regulations.

## **PUBLIC LANDS**

Federal and state public lands have tremendous impacts on county government, both positive and negative. CCI supports a strong working relationship among state, federal and local governments to coordinate planning functions and implement various policies that minimize burdens on local governments and individual private property rights. CCI supports experimentation initiatives in federal land management that are supported by the affected local governments.

## **LOCAL GOVERNMENT COMPENSATION**

CCI supports full Congressional appropriation of Payment-In-Lieu-of-Taxes (PILT) to compensate counties for the costs associated with the presence of federal tax-exempt lands. CCI also supports all efforts to compensate counties for lost property tax revenue from tax-exempt lands. Consistent with C.R.S 30-25-301 et seq, compensation must equal the estimated assessment of ad valorem taxes on land withdrawn from county tax rolls for the purposes of wildlife conservation and public recreation. CCI maintains that control of the allocation of U.S. Forest Service moneys pursuant to C.R.S. 30-29-101(3) must remain solely with the boards of county commissioners. CCI supports maximizing and fully appropriating federal payments and taxes due to Colorado counties related to the presence of federal property, including but not limited to federal mineral lease, secure rural schools, and forest service payments and opposes mandatory linkages among federal payment programs that reduce county receipts.

## **LAND MANAGEMENT**

State and federal land management must minimize the negative impacts from wildfire, fuel loads, road maintenance, search and rescue efforts, law enforcement, wildlife, predators, pests, noxious weeds, and undesirable plants. CCI recognizes that wildfires and forest insect infestations may be indications of forest and range health problems. CCI encourages the state and federal governments to provide sufficient funding to alleviate the burden from those negative impacts on local governments. CCI encourages public land managers to develop and implement vegetation management programs that create and maintain healthy, diverse wildland communities attractive for recreation use and scenic quality; provide habitat for a wide variety of wildlife species; reduce fuel loads; and assure a steady supply of water, forage and wood products for the use and benefit of society. All policies and plans for public lands must be consistent with affected counties' policies.

## **ENDANGERED SPECIES**

CCI supports the recovery and preservation of endangered species and also supports efforts to amend the Endangered Species Act in order to improve flexibility under the act. CCI urges consideration of sound-science, cost-benefit and economic impact analyses and recovery plans when proposing species for listing and furthermore encourages balancing the impact of the Endangered Species Act with that of other legislation. CCI supports proactive and creative efforts to restore or reintroduce endangered species considering all potential impacts and subject to local government involvement and approval.

## **SPECIAL LAND DESIGNATIONS**

CCI supports multiple uses on all federal and state public lands. The efficient administration, conservation and development of Colorado's natural resources must be balanced with protection of the environment and consideration of local needs. CCI supports special land designations (including Wilderness) that are consistent with land use policies within the counties and are supported by the county within which the designation is proposed. CCI strongly encourages the Colorado

congressional delegation to base future wilderness legislation with county input. CCI supports strong local involvement and representation on the Multiple Resource Advisory Councils and CCI will act upon any public land reforms.

## **STATE LAND BOARD**

The implementation of the changes to Article IX, Sections 3, 9 and 10 of the state constitution (1996's Amendment 16) must be equitable to counties, and CCI will ensure the Stewardship Trust process considers local government concerns regarding nominated lands. CCI urges the State Land Board to adopt criteria to ensure consistent treatment of nominated lands. CCI believes the State Land Board must consider county input as to the long-term and short-term uses of their lands.

## **GREAT OUTDOORS COLORADO**

CCI supports the objectives of Great Outdoors Colorado (GOCO) and county involvement in guiding GOCO towards wise investments in Colorado that fulfill the public's trust. GOCO should provide technical assistance to counties for development of projects eligible for GOCO funds, such as parks and related outdoor facilities, including environmental education facilities and county fairgrounds. CCI supports Section 10 of the GOCO amendment requiring PILT payments to counties. CCI encourages distribution of lottery proceeds to counties consistent with article XXVII of the Colorado Constitution and opposes diversions of lottery funds to other state programs.

## **RS 2477**

CCI urges the Department of Interior agencies to expediently implement secretarial direction on processing RS 2477 claims and further urges USDA agencies to adopt a similar policy. CCI also supports congressional legislation and/or Administration adoption of a new policy regarding RS2477 rights of way that is uniform for all and allows federal land managing agencies the ability to recognize these rights-of-way. CCI also urges Congress and the Administration to consult with local officials in the development of a new policy and/or legislation.

## **WATER**

CCI supports balancing traditional consumptive needs and nonconsumptive beneficial uses for environmental needs and recreational economics. CCI recognizes water is one of Colorado's most precious natural resources, and an adequate, dependable supply of water is crucial to all areas of the state. CCI supports Colorado's doctrine of prior appropriation, necessary water conservation and reuse efforts, efforts to seek and maintain state primacy and county control, the application of 1041 powers to water projects to address local impacts, and protection of Colorado's water resources, while avoiding additional future out of state compact calls. CCI opposes attempts by the federal government to usurp the system of prior appropriation in the issuance of necessary federal permits and opposes federally reserved water rights. CCI opposes any designation of Wild and Scenic Rivers or any designation in Colorado where the impacted counties have not participated in the designation or where the designation would conflict with local land use policies or hinder full utilization of the river system. CCI supports developing and constructing cost-effective, environmentally sound water storage or hydroelectric projects consistent with local land use policies in order to utilize Colorado's full river system entitlement and meet state and national energy and growth needs.

## **CCI PUBLIC LANDS FUND**

CCI encourages Colorado's public lands counties to continue supporting CCI's Public Lands Steering Committee in order to ensure adequate representation on federal and state public land legislation or regulatory efforts.

## **TAXATION AND FINANCE**

### **TAX POLICY**

CCI supports a comprehensive review and restructure of policies on collecting and distributing tax revenues, as well as tax surpluses. We support intergovernmental cooperation and will work to implement such collaboration.

CCI believes tax policy reform should ensure that the powers granted to counties and the funding mechanisms available are sufficient to address county responsibilities. Tax policy reform should create a fair and equitable distribution of the property tax burden among all property. County resources should be broadened and diversified to eliminate regressivity and lessen the reliance on property taxation. CCI supports examination of all legislative alternatives to ensure local government has adequate authority to meet its statutory responsibilities and the expectations of residents. CCI supports allowing counties flexibility in the use and deposit of county revenues. CCI believes counties should be involved in reviewing any proposal concerning the use of surplus tax revenues to ensure that the needs in various areas of the state are considered.

### **TAX INCREMENT FINANCING**

CCI supports giving boards of county commissioners the authority: (1) to approve the use and the amount of the county portion of revenues designated in a proposed urban renewal plan for tax increment financing; and (2) to establish mechanisms to ensure that a proposed urban renewal project meets the current statutory requirement of ameliorating blight or slum conditions. CCI supports giving similar authority to the state with respect to state revenue impacts and a project's statutory compliance.

### **PROPERTY TAX-FUNDED PROGRAMS**

In order to preserve counties' ability to fulfill their statutory duties, CCI supports requiring the state to reimburse local governments and districts for any loss in property tax revenues caused by constitutional or statutory changes. CCI supports allowing counties to reduce funding for or eliminate programs neither controlled nor generated at the county level and funded by county tax revenues.

### **ASSESSMENT ISSUES**

CCI supports clear and consistent standards for assessors to follow in classification and valuation of property. CCI also supports changes in the classification of agricultural real property for property tax purposes that will prevent abuses of the classification and permit agricultural classification for only bonafide agricultural operations. CCI supports fair and equitable assessment of state valued properties.

As a general matter, CCI supports requiring petitioners/taxpayers to exhaust their local remedies before they appeal a decision to the Board of Assessment Appeals (BAA), requiring the evidence considered at a BAA hearing be the same as that presented at the local hearing, and that evidence based on mass appraisal valuation practices be sufficient and acceptable regarding valuation of residential properties. CCI further supports amendments to the existing BAA appeals process requiring appropriate fees and disclosures.

## **STATE FUNDS/TABOR**

CCI supports allowing counties to treat all funds transferred from another governmental entity, as “pass through” funds, not subject to the revenue and spending limits established under article X, section 20 of the Colorado Constitution. CCI supports a constitutional amendment enabling a county to institute a real estate transfer tax upon an affirmative vote of local residents.

## **PROSECUTION, COURT FACILITIES AND SECURITY COSTS**

CCI supports a more reasonable and equitable funding arrangement for judicial functions mandated to counties, including the district attorney’s office and court-related facilities and security costs.

## **INMATE HOUSING COSTS**

CCI supports timely and adequate reimbursement for housing state inmates in county facilities. CCI also supports state action to alleviate the existing backlog of state inmates in county facilities.

## **FINANCING GROWTH**

CCI supports allowing counties to meet the need for additional government services required by growth through mechanisms that mitigate the costs of growth, including fair and equitable impact fees and real estate transfer taxes. CCI also supports transferable/purchase development right programs and the use of conservation easements/leases.

## **SEVERANCE TAX/MINERAL LEASE FUNDS**

It is crucial local governments have the funds necessary to address the impacts of the energy industry and increase their economic viability. Therefore, CCI supports the continued allocation of severance tax and federal mineral lease revenues to areas of the state that are socially and economically impacted by the development, processing or energy conversion of minerals and mineral fuels. CCI is strongly opposed to any diversion or taking of the local government severance and or mineral lease tax funds by the Governor or General Assembly.

## **LIMITED GAMING**

CCI supports Colorado's constitutional provisions on limited gaming. Decisions by the Limited Gaming Control Commission should continue to provide appropriate and adequate support for limited gaming communities and contiguous communities to mitigate the direct impacts on those communities created by the growth and development of the gaming industry.

CCI is strongly opposed to diversion of local gaming revenue by the Governor or General Assembly.



## **TOURISM, RESORTS AND ECONOMIC DEVELOPMENT**

### **TOURISM**

County officials recognize that tourism plays an important role in the economies of counties around the state. County officials are sensitive to the fact that tourism in Colorado takes many forms, including winter recreation in the mountain resort communities, year-round recreation in the state's parks, waters, and historic and natural areas; conference and convention business; attendance at fairs and trade shows; visual and performing arts activities; tourism in gaming towns; and attendance at the wide variety of athletic and sporting events that take place throughout Colorado. CCI believes that these diverse recreation and tourism opportunities set Colorado apart from other states. The issues and needs associated with each kind of tourism encompass numerous topics, including tax policy, land use, immigration, affordable housing, and transportation. Furthermore, the issues of one type of tourism are not always common to all others.

CCI believes there should be a permanent, dedicated revenue source for state tourism promotion.

### **ECONOMIC DEVELOPMENT**

In addition to its role as a primary economic driver, commissioners recognize that tourism and recreational opportunities also contribute to business relocation decisions and other economic development opportunities.

CCI supports programs assisting communities with economic development and sustainable economies. Enterprise zones, business incentives and credits, development grants and programs, appropriately trained employees, economic development councils and appropriate educational opportunities are crucial to the success of county economies.

CCI supports tourism-related economic development. Sound approaches to tourism can lead to job growth, increased revenues and economic diversification. Small scale (cottage) industries offer an economic base to small resort/tourist communities. Impacts from tourist related development must be addressed at the time of development to prevent unforeseen and unacceptable costs to the local taxpayers.

Tourism flourishes in attractive communities. CCI supports efforts that respect county authority while fostering community beautification and enhancement. Protection of the natural, scenic, cultural, educational, and historical environments is key to the success of a tourist/resort community.

### **HOUSING AND COMMUNITY DEVELOPMENT**

Tourism and resort-oriented counties often offer low paying jobs and a high cost of living. A stable and sustainable community depends on the financial ability of those who support, volunteer, study, recreate, or work in the community to live in that community. Recognizing this, CCI supports community-backed affordable housing efforts. CCI supports efforts to attain stable local, state, and federal funding and endorses private sector involvement, wherever possible, in cooperation with federal, state, and local agencies. CCI also supports the appointment of county commissioners to housing related boards in Colorado, including the Colorado Housing Board, the Colorado Housing and Finance Authority Board and the Private Activity Bond Allocation Committee.

The impacts on a resort community for housing, transportation, road maintenance, social services, health and human services, emergency services (police, sheriff, ambulance, fire, hospital emergency, etc.) often rest in communities and jurisdictions outside the resort community itself. Therefore, CCI supports attempts to develop revenue sharing programs that help to mitigate the impacts of resort/tourism activities.

## **TRANSIT**

Public transportation for visitors and guests in a tourist/resort community provides an essential service to those guests while protecting the qualities of life those visitors are seeking: clean air; quiet, traffic free environment; pedestrian friendly atmosphere; and accessibility.

CCI recognizes trails as recreational needs, commuter routes and a component of community transit needs.

Public transit is essential for those communities that depend on a transient or non-local work force. CCI supports legislation and programs that address and financially support efforts to provide affordable, safe and efficient public transportation in tourist/resort communities.

CCI supports development of a highspeed rail network within Colorado and designation of a rocky mountain high speed rail corridor.

## **RECREATION**

CCI endorses recreational uses consistent with community goals and recognizes the important role county government has in promoting and supporting recreational activities within their communities. CCI believes that recreational activities and their supportive services should receive adequate public funding.

CCI supports sustainable recreation. Encouraging a balanced approach, CCI supports recreational opportunities that consider a community's economy and environment. Resources should be sufficient to support recreational activities while maintaining the integrity of natural processes. CCI supports projects and programs that further sustainable recreation while protecting the environment on which the economy depends (fishing, hunting, boating, hiking, biking, off-road vehicles, etc.).

## **WORK FORCE**

CCI recognizes the challenge counties face regarding their commitment to a stable, successful, yet often temporary workforce; including demands on housing, transportation, social services, education, child care, law enforcement, emergency services and health and human services. CCI supports mechanisms and programs that support or mitigate the costs related to these impacts.

Counties impacted by the enforcement of federal and state immigration laws need federal and state support and should be reimbursed for their local law enforcement expenditures. CCI supports state and federal initiatives that clarify immigration issues and provide solutions to today's immigration challenges.

## **WORKFORCE INNOVATION AND OPPORTUNITY ACT IMPLEMENTATION**

The federal “Workforce Innovation and Opportunity Act of 2014 ” (WIOA) requires increased local input in developing the state plan for workforce development centers and allows increased local control over the implementation of such plan. The purposes of WIOA are to establish a central, coordinated delivery of services at the local or regional level providing job training, adult education and literacy programs and services through a more streamlined and flexible workforce development system. WIOA allows local governments increased responsibility for the administration of the workforce program.

Further, CCI recognizes and fully supports the major purpose and goal of WIOA, which is to facilitate and promote partnerships with the private sector and employers who play a primary role in the successful implementation of WIOA.

In order to achieve successful implementation of WIOA in Colorado, CCI supports the following:

- The local elected official (LEO) shall maintain a strong role in all phases and levels of WIOA implementation;
- The elimination of the current fragmentation of programs and coordination of such programs at the state and local level;
- The establishment of a local delivery model with local flexibility in delivering and operating employment and training services; and
- Delivery of such services within local areas developed by and at the option of local governments.

CCI supports a workforce system under WIOA in Colorado that provides counties with the maximum flexibility in meeting WIOA requirements and assures decision-making at the local level. CCI supports a workforce system allowing for the creation of local workforce boards to oversee the network.

CCI supports local control throughout the establishment and implementation WIOA.

## **LIMITED GAMING**

CCI supports Colorado's constitutional provisions on limited gaming. Decisions by the Limited Gaming Control Commission should continue to provide appropriate and adequate support for limited gaming communities and contiguous communities to mitigate the direct impacts on those communities created by the growth and development of the gaming industry.

## **FEDERAL LANDS**

Recognizing that Colorado’s federal lands provide the amenities that support tourist/resort communities as back country, wilderness or ski areas, CCI supports legislation and appropriation of funds to compensate those communities for the loss of those lands on the county’s tax rolls. CCI supports maximizing and fully appropriating federal payments and taxes due to Colorado counties related to the presence of federal property. CCI supports adequate and appropriate payment in lieu of taxes to those impacted communities. CCI supports programs that provide assistance to those communities that exist at the edge of the public lands, that must accommodate the visitors drawn to that public land, but that may not directly benefit from PILT or other already designated funds. In counties where the presence of federal lands (whether BLM, U.S. Forest Service, national park, wilderness, or otherwise) enhance the opportunity for tourism and recreation, CCI supports federal agencies scoping and processing local government requirements for creation or enhancements of recreational amenities. Land swaps involving federal lands should be made within the affected

county where feasible and should always provide adequate compensation of the affected entities. Federal agencies should provide adequate funding for the operation and management of federal lands so the burden does not fall to communities.

## **TRANSPORTATION AND TELECOMMUNICATIONS**

### **FEDERAL ROLE**

CCI believes the federal Highway Trust Fund should provide funds solely for highway programs authorized in federal highway legislation and not other non-highway purposes. In addition, CCI believes federal highway funding should not be contingent on state and/or local compliance with federal mandates. CCI supports giving counties more latitude in undertaking and concluding “off-system” road projects and giving the state and counties more flexibility in determining transportation solutions and funding categories, whether transit or highways. CCI believes federal review and approval authority should be limited to annual state plans and programs and not extend to individual projects. CCI further supports the passage of federal highway legislation that is in keeping with these principles. CCI supports the state transportation commission allocating the maximum allowable funds for “off system” bridges from the federal aid system.

### **STATE ROLE**

CCI supports county input into the development of state transportation plans and programs through the use of transportation planning regions (TPRs) or similar mechanisms. CCI believes TPRs should have access to state and federal planning dollars. CCI supports development of transportation recommendations and allocation of state transportation funds by the state transportation commission in a manner balancing both urban and rural needs. CCI recognizes that Colorado’s existing transportation infrastructure is insufficient and encourages the state to create additional funding and make adequate provisions for an expanded and improved transportation network. CCI supports the re-creation of the state bridge fund.

CCI recognizes that tolling may be an appropriate method of meeting transportation revenue needs in some circumstances; however, CCI is concerned about the impacts of tolling and supports requiring consultation with affected local entities prior to authorizing tolls on highways, bridges, tunnels, or other transportation facilities. CCI opposes tolling of any existing facility when there is no reasonable alternative route available to the traveling public. CCI supports the faithful implementation of 2005’s Referendum C, which stipulates that a portion of the additional state revenue is to be used for “roads, bridges, and other strategic transportation projects.” CCI also supports the implementation of appropriate accountability mechanisms to assure that voter and statutory intent are honored.

### **LOCAL ROLE**

CCI believes counties are a proper forum for transportation planning. All boards of county commissioners should have an enhanced role in prioritizing regional and statewide projects in their area. In addition, CCI supports opportunities for counties to design their own transportation finance mechanisms to respond to local and regional transportation needs.

### **REVENUE ENHANCEMENTS**

CCI supports the use of moneys in the Highway Users Tax Fund (HUTF) solely for construction, maintenance and supervision of the highway system, which includes county roads and municipal streets, as provided in the state constitution, and the crediting of sales and use taxes attributable to motor vehicles and related items to the HUTF. CCI supports methodologies including but not limited to bonding, public private partnerships and the issuing of state tax credits as options for expediting transportation projects. CCI believes counties should have a role in the selection and approval of transportation projects, transportation priorities and proposed sources of repayment for

any transportation bonds that are issued. CCI supports using state general fund dollars for maintenance and construction of transportation projects. CCI supports extending transfers from the state general fund to transportation (enacted under SB09-228) and supports expanding the uses of these funds for maintenance, provided new funding for transportation construction projects is in place.

CCI supports efforts to generate increased transportation revenue to address state and local transportation infrastructure needs – including a referred ballot measure to increase transportation revenues – provided that any new revenues generated are shared among state, county and municipal governments in the same proportions as current HUTF payments.

CCI supports an equitable HUTF allocation formula and restrictions on the use of “off the top” diversions. CCI is committed to ensuring local shareback is provided for transportation projects from all transportation revenue sources and opposes funding mechanisms which eliminate or reduce local shareback for transportation projects.

CCI believes state funding for transportation should be limited to projects identified through the statewide transportation planning process. CCI supports giving the Regional Transportation District and Regional Transportation Authorities flexibility to develop revenue enhancements to meet the demands of their residents. CCI also supports maximum local flexibility in administering funds available for local transportation projects.

## **MULTI-MODAL TRANSPORTATION**

CCI supports the development and financing of multi-modal transportation plans and ensuring the protection and improvement of air and water quality as vital components of such plans. CCI recognizes trails as recreational needs, commuter routes and a component of community transit needs. Public transit is essential for those communities that depend on a transient or non-local work force. CCI supports legislation and programs that address and financially support efforts to provide affordable, safe and efficient public transportation in tourist/resort communities.

CCI supports development of a high-speed rail network within Colorado and designation of a rocky mountain high speed rail corridor.

## **AIRPORT DEVELOPMENT**

CCI supports full recognition of the ability of counties to plan and coordinate aviation with other modes of transportation and to control land use for airport development and operation. CCI also supports increasing the federal contribution amount on airport development projects. CCI believes revenues from taxes on aviation fuel should be used exclusively for aviation-related expenditures and supports the concept of returning 65 percent of fuel tax proceeds to the airport that generated them. CCI believes the state should better coordinate state and federal funds provided to counties with airports. CCI supports allowing the Division of Aeronautics to bid and negotiate contracts for maintenance, construction and purchasing on behalf of local airports.

## **RAILROADS**

CCI believes counties should be given the authority and ability to protect rail lines and rights-of-way important to county needs. CCI also believes counties should be given the authority and ability to install crossings that address county needs. In addition, CCI supports continuation of federal funds to be used for rail crossing protection improvements. CCI encourages the Colorado Department of Transportation and the Public Utilities Commission to work together to provide criteria for

identifying hazardous rail crossings. CCI supports rail maintenance, expansion or relocation with county input and involvement.

## **TELECOMMUNICATIONS**

CCI acknowledges that not all areas of the state benefit from the same level of telecommunications competition and broadband services. Further, county governments are major consumers of telecommunications and broadband services, and changes in rates and regulations should balance the impact on county taxpayers and the benefits of deregulation. Reform of telecommunications policy should reflect a partnership of federal, state and local government. CCI believes counties should be involved in the planning and development of telecommunications services, to enhance economic, health care, and educational opportunities, as well as county operations and service delivery. CCI opposes any state or federal regulations that restrict the ability of local governments to build, acquire or enter into partnerships for telecommunications infrastructure. CCI also believes public subsidy of separate telecommunications systems for government, education, libraries and health care should be discouraged when it will have a detrimental impact on the competitive marketplace. In many areas of the state, public-private partnerships are a critical component in the local provision of telecommunication and broadband infrastructure, and any reforms to telecommunications policy need to recognize and encourage these partnerships.

## **RIGHTS-OF-WAY**

When permission for use has been granted by a county, CCI supports the ability to obtain full cost recovery for the use of public rights-of-way by the private sector. Counties should be authorized to assess a fee for the commercial use of a county road right-of-way. Further, counties should be able to ensure transportation is not disrupted and the useful life of the right-of-way is not diminished.

## **UNIVERSAL ACCESS**

CCI supports the adoption of telecommunications policy that ensures equitable access to telecommunications services and broadband services in both urban and rural areas but does not unduly burden any single segment of the telecommunications market. CCI supports the development of federal resources and other mechanisms to assist providing telecommunications and broadband services, including data, video and voice transmission, to all areas. Universal service funds should be paid into by all communication service providers and should be used for the purpose of establishing and/or enhancing service in unserved and underserved areas of the state where costs are higher. CCI supports using these funds in a transparent manner.

## **PREEMPTION**

CCI opposes federal or state preemption of local taxing authority as applied to sales, services, and other transactions that make use of telecommunications services, software or hardware. CCI also opposes federal or state preemption of local land use authority as applied to the siting of towers, antennae or other receivers or transmitters necessary for the provision of telecommunications services.