



May 10, 2016

The Honorable John Hickenlooper
Governor, State of Colorado
136 State Capitol Bldg
Denver, CO 80203

Dear Governor Hickenlooper:

On behalf of county commissioners throughout the state, Colorado Counties, Inc. (CCI), respectfully and regretfully requests that you veto HB 16-1401, concerning the regulation of retail food establishments. Although this legislation would accomplish one of CCI's legislative priorities – a long overdue increase in retail food establishment license and inspection fees – it also includes other statutory changes that undermine counties' ability to undertake this function for the state and may harm the utility of these services for the public.

Two of the ancillary changes to the bill involve the fee increase itself. One precludes counties from applying any portion of the fee increase to reduce the county general fund subsidies that have been provided to local programs. This unnecessary addition punishes counties that have provided robust inspection and training programs using county general fund dollars by preventing them from recouping the subsidies they have voluntarily provided in the absence of state action on fees. The other unnecessary change made the full fee increase mandatory for all counties. As we are all aware, the economic recovery in Colorado has not affected all counties equally. The bill's mandate that the increases be adopted by every jurisdiction prevents county officials from considering whether the fee increases are appropriate in light of local economic circumstances and inspection program costs. Finally, read together these two provisions require that every county put more money into its existing program and imply that no county has provided sufficient support for inspection programs nor has any county provided an adequate inspection program. In fact, counties have used county general fund dollars to do both and will now be penalized for having done so.

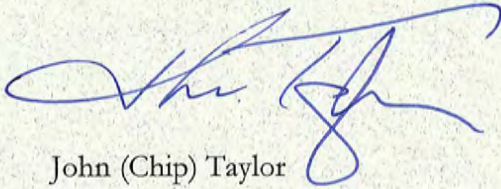
The third change will preclude counties from using quick and simple indicators to communicate the results of an inspection to the public and mandate publication of state-prescribed "detailed information". An important function of a licensing and inspection program, to ensure that retail food establishments meet the minimum standards of health and safety for their customers, is enforced in part by letting the public know how a particular establishment performed on an inspection. If the public is unable to understand the results of an inspection or is required to read a

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lengthy report to ascertain an establishment's performance, the government is blamed for poor communication and the effectiveness of this incentive is lost. Unfortunately, HB 1401 will preclude counties from communicating clearly and simply with the public in favor of an as-yet-undefined mandatory report.

It is unfortunate that these extraneous issues were included in a badly-needed bill to make inspection fees better approximate the costs of operating a good retail food establishment licensing and inspection program. Ultimately, they prevent the benefit of the increase from being realized by the counties that need it and interfere with the ability of local inspection programs to communicate with and be understood by the public.

Thank you for your consideration.



John (Chip) Taylor
Executive Director
Colorado Counties, Inc.