

STATE OF COLORADO

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John W. Hickenlooper
Governor

D 2018 021

EXECUTIVE ORDER

Amending Executive Order 1988 069 and Directing the Activities of the Office of Legislative Affairs and Executive Branch State Liaisons

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution, I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order amending Executive Order D 1988 069 to direct the activities of the Office of Legislative Affairs.

I. Background and Purpose

It is necessary for the Executive Branch to coordinate its legislative activities and contacts with members of the General Assembly and Legislative Branch staff agencies.

This coordination will ensure that members of the General Assembly are provided necessary and accurate information in considering legislative matters.

It is important to have a focal point in the Executive Branch that can address the position of the Executive Branch concerning legislative matters.

II. Definitions

“Executive Branch Departments and Agencies” shall mean all principal departments and offices defined in Article IV of the Colorado Constitution and Article 1, Title 24, C.R.S., except for the Colorado Department of Education (“CDE”), and that are not within a department or office overseen by another state elected official.

“Executive Branch” shall mean the Governor’s Office, Lieutenant Governor’s Office, all offices within the Governor’s Office, and all principal departments, offices, boards, and commissions that are created by Executive Order or defined in Article IV of the Colorado

Constitution and Article 1, Title 24, C.R.S., except for CDE, and that are not within a department or office overseen by another state elected official.

“General Assembly” shall mean the Colorado General Assembly consisting of the Senate and House of Representatives of the State, and its committees.

“Legislative Branch” shall mean the General Assembly and staff and agencies thereof.

“Office of Legislative Affairs” and “Legislative Director” shall mean the primary designee or designees of the Governor to manage interactions with the General Assembly on behalf of the Governor and Executive Branch.

“State Liaison” shall mean the designated person responsible for coordinating with the General Assembly on behalf of a principal department as described in C.R.S. § 24-6-303.5(1)(a) and any person responsible for coordinating with the General Assembly on behalf of an office within the Executive Branch, who is also employed by the same office.

III. Declaration and Directives

A. This Executive Order supersedes Executive Order D 1988 069, signed on May 10, 1988.

B. *Coordination and Positions.* For the purposes of coordination and management of legislative-related communications, positions on bills before the General Assembly, and other legislative-related matters, the Office of Legislative Affairs and the Legislative Director shall:

1. Manage, guide, and support the interactions of the Executive Branch and State Liaisons on legislative related matters and communications;
2. Coordinate Executive Branch Departments’ and Agencies’ formal positions on pending legislation at the direction of the Governor and in consultation with the Lieutenant Governor and members of the Cabinet;
3. Coordinate all testimony by Executive Branch employees before the General Assembly;
4. Coordinate all legislative relations activities of the Executive Branch; and
5. Manage confirmation procedures for all appointees by the Governor subject to Senate confirmation.

Any dispute between one or more Executive Branch Departments or Agencies in reaching a position or testimony on any legislative issue shall be brought to the attention of the Legislative Director, for final resolution by the Governor.

C. *Communications To and Testimony Before the General Assembly.*

1. No Executive Branch employee acting on behalf of an Executive Branch Department or Agency may express a position of support for or opposition to any bill or concept before the General Assembly without first obtaining approval from the State Liaison of his or her Executive Branch Department or Agency and the Legislative Director. Advance approval is also required before:
 - a. testifying before a General Assembly committee, and
 - b. communicating with a member or employee of the Legislative Branch regarding legislative matters, unless providing solely factual information, data, or technical testimony to assist the General Assembly in its deliberations.
2. Nothing in this Executive Order shall be construed to preclude an Executive Branch employee from testifying or communicating a position for or against a particular bill or issue as a private citizen.

D. *State Liaisons.*

1. All legislative relations services conducted on behalf of an Executive Branch department or agency shall be provided only by a State Liaison employed by the Executive Branch.
2. In very rare circumstances, a contract lobbyist may be engaged to perform legislative relations services in lieu of a State Liaison if and only if: (a) an Executive Branch department or agency is determined to have insufficient workload to support one full time employee State Liaison, and (b) the Governor approves the engagement in writing.

E. *Compliance with Disclosure Laws.* All State Liaisons are responsible for abiding by applicable disclosure laws, including the requirements of C.R.S. § 24-6-303.5. The

Legislative Director shall oversee compliance by all State Liaisons with such laws and shall regularly coordinate with the Secretary of State's Office to ensure such compliance.

IV. Duration

This Executive Order shall continue in existence unless modified or terminated by further Executive Order of the Governor.



GIVEN under my hand and the
Executive Seal of the State of
Colorado this twenty-second day
of August, 2018.

A handwritten signature in blue ink, appearing to read "John W. Hickenlooper".

John W. Hickenlooper
Governor