

## RESOLUTION NO. 20- 18

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO**RESOLUTION TO ESTABLISH THE 2020 EL PASO COUNTY  
STATE LEGISLATIVE POLICY GUIDE**

WHEREAS, pursuant to C.R.S. § 30-10-302, the Board of County Commissioners of the County of El Paso, State of Colorado ("Board"), has the authority to establish rules related to the Board's business; and

WHEREAS, El Paso County, as a statutory subdivision of the State of Colorado, exists to provide essential services required for the health, safety, and welfare of the residents living within its borders; and

WHEREAS, the Board, as duly elected representatives of the citizens of El Paso County, acknowledging those powers and responsibilities originating through state law, recognizes the importance of the County's voice being heard when legislators debate and set policy at the state level; and

WHEREAS, the Board is committed to supporting legislation that aligns with El Paso County's Strategic Plan and opposing legislation that goes against the best interests of the citizens they represent; and

WHEREAS, the Board in its capacity as a duly elected decision-making body, may choose to take an official position of support or opposition on legislation introduced in the Colorado General Assembly, and

WHEREAS, that official position of support or opposition allows El Paso County's government affairs representative to advocate on behalf of the County's interests at the state capitol.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Board of County Commissioners declares that the 2020 State Legislative Policy Guide, as set forth in Exhibit A, attached hereto and incorporated herein by reference.

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**DONE THIS 14<sup>th</sup> day of January 2020, at Colorado Springs, Colorado.**

**BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO**

By:  \_\_\_\_\_  
Chair

Attest:

By:  \_\_\_\_\_  
County Clerk & Recorder



## **Exhibit A:**

# **2020 El Paso County State Legislative Policy Guide**

## **I. Introduction**

As a statutory subdivision of the State of Colorado, El Paso County exists to provide essential services required for the health, safety, and welfare of the residents living within its borders. With powers and responsibilities originating through state law, it is imperative that the County's voice be heard when legislators debate and set policy.

Every year the Colorado General Assembly meets for 120 days to introduce, debate, and potentially pass legislation that can have significant impacts on counties and local governments throughout the state. In order to stay informed and engaged during each session, El Paso County partners with a trusted government and public affairs firm to advocate on behalf of the County.

The El Paso County State Legislative Policy Guide exists to provide the Board of County Commissioners ("Board") and County Administration with a blueprint for each legislative session.

## **II. Strategic Plan Alignment & Board Positions**

The Board is committed to supporting state level legislation that aligns with the following El Paso County Strategic Plan<sup>1</sup> goals:

1. Maintain and promote a financially sustainable County government that is transparent and effective.
2. Continue to enhance the understanding of civic services and promote participation, engagement, and confidence in County government.
3. Maintain and improve the County transportation system, facilities, infrastructure and technology.
4. Consistently support regional economic strength.
5. Strive to ensure a safe, secure, resilient, and healthy community.

In addition to supporting legislation that aligns with the goals included in the County's strategic plan, the Board adopts the following positions:

- **Unfunded Mandates** – The Board **opposes** any legislation proposed by the General Assembly that imposes a legal requirement mandating the County to undertake a specific activity or provide a specific service without appropriating funding sufficient to accomplish the activity or service. This is known as an unfunded mandate. In all decision making, state government

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<sup>1</sup> The El Paso County Strategic Plan can be found at <https://www.elpasoco.com/strategic-plan/>.

should refrain from solving state budget shortfalls with county government resources.

- Constitutional Rights – The Board **opposes** any legislation that impacts El Paso County residents by infringing on the rights afforded to them under the United States and Colorado Constitutions.
- Open Government – The Board **supports** conducting government business and formulating public policy in a public setting and opposes any legislation that would be counter to this effort.
- Safe, Secure, and Resilient Community – The Board **supports** legislation that enhances public safety and security.
- Economic Strength – The Board **supports** legislation that enhances economic strength by supporting a strong local economy, removing barriers to business, promoting tourism, retaining local talent in the workforce, and maintaining low taxes.

### III. Roles During Legislative Session

#### a. Board of County Commissioners:

- In its capacity as duly elected representatives of the citizens of El Paso County, the Board may take an official position of support or opposition on any legislation introduced in the Colorado General Assembly. For an official position to be adopted, the Board vote must be unanimous among the Board members present (a present Board member may choose to abstain from any vote).
  - It is important to note that a Commissioner may choose to take an individual position of support or opposition on any bill introduced during session. This position will not reflect the viewpoint of the Board as a whole. It is the Commissioner's responsibility to ensure that any oral or written statement made in support or opposition of legislation clearly indicates that the statement is made in the Commissioner's individual capacity, and not on behalf of the "Board," the "County" or any variation thereof.
  - When necessary, a Commissioner may testify in his or her individual capacity on behalf of or against any legislation introduced in the Colorado General Assembly. It is the Commissioner's responsibility to ensure that any oral or written statement made in support or opposition of legislation clearly indicates that the statement is made in the Commissioner's individual capacity, and not on behalf of the "Board," the "County" or any variation thereof.
  - Any written documentation associated with a Commissioners' individual position of support or opposition on a bill must be produced solely by the Commissioner taking said position.

- Commissioners may assist state lawmakers in crafting legislation to be introduced in the Colorado General Assembly.
- b. County Administrator/Assistant County Administrator:
  - Provides guidance to the Strategic Initiative Division (“SID”) when presenting to the Board on legislative issues.
  - Helps to make determination on when to approach the Board with a request to take a position of support or opposition on a bill.
  - Ensures that the Board is informed about relevant legislation and assists with communication between the Board and the SID team.
- c. Strategic Initiative Division:
  - Serves as the liaison to the County’s state lobbyist on all state legislative matters.
  - Coordinates with the County’s state lobbyist to monitor and review all bills relevant to County Administration and those that may impact County operations.
  - Provides executive summaries on specific bills and outlines potential impacts to the County, as requested by the Board and/or the County Administrator or Assistant County Administrator.
  - Responsible for documenting the Board’s position on bills of interest to the County and relaying the County’s position to state lobbyist.
  - When appropriate, submits letters of support or opposition on behalf of the Board to the County’s state lobbyist.
  - Develops, maintains, and promotes effective relationships between local and state officials, with the assistance of the County’s state lobbyist.
  - Conducts research and analyzes findings and implications related to state legislation and policy.
  - Monitors and manages the ‘County Bill Report’ and disseminates the report on a weekly basis to the Board, the County Administration executive team, and select County staff members.
  - Coordinates with local stakeholders on legislation, as requested by the Board.
  - Coordinates meetings and/or conference calls with internal staff and local stakeholders.
  - Works with state lobbyist to develop a ‘Legislative Session Review Report’ at the end of each session.
  - Participates as a ‘non-voting’ member on the Colorado Springs Chamber & EDC’s Government Affairs Committee (“GAC”).
- d. Public Information Office (PIO):
  - Reviews letters of support or opposition to ensure message clarity and consistency.
  - Drafts all resolutions and proclamations, when requested by the Board.
  - Coordinates all legislation related media requests during session.

e. County Departments:

- Coordinates with the SID team when requesting that the BoCC take a position of support or opposition on a bill.
- Provides the SID team with a list of department specific impacts that potential legislation could have on County operations.
- Drafts initial letters of support or opposition to legislation Board is being asked to take a position on.
- Coordinates with the SID team to secure approval from the County Administrator and/or Assistant County Administrator to testify on a bill.

f. State Lobbyist:

- Develops, with the assistance of the County, a yearly work plan specifically designed to promote effective communication with state elected and appointed officials regarding the County's top policy priorities.
- Provides the lobbying support or opposition necessary to promote the passage or defeat of any legislation involving El Paso County or issues the county chooses to be involved with.
- Provide copies of proposed legislation to the County for distribution to and input from the Board and key staff.
- Analyzes all bills introduced during each legislative session (regular and special sessions) for impact on the County and policies established by the Board.
- Builds or participates in coalitions with outside organizations in order to meet the legislative goals of the County.
- Monitors all bills of interest to the County.
- Promotes, when appropriate, communication between lobbyist, County management, and key staff through regular updates (by telephone, personal conversation, email, or written reports).
- Arranges meetings between state-appointed or elected officials with County officials, when necessary.
- Attends meetings with County leadership, key staff and affiliated organizations (i.e. Colorado Counties, Inc.) when necessary and appropriate.
- Assists El Paso County's key officials and staff with testimony or presentations on bills, works with interim committees, coordinates meetings with key stakeholders, and other appointed or elected officials.
- Builds upon previously established partnerships with lobbyists, elected and appointed officials, public and private sector interests, and other entities involved in legislation affecting El Paso County.
- Provides timely reports on significant political and legislative developments.
- Attends meetings and conferences when appropriate and with the approval of the client.
- If there is a member of the El Paso County delegation sitting on a Committee receiving testimony from any County staff member, the state lobbyist will notify the member of staff's intended testimony.

#### **IV. Legislative Update to the Board**

The SID team will provide the Board with a brief legislative update approximately once per week during the legislative session. This update will take place during a regularly scheduled public meeting.

The following topics will be covered during each update:

- Total number of bills tracked by El Paso County
- Brief overview of newly introduced House and Senate Bills
- Update on the bills the County has identified as important
- Present any bill identified as needing an official position
- Questions or comments from the Board

#### **V. Board Official Position by Resolution or Letter**

In its capacity as a duly elected decision-making body, the Board may choose to take an official position of support or opposition on legislation introduced in the Colorado General Assembly. Statements of Official Position may be made by Board Resolution or by letter delivered to the appropriate body. Official positions reflect the decision of the leaders of El Paso County to support or oppose a bill and may properly include language such as “it is the position of El Paso County,” or “El Paso County supports/opposes” the legislation.

With hundreds of bills introduced each session, it is imperative to reserve official, unanimous positions for those bills that are anticipated to have maximum impact on County operations.

In order to maintain transparency and to ensure compliance with Colorado’s Open Meetings Law (OML), all official positions, must be taken during regularly scheduled open, public meetings. To accomplish this, the SID team will bring bills of significance to the Board each week and will present the following information:

- Title of the Bill
- Assigned Committee
- House and Senate Sponsors
- A brief description of the bill
- The potential impact the bill may have on the County

The purpose of the presentation is to seek direction/guidance from the Board on bills impacting the County. Direction to staff may include but is not limited to the following: (1) do not monitor; (2) monitor with further update; (3) support/oppose by letter; (4) support/oppose by Board Resolution. Any direction to support or oppose by letter or Resolution must be by unanimous vote of a quorum of present Board members. A Board member may abstain from a vote.

If, during the course of the presentation, the Board determines that an introduced bill will have significant negative impacts on County operations or on County residents, and the Board would like additional information and/or guidance from the County Attorney on how to proceed, the Board Chair or Vice-Chair may call for an Executive Session to be held to further investigate the ramifications of the identified legislation.

If the Board desires to take an official position by letter, the SID team will draft the letter for the Chair or Vice-Chair's signature and deliver the letter of support or opposition to the County's state lobbyist or others as directed by the Board.

If the Board decides to support or oppose by Resolution, the Public Information Office will prepare a Resolution for consideration by the Board on the soonest practical date where proper notice pursuant to the Colorado OML can be given.

If a Department Director (or his/her designee) would like the Board to consider a position on a bill that has been introduced in the General Assembly, the Department Director will present to the Board during the weekly legislative update and will ensure that a letter or Resolution of support or opposition is drafted and provided to the SID team for signatures and transmittal to the County's state lobbyist.

## **VI. Testifying on a Bill**

A Commissioner may testify in his or her individual capacity on any bill introduced in the General Assembly.

A Commissioner may represent the support or opposition of El Paso County where the Board has taken an official position.

When the Board has taken an official position a department director (or his or her designee), or County staff member may testify in support of the Board position with prior notification to and approval of the County Administrator.

## **VII. Administrative Tasks During Legislative Session**

While the General Assembly is in session, the SID team acts as the primary liaison for the Board as well as County Administration and the County's state lobbyist. In order to ensure that the Board and County leadership is kept up to speed with what's occurring at the state capitol, the following services are available upon request:

- **Bill Analysis** – The SID team can provide analysis on legislation introduced during session. Information would include any relevant background on a bill (history, sponsors, summary, etc.), its intended outcome, as well as what the fiscal impact might be for the County.
- **White Papers** – If more information is needed in order to better understand an issue or to help in making a decision, the SID team can draft white papers as an additional tool to help boil down complex issues and synthesize large amounts of information.



- Letters – The SID team will help draft letters of support or opposition (when the Board takes an official, unanimous position on a bill). The team will ensure that letters are transmitted to the County's state lobbyist for dissemination to committee members. If a resolution is needed, the PIO will be the primary point of contact in drafting.
- Executive Summary – If needed, the SID team can draft concise briefs on introduced legislation and provide background information or talking points on bills or specific topics where legislation might be introduced.
- Workflow Management – The SID team will ensure that agenda items are added into Agenda.Net and that all accompanying documentation is included for each Board meeting.

### **VIII. Weekly Bill Report/End of Session Report**

At the end of each week, during each legislative session, the SID team will send out a bill report outlining all the bills tracked for the County. The report is generated and maintained by the County's state lobbyist with the input of the SID team and includes information like the title of the bill, the bill summary, and the status of the bill. The report also includes bills signed by the Governor and those postponed indefinitely.

At the end of each legislative session, the County's state lobbyist provides the County with a final report. The goal of the report is to provide the Board, County administration, and staff with an overview from the session and to highlight major legislation that was passed by the General Assembly. The report includes an El Paso County specific section that highlights the role of the County's state lobbyist, as well as what bills the Board took positions of support or opposition on.

### **IX. Prioritization of Bills/Topics**

Before the beginning of each legislative session, the SID team will meet with both the Board as well as County administration and executive leadership to talk through areas of interest and/or concern. From these conversations, the SID team will compile a report on the County's identified priorities and will submit the report to the County's state lobbyist to provide guidance on what the County would like the state lobbyist to focus on during each session.