

**Private**  
STAFF SUMMARY OF MEETING

OTHER COMMITTEE COMMITTEE ON INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION

Date 08/26/2021  
Time 02:04:02 PM to 05:08:03 PM  
Place HCR 0112  
This Meeting was called to order by Carly Hare  
This Report was prepared by Matthu Beck

Attendance	
Danny Moore	X
Elizabeth Wilkes	X
Jason Kelly	X
JulieMarie Shepherd	X
Macklin Lori Schell	X
Martha Coleman	X
Moussa Diawara	E
Paula Espinoza	X
Simon Tafoya	X
William Leone	*
Jolie Brawner	X
Carly Hare	X

X = Present, E = Excused, A = Absent, \* = Present after roll call

Hearing Items	Action Taken
Presentation About Water Basins and Federal Representation Continued Discussion of Standards, Guidelines, and Methodologies for Staff Plans	Committee Discussion Only  Committee Discussion Only

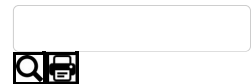
02:05:10 PM Commissioner Hare gave an overview of the agenda and an update on when staff plans will be presented.

### Presentation About Water Basins and Federal Representation - Committee Discussion Only

- 02:08:53 PM James Eklund, Founder and CEO, Eklund Hanlon LLC, introduced himself and gave background before giving a presentation on water policy to the commission.
- 02:26:48 PM Commissioners asked follow-up questions regarding the different river basins in the state.
- 02:27:18 PM Mr. Eklund answered questions from commissioners on intrastate diversion and the federal government's role in it in the state of Colorado.
- 02:42:56 PM Discussion continued on water policy in the state and how a federal representative may have an impact.
- 02:58:56 PM Mr. Eklund spoke about the challenges with the Colorado River and managing water across multiple municipalities.
- 03:03:09 PM Mr. Eklund continued to answer questions on water policy in the state.

### Continued Discussion of Standards, Guidelines, and Methodologies for Staff Plans - Committee Discussion Only

- 03:24:45 PM Chair Hare gave an overview of what will be discussed and that the southern district conversation will be next week due to delays in the map.
- 03:34:23 PM Discussion of requiring staff to provide registered voter affiliation numbers with each congressional districts staff plan.



03:44:30 PM            I move that the congressional non-partisan staff provide the Colorado Independent Congressional Redistricting Commission registered voter affiliation data in count and percentage format for the congressional districts in each staff plan.

Motion                Redistricting Commission registered voter affiliation data in count and percentage format for the congressional districts in each staff plan.

Moved                 Martha Coleman

Seconded

Martha Coleman      Yes

Moussa Diawara      Excused

Paula Espinoza        Yes

Jason Kelly            Yes

William Leone         Yes

JulieMarie Shepherd    Yes

Macklin Danny         Yes

Moore Lori Schell      Yes

Simon Tafoya            Yes

Elizabeth Wilkes        Yes

Jolie Brawner            Yes

Carly Hare             Yes

YES: 11 NO: 0 EXC: 1 ABS: 0 FINAL ACTION: PASS

- 03:44:32 PM Commissioners asked nonpartisan staff questions regarding the information that will be provided on reports for maps.
- 03:59:51 PM Commissioners discussed potential guidelines and methodologies to be considered by nonpartisan staff for maps.
- 04:07:29 PM Commissioners discussed the process for nonpartisan staff sharing requested map plans with the commission.
- 04:18:29 PM Commissioners discussed scheduling extra meetings to be able to discuss maps before the public release.
- 04:36:38 PM The commission discussed keeping Commerce City whole in a congressional district.
- 04:51:45 PM Commissioner Leone mentioned a complaint about lobbyists not disclosing before talking to the commission and asked if Jerome DeHerrera, outside legal counsel, could share the notice he had drafted.
- 04:58:52 PM Jerome DeHererra, outside legal counsel, read the statement to the commission.



05:07:53 PM

Motion

I move that the commission approve the statement read into the record by our counsel, Mr. DeHerrera and that the statement be posted on the website.

Moved

William Leone

Seconded

Martha

Coleman

Moussa

Diawara

Paula

Espinoza

Jason Kelly

William

Leone

JulieMarie

Shepherd

Macklin

Danny

Moore

Lori Schell

Simon

Tafoya

Elizabeth

Wilkes

Jolie

Brawner

Carly Hare

YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection

05:08:03 PM

The committee adjourned.



**Colorado Independent Congressional Redistricting Commission**  
**Statement on Lobbyist Registration and Disclosure Requirements**

(adopted August 26, 2021)

The Colorado Independent Congressional Redistricting Commission is aware that a complaint has been filed with the Secretary of State that certain individuals failed to register as lobbyists and file disclosure reports as required by article V section 44.2(4)(b)(III) of the Colorado Constitution and the rules adopted by the Secretary of State on May 28, 2021 (8 CCR 1505-8).

The Commission believes strongly that the process by which it receives and considers public comments should be fair, robust, and transparent. Consistent with that belief, the Commission urges and expects that all individuals who are lobbying on redistricting matters will register and file disclosure reports as required by the Colorado Constitution and the rules adopted by the Secretary of State.

To remove any doubt, the Commission points to Section 44.2(4)(b)(III) in article v of the Constitution which says:

“Persons who contract for or receive compensation for advocating to the commission, to one or more individual commissioners, or to the nonpartisan staff for the adoption or rejection of any map, amendment to a map, mapping approach, or manner of compliance with any of the mapping criteria specified in section 44.3 of this article V of the Constitution are lobbyists who must who must disclose to the secretary of state any compensation contracted for, compensation received, and the person or entity contracting or paying for their lobbying services.”

Accordingly, all persons who contract for or receive compensation to engage in redistricting lobbying activities must register and file disclosure reports.

In the event that a person engages in redistricting lobbying activities without registering or submitting their required disclosures, the Commission shall take that violation of article V of the Colorado Constitution into account when considering the content or product of the unlawful redistricting lobbying activities.

Statutory Reference:

**Colo. Constitution Art V §44.2(4)(b)(III) Lobbyists:** “Persons who contract for or receive compensation for advocating to the commission, to one or more commissioners, or to the nonpartisan staff for the adoption or rejection of any map, amendment to a map, mapping approach, or manner of compliance with any of the mapping criteria specified in section 44.3 of this article V are lobbyists who must disclose to the secretary of state any compensation contracted for, compensation received, and the person or entity contracting or paying for their lobbying services. Such disclosure must be made no later than seventy-two hours after the earlier of each instance of such lobbying or any payment of such compensation.”

“The secretary of state shall publish on the secretary of state’s website or comparable means of communicating with the public the names of such lobbyists as well as the compensation received and the persons or entities for whom they work within twenty-four hours of receiving such information. The secretary of state shall adopt rules to facilitate the complete and prompt reporting required by this subsection (4)(b)(III) as well as a complaint process to address any lobbyist's failure to report a full and accurate disclosure, which complaint must be heard by an administrative law judge, whose decision may be appealed to the court of appeals.”