

Colorado Legislative Action Committee (CLAC)
Minutes-July 28, 2009

*Eastridge Recreation Center-Highlands Ranch
 9568 S. University, Highlands Ranch, CO*

Call to order – 1:35 PM-Chair Chris Pacetti

Attendance-Members/Delegates:

Bobb, Andrea	Jordan, Lynn	Orten, Jerry
Cowell, Jim	Karpuk, Deb, excused	Pacetti, Chris
Debus, Gary	Krohlow, Kent, excused	Tobey, Gary
Foley-Healy, Molly	Leff, Suzanne	Wilderotter, Pat
Graf, David	Lukasik, Walt, excused	Witt, Jesse
Hoehn, Robert, excused	Moore, Kevin	

Guests:

Aponte, Ruth; Aponte & Busam Public Affairs	Goff, Pam; Prospective CLAC member
Causton, Deborah; So CO Incoming President	Kutzer, Jeff; Prospective CLAC member
Conklin, Steve; ED-Rocky Mtn Chapter	Mangum, Jan; ED-So CO Chapter
Fortin, Andrew; VP-CAI National	McIntyre, Jason; Prospective CLAC member

Conflict of Interest Disclosure: Chair Chris Pacetti called the meeting to order at 1:35 PM and asked if any member had a conflict of interest with items on the agenda, or in general regarding the business of the LAC, which he or she needs to disclose. There were no such disclosures.

Introductions: Attendees introduced themselves & some CLAC members made donations to CLAC.

ITEMS OF BUSINESS: Several items as enumerated on the agenda were discussed:

2009 Legislative wrap-up: The presentation was made by Chris Pacetti and Ruth Aponte.

A presentation and discussion took place summarizing the 2009 session of the General Assembly. It was noted that some of the major successes of CLAC was in items that didn't happen such as 1/ modifications to the energy bill to assure implementation (HB 1107) which was withdrawn when CLAC successfully argued that the original energy provisions had only been in effect a short time and 2/ Convincing Rep A. Kerr and the 'ladies' to abandon their thoughts for major changes to CCIOA (rather 'running' a smaller bill -- HB 1359).

Some discussion ensued that Rep. A. Kerr would likely be interested in HOA's again in 2010 but his thoughts are unknown. Rep. Kerr seems to be generally happy with his relationship with CAI and CLAC as a voice for Common Interest Communities. One CLAC member indicated they intend to work with A. Kerr in his campaign and Chairman Pacetti pointed out that involvement

with any and all Legislators during campaigns and otherwise in the 'off session' has been strongly encouraged for a number of years.

The 'ladies' (of HB 1359) with whom several CLAC members had interaction with seem to typify a characteristic that some individuals who have problems with their particular HOA and seem to wish to resolve these through modification to State Law, additional controls and regulation of HOA's within State Law. This has at times been very problematic for CLAC.

In the 2009 session CLAC once again successfully took their place as a legitimate proactive voice for CIC's and had a 'seat at the table' for many significant negotiations over legislation. Ruth and Amy (CLAC's lobbyists) have become to be known as a recognized voice for common interest communities at the State Capitol.

2010 Legislative Issues/strategic planning:

The general issue of planning for the 2010 session was discussed. Topics included:

Use of 'Envoys and envoy groups': The consensus was that the use of 3-4 person 'envoy' groups to delve into specific legislation and work with the lobbyists had been highly successful and would and should be continued.

CLAC using a posture of compromise rather than 'hard line': The consensus was that the general CLAC strategy of seeking compromise around reasonable solutions rather than continually taking a 'hard line' posture was effective and should be continued.

CLAC continuing to assume a 'proactive' posture: A discussion occurred surrounding the CLAC position to attempt to be in a proactive position whenever possible with respect to various legislative concepts and there was concurrence that this was appropriate.

Effective communications: There was minor discussion on the need for effective communications particularly with the general CAI membership which is amplified in more detail in the PR section below.

Need for CLAC members to fulfill commitments: Chris Pacetti reminded everyone of the need for all members to do their share, fully participate and complete the work assignments they have volunteered for as the effective functioning of CLAC depends on this.

Guidelines, National and on State issues for envoys: There was a lengthy discussion of the need for clear national guidelines on some issues. Mr. Fortin indicated there was a process in place to address this concern which involved Lynn Jordan. There was also expressed some desire for more specific guidelines to envoy groups on specific legislation. Consensus seemed to indicate that this would be difficult in a fast moving Legislative environment.

Construction defect legislation re-appearing: There was discussion regarding the likelihood of construction defect legislation reappearing. Although no-one had specifically heard of any, consensus was that it would likely re-appear but perhaps originated or supported this time more as a homeowner bill.

Lenders and 'super lien' bill: Some discussion ensued as to whether anyone had heard of the lenders attempting another 'lenders' bill. No one had heard anything but it should not be ruled out.

Exemption from liability for volunteers: Rep. C. Acree had previously indicated her desire to attempt another bill in 2010 (similar to HB 2009-1235) to deal with liability issues surrounding

volunteer homeowners who try to maintain abandoned properties. It was indicated that this was likely as Rep. Acree is somewhat tenacious. An envoy group of Suzanne Leff, Jim Cowell, Molly Foley-Healy and Gary Tobey was designated to work with Rep. Acree and the lobbyists.

Status report on Amy Redfern: Ruth Aponte gave a 'wellness' status report on Amy Redfern who had been serving as CLAC's lead lobbyist. She reported the general nature of Amy's injuries in a horse riding accident and indicated that it is expected that Amy will be fully 'up to speed' sometime this fall.

Update from CAI National-Andrew Fortin:

Andrew Fortin, Vice-President for Government and Public Affairs from CAI National presented this portion of the presentation. Andrew indicated that CAI national had been active in numerous areas on the national scene of interest to Common interest communities:

Mortgage Mortality Bill

A bill authorizing various financial products

A bill mandating the re-visit to Fannie Mae Guidelines

A Federal bill dealing with Energy Saving techniques for CIC's

Andrew also indicated that 31 States now had LAC's (Legislative Action Committee's). He also indicated that CAI national continued to have interest in various States bills dealing with manager licensing and that this may be an emerging trend. CAI national has been supporting some of these efforts with grants. Some of the States that were dealing with manager licensing include Illinois, North Carolina, South Carolina, Virginia and Oregon. Some of these states were in a 'proactive' position while 3 were in a 'reactive' position regarding this issue.

Andrew also indicated that CAI national was attempting to enhance communication among the various State's LAC's particularly in the areas of possible legislative language for common issues. He indicated that CAI national was attempting to encourage 'Law days' or 'legislative days' such as the one contemplated by CLAC to enhance fund raising for the LAC's. He indicated that some grant funding from CAI national may be available to foster implementation of this idea. He also indicated that CAI national was attempting to assume a more 'facilitative' role.

Public Relations discussion:

A discussion ensued surrounding how to better communicate with CAI 'general' members. Some of the concepts discussed were 1/ earlier approval of CLAC minutes and inclusion by the chapters in their websites and newsletters, including approval of the minutes via Email 2/ contact with the PR committee and Sigler communications for their ideas (Pat Wilderotter volunteered) 3/ Development of 'snippet' paragraphs describing key legislation (during the session) [Ruth Aponte will get something to Chris].

Chris Pacetti indicated that this topic had been previously largely tabled for CLAC members to be thinking about the CAI policy and potential methods for CLAC to improve the communication of its legislative endeavors, activities and legislative happenings to more of the CAI membership; through use of both Chapters websites and/or other means. These topics are of great importance to the CAI members at large.

There was some discussion of the need by the general membership for a general awareness of what CLAC is and does. There was some indication by some CLAC members that they use the General Assembly's matrix but then it was pointed out that the legislative matrix distributed by the lobbyists is 'live' and updated daily. The matrix is available at:

<http://www.statebillinfo.com/sbi/index.cfm?fuseaction=Public.Dossier&id=11948&pk=64&f=word>

Administrative portion-2009-2010 membership, financials, minutes:

COMMITTEE/SUB-COMMITTEE/TASK FORCE REPORTS:

- **Fundraising (Law day):** Chris Pacetti reported that Deb Karpuk had done a significant amount of work on a proposed 'Law day' which nationally suggested term had been changed to a 'Legislative day' at the request of So. CO. Many CLAC members had been contacted by Deb regarding presentations. Many expressed their appreciation to Deb for her efforts. At Chris' request this item was discussed and it was determined to not hold such a fundraiser this year because of the short time frame but to hold one at the end of the 2010 session (approximately June 2010) with –more time for planning and accreditation –more help from CLAC members –a possible grant from CAI national to help start the event. Mr. Fortin indicated that such grants were available.
- **Public Relations:** No report was provided.
- **RMC Board Activities:** No report provided.
- **Manager Certification:** No report provided.

Membership and Meetings: Membership to CLAC was discussed with the visit of new prospective members through the efforts of the recruiting and screening sub-committee. Some comments were made about the visitation of new members. It was announced that the composition of CLAC was limited to 20 delegates, all appointed by CAI national. 3 each were nominated to CLAC by each of the Rocky Mountain and Southern CO chapters and the remaining 14 at-large delegates are nominated by CLAC itself. Meetings in the 'off session' are frequently held at Highlands Ranch and due to lobbyist availability; monthly meetings during the session are held downtown, often in the lobbyist's office.

Minutes: The minutes, as twice previously electronically transmitted for the March 20, 2009 meeting were approved unanimously and entered into the record.

Financial reports: The 'financial statement' for 7/1/09-6/30/09 was distributed and presented by Lynn Jordan. Lynn explained that the unrecorded receivable from the Rocky Mountain Chapter in the amount of \$5000 would reduce the loss for the year to \$99. On motion of Jim Cowell, the statement was accepted and entered into the record. The committee expressed its appreciation for the improvement in the financial statement presentation as requested.

Next meeting: The date and time for the next meeting was announced as September 29, 2009 @ 1:30 PM at a location to be announced. It was also announced that there will also be a CLAC meeting in November 2009.

Adjournment: There being no further business to come before the committee, Chris Pacetti adjourned the meeting at 3:56 PM, July 28, 2009.

Respectfully submitted,

J. Kevin Moore, Secretary

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CLAC MEMBER/DELEGATE ATTENDANCE RECORD:

Member/Meeting:	May	Jul	Oct	1.16.09	2.20.09	3.20.09	7.28.09	9.29.09
Bobb, Andrea			na	X		X	X	
Cowell, Jim	X	X	X	X	X	X	X	
Debus, Gary		X	X	X	X		X	
DeLisio, Carmine		na	X	X	X			
Foley-Healy, Molly			X		X		X	
Goff, Pam								
Graf, David		X	X	X		X	X	
Hoehn, Robert	X	X	X	X	X	X	Exc	
Jordan, Lynn	X		X	X	X		X	
Karpuk, Deb	na	X	X	X		X	Exc	
Krohlow, Kent	X			X		X	Exc	
Kutzer, Jeff								
Leff, Suzanne	X	X		X	X	X	X	
Lukasik, Walt			na	X	X		Exc	
McIntyre, Jason								
Moore, Kevin	X	X	X	X	X	X	X	
Orten, Jerry		X		X	X	X	X	
Pacetti, Chris	X	X	X	X	X	X	X	
Tobey, Gary	X		X	X		X	X	
Wilderotter, Pat		X	X	X	X	X	X	
Witt, Jesse	X	X	X	X		X	X	

Attendance Policy:

A LAC delegate who has three consecutive unexcused absences (as determined by the LAC's officers) from LAC meetings may be removed by a majority vote of the LAC at a meeting where a quorum is present provided the LAC chair notified the delegate and his or her chapter, if applicable, in writing following the delegates second unexcused absence that a third consecutive absence may result in the delegate's removal.