

# Colorado Legislative Action Committee (CLAC)

Minutes - April 8, 2011

1660 Lincoln Street, 2<sup>nd</sup> Floor Conference Room, Denver, CO

Call to order - 1:40 PM - Chair Gary Debus

## Attendance - Members/Delegates

Bobb, Andrea Cowell, Jim Debus, Gary Flippen, Jim	Foley-Healy, Molly Graff, David Hoehn, Robert Jordan, Lynn	Kutzer, Jeff Leff, Suzanne Orten, Jerry Taylor, Carol	Wilderotter, Pat Witt, Jesse
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## Guests

Adair, Amelia: HindmanSanchez  
Redfern, Amy: Aponte & Busam Public Affairs

**Call to order:** Chair Gary Debus called the meeting to order at 1:40 PM and asked if any member had a conflict of interest with items on the agenda, or in general regarding the other affairs of the LAC, which he or she needs to disclose. There were no such disclosures.

**Introductions:** Introductions were made to identify participants and guests. Excused absences for Pam Goff, Chris Pacetti, Gary Tobey, and Shedd Webster were announced.

Discussion ensued concerning the difficulty of attending meetings for some CLAC members and whether CLAC should extend the option of attending by telephone to delegates. Jim Flippen noted that the Nevada CLAC always used phone conferences for delegate meetings. The CLAC delegates generally agreed with the idea of making a phone option available and decided to explore this option more formally at a later date.

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

**LEGISLATIVE UPDATE:** Amy Redfern led the presentations in this portion of the meeting.

**Review of matrix.** Amy Redfern distributed the current legislation matrix, and CLAC members reviewed the status of bills on the matrix.

**Transfer fees (SB11-234).** The transfer fee bill is scheduled for hearing in the Local Government Committee on Tuesday, April 12<sup>th</sup>, at 2 PM in SCR 253. Jerry Orten will testify. Jerry explained that the bill defines good fees and bad fees. In general, bad fees are those fees that benefit someone other than an HOA or a federal tax-exempt organization benefitting the community. Good fees go to an HOA or tax-exempt organization that benefits a community.

The Land Title Association has asked CAI to issue a call to action for members to contact Senators. With 25 sponsors already signed-on for this bill, a call to action is probably not necessary.

Jerry has asked the Land Title Association to ask its members to change closing forms to remove “transfer fee” from the language. The “one time fee” language in the bill is still under discussion; the Realtors support removing this language.

Amy Redfern expressed thanks to all of the envoy members for consistently attending meetings on short notice to discuss this bill with the various stakeholders. As the bill moves forward, member contact with committee members, Senators and Representatives will be important. Members can use the fact sheet for talking points.

Jerry recommended that the CLAC support the bill. The delegates unanimously agreed to support the bill.

***HOA Clearinghouse updates.*** The draft bill was prepared about two weeks ago but has not yet been introduced. The envoy team of Jim Cowell, Molly Foley-Healy, Jeff Kutzer, and Suzanne Leff hit the Capitol hard to gain support for the bill, especially from Republicans. Amy and the envoy are working to get bi-partisan sponsorship for the bill. Some Republicans have expressed intent to support the bill but will not agree to sponsor it. The bill will start in the Senate. The bill focuses on which communities must register with the HOA Information Office, simplifying the registration process, and deregulating so that onerous penalties do not apply. In the current House, the politics of this bill revolve around the issue of regulation versus deregulation.

***All other bills.*** Everything else on the matrix is “on watch” only.

**PROPOSAL REGARDING SUPER LIEN:** Jerry Orten presented last month’s proposal regarding a federal super lien to CAI National. A new federal CAI-CLAC is considering the request. We should not expect action on this request. Any action would involve an uphill battle to get an extended super lien at the federal level.

**JOIN AN ENVOY:** Jeff Kutzer spoke about the importance of getting involved on an envoy from the perspective of a newer member of the CLAC who has gotten more involved this legislative session. He thanked whoever volunteered him for his first envoy. He has found that the envoy work is not as intimidating once you get involved and that the work allows industry experts to learn from one another while sharing their expertise. He encouraged all CLAC delegates to participate on an envoy. Jerry Orten reminded delegates that envoy work is not isolated to the legislative session. Opportunities arise over the summer and in the off-session when new bills are contemplated. Amy Redfern stated that an individual delegate’s participation can ebb and flow with the variety of opportunities available.

**MINUTES:** The minutes for the March 11, 2011, meeting, as transmitted electronically to the delegates, were previously approved by e-vote, posted on the website, and entered into the record.

**FINANCIAL REPORT:** Prior to the meeting Pam Goff distributed a financial report including a statement of financial position and a statement of activity for the period of July 2010 through March 2011. On motion of Jim Cowell, seconded by Bob Hoehn, the financial report was voted received and entered into the record.

Jerry Orten commended Pam Goff on her work as Treasurer and in her efforts to secure a grant from CAI National. Amy Redfern announced that she sold five FAQ books and that CLAC should receive a check for \$25.00 within the week.

**Next meeting:** The next meeting is scheduled for June 2011 and may take place via teleconference.

**Adjournment:** There being no further business to come before the meeting, Gary Debus adjourned the meeting at 2:36 PM, Friday, April 8, 2011.

Respectfully submitted,

Suzanne M. Leff, Secretary

### CLAC MEMBER/DELEGATE ATTENDANCE RECORDS

Member   Meeting	9.18.10	10.15.10	11.12.10	1.21.11	2.11.11	3.11.11	4.8.11
Bobb, Andrea	X	X	X	Exc	Exc	X	X
Cowell, Jim		X	X	Exc	X	X	X
Debus, Gary	X	X	X	Exc	X	X	X
Flippen, Jim	NA	NA	NA	NA	X	X	X
Foley-Healy, Molly	X	Exc	Exc	X	X	Exc	X
Goff, Pam	X	X	X	X	X	X	Exc
Graf, David		X	X	Exc	X	X	X
Hoehn, Robert	X	Exc	X	X	X	X	X
Jordan, Lynn	X	X	X	X	X	Exc	X
Kutzer, Jeff	X	X	X	X	Exc	X	X
Leff, Suzanne	X	X	X	X	X	X	X
Lukasik, Walt	X	Exc	X	Exc	X	X	
Orten, Jerry	X	X	Exc	X	Exc	X	X
Pacetti, Chris	X	X	X	X	X	X	Exc
Taylor, Carol	NA	X	X	X	X	Exc	X
Tobey, Gary	X	X	X	X	X	X	Exc
Webster, Shedd	NA	X	X	Exc	Exc	Exc	Exc
Wilderotter, Pat		X	X	X	X	X	X
Witt, Jesse		Exc	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 delegate's second excused absence that a third consecutive absence may result in the delegate's removal.