

STATE OF COLORADO

Department of State

1700 Broadway
Suite 250
Denver, CO 80290



Gigi Dennis
Secretary of State

William A. Hobbs
Deputy Secretary of State

NOTICE OF EMERGENCY ADOPTION

Pursuant to Section 9(1)(b) of Article XXVIII of the Colorado Constitution, sections 1-1-107(2)(a), 1-45-108(2)(c), and 1-45-111.5(1), C.R.S. (2005) and the rulemaking provisions of the State Administrative Procedure Act, section 24-4-103, C.R.S. (2005), I, Ginette Dennis, Colorado Secretary of State, do hereby adopt and give **NOTICE** of the emergency adoption this 18th day of July, 2006 of the following new Rules 3.8 and 4.16 of the Rules Concerning Campaign and Political Finance of the Colorado Secretary of State, 8 CCR 1505-6. Such new rules are effective immediately.

Rules 3.8 and 4.16 of the Campaign and Political Finance Rules of the Colorado Secretary of State are added as follows:

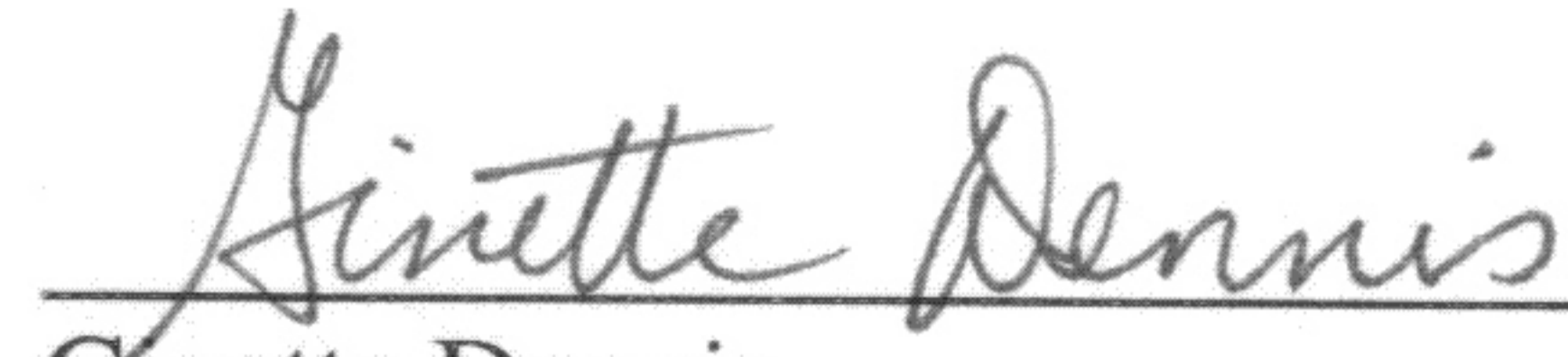
- 3.8 MULTI-PURPOSE ISSUE COMMITTEES – TERMINATION OF STATUS. IN THE CASE OF AN ISSUE COMMITTEE WHOSE PURPOSES ARE NOT LIMITED TO SUPPORTING OR OPPOSING BALLOT ISSUES OR BALLOT QUESTIONS (A “MULTI-PURPOSE ISSUE COMMITTEE”), SUCH MULTI-PURPOSE ISSUE COMMITTEE MAY TERMINATE ITS STATUS AS AN ISSUE COMMITTEE BY FILING A TERMINATION STATEMENT OF CONTRIBUTIONS AND EXPENDITURES WITH THE APPROPRIATE FILING OFFICER. IN ACCORDANCE WITH RULE 3.4, A TERMINATION STATEMENT MAY BE FILED AT ANY TIME IF THE FOLLOWING CONDITIONS ARE MET:
- A. THE MULTI-PURPOSE ISSUE COMMITTEE NO LONGER HAS A MAJOR PURPOSE OF SUPPORTING OR OPPOSING ANY BALLOT ISSUE OR BALLOT QUESTION AND NO LONGER INTENDS TO ACCEPT OR MAKE CONTRIBUTIONS OR EXPENDITURES TO SUPPORT OR OPPOSE A BALLOT ISSUE OR BALLOT QUESTION; AND
 - B. THE COMMITTEE'S SEPARATE ACCOUNT MAINTAINED IN ACCORDANCE WITH ARTICLE XXVIII, SECTION 3(9) HAS ACHIEVED A ZERO BALANCE BY HAVING NO CASH ON HAND AND NO OUTSTANDING DEBTS OR OBLIGATIONS.
- 4.16 MULTI-PURPOSE ISSUE COMMITTEES. IN THE CASE OF AN ISSUE COMMITTEE WHOSE PURPOSES ARE NOT LIMITED TO SUPPORTING OR OPPOSING BALLOT ISSUES OR BALLOT QUESTIONS (A “MULTI-PURPOSE ISSUE COMMITTEE”):
- A. SUCH MULTI-PURPOSE ISSUE COMMITTEE SHALL REPORT ONLY THOSE CONTRIBUTIONS ACCEPTED, EXPENDITURES MADE, AND OBLIGATIONS ENTERED INTO FOR THE PURPOSE OF SUPPORTING OR OPPOSING BALLOT ISSUES OR BALLOT QUESTIONS. A MULTI-PURPOSE ISSUE COMMITTEE SHALL NOT BE REQUIRED TO REPORT DONATIONS, MEMBERSHIP DUES, OR ANY OTHER RECEIPTS EXCEPT TO THE EXTENT THEY ARE DESIGNATED OR INTENDED TO BE

USED FOR THE PURPOSE OF SUPPORTING OR OPPOSING ONE OR MORE BALLOT ISSUES OR BALLOT QUESTIONS.

- B. CONTRIBUTIONS ACCEPTED FOR THE PURPOSE OF SUPPORTING OR OPPOSING BALLOT ISSUES OR BALLOT QUESTIONS SHALL BE DEPOSITED IN AN ACCOUNT SEPARATE FROM OTHER FUNDS OF THE ISSUE COMMITTEE IN ACCORDANCE WITH ARTICLE XXVIII, SECTION 3(9). IF THE ISSUE COMMITTEE ACCEPTS CONTRIBUTIONS RELATING TO MORE THAN ONE BALLOT ISSUE OR BALLOT QUESTION, SUCH CONTRIBUTIONS MAY BE DEPOSITED IN A SEPARATE ACCOUNT FOR EACH BALLOT ISSUE OR BALLOT QUESTION.
- C. IF A MULTI-PURPOSE ISSUE COMMITTEE RECEIVES GENERAL, NON-EARMARKED DONATIONS, MEMBERSHIP DUES, OR OTHER PAYMENTS, AND LATER CHOOSES TO ALLOCATE SOME OR ALL OF SUCH NON-EARMARKED CONTRIBUTIONS TO SUPPORT OR OPPOSE A BALLOT ISSUE OR BALLOT QUESTION, THEN IT MUST TRANSFER THE FUNDS INTO A SEPARATE CAMPAIGN ACCOUNT MAINTAINED IN ACCORDANCE WITH ARTICLE XXVIII, SECTION 3(9) AND REPORT THE TRANSFER AS A CONTRIBUTION FROM THE COMMITTEE ITSELF.

In accordance with section 24-4-103(6), C.R.S (2005), attached is a statement of the findings of the Secretary of State justifying the adoption of this addition on an emergency basis.

Dated this 18th Day of July, 2006


Ginette Dennis
Secretary of State

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Statement of Justification and Reasons for the Adoption of Emergency Rules

**New Rules 3.8 and 4.16 Concerning Multi-Purpose Issue Committees
Secretary of State's Rules Concerning Campaign and Political Finance**

July 18, 2006

Under Article XXVIII, Section 9(1)(b), Colorado Constitution, the Secretary of State has the power to “[p]romulgate such rules, in accordance with article 4 of title 24, C.R.S., or any successor section, as may be necessary to administer and enforce any provision of [Article XXVIII of the Colorado Constitution].” In addition, section 1-1-107(2)(a), C.R.S. (2005), authorizes the Secretary of State “[t]o promulgate, publish, and distribute . . . such rules as the secretary of state finds necessary for the proper administration and enforcement of the election laws . . .” and, section 1-45-111.5(1), C.R.S. (2005), authorizes the Secretary of State to “promulgate such rules . . . as may be necessary to administer and enforce any provision of [Article 45 of Title 1 of the Colorado Revised Statutes].”

The amendments to the Rules Concerning Campaign and Political Finance are immediately necessary for the uniform and proper administration and enforcement of the campaign and political finance laws of the State of Colorado. The Secretary of State finds that the adoption and enactment of these additions are necessary specifically because various questions have arisen about multi-purpose issue committees. Further, the 2006 General Election cycle is well underway and issue committees are in immediate need of guidance concerning their disclosure obligations under the campaign and political finance laws.

The Secretary of State finds that in order to ensure the uniform and proper administration and enforcement of the campaign and political finance laws, the adoption of these temporary amendments to the Secretary of State Rules Concerning Campaign and Political Finance are necessary both to comply with law and to preserve the public welfare generally.

Therefore, in accordance with section 24-4-103(6), C.R.S. (2005), the Secretary of State finds that adoption of the amendments to existing Rules Concerning Campaign and Political Finance are “imperatively necessary to comply with a state or federal law or federal regulation or for the preservation of public health, safety, or welfare and compliance with the requirements of this section would be contrary to the public interest.”