



**COMMENTS SOLICITED FOR CONSIDERATION  
AT THE JULY 22 RULEMAKING HEARING**

**Office of the Secretary of State  
Campaign and Political Finance Rules  
8 CCR 1505-6**

**Date of this Notice: July 21, 2009**

On July 17, 2009, Denver District Court Judge Catherine A. Lemon issued a written “Findings of Fact, Conclusions of Law and Order Entering Preliminary Injunction” in *Dallman et al. v. Ritter and Gonzales*, case #09cv1188 (consolidated with *Ritchie et al. v. Ritter and Gonzales*, case #09cv1200), concerning the enforcement of certain provisions of Amendment 54. The Order preliminarily enjoins enforcement of Amendment 54, with the exception of section 16, which requires a listing of sole source government contracts to be maintained.

As previously announced by public notice, a rulemaking hearing concerning proposed new Rule 1.16 of the Rules Concerning Campaign and Political Finance will be held **Wednesday, July 22, 2009 at 9:30am** in the Blue Spruce Conference Room on the second floor of the Office of the Secretary of State at 1700 Broadway, Denver, Colorado 80290. The proposed rule concerns the definition of “sole source government contract” for purposes of Amendment 54. At the hearing, written and oral public testimony will be taken on the proposed rule.

Given the issuance of Judge Lemon’s written Order, Secretary Buescher is seeking comments on the following specific issues at the hearing:

1. Whether the Secretary of State has the jurisdiction and authority to conduct rulemaking relating to Amendment 54 in general (and section 16 in particular) and subsequently to adopt the proposed rule.
2. Whether the preliminary injunction issued by the Court on July 17, 2009, does or should affect the rulemaking proceedings or the adoption of the proposed rule.
3. Whether, as indicated by Judge Lemon, the interpretation made by the proposed rule concerning public utility contracts is precluded by examples of sole source government contracts included in the Blue Book.