

From: Amanda King <Amanda.King@state.co.us>  
 Subject: Research Request: Voting Requirements for Boards and Commissions  
 Date: March 16, 2018 at 3:55:42 PM MDT

This email responds to your request for information concerning the voting requirements for various state boards and commissions. Currently, there are 385 statutorily created boards and commission in Colorado. I have identified the following entities that require more than a majority vote for an action to prevail:

- 1 **a unanimous vote of the members present when the vote is taken** is required for the Motor Vehicle Dealer Board to conduct a hearing concerning the licensing or discipline of certain motor vehicle-related and powersports vehicle-related professionals, rather than having an administrative law judge appointed to conduct the hearing (Section 12-6-119, C.R.S., and Section 12-6-521, C.R.S.);
- 2 **an affirmative vote of four of the five members of the State Board of Land Commissioners**, often referred to as the State Land Board, is required to remove specific parcels of land from the Long-term Stewardship Trust (Section 36-1-107.5 (5), C.R.S.);
- 3 **a two-thirds majority vote of the Water Resources Review Committee**, which is comprised of ten legislators, is required for the committee to report a bill to the Legislative Council, and a two-thirds majority vote is required if the committee wants to refer more than three bills to the Legislative Council (Section 37-98-103, C.R.S.);
- 4 **a two-thirds majority vote is required of the State Electrical Board** to set any standards that are different from those set forth in the National Electrical Code (Section 12-23-104 (2)(a), C.R.S.);
- 5 **a two-thirds majority vote is required of the State Board of Education** to waive certain educator licensing requirements (Section 22-60.5-114, C.R.S.);
- 6 **a two-thirds majority vote is required for the Child Protection Ombudsman Board** to hire or remove the Child Protection Ombudsman ( Section 19-3.3-102 (3)(a)(I), C.R.S.);
- 7 **a two-thirds majority vote is required for the Strategic Action Planning Group on Aging** to remove one of its members (Section 24-32-3404 (2)(f)(IV), C.R.S.);
- 8 **a two-thirds majority vote is required for the Public School Capital Construction Assistance Board**, also known as the **Building Excellent Schools Today (BEST) Board**, to pass a resolution, which is a nonbinding policy statement (board by-laws, which can be provided upon request); and
- 9 **a two-thirds majority vote is required for the Colorado Interagency Coordinating Council and the Traumatic Brain Injury Trust Fund Board**, both of which are housed in the Department of Human Services, to **amended their by-laws** (council and board by-laws, which can be provided upon request).

This list is in addition to the Colorado Commission on Criminal and Juvenile Justice (CCJJ), which we discussed when I was assigned to this request. The CCJJ requires a 66 percent supermajority vote for final recommendations by the commission. The supermajority protocol is outlined in the attached CCJJ Process and Protocols document. Finally, some boards and commissions utilize the open meeting law provisions of the Colorado Sunshine Act of 1972 to hold executive sessions, which require the affirmative vote of two-thirds of the entire membership ( Section 24-6-402 (3) (a), C.R.S.).