

State Representative  
ANDREW ROMANOFF  
887 South Gilpin Street  
Denver, CO 80209  
Capitol: 303-866-2346  
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SPEAKER OF THE HOUSE

Chair:  
Executive Committee of  
Legislative Council  
Legislative Council Committee

**COLORADO**  
**HOUSE OF REPRESENTATIVES**  
STATE CAPITOL  
DENVER  
80203

December 29, 2008

Ms. Marilyn Eddins  
Chief Clerk of the House  
Colorado House of Representatives  
State Capitol Building  
Denver, CO 80203

Dear Marilyn:

I have received the enclosed communication from Representative Mike May, Minority Leader of the House of Representatives, which sets out a complaint under House Rule 49 alleging Representative David Balmer's involvement with a lobbyist in an attempt to influence the selection of a new Majority Leader of the House of Representatives by the members of the House Republican Caucus.

House Rule 49 requires that such a complaint be dismissed if at least two of the three leaders of the House conclude that the complaint does not state an ethical violation. Since the Minority Leader filed this complaint, he did not participate in this decision. However, the Majority Leader and I have concluded that the complaint cannot be dismissed.

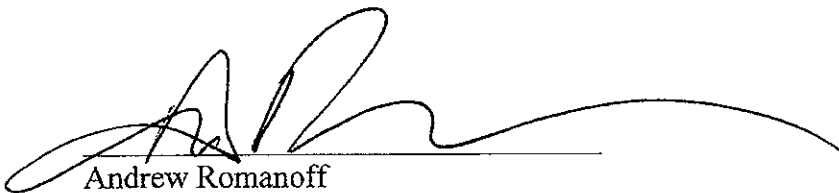
Accordingly, House Rule 49 directs the Speaker to appoint a Committee on Ethics of at least five House members. The party representation of the Committee shall be in proportion generally to the relative number of members of the two major political parties in the House. The majority party members are appointed from among the chairmen of the committees of reference. The minority party members are appointed, after consideration of recommendations by the Minority Leader, from among the members of the House that are senior in service and experience.

I hereby appoint Representatives Levy, Judd, Curry, Massey and Summers to the Committee on Ethics. I also designate Representative Levy to be the chairman of the Committee and Representative Massey to be the vice-chairman.

In addition, I am asking the Legislative Council to staff the Committee on Ethics and the Office of Legislative Legal Services to provide any legal assistance requested by the Committee.

I request that you deliver copies of this letter and the enclosed complaint to Representative Balmer through his legal counsel, Jon Anderson with the law firm of Holland and Hart, and to the chairman of the Committee on Ethics, Representative Levy. This letter shall serve as formal notice of the initiation of the procedures set out in House Rule 49. As provided for in House Rule 49 (c), Representative Balmer may submit a written answer to the Committee on Ethics within ten days after today's date, December 29, 2008. The Committee shall proceed in accordance with House Rule 49.

Sincerely,

A handwritten signature in black ink, appearing to read 'AR', with a long horizontal flourish extending to the right. The signature is positioned above a horizontal line.

Andrew Romanoff  
Speaker of the House of Representatives

xc: Jon Anderson  
Representative Claire Levy

enc.

State Representative  
MIKE MAY  
Colorado General Assembly  
200 E. Colfax Ave., Room 212  
Denver, CO 80203  
Home: 303-841-0255  
Committee  
Capitol: 303-866-5523  
E-mail: [mike.may.house@state.co.us](mailto:mike.may.house@state.co.us)



MINORITY LEADER

Member:  
Executive Committee  
of Legislative Council  
Legislative Council

COLORADO  
HOUSE OF REPRESENTATIVES  
STATE CAPITOL  
DENVER  
80203

December 16, 2008

Honorable Speaker Andrew Romanoff  
Colorado State Capitol, Room 246  
Denver, CO 80203

Dear Speaker Romanoff:

I regret to inform you that there may have been a serious violation of House rules and ethics, and potentially of the law, by a currently serving member of the General Assembly.

As the Minority Leader, I have a duty to protect the institution of the Legislature, and the integrity of my party.

I am therefore invoking House Rule 49 in writing this complaint to request that an ethics committee be established to review the facts of this case.

Based on information I received in a complaint from another legislator, the potential exists that Rep. David Balmer may have coordinated with a lobbyist to influence the vote of that legislator in an upcoming leadership election in which Rep. Balmer is a candidate.

Specific information referenced by the lobbyist appears to have come from a conversation earlier that day between the legislator and Rep. Balmer. That includes the fact that the legislator was undecided in his/her leadership vote and that the legislator had been offered the chairmanship of a specific committee in future years under Rep. Balmer's leadership.

Even more disturbing, the lobbyist clearly referenced campaign donations in the call, and an interest in providing those donations in a meeting before the leadership election.

Clearly the alleged actions of this lobbyist are of deep concern. If Rep. Balmer caused the lobbyist to interfere with the leadership election, or if he requested that compensation be provided for a legislator's vote, that would be even more concerning.

If the answer to these questions is yes, it is a clear violation of the Colorado Constitution, the Colorado Revised Statutes, and the Joint Rules of the Senate and House of Representatives.

These are questions that must be answered. For that reason, I am formally requesting an investigation into this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike May". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Mike May  
House Minority Leader