

Amendment 41
Standards of Conduct in Government

1 **Ballot Title:** An amendment to the Colorado constitution concerning standards of
2 conduct by persons who are professionally involved with governmental activities, and,
3 in connection therewith, prohibiting a public officer, member of the general assembly,
4 local government official, or government employee from soliciting or accepting certain
5 monetary or in-kind gifts; prohibiting a professional lobbyist from giving anything of
6 value to a public officer, member of the general assembly, local government official,
7 government employee, or such person's immediate family member; prohibiting a
8 statewide elected officeholder or member of the general assembly from personally
9 representing another person or entity for compensation before any other such
10 officeholder or member for a period of two years following departure from office;
11 establishing penalties for a breach of public trust or inducement of such a breach;
12 creating a five-member independent ethics commission to hear ethics complaints, to
13 assess penalties, and to issue advisory opinions on ethics issues; and specifying that the
14 measure shall not apply to home rule jurisdictions that have adopted laws concerning
15 matters covered by the measure.

16 **Text of Proposal:**

17 *Be it Enacted by the People of the State of Colorado:*

18 The constitution of the state of Colorado is amended BY THE ADDITION OF A NEW
19 ARTICLE to read:

20 **ARTICLE XXIX**
21 **Ethics in Government**

22 **Section 1. Purposes and findings.** (1) THE PEOPLE OF THE STATE OF COLORADO
23 HEREBY FIND AND DECLARE THAT:

24 (a) THE CONDUCT OF PUBLIC OFFICERS, MEMBERS OF THE GENERAL ASSEMBLY,
25 LOCAL GOVERNMENT OFFICIALS, AND GOVERNMENT EMPLOYEES MUST HOLD THE
26 RESPECT AND CONFIDENCE OF THE PEOPLE;

27 (b) THEY SHALL CARRY OUT THEIR DUTIES FOR THE BENEFIT OF THE PEOPLE OF
28 THE STATE;

29 (c) THEY SHALL, THEREFORE, AVOID CONDUCT THAT IS IN VIOLATION OF THEIR
30 PUBLIC TRUST OR THAT CREATES A JUSTIFIABLE IMPRESSION AMONG MEMBERS OF THE
31 PUBLIC THAT SUCH TRUST IS BEING VIOLATED;

1 (d) ANY EFFORT TO REALIZE PERSONAL FINANCIAL GAIN THROUGH PUBLIC
2 OFFICE OTHER THAN COMPENSATION PROVIDED BY LAW IS A VIOLATION OF THAT TRUST;
3 AND

4 (e) TO ENSURE PROPRIETY AND TO PRESERVE PUBLIC CONFIDENCE, THEY MUST
5 HAVE THE BENEFIT OF SPECIFIC STANDARDS TO GUIDE THEIR CONDUCT, AND OF A
6 PENALTY MECHANISM TO ENFORCE THOSE STANDARDS.

7 (2) THE PEOPLE OF THE STATE OF COLORADO ALSO FIND AND DECLARE THAT
8 THERE ARE CERTAIN COSTS ASSOCIATED WITH HOLDING PUBLIC OFFICE AND THAT TO
9 ENSURE THE INTEGRITY OF THE OFFICE, SUCH COSTS OF A REASONABLE AND NECESSARY
10 NATURE SHOULD BE BORN BY THE STATE OR LOCAL GOVERNMENT.

11 **Section 2. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (1) "GOVERNMENT EMPLOYEE" MEANS ANY EMPLOYEE, INCLUDING
14 INDEPENDENT CONTRACTORS, OF THE STATE EXECUTIVE BRANCH, THE STATE
15 LEGISLATIVE BRANCH, A STATE AGENCY, A PUBLIC INSTITUTION OF HIGHER EDUCATION,
16 OR ANY LOCAL GOVERNMENT, EXCEPT A MEMBER OF THE GENERAL ASSEMBLY OR A
17 PUBLIC OFFICER.

18 (2) "LOCAL GOVERNMENT" MEANS COUNTY OR MUNICIPALITY.

19 (3) "LOCAL GOVERNMENT OFFICIAL" MEANS AN ELECTED OR APPOINTED
20 OFFICIAL OF A LOCAL GOVERNMENT BUT DOES NOT INCLUDE AN EMPLOYEE OF A LOCAL
21 GOVERNMENT.

22 (4) "PERSON" MEANS ANY INDIVIDUAL, CORPORATION, BUSINESS TRUST, ESTATE,
23 TRUST, LIMITED LIABILITY COMPANY, PARTNERSHIP, LABOR ORGANIZATION,
24 ASSOCIATION, POLITICAL PARTY, COMMITTEE, OR OTHER LEGAL ENTITY.

25 (5) "PROFESSIONAL LOBBYIST" MEANS ANY INDIVIDUAL WHO ENGAGES HIMSELF
26 OR HERSELF OR IS ENGAGED BY ANY OTHER PERSON FOR PAY OR FOR ANY
27 CONSIDERATION FOR LOBBYING. "PROFESSIONAL LOBBYIST" DOES NOT INCLUDE ANY
28 VOLUNTEER LOBBYIST, ANY STATE OFFICIAL OR EMPLOYEE ACTING IN HIS OR HER
29 OFFICIAL CAPACITY, EXCEPT THOSE DESIGNATED AS LOBBYISTS AS PROVIDED BY LAW,
30 ANY ELECTED PUBLIC OFFICIAL ACTING IN HIS OR HER OFFICIAL CAPACITY, OR ANY
31 INDIVIDUAL WHO APPEARS AS COUNSEL OR ADVISOR IN AN ADJUDICATORY PROCEEDING.

1 (6) "PUBLIC OFFICER" MEANS ANY ELECTED OFFICER, INCLUDING ALL
2 STATEWIDE ELECTED OFFICEHOLDERS, THE HEAD OF ANY DEPARTMENT OF THE
3 EXECUTIVE BRANCH, AND ELECTED AND APPOINTED MEMBERS OF STATE BOARDS AND
4 COMMISSIONS. "PUBLIC OFFICER" DOES NOT INCLUDE A MEMBER OF THE GENERAL
5 ASSEMBLY, A MEMBER OF THE JUDICIARY, ANY LOCAL GOVERNMENT OFFICIAL, OR ANY
6 MEMBER OF A BOARD, COMMISSION, COUNCIL OR COMMITTEE WHO RECEIVES NO
7 COMPENSATION OTHER THAN A PER DIEM ALLOWANCE OR NECESSARY AND REASONABLE
8 EXPENSES.

9 **Section 3. Gift ban.** (1) NO PUBLIC OFFICER, MEMBER OF THE GENERAL ASSEMBLY,
10 LOCAL GOVERNMENT OFFICIAL, OR GOVERNMENT EMPLOYEE SHALL ACCEPT OR RECEIVE
11 ANY MONEY, FORBEARANCE, OR FORGIVENESS OF INDEBTEDNESS FROM ANY PERSON,
12 WITHOUT SUCH PERSON RECEIVING LAWFUL CONSIDERATION OF EQUAL OR GREATER
13 VALUE IN RETURN FROM THE PUBLIC OFFICER, MEMBER OF THE GENERAL ASSEMBLY,
14 LOCAL GOVERNMENT OFFICIAL, OR GOVERNMENT EMPLOYEE WHO ACCEPTED OR
15 RECEIVED THE MONEY, FORBEARANCE OR FORGIVENESS OF INDEBTEDNESS.

16 (2) NO PUBLIC OFFICER, MEMBER OF THE GENERAL ASSEMBLY, LOCAL
17 GOVERNMENT OFFICIAL, OR GOVERNMENT EMPLOYEE, EITHER DIRECTLY OR INDIRECTLY
18 AS THE BENEFICIARY OF A GIFT OR THING OF VALUE GIVEN TO SUCH PERSON'S SPOUSE
19 OR DEPENDENT CHILD, SHALL SOLICIT, ACCEPT OR RECEIVE ANY GIFT OR OTHER THING
20 OF VALUE HAVING EITHER A FAIR MARKET VALUE OR AGGREGATE ACTUAL COST
21 GREATER THAN FIFTY DOLLARS (\$50) IN ANY CALENDAR YEAR, INCLUDING BUT NOT
22 LIMITED TO, GIFTS, LOANS, REWARDS, PROMISES OR NEGOTIATIONS OF FUTURE
23 EMPLOYMENT, FAVORS OR SERVICES, HONORARIA, TRAVEL, ENTERTAINMENT, OR
24 SPECIAL DISCOUNTS, FROM A PERSON, WITHOUT THE PERSON RECEIVING LAWFUL
25 CONSIDERATION OF EQUAL OR GREATER VALUE IN RETURN FROM THE PUBLIC OFFICER,
26 MEMBER OF THE GENERAL ASSEMBLY, LOCAL GOVERNMENT OFFICIAL, OR GOVERNMENT
27 EMPLOYEE WHO SOLICITED, ACCEPTED OR RECEIVED THE GIFT OR OTHER THING OF
28 VALUE.

29 (3) THE PROHIBITIONS IN SUBSECTIONS (1) AND (2) OF THIS SECTION DO NOT
30 APPLY IF THE GIFT OR THING OF VALUE IS:

31 (a) A CAMPAIGN CONTRIBUTION AS DEFINED BY LAW;

32 (b) AN UNSOLICITED ITEM OF TRIVIAL VALUE LESS THAN FIFTY DOLLARS (\$50),
33 SUCH AS A PEN, CALENDAR, PLANT, BOOK, NOTE PAD OR OTHER SIMILAR ITEM;

34 (c) AN UNSOLICITED TOKEN OR AWARD OF APPRECIATION IN THE FORM OF A
35 PLAQUE, TROPHY, DESK ITEM, WALL MEMENTO, OR SIMILAR ITEM;

36 (d) UNSOLICITED INFORMATIONAL MATERIAL, PUBLICATIONS, OR SUBSCRIPTIONS
37 RELATED TO THE RECIPIENT'S PERFORMANCE OF OFFICIAL DUTIES;

1 (e) ADMISSION TO, AND THE COST OF FOOD OR BEVERAGES CONSUMED AT, A
2 RECEPTION, MEAL OR MEETING BY AN ORGANIZATION BEFORE WHOM THE RECIPIENT
3 APPEARS TO SPEAK OR TO ANSWER QUESTIONS AS PART OF A SCHEDULED PROGRAM;

4 (f) REASONABLE EXPENSES PAID BY A NONPROFIT ORGANIZATION OR OTHER
5 STATE OR LOCAL GOVERNMENT FOR ATTENDANCE AT A CONVENTION, FACT-FINDING
6 MISSION OR TRIP, OR OTHER MEETING IF THE PERSON IS SCHEDULED TO DELIVER A
7 SPEECH, MAKE A PRESENTATION, PARTICIPATE ON A PANEL, OR REPRESENT THE STATE OR
8 LOCAL GOVERNMENT, PROVIDED THAT THE NON-PROFIT ORGANIZATION RECEIVES LESS
9 THAN FIVE PERCENT (5%) OF ITS FUNDING FROM FOR-PROFIT ORGANIZATIONS OR
10 ENTITIES;

11 (g) GIVEN BY AN INDIVIDUAL WHO IS A RELATIVE OR PERSONAL FRIEND OF THE
12 RECIPIENT ON A SPECIAL OCCASION.

13 (h) A COMPONENT OF THE COMPENSATION PAID OR OTHER INCENTIVE GIVEN TO
14 THE RECIPIENT IN THE NORMAL COURSE OF EMPLOYMENT.

15 (4) NOTWITHSTANDING ANY PROVISIONS OF THIS SECTION TO THE CONTRARY,
16 AND EXCEPTING CAMPAIGN CONTRIBUTIONS AS DEFINED BY LAW, NO PROFESSIONAL
17 LOBBYIST, PERSONALLY OR ON BEHALF OF ANY OTHER PERSON OR ENTITY, SHALL
18 KNOWINGLY OFFER, GIVE, OR ARRANGE TO GIVE, TO ANY PUBLIC OFFICER, MEMBER OF
19 THE GENERAL ASSEMBLY, LOCAL GOVERNMENT OFFICIAL, OR GOVERNMENT EMPLOYEE,
20 OR TO A MEMBER OF SUCH PERSON'S IMMEDIATE FAMILY, ANY GIFT OR THING OF VALUE,
21 OF ANY KIND OR NATURE, NOR KNOWINGLY PAY FOR ANY MEAL, BEVERAGE, OR OTHER
22 ITEM TO BE CONSUMED BY SUCH PUBLIC OFFICER, MEMBER OF THE GENERAL ASSEMBLY,
23 LOCAL GOVERNMENT OFFICIAL OR GOVERNMENT EMPLOYEE, WHETHER OR NOT SUCH
24 GIFT OR MEAL, BEVERAGE OR OTHER ITEM TO BE CONSUMED IS OFFERED, GIVEN OR PAID
25 FOR IN THE COURSE OF SUCH LOBBYIST'S BUSINESS OR IN CONNECTION WITH A PERSONAL
26 OR SOCIAL EVENT; PROVIDED, HOWEVER, THAT A PROFESSIONAL LOBBYIST SHALL NOT
27 BE PROHIBITED FROM OFFERING OR GIVING TO A PUBLIC OFFICER, MEMBER OF THE
28 GENERAL ASSEMBLY, LOCAL GOVERNMENT OFFICIAL OR GOVERNMENT EMPLOYEE WHO
29 IS A MEMBER OF HIS OR HER IMMEDIATE FAMILY ANY SUCH GIFT, THING OF VALUE, MEAL,
30 BEVERAGE OR OTHER ITEM.

31 (5) THE GENERAL ASSEMBLY SHALL MAKE ANY CONFORMING AMENDMENTS TO
32 THE REPORTING AND DISCLOSURE REQUIREMENTS FOR PUBLIC OFFICERS, MEMBERS OF
33 THE GENERAL ASSEMBLY AND PROFESSIONAL LOBBYISTS, AS PROVIDED BY LAW, TO
34 COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS SECTION.

1 (6) THE FIFTY-DOLLAR (\$50) LIMIT SET FORTH IN SUBSECTION (2) OF THIS
2 SECTION SHALL BE ADJUSTED BY AN AMOUNT BASED UPON THE PERCENTAGE CHANGE
3 OVER A FOUR-YEAR PERIOD IN THE UNITED STATES BUREAU OF LABOR STATISTICS
4 CONSUMER PRICE INDEX FOR DENVER-BOULDER-GREELEY, ALL ITEMS, ALL CONSUMERS,
5 OR ITS SUCCESSOR INDEX, ROUNDED TO THE NEAREST LOWEST DOLLAR. THE FIRST
6 ADJUSTMENT SHALL BE DONE IN THE FIRST QUARTER OF 2011 AND THEN EVERY FOUR
7 YEARS THEREAFTER.

8 **Section 4. Restrictions on representation after leaving office.** NO STATEWIDE
9 ELECTED OFFICEHOLDER OR MEMBER OF THE GENERAL ASSEMBLY SHALL PERSONALLY
10 REPRESENT ANOTHER PERSON OR ENTITY FOR COMPENSATION BEFORE ANY OTHER
11 STATEWIDE ELECTED OFFICEHOLDER OR MEMBER OF THE GENERAL ASSEMBLY, FOR A
12 PERIOD OF TWO YEARS FOLLOWING VACATION OF OFFICE. FURTHER RESTRICTIONS ON
13 PUBLIC OFFICERS OR MEMBERS OF THE GENERAL ASSEMBLY AND SIMILAR RESTRICTIONS
14 ON OTHER PUBLIC OFFICERS, LOCAL GOVERNMENT OFFICIALS OR GOVERNMENT
15 EMPLOYEES MAY BE ESTABLISHED BY LAW.

16 **Section 5. Independent ethics commission.** (1) THERE IS HEREBY CREATED AN
17 INDEPENDENT ETHICS COMMISSION TO BE COMPOSED OF FIVE MEMBERS. THE PURPOSE
18 OF THE INDEPENDENT ETHICS COMMISSION SHALL BE TO HEAR COMPLAINTS, ISSUE
19 FINDINGS, AND ASSESS PENALTIES, AND ALSO TO ISSUE ADVISORY OPINIONS, ON ETHICS
20 ISSUES ARISING UNDER THIS ARTICLE AND UNDER ANY OTHER STANDARDS OF CONDUCT
21 AND REPORTING REQUIREMENTS AS PROVIDED BY LAW. THE INDEPENDENT ETHICS
22 COMMISSION SHALL HAVE AUTHORITY TO ADOPT SUCH REASONABLE RULES AS MAY BE
23 NECESSARY FOR THE PURPOSE OF ADMINISTERING AND ENFORCING THE PROVISIONS OF
24 THIS ARTICLE AND ANY OTHER STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS
25 AS PROVIDED BY LAW. THE GENERAL ASSEMBLY SHALL APPROPRIATE REASONABLE AND
26 NECESSARY FUNDS TO COVER STAFF AND ADMINISTRATIVE EXPENSES TO ALLOW THE
27 INDEPENDENT ETHICS COMMISSION TO CARRY OUT ITS DUTIES PURSUANT TO THIS
28 ARTICLE. MEMBERS OF THE COMMISSION SHALL RECEIVE NO COMPENSATION FOR THEIR
29 SERVICES ON THE COMMISSION.

30 (2) (a) MEMBERS OF THE INDEPENDENT ETHICS COMMISSION SHALL BE
31 APPOINTED IN THE FOLLOWING MANNER AND ORDER:

32 (I) ONE MEMBER SHALL BE APPOINTED BY THE COLORADO SENATE;

33 (II) ONE MEMBER SHALL BE APPOINTED BY THE COLORADO HOUSE OF
34 REPRESENTATIVES;

35 (III) ONE MEMBER SHALL BE APPOINTED BY THE GOVERNOR OF THE STATE OF
36 COLORADO;

37 (IV) ONE MEMBER SHALL BE APPOINTED BY THE CHIEF JUSTICE OF THE
38 COLORADO SUPREME COURT; AND

1 (V) ONE MEMBER SHALL BE EITHER A LOCAL GOVERNMENT OFFICIAL OR A
2 LOCAL GOVERNMENT EMPLOYEE APPOINTED BY THE AFFIRMATIVE VOTE OF AT LEAST
3 THREE OF THE FOUR MEMBERS APPOINTED PURSUANT TO SUBPARAGRAPHS (I) TO (IV) OF
4 THIS PARAGRAPH (a).

5 (b) NO MORE THAN TWO MEMBERS SHALL BE AFFILIATED WITH THE SAME
6 POLITICAL PARTY.

7 (c) EACH OF THE FIVE MEMBERS SHALL BE REGISTERED COLORADO VOTERS AND
8 SHALL HAVE BEEN CONTINUOUSLY REGISTERED WITH THE SAME POLITICAL PARTY, OR
9 CONTINUOUSLY UNAFFILIATED WITH ANY POLITICAL PARTY, FOR AT LEAST TWO YEARS
10 PRIOR TO APPOINTMENT TO THE COMMISSION.

11 (d) MEMBERS OF THE INDEPENDENT ETHICS COMMISSION SHALL BE APPOINTED
12 TO TERMS OF FOUR YEARS; EXCEPT THAT, THE FIRST MEMBER APPOINTED BY THE
13 COLORADO SENATE AND THE FIRST MEMBER APPOINTED BY THE GOVERNOR OF THE
14 STATE OF COLORADO SHALL INITIALLY SERVE TWO YEAR TERMS TO ACHIEVE STAGGERED
15 ENDING DATES.

16 (e) IF A MEMBER IS APPOINTED TO FILL AN UNEXPIRED TERM, THAT MEMBER'S
17 TERM SHALL END AT THE SAME TIME AS THE TERM OF THE PERSON BEING REPLACED.

18 (f) EACH MEMBER SHALL CONTINUE TO SERVE UNTIL A SUCCESSOR HAS BEEN
19 APPOINTED, EXCEPT THAT IF A MEMBER IS UNABLE OR UNWILLING TO CONTINUE TO
20 SERVE UNTIL A SUCCESSOR HAS BEEN APPOINTED, THE ORIGINAL APPOINTING AUTHORITY
21 AS DESCRIBED IN THIS SUBSECTION SHALL FILL THE VACANCY PROMPTLY.

22 (3) (a) ANY PERSON MAY FILE A WRITTEN COMPLAINT WITH THE INDEPENDENT
23 ETHICS COMMISSION ASKING WHETHER A PUBLIC OFFICER, MEMBER OF THE GENERAL
24 ASSEMBLY, LOCAL GOVERNMENT OFFICIAL, OR GOVERNMENT EMPLOYEE HAS FAILED TO
25 COMPLY WITH THIS ARTICLE OR ANY OTHER STANDARDS OF CONDUCT OR REPORTING
26 REQUIREMENTS AS PROVIDED BY LAW WITHIN THE PRECEDING TWELVE MONTHS.

27 (b) THE COMMISSION MAY DISMISS FRIVOLOUS COMPLAINTS WITHOUT
28 CONDUCTING A PUBLIC HEARING. COMPLAINTS DISMISSED AS FRIVOLOUS SHALL BE
29 MAINTAINED CONFIDENTIAL BY THE COMMISSION.

30 (c) THE COMMISSION SHALL CONDUCT AN INVESTIGATION, HOLD A PUBLIC
31 HEARING, AND RENDER FINDINGS ON EACH NON-FRIVOLOUS COMPLAINT PURSUANT TO
32 WRITTEN RULES ADOPTED BY THE COMMISSION.

33 (d) THE COMMISSION MAY ASSESS PENALTIES FOR VIOLATIONS AS PRESCRIBED
34 BY THIS ARTICLE AND PROVIDED BY LAW.

1 (e) THERE IS HEREBY ESTABLISHED A PRESUMPTION THAT THE FINDINGS SHALL
2 BE BASED ON A PREPONDERANCE OF EVIDENCE UNLESS THE COMMISSION DETERMINES
3 THAT THE CIRCUMSTANCES WARRANT A HEIGHTENED STANDARD.

4 (4) MEMBERS OF THE INDEPENDENT ETHICS COMMISSION SHALL HAVE THE
5 POWER TO SUBPOENA DOCUMENTS AND TO SUBPOENA WITNESSES TO MAKE STATEMENTS
6 AND PRODUCE DOCUMENTS.

7 (5) ANY PUBLIC OFFICER, MEMBER OF THE GENERAL ASSEMBLY, LOCAL
8 GOVERNMENT OFFICIAL, OR GOVERNMENT EMPLOYEE MAY SUBMIT A WRITTEN REQUEST
9 TO THE INDEPENDENT ETHICS COMMISSION FOR AN ADVISORY OPINION ON WHETHER ANY
10 CONDUCT BY THAT PERSON WOULD CONSTITUTE A VIOLATION OF THIS ARTICLE, OR ANY
11 OTHER STANDARDS OF CONDUCT OR REPORTING REQUIREMENTS AS PROVIDED BY LAW.
12 THE COMMISSION SHALL RENDER AN ADVISORY OPINION PURSUANT TO WRITTEN RULES
13 ADOPTED BY THE COMMISSION.

14 **Section 6. Penalty.** ANY PUBLIC OFFICER, MEMBER OF THE GENERAL ASSEMBLY, LOCAL
15 GOVERNMENT OFFICIAL OR GOVERNMENT EMPLOYEE WHO BREACHES THE PUBLIC TRUST
16 FOR PRIVATE GAIN AND ANY PERSON OR ENTITY INDUCING SUCH BREACH SHALL BE
17 LIABLE TO THE STATE OR LOCAL JURISDICTION FOR DOUBLE THE AMOUNT OF THE
18 FINANCIAL EQUIVALENT OF ANY BENEFITS OBTAINED BY SUCH ACTIONS. THE MANNER
19 OF RECOVERY AND ADDITIONAL PENALTIES MAY BE PROVIDED BY LAW.

20 **Section 7. Counties and municipalities.** ANY COUNTY OR MUNICIPALITY MAY ADOPT
21 ORDINANCES OR CHARTER PROVISIONS WITH RESPECT TO ETHICS MATTERS THAT ARE
22 MORE STRINGENT THAN ANY OF THE PROVISIONS CONTAINED IN THIS ARTICLE. THE
23 REQUIREMENTS OF THIS ARTICLE SHALL NOT APPLY TO HOME RULE COUNTIES OR HOME
24 RULE MUNICIPALITIES THAT HAVE ADOPTED CHARTERS, ORDINANCES, OR RESOLUTIONS
25 THAT ADDRESS THE MATTERS COVERED BY THIS ARTICLE.

26 **Section 8. Conflicting provisions declared inapplicable.** ANY PROVISIONS IN THE
27 STATUTES OF THIS STATE IN CONFLICT OR INCONSISTENT WITH THIS ARTICLE ARE HEREBY
28 DECLARED TO BE PREEMPTED BY THIS ARTICLE AND INAPPLICABLE TO THE MATTERS
29 COVERED BY AND PROVIDED FOR IN THIS ARTICLE.

30 **Section 9. Legislation to facilitate article.** LEGISLATION MAY BE ENACTED TO
31 FACILITATE THE OPERATION OF THIS ARTICLE, BUT IN NO WAY SHALL SUCH LEGISLATION
32 LIMIT OR RESTRICT THE PROVISIONS OF THIS ARTICLE OR THE POWERS HEREIN GRANTED.