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**AMENDED PRE-HEARING ORDER**

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Colorado Ethics Watch,

Complainant,

vs.

Scott E. Gessler,

Respondent.

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The Independent Ethics Commission hereby informs the parties:

1. The hearing in this matter shall be conducted by the Independent Ethics Commission ("IEC") on **June 7, 2013** at 9 a.m. at 1300 Broadway, first floor, Denver, CO. 80203
2. Based on Complaint 12-07 and the IEC's investigation, the following standards of conduct and/or reporting requirements may apply to this case. The IEC reserves the right to consider additional standards of conduct and/or reporting requirements, depending on the evidence presented, and the arguments made, at the hearing in this matter.

**a. C.R.S. §24-18-103(1):**

(1) The holding of public office or employment is a public trust, created by the confidence which the electorate reposes in the integrity of public officers, members of the general assembly, local government officials, and employees. A public officer, member of the general assembly, local government official, or employee shall carry out his duties for the benefit of the people of the state.

**b. C.R.S. §24-9-105(1):**

(1) Beginning with the fiscal year commencing July 1, 1985, and for each fiscal year thereafter, subject to annual appropriation by the general assembly, there is hereby available the following amounts for elected state officials for expenditure in pursuance of official business as each elected official sees fit:

- (a) Governor, twenty thousand dollars;
- (b) Lieutenant governor, five thousand dollars;
- (c) Attorney general, five thousand dollars;
- (d) Secretary of state, five thousand dollars;
- (e) State treasurer, five thousand dollars.

**c. C.R.S. §24-9-105(2):**

(2) The appropriations made by paragraphs (a), (b), (c), and (e) of subsection (1) of this section shall be out of any moneys in the general fund not otherwise appropriated, and the appropriation made by paragraph (d) of subsection (1) of this section shall be out of any moneys in the department of state cash fund not otherwise appropriated.

**d. C.R.S §24-17-102(1):**

(1) Each principal department of the executive department of the state government listed in section 24-1-110 shall institute and maintain systems of internal accounting and administrative control within said department, which shall be applicable to all agencies within said department and which shall provide for:

- (a) A plan of organization that specifies such segregation of duties as may be necessary to assure the proper safeguarding of state assets;
- (b) Restrictions permitting access to state assets only by authorized persons in the performance of their assigned duties;
- (c) Adequate authorization and record-keeping procedures to provide effective accounting control over state assets, liabilities, revenues, and expenditures;
- (d) Personnel of quality and integrity commensurate with their assigned responsibilities;
- (e) An effective process of internal review and adjustment for changes in conditions.

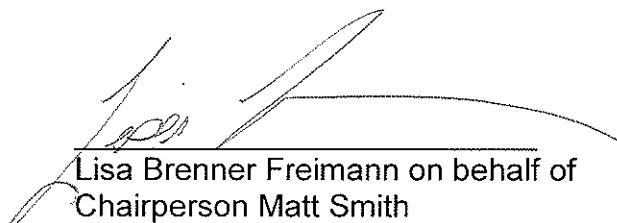
**e. C.R.S §24-30-202(26):**

(26) The controller shall promulgate equitable fiscal rules concerning travel policies applicable to state employees, including methods of transportation, travel advances, reimbursements, travel allowances, use of travel agents, and use of state or privately owned vehicles, and may promulgate such rules for the implementation of a state travel policy as he deems necessary to assure fair and reasonable expenditures. The controller shall make available a report no later than February 1 of each year to the governor, the joint budget committee, and the legislative audit committee regarding the travel expenses of state employees for the prior fiscal year. Such report shall include, but shall not be limited to, an itemized list of the travel expenses of each department including in-state travel, out-of-state travel, and out-of-country travel. The controller shall notify, in the most cost-effective manner available, the governor, the joint budget committee, and the legislative audit committee of the availability of the report and offering to provide copies of the report.

**f. State Fiscal Rules – 1 CCR 101**

1-1: Accounting Principles and Standards  
2-1: Propriety of Expenditures  
2-7: Official Functions and Training Functions  
2-8: Miscellaneous Compensation and Other Benefits  
5-1: Travel and all related guidance available on the State Comptroller's website.

[http://www.colorado.gov/dpa/dfp/sco/FiscalRules/FR\\_Travel.htm](http://www.colorado.gov/dpa/dfp/sco/FiscalRules/FR_Travel.htm)



Lisa Brenner Freimann on behalf of  
Chairperson Matt Smith

CERTIFICATE OF MAILING

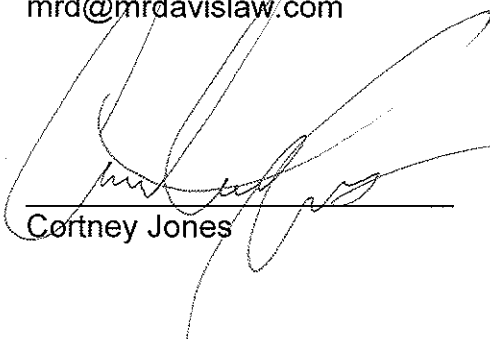
This is to certify that on May 6th, 2013, I placed true copies of the foregoing **AMENDED PRE-HEARING ORDER** in the United States mail; postage prepaid, and emailed the same addressed as follows:

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