

BALLOT ISSUES



2016

LEAGUE OF WOMEN VOTERS OF COLORADO EDUCATION FUND

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ELECTION DAY – NOVEMBER 8, 2016

THE LEAGUE OF WOMEN VOTERS® OF COLORADO EDUCATION FUND has prepared this pamphlet as a public service to promote civic responsibility by providing nonpartisan information about the issues that citizens will be asked to vote on in the **November 8, 2016 election**.

THE LEAGUE OF WOMEN VOTERS® OF COLORADO EDUCATION FUND promotes informed participation in government by providing non-partisan educational information on topics of public concern and on the processes of government.

Contact the League's **VOTER HOTLINE** at **303-863-VOTE (8683)** for voter information, ballot information or for ballot issue speakers.

Judges: for information about the judges, please refer to the *Legislative Analysis of the Ballot Issues*, commonly known as the 'Blue Book', which is mailed to voters in each household.

THE LEAGUE OF WOMEN VOTERS® OF COLORADO EDUCATION FUND is not responsible for the accuracy or fairness of the arguments of either side. The pro and con statements are a compilation of the material submitted by proponents and opponents of each ballot issue.

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THE BALLOT

Issues are placed on the ballot by:

Referendum

- A proposal by the Legislature which is referred to citizens for a vote.

Initiative

- A proposal by citizens who have gathered the required number of signatures (five percent of the total number of votes cast for Secretary of State in the previous general election).

Statewide issues appearing on the ballot may be of two types:

Amendments to the Colorado Constitution

- May be referred to the voters by a two-thirds vote of both houses of the General Assembly or may be proposed by citizens using the initiative process. Only the voters (not the legislature) can change the constitution. These proposals are called **amendments**.

Amendments to the Revised Statutes

- May be referred to the voters by a majority vote of both houses of the General Assembly or may be proposed by citizens using the initiative process. Although approved by voters, amendments to the Colorado Revised Statutes may subsequently be changed

by the legislature. These proposals are called **propositions** and are changes to the statutes.

Local or regional issues may also be on the ballot for a vote of the citizens.

REFERENDA

AMENDMENT T

No Exception to Involuntary Servitude Prohibition

An amendment to article II, section 26 of the Colorado Constitution which would remove the exception that allows the use of slavery and involuntary servitude when used as a punishment for persons convicted of a crime.

Major Provisions:

- Eliminates the exception which allows the use of slavery and involuntary servitude as punishment for the conviction of a crime.

Background:

The language of article II, section 26 is consistent with the 13th Amendment to the US Constitution passed in 1865. It also prohibited slavery and involuntary servitude, except as punishment for a crime for which a person was found guilty. Twenty-five states do not have this slavery language in their constitutions.

Court decisions have approved work requirements as part of criminal sentences for incarceration in prison, community service and probation, based on provisions of the US and Colorado Constitutions.

The Colorado Correctional Industries currently employs more than 1800 inmates. Colorado Department of Corrections work programs are not compulsory, but an inmate's refusal to work may impact eligibility for prison privileges and parole.

The Colorado Legislature's resolution referring this measure to the voters expressly provides that the Legislature does not intend to withdraw legitimate work opportunities from convicted persons, but only to prevent compulsory labor by such persons.

Those in favor say:

1. The language to be eliminated is archaic. It was written in the 19th Century, when not all people were treated with human dignity or even considered human. Freedom and equality are fundamental human values which should be reflected in the Colorado Constitution.

Those opposed say:

1. Work programs have a legitimate place in the correctional system. Prison work programs build skills and help reduce recidivism, and provide a structure and purpose for offenders. Community service and probation work requirements engage offenders in a positive way with the community and help offenders make amends for their criminal conduct. Legal challenges under Amendment T could jeopardize these beneficial work practices.

AMENDMENT U
Exempt Certain Possessory Interests from
Property Tax

A referred amendment to article X, section 3 of the Colorado Constitution to eliminate property taxes for individuals and businesses who derive a benefit worth not more than \$6,000 a year from government-owned real property.

Major Provisions:

- Eliminates property tax for businesses and individuals who derive a benefit worth \$6,000 or less from the use of government-owned real property; and
- Adjusts the exemption amount every two years to keep up with inflation.

Background:

Colorado does not tax real property owned by government entities (national, state and local). The Constitution, however, does impose a property tax on individuals and businesses that rent, lease or have other rights to use government property (a “possessory interest”). That property tax is based on the actual value of the possessory interest.

A possessory interest allows an entity to occupy, use, or control a plot of land but does not include ownership of the land. Common examples of possessory interests are ranchers who lease grazing rights on government land and rafting companies who use public waterways.

This proposal creates a new exemption from property tax for individuals and businesses who receive a benefit of no more than \$6,000 or less from their possessory interests in government land. If approved, the exemption would go into effect for property tax years beginning January 1, 2018. After that, the exemption threshold of \$6,000 can be increased in odd-numbered years to reflect changes in inflation. Projections indicate that the amendment would result in a total reduction of property taxes of up to \$125,000

per year from all possessory interests in the state.

Those in favor say:

1. Colorado counties pay more to collect and administer property taxes on possessory interests below the \$6000 threshold than they receive from those taxes. For example, a lease valued at \$5,000 to graze cattle on federal land may result in a property tax of \$25 (depending on local tax rates). The county tax authority must pay administrative costs to collect, maintain tax rolls, and enforce the tax. The proposed amendment recognizes that it does not make economic sense to pay more to collect a tax than the tax amount received.

Those opposed say:

1. The proposal is contrary to the Colorado Constitution requirement that taxes be charged uniformly for all taxpayers. The proposed exemption for small property tax amounts opens the door to more exemptions in the future. It also unfairly benefits those individuals and businesses whose possessory interests in government property are below the \$6000 threshold. The reduction in property tax revenue to each county – even though small, will unfairly shift the tax burden to all other property taxpayers.

CONSTITUTIONAL INITIATIVES

AMENDMENT 69

Statewide Healthcare System

Adds article XXX to the Colorado Constitution to provide health care to the residents of the state.

Major provisions:

- Provides access to affordable health care to all residents of Colorado;
- Establishes a governing board, first appointed and later elected, to administer Colorado health care;
- Creates a taxing system to finance ColoradoCare;
- Allows waivers to be obtained from the insurance exchange program to create a unique Colorado health care system.

Background:

At this time, most Coloradans get their health care from private insurance companies or federal insurance programs. The Affordable Care Act (Obama Care) requires most people to have health insurance or face a tax penalty. While many Coloradans get their insurance through their employer, some people purchase private insurance through an insurance agent, the Colorado Health Benefit Exchange or directly from an insurance company. This proposal would create ColoradoCare as a unique Colorado health care system. It is a political subdivision of the state which is not under control of any department or agency in the state.

Board: The board that will administer the health care system in Colorado will initially be appointed by the president of the Senate, the minority leader of the Senate, the Speaker of the House, the minority leader of the House, and the governor, each of whom shall appoint three trustees. The appointments will occur within 60 days after the effective date of the article. It allows the interim board to establish by-laws, procedures and rules of operation, to adopt a budget, to hire employees, to seek a waiver to suspend the operation of the Colorado Health Benefit Exchange, and to divide the state into seven compact, contiguous and relatively equal districts.

The interim board shall schedule an election of the 21-member permanent board within three years of the date the proposal takes effect. Three trustees will be elected for four year terms from residents in each of the seven districts. The election will be non-partisan, each trustee may serve only two consecutive terms and trustees are not subject to recall. Once elected, the board will hire a CEO, a CFO, and a Chief Medical Officer. The board will establish a central purchasing authority, separate ombudsmen offices for providers and beneficiaries, and an office for prevention of fraud. The board will work to ensure financial stability and determine rules for independent annual performance and financial audits.

Health care benefits: The board will contract with providers to provide primary, specialty, hospital, prescription drugs, durable medical equipment, behavioral health treatment, emergency and urgent care services, rehabilitation services, pediatric care, laboratory services, maternity and newborn

care, and palliative and end-of-life care. Workers' Compensation, Medicaid, and the Children's Basic Health Plan funds will be administered by ColoradoCare. Medicare, military and veteran's health care programs and other federal health care programs will continue to exist. ColoradoCare will offer supplemental coverage for these plans. The program will not charge beneficiaries deductibles, copayments for preventative and primary care services, and will allow beneficiaries to choose their own primary care providers.

Funding: Financing of ColoradoCare shall begin on July 1 of the year following the date this provision takes effect. The payments initially will be lower, transitional payments and then 30 days prior to ColoradoCare assuming responsibility for health care payments, the Colorado Department of Revenue will begin collecting higher, permanent payments. The permanent health care payments will consist of 6.67% of the total payroll of employers, 3.33% of payroll income of each employee, and 10% of all non-payroll income from all beneficiaries. If the board determines higher premiums are necessary, the premium taxes can be raised only once a year after approval by a majority of the members of ColoradoCare. ColoradoCare would be exempt from TABOR requirements (article X, section 20). An individual must pay the health care premium regardless of whether they use ColoradoCare insurance.

The Legislature, in the first regular session after the adoption of this article, shall pass

legislation to allow the Department of Revenue to levy taxes to fund ColoradoCare, to suspend operations of the Colorado Health Benefit Exchanges, to transfer responsibility for administering Medicaid and the Children's Basic Health Plan to Colorado Care, to repeal the Workers' Compensation Act of Colorado, and any other legislation necessary to implement this proposal.

Any part of the act that is declared unconstitutional shall be severed from the remainder of the proposal. ColoradoCare can be shut down if waivers and agreements from the federal government are not sufficient to make its operation fiscally sound.

Those in favor say;

1. ColoradoCare will cover everyone. This proposal will make sure that all Colorado residents will have affordable, lifetime health care, including mental and behavioral health care. Residents will no longer have confusing yearly enrollment dates for their insurance plans. This proposal will allow Coloradans to choose their primary care providers and if they wish, keep the insurance that they currently have, however they will have to pay the tax. Those who have Medicare, federal insurance plans, military and veterans plans can use ColoradoCare for supplemental care.
2. ColoradoCare will expand access and improve the quality of health benefits that residents receive. Children will receive dental, vision, and hearing coverage. The proposal will provide health care to all residents regardless of their financial

circumstances. Residents will no longer have to worry about declaring bankruptcy to take care of high medical bills.

3. ColoradoCare will save money for most residents. Out-of-pocket expenses will be reduced because there will be no deductibles or copayments for primary and preventative care visits. This measure allows ColoradoCare members to control tax increases because future increases must be approved by a majority vote of ColoradoCare members. This health care plan will cut administrative costs, and eliminate bureaucracy and fraud. Coloradans who currently have no insurance will no longer have to use expensive emergency rooms for their health care needs.

Those opposed say:

1. ColoradoCare would raise \$25 billion in new taxes to fund a state-level, government health care system. This would give Colorado the highest income tax rate in the country. For context, the entire state budget is about \$27 billion. All Coloradans would pay this new tax, whether ColoradoCare is their primary source of health care or not. This hurts seniors, members of the military, small business, jobs and our economy. And it would inevitably hamper the state's ability to make investments in other vital priorities such as education and transportation.
2. ColoradoCare will be run by an unaccountable board of 21 politicians with no guarantee of content area expertise, political balance or diversity. It would be

the only group of elected officials in the state not subject to public recall. That board would have the authority to decide what treatments and medications are covered, what you pay out-of-pocket for those benefits, and how much providers are paid. It provides virtually no state oversight, jeopardizing patient protection. By creating so much flux and uncertainty, ColoradoCare could drive the best and the brightest doctors out of Colorado and put local clinics and hospitals out of business. Decisions about our health care are too important to leave to inexperienced, unaccountable politicians

3. This first-of-its-kind health care system will be locked into the state's constitution making it nearly impossible to fix, or even update it in the future. It is irresponsible to put another complex policy into our state's constitution.

AMENDMENT 70 State Minimum Wage

An initiated amendment to section 15 of article XVIII of the Colorado Constitution that would adjust the current state minimum wage.

Major Provisions

- Increases the state minimum wage from \$8.31 to \$9.30 per hour beginning January 1, 2017;
- Expands the minimum wage annually by \$.90 per hour beginning January 1, 2018, until it reaches \$12.00 per hour on January 1, 2020;

- Adjusts the minimum wage each year after January 1, 2021 based on cost-of-living increases.

Background:

The federal minimum wage is currently set at \$7.25 per hour for most workers and \$2.13 for workers who receive tips. It was last increased in 2009. Colorado's current minimum wage provision was adopted in 2006. The minimum wage was set at \$6.85 on January 1, 2007 for most workers and \$3.83 for those who receive tips. Only \$3.02 of tip income may be used to offset the minimum wage of employees who regularly receive tips. The law requires that the minimum wage be adjusted each year up or down for changes in inflation. It is currently set at \$8.31 for most workers. The workers most likely to be paid the minimum wage include retail salespersons, food service workers, child care workers, janitors, and home health aides.

Those in favor say:

1. Low-wage workers are falling farther behind in Colorado. Full-time minimum wage workers currently earn \$17,000 annually, which is under \$300 a week after taxes. The minimum wage has not kept up with the cost of living, especially housing. The majority of Colorado workers who make less than \$12 an hour are women and 86 percent are over the age of 20, many supporting families. It isn't enough to live on and raising the minimum wage would help people make ends meet.
2. When people have more money in their pockets, they spend it on Main Street and our communities thrive. Research

consistently shows that raising the minimum wage gradually over time, as this proposal does, has little or no effect on jobs or prices, even in sectors most likely to hire minimum wage workers. Low and middle income workers are more likely to spend pay increases in the community helping local Colorado businesses and the economy.

Those opposed say:

1. Small businesses will be hit hardest by a 44% increase in the minimum wage, leaving them little choice but to let go or reduce the hours of low-wage workers, cut hours of operation, increase prices, or even close. Colorado's minimum wage has gone up 61% in the last 10 years and will continue to rise with inflation every year, but another 44% goes too far for small and family-owned businesses.
2. This proposal is unfair for rural Colorado, where the cost of living is different from large metro areas. Small businesses in rural Colorado simply can't afford to pay as much as stores in urban areas of the state. This will hurt many of the very same people it is meant to help. A recent economic study found that a 44% increase in the Colorado minimum wage could eliminate 90,000 jobs and reduce wages by \$3.9 billion per year by 2022.

AMENDMENT 71
Requirements for Initiated Constitutional
Amendments

An amendment to section 1, article V which amends and adds a new section to make it harder to amend the Colorado Constitution.

Major Provisions:

- Makes it more difficult to amend the Colorado Constitution by requiring that at least 2% of the voters in each state senate district sign the petition;
- Calls for at least a 55% yes vote cast by Colorado voters to become part of the Colorado Constitution;
- Determines that the 55% yes vote requirement shall not apply to an initiated constitutional amendment that would repeal a current provision of the Colorado Constitution. The requirement for repealing an existing provision in the constitution would continue to be a 50% majority vote.

Background:

An initiative process to change the Colorado Constitution and Colorado statutory law passed by popular vote in 1910 and was first available to the voting public in 1912. Since that year, 70 total initiatives have been adopted by the voting public: 44 that amended the state constitution and 26 that have changed or added to statutory law. By contrast, the United States Constitution has been amended only 27 times. Currently in Colorado, the initiative process is the same whether the result is an amendment to the constitution or a change to state statutes. The same number of signatures is required and the same approval by a simple majority vote.

This proposal would require a 55% vote for any new constitutional amendments. Any provision currently in the constitution could be repealed by a 50% majority vote.

Those in favor say:

1. It should be more difficult to amend the state constitution than to change state law. The constitution is a foundational document where changes made are nearly impossible to reverse. Requiring 55% of the vote for passage of a new constitutional amendment ensures broad public support for what is likely a permanent addition to the state constitution.
2. The current lack of a geographic requirement for petition signatures allows the most populous metropolitan communities to dictate access to the ballot for constitutional amendments to the exclusion of the rest of the state. Requiring signatures from each state senate district will ensure citizens across the state a voice in determining which measures reach the ballot.

Those opposed say

1. If a proposal is needed to correct an existing constitutional provision, the correction or “fix” will be more difficult to place on the ballot because of new more stringent signature requirements. Creating two thresholds to approve constitutional changes, a simple majority (50%) for the repeal of existing provisions, but a super majority (55%) to pass a new constitutional amendment may confuse

voters and raise legal problems leading to litigation.

2. Requiring 2% of petition signatures from each senate district in the state will make the process more expensive, more difficult and could discourage citizen grassroots participation. It could allow one part of the state to block proposals with strong support everywhere else in the state.

AMENDMENT 72

Increase in Cigarette Tax

An initiated amendment to section 21 of the Colorado Constitution to increase cigarette and tobacco taxes.

Major Provisions:

- Raises the state tax on a pack of cigarettes from \$0.84 to \$2.59;
- Increases the state tax on other tobacco products from 40 percent to 62 percent of the manufacturer's retail price;
- Distributes the new tax money for medical research, tobacco-use prevention, doctors and clinics in rural or low-income areas, veterans' services, and other health-related programs;
- Exempts revenue from this from the state's constitutional revenue limit.

Background:

Every pack of cigarettes sold in Colorado includes \$1.01 federal and \$.84 state taxes. Colorado's excise tax on cigarettes is ranked number 33 out of the 50 states. The highest state tobacco tax is \$4.35 a pack in New York. The lowest is \$.17 per pack in Missouri.

In 2015, \$197.9 million in cigarette and tobacco taxes were collected in Colorado. The proposal would increase the amount to \$315 million per year. The money raised would increase health services for those affected by tobacco use and raise funds for research and smoking cessation programs. Of the \$.84 state tax on a pack of cigarettes, \$.64 is required to be spent on health-related programs as identified in the state constitution, as well as on disease prevention and treatment.

Since 1973, no local government has collected taxes on cigarettes but they have collected taxes on other tobacco products. These products, such as cigars, pipe tobacco, snuff, dip, and chewing tobacco are taxed by Colorado at 40% of the manufacturer's retail price. Half of this amount is spent on the same health programs as the cigarette tax while the other half is spent on other state government programs. E-cigarettes are not taxed.

Those in favor say:

1. Smoking is the number one cause of preventable death in Colorado, killing more than 5,000 Coloradans and adding \$1.9 billion in health care costs a year. Smoking reduction has occurred but there are still over 650,000 adults and almost 24,000 high school students who smoke. The current 84-cent tax is lower than most states and in today's economy it does not make a significant impact on reducing smoking. Nearly every state in the country has passed cigarette tax increases, resulting in lower smoking rates, especially among kids, and increased funding for important health programs.

2. The proposed \$1.75/pack increase in Colorado will prevent more than 34,000 kids from becoming smokers, save over 20,000 lives and prevent \$1.4 billion in future health care costs. This is the most effective way to fight this deadly problem and stop more kids from getting addicted.

Those opposed say:

1. This proposal will raise the Colorado tax far above the national average, and any new taxes are not necessary. Unless a new amendment is passed, this tax cannot be changed if the need for funds exceeds revenues. There will be a decreased revenue stream if consumption declines and state program spending may not be ready for this decrease. This is a regressive tax because the fixed amount of tax on a pack of cigarettes represents a larger share of the income of low-income smokers than of the wealthy and because low-income individuals are more likely to smoke.
2. High excise taxes may increase smuggling from neighboring states with lower taxes; this activity may encourage corruption among public officials and trigger violence against people, property and police, as well as increase law enforcement needs.

**PROPOSITION 106
Medical Aid in Dying**

An initiated proposition adding a new section of article 48 to title 25 of the Colorado Revised Statutes to allow an adult resident of Colorado to request and receive from a physician a prescription for a medical aid-in-dying medication for self-administration.

Major Provisions:

- Allows an individual who is a Colorado resident, 18 years old, mentally competent, and who is diagnosed with a terminal illness, and has a prognosis of six months or less to live, to request an aid-in-dying medication for self-administration from the attending physician;
- Provides that the individual must request the medication twice orally and then once in writing in front of two witnesses, who can attest that the request is voluntary and that the individual is mentally competent;
- Requires the attending physician, after determining the patient is mentally competent and the request is voluntary, to refer the patient to a consulting physician;
- Requires the consulting physician to confirm the diagnosis and prognosis and to confirm mental competence and that the request is voluntary;
- Determines the patient must be aware of alternative treatments and the risks of aid-in-dying medication;
- Refers those determined to be suffering a mental disorder to a competent mental health professional for counseling;
- Establishes criminal penalties for causing an individual's death by forgery, coercion, undue influence, or destroying or hiding a cancellation of a request for aid-in-dying medication;
- Provides that when a death has occurred by self-administration of an aid-in-dying medication, the physician signing the death certificate must list the underlying terminal illness as the cause of death.

Background:

Prior to World War II, although euthanasia had been widely discussed, no state allowed a physician to assist a person in ending his/her life. However, as improved medical care allowed the extension of life even though the patient was unconscious, and as anxiety over extending life through highly technical means increased, concern over the rights of patients to control their own treatment and their right to refuse treatment and die also increased. Soon, the discussion also included the concept of allowing a terminally ill patient to self-administer an aid-in-dying medication with some restrictions. (Restrictions for this proposal are outlined in the major provisions above.)

In 1994, Oregon passed a Death with Dignity law. In Colorado, similar legislation was introduced in the Legislature in 1995, 1996, 2015, and 2016 but failed to pass. Initiatives or legislation allowing physicians to prescribe aid-in-dying medication for self-administration have passed in Washington, Montana, Vermont and California and have been considered in several other states.

Those in favor say:

1. The Colorado End-of-Life Options Act would allow terminally ill, mentally capable adult Colorado residents access to medication that would allow them to shorten the dying process if suffering becomes unbearable. For most people with a terminal illness, hospice and palliative care are the right fit. But sometimes even the best care cannot relieve pain and

suffering, and people in that situation should have a range of options.

2. The measure would take government out of personal end-of-life decisions and allow patients to make their own choices about their health care with input from their families, their doctors and their faith. Medical aid in dying is now authorized in five states and the Colorado proposal is modeled after the successful Oregon law that has been in effect for nearly two decades.

Those opposed say:

1. Passage of this proposal could lead health professionals, family members, or others to advise, encourage, or exert subtle pressure on vulnerable persons to request doctor-prescribed suicide. Insurance companies could also use this as a way to cut costs by denying payment for more expensive treatments while approving payment for less costly lethal prescriptions. Health care facilities that do not permit end-of-life options may not be able to prevent doctor prescribed suicides from taking place on their premises.
2. A family member could engage in “doctor-shopping” until compliant physicians were found. A consulting physician may be a colleague or employee of the attending physician. Once a prescription is filled, there are no safeguards to ensure that the drug has been voluntarily taken. Also, the cause of death would not be accurately reflected on the death certificate.

PROPOSITION 107
Presidential Primary Elections

Amend the Colorado Revised Statutes to establish a presidential primary to be held in March of each presidential election year.

Major Provisions:

- Establishes a presidential primary election in Colorado;
- Allows unaffiliated voters to participate in the presidential primary without affiliating with a political party.

Background:

Presidential nominees for major political parties are chosen by state delegates at each party's national convention. In Colorado state delegates for the national party conventions have been selected in different ways over the years. In 1992, 1996 and 2000 delegates were selected by a presidential primary election. Since that time, political parties in Colorado have chosen delegates for their national conventions using a caucus/convention system. Only party members can participate in that party's caucus or convention. Caucuses and conventions are paid for by the political parties.

Under this proposal, a presidential primary election will be held no later than the third Tuesday in March. The presidential primary election will be the only issue on the ballot. This election will be funded by state and local taxpayers. The winner of a party's presidential primary will receive all of that party's delegates to the national convention.

Delegates will be bound to vote for that candidate at the party's national convention.

This proposal does not change the existing primary election in Colorado held in June for other state, federal and local offices. Neither does the proposition prevent political parties from holding caucuses. However, parties will no longer use caucuses to determine the party's choice for presidential nominee.

Voters who wish to be independent of political parties will not be required to affiliate with a political party to vote in the presidential primary election.

Those in favor say:

1. This year only 13% of Democrats and 6% of Republicans attended Colorado caucuses. Unaffiliated voters had no voice in nominating presidential candidates. A presidential primary election open to all voters will increase public participation in the selection process.
2. The caucus system in Colorado has resulted in the selection of extreme from each party. If all voters are engaged in the selection process, more centrist, pragmatic candidates will be selected. Without a presidential primary, Colorado is largely candidates ignored by the major party candidates.

Those opposed say:

1. The political parties fund caucuses, which are intimate political gatherings that foster close relationships and inspire grass roots activism. The presidential primary will

cost the state's taxpayers \$5.4 million in the 2019-20 election cycle.

2. Since the purpose of the primary election is to select political party candidates, only members of the parties should vote in these elections.

PROPOSITION 108 **Primary Elections**

Amend the Colorado Revised Statutes to allow an unaffiliated voter to vote in a primary election.

Major Provisions:

- Allows voters who are not affiliated with a political party to vote in a nonpresidential primary election;
- Requires unaffiliated voters to vote in the primary for only one political party;
- Allows political parties to opt out of holding an open primary election and, instead, nominate candidates either by assembly or convention.

Background:

Colorado holds primary elections that select party nominees for state, county and national offices, other than President, on the last Tuesday in June of even-numbered years. County election officials run these primary elections. Primary elections are paid for by taxpayers. Presently, Colorado primaries are closed which means a voter must be affiliated with a political party before voting in a primary election. If an unaffiliated voter wants to vote in a primary election, that voter may affiliate with a party at any time including on Election Day.

Under this measure, voters who wish to be independent of the political parties will no longer be required to affiliate with a political party before voting in a nonpresidential primary election. Unaffiliated voters would be allowed to vote in a primary election for only one political party.

The proposal also allows political parties to choose not to hold an open primary election. Instead, the parties could select candidates at an assembly or convention. Unaffiliated voters would not be able to participate. This process would be funded by the political parties.

Those in favor say:

1. Turnout in primaries in Colorado is low. Just 1 in 5 Colorado voters in 2016 picked candidates to run in November. Winners of closed primaries tend to appeal to the extremes of each party. We need more people involved if we want the best candidate options.
2. More than a third (37%) of Colorado voters are unaffiliated and nearly 50% of voters age 40 and under are unaffiliated. It's not right to exclude more than 1.3 million Coloradans from primary elections.
3. This is about fairness. Because all taxpayers pay for elections, no one should be excluded from the primary election. Everyone, including unaffiliated voters, should have the right to have their voices heard.

Those opposed say:

1. Since the purpose of the primary election is to select political party candidates, only

members of the parties should vote in these elections. Colorado voters already have the option of declaring a party so they can vote in a primary election. They can change their status back to unaffiliated after the election.

2. Opening primaries to unaffiliated voters will cost local and state taxpayers additional money. The state will have to produce and print separate ballots for unaffiliated voters. This may be a difficult financial burden on smaller and more rural counties.

BALLOT ISSUE 4B

Denver Metropolitan Scientific and Cultural Facilities District (SCFD)

This proposal will appear on ballots in the following counties: Adams, Arapahoe, Broomfield, Boulder, Denver, Douglas (except in towns of Castle Rock & Larkspur), and Jefferson.

An amendment to the Colorado Revised Statutes to reauthorize the collection of the 0.1% sales and use tax and to modify provisions for the Scientific and Cultural Facilities District.

Major Provisions:

- Extends the current 0.1% sales and use tax for 12 years to June 30, 2030;
- Outlines administrative procedures for the SCFD district;
- Adjusts the formula for distribution of the 0.1% tax revenues to participating organizations as follows: Tier I - 0.064%, Tier II - 0.022%, and Tier III - 0.014%.

Background:

In 1988, voters in the Denver Metro area created the Scientific and Cultural Facilities District (SCFD) to provide a consistent source of funding to scientific, cultural and arts organizations. Voters approved funding for the district by approving a tax of one-cent on every \$10 spent within the district. The tax was renewed in 1994 and again in 2004.

The recipients of district funds are divided into three groups or tiers. Tier I consists of the Denver Art Museum, the Denver Botanic Gardens, the Denver Museum of Nature and Science, the Denver Zoo and the Denver Center for the Performing Arts (DCPA). Their share of the funds is determined by statute. Tier II includes other significant local and regional institutions. Tier III recipients are smaller local organizations with cultural and scientific missions. Each county receives funds in proportion to the tax collected there, and the county cultural council recommends which organizations will receive funds.

The district is comprised of the seven-county Denver Metro area of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson Counties.

Those in favor say:

1. For the last 28 years, the Scientific & Cultural Facilities District has been an essential element in the increasingly vibrant arts, science and cultural scene across the metro area. Today, an average of 15 million visitors a year gain access to a broad array of offerings, making it a

national model of public funding for the arts.

2. The \$54 million generated from a modest one-penny sales tax on every ten dollar purchase allows over 4 million students the opportunity to experience educational and cultural programming at more than 300 diverse SCFD funded organizations. Because of the SCFD, more than 100 free days are available at our regional institutions each year.
3. The SCFD boosts our region's economy and provides a huge return on investment throughout the seven counties that support the district. SCFD funded facilities deliver a \$1.85 billion annual boost to the metro region's economy by generating jobs, tourism and audience spending.

Those opposed say:

1. The government taxes everyone to pay for the SCFD, regardless of whether individuals support the district, or can afford the tax. Many of those taxed for the district do not use the facilities supported by the district. Those who patronize the cultural facilities are, in general, able to pay for them without taxpayer subsidy.
2. The SCFD distribution formula favors the five largest organizations (Tier I: Zoo, DCPA, Botanic Gardens, Art and Nature and Science Museums) and automatic payments to these organizations will increase exponentially. At the same time, the Tier II mid-size organizations will divide their quota of the tax money between a growing-number of mid-sized organizations, thus shrinking their "slice of the pie." Likewise, smaller organizations

in Tier III will be penalized because the increasing number of these organizations causes a further division of funds and provides smaller grants to each individual organization.

VOTER REGISTRATION

Qualifications

- Must be a citizen of the United States
- A resident of a Colorado for at least 22 days
- Must be at least 16 years old, with the understanding that you must be 18 years of age to be eligible to vote
- Must provide a valid Colorado Driver's License or Colorado ID card OR present one of the acceptable forms of identification for voting

How to register

First time registration in Colorado

Up to 22 days prior to the election

- Register by mail
- Register through a Driver's License Examination Facility
- Register through a Voter Registration Drive (VRD)

Up to 8 days prior to the election

- State of Colorado online voter registration site: www.govotecolorado.com

Register in-person at the following locations any time during which voter registration is permitted including Election Day

- At a County Clerk's Office
- At a Voter Service Center in your County

Change of address for voters registered in Colorado

- By mail with a letter or form furnished by the County Clerk and received no later than the 8th day before the election

- State of Colorado On-line Voter Registration System by the 8th day before the election
- In person at any time during which registration is permitted including Election Day
- In-person at the following locations anytime including Election Day, at
 - Your County Clerk's office, or
 - A Voter's Service or Polling Center in your county of residence

Voter registration at
www.govotecolorado.com

or

Text: 2-VOTE (8683)

Message: Colorado

Forms may also be accessed on the websites of the Secretary of State, the County Clerk.

**ALL REGISTERED VOTERS WILL
RECEIVE A BALLOT IN THE MAIL**

- Voters may complete the ballot and return it by mail, or take it to a drop-off location.
- A mail ballot must be received no later than 7 PM on Election Day.

Voter Service and Polling Centers will be located in each county to provide election services. Centers will be open at least 15 days prior to the General Election. Services include:

- Voters may register at any time up to and including Election Day.
- Voters may change their address if registered elsewhere in Colorado.
- Voters may drop off their completed ballot.

- Voters may cast their vote in person at any time a polling center is open rather than vote by mail.

Identification Forms Accepted

Identification is required to vote at all polling locations. First time voters voting by mail may need to submit identification. Acceptable ID forms are:

- Valid Colorado driver's license
- Valid Colorado identification card
- Valid U.S. passport
- Employee photo ID card from a government agency
- Valid U.S. military card
- Copy of current utility bill, bank statement, cable or phone bill, paycheck or government check showing name and current address
- Government paycheck or document with name and current address
- FAA photo pilot's license
- Certified naturalization document
- Valid Medicare or Medicaid card
- Certified copy of birth certificate
- Valid student ID card with photo
- Valid veteran's ID card
- Valid ID card from a recognized tribal government

ELECTION CALENDAR 2016

October 17 – County clerks begin mailing ballots to voters.

October 24 – November 8 – Early voting at Voter Service and Polling Centers except on Sunday.

October 31 – Last day to apply for a mail-in ballot to be mailed to you.

November 8 – General Election

**ALL BALLOTS ARE DUE BY 7:00 PM
ON NOVEMBER 8, 2016.**

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