



# Colorado Ballot Questions 2008

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# Overview

- 18 questions will appear on November's ballot
  - 14 initiatives
  - 4 referenda
- Second most ballot questions ever:
  - 32 in 1912
- Potential deal between business and labor could result in some being pulled from ballot.

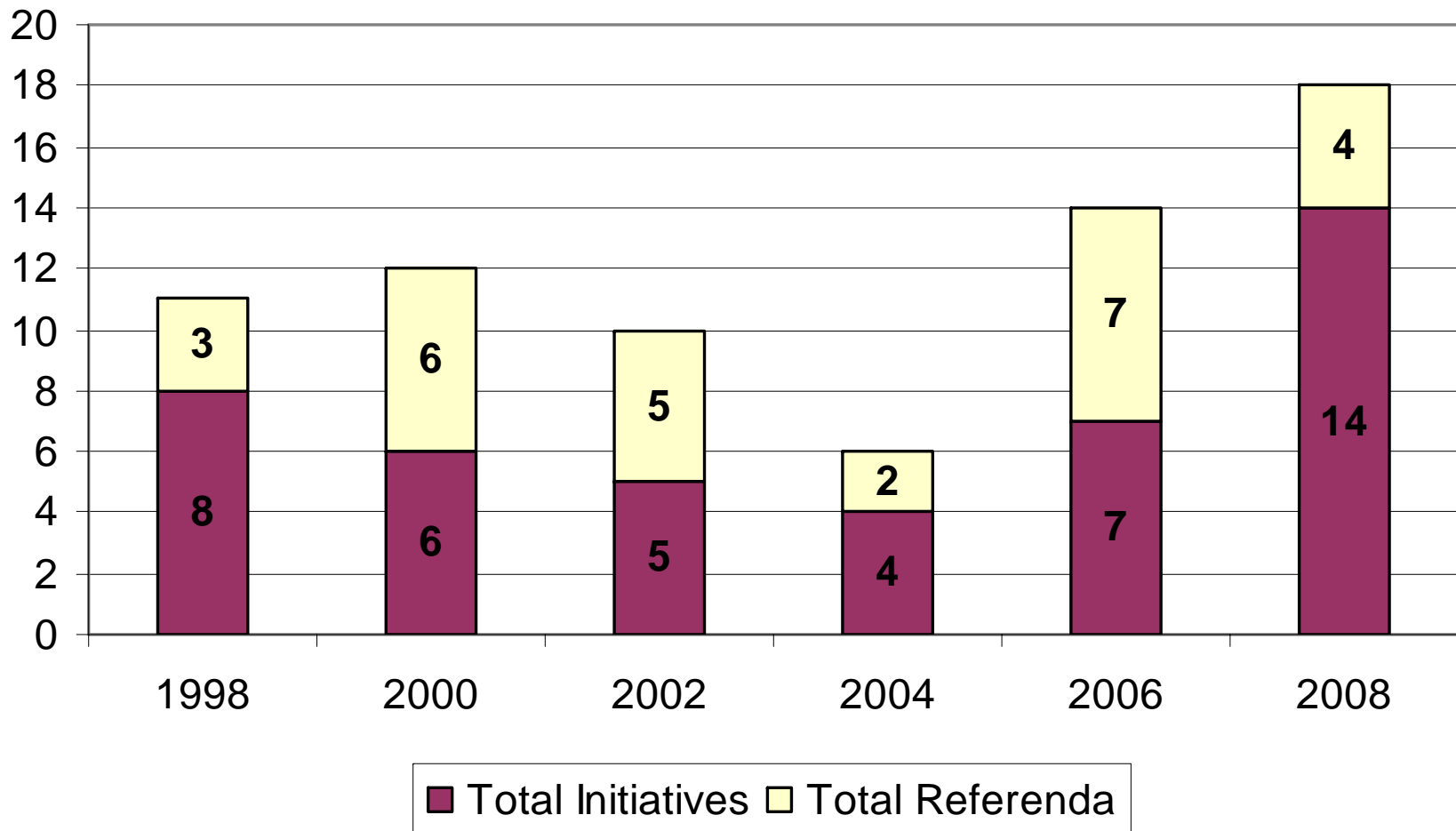


# Initiatives & Referenda

- Initiative: a ballot issue proposed by a citizen or coalition, submitted to the Secretary of State.
  - Proponents gather signatures to petition for placement on ballot
  - For the 2008 election year, 76,047 signatures are required for placement
  - Statutory and constitutional
  
- Referendum: a ballot issue proposed in the Legislature as a bill and referred to the people.
  - Constitutional amendments must be approved by 2/3 of both houses
  - Statutory amendments must be approved by majority vote

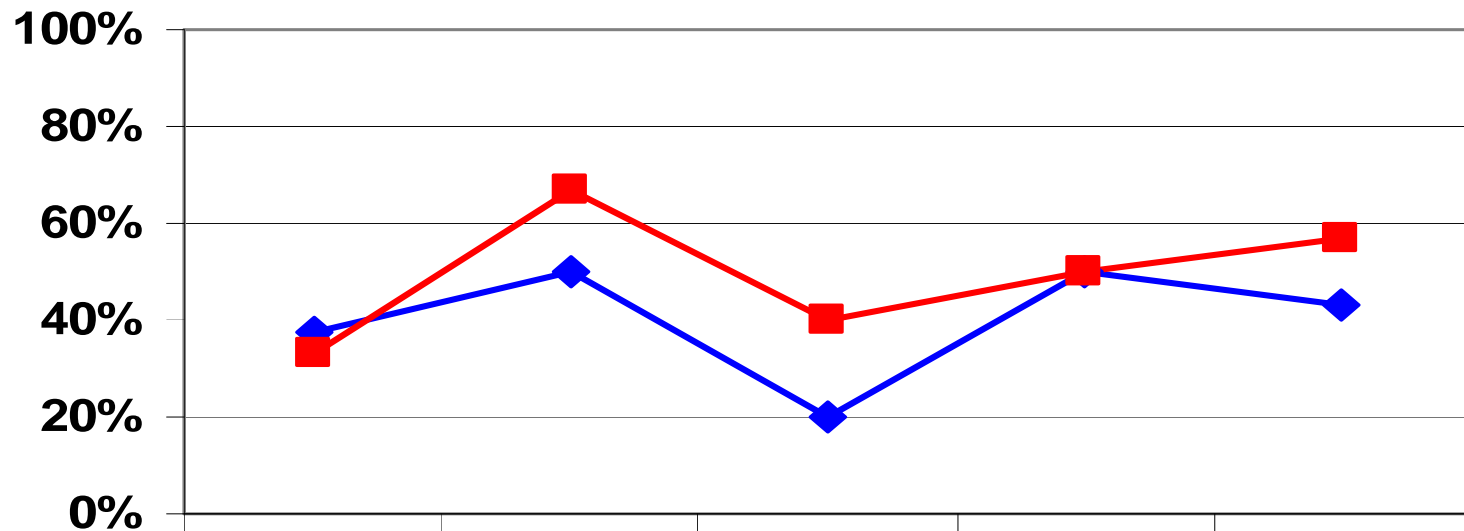


# Ballot Issues 1998-2008





# Ballot Issues Passed 1998 - 2006



◆ Initiative

38%

50%

20%

50%

43%

■ Referenda

33%

67%

40%

50%

57%

◆ Initiative ■ Referenda



# Issue Categories

1. Referenda
2. Labor related issues
3. Budget related issues
4. Social issues



# Colorado Ballot 2008 - Referenda



- Ref L – Lowers age from 25 to 21 to serve in state legislature
- Ref M – Removes obsolete provisions relating to planting trees and value of public land
- Ref N – Removes obsolete provisions relating to alcoholic beverages
- Ref O – Changes initiative procedures



# Referenda O

## *Constitutional*

Would change the requirements for qualifying initiatives for the ballot to favor statutory over constitutional initiatives.

**Proponents say:** Preserves citizens' rights to initiative laws while protecting constitution.

**Opponents say:** Limits the ability of citizens to amend the Constitution.

Bell's Position: Support





# Labor Related Issues



## Amendment 47 – Right to Work *Constitutional*

Would prohibit requiring employees to pay union dues or fees as part of employment and override Colorado's Labor Peace Act requirements.

**Proponents say:** Gives employees the choice of whether to contribute financially to union activities.

[www.abettercolorado.com](http://www.abettercolorado.com)

**Opponents say:** Allows employees to avoid paying their fair share of union's collective bargaining costs.

[www.protectcoloradosfuture.org](http://www.protectcoloradosfuture.org)

Bell's Position: None at this time



## Amendment 49 – Public Employee Paycheck Deductions *Constitutional*

Would allow most existing deductions except for union dues or any political advocacy group.

**Proponents say:** Eliminates employees' objections to having funds deducted for labor unions.

[www.ethicalstandardsnow.org](http://www.ethicalstandardsnow.org)

**Opponents say:** Prevents government employees from deciding what organizations to support with their payroll deductions. [www.protectcoloradosfuture.org](http://www.protectcoloradosfuture.org)

Bell's Position: None at this time.



# Amendment 54 – Restrictions on Campaign Contributions *Constitutional*

Would prohibit contributions from sole-source government contractors, including labor unions

**Proponents say:** Ensures that businesses and labor unions do not influence policy decisions through campaign contributions. [www.cleangovernmentcolorado.com](http://www.cleangovernmentcolorado.com)

**Opponents say:** Creates far-reaching consequences for individuals, contractors and elected officials; includes loopholes that exempt large corporations. [www.protectcoloradosfuture.org](http://www.protectcoloradosfuture.org)

Bell Position: None at this time



## Amendment 53 – Criminal Accountability of Business Executives *Statutory*

Would make business executives criminally liable if they knew the business did not perform a duty required by law. Applies to nonprofits as well.

**Proponents say:** Holds executives accountable when they know their business or organization failed to perform a legal duty. [www.protectcoloradosfuture.org](http://www.protectcoloradosfuture.org)

**Opponents say:** Drives higher insurance costs, hinders recruitment and dissuades community leaders from serving on non-profit boards. [www.nopoisonpills.com](http://www.nopoisonpills.com)

Bell's Position: None at this time



## Amendment 55 – Just Cause for Employee Discharge *Constitutional*

Would define “just cause” and businesses with 20+ workers could dismiss workers only for “just cause”

**Proponents say:** Allows employees to work without fear of losing their job with no notice and for no reason.

[www.protectcoloradosfuture.org](http://www.protectcoloradosfuture.org)

**Opponents say:** Imposes inflexible restrictions on businesses that could hurt Colorado’s economy.

[www.nopoisonpills.com](http://www.nopoisonpills.com)

Bell’s Position: None at this time.



# Amendment 56 – Employer Responsibility for Health Care *Constitutional*

Would require private employers with 20+workers to provide health insurance for employees and their dependents

**Proponents say:** Increases access to affordable health insurance for workers and their families. [www.ufcw7.com](http://www.ufcw7.com)

**Opponents say:** Encourages businesses to reduce wages or offer less comprehensive health benefits to offset increased insurance costs. [www.nopoisonpills.com](http://www.nopoisonpills.com)

Bell's Position: None at this time



## Amendment 57 – Safe Workplace *Statutory*

Would require private employers with 10+ workers to provide a safe workplace and allow injured workers to seek damages beyond workers' compensation benefits.

**Proponents say:** Provides another way for compensating workers beyond the limited benefits of workers' compensation.

[www.ufcw7.com](http://www.ufcw7.com)

**Opponents say:** Exposes employers to increased costs that could be passed on to consumers and employees through higher prices, lower wages and reduced employee benefits.

**No website identified**

Bell's Position: None at this time





# Budget Related Issues



## Amendment 50 – Limited Gaming *Constitutional*

Would allow voters in gaming towns to approve extending hours, adding games and/or increasing single-bet limits at casinos with most new state funds going to community colleges.

**Proponents say:** Provides millions of dollars in new funding for community, junior and local district colleges without raising taxes. [www.coloradansforsensiblesolutions.org](http://www.coloradansforsensiblesolutions.org)

**Opponents say:** Represents a regressive tax on the poor that does not provide a stable approach to funding for community colleges. **No website identified.**

Bell's Position: Neutral



## Amendment 51 – Sales Tax for Developmentally Disabled Statutory

Would increase state sales tax by two-tenths of one cent over two years to end the wait list for individuals with developmental disabilities.

**Proponents say:** Provides new funding to meet the growing need for developmentally disabled people for state services and reduce the wait list, which can be as long as 10 years.

[www.thearcofco.org](http://www.thearcofco.org)

**Opponents say:** Raises sales taxes which could hurt the state's economy and burden lower- and middle-income consumers. **No website identified.**

Bell Position: Neutral



# Amendment 52 – Severance Taxes and Highways *Constitutional*

Would change the allocation of severance tax revenues and require that a portion be spent on highway projects.

**Proponents say:** Increases the amount of funding for highways by an estimated \$225 million over the next four years without raising taxes.

[www.betterroadsnow.com](http://www.betterroadsnow.com)

**Opponents say:** Diverts money from needed water projects, the Oil and Gas Conservation Commission, renewable energy projects and programs for low-income energy assistance. **No website identified.**

Bell's Position: Oppose



# Amendment 58 – Severance Taxes and College Scholarships *Statutory*

Would change severance tax policies including eliminating a tax credit for oil and gas producers and uses most of the additional revenues for college scholarships.

**Proponents say:** Generates additional revenue to be used for college scholarships without affecting consumer prices or hurting the oil and gas industry.

[www.asmartercolorado.org](http://www.asmartercolorado.org)

**Opponents say:** Makes Colorado less attractive to the oil and gas industry and raises prices for natural gas and gasoline. [www.voteno58.com](http://www.voteno58.com)

Bell's Position: Support



## Amendment 59 – SAFE *Constitutional*

Would change Amendment 23 and TABOR to create a savings account to protect education and other state programs during economic downturns.

**Proponents say:** Makes a critical investment in our children's future and the economic health of the state without raising taxes, protects the right to vote on taxes and helps reform our state's fiscal policies. [www.coloradosafe.org](http://www.coloradosafe.org)

**Opponents say:** Eliminates future TABOR rebates and serves as a tax increase that will grow state government. **No website found.**

Bell's Position: Support



# Social Issues



# Amendment 46 – Discrimination and Preferential Treatment *Constitutional*

Would prohibit Colorado governments, agencies and institutions from considering race, gender, ethnicity or national origin in public employment, education or contracting.

**Proponents say:** Stops preferences to individuals based on race, gender or ethnicity which is divisive, unfair and not needed. [www.coloradocri.org](http://www.coloradocri.org)

**Opponents say:** Prohibits a broad range of programs that give individuals an equal opportunity to compete on a level playing field and its undefined terms makes it difficult to predict the ultimate impact of the amendment. [www.coloradounity.org](http://www.coloradounity.org)

Bell's Position: Oppose





## Amendment 48 – Personhood *Constitutional*

Would redefine the term “person” and grant full constitutional rights from the “moment of fertilization.”

**Proponents say:** Ensures that all human life, beginning at the moment of fertilization, is afforded equal treatment and provides direction on the legal definition of a person. [www.coloradoforequalrights.com](http://www.coloradoforequalrights.com)

**Opponents say:** Allows government interference in the doctor-patient relationship, restricts the ability of individuals to make private, personal choices about their lives and could subject medical professionals to legal action for providing medical care. [www.protectfamiliesprotectchoices.org](http://www.protectfamiliesprotectchoices.org)

Bell’s Position: Oppose



# 2008 Ballot Issues

A 46 – Preferential Treatment  
A 47 – Right to Work  
A 48 – Personhood  
A 49 – Paycheck Deduction  
A 50 – Limited Gaming  
A 51 – Sales Tax for DD  
A 52 – Severance Tax and Highways  
A 53 – Criminal Liability Executive  
A 54 – Contributions from Sole Source Contractors

A 55 – Just Cause  
A 56 – Employer Responsibility for Health Care  
A 57 – Safe Workplace  
A 58 – Severance Tax and Scholarships  
A 59 – Savings Account for Education  
Ref L – Age for Legislators  
Ref M & N – Obsolete Provisions  
Ref O – Initiative Process



# For More Information

- The Bell Policy Center
  - [www.thebell.org](http://www.thebell.org)
  - 303.297.0456
  
- Colorado General Assembly
  - <http://www.leg.state.co.us/>
  - See Ballot Issues on web site
  - 303.866.3521 (Legislative Council)
  
- Most groups supporting/opposing ballot issues have web sites.



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# Labor Related Cont'd

- A 53 – Criminal Accountability of Business Executives
  - Sets criminal penalties for executives if businesses fail to perform a duty set by law and they knew about it
- A 55 – Allowable Reasons for Employee Discharge
  - Sets reasons that must be met to justify employee firing
- A 56 – Employer Health Insurance
  - Employers with 20+ employees must offer health insurance
- A 57 – Safe Workplace
  - Requires employers with 10+ employees provide safe workplace
  - Allows workers to seek damages, in addition to workers compensation



# Budget Related Issues

- A 58 – Severance Taxes and Colorado Promise Scholarships
  - Removes current property tax deduction used in computing severance taxes
  - Uses bulk of new revenue for college scholarships for low to middle-income students
  
- A 52 – Severance Taxes for Transportation
  - Caps amount of severance taxes going to state programs
  - Directs revenues over the cap to transportation funding



# Budget Related Cont'd

- A 50 – Limited Gaming
  - Allows gaming towns to vote to expand limited gaming – higher betting limits, new games and expanded hours of operation
  - Uses most of new revenues to fund community colleges
  
- A 59 – Savings Account for Education
  - Directs future surpluses above the TABOR limit into State Education Fund and creates a savings account within this fund
  - Eliminates requirement under Amendment 23 that K-12 funding increase by inflation beginning 2011
  
- A 51 – State Sales Taxes for Services to Developmentally Disabled
  - Raises state sales tax to fund services for developmentally disabled, reduces waiting lists





# Social Issues

- A 46 – Discrimination and Preferential Treatment by Government
  - Prohibits governments from providing “preferential treatment” in public education, contracting and employment based on race, sex, ethnicity
  
- A 48 – Personhood
  - Defines a person and grants constitutional rights from the moment of fertilization



# Labor Related Ballot Issues

## A 47 – Prohibition on Mandatory Union Dues – *Constitutional*

- Prohibits requiring employees to pay union dues or fees as part of employment – commonly called Right to Work
- Overrides Colorado's Labor Peace Act requirements
- Proponents say:
  - gives employees the choice of whether to contribute financially to union activities
  - [www.abettercolorado.com](http://www.abettercolorado.com)
- Opponents say:
  - allow employees to avoid paying their fair share of union's collective bargaining costs
  - [www.protectcoloradosfuture.org](http://www.protectcoloradosfuture.org)



- A 49 – Limits Public Payroll Deductions
  - Specifies allowable deductions that state and local governments can make from employee paychecks
  - Deductions for union dues would be prohibited
  
- A 54 – Limits Campaign Contributions from Certain Govt. Contractors
  - Defines specific contracts and applies to \$100,000 “sole source” contracts
  - Unions defined as “sole source” contractors
  - Far reaching effects