



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.

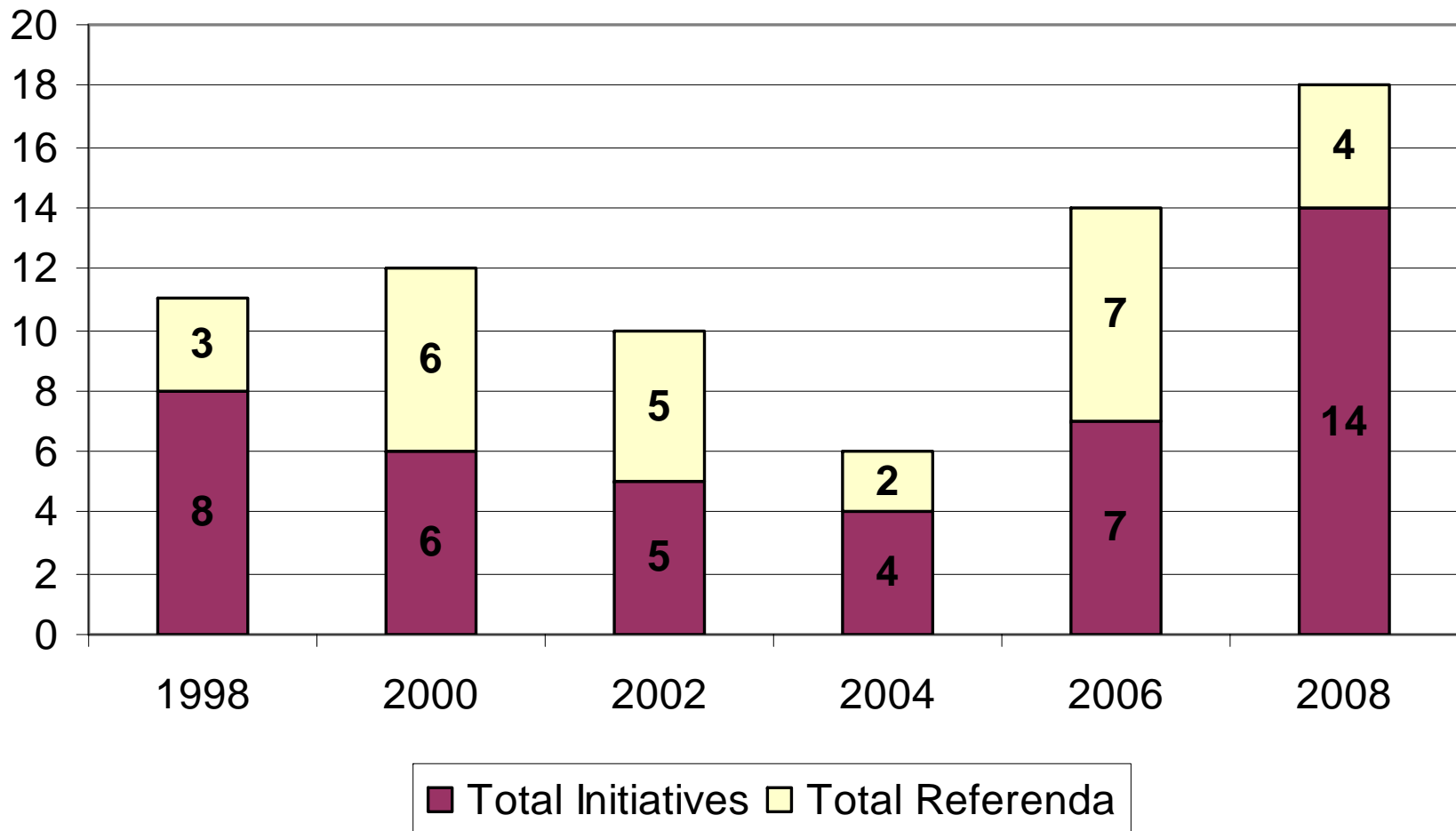


Initiatives & Referenda

- 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

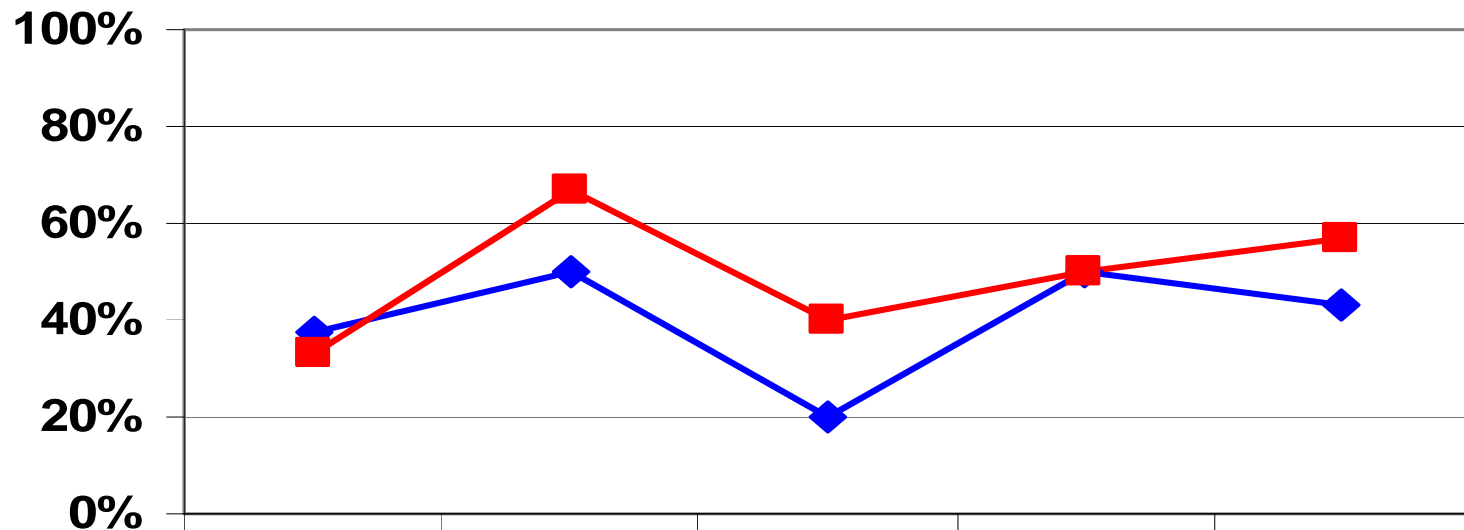




Ballot Issues 1998-2008





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

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

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

Opponents say: Prevents government employees from deciding what organizations to support with their payroll deductions. 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

Opponents say: Creates far-reaching consequences for individuals, contractors and elected officials; includes loopholes that exempt large corporations. 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

Opponents say: Drives higher insurance costs, hinders recruitment and dissuades community leaders from serving on non-profit boards. 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

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

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

Opponents say: Encourages businesses to reduce wages or offer less comprehensive health benefits to offset increased insurance costs. 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

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

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

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

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

Opponents say: Makes Colorado less attractive to the oil and gas industry and raises prices for natural gas and gasoline. 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

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

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

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

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

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
 - 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
- Opponents say:
 - allow employees to avoid paying their fair share of union's collective bargaining costs
 - 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