

BALLOT ISSUES 2014



LEAGUE OF WOMEN VOTERS® OF COLORADO EDUCATION FUND

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**VOTER HOTLINE
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www.VOTE411.org

Visit our online voters' guide at VOTE411.org for all the election information you need. Just enter your address to build your ballot and much more!

With our voters' guide you can see the races that will be on your ballot, compare candidates' positions side-by-side and print out a "sample ballot" marked with your preferences. Check out our resources for military and overseas voters.

All statements and videos are posted directly by the candidate, unedited by the League of Women Voters and do not express the views of the League. The League never supports or opposes candidates or political parties.

ELECTION DAY – NOVEMBER 4, 2014

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 4, 2014 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.

CONSTITUTIONAL INITIATIVES

AMENDMENT 67

DEFINITION OF PERSON AND CHILD

An initiated amendment to Article XVIII of the Colorado Constitution that would add “unborn human being” to the definitions of “person” and “child” in the Colorado Criminal Code and Colorado wrongful death statutes.

Major Provision:

- Specifies that the Colorado criminal code and Colorado wrongful death statutes must include unborn human beings in the definitions of “person” and “child” and must extend protections of person and child to unborn human beings.

Background:

Currently Title 18, Article 3, of the criminal code in the Colorado Constitution explicitly excludes unborn humans from the definition of “person” in relation to homicide. Article 3.5, which covers offenses against pregnant women, refers to “pregnancy” as an implanted human embryo or fetus. Amendment 67 is a change to the criminal code and the way crimes are prosecuted in the state.

Those in favor say:

1. Homicide is not private nor is it health care, and government should intervene to protect pregnant mothers and their unborn children from criminal and wrongful acts.
2. Like 35 other states, Colorado should allow homicide charges for criminal killing of an unborn baby.
3. The measure allows life-saving medical treatment as well as birth control, in-vitro fertilization and adult stem-cell research that do not intentionally kill a human being.

Those against say:

1. The true goal of this amendment is not to protect women and children but to ban abortion, including in cases of rape or incest or when there is a risk to the mother.
2. Criminal and civil remedies for criminal and wrongful acts against pregnant women already exist in Colorado law.
3. By giving legal and constitutional rights to a woman's fertilized egg, it threatens to restrict certain methods of birth control, some procedures of in-vitro fertilization, and embryonic stem-cell research. It allows the state to intrude into the constitutionally protected privacy of individuals.

AMENDMENT 68
HORSE RACETRACK CASINO
GAMBLING

An initiated amendment adding a new section to Article XVIII of the Colorado Constitution to create a new K-12 Education Fund to receive revenues from expanded limited gaming at horse racetracks.

Major Provisions:

- Establishes a K-12 Education Fund to receive revenues from horse racetrack casino gambling;
- Permits casino gambling at only one horse racetrack in each of Arapahoe, Pueblo and Mesa Counties;
- Allows host communities to impose impact fees to cover reasonable costs resulting from horse racetrack limited gaming; and
- Requires that racetracks pay annually to the state treasurer 34% of the adjusted gross proceeds into the K-12 Education Fund to benefit K-12 public and charter schools.

Background:

With the exception of casinos on Indian reservations, gambling in Colorado may occur only in places that voters have approved in a state-wide election. In 1990, voters approved a constitutional amendment to allow limited stakes casino

gambling in Central City, Black Hawk and Cripple Creek. An additional amendment passed in 1992 required local communities to seek voter approval before instituting any of the approved gambling measures. While Amendment 68 requires state-wide approval of similar gambling measures, it does not require a local vote of approval.

Horse racetracks, in order to qualify for limited gaming, must host 30 or more live horserace days per year for at least five consecutive years and pay a \$25 million one-time fee to the K-12 Education Fund. Current laws regulating horse racing and racetrack betting will not change. Local communities may also negotiate impact fees in addition to the one-time initial impact fee.

This proposal will allow up to 2500 slot machines and no restrictions on the number of tables for card games or other gambling activities. No single wager may exceed \$100.

Revenues from the \$25 million initial fee and 34% of the racetrack's yearly adjusted gross proceeds will be deposited in a newly created K-12 Education Fund to be distributed annually by the state to Colorado public and charter schools. Funds must be used to address local needs and may not replace existing funding for schools.

Those in favor say:

1. Amendment 68 will provide more than \$100 million to enhance Colorado K-12 public and charter schools each year without raising Colorado citizens' taxes.
2. Money raised by the proposal will be additional money added to school budgets. It will help reduce the \$900 million shortfall in annual funding for Colorado's schools.
3. In addition to benefitting Colorado's K-12 students, the state's economy will greatly benefit from the creation of hundreds of new construction jobs initially and hundreds more permanent jobs resulting from the renovation and operation of the facility at Arapahoe Park.

Those opposed say:

1. Amendment 68, a constitutional amendment, will benefit an out-of-state Rhode Island casino. The proposal will allow a single casino to have a monopoly on Front-Range gambling. It will impact the revenues of Colorado's existing casinos and affect the money they contribute to historical preservation, community colleges, tourism and other programs.
2. Inserting a single business entity, owned by an out-of-state company, into the Colorado Constitution is inappropriate. In addition it would give

- the one business exclusive rights to open a Las Vegas-style casino.
3. Not one Colorado school district supports this proposal as a way to achieve long term, dependable funding for its schools.

STATUTORY INITIATIVES

PROPOSITION 104

SCHOOL BOARD OPEN MEETINGS

An initiated amendment to the Colorado Revised Statutes to require school boards to negotiate collective bargaining agreements in public meetings.

Major Provisions:

- Requires school boards to discuss collective bargaining agreements in meetings open to the public;
- Does not impact how other public bodies negotiate collective bargaining agreements, and
- Does not cover individual employee's contracts.

Background:

Currently, school board collective bargaining negotiations may be carried out in sessions closed to the public or during regular sessions which are open to the public. Often school boards delegate negotiations to administrative employees

and/or a small number of board members. The agreement made in a closed meeting session returns to the entire elected school board for discussion and final approval. Proposition 104 would require all negotiations to take place in meetings open to the public.

Employee compensation comprises up to 80% of a school district's budget, and setting employee compensation is the main fiscal responsibility of a school board. One-fourth of the school districts in Colorado have collective bargaining agreements in place, but these districts account for three-fourths of Colorado public school students.

Those in favor say:

1. Open meetings and transparency are basic principles of good government. The public has a right to be informed and to provide additional public oversight of government spending. Holding collective bargaining negotiations in a public forum allows for greater understanding by the public and the school employees of these proceedings.

Those opposed say:

1. Local education associations and their school boards should exercise local control and determine the best way to handle bargaining in their school

districts. Many local school boards have established their own guidelines for public attendance at negotiating sessions, and many hold sessions in public. However, they should have the right to close these meetings when local issues and needs warrant.

PROPOSITION 105

MANDATORY LABELING OF GENETICALLY MODIFIED FOOD

An initiated amendment adding provisions to section 401 of Article 5 of Title 25 of the Colorado Revised Statutes commonly known as the “Colorado Food and Drug Act” requiring the labeling of genetically modified foods.

Major Provisions:

- Mandates, with certain exemptions, labeling of genetically modified foods, (GMO) with the words “produced with genetic engineering,” by July 1, 2016;
- Prohibits private legal action against a distributor, manufacturer, or retailer for non-compliance with the mandate; Applies existing penalties found in Colorado law for food mislabeling;
- Directs the Colorado Department of Public Health and Environment to develop regulations and procedures for

insuring compliance with this labeling law; and

- Establishes penalties of up to a \$1000 fine or six months imprisonment in a county jail or both for non-compliance.

Background:

Genetically modified foods are altered by the introduction of genes from another organism. These foods are generally plant based and the crops have been modified to increase resistance to disease and pests as well as to increase yields. Genetically modified, or engineered, organisms (GMO's) have been in the food supply since the 1990's according to the U.S. Food and Drug Administration. It is estimated that between 70% and 90% of processed food sold in the U.S. today contains GMO's. The three largest genetically modified crops in the U.S. are corn, soy, and cotton. Currently, genetically modified foods must meet all federal safety laws but any labeling as such is voluntary.

Those in favor say:

1. Consumers want to make informed decisions about feeding their families. This is about choice. Coloradans have a right to know what is in their food.
2. This is not a ban on foods made with genetic modification; this is a reasonable requirement to label foods just as companies do for nutritional

content. Currently 64 countries across the globe require labeling.

3. Labeling genetically modified foods will not result in a spike in grocery costs. Labeling foods made with genetic modification is already happening all over the world and there has been no reported associated rise in grocery costs.

Those opposed say:

1. Mandatory labeling puts undue burdens on food manufacturers. Increased record keeping, new labeling, and logistical difficulties would be costly.
2. Consumers who want to buy non-genetically modified food already have an option. They can buy certified organic food which by definition cannot be produced with genetically modified ingredients.
3. Labeling of genetically modified foods could imply that products developed with genetic engineering are somehow inferior to their conventional or organic counterparts. No significant differences have been found between GMO's and conventional foods.

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

Registering for the first time 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

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

Voters may check their registration at www.govotecolorado.com

Mail-in forms are available at government offices, libraries, voter registration drives sponsored by groups or employers. Forms may also be accessed on the websites for the Secretary of State, County Clerk or the League of Women Voters of Colorado.

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 2014

October 14 – County clerks begin mailing ballots to voters.

Note: All registered voters will receive a ballot in the mail.

October 20 – November 4 – Early voting at Voter Service and Polling Centers except on Sunday.

October 28 – Last day to apply for a mail-in ballot to be mailed to you.

October 31 – Last day to apply for mail-in ballot in person.

November 4 – General Election

**ALL BALLOTS ARE DUE BY 7:00 PM
ON NOVEMBER 4, 2014.**

NOTES

