



City Council Legislative Committee – 2018 Ballot Initiatives

September 10, 2018

Purpose

- Provide an overview of Legislative & Citizen initiated ballot initiatives
- Discuss whether the legislative committee wants to ask the full City Council to take a position on any of the initiatives via resolution
- Determine which initiatives and provide direction to staff to prepare resolution(s) where appropriate, for City Council consideration



Highlights

- 184 initiatives originally filed
- 6 citizen initiated ballot measures qualified. (1 other may qualify).
- 6 legislatively referred ballot measures
- Signatures were due August 6, 2018
- Secretary of State had until September 5, 2018 to validate signatures
- All qualifying citizen initiatives have been assigned Amendment numbers
- 98,492 valid signatures required
- Election Day: November 6, 2018



Legislatively Referred Measures

- **Amendment V – Age Qualification for General Assembly Members**
 - Reduces age qualification for legislative members from 25 to 21
- **Amendment W – Election Ballot Format for Judicial Retention**
 - Shortens language on the Colorado ballot regarding judicial retention by consolidating questions
- **Amendment X – Industrial Hemp Definition**
 - Changes the definition of industrial hemp from a constitutional definition to a statutory definition
- **Amendment Y – Congressional Redistricting**
 - Establishes an independent commission for congressional redistricting
- **Amendment Z – Legislative Redistricting**
 - Establishes an independent commission for state legislative redistricting
- **Amendment A – Prohibit Slavery and Involuntary Servitude**
 - Repeals a constitutional exception on the ban of slavery that allowed for slavery and involuntary servitude as punishment for a crime



Citizen Initiated Measures Qualified (as of September 4)

- **Amendment 73** – Funding for Public Schools
- **Initiative #97** – Setback Requirement for Oil & Gas Development
- **Initiative #108** – Just Compensation for Reduction in Fair Market Value by Government Law or Regulation
- **Initiative #126** – Payday Loans
- **Initiative #153** – Transportation Funding
- **Initiative #167** – Authorize Bonds for Transportation Projects



Amendment 73

Funding for Public Schools

- Increase income taxes for certain individuals, trusts, estates according to a variable tax rate structure based on annual income,
 - Increase the corporate tax rate,
 - Reduce residential and nonresidential property tax rates,
 - Create a fund dedicated to public education from revenue generated by tax increases, and
 - Mandate certain actions by the legislature regarding the fund and implementation.
- *Constitutional Measure – A 55 percent supermajority vote is required for the approval of this initiative



Initiative #97

Setback Requirement for Oil and Gas

- Requires that new oil and natural gas development not on federal land be located at least 2,500 feet from an occupied structure or vulnerable area
 - Local government's may require a greater setback
 - Occupied structure means any building intended for human occupancy, including homes, hospitals, and schools
 - Vulnerable areas include playgrounds, permanent sports fields, public parks, reservoirs, etc. The state or a local government may designate additional vulnerable areas.
- COGCC Study
 - 85% of CO would be unavailable for new development
 - 94% of land in top five oil and gas producing counties would be unavailable
- Signatures Submitted: 170,000



Initiative #108

Just Compensation for Reduction in Fair Market Value by Government Law or Regulation

- Amends the Constitution to prohibit the reduction in fair market value of private property by government law or regulation, or for public or private use, without just compensation
- Response to Initiative #97 – Setback Requirements
- Signatures Submitted: 209,000
- *Constitutional Measure – A 55 percent supermajority vote is required for the approval of this initiative



Initiative #126

Payday Loans

- Would restrict the charges on short-term loans – commonly known as payday loans – to a yearly rate of 36 percent.
- Currently, the maximum charges allowed for payday loans are as follows:
 - a charge of \$20 for the first \$300 loaned,
 - a charge of 7.5 percent for any amount loaned above \$300, and
 - an additional interest rate of 45 percent.
- Signatures Submitted: 188,045



Initiative #153

Transportation Funding

- Increase state sales tax rate by .62 percent for 20 years to fund transportation and authorizes CDOT to issue up to \$6 billion in bonds
- New sales tax revenue would be earmarked according to this formula:
 - 45 percent for state transportation funding and debt service on the bond repayment;
 - 40 percent for local governments; and
 - 15 percent for multimodal transportation
- Support: “Let’s Go, Colorado”
- Opposition: “Don’t Turn Colorado Into California”
- Signatures Submitted: 198,261



Initiative #167

Authorize Bonds for Transportation Projects

- Issue \$3.5 billion in transportation bonds
 - Require the legislature to first make debt-service payments before allocating General Fund revenue to such other programs as K-12 and higher education, corrections and social services, including Medicaid.
 - No money for local governments, multi-modal purposes or mass transit.
- Support: “Fix Our Damn Roads” backed by Independence Institute
- Signatures Submitted: 150,000



Citizen Initiated Measure that May Qualify

- **Initiative #173 – Campaign Contributions**

- If a candidate contributes or loans more than \$1.0 million to his or her election campaign, then other candidates in that race may accept aggregate campaign contributions that are five times greater than the limits specified in current law.
- Would only apply to statewide candidates: governor, secretary of state, attorney general, state treasurer and those running for the CO General Assembly.

- Support: “Stop Buying Our Elections”
- Signatures Submitted: 212,000
- *Constitutional Measure – A 55 percent supermajority vote is required for the approval of this initiative



Questions & Policy Discussion

- Does the legislative committee desire to ask the full City Council to take a position on any of the initiatives via resolution?
- If so, which initiatives?
 - Staff will prepare resolution(s) where appropriate, for City Council consideration

