**2018 State Ballot Measures Guide**

Amendment = constitutional change. Proposition = statute change

*[55% approval required for constitutional changes]*

Colorado Nonprofit Association is a statewide association connecting 1,400 nonprofits of all sizes, missions and geographic locations. The Association supports public policies that strengthen nonprofits and communities.

We encourage you to consider our views as your nonprofit determines how to respond to these measures. This guide summarizes information from the 2018 State Ballot Information Booklet issued by Colorado Legislative Council.

### AMENDMENT 73 ☑ YES ☐ NO ☐ NEUTRAL

**Funding for Public Schools**

VOTE: YES 45%, NO 55%

- Requires adoption of a new school finance act. Prior to adoption of a new act, increases the following funding in 2019-2020:
  - base per pupil funding from $6,900 to $7,300 per student;
  - from half to full per student funding for each kindergarten student;
  - special education funding from $176.1 million to $296.1 million;
  - gifted and talented funding from $12.5 million to $22.5 million;
  - special education funding from $176.1 million to $296.1 million;
  - English language proficiency from $21.6 million to $41.6 million
  - Preschool funding from $121 million to $131 million
  - $738.6 million to be spent according to legislative priorities

- Requires the state to periodically review spending of new revenues, implementation of a new school finance formula, and student achievement.

- Increases state funding for P-12 education by $1.6 billion through changes to taxes:

<table>
<thead>
<tr>
<th>Taxable Income</th>
<th>Income Tax Rates</th>
<th>Percent of filers</th>
<th>Tax increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 to $150,000</td>
<td>4.63% (current rate)</td>
<td>91.8%</td>
<td>$0</td>
</tr>
<tr>
<td>$150,000-$200,000</td>
<td>5.0%</td>
<td>3.2%</td>
<td>$185</td>
</tr>
<tr>
<td>$200,001-$300,000</td>
<td>6.0%</td>
<td>2.5%</td>
<td>$870</td>
</tr>
<tr>
<td>$300,001-$500,000</td>
<td>7.0%</td>
<td>1.4%</td>
<td>$3,925</td>
</tr>
</tbody>
</table>

| $500,000+ | 8.25% | 1.1% | $24,395 |

- raises corporate income tax rate from 4.63 to 6.0%;
- reduces the school district property tax assessment rate for commercial properties from 29% to 24%; and
- freezes the residential property tax assessment rate for school districts at 7%. The rate would otherwise fall from 7.2% in ‘18 to 6.1% in ‘19.

**Proponents**

- 73 provides sustainable revenues to address underinvestment in P-12 education:
  - $2,800 less spent per student than national average
  - $830 million of state funding cut in ‘17-‘18 alone.
  - Ranks 2nd among states in education return on investment but not investing enough to address achievement gaps in math (44th), poverty (#44), and reading (#39)
  - Last among states for teacher wages

- School districts would have flexibility to determine how to spend funds on local needs

- High income taxpayers would still pay a lower percent of state and local taxes than lower income taxpayers

**Opponents**

- 74 is a $1.6 billion blank check with no guarantee of improved student achievement or primary use of funds in the classroom.

- It would increase taxes by as much as 78% on the highest income taxpayers

- It also increases taxes on business income and residential property owners.

- Leads companies to relocate jobs and headquarters to other states
Our View: The quality of Colorado’s education system is integral to having a workforce to help nonprofits succeed in their missions. By offering excellent schools in Colorado, nonprofits are more likely to retain employees because the educational needs of their families are met. Education also increases the self-sufficiency of Colorado’s families and can reduce demand for nonprofits’ services.

Ongoing underinvestment has undermined Colorado’s P-12 education system. 73 provides additional revenues to ensure continuous improvement in our schools.

Although 73 does increase taxes, the increase would affect higher income households that are currently paying a lower percentage in total state and local taxes than middle and low-income households. Corporations would pay less for their property while investing more in a P-12 system that supports their future workforce.

AMENDMENT 74 ☐ YES ☐ NO ☐ NEUTRAL
Compensation for Property Values Reduced by Government Laws and Regulations
VOTE: YES 46%, NO 54%

- Requires property owners to be justly compensated by a state or local government when the fair market value of their property is reduced by a law or regulation.
- Currently, property must be taken or damaged for a property owner to be compensated.

Proponents
- Ensures a property owner is compensated when a government law or regulation reduces the fair market value of the property.

Opponents
- Requires governments to compensate property owners for any state or local government law or regulation that reduces property values.

Our View: Amendment 74 is meant to protect property owners if the value of their mineral rights is reduced by regulations affecting oil and gas development.

However, 74 permanently changes the constitution to allow property owners to sue cities for public health, safety, zoning, and environmental regulations.

By undermining these regulations, this will likely increase communities’ needs for assistance from nonprofits while reducing available governmental resources.

Oregon repealed a similar law after it generated $20 billion in legal claims in only three years.

AMENDMENT 75 ☐ YES ☐ NO ☐ NEUTRAL
Campaign Contributions
VOTE: YES 34%, NO 66%

- Allows all candidates in an election to accept contributions at five times more than the constitutional limit when a candidate contributes more than $1 million to his or her own campaign.

Proponents
- 75 allows other candidates in an election to raise campaign funds competitively against wealthy, self-funded candidates.

Opponents
- 75 will result in more money contributed in elections to all candidates without addressing how to handle differences in wealth.
- 75 does not appear to exempt self-funded candidates from the increased limits.

Our View: 75 is unlikely to directly affect the work of most nonprofits because federal law prohibits involvement in elections. It will affect some nonprofits working on money in politics.

PROP. 109 ☐ YES ☐ NO ☐ NEUTRAL
Authorize Bonds for Highway Projects
VOTE: YES 61%, NO 39%

- Allows Colorado to issue up to $3.5 billion in transportation bonds for named highway projects.
- Limits repayment to $5.2 billion over 20 years.
- Prohibits raising taxes or fees to pay for bonds.

Proponents
- State spending on roads shrank from 10% in ’06-’07 to 6% in ’15-’16.
- 109 provides funding for essential highway projects without raising taxes or fees. It only reallocates 2% of current budget funds to roads.

Opponents
- Because 109 does not authorize new sources of revenue to pay for bonds or interest, it will divert funding from other areas of the budget.
- This $260 million could instead be used to:
  - reduce the P-12 education shortfall;
  - double spending on child care subsidies; or reduced college tuition rates by 2 percent
- 109 also does not provide funding for public transit.
Our View: While 109 provides helpful funding for transportation, it will mean reduced funding for P-12 and higher education, human services, and other areas where the General Assembly can cut the budget.

More funding should not come at the expense of budget priorities that support Colorado’s quality of life and the work of our nonprofit community.

PROP. 110 ☑ YES □ NO □ NEUTRAL
Authorize Sales Tax and Bonds for Highway Projects
VOTE: YES 40%, NO 60%
- Authorizes the state to issue up to $6 billion in transportation bonds. Limited the maximum repayment amount to $9.4 billion over 20 years.
- Allocates 45% of revenues to the state, 40% to local governments, and 15% to multimodal projects.
- Increase the state sales tax rate from 2.9 percent to 3.2 percent over the next twenty years.

Proponents
- Colorado requires new revenues to invest in the adequacy of our transportation system. 110 generates new sustainable revenues through sales taxes to invest in state and local public transit needs.
- Although it means Coloradans will spend $.06 on every ten dollars of purchases from retailers, tourists and businesses using our roads will also contribute to these projects.

Opponents
- Colorado already has sufficient revenues to invest in transportation needs. The legislature should make transportation a larger budget priority.
- 110 should devote more funds to roads rather than public transit. It will disproportionately impact low-income households that spend more on retail goods.

Our View:
- Having a robust transportation system ensures nonprofits can travel throughout the state and receive needed supplies and equipment quickly. It also ensures nonprofit employees can easily commute.
- 110 provides additional revenues to fund completion of necessary road, bridge, and public transit projects rather than diverting money from other areas of the budget that support the work of nonprofits and the overall quality of life in our state.

PROP. 111 □ YES □ NO ☑ NEUTRAL
Limitations on Payday Loans
VOTE: YES 77%, NO 23%
- Limits the total cost of a payday loan to a 36% annual percentage rate.
- Expands definitions of unfair or deceptive trade practices regarding payday loans.

Proponents: Colorado law allows payday lenders to charge too much money for loans, resulting in working families going further into debt.

Opponents: Proposition 111 would lead to job losses in the payday lending industry. Without easy access to payday loans, working families may end up losing more money to creditors and unregulated lenders.

Our View: Even though Proposition 111 is supported by many nonprofits seeking to address negative impacts of payday lending practices on working families, this issue does not seem to be a broad-based area of focus for the work of Colorado’s nonprofit sector. Nor does it appear to have a broad-based impact on nonprofit employees.

PROP. 112 □ YES □ NO ☑ NEUTRAL
Increased Setback Requirement for Oil and Gas Development
VOTE: YES 43%, NO 57%
- Requires that new oil and gas development is located at least 2,500 feet from occupied structures and water sources.

Proponents
- Locates oil and gas operations further away from homes, schools, and businesses. This limits the negative impacts these operations can have on communities’ health and safety.

Opponents
- Excludes new oil and gas activity on 85% of non-federal land. Will result in lost jobs and less tax revenues due to reduced production.

Our View: Although Proposition 112 would provide an additional safeguard for nonprofits working to ensure our communities are environmentally healthy, it could also harm Colorado’s economy and leave fewer resources for governments and donors to support the work of nonprofits. For this reason, Colorado Nonprofit Association remains neutral on this measure.

AMENDMENT A ☑ YES □ NO □ NEUTRAL
Prohibit Involuntary Servitude in All Circumstances
VOTE: YES 65%, NO 35%
- Removes criminal punishment as an exception to Colorado’s constitutional prohibition of involuntary servitude.

Proponents
• Eliminates slavery in all circumstances. Clarifies that it should not be interpreted to limit community service or paid work for prisoners.

Opponents
• Could be interpreted to limit community service or prison labor programs.

Our View: Removing this outdated language shows Colorado’s commitment to prohibiting forced labor and to the civil rights of all people in our state.

AMENDMENT V
• YES □ NO ☒ NEUTRAL
Lower Age Requirement for General Assembly Members
VOTE: YES 35%, NO 65%
• Lowers the age requirement for Colorado General Assembly members from 25 to 21.

Proponents
• Removes an unnecessary barrier to younger adults running for office. Voters can decide if 21-year olds can perform legislators’ duties.

Opponents
• 25 is old enough to ensure legislators have sufficient maturity and life experience but young enough to encourage involvement by younger adults.

Our View: We do not expect that a decision by Colorado’s voters to lower or maintain the minimum age requirement for state legislators will have a significant impact on the work of Colorado’s nonprofits.

AMENDMENT W
• YES □ NO ☒ NEUTRAL
Ballot Format for Judicial Elections
VOTE: YES 53%, NO 47%
• NEW: “Shall the following justices of [name of court] …be retained in office” YES/NO
• CURRENT: “Shall judge [name] of [name of court] be retained in office?”

Proponents
• Makes the ballot more compact, saving money for counties and facilitating complete voting.

Opponents
• May confuse voters if they view judges as candidates competing for the same office.

Our View: We do not expect that a preference expressed by Colorado’s voters on the format of the judicial ballot will impact Colorado’s nonprofits.

AMENDMENT X
• YES □ NO ☒ NEUTRAL
Industrial Hemp Definition
VOTE: YES 61%, NO 39%
• Strikes “industrial hemp” definition so that federal or statutory definitions are used

Proponents
• Striking this definition ensures Colorado’s hemp industry is regulated in a manner consistent with federal law and other state laws.

Opponents
• Striking this definition could be contrary to voters’ intent in legalizing marijuana.

Our View: We do not expect that retaining or modifying this definition will have a significant impact on the work of Colorado’s nonprofits.

AMENDMENTS Y&Z
• YES □ NO ☒ NEUTRAL
Congressional and Legislative Redistricting
VOTE: YES 71%, NO 29%
• Creates independent commissions to modify and approve federal and state legislative district maps drawn by legislative staff every 10 years
• Establishes the criteria and processes to select commissioners, draw maps, and ensure public transparency and judicial review.
• Commission membership shall consist of 4 Republicans, 4 Democrats, and 4 Independents
• Requires public hearings in Congressional districts and supermajority approval of maps

Proponents
• Authorizes a public and independent commission composed of equal numbers from political parties to decide on maps.
• Establishes criteria to ensure fair and competitive elections without undermining minority voices

Opponents
• The process lacks direct accountability to voters.
• Commissioners are more likely to be selected by chance rather than knowledge or expertise
• Unclear how commissioners can apply criteria for districts in a clear and objective manner.

Our View: We expect this process will result in partisan balance on these commissions and support reasonable application of criteria for drawing districts.

By facilitating more equitable and competitive districts, these amendments will help ensure communities served by nonprofits are represented fairly in Congress and the General Assembly.