

On the ballot: Voters to consider 14 measures

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Colorado voters not only will be busy choosing the next president, congressional representatives and members of the Colorado Legislature, but they also will have to decide on 14 statewide ballot measures.

Seven of those measures call for changes to the Colorado Constitution, five make or alter existing statutes and two were referred by the Legislature.

Two of the ballot questions concern elections, the biggest of which is Proposition 131. Measures that modify the Constitution require 55% of the votes to pass.

PROPOSITION 131

Several local governments have toyed with ranked choice voting for select elections, some of which have since abandoned it while others are about to start it up.

The idea behind this voting method, at least in theory, is that it allegedly gives voters more choices, particularly during a general election, according to the Legislative Council, the nonpartisan research and staffing arm of the General Assembly.

In an Oct. 14 memorandum explaining how ranked choice voting works, the council wrote that the most common type is an instant runoff.

Candidates who qualify for the first round of voting include those either selected through a political party's assembly process, or by petitioning on, just as they do now. Unaffiliated candidates don't

have a primary process currently, and petition onto a general election. Under ranked choice voting, those unaffiliated candidates would have to petition on to the first runoff election, now known as the primary.

“In an instant runoff election, voters rank candidates by preference, and ballots are immediately tallied across multiple rounds of vote counting until one candidate receives over 50% of the votes,” the council wrote. “Voters are initially counted based on the first-place rankings. If no candidate wins 50% of the first votes, the candidate with the fewest first choice votes is eliminated and the ballots with the eliminated candidate as the first choice will have their second choice counted.”

In the primary runoff when all candidates qualify for the ballot regardless of political affiliation, that process repeats until the top four vote-winners are selected. They go on to the general election, which repeats that same process until one candidate wins more than 50% of the vote.

Although the effort has supporters, both state parties oppose it, saying it would undermine their normal way of selecting candidates. The Colorado Democratic Party says the idea is being promoted by millionaires who want to create an overly confusing election system, adding that “dark money” would play a bigger role in selecting winners.

The Colorado Republican Party says it is designed to do away with the party system.

“The all-candidate primary would eliminate the party system,” Ron Hanks wrote in a recent email to party members. “Ranked choice voting and all-candidate primaries are not solutions we’ve been waiting for, they serve only interests of the elitists who yearn for untouchable power by restricting your options and our voting rights.”

Supporters, however, says nearly the opposite.

Three groups in particular — the Colorado Woman’s Chamber, the League of Women Voters and RepresentWoman, a national nonprofit that helps women get into elective office — say it will help more women win statewide races.

Example of Voted Ballot Using Ranked Choice Voting

(rank candidates)	1st	2nd	3rd	4th
CANDIDATE A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CANDIDATE B	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
CANDIDATE C	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
CANDIDATE D	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>



This is a sample of what ranked-choice voting would look like on the ballot. Ranked-choice voting is one of several statewide ballot measures voters will have to decide on in this election.

“By ensuring our representatives are elected by a majority of voters, Prop 131 makes elections more democratic, a choice that’s easy to support,” said former state Rep. Edie Hooton, D-Boulder. “Women hold just two of Colorado’s five elected executive seats and four of Colorado’s 10 seats in Congress. No woman has ever been elected governor or to the U.S. Senate from Colorado.”

The proposal only applied to federal and statewide offices, including legislative races. It does not include local offices, such as county commissioners, clerks or treasurers.

A fiscal analysis of the proposal, also done by the Legislative Council, says the idea will cost counties and the state more to run them, up to \$6 million more a year statewide.

The council also says state business filing fees charged by the Colorado Secretary of State’s Office, which help fund elections, would need to be increased to cover those additional costs, only

some of which go to reimburse counties for their additional expenses.

AMENDMENT K

The other ballot measure that impacts elections call for an additional week on filing deadlines for such things as citizen initiatives and judges seeking retention.

Proponents say that current deadlines are tight, and the additional week will help alleviate work pressures and costs, while opponents say it gives citizens less time to qualify measures for the ballot.

A fiscal analysis said cost savings would be minimal.

AMENDMENT 80

Even though Colorado law already allows students to attend any public school for free, including those who don't live in a particular school district, this measure would enshrine that as a right in the Colorado Constitution.

The measure doesn't call on lawmakers to do anything, but an analysis of it by the Legislature Council says it could impact how the Legislature makes policies dealing with school choice, and how courts rule on such issues.

The measure also defines school choice to include public neighborhood and charter schools, private schools and home schooling.

As a result, opponents say the measure could redirect public school funding to private schools or home schooling, and conflict with state laws that prohibit public funding for private education.

Supporters, such as the right-leaning group Advance Colorado that placed the measure on the ballot, say the right to school choice could not be taken away by future legislatures.

“Because of recent assaults on school choice, it is only a matter of time before the opportunity to cement this right ceases,” wrote Michael Tsogt, policy analyst for that group. “This year, Advance Colorado is leading the effort to put school choice in our Constitution. The people of Colorado cannot afford to wait for anti-choice advocates to take away educational options for children.”

A shadowy group called Colorado Dawn, which does not release its donors, has been sending out false text messages claiming that the Colorado Education Association supports the measure. It does not.

“In a mass text sent to voters statewide, proponents show a manipulated clip highlighting (CEA President Kevin) Vick stating his support for school choice and strongly and falsely implying that Vick, therefore, supports Amendment 80,” the CEA said in a press release. “CEA, along with the Colorado Association of School Boards, the Colorado Association of School Executives, Stand for Children, the Colorado Statewide Parent Association and nearly 40 other organizations oppose Amendment 80 as a disastrous measure that could devastate funding for public schools.”

PROPOSITION 130

Like local so-called “back-the-blue” measures that earmark a set amount of sales taxes to law enforcement, this question would do the same on a statewide level.

It would required the Colorado Legislature to provide \$350 million a year to local law enforcement agencies, to be used for such things as increased pay for officers, offer onetime hiring bonuses, pay for ongoing training and establish a one-time death benefit of \$1 million to the families of a law enforcement officer killed while on duty.

AMENDMENT H

With issues surrounding judicial officials still on some voters’ minds, this measure requires the creation of an independent panel to adjudicate ethical misconduct proceedings levied against judges.

Currently, such complaints are reviewed by the Colorado Commission on Judicial Discipline, which Colorado voters added to the Constitution in 1966. That law, however, doesn't apply to the Denver County Court, municipal court judges, administrative law judges and magistrates.

Additionally, the Colorado Supreme Court has the final say-so on such complaints.

The amendment would take that out of the high court's hands, but it still gives that court and the governor's office the power to appoint members to the panel. Under it, it must include four district judges, four attorneys and four citizens.

PROPOSITION 129

Under current law, veterinarians and vet techs are registered or licensed by the state, which is overseen by the Colorado State Board of Veterinary Medicine.

Under the measure, they would continue to be licensed and registered, but a new regulated category, that of veterinary professional associate that requires a master's degree or its equivalent, would be added.

Proponents say the measure could create more career opportunities for vets, but opponents say there are no existing academic programs that train for such professionals.

AMENDMENT KK

Placed on the ballot by the Legislature, this measure would add a new state excise tax on firearms, firearm parts and ammunition.

Such items have been subject to federal excise taxes since 1919, which currently is 10% on handguns and 11% on other firearms and ammunition.

The new state excise that would add another 6.5% on all sales.

Money from the tax, which is expected to be about \$39 million a year, would go to fund crime victim services, mental health for veterans, child behavioral health and school security.

Proponents says gun violence causes substantial harm that strain existing treatment services, while opponents says firearm ownership is a constitutional right and the measure would put a damper on that right.

AMENDMENT 79

Like the school-choice measure, this amendment would place into the Constitution a right that Coloradans already have in state law, the right to an abortion.

Like Amendment 80, proponents says placing it in the Constitution would forever protect it as a state right, while opponents say it precludes any future opportunity to regulate or restrict it.

Ironically, some of the same arguments that Republicans use to support Amendment 80 are being used by Democrats to support this measure. The same is true for their respective opposition to the two measures.

AMENDMENT I

Recent court precedent restricts a judge's ability to issue no-bail orders in first-degree murder cases. This would undo that.

It has been in the Constitution since statehood that defendants have the right to bail while awaiting trial, except when someone faces the death penalty for murder.

But in 2020, the Legislature did away with that penalty. As a result, after a slew of court rulings requiring bail in all cases, the Colorado Supreme Court ruled in 2023 that even those facing first-degree murder had a right to bail.

PROPOSITION 127

Although lynx are already a protected species, this measure makes it illegal to hunt or trap them. The same would apply to mountain lions and bobcats.

Exceptions to that include when defending human life, livestock or personal property, including a motor vehicle.

Under current law, landowners can qualify for reimbursement for damages to crops, fences, orchards, nurseries, personal property or livestock, but only if they are caused by a “big game” species, which includes mountain lions.

No such reimbursement is available for damage caused by bobcats or lynx.

The measure would remove lions from that category, meaning no reimbursement would be available.

AMENDMENT G

Under the state’s homestead exception, any homeowner who is 65 years or older and have lived in their homes for 10 years or more can get their property taxes reduced by 50% on the first \$200,000 value as determined by their county assessors.

A few years later, that exemption was extended to military veterans with a 100% disability ratings, and surviving spouses of veterans who died in the line of duty.

This measure would extend that exemption to include more categories of disabled veterans, a number that is expected to cover about 3,700 more homeowners.

Currently, about 285,000 seniors and about 12,000 veterans and spouses qualify for the exception.

AMENDMENT JJ

Also placed on this year's ballot by the Legislature, this measure would allow the state to retain more tax revenue from sports betting than Proposition DD allowed when voters approved it in 2019.

Under DD, the state was allowed to retain up to \$29 million from sports betting, money that is used to fund water projects, returning any surplus back to the casinos and other sports betting operations.

Under the amendment, the state could collect more than \$29 million, but no new ceiling is set. Still, revenues from it aren't expected to increase by much more than a few million dollars a year.

AMENDMENT J

Even though civil unions and marriages are allowed by law, the state's Constitution still defines marriage as being between a man and a woman, a definition approved by voters in 2006 but later declared unconstitutional by state and federal courts.

This measure would repeal that definition.

PROPOSITION 128

Under current law, a person convicted of a violent crime must serve at least 75% of their sentence before being eligible for discretionary parole.

The measure would increase that to 85%. It would apply to those convicted of second-degree murder, sexual assault, kidnapping, arson and first-degree burglary. It also would apply to someone convicted of a third or subsequent violent crime, who also would lose the right to earned time for good behavior, meaning they would serve their full sentences