OFFICIAL BALLOT FOR LA PLATA COUNTY
GENERAL ELECTION
TUESDAY, NOVEMBER 4, 2008

Linda J. Daley

Linda Daley, Clerk and Recorder
La Plata County, Colorado

INSTRUCTIONS TO VOTERS: To vote for the candidate of your choice, completely fill in the oval to the LEFT of the candidate's name. If you tear, deface, or wrongly mark this ballot, return it and receive a replacement. VOTE LIKE THIS: ● **Please Vote Both Sides of Ballot**

FEDERAL OFFICES

Presidential Electors
(Vote for One Pair)

- ◯ John McCain/Sarah Palin — REP
- ◯ Barack Obama/Joe Biden — DEM
- ◯ Chuck Baldwin/Darrell L Castle — CON
- ◯ Bob Barr/Wayne A Root — LIB
- ◯ Cynthia McKinney/Rosa A Clemente — GRN
- ◯ Jonathan E Allen/Jeffrey D Stath — HRT
- ◯ Gene C Amondson/Leroy J Pletten — PRO
- ◯ James Harris/Alyson Kennedy — SOW
- ◯ Charles Jay/Dan Sallis Jr — BST
- ◯ Alan Keyes/Brian Rohrbough — AMI
- ◯ Gloria La Riva/Robert Moses — SOL
- ◯ Bradford Lyttle/Abraham Bassford — US P
- ◯ Frank Edward McEnulty/David Mangan — UNA
- ◯ Brian Moore/Stewart A Alexander — SOU
- ◯ Ralph Nader/Matt Gonzalez — UNA
- ◯ Thomas Robert Stevens/Alden Link — OBJ

United States Senator
(Vote for One)

- ◯ Bob Schaffer — REP
- ◯ Mark Udall — DEM
- ◯ Bob Kinsey — GRN
- ◯ Douglas "Dayhorse" Campbell — ACP
- ◯ Write-in

Representative to the 111th United States Congress - District 3
(Vote for One)

- ◯ John T Salazar — DEM
- ◯ Wayne Wolf — REP

STATE OF COLORADO

State Board of Education - Congressional District 3
(Vote for One)

- ◯ Jill L Brake — DEM
- ◯ Marcia Neal — REP

State Representative - District 59
(Vote for One)

- ◯ Ellen Roberts — REP

District Attorney - 6th Judicial District
(Vote for One)

- ◯ Russell Wasley — REP
- ◯ Todd Risberg — DEM

Justice of the Colorado Supreme Court
(Vote Yes or No)

Shall Justice Allison H Eid of the Colorado Supreme Court be retained in office?

◯ YES ◯ NO

Justice of the Colorado Supreme Court
(Vote Yes or No)

Shall Justice Gregory J Hobbs Jr of the Colorado Supreme Court be retained in office?

◯ YES ◯ NO

COURT OF APPEALS
(Vote Yes or No)

Shall Judge Steven L Bernard of the Colorado Court of Appeals be retained in office?

◯ YES ◯ NO

Shall Judge David M Furman of the Colorado Court of Appeals be retained in office?

◯ YES ◯ NO

Shall Judge Robert D Hawthorne of the Colorado Court of Appeals be retained in office?

◯ YES ◯ NO

Shall Judge Jerry N Jones of the Colorado Court of Appeals be retained in office?

◯ YES ◯ NO

Shall Judge Gilbert M Roman of the Colorado Court of Appeals be retained in office?

◯ YES ◯ NO

Shall Judge Diana L Terry of the Colorado Court of Appeals be retained in office?

◯ YES ◯ NO

District Judge - 6th Judicial District
(Vote Yes or No)

Shall Judge David L Dickinson of the 6th Judicial District be retained in office?

◯ YES ◯ NO

COUNTY OFFICES

La Plata County Commissioner - District 2
(Vote for One)

- ◯ Peter Tregillus — DEM
- ◯ Kellie C Hotter — REP

La Plata County Commissioner - District 3
(Vote for One)

- ◯ Wallace White — DEM
- ◯ Harry Baxstrom — REP

"Ballot issues referred by the general assembly or any political subdivision are listed by letter, and ballot issues initiated by the people are listed numerically. A 'yes' vote on any ballot issue is a vote in favor of changing current law or existing circumstances, and a 'no' vote on any ballot issue is a vote against changing current law or existing circumstances."

Amendment 46
Shall there be an amendment to the Colorado constitution concerning a prohibition against discrimination by the state, and, in connection therewith, prohibiting the state from discriminating against or granting preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting; allowing exceptions to the prohibition when bona fide qualifications based on sex are reasonably necessary or when action is necessary to establish or maintain eligibility for federal funds; preserving the validity of court orders or consent decrees in effect at the time the measure becomes effective; defining "state" to include the state of Colorado, agencies or departments of the state, public institutions of higher education, political subdivisions, or governmental instrumentalities of or within the state; and making portions of the measure found invalid severable from the remainder of the measure?

◯ YES ◯ NO

Amendment 47
Shall there be an amendment to the Colorado constitution concerning participation in a labor organization as a condition of employment, and, in connection therewith, prohibiting an employer from requiring that a person be a member and pay any moneys to a labor organization or to any other third party in lieu of payment to a labor organization and creating a misdemeanor criminal penalty for a person who violates the provisions of the section?

◯ YES ◯ NO

Amendment 48
Shall there be an amendment to the Colorado constitution defining the term "person" to include any human being from the moment of fertilization as "person" is used in those provisions of the Colorado constitution relating to inalienable rights, equality of justice, and due process of law?

◯ YES ◯ NO

Amendment 49
Shall there be an amendment to the Colorado constitution concerning deductions from governmental payroll systems, and, in connection therewith, prohibiting a governmental payroll system from taking a payroll deduction from any government employee except deductions required by federal law, tax withholdings, judicial liens and garnishments, deductions for individual or group health benefits or other insurance, deductions for pension or retirement plans or systems, or other savings or investment programs, and charitable deductions?

◯ YES ◯ NO

Amendment 50
SHALL THERE BE AN AMENDMENT TO THE COLORADO CONSTITUTION CONCERNING VOTER-APPROVED REVISIONS TO LIMITED GAMING, AND, IN CONNECTION THEREWITH, ALLOWING THE LOCAL VOTERS IN CENTRAL CITY, BLACK HAWK, AND CRIPPLE CREEK TO EXTEND CASINO HOURS OF OPERATION, APPROVED GAMES TO INCLUDE ROULETTE AND CRAPS OR BOTH, AND MAXIMUM SINGLE BETS UP TO $100; ADJUSTING DISTRIBUTIONS TO CURRENT GAMING FUND RECIPIENTS FOR GROWTH IN GAMING TAX REVENUE DUE TO VOTER-APPROVED REVISIONS IN GAMING; DISTRIBUTING 78% OF THE REMAINING GAMING TAX REVENUE FROM THIS AMENDMENT FOR STUDENT FINANCIAL AID AND CLASSROOM INSTRUCTION AT COMMUNITY COLLEGES ACCORDING TO THE PROPORTION OF THEIR RESPECTIVE STUDENT ENROLLMENTS, AND 22% FOR LOCAL GAMING IMPACTS IN GILPIN AND TELLER COUNTIES AND THE CITIES OF CENTRAL CITY, BLACK HAWK, AND CRIPPLE CREEK ACCORDING TO THE PROPORTION OF INCREASED TAX REVENUE FROM VOTER-APPROVED REVISIONS IN EACH CITY OR COUNTY; AND REQUIRING ANY INCREASE IN GAMING TAXES FROM THE LEVELS IMPOSED AS OF JULY 1, 2008 TO BE APPROVED AT A STATEWIDE ELECTION, IF LOCAL VOTERS IN ONE OR MORE CITIES HAVE APPROVED ANY REVISION TO LIMITED GAMING?

◯ YES ◯ NO

Amendment 51
SHALL STATE TAXES BE INCREASED $186.1 MILLION ANNUALLY AFTER FULL IMPLEMENTATION BY AN AMENDMENT TO THE COLORADO REVISED STATUTES CONCERNING AN INCREASE IN THE STATE SALES AND USE TAX TO PROVIDE FUNDING FOR LONG-TERM SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, AND, IN CONNECTION THEREWITH, INCREASING THE RATE OF THE STATE SALES AND USE TAX BEGINNING ON JULY 1, 2009, BY ONE-TENTH OF ONE PERCENT IN EACH OF THE NEXT TWO FISCAL YEARS; PERMITTING THE STATE TO RETAIN AND SPEND ALL REVENUES FROM THE NEW TAX, NOTWITHSTANDING THE STATE SPENDING LIMIT; REQUIRING AN AMOUNT EQUAL TO THE NET REVENUE FROM THE NEW TAX TO BE DEPOSITED IN THE NEWLY CREATED DEVELOPMENTAL DISABILITIES LONG-TERM SERVICES CASH FUND; REQUIRING THE MONEY IN THE FUND TO BE USED TO PROVIDE LONG-TERM SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES; AND PROHIBITING REDUCTIONS IN THE LEVEL OF STATE APPROPRIATIONS IN THE ANNUAL GENERAL APPROPRIATION BILL EXISTING ON THE EFFECTIVE DATE OF THIS MEASURE FOR LONG-TERM SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES?

◯ YES ◯ NO

Amendment 52

Shall there be an amendment to the Colorado constitution concerning the allocation of revenues from the state severance tax imposed on minerals and mineral funds other than oil shale that are extracted in the state, and, in connection therewith, for fiscal years commencing on or after July 1, 2008, requiring half of the revenues to be credited to the local government severance tax fund and the remaining revenues to be credited first to the severance tax trust fund until an annually calculated limit is reached and then to a new Colorado transportation trust fund, which may be used only to fund the construction, maintenance, and supervision of public highways in the state, giving first priority to reducing congestion on the Interstate 70 corridor?

◯ YES ◯ NO

Amendment 53

Shall there be an amendment to the Colorado Revised Statutes extending the criminal liability of a business entity to its executive officials for the entity's failure to perform a specific duty imposed by law, and, in connection therewith, conditioning an executive official's liability upon his or her knowledge of the duty imposed by law and of the business entity's failure to perform such duty; and allowing an executive official who discloses to the attorney general all facts known to the official concerning a business's criminal conduct to use that disclosure as an affirmative defense to criminal charges?

◯ YES ◯ NO

Amendment 54

Shall there be an amendment to the Colorado constitution concerning restrictions on campaign contributions, and, in connection therewith, prohibiting the holder of contracts totaling $100,000 or more, as indexed for inflation, awarded by state or local governments without competitive bidding ("sole source government contracts"), including certain collective bargaining agreements, from making a contribution for the benefit of a political party or candidate for elective office during the term of the contracts and for 2 years thereafter; disqualifying a person who makes a contribution in a ballot issue election from entering into a sole source government contract related to the ballot issue; and imposing liability and penalties on contract holders, certain of their owners, officers and directors, and government officials for violations of the amendment?

◯ YES ◯ NO

Amendment 55

Shall there be an amendment to the Colorado constitution concerning cause for employee discharge or suspension, and, in connection therewith, requiring an employer to establish and document just cause for the the discharge or suspension of a full-time employee; defining "just cause" to mean specified types of employee misconduct and substandard job performance, the filing of bankruptcy by the employer, or documented economic circumstances that directly and adversely affect the employer; exempting from the just cause requirement business entities that employ fewer than twenty employees, nonprofit organizations that employ fewer than one thousand employees, governmental entities, and employees who are covered by a collective bargaining agreement that requires just cause for discharge or suspension; allowing an employee who believes he or she was discharged or suspended without just cause to file a civil action in state district court; allowing a court that finds an employee's discharge or suspension to be in violation of this amendment to award reinstatement in the employee's former job, back wages, damages, or any combination thereof; and allowing the court to award attorney's fees to the prevailing party?

◯ YES ◯ NO

Amendment 56

Shall there be an amendment to the Colorado Constitution concerning health care coverage for employees, and, in connection therewith, requiring employers that regularly employ twenty or more employees to provide major medical health care coverage to their employees; excluding the state and its political subdivisions from the definition of "employer"; allowing an employer to provide such health care coverage either directly through a carrier, company, or organization or acting as a self-insurer, or indirectly by paying premiums to a health insurance authority to be created pursuant to this measure that will contract with health insurance carriers, companies, and organizations to provide coverage to employees; providing that employees shall not be required to pay more than twenty percent of the premium for such coverage for themselves and more than thirty percent of such coverage for the employees' dependents; financing the costs of administering the health insurance authority and health care coverage provided through the authority with premiums paid by employers to the authority and, if necessary, such revenue sources other than the state general fund as determined by the general assembly; directing the general assembly to enact such laws as are necessary to implement the measure; and setting the effective date of the measure to be no later than November 1, 2009?

◯ YES ◯ NO

Amendment 57

Shall there be an amendment to the Colorado Revised Statutes concerning a safe workplace for employees, and, in connection therewith, requiring employers to provide safe and healthy workplaces for their employees; restricting such requirement to employers regularly employing ten or more employees in the state; and enabling employees who are injured because of an employer's violation of this requirement to file suit in district court, with the right to a jury trial, to recover compensatory and exemplary damages, actual past or future pecuniary losses, and noneconomic losses including pain and suffering, emotional distress, inconvenience, mental anguish, and loss of enjoyment of life, but prohibiting injured employees from recovering any damages for which the employee already received compensation pursuant to the "Workers' Compensation Act of Colorado"?

◯ YES ◯ NO

Amendment 58

SHALL STATE TAXES BE INCREASED $321.4 MILLION ANNUALLY BY AN AMENDMENT TO THE COLORADO REVISED STATUTES CONCERNING THE SEVERANCE TAX ON OIL AND GAS EXTRACTED IN THE STATE, AND, IN CONNECTION THEREWITH, FOR TAXABLE YEARS COMMENCING ON OR AFTER JANUARY 1, 2009, CHANGING THE TAX TO 5% OF TOTAL GROSS INCOME FROM THE SALE OF OIL AND GAS EXTRACTED IN THE STATE WHEN THE AMOUNT OF ANNUAL GROSS INCOME IS AT LEAST $300,000; ELIMINATING A CREDIT AGAINST THE SEVERANCE TAX FOR PROPERTY TAXES PAID BY OIL AND GAS PRODUCERS AND INTEREST OWNERS; REDUCING THE LEVEL OF PRODUCTION THAT QUALIFIES WELLS FOR AN EXEMPTION FROM THE TAX; EXEMPTING REVENUES FROM THE TAX AND RELATED INVESTMENT INCOME FROM STATE AND LOCAL GOVERNMENT SPENDING LIMITS; AND REQUIRING THE TAX REVENUES TO BE CREDITED AS FOLLOWS: (A) 22% TO THE SEVERANCE TAX TRUST FUND, (B) 22% TO THE LOCAL GOVERNMENT SEVERANCE TAX FUND, AND (C) 56% TO A NEW SEVERANCE TAX STABILIZATION TRUST FUND, OF WHICH 60% IS USED TO FUND SCHOLARSHIPS FOR COLORADO RESIDENTS ATTENDING STATE COLLEGES AND UNIVERSITIES, 15% TO FUND THE PRESERVATION OF NATIVE WILDLIFE HABITAT, 10% TO FUND RENEWABLE ENERGY AND ENERGY EFFICIENCY PROGRAMS, 10% TO FUND TRANSPORTATION PROJECTS IN COUNTIES AND MUNICIPALITIES IMPACTED BY THE SEVERANCE OF OIL AND GAS, AND 5% TO FUND COMMUNITY DRINKING WATER AND WASTEWATER TREATMENT GRANTS?

◯ YES ◯ NO

Amendment 59

SHALL THERE BE AN AMENDMENT TO THE COLORADO CONSTITUTION CONCERNING THE MANNER IN WHICH THE STATE FUNDS PUBLIC EDUCATION FROM PRESCHOOL THROUGH THE TWELFTH GRADE, AND, IN CONNECTION THEREWITH, FOR THE 2010-11 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, REQUIRING THAT ANY REVENUE THAT THE STATE WOULD OTHERWISE BE REQUIRED TO REFUND PURSUANT TO THE CONSTITUTIONAL LIMIT ON STATE FISCAL YEAR SPENDING BE TRANSFERRED INSTEAD TO THE STATE EDUCATION FUND; ELIMINATING THE REQUIREMENT THAT, FOR THE 2011-12 STATE FISCAL YEAR AND EACH STATE FISCAL YEAR THEREAFTER, THE STATEWIDE BASE PER PUPIL FUNDING FOR PUBLIC EDUCATION FROM PRESCHOOL THROUGH THE TWELFTH GRADE AND THE TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS INCREASE ANNUALLY BY AT LEAST THE RATE OF INFLATION; CREATING A SAVINGS ACCOUNT IN THE STATE EDUCATION FUND; REQUIRING THAT A PORTION OF THE STATE INCOME TAX REVENUE THAT IS DEPOSITED IN THE STATE EDUCATION FUND BE CREDITED TO THE SAVINGS ACCOUNT IN CERTAIN CIRCUMSTANCES; REQUIRING EITHER A TWO-THIRDS MAJORITY VOTE OF EACH HOUSE OF THE GENERAL ASSEMBLY OR, IN ANY STATE FISCAL YEAR IN WHICH COLORADO PERSONAL INCOME GROWS LESS THAN SIX PERCENT BETWEEN THE TWO PREVIOUS CALENDAR YEARS, A SIMPLE MAJORITY VOTE OF THE GENERAL ASSEMBLY TO USE THE MONEYS IN THE SAVINGS ACCOUNT; ESTABLISHING THE PURPOSES FOR WHICH MONEYS IN THE SAVINGS ACCOUNT MAY BE SPENT; ESTABLISHING A MAXIMUM AMOUNT THAT MAY BE IN THE SAVINGS ACCOUNT IN ANY STATE FISCAL YEAR; AND ALLOWING THE GENERAL ASSEMBLY TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE STATE EDUCATION FUND, SO LONG AS CERTAIN OBLIGATIONS FOR TRANSPORTATION FUNDING ARE MET?

◯ YES ◯ NO

Referendum L

An amendment to section 4 of article V of the constitution of the state of Colorado, concerning the ability of an elector of the state of Colorado who has attained the age of twenty-one years to serve as a member of the Colorado general assembly.

◯ YES ◯ NO

Referendum M

Shall section 7 of article XVIII of the state constitution concerning outdated, obsolete provisions regarding land value increase be repealed?

◯ YES ◯ NO

Referendum N

Shall there be a repeal of section 5 of article XVIII and article XXII of the state constitution, concerning the elimination of outdated obsolete provisions of the state constitution?

◯ YES ◯ NO

Referendum O

Shall there be an amendment to the Colorado constitution concerning ballot initiatives, and, in connection therewith, increasing the number of signatures required for a proposed initiative to amend the state constitution; reducing the number of signatures required for a proposed statutory initiative; requiring a minimum number of signatures for a proposed initiative to amend the state constitution to be gathered from residents of each congressional district in the state; increasing the time allowed to gather signatures for a proposed statutory initiative; modifying the review of initiative petitions; establishing a filing deadline for proposed initiatives to amend the state constitution; and requiring a two-thirds vote of all members elected to each house of the general assembly to amend, repeal, or supersede any law enacted by an initiative for a period of five years after the law becomes effective?

◯ YES ◯ NO

CITY OF DURANGO - Referred Measure 2A

SHALL CITY OF DURANGO DEBT BE INCREASED $17,585,000 WITH A REPAYMENT COST OF $30,338,000, WITHOUT IMPOSING ANY NEW TAX OR INCREASING ANY TAX RATE, FOR THE CONSTRUCTION OF FLORIDA ROAD IMPROVEMENTS, SUBJECT TO THE FOLLOWING LIMITATIONS:

* THE PROCEEDS RESULTING FROM THE DEBT SHALL BE USED TO FINANCE THE COSTS OF IMPROVEMENTS TO FLORIDA ROAD, INCLUDING BUT NOT LIMITED TO, PAVING, CURBS, GUTTERS, SIDEWALKS, BIKE LANES, PEDESTRIAN CROSSINGS, MEDIANS, LANDSCAPING, STREETLIGHTS, STORM DRAINS, FENCES, AND RELATED IMPROVEMENTS INCLUDING OTHER SAFETY IMPROVEMENTS, AND TO PAY THE COST OF ISSUANCE OF THE DEBT, INCLUDING ANY NECESSARY RESERVES;

* WITHOUT IMPOSING ANY NEW TAX OR INCREASING ANY EXISTING TAXES, THE CITY MAY PLEDGE TO THE PAYMENT OF THE DEBT SALES AND USE TAX REVENUES, INVESTMENT INCOME, AND OTHER CITY REVENUES AS THE CITY COUNCIL MAY DETERMINE;

THE SPECIFIC TERMS OF SUCH DEBT SHALL BE DETERMINED BY THE CITY COUNCIL AS NECESSARY AND PRUDENT AND MAY INCLUDE A PROVISION FOR EARLY REPAYMENT WITH OR WITHOUT A PREMIUM OF NOT MORE THAN 3%; AND SHALL THE CITY BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION, PROVIDED THAT AFTER THE ISSUANCE OF SUCH REFUNDING DEBT THE TOTAL OUTSTANDING PRINCIPAL AMOUNT OF ALL DEBT ISSUED PURSUANT TO THIS QUESTION DOES NOT EXCEED THE MAXIMUM PRINCIPAL AMOUNT SET FORTH ABOVE, AND PROVIDED FURTHER THAT ALL DEBT ISSUED BY THE CITY PURSUANT TO THIS QUESTION IS ISSUED ON TERMS THAT DO NOT EXCEED THE REPAYMENT COSTS AUTHORIZED IN THIS QUESTION?

◯ YES ◯ NO