# OFFICIAL GENERAL ELECTION BALLOT
## LA PLATA COUNTY, COLORADO
## NOVEMBER 3, 1998

FINAL
9-22-98

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 request a replacement. VOTE LIKE THIS: ●

### UNITED STATES SENATOR
VOTE FOR ONE

- Dottie Lamm — DEM
- Ben Nighthorse Campbell — REP
- Johnny Packman — NLP
- David S. Segal — LIB
- John Heckman — COP
- Gary Swing — USP
- Kevin Swanson — ACP

### REPRESENTATIVE TO THE 106TH CONGRESS DISTRICT 3
VOTE FOR ONE

- Scott McInnis — REP
- Robert Reed Kelly — DEM
- Barry Maggart — LIB

### GOVERNOR/LT. GOVERNOR
VOTE FOR ONE

- ~~Bill Owens~~ Joe Rodgers — REP
- ~~Gail Schoettler~~ Bernie Buescher — DEM
- Aaron D. Johnson Dan Cochran — LIB
- ~~Tim Leonard~~ Leslie Hanks — ACP

### SECRETARY OF STATE
VOTE FOR ONE

- Rio Bahrke — DEM
- Victoria "Vikki" Buckley — REP
- Rob Fraser — NLP
- Geoffrey Lloyd — LIB
- Patricia A. Craven — COA
- Clyde J. Hartins — ACP

### STATE TREASURER
VOTE FOR ONE

- Jim Polehla — DEM
- Mike Coffman — REP
- Cynthia S. Burke — NLP
- David Bryant — LIB

### STATE ATTORNEY GENERAL
VOTE FOR ONE

- John Suthers — REP
- Ken Salazar — DEM
- Wayne White — LIB

### REGENT OF THE UNIVERSITY OF COLORADO AT LARGE
VOTE FOR ONE

- Jim Martin — REP
- Douglas Nelmen — DEM
- Dean Myerson — GRN
- Barbara Foster — NLP
- Earl F. Dodge — CPP

### STATE SENATE DISTRICT 6
VOTE FOR ONE

- Jim Dyer — DEM
- Jasper Welch — REP

### STATE HOUSE OF REPRESENTATIVES DISTRICT 59
VOTE FOR ONE

- Judy Cooley — DEM
- Mark Larson — REP

### SUPREME COURT JUSTICE
Shall Judge Gregory J. Hobbs Jr. of the Supreme Court be retained in office?

- YES
- NO

### SUPREME COURT JUSTICE
Shall Judge Rebecca Love Kourlis of the Supreme Court be retained in office?

- YES
- NO

### COURT OF APPEALS JUDGE
Shall Judge Janice B. Davidson of the Court of Appeals be retained in office?

- YES
- NO

### COURT OF APPEALS
Shall Judge Claus J. Muns of the Court of Appeals be retained in office?

- YES
- NO

### COURT OF APPEALS
Shall Judge Raymond Dean Jones of the Court of Appeals be retained in office?

- YES
- NO

### COURT OF APPEALS
Shall Judge Jose D. L. Marquez of the Court of Appeals be retained in office?

- YES
- NO

### COURT OF APPEALS
Shall Judge Peter H. Ney of the Court of Appeals be retained in office?

- YES
- NO

### COURT OF APPEALS
Shall Judge Leonard P. Plank of the Court of Appeals be retained in office?

- YES
- NO

### DISTRICT COURT JUDGE
Shall Judge Gregory G. Lyman of the District Court be retained in office?

- YES
- NO

### COUNTY COURT JUDGE
Shall Judge Martha Tinsley Minot of the County Court be retained in office?

- YES
- NO

### COUNTY COMMISSIONER DISTRICT 1

- Lee R. Goddard — DEM
- Fred W. Klatt III — REP

### COUNTY CLERK AND RECORDER
VOTE FOR ONE

- Linda Daley — REP
- Virginia Castro — DEM

### COUNTY TREASURER
VOTE FOR ONE

- Edward J. Murray — REP

### COUNTY ASSESSOR
VOTE FOR ONE

- Craig N. Larson — DEM

### COUNTY SHERIFF
VOTE FOR ONE

- ~~Sydney Duke Schiard~~ — REP

### COUNTY SURVEYOR
VOTE FOR ONE

- John R. Brock — REP
- Ricardo Moreno — UNA

### COUNTY CORONER
VOTE FOR ONE

- Richard C. Mullen — REP

"Measures referred by the general assembly or any political subdivision are listed by letter, and measures initiated by the people are listed numerically. A 'yes' vote on any measure is a vote in favor of changing constitutional or statutory law, and a 'no' vote on any measure is a vote against changing constitutional or statutory law."

### AMENDMENT 11
Shall there be an amendment to the Colorado Revised Statutes concerning a prohibition against partial-birth abortions, and, in connection therewith, specifying that no one shall knowingly or intentionally perform a partial-birth abortion, allowing a medical procedure to prevent the death of the pregnant woman, if every reasonable effort is made to preserve the lives of the woman and the infant, defining partial-birth abortion as an abortion during which the person performing the abortion deliberately and intentionally causes to be delivered into the vagina a living human fetus or any substantive portion thereof for the purpose of performing any procedure the person knows will kill the fetus and kills the fetus before completing delivery, specifying that "fetus" and "infant" mean the biological offspring of human parents and may be used interchangeably throughout the measure, establishing accepted civil remedies for certain persons, establishing criminal penalties for violations after February 14, 1999, and stating that the amendment cannot be amended except by a vote of the people?

- YES
- NO

### AMENDMENT 12
Shall there be an amendment to the Colorado Revised Statutes concerning parental notification when an unemancipated minor seeks an abortion, and, in connection therewith, specifying that no abortion shall be performed upon an unemancipated minor until at least 48 hours after written notice of the pending abortion has been delivered to the parent of the minor; identifying exceptions to the notice requirement; defining abortion as the use of any means to terminate the pregnancy of a minor with knowledge that the termination by those means will, with reasonable likelihood, cause the death of that person's unborn offspring at any time after fertilization; establishing criminal penalties for performing an abortion in violation of the requirement to provide notice to the parent and for counseling a minor to furnish a physician with false information to induce the physician to perform an abortion without providing the notice; and establishing a judicial bypass procedure, which shall be effective under certain circumstances, pursuant to which a court may determine that giving the notice will not be in the best interests of the minor or that the minor is sufficiently mature to decide whether to have the abortion?

- YES
- NO

### AMENDMENT 13
Shall there be an amendment to the Colorado Constitution requiring the uniform application of laws to livestock operations and, in connection therewith, mandating that laws and regulations concerning livestock operations be uniform and based upon the similarity in the potential impact on the environment of the livestock operation, making unconstitutional any state law or regulation that does not treat livestock operations uniformly based upon the similarity in the potential impact on the environment of the livestock operation; allowing the general assembly to make a distinction between concentrated feeding operations and livestock feeding in a concentrated animal feeding operation, permitting the general assembly to make a distinction between concentrated animal feeding operations that are smaller than one thousand animal units and those that are larger than one thousand animal units; specifying that one animal unit be considered to be a cow and all other livestock to be fractions of a cow as determined by the general assembly; and defining livestock as cattle, sheep, goats, swine, mules, poultry, horses, and all other animals raised or kept for profit?

- YES
- NO

### AMENDMENT 14
Shall there be an amendment to the Colorado Revised Statutes concerning regulation of housed commercial swine feeding operations which can house 800,000 or more pounds of swine or which are classified commercial under local law, and, in connection therewith, conditioning operation, construction, or expansion of a housed commercial swine feeding operation on receipt of an individual discharge permit from the department of public health and environment; directing the water quality control commission to adopt rules regarding the construction, operation, and management of land waste disposal by such operations; providing that such rules shall require that land application of waste from such operations shall not exceed the nutritional requirements of the plants on that land and shall minimize runoff and seepage of such waste; providing that such rules shall require that such operations not be permitted to degrade the physical structure or value of trust lands; make immediate reports of spills or contamination to state and county health departments; and monitor land-applied waste from such operations and report thereon to the state health department; authorizing fees on such operations to offset direct and indirect cost of the program; authorizing local governments to impose more restrictive requirements; requiring that such operations employ technology to minimize odor emissions; requiring operations to cover waste impoundments that do not use air or oxygen in their waste treatment method; and to recover, incinerate, or manage odorous gases therefrom; establishing minimum distance between new land waste application sites or impoundments an occupied dwelling, schools and municipal boundaries; and providing for enforcement of these provisions by the state or any person who may be adversely affected?

- YES
- NO

### AMENDMENT 15
Shall there be an amendment to the Colorado Revised Statutes concerning a requirement for the installation of water flow meters on any nontributary well in the unconfined aquifer in Water Division 3 (which is located in whole or in part in Conejos, Alamosa, Rio Grande, Mineral, Saguache, and Costilla counties) on or before April 1, 1999, and, in connection therewith, requiring that the water flow meters be certified by the state engineer; requiring that the State engineer to read the water flow meters monthly at the well owner's expense; and directing the state engineer to prevent the operation of any well that does not have a functioning water flow meter?

- YES
- NO

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## AMENDMENT 16

Shall there be an amendment to the Colorado Constitution requiring the Rio Grande Water Conservation District, which is located in whole or in part in Conejos, Alamosa, Rio Grande, Mineral, and Saguache counties, to pay fees for all water that has been, is being, or will in the future be pumped from aquifers underlying state trust lands pursuant to Water Decree W-3038 in Water Division 3 (including all or part of Conejos, Alamosa, Rio Grande, Mineral, saguache, and Costilla counties) for purposes of the "Closed Basin Project", and, in connection therewith, setting such fees at thirty dollars per acre-foot, payable to the state's public school fund, and ten dollars per ace-foot payable to the school districts in Water Division 3, based upon the State Department of Education's student count for such districts; directing the State Auditor to determine the amounts of such fees payable each year and requiring payment of suchamounts within thirty days after such determination, subject to interest at eighteen percent on late payments; requiring the Rio Grande Water Conservation District to assess those irrigators with water rights in the Rio Grande River, in proportion to their water right, an amount equal to the amount of water used and attributable to the water pumped from beneath such state trust lands; and providing that monies paid to the school districts in Water Division 3 shall be in addition to monies made available for public school children and shall not not be considered by the general assembly when determining such amount?

YES

NO

## AMENDMENT 17

Shall there be an amendment to the constitution of the state of Colorado concerning the establishment of an income tax credit for parents or legal guardians of children enrolled in public, non-public schools and non-public home-based educational programs, and, in connection therewith, requiring the general assembly to establish an income tax credit for income tax years beginning in 1999; specifying the methods for determining the amount of such credit; establishing priorities for eligibility for such credit; establishing an educational opportunity fund to be used to offset the entire costs of such credit; prohibiting reductions in current per-student public school expenditures as a result of the measure or as a reeult of the transfer of students to non-public schools; prohibiting the state or any political subdivision thereof from using this section to increase their regulatory rots over the education of children in non-public schools beyond that exercised and existent on January 1, 1998, and eliminating eligibility for the income tax credit of parents or legal guardians who send children to certain non-public schools, including those that illegally discriminate on the basis of race, ethnicity, color or national origin or teach hatred?

YES

NO

## AMENDMENT 18

shall there be a amendment to the Colorado Constitution concerning terms limits declarations that may be voluntarily submitted by cndidates for the U.S. Congress, and, in connection therewith, specifying when such declarations must be submitted to the secretary of state; providing that a candidate shall not be refused placement on the ballot if the candidate does not submit a declaration; providing that candidates may voluntarily declare that the candidate will not serve more than three terms terms as a U.S. Representative or more than two terms as a U.S. senator or may voluntarily declare that the candidate has chosen not to accept term limits; allowing candidates who have made such a declaration to voluntarily authorize placement of an applicable ballot designation next to a candidate's name on congressional election ballots and government-sponsored voter education material; specifying how terms are calculated, allowing candidates to change a declaration; requiring that ballots and voter education material contain the applicable ballot designation following the name of a candidate; specifying that service in office for more than one-half of a term is deemed service for a full term; prohibiting a candidate from having more than one declaration and ballot designation in effect at the same time; specifying that a candidate may authorize the applicable ballot designation only if the candidate has made the voluntary declaration; and authorizing the secretary of state to provide declarations and implement this amendment by rule?

YES

NO

## AMENDMENT 19

Shall there be an amendment to the Colorado Constitution authorizing the medical use of marijuana for persons suffering from debilitating medical conditions, and, in connection therewith, establishing an affirmative defense to Colorado criminal laws for patients and their primary care- givers relating to the medical use of marijuana; establishing exceptions to Colorado criminal laws for patients and primary care-givers in lawful possession of a registry identification card for medical marijuana use and for physicians who advise patients or provide them with written documentation as to such medical marijuana use; defining "Debilitating Medical Condition" and authorizing the state health agency to approve other medical conditions or treatments as debilitating medical conditions; requiring preservation of seized property interest that had been possessed, owned or used in connection with a claimed medical use of marijuana and limiting forfeiture of such interests; establishing and maintaining a confidential state registry of patients receiving an identification card for the medical use of marijuana and defining eligibility for receipt of such card and placement on the registry; restricting accesse to information in the registry; establishing procedures for issuance of an identification card; authorizing fees to cover administrative costs associated with registry; specifying the form and amount of marijuana a patient may possess and restrictions on its use; setting forth additional requirements for the medical use of marijuana by patients less than eighteen years old; directing enactment of implementing legislation and criminal penalties for certain offenses; requiring the state health agency designated by the governor to make application forms available to residents of Colorado for inclusion on the registry; limiting a health insurer's liability on claims relating to the medical use of marijuana, and providing that no employer must accommodate medical use of marijuana in the workplace?

YES

NO

## REFERENDUM A

An amendment to article XI of the constitution of the state of Colorado, authorizing a county, city, town, township, or special district to provide any lawfully authorized health care function, service, or facility in joint ownership or other arrangment with any person or company, public or privatr, without incurring debt and without pledging its credit or faith; requiring any county, city, town, or township, or special district entering into such joint ownership or other arrangement to own its just proportion; and providing that any such entity or relationship established for such purpose shall not be deemed a political subdivision, local government, or local public body for ahy purpose?

YES

NO

## REFERENDUM B

Shall the state of Colorado be permitted to annually retain up to two hundred million dollars of the state revenues in excess of the constitutional limitation on state fiscal year spending for the 1997-98 fiscal year and for four succeeding fiscal years for the purpose of funding school district capital construction projects, state and local transportation needs, and capital construction projects of state colleges and universities, notwithstanding any restriction on spending, revenues, or appropriations, including without limitation the restrictions of section 20 of article X of the state constitution and the statutory limitation on state general fund appropriations, and, in connection therewith, requiring annual transfers of such excess revenues for these purposes, specifying the allocation of such excess revenues to these purposes, specifying the fund to which a portion of the excess revenues is to be transferred for school district capital construction, establishing a special account in the capital construction fund to which a portion of the excess revenues is to be transferred for higher education capital construction, and specifying the allocation of the portion of the excess revenues transferred to the highway users tax fund for state and local transportation needs?

YES

NO

## REFERENDUM C

An amendment to article XX of the constitution of the state of Colorado, concerning the creation of the city and county of Broomfield

YES

NO

## REFERENDUM 2A

Shall limitations on terms of office for Sheriff, Treasurer, Assessor, Clerk and Recorder, Corner, and Surveyor of La Plata County be eliminated?

YES

NO

## REFERENDUM 3A

DURANGO SCHOOL DISTRICT 9-R SHALL DURANGO SCHOOL DISTRICT NUMBER 9-R, LA PLATA COUNTY, COLORADO BE AUTHORIZED TO COLLECT, RETAIN AND/OR EXPEND ALL REVENUES AND OTHER FUNDS WHICH ARE AUTHORIZED UNDER LAW OR WHICH MAY LAWFULLY BE RECEIVED BY THE DISTRICT FROM ANY SOURCE DURING FISCAL YEAR 1997-98 AND EACH YEAR THEREAFTER, INCLUDING WITHOUT LIMITATION THE FULL REVENUES AUTHORIZED UNDER THE COLORADO PUBLIC SCHOOL FINANCE ACT OF 1994 AS AMENDED OR UNDER ANY SUCCESSOR ACT, WITHOUT REGARD TO THE LIMITATIONS AND CONDITIONS UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

THIS PROVISION AUTHORIZES THE DISTRICT TO COLLECT, RETAIN AND SPEND ALL REVENUES LAWFULLY RECEIVED. THIS PROVISION SHALL NOT PERMIT AN INCREASE IN THE PROPERTY TAX MILL LEVY OR REMOVE OR AVOID ANY OF THE REMAINING RESTRICTIONS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, WHICH IS COMMONLY KNOWN AS AMENDMENT ONE AND/OR THE TABOR AMENDMENT. THE REMAINING RESTRICTIONS INCLUDE: (1) VOTER APPROVAL OF ALL NEW TAXES AND TAX RATE INCREASES; (2) VOTER APPROVAL FOR MULTIPLE YEAR SCHOOL DISTRICT DEBT; (3) EXISTING AD VALOREM PROPERTY TAX RESTRICTIONS; AND (4) THE ELECTION REQUIREMENTS CONTAINED IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION.

YES

NO