

AN ANALYSIS
OF THE
2000 STATEWIDE
BALLOT PROPOSALS



**STATEWIDE ELECTION DAY IS
Tuesday, November 7, 2000**

Polling places open from 7 a.m. to 7 p.m.
(*Early Voting Begins October 23, 2000*)

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.

hereafter be provided by statutory laws of the state of Colorado; but no such laws shall ever authorize the establishment or maintenance of any saloon.

SECTION 2. Each elector voting at said election and desirous of voting for or against said amendment shall cast a vote as provided by law either "Yes" or "No" on the proposition: "AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF COLORADO, CONCERNING THE REPEAL OF OUTDATED PROVISIONS OF THE STATE CONSTITUTION RESULTING FROM OBSOLESCENCE AND APPLICABILITY TO PARTICULAR EVENTS OR CIRCUMSTANCES THAT HAVE ALREADY OCCURRED."

SECTION 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress, and if a majority of the electors voting on the question shall have voted "Yes", the said amendment shall become a part of the state constitution.

REFERENDUM E
MULTI-STATE LOTTERIES

Ballot Title: Shall the Colorado lottery commission be authorized to enter into multistate agreements allowing Colorado residents to play multistate lottery games, and, in connection therewith, transferring a portion of the net proceeds from all lottery programs, including multi-state lottery games, from the general fund to the state public school fund as a contingency reserve for supplemental assistance to school districts for capital expenditures to address immediate health and safety concerns within existing school facilities exempt from any restriction on spending, revenues, or appropriations, including, without limitation, the restrictions of section 20 of article X of the state constitution?

Text of Proposal:

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 24-35-201 (5), Colorado Revised Statutes, is amended, and the said 24-35-201 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

24-35-201. Definitions. As used in this part 2, unless the context otherwise requires:

(5) "Lottery" means any lottery AND ALL LOTTERIES created and operated pursuant to this part 2, including, without limitation, the game commonly known as lotto, in which prizes are awarded on the basis of designated numbers conforming to numbers selected at random,

electronically or otherwise, by or at the direction of the commission, AND ANY MULTISTATE LOTTERY OR GAME THAT IS AUTHORIZED BY A MULTISTATE AGREEMENT TO WHICH THE COMMISSION IS PARTY. ALL REFERENCES IN THIS ARTICLE TO "THE LOTTERY" SHALL BE CONSTRUED TO INCLUDE ANY OR ALL LOTTERIES WITHIN THE MEANING OF THIS SUBSECTION (5).

(6) "MULTISTATE AGREEMENT" MEANS AN AGREEMENT ENTERED INTO BY THE COMMISSION AND AT LEAST ONE OTHER STATE'S LOTTERY AUTHORITY THAT AUTHORIZES THE COMMISSION TO ALLOW COLORADO RESIDENTS TO PARTICIPATE IN ONE OR MORE MULTISTATE LOTTERIES PURSUANT TO RULES PROMULGATED BY THE COMMISSION.

SECTION 2. 24-35-203, Colorado Revised Statutes, is amended to read:

24-35-203. Function of division. The function of the division is to establish, operate, and supervise the lottery authorized by section 2 of article XVIII of the state constitution, as approved by the electors. at the 1980 general election.

SECTION 3. 24-35-204 (3)(a) and (3)(i), Colorado Revised Statutes, are amended to read:

24-35-204. Director - qualifications - powers and duties. (3) The director, as administrative head of the division, shall direct and supervise all its administrative and technical activities. In addition to the duties imposed upon the director elsewhere in this part 2, it shall be the director's duty:

(a) To supervise and administer the operation of the lottery in accordance with the provisions of this part 2 and the rules and regulations of the commission, TO PERFORM ALL DUTIES AND OBLIGATIONS PURSUANT TO AND ADMINISTER ANY MULTISTATE AGREEMENTS, AND TO PROVIDE FOR ALL EXPENSES INCURRED IN CONNECTION WITH ANY SUCH MULTISTATE AGREEMENTS UNLESS SUCH EXPENSES ARE OTHERWISE PROVIDED FOR IN SUCH MULTISTATE AGREEMENTS;

(i) With the concurrence of the commission or pursuant to commission requirements and procedures, to enter into contracts for materials, equipment, and supplies to be used in the operation of the lottery, for the design and installation of games or lotteries, and for promotion of the lottery. No contract shall be legal or enforceable that provides for the management of the lottery or for the entire operation of its games by any private person, firm, or corporation, because management of the lottery and control over the operation of its games shall remain with the state; EXCEPT THAT MANAGEMENT OF AND CONTROL OVER THE OPERATION OF A MULTISTATE LOTTERY SHALL BE DETERMINED BY THE TERMS OF A MULTISTATE AGREEMENT. Except for advertising and promotional contracts, when a contract OTHER THAN A MULTISTATE AGREEMENT is

awarded, a performance bond satisfactory to the commission, executed by a surety company authorized to do business in this state or otherwise secured in a manner satisfactory to the state, in an amount set annually by the commission shall be delivered to the state and shall become binding on the parties upon execution of the contract.

SECTION 4. 24-35-208 (1) (a), Colorado Revised Statutes, is amended, and the said 24-35-208 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

24-35-208. Commission - powers and duties. (1) In addition to any other powers and duties set forth in this part 2, the commission shall have the following powers and duties:

(a) To promulgate rules ~~and regulations~~ governing the establishment and operation of ~~a state~~ THE lottery as it deems necessary to carry out the purposes of this part 2. The director shall prepare and submit to the commission written recommendations concerning proposed rules ~~and regulations~~ for this purpose.

(i) TO INVESTIGATE, NEGOTIATE, ENTER INTO, REVISE FROM TIME TO TIME, AND PARTICIPATE IN MULTISTATE AGREEMENTS AND TO OPERATE, SUPERVISE, ADVERTISE, AND REGULATE MULTISTATE LOTTERIES. THE DIRECTOR SHALL ACT AS THE COMMISSION'S AGENT IN SUCH INVESTIGATIONS AND NEGOTIATIONS IF THE COMMISSION SO DIRECTS.

SECTION 5. 22-54-117, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

22-54-117. Contingency reserve. (1.6) FOR EACH QUARTER INCLUDING AND AFTER THE FIRST QUARTER OF THE STATE'S FISCAL YEAR 2001-2002, ALL MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII OF THE STATE CONSTITUTION SHALL BE TRANSFERRED TO THE STATE PUBLIC SCHOOL FUND AS A CONTINGENCY RESERVE EXEMPT FROM ANY RESTRICTION ON SPENDING, REVENUES, OR APPROPRIATIONS, INCLUDING, WITHOUT LIMITATION, THE RESTRICTIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION. THE STATE BOARD IS AUTHORIZED TO APPROVE AND ORDER PAYMENTS FROM THE MONEYS TRANSFERRED PURSUANT TO THIS SUBSECTION ONLY FOR SUPPLEMENTAL ASSISTANCE TO DISTRICTS FOR CAPITAL EXPENDITURES TO ADDRESS IMMEDIATE SAFETY HAZARDS OR HEALTH CONCERNS WITHIN EXISTING SCHOOL FACILITIES.

SECTION 6. 24-77-102 (17) (a) and (17) (c) (IX), Colorado Revised Statutes, are amended to read:

24-77-102. Definitions. As used in this article, unless the context otherwise requires:

(17) (a) "State fiscal year spending" means all state expenditures and reserve increases occurring during any given fiscal year as established by section 24-30-204, including, but not limited to, state expenditures or reserve increases from:

(I) Moneys received by the state from enterprises; AND
 (II) Cash funds of state institutions of higher education, as defined in section 23-1-103.5 C.R.S.

~~(III) Net lottery proceeds distributed to the capital construction fund for payment of debt service on the obligations described in section 3 (1) (c) of article XXVII of the state constitution for the period through the fourth quarter of the state's fiscal year 1997-1998; and~~

~~(IV) Net lottery proceeds allocated to the general fund pursuant to section 5 (1) (h) (III) of article XXVII of the state constitution for the period beginning with the first quarter of the state's fiscal year 1998-1999.~~

(b) "State fiscal year spending" does not include reserve transfers or expenditures or any state expenditures or reserve increases:

(IX) From net proceeds from state-supervised lottery games, as defined in section 3 (1) of article XXVII of the state constitution, except that those portions of such proceeds which are specified in subparagraphs (III) and (V) of paragraph (a) of this subsection (17) are included in state fiscal year spending.

SECTION 7. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the lottery fund, created in section 24-35-210, Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2000, the sum of four hundred thousand dollars (\$400,000), or so much thereof as may be necessary, for the implementation of this act. In accordance with the provisions of section 24-77-132 (3), Colorado Revised Statutes, these moneys shall be designated as cash funds exempt.

SECTION 8. Refer to people under referendum. This act shall be submitted to a vote of the registered electors of the state of Colorado at the next biennial regular general election, for their approval or rejection, under the provisions of the referendum as provided for in section 1 of article V of the state constitution, and in article 40 of title 1, Colorado Revised Statutes. Each elector voting at said election and desirous of voting for or against said act shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THE COLORADO LOTTERY COMMISSION BE AUTHORIZED TO ENTER INTO MULTISTATE AGREEMENTS ALLOWING COLORADO RESIDENTS TO PLAY MULTISTATE LOTTERY GAMES, AND, IN CONNECTION THEREWITH, TRANSFERRING A PORTION OF THE NET PROCEEDS FROM ALL LOTTERY PROGRAMS, INCLUDING MULTI-STATE LOTTERY GAMES, FROM THE GENERAL FUND TO THE STATE PUBLIC SCHOOL FUND AS A CONTINGENCY RESERVE FOR SUPPLEMENTAL ASSISTANCE TO SCHOOL DISTRICTS FOR CAPITAL EXPENDITURES TO

ADDRESS IMMEDIATE HEALTH AND SAFETY CONCERNS WITHIN EXISTING SCHOOL FACILITIES EXEMPT FROM ANY RESTRICTION ON SPENDING, REVENUES, OR APPROPRIATIONS, INCLUDING, WITHOUT LIMITATION, THE RESTRICTIONS OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION?" The votes cast for the adoption or rejection of said act shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress.

REFERENDUM F
EXCESS STATE REVENUES FOR MATH AND SCIENCE GRANTS

Ballot Title: Shall the state of Colorado be permitted to annually retain up to fifty million dollars of the state revenues in excess of the constitutional limitation on state fiscal year spending for the 1999-2000 fiscal year and for four succeeding fiscal years for the purpose of funding performance grants for school districts to improve academic performance, 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?

Text of Proposal:

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 85
PERFORMANCE GRANT PROGRAM

22-85-101. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION, WHICH WAS APPROVED BY THE REGISTERED ELECTORS OF THIS STATE IN 1992, LIMITS THE ANNUAL GROWTH OF STATE FISCAL YEAR SPENDING;

(b) WHEN REVENUES EXCEED THE STATE FISCAL YEAR SPENDING LIMITATION FOR ANY GIVEN FISCAL YEAR, SECTION 20(7)(d) OF ARTICLE X OF THE STATE CONSTITUTION REQUIRES THAT THE EXCESS REVENUES BE REFUNDED IN THE NEXT FISCAL YEAR UNLESS VOTERS APPROVE A REVENUE CHANGE ALLOWING THE STATE TO KEEP THE REVENUES;

(c) REVENUES ARE CURRENTLY ESTIMATED TO EXCEED THE STATE FISCAL YEAR SPENDING LIMITATION FOR THE 1999-2000 STATE FISCAL YEAR AND AT LEAST THE FOUR SUCCEEDING FISCAL YEARS;

(d) TO ENSURE THAT COLORADO AND ITS RESIDENTS CAN CONTINUE TO COMPETE SUCCESSFULLY IN THE GLOBAL ECONOMY, IT IS NECESSARY TO

IMPROVE THE ACADEMIC PERFORMANCE OF SCHOOL DISTRICTS IN COLORADO;

(e) IT IS NECESSARY FOR A PORTION OF THE EXCESS STATE REVENUES BEING COLLECTED BY THE STATE TO BE EXPENDED TO IMPROVE THE ACADEMIC PERFORMANCE OF SCHOOL DISTRICTS IN COLORADO; AND

(f) IT IS ALSO NECESSARY TO ENACT LEGISLATION SEEKING VOTER APPROVAL TO RETAIN FOR A LIMITED NUMBER OF FISCAL YEARS A PORTION OF EXCESS STATE REVENUES TO BE EXPENDED TO IMPROVE THE ACADEMIC PERFORMANCE OF SCHOOL DISTRICTS IN COLORADO BY PROVIDING PERFORMANCE GRANTS TO SCHOOL DISTRICTS FOR THE PURPOSE OF FUNDING PROGRAMS THAT WILL IMPROVE ACADEMIC PERFORMANCE.

22-05-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ACADEMIC PERFORMANCE" MEANS STUDENT PERFORMANCE IN THE AREAS OF MATHEMATICS AND SCIENCE WHICH MAY INCLUDE STUDENT PERFORMANCE ON THE MATHEMATICS AND SCIENCE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION 22-7-403.

(2) "COMMITTEE" MEANS THE PERFORMANCE GRANT REVIEW COMMITTEE ESTABLISHED PURSUANT TO SECTION 22-85-104 (1).

(3) "SCHOOL DISTRICT" MEANS ANY SCHOOL DISTRICT ORGANIZED AND EXISTING PURSUANT TO LAW BUT DOES NOT INCLUDE A JUNIOR COLLEGE DISTRICT.

(4) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION CREATED PURSUANT TO SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

22-85-103. School performance grant fund - creation.

(1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE SCHOOL PERFORMANCE GRANT FUND, WHICH SHALL CONSIST OF GENERAL FUND REVENUES TRANSFERRED TO THE FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE FUND. ANY MONEYS REMAINING IN THE FUND AT THE END OF ANY STATE FISCAL YEAR SHALL NOT REVERT OR BE TRANSFERRED TO THE GENERAL FUND OF THE STATE.

(2) NO LATER THAN FEBRUARY 1 OF EACH CALENDAR YEAR BEGINNING ON OR AFTER JANUARY 1, 2001, BUT BEFORE JANUARY 1, 2006, THE STATE TREASURER SHALL TRANSFER AN AMOUNT OF REVENUE FROM THE GENERAL FUND TO THE SCHOOL PERFORMANCE GRANT FUND CREATED IN SUBSECTION (1) OF THIS SECTION EQUAL TO THE LESSER OF:

(a) FIFTY MILLION DOLLARS; OR

(b) AS CERTIFIED AND AUDITED BASED UPON THE FINANCIAL REPORT PREPARED IN ACCORDANCE WITH SECTION 24-77-106.5, C.R.S., THE AMOUNT OF STATE REVENUE FROM SOURCES NOT EXCLUDED FROM STATE FISCAL YEAR SPENDING THAT IS IN EXCESS OF THE FISCAL YEAR

SPENDING LIMITATION IMPOSED UPON THE STATE BY SECTION 20 (7) (a) OF ARTICLE X OF THE STATE CONSTITUTION FOR THE STATE FISCAL YEAR ENDING IN THE CALENDAR YEAR IMMEDIATELY PRECEDING ANY CALENDAR YEAR IN WHICH A TRANSFER TO THE FUND IS TO BE MADE.

(3) REVENUES TRANSFERRED TO THE SCHOOL PERFORMANCE GRANT FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION SHALL CONSTITUTE A VOTER-APPROVED REVENUE CHANGE AND SUCH REVENUES SHALL NOT BE INCLUDED IN EITHER STATE OR LOCAL GOVERNMENT FISCAL YEAR SPENDING FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION AND SECTION 24-77-102 (17), C.R.S.

(4) ANY TRANSFER OF REVENUE FROM THE GENERAL FUND TO THE SCHOOL PERFORMANCE GRANT FUND PURSUANT TO SUBSECTION (2) OF THIS SECTION SHALL NOT BE DEEMED TO BE AN APPROPRIATION SUBJECT TO THE LIMITATION ON STATE GENERAL FUND APPROPRIATIONS SET FORTH IN SECTION 24-75-201.1, C.R.S.

22-85-104. Performance grant review committee - membership - duties. (1)(a) THERE IS HEREBY ESTABLISHED THE PERFORMANCE GRANT REVIEW COMMITTEE. THE COMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS:

- (I) THE MEMBERS OF THE STATE BOARD;
- (II) THREE MEMBERS APPOINTED BY THE GOVERNOR WHO NEED NOT BE CONFIRMED BY THE SENATE;
- (III) THREE MEMBERS FROM THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, NO MORE THAN TWO OF WHOM SHALL BE OF THE SAME POLITICAL PARTY; AND
- (IV) THREE MEMBERS FROM THE SENATE, TWO APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE APPOINTED BY THE MINORITY LEADER OF THE SENATE.

(b) THE TERM OF EACH MEMBER APPOINTED BY THE GOVERNOR SHALL BE FOUR YEARS; EXCEPT THAT, OF SUCH MEMBERS FIRST APPOINTED, ONE SHALL BE APPOINTED FOR A TERM OF TWO YEARS. THE TERM OF EACH MEMBER FROM THE GENERAL ASSEMBLY SHALL EXPIRE AT THE END OF THE MEMBER'S LEGISLATIVE TERM AND THE TERM OF EACH MEMBER FROM THE STATE BOARD SHALL EXPIRE AT THE END OF THE MEMBER'S STATE BOARD TERM. ALL MEMBERS OF THE COMMITTEE SHALL BE ELIGIBLE FOR REAPPOINTMENT. A MEMBER APPOINTED TO FILL THE VACANCY OF ANOTHER MEMBER ARISING OTHER THAN BY EXPIRATION OF SUCH OTHER MEMBER'S TERM SHALL BE APPOINTED FOR THE UNEXPIRED TERM OF SUCH OTHER MEMBER.

(2) MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT COMPENSATION.

(3) THE COMMITTEE SHALL HAVE THE FOLLOWING POWERS, DUTIES, AND FUNCTIONS:

(a) TO RECEIVE AND REVIEW APPLICATIONS FOR PERFORMANCE GRANTS SUBMITTED BY SCHOOL DISTRICTS PURSUANT TO THIS ARTICLE;

(b) TO EXPEND MONEYS IN THE SCHOOL PERFORMANCE GRANT FUND FOR THE PURPOSE OF ISSUING PERFORMANCE GRANTS TO SCHOOL

DISTRICTS FOR THE PURPOSE OF INCREASING ACADEMIC PERFORMANCE;

(c) TO PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S., THAT DEFINE OR RELATE TO THE GRANT APPLICATION PROCESS; AND

(d) TO EXERCISE ANY OTHER POWERS NECESSARY TO OVERSEE THE PERFORMANCE GRANT PROGRAM ESTABLISHED BY THIS ARTICLE.

22-85-105. Performance grants - eligible programs - evaluation of applications. (1) GRANTS MAY BE PROVIDED FROM THE SCHOOL PERFORMANCE GRANT FUND BY THE COMMITTEE TO SCHOOL DISTRICTS ONLY FOR NEW OR ONGOING SCHOOL DISTRICT PROGRAMS THAT HAVE THE PRIMARY PURPOSE OF INCREASING ACADEMIC PERFORMANCE. ANY SCHOOL DISTRICT, INCLUDING A CHARTER SCHOOL DISTRICT AS DEFINED IN SECTION 22-30.5-203 (1), MAY APPLY DIRECTLY TO THE COMMITTEE FOR GRANTS. AN INDIVIDUAL SCHOOL, INCLUDING A CHARTER SCHOOL SUBJECT TO THE PROVISIONS OF PART 1 OF ARTICLE 30.5 OF THIS TITLE, MAY APPLY FOR GRANTS ONLY THROUGH THE SCHOOL DISTRICT IN WHICH IT IS LOCATED AND THE SCHOOL DISTRICT MAY, IN TURN, APPLY TO THE COMMITTEE FOR SUCH GRANTS PURSUANT TO THIS SECTION. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT SCHOOL DISTRICTS GIVE EQUAL CONSIDERATION TO THE NEEDS OF BOTH TRADITIONAL PUBLIC SCHOOLS AND CHARTER SCHOOLS ESTABLISHED PURSUANT TO ARTICLE 30.5 OF THIS TITLE WHEN SUBMITTING APPLICATIONS FOR GRANTS.

(2) ALL GRANT APPLICATIONS SUBMITTED TO THE COMMITTEE PURSUANT TO THIS SECTION SHALL BE SUBMITTED IN SUCH FORM AND IN ACCORDANCE WITH SUCH PROCEDURES AS THE COMMITTEE SHALL ESTABLISH BY RULE. SUCH APPLICATIONS SHALL INCLUDE THE INFORMATION REQUIRED BY SUBSECTION (3) OF THIS SECTION AND SUCH ADDITIONAL INFORMATION AS THE COMMITTEE MAY REQUIRE BY RULE. IN EVALUATING THE GRANT APPLICATIONS, THE COMMITTEE SHALL CONSIDER THE CRITERIA SET FORTH IN SUBSECTION (4) OF THIS SECTION AND SUCH ADDITIONAL CRITERIA AS THE COMMITTEE MAY ESTABLISH BY RULE. ALL RULES PROMULGATED BY THE COMMITTEE SHALL BE PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF TITLE 24, C.R.S.

(3) (a) ALL GRANT APPLICATIONS SUBMITTED BY A SCHOOL DISTRICT TO THE COMMITTEE PURSUANT TO THIS SECTION SHALL INCLUDE:

(i) A DESCRIPTION OF THE PROGRAM OR PROGRAMS FOR WHICH A GRANT IS REQUESTED;

(ii) A SUMMARY OF ANY RESEARCH OR DATA THAT WOULD HELP THE COMMITTEE DETERMINE WHETHER AND TO WHAT EXTENT THE PROGRAM WILL IMPROVE ACADEMIC PERFORMANCE, INCLUDING A SUMMARY OF DATA, IF ANY, REGARDING THE IMPACT ON ACADEMIC PERFORMANCE OF SIMILAR PROGRAMS THAT HAVE BEEN IMPLEMENTED IN OTHER SCHOOL DISTRICTS;

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(III) A SUMMARY OF ANY OTHER PROGRAMS CONSIDERED BY THE SCHOOL DISTRICT AND A COMPARISON OF SUCH PROGRAMS WITH THE PROGRAM FOR WHICH A GRANT IS REQUESTED;

(IV) A SUMMARY OF PERSONNEL CHANGES THAT WILL BE NECESSARY UPON IMPLEMENTATION OF THE PROGRAM;

(V) AN ITEMIZED SUMMARY OF THE ANTICIPATED COSTS OF THE PROGRAM;

(VI) A STATEMENT OF THE PERCENTAGE OF THE TOTAL ANTICIPATED COSTS OF THE PROGRAM THAT THE SCHOOL DISTRICT WILL PAY WITH MONEYS OTHER THAN GRANT MONEYS RECEIVED PURSUANT TO THIS SECTION; AND

(VII) A PROPOSAL FOR EVALUATING THE ACTUAL EFFECTIVENESS OF THE PROGRAM IN IMPROVING ACADEMIC PERFORMANCE.

(b) AN APPLICATION FOR A GRANT TO CONTINUE A PROGRAM FOR WHICH ONE OR MORE GRANTS HAVE PREVIOUSLY BEEN AWARDED PURSUANT TO THIS SECTION MAY INCORPORATE BY REFERENCE ANY RELEVANT INFORMATION INCLUDED IN ANY GRANT APPLICATION THAT RESULTED IN A PREVIOUS GRANT AWARD BUT SHALL UPDATE SUCH INFORMATION TO REFLECT ANY NEW DEVELOPMENTS AND INCLUDE ANY NEW INFORMATION AVAILABLE AS TO THE ACTUAL EFFECTIVENESS OF THE PROGRAM IN IMPROVING ACADEMIC PERFORMANCE AND THE ACTUAL COST OF IMPLEMENTING AND OPERATING THE PROGRAM.

(4) IN AWARDING GRANTS PURSUANT TO THIS SECTION, THE COMMITTEE SHALL GIVE PRIORITY TO SCHOOL DISTRICTS IN WHICH THE DISTRICT PERCENTAGE OF AT-RISK PUPILS AS DEFINED IN SECTION 22-54-103 (5.5) IS HIGHER THAN THE STATEWIDE AVERAGE PERCENTAGE OF AT-RISK PUPILS AS DEFINED IN SECTION 22-54-103 (14), SCHOOL DISTRICTS IN WHICH ACADEMIC PERFORMANCE IS BELOW AVERAGE IN COMPARISON TO OTHER SCHOOL DISTRICTS IN THE STATE, AND PROGRAMS THAT SHOW THE GREATEST POTENTIAL FOR IMPROVING ACADEMIC PERFORMANCE. IN EVALUATING A PARTICULAR GRANT APPLICATION, THE COMMITTEE SHALL CONSIDER THE FOLLOWING CRITERIA:

(a) THE PAST AND PRESENT RESULTS OF THE APPLICANT SCHOOL DISTRICT RELATIVE TO OTHER SCHOOL DISTRICTS WITH RESPECT TO ACHIEVEMENT OF THE ACCREDITATION INDICATORS ESTABLISHED PURSUANT TO SECTION 22-11-104;

(b) THE AVERAGE RATING OF ALL SCHOOLS FOR WHICH GRANT MONEY IS SOUGHT WITHIN THE APPLICANT SCHOOL DISTRICT ON THE INDEX DEVELOPED PURSUANT TO SECTION 22-11-302;

(c) THE ECONOMIC STATUS OF THE APPLICANT SCHOOL DISTRICT AS INDICATED BY THE MOST RECENT STATISTICAL DATA AVAILABLE, INCLUDING BUT NOT LIMITED TO:

(I) THE SCHOOL DISTRICT'S RANKING ON ASSESSED VALUE PER PUPIL, INCLUDING WHETHER THE SCHOOL DISTRICT'S ASSESSED VALUE PER PUPIL IS BELOW THE STATE AVERAGE; AND

(II) THE DISTRICT PERCENTAGE OF AT-RISK PUPILS AS DEFINED IN SECTION 22-54-103 (5.5);

(d) THE ANTICIPATED DEGREE OF IMPROVEMENT IN ACADEMIC

PERFORMANCE THAT WOULD RESULT FROM THE IMPLEMENTATION OR CONTINUANCE OF THE PROGRAM FOR WHICH A GRANT IS SOUGHT, TAKING INTO CONSIDERATION:

(I) ANY RESEARCH OR DATA RELEVANT TO THE ANTICIPATED EFFECTIVENESS OR LACK OF EFFECTIVENESS OF THE PROGRAM IN IMPROVING ACADEMIC PERFORMANCE, INCLUDING DATA REGARDING THE IMPACT ON ACADEMIC PERFORMANCE OF SIMILAR PROGRAMS THAT HAVE BEEN IMPLEMENTED IN OTHER SCHOOL DISTRICTS; AND

(II) WITH RESPECT TO AN ONGOING PROGRAM FOR WHICH A GRANT HAS PREVIOUSLY BEEN AWARDED, ANY AVAILABLE DATA AS TO THE ACTUAL EFFECT OF THE PROGRAM ON ACADEMIC PERFORMANCE;

(e) THE COST-EFFECTIVENESS OF THE PROGRAM FOR WHICH THE GRANT IS SOUGHT; AND

(f) THE EXTENT TO WHICH THE SCHOOL DISTRICT WILL USE MONEYS OTHER THAN GRANT MONEYS AWARDED PURSUANT TO THIS SECTION TO FUND THE PROGRAM.

SECTION 2. Refer to people under referendum. This act shall be submitted to a vote of the registered electors of the state of Colorado at the next biennial regular general election, for their approval or rejection, under the provisions of the referendum as provided for in section 1 of article V and section 20 of article X of the state constitution, and in article 40 of title 1, Colorado Revised Statutes. Each elector voting at said election and desirous of voting for or against said act shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THE STATE OF COLORADO BE PERMITTED TO ANNUALLY RETAIN UP TO FIFTY MILLION DOLLARS OF THE STATE REVENUES IN EXCESS OF THE CONSTITUTIONAL LIMITATION ON STATE FISCAL YEAR SPENDING FOR THE 1999-2000 FISCAL YEAR AND FOR FOUR SUCCEEDING FISCAL YEARS FOR THE PURPOSE OF FUNDING PERFORMANCE GRANTS FOR SCHOOL DISTRICTS TO IMPROVE ACADEMIC PERFORMANCE, 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?" The votes cast for the adoption or rejection of said act shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress.

LOCAL ELECTION OFFICES
Offices of the County Clerks and Recorders

Adams 450 S. Fourth Ave., Brighton, CO 80601-3195 (303) 654-6020
Alamosa 402 Edison Ave., Alamosa, CO 81101-0630 (719) 589-6681
Arapahoe 5334 S. Prince St., Littleton, CO 80166-0211 (303) 795-4200
Archuleta 449 San Juan, Pagosa Springs, CO 81147-2589 (970) 264-5633
Baca 741 Main St., Springfield, CO 81073 (719) 523-4372
Bent 725 Carson, Las Animas, CO 81054-0350 (719) 456-2009
Boulder 1750 33rd St., Boulder, CO 80306 (303) 441-3516
Chaffee 104 Crestone Ave., Salida, CO 81201-0699 (719) 539-4004
Cheyenne P.O. Box 567, Cheyenne Wells, CO 80810-0567 (719) 767-5685
Clear Creek 405 Argentine St., Georgetown, CO 80444-2000 (303) 679-2339
Conejos 6683 County Road 13, Conejos, CO 81129-0127 (719) 376-5422
Costilla 354 Main St., San Luis, CO 81152-0308 (719) 672-3301
Crowley 110 E. Sixth St., Ordway, CO 81063 (719) 267-4643
Custer 205 S. Sixth St., Westcliffe, CO 81252-0150 (719) 783-2441
Delta 501 Palmer #211, Delta, CO 81416 (970) 874-2150
Denver 1437 Bannock St. #200, Denver, CO 80202 (303) 640-5540
Dolores 409 N. Main St., Dove Creek, CO 81324-0058 (970) 677-2381
Douglas 301 Wilcox St., Castle Rock, CO 80104 (303) 660-7444
Eagle 500 Broadway, Eagle, CO 81631-0537 (970) 328-8710
Elbert P. O. Box 37, Kiowa, CO 80117-0037 (303) 621-3116
El Paso 200 S. Cascade, Colorado Springs, CO 80903 (719) 520-6225
Fremont 615 Macon Ave. #100, Canon City, CO 81212 (719) 276-7330
Garfield 109 Eighth St. #200, Glenwood Spgs, CO 81601 (970) 945-2377
Gilpin 203 Eureka St., Central City, CO 80427-0429 (303) 582-5321
Grand 308 Byers Ave. (970) 725-3347 Hot Sulphur Springs, CO 80451-0120 x210
Gunnison 221 N. Wisconsin, Suite C, Gunnison, CO 81230 (970) 641-1516
Hinsdale 317 N. Henson St., Lake City, CO 81235-0009 (970) 944-2228
Huerfano 401 Main St. Ste 204, Walsenburg, CO 81089 (719) 738-2380
Jackson 396 La Fever St., Walden, CO 80480-0337 (970) 723-4334
Jefferson 100 Jefferson Cnty Parkway #2560 (303)271-8111 Golden, CO 80419-25
Kiowa 1305 Goff St., Eads, CO 81036-0037 (719) 438-5421
Kit Carson 251 16th St., Burlington, CO 80807-0249 (719) 346-8638
Lake 505 Harrison Ave., Leadville, CO 80461-0917 (719) 486-1410
La Plata 1060 Second Ave., Durango, CO 81301 (970) 382-6296
Larimer 200 W. Oak St., Ft. Collins, CO 80522 (970) 498-7820
Las Animas 200 S Maple St. Rm 205 (719) 846-3314 Trinidad, CO 81082-0115
Lincoln 103 Third Ave., Hugo, CO 80821-0067 (719) 743-2444
Logan 315 Main St., Sterling, CO 80751-4357 (970) 522-1544
Mesa 2424 Highway 6 & 50 Unit 414 (970) 244-1662 Grand Junction, CO 81505
Mineral 1201 N. Main St., Creede, CO 81130 (719) 658-2440
Moffat 221 W. Victory Way, Craig, CO 81625 (970) 824-9104
Montezuma 109 W. Main St. Room 108, Cortez, CO 81321 (970) 565-3728
Montrose 320 S. First St., Montrose, CO 81401 (970) 249-3362
Morgan 231 Ensign, Ft. Morgan, CO 80701-1399 (970) 542-3521
Otero 13 W. Third St., La Junta, CO 81050-0511 (719) 383-3020
Ouray 541 Fourth St., Ouray, CO 81427 (970) 325-4961
Park 501 Main St., Fairplay, CO 80440-0220 (719) 836-4222
Phillips 221 S. Interocean Ave., Holyoke, CO 80734 (970) 854-3131
Pitkin 530 E. Main St. #101, Aspen, CO 81611 (970) 920-5180
Prowers 301 W. Main St., Lamar, CO 81052-0889 (719) 336-8011
Pueblo 215 W. 10th St., Pueblo, CO 81003-2992 (719) 583-6520
Rio Blanco 555 Main St., Meeker, CO 81641-1067 (970) 878-5068

Rio Grande 965 Sixth St., Del Norte, CO 81132-0160 (719) 657-3334
Routt 522 Lincoln Ave. (970) 870-5556 Steamboat Springs, CO 80477-3598
Saguache 501 Fourth St., Saguache, CO 81149-0176 (719) 655-2512
San Juan 1557 Green St., Silverton, CO 81433-0466 (970) 387-5671
San Miguel 305 W. Colorado Ave., Telluride, CO 81435-0548 (970) 728-3954
Sedgwick 315 Cedar, Julesburg, CO 80737 (970) 474-3346
Summit 208 E. Lincoln, Breckenridge, CO 80424-1538 (970) 453-3475
Teller 101 W. Bennett Ave., Cripple Creek, CO 80813 (719) 689-2951
Washington 150 Ash, Akron, CO 80720 (970) 345-6565
Weld 1402 N. 17th Ave., Greeley 80632 (970) 353-3840
Yuma 310 Ash St., Wray, CO 80758-0426 (970) 332-5809