

Robert C. Balink
Robert C. "Bob" Balink
El Paso County Clerk and Recorder

Official Ballot for El Paso County, Colorado
General Election
Tuesday, November 2, 2004

Instructions to Voters: To VOTE for a candidate or issue, darken the oval.
VOTE LIKE THIS: ● AND VOTE BOTH SIDES OF BALLOT

FEDERAL OFFICES	STATE REPRESENTATIVE - DISTRICT 19 (Vote for One)	COUNTY JUDGE - EL PASO (Vote YES or NO)	
<p>PRESIDENTIAL ELECTORS FOR PRESIDENT AND VICE PRESIDENT (Vote for One Pair)</p> <p><input type="radio"/> George W. Bush / Dick Cheney Republican</p> <p><input type="radio"/> John F. Kerry / John Edwards Democratic</p> <p><input type="radio"/> Michael Badnarik / Richard V. Campagna Libertarian</p> <p><input type="radio"/> David Cobb / Patricia LaMarche Green</p> <p><input type="radio"/> Ralph Nader / Peter Miguel Camejo Colorado Reform</p> <p><input type="radio"/> Michael Anthony Peroutka / Chuck Baldwin American Constitution</p> <p><input type="radio"/> Gene Amondson / Leroy Pletten Concerns of People</p> <p><input type="radio"/> Stanford E. Address (Andy) / Irene M. Deasy Unaffiliated</p> <p><input type="radio"/> Walter F. Brown / Mary Cal Hollis Socialist</p> <p><input type="radio"/> Earl F. Dodge / Howard L. Lydick Prohibition</p> <p><input type="radio"/> James E. Harris / Margaret Trowe Socialist Workers</p> <p><input type="radio"/> Bill Van Auken / Jim Lawrence Socialist Equality</p> <p><input type="radio"/> _____ Write-In</p>	<p><input type="radio"/> Richard D. Decker Republican</p>	<p>Shall Judge Karla J. Hansen of the El Paso County Court be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	
	DISTRICT ATTORNEY - 4th JUDICIAL DISTRICT (Vote for One)		<p><input type="radio"/> John Newsome Republican</p>
	COUNTY OFFICES	<p>COUNTY COMMISSIONER - DISTRICT 4 (Vote for One)</p> <p><input type="radio"/> Dennis Hisey Republican</p> <p><input type="radio"/> Andre Vigil Democratic</p>	<p>Shall Judge Daniel S. Wilson of the El Paso County Court be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>
	COURT OF APPEALS (Vote YES or NO)	<p>Shall Judge James S. Casebolt of the Colorado Court of Appeals be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	
		<p>Shall Judge Dennis A. Graham of the Colorado Court of Appeals be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	<p>QUESTIONS OR ISSUES</p> <p>"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."</p>
	STATE OF COLORADO INITIATIVES	<p>Shall Judge Arthur P. Roy of the Colorado Court of Appeals be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	
		<p>Shall Judge Daniel Marc Taubman of the Colorado Court of Appeals be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	
	UNITED STATES SENATOR (Vote for One)	<p>Shall Judge John R. Webb of the Colorado Court of Appeals be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	<p>Amendment 34</p> <p>Shall there be an amendment to the Colorado constitution concerning recovery of damages relating to construction of real property improvements, and, in connection therewith, prohibiting laws that limit or impair a property owner's right to recover damages caused by a failure to construct an improvement in a good and workmanlike manner; defining "good and workmanlike manner" to include construction that is suitable for its intended purposes; and permitting exceptions for laws that limit punitive damages, afford governmental immunity, or impose time limits of specified minimum lengths on filing lawsuits?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>
	<p><input type="radio"/> Pete Coors Republican</p> <p><input type="radio"/> Ken Salazar Democratic</p> <p><input type="radio"/> Victor Good Colorado Reform</p> <p><input type="radio"/> Douglas "Dayhorse" Campbell American Constitution</p> <p><input type="radio"/> Richard Randall Libertarian</p> <p><input type="radio"/> John R. Harris Independent</p> <p><input type="radio"/> Finn Gotaas Unaffiliated</p> <p><input type="radio"/> _____ Write-In</p>	DISTRICT JUDGE - 4TH JUDICIAL DISTRICT (Vote YES or NO)	
	REPRESENTATIVE TO THE 109th UNITED STATES CONGRESS - DISTRICT 5 (Vote for One)	<p>Shall Judge David A. Gilbert of the 4th Judicial District be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	<p>Amendment 35</p> <p>SHALL STATE TAXES BE INCREASED \$175 MILLION ANNUALLY THROUGH ADDITIONAL TOBACCO TAXES IMPOSED FOR HEALTH RELATED PURPOSES, AND, IN CONNECTION THEREWITH, AMENDING THE COLORADO CONSTITUTION TO INCREASE STATEWIDE TAXES ON THE SALE OF CIGARETTES BY WHOLESALERS OF THREE AND TWO-TENTHS CENTS PER CIGARETTE AND ON THE SALE, USE, CONSUMPTION, HANDLING, OR DISTRIBUTION OF OTHER TOBACCO PRODUCTS BY DISTRIBUTORS AT THE RATE OF TWENTY PERCENT OF THE MANUFACTURER'S LIST PRICE; INCREASING SUCH TOBACCO TAXES EFFECTIVE JANUARY 1, 2005; REQUIRING ANNUAL APPROPRIATIONS OF SPECIFIED PERCENTAGES OF THE ADDITIONAL TOBACCO TAX REVENUES TO EXPAND ELIGIBILITY FOR AND INCREASE ENROLLMENT IN THE CHILDREN'S BASIC HEALTH PLAN, TO FUND COMPREHENSIVE PRIMARY MEDICAL CARE THROUGH CERTAIN COLORADO QUALIFIED PROVIDERS, TOBACCO EDUCATION PROGRAMS, AND PREVENTION, EARLY DETECTION, AND TREATMENT OF CANCER AND CARDIOVASCULAR AND PULMONARY DISEASES, TO COMPENSATE THE STATE GENERAL FUND, THE OLD AGE PENSION FUND, AND LOCAL GOVERNMENTS FOR TOBACCO TAX LOSSES RESULTING FROM REDUCED SALES OF CIGARETTES AND TOBACCO PRODUCTS; SPECIFYING THAT THE APPROPRIATIONS OF ADDITIONAL TOBACCO TAX REVENUES SHALL BE IN ADDITION TO AND NOT SUBSTITUTED FOR APPROPRIATIONS FOR SUCH PROGRAMS ON JANUARY 1, 2005; ALLOWING THE USE OF ADDITIONAL TOBACCO TAX REVENUES FOR ANY HEALTH RELATED PURPOSE AND TO SERVE POPULATIONS ENROLLED IN THE CHILDREN'S BASIC HEALTH PLAN AND THE COLORADO MEDICAL ASSISTANCE PROGRAM AS OF JANUARY 1, 2005, UPON A DECLARATION OF A STATE FISCAL EMERGENCY BY TWO-THIRDS OF THE MEMBERS OF EACH HOUSE OF THE GENERAL ASSEMBLY AND THE GOVERNOR; PROHIBITING THE REPEAL OR REDUCTION OF EXISTING TAXES IMPOSED ON CIGARETTES AND OTHER TOBACCO PRODUCTS; EXCLUDING ALL ADDITIONAL TOBACCO TAX REVENUES FROM FISCAL YEAR SPENDING FOR PURPOSES OF SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION; AND EXEMPTING APPROPRIATIONS OF ADDITIONAL TOBACCO TAX REVENUES FROM THE STATUTORY LIMITATION ON GENERAL FUND APPROPRIATIONS GROWTH OR ANY OTHER EXISTING SPENDING LIMITATION?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>
	<p><input type="radio"/> Joel Hefley Republican</p> <p><input type="radio"/> Fred Hardee Democratic</p> <p><input type="radio"/> Arthur "Rob" Roberts Libertarian</p>	STATE OFFICES	
	STATE BOARD OF EDUCATION - CONGRESSIONAL DISTRICT 5 (Vote for One)	<p>Shall Judge J. Patrick Kelly of the 4th Judicial District be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	<p>Amendment 36</p> <p>Shall there be an amendment to the Colorado constitution concerning popular proportional selection of presidential electors, and, in connection therewith, creating procedures for allocating Colorado's electoral votes for president and vice-president of the United States, based on the proportion of ballots that are cast in this state for each presidential ticket; making the terms of the proposed amendment effective so that popular proportional selection of presidential electors applies to the 2004 general election; setting forth procedures and timelines that govern the certification of election results and the potential recounting of votes in elections for presidential electors and in the election on this proposed amendment; granting the Colorado supreme court original jurisdiction for the adjudication of all contests concerning presidential electors and requiring that such matters be heard and decided on an expedited basis; and authorizing the general assembly to enact legislation to change the manner of selecting presidential electors or any of the procedures contained in this amendment?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>
	<p><input type="radio"/> Peggy Littleton Republican</p> <p><input type="radio"/> Karen Teja Unaffiliated</p>	REGENT OF THE UNIVERSITY OF COLORADO - AT LARGE (Vote for One)	
	<p><input type="radio"/> Jennifer Mello Democratic</p> <p><input type="radio"/> Steve Bosley Republican</p> <p><input type="radio"/> Daniel Ong Libertarian</p>	<p>Shall Judge Gilbert A. Martinez of the 4th Judicial District be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	<p>Shall Judge G. David Miller Jr. of the 4th Judicial District be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>
	STATE SENATE - DISTRICT 12 (Vote for One)	<p>Shall Judge Richard V. Hall of the 4th Judicial District be retained in office?</p> <p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p>	
<p><input type="radio"/> Andy McElhany Republican</p> <p><input type="radio"/> Robert G. Herzfeld Libertarian</p>			

TURN PAGE OVER TO CONTINUE VOTING

Amendment 37

Shall there be an amendment to the Colorado revised statutes concerning renewable energy standards for large providers of retail electric service, and, in connection therewith, defining eligible renewable energy resources to include solar, wind, geothermal, biomass, small hydroelectricity, and hydrogen fuel cells; requiring that a percentage of retail electricity sales be derived from renewable sources, beginning with 3% in the year 2007 and increasing to 10% by 2015; requiring utilities to offer customers a rebate of \$2.00 per watt and other incentives for solar electric generation; providing incentives for utilities to invest in renewable energy resources that provide net economic benefits to customers; limiting the retail rate impact of renewable energy resources to 50 cents per month for residential customers; requiring public utilities commission rules to establish major aspects of the measure; prohibiting utilities from using condemnation or eminent domain to acquire land for generating facilities used to meet the standards; requiring utilities with requirements contracts to address shortfalls from the standards; and specifying election procedures by which the customers of a utility may opt out of the requirements of this amendment?

- YES
 NO

STATE OF COLORADO REFERENDUMS

Referendum A

Amendments to sections 13, 14, and 15 of article XII and section 22 of article IV of the constitution of the state of Colorado, concerning reform of the state civil service system, and, in connection therewith, modifying the merit principle, exempting certain positions from the system, modifying the number of eligible applicants from which an appointment is to be made, modifying the residency requirement, expanding the duration of temporary employment, specifying the rule-making authority of the state personnel board and the state personnel director, allowing the general assembly to reallocate the rule-making authority of the state personnel board and the state personnel director, authorizing a modification to the veterans' preference, and making conforming amendments.

- YES
 NO

Referendum B

Amendments to articles IV, VII, and IX of the constitution of the state of Colorado, concerning the elimination of obsolete provisions of the state constitution.

- YES
 NO

1B - COUNTY QUESTION

WITHOUT ANY NEW TAXES OR INCREASED TAXES, FOR THE PURPOSE OF PROTECTING PUBLIC HEALTH AND SAFETY, SHALL THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT BE AUTHORIZED TO COLLECT, RETAIN AND SPEND ALL REVENUES RECEIVED IN THE YEAR 2004, AND THEREAFTER, AS A VOTER APPROVED REVENUE CHANGE PURSUANT TO COLORADO CONSTITUTION ARTICLE X, SECTION 20?

- YES
 NO

2A - CITY OF FOUNTAIN

SHALL CITY OF FOUNTAIN DEBT BE INCREASED BY AN AMOUNT NOT TO EXCEED \$4,600,000, WITH A MAXIMUM REPAYMENT COST OF \$8,000,000, AND SHALL CITY OF FOUNTAIN TAXES BE INCREASED \$1,047,000 (FIRST FULL FISCAL YEAR DOLLAR INCREASE) ANNUALLY; SUCH DEBT TO CONSIST OF SALES TAX REVENUE BONDS ISSUED SOLELY FOR THE FOLLOWING PURPOSES:

- ACQUIRING, CONSTRUCTING AND EQUIPPING A COMMUNITY RECREATION CENTER WHICH SHALL INCLUDE THE FOLLOWING:
 - AQUATICS CENTER/SWIMMING POOL
 - FITNESS CENTER
 - GYMNASIUM FOR BASKETBALL, VOLLEYBALL, AEROBICS AND OTHER ACTIVITIES
 - FAMILY, YOUTH AND SENIOR MULTI-PURPOSE ROOMS
 - PAYING ALL NECESSARY OR INCIDENTAL COSTS RELATED THERETO, INCLUDING THE FOLLOWING:
 - OPERATION AND MAINTENANCE EXPENSES, WHICH MAY INCLUDE EXERCISE AND RECREATION ACTIVITIES FOR ALL AGES, INTERESTS AND ABILITIES
 - THE FUNDING OF A BOND RESERVE FUND AND COSTS OF ISSUING THE BONDS
- SUCH BONDS TO BE ISSUED, DATED AND SOLD AT SUCH TIMES, AND AT SUCH PRICES (AT, ABOVE OR BELOW PAR) AND CONTAINING SUCH TERMS, NOT INCONSISTENT HEREWITH, AS THE CITY COUNCIL MAY DETERMINE;
- SUCH TAX TO BE IMPLEMENTED BY AN AMENDMENT TO CHAPTER 5.06 OF THE FOUNTAIN MUNICIPAL CODE AND TO CONSIST OF A RATE INCREASE IN THE CITY-WIDE SALES TAX OF 0.70% (SEVENTY ONE-HUNDREDTHS OF ONE PERCENT, WHICH REPRESENTS SEVEN CENTS ON EACH TEN DOLLAR PURCHASE AS SHOWN IN THE TAX SCHEDULE AT THE END OF THIS BALLOT ISSUE) BEGINNING ON OR AFTER JANUARY 1, 2005, WITH A REDUCTION OF SUCH TAX TO 0.50% (FIFTY ONE-HUNDREDTHS OF ONE PERCENT, WHICH REPRESENTS FIVE CENTS ON EACH TEN DOLLAR PURCHASE) BEGINNING JANUARY 1, 2026 OR SUCH LOWER RATE AS THE CITY COUNCIL MAY DETERMINE AFTER SUCH DATE, TO BE USED SOLELY TO PAY THE FOLLOWING:
- COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE COMMUNITY RECREATION CENTER DESCRIBED ABOVE
 - PAYING DEBT SERVICE ON THE SALES TAX REVENUE BONDS DESCRIBED ABOVE
 - PAYING ALL NECESSARY OR INCIDENTAL COSTS RELATED THERETO, INCLUDING, WITHOUT LIMITATION, OPERATION AND MAINTENANCE EXPENSES, WHICH MAY INCLUDE EXERCISE AND RECREATION ACTIVITIES FOR ALL AGES, INTERESTS AND ABILITIES, AND REPAIRS, RENEWALS, REPLACEMENTS AND RENOVATIONS THEREOF, AND THE FUNDING OF RESERVES THEREFOR; AND
 - CONSTRUCTION OR UPGRADES TO CITY OUTDOOR ATHLETIC FACILITIES;
- AND SHALL ALL TAX REVENUES GENERATED FROM THE SALES TAX AUTHORIZED HEREIN AND FROM ANY EARNINGS FROM THE INVESTMENT OF SUCH REVENUES AND THE PROCEEDS OF SUCH BONDS CONSTITUTE A VOTER-APPROVED REVENUE CHANGE, AND AN EXCEPTION TO THE REVENUE AND SPENDING LIMITS OF ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

**TAX SCHEDULE
TOTAL SALES**

FROM	TO	TAX
0.01	0.71	0.00
0.72	2.14	0.01
2.15	3.57	0.02
3.58	4.99	0.03
5.00	6.42	0.04
6.43	7.85	0.05
7.86	9.28	0.06
9.29	10.71	0.07
10.72	12.14	0.08
12.15	13.57	0.09
13.58	14.99	0.10
15.00	16.42	0.11
16.43	17.85	0.12
17.86	19.28	0.13
19.29	20.71	0.14
20.72	22.14	0.15
22.15	23.57	0.16
23.58	24.99	0.17
25.00	26.42	0.18
26.43	27.85	0.19
27.86	29.28	0.20
29.29	30.71	0.21
30.72	32.14	0.22
32.15	33.57	0.23
33.58	34.99	0.24
35.00	36.42	0.25
36.43	37.85	0.26
37.86	39.28	0.27
39.29	40.71	0.28
40.72	42.14	0.29
42.15	43.57	0.30
43.58	44.99	0.31
45.00	46.42	0.32
46.43	47.85	0.33
47.86	49.28	0.34
49.29	50.71	0.35

(continued)

50.72	52.14	0.36
52.15	53.57	0.37
53.58	54.99	0.38
55.00	56.42	0.39
56.43	57.85	0.40
57.86	59.28	0.41
59.29	60.71	0.42
60.72	62.14	0.43
62.15	63.57	0.44
63.58	64.99	0.45
65.00	66.42	0.46
66.43	67.85	0.47
67.86	69.28	0.48
69.29	70.71	0.49
70.72	72.14	0.50
72.15	73.57	0.51
73.58	74.99	0.52
75.00	76.42	0.53
76.43	77.85	0.54
77.86	79.28	0.55
79.29	80.71	0.56
80.72	82.14	0.57
82.15	83.57	0.58
83.58	84.99	0.59
85.00	86.42	0.60
86.43	87.85	0.61
87.86	89.28	0.62
89.29	90.71	0.63
90.72	92.14	0.64
92.15	93.57	0.65
93.58	94.99	0.66
95.00	96.42	0.67
96.43	97.85	0.68
97.86	99.28	0.69
99.29	100.00	0.70
0.00		

- YES
 NO

3E - WIDEFIELD SCHOOL DISTRICT 3

Shall the limitation on the terms of office imposed by the Colorado Constitution at Article 18 Section 11 be amended to allow present and future members of the Board of Education of the Widefield School District No. 3, in the county of El Paso and state of Colorado to serve no more than three (3) consecutive terms in office.

- YES
 NO

END OF BALLOT