

PRESS RELEASE

WRITTEN TABOR NOTICE COMMENTS CONCERNING CITIZEN INITIATED ORDINANCE 1129

The election provisions for TABOR (The Taxpayer's Bill of Rights) issues in the State Constitution, Article X, Section 20, 3 (b) require a notice be mailed to all registered voters prior to an election. The notice requirements include a variety of specific information that must be included in the notice concerning the request to increase taxes or debt in a citizen petition or referred measure. One of those requires the City Clerk to include "two summaries, up to 500 words each, one for and one against the proposal, of written comments filed with the City Clerk by 45 days before the election. No summary shall mention names of persons or private groups, nor any endorsements of or resolutions against the proposal. Petition representatives following these rules shall write this summary for their petition. The election office shall maintain and accurately summarize all other relevant written comments."

CRS 1-7-901 sets forth requirements that all comments be filed in writing and be kept on file with the designated election official. Only those comments that are filed by persons eligible to vote in the political subdivision submitting the ballot issue to its electors must be summarized in the ballot issue notice. To be summarized in that notice, the comments shall address a specific ballot issue and shall include a signature and an address where the signor is registered to vote.

In addition, CRS 1-7-901 (4) states "Since section 20 (3) (b) (v) of Article X of the state constitution requires that comments pertaining to a ballot issue be filed by forty-five days before the election and since such day is always a Saturday, all comments shall be filed by the end of the business day on the Friday before the forth-fifty day before the election."

CRS 1-7-903 (2) states "For initiated measures, the petition representatives shall be solely responsible for summarizing all comments filed in favor of the ballot issue. The designated election official shall summarize all comments filed in opposition to the ballot issue."

CRS 1-7-903 (3) states "Petition representatives required to summarize favorable comments of favor of their petition shall submit the summary in typewritten form to the designated election official for the jurisdiction in which the petition is presented no later than forty-three days before the election. If a summary is not filed by the petition representatives within the time allowed, the designated election official shall print the following in the ballot issue notice where the summary would appear: "No summary was filed by the statutory deadline."

Finally, CRS 1-7-903 (4) states "If no comments are filed in opposition to or in support of a ballot issue, the designated election official shall not prepare any summaries and shall state

substantially the following in the ballot issue notice where the summary or summaries would appear: "No comments were filed by the constitutional deadline."

The deadline for submitting written comments from the Initiative Petition Committee to the City Clerk's office is Monday, February 22, 2010 at 5:00 P.M. The deadline for submitting written comments from persons eligible to vote in the April 6, 2010 Woodland Park election is Friday, February 19, 2010 at 5:00 P.M. Written comments, including a signature and residence address, may be delivered to the City Clerk's office at 220 W. South Avenue in Woodland Park; or by email to cmorse@city-woodlandpark.org.

Cindy Morse, City Clerk

Posted at City Hall, the Police Operations Center and the Ute Pass Cultural Center 2-18-10.

Emailed to City Council 2-18-10.

Posted on the City's website 2-18-10.