



State of Colorado

EXECUTIVE CHAMBERS

DENVER

RICHARD D. LAMM
Governor

EXECUTIVE ORDER
PROCLAMATION
CERTIFYING VOTE ON CERTAIN MEASURES

WHEREAS, certain measures were referred to the people of the State of Colorado at the General Election on November 2, 1982; and

WHEREAS, it has been certified to me that certain of those measures were approved by a majority of the votes cast thereon;

NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, pursuant to Article V, Section 1, of the Constitution of the State of Colorado, do hereby proclaim and officially declare that the vote on said measures was as follows:

Amendments to the Constitution and Laws of the State of Colorado, Initiated, Referred and voted on at the General Election, November 2, 1982.

1. Submitting to the registered electors of the State of Colorado the question: "Shall Sections 3 and 15 of Article X of the Colorado Constitution be amended in the following manner:
 - (a) Regarding actual value and valuation for assessment: to reduce the valuation for assessment of residential real property, consisting of all residential dwelling units and underlying land, and mobile home parks, but excluding hotels and motels, from thirty to twenty-one percent of actual value; to require the General Assembly to adjust such percent for years in which a new level of value is used in determining actual value as such adjustment is needed to maintain the previous year's percentage of statewide valuation for assessment attributable to residential real property; to reduce the valuation for assessment of all other taxable property from thirty to twenty-nine percent; to provide that actual value be determined by appropriate consideration of cost approach, market approach, and income approach to appraisal, except actual value of residential real property shall be determined by consideration of cost and market approaches only and actual value of agricultural lands shall be determined by consideration of earning or productive capacity capitalized at a rate prescribed by law; to provide that valuation for assessment for producing mines and oil and gas leaseholds and lands be a portion of actual annual or actual average annual production and be based upon the value of the unprocessed material;
 - (b) Regarding exemptions from property tax; to exempt the following classes of personal property: household furnishings; personal effects; inventories of merchandise and materials and supplies held for business consumption or for sale; livestock; agricultural and livestock products; and agricultural equipment used on the farm or ranch in producing agricultural products;
 - (c) Regarding enforcement of property tax laws: to provide enforcement provisions against counties that fail to determine actual value or valuation for assessment in accordance with the state constitution or with applicable statutes.

E X E C U T I V E O R D E R
 P R O C L A M A T I O N
 C E R T I F Y I N G V O T E O N C E R T A I N M E A S U R E S
 P a g e T w o

(d) Regarding the State Board of Equalization and the Property Tax Administrator: to provide that the board be composed of the Governor or his designee, the Speaker of the House of Representatives or his designee, the President of the Senate or his designee, and two members appointed by the Governor with the consent of the Senate each of whom shall be an appraiser or a former County Assessor or a person knowledgeable and experienced in property taxation; to provide for the appointment of the administrator by the board; and to remove the administrator from the state personnel system?".

YES	551,334
NO	290,590

2. An amendment to Section 19 of Article II of the Constitution of the State of Colorado, authorizing the denial of bail to persons accused of a capital offense when proof is evident or presumption is great, persons convicted of a crime of violence who are awaiting sentencing for such conviction or appealing such conviction or in the following cases if a court finds that proof is evident or presumption is great as the the crime alleged to have been committed and finds that the public would be placed in significant peril: A crime of violence alleged to have been committed while on conditional release from confinement, or a crime of violence alleged to have been committed after two previous felony convictions, or one such previous felony conviction if such conviction was for a crime of violence.

YES	737,813
NO	156,336

3. An amendment to Section 23(3) of Article VI of the Constitution of the State of Colorado, concerning the membership and appointment of the commission on judicial discipline, authorizing the removal or discipline of a justice or judge for committing specified offenses, establishing the procedure for removal or discipline of a justice or judge, and providing that papers filed with and proceedings before the commission or masters appointed by the supreme court shall be confidential prior to the filing of a recommendation by the commission.

YES	659,905
NO	193,425

4. An amendment to Section 7 of Article V of the Constitution of the State of Colorado, concerning the elimination of the limitation on enactment of bills at regular sessions of the general assembly convening in even-numbered years and providing that regular sessions of the general assembly convening in even-numbered years shall not exceed one hundred forty calendar days.

YES	442,601
NO	372,897

E X E C U T I V E O R D E R
 P R O C L A M A T I O N
 C E R T I F Y I N G V O T E O N C E R T A I N M E A S U R E S
 P a g e T h r e e

5. Shall an act be adopted requiring a minimum refund value on beverage containers for beer or other malted beverages, mineral water, soda water, or other carbonated soft drinks manufactured, distributed, or sold for use in this state, with the refund value clearly shown upon each beverage container, providing for payment of such refund; prohibiting the sale of beverages in metal containers which open by means of detachable parts; prohibiting the sale of beverages in non-degradable beverage container carriers; and providing misdemeanor penalties for violation of the Act?

YES	242,653
NO	708,564

6. Shall the Constitution of the State of Colorado be amended in order to bring about the cessation of nuclear weapons component production in Colorado by providing that a taxpayer may designate a portion of his income tax refund to be deposited in the Rocky Flats Nuclear Weapons Conversion Fund, by appropriating moneys in the fund annually to the Governor for his use in publicizing the hazards of plutonium processing and the opportunities for conversion to other activities and in promoting the cessation of plutonium processing, and by requiring the Governor to direct state executive agencies to assist in such actions and to initiate an inventory of Rocky Flats facilities to determine which are unsafe for conversion?

YES	325,985
NO	564,606

7. Shall grocery stores, after licensing, be permitted to sell wine containing not more than fourteen percent of alcohol by volume in sealed containers not to be consumed on the premises, subject to the same requirements of law concerning age of purchaser, and hours and days sold, as are applicable to other retailers of wine in sealed containers?

YES	333,467
NO	620,190



GIVEN under my hand and the Executive Seal of the State of Colorado, this thirtieth day of December, A.D., 1982.


 Richard D. Lamm
 Governor