

## 2012 election coming up soon

Written by Holyoke Enterprise

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Americans will head to the polls in a little over three weeks for the Tuesday, Nov. 6 election.

The biggest names on the ballot will be those of Democrat Barack Obama and Republican Mitt Romney, who are running for president of the United States.

Locally, Phillips County residents will see three county commissioner candidates on the ballot. Republican candidate Harlan Stern is running unopposed in District 2 while Republican Don Lock and unaffiliated candidate Carl Wirth are running for the District 3 county commissioner seat.

In the U.S. House, incumbent Cory Gardner (R) is running for re-election in District 4. He will run against Democrat Brandon Shaffer, Libertarian Josh Gilliland and Constitution Party candidate Doug Aden.

Jerry Sonnenberg is running unopposed in District 65 for the Colorado House of Representatives.

The deadline to register to vote in the 2012 election was Tuesday, Oct. 9.

Phillips County Clerk Beth Zilla said mail ballots will be sent to permanent mail-in voters beginning Monday, Oct. 15. The last day to apply for a mail-in ballot is Friday, Nov. 2.

Those who think they are on the permanent mail-in list and have not received a ballot by Friday, Nov. 2, call the county clerk's office at 854-3131.

When voters head to the polls on election Tuesday, those in precincts 1, 2, 3, 4 and 8 will vote at Phillips County Event Center while those in 5, 6 and 7 will vote at the Haxtun Community Center.

There will also be three ballot measures on the 2012 ballot. They are outlined below. All information was taken from the 2012 State Ballot Information Booklet (Blue Book).

### **Amendment S**

#### **State Personnel System**

Amendment S makes changes to the state personnel system, impacting approximately 32,500 individuals in full- and part-time permanent positions in state government. The measure applies only to classified employees in the state personnel system and does not affect nonclassified employees (about 41,000 individuals), most of whom work in the legislative and judicial branches and at institutions of higher education.

All employees are covered under applicable state and federal employment laws, such as those protecting against discrimination.

In 1918, Colorado voters amended the state constitution to create the state civil service system. In 1970, the system was updated and renamed the state personnel system. It currently requires that:

—employees be hired and promoted according to merit and fitness.

—job candidates be scored and ranked using a competitive exam.

## **Arguments For**

1. State employees provide a wide variety of services to meet the needs of citizens, and the public deserves the most qualified employees to do the job.

The current hiring process limits the pool of eligible candidates and may favor the best test-takers over applicants with practical experience. The measure expands the pool of eligible candidates and allows state agencies to consider other objective methods for evaluating job applicants.

An improved applicant evaluation process increases the ability of the state to hire the best candidate for each position.

2. The measure updates the state personnel system to better align the state with current business practices and make it more efficient and accountable to Colorado taxpayers.

It gives the governor the ability to hire key staff, allowing for a quicker implementation of the policy agenda he or she is elected to enact.

Under the measure, the state is better equipped to complete special projects and respond to seasonal demands with temporary employees who are allowed to work nine months rather than six.

It also allows for the hiring of nonresidents in positions located close to the state border, helping state agencies to identify the best candidates for difficult-to-fill positions in a timely manner and from a wider applicant pool. Additionally, the measure recognizes the sacrifice of veterans, allowing them to use a hiring preference whenever they apply for a state position, rather than only once.

## **Arguments Against**

1. The measure gives the governor and political appointees, including the state personnel director, too much power over the state's personnel system.

The governor's administration will be able to exempt about 325 additional positions from the system, and members of the constitutionally independent State Personnel Board could be removed without cause.

Also, the state personnel director, appointed by the governor, will now have policy making authority over areas of the system that the board has traditionally overseen, including job candidate evaluation and exemption from residency requirements. This overlap in authority could lead to potential conflicts between the director and the board and create confusion for candidates and employees.

2. The state personnel system exists, in part, to protect state employees from undue political influence, and this measure removes some of those protections, making the system more vulnerable to favoritism and abuse.

Evaluating qualifications, rather than using numerical exam scores, makes it more difficult for state agencies to objectively compare candidates. The new system could make it easier to hire persons based on political or personal connections rather than merit and result in more appeals of hiring decisions.

In addition, the new exemptions could displace experienced existing state employees with political appointees. This may result in the loss of institutional knowledge and subject traditionally neutral positions, such as chief financial officers and human resource directors, to political pressure.

## Amendment 64

## **Use and Regulation of Marijuana**

Amendment 64 proposes amending the Colorado Constitution to:

—regulate the growth, manufacture and sale of marijuana in a system of licensed establishments overseen by state and local governments.

—allow individuals who are 21 years old or older to possess, use, display, purchase, transport and transfer—to individuals who are 21 years old or older—one ounce or less of marijuana.

—allow individuals who are 21 years old or older to possess, grow, process and transport up to six marijuana plants, with certain restrictions.

—require the state legislature to enact an excise tax on marijuana sales, of which the first \$40 million in revenue raised annually must be credited to a state fund used for constructing public schools. The excise tax must be approved by a separate statewide vote.

—require the state legislature to enact legislation concerning the growth, processing and sale of industrial hemp.

## **Arguments For**

1. Current state policies that criminalize marijuana fail to prevent its use and availability and have contributed to an underground market. By creating a framework for marijuana to be legal, taxed and regulated under state law, Amendment 64 provides a new direction for the state.

2. It is preferable for adults who choose to use marijuana to grow it themselves or purchase it from licensed businesses that are required to follow health and safety standards, rather than purchasing products of unknown origin from individuals involved in the underground market.

A regulated market will provide a safer environment for adults who purchase marijuana and, by requiring age verification, will restrict underage access to marijuana. The measure will also add sales tax revenue and may add job opportunities to the state economy.

3. The adoption of Amendment 64 will send a message to the federal government and other states that marijuana should be legal and regulated and that industrial hemp should be treated differently than marijuana.

Adults should have the choice to use marijuana, just as they have that choice with other substances such as alcohol and tobacco. Further, because of its commercial applications in fuel, building materials, clothing and food, industrial hemp should be allowed to be grown, processed and sold domestically.

### **Arguments Against**

1. Even if Amendment 64 is adopted, the possession, manufacture and sale of marijuana remain illegal under current federal law, so the adoption of the measure may expose Colorado consumers, businesses and governments to federal criminal charges and other risks.

People who invest time and money to open marijuana establishments have no protections against federal seizure of their money and property. Because federal banking laws do not allow banks to accept the proceeds of, or loan money for, activities that are illegal under federal law, marijuana businesses will likely need to be cash-only businesses.

In addition, enhanced federal scrutiny and competition from retail marijuana establishments could jeopardize the existing medical marijuana system. The efforts of individuals who feel that marijuana use should be legal for all adults are more appropriately directed at changing federal law.

2. Marijuana impairs users' coordination and reasoning and can lead to addiction. Allowing state-regulated stores to sell marijuana will make it more accessible, which is likely to increase use and may give the impression that there are no health risks or negative consequences to marijuana use.

Greater accessibility and acceptance of marijuana may increase the number of children and young adults who use the drug, which, due to their ongoing brain development, may be especially dangerous. Furthermore because more people are likely to use marijuana, the number of those who drive while under the influence of or while impaired by the drug may increase.

3. A ballot measure cannot direct any vote cast by a legislator. Amendment 64 asks voters to approve a regulatory structure for the sale of marijuana, but does not specify critical details about what the regulation will entail.

Furthermore, because the provisions of Amendment 64 will be in the state constitution and not in the state statutes, where most other business regulations appear, there may be unintended consequences that cannot be easily remedied.

For example, the state legislature cannot adjust the deadlines, fees and other details regarding the implementation of the measure. In addition, by constitutionally permitting marijuana use, the measure, despite its stated intent, could create conflicts with existing employment, housing and other laws and policies that ban the use of illegal drugs.

### **Amendment 65**

### **Colorado Congressional Delegation to Support Campaign Finance Limits**

Amendment 65 proposes amending the Colorado Constitution and Colorado statutes to:

—instruct the Colorado congressional delegation to propose and support an amendment to the U.S. Constitution that allows Congress and the states to limit campaign contributions and spending.

—instruct the state legislature to ratify any such amendment passed by Congress.

### **Arguments For**

1. The current system of financing political campaigns gives too much influence over elections and public policy to wealthy individuals and organizations. This measure sends a message from Colorado voters to their elected representatives that money in politics should be limited so that other perspectives can be heard.

Further, it gives elected representatives in Congress and the state legislature clear instructions to make the necessary changes to create a more level playing field in politics.

2. Prior court rulings have increased the ability of wealthy individuals and organizations to spend unlimited amounts of money to influence campaigns and elections, as well as public policy. In many cases, the public does not know who is providing this money because the source does not have to be disclosed.

The surest way to reverse these changes is to amend the U.S. Constitution as recommended by this measure. Amendment 65 takes the first step in that process by encouraging Congress to take action.

### **Argument Against**



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1. A state ballot measure cannot require elected representatives in Congress or the state legislature to support or vote for certain laws and policies. Therefore, the measure will have no practical effect. Rather than using Colorado law to make a political statement, those who advocate for more restrictive campaign finance laws should instead support congressional candidates who will pursue such changes.

2. The measure could lead to restrictions that limit the fundamental rights to freedom of speech, expression and association.

Individuals and organizations should not be restricted in how they spend money to promote the ideas and candidates they support. Further, candidates and campaigns should be free to spend any contributions received from supporters.

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