

## BALLOT ISSUE 2015

### PROPOSITION BB: REFUND FOR EXCEEDING BLUE BOOK ESTIMATE

#### Major Provisions:

- Allows the state to keep the tax revenue from the sale of marijuana that otherwise would be refunded for exceeding an estimate included in the ‘Blue Book’ for Proposition AA.
- Permits the state to spend these tax revenues to provide \$40 million for public school construction and for needs such as law enforcement, youth programs, and marijuana education and prevention programs.
- Specifies that any refunds would go to retail marijuana cultivation facilities, to retail marijuana purchasers, and to Colorado taxpayers filing a state tax return.

#### Background:

In 2012, voters legalized the personal use and the state and local regulation of marijuana. The law required the state legislature to enact an excise tax on marijuana sales and required that the first \$40 million raised by the tax each year be placed in the Public School Capital Construction Fund. Revenue was also to be used for the regulation and implementation of the new industry.

In 2013, voters approved a 10% sales tax on retail marijuana and 15% excise tax on cultivated marijuana in Proposition AA. At that time, the state *Ballot Information Booklet* (Blue Book) provided two revenue estimates of taxes to be collected.

- One estimate was for the overall state revenue subject to the state constitutional limits found in TABOR and,
- The second estimate was for the new taxes associated with retail marijuana.

The retail tax from marijuana sales was lower than the estimate but due to an improving economy, the overall state revenue was higher than the estimate found in the 2013 Blue Book for Proposition AA. Since the overall revenue exceeded the estimate, the state is constitutionally required to give a refund to tax payers unless voters approve having the state retain and spend the refund amount. The refund is equal to the revenue from the new taxes on marijuana in the 2014-15 fiscal year or \$66 million. This refund requirement of the new taxes is for the first year only. All future taxes on marijuana sales may be retained.

#### Those in favor say:

1. Tax revenues raised by the sale of marijuana should be retained and spent by the state as the voters intended when they approved Proposition AA. Moneys raised were intended to be used for items that the state was not funding. Retained funds will mean \$40 million for public school construction and \$12 million for marijuana education, youth mentoring services and the Future Farmers of America and 4-H programs.
2. If the state retains the money, rather than refunding it to marijuana businesses, marijuana purchasers and other taxpayers, education and public programs surrounding marijuana can be funded without affecting other state programs.

#### Those opposed say:

1. Proposition BB would allow the state to keep and spend marijuana tax revenue above the reasonable limitations imposed by the Taxpayer’s Bill of Rights (TABOR). This is a bad idea, no matter the source of the revenue and no matter the intended use of the tax money. The true measure of Coloradans’ tax burden is government spending levels. This means the recipients of new or expanded spending from Proposition BB will demand that spending be sustained in the future.
2. Proposition BB ratchets up government spending to a new and higher baseline, putting a larger future burden on all taxpayers, not just the cannabis industry and its consumers.

### Colorado Voter Information

#### REGISTRATION QUALIFICATIONS

- A citizen of the United States
- A resident of a Colorado for at least 22 days
- At least 16 years old, with the understanding that you must be 18 years of age to be eligible to vote
- Provide a valid Colorado Driver’s License or Colorado ID card OR present one of the acceptable forms of identification for voting

#### HOW TO REGISTER

##### First time registration in Colorado

Up to 22 days prior to the election

- By mail
- At a Driver’s License Examination Facility, recruiting office, or public assistance office
- Through a Voter Registration Drive (VRD)

Up to 8 days prior to the election

- State of Colorado online voter registration site

In-Person at any time when open, including Election Day, at

- Your County Clerk's Office
- A Voter Service Center in your County

**Change of address for voters registered in Colorado**

- By mail with a letter or form furnished by the County Clerk and received no later than the 8<sup>th</sup> day before the election
- State of Colorado On-line Voter Registration System by the 8<sup>th</sup> day before the election
- In person at any time during which registration is permitted including Election Day
- Appear in-person anytime when open, including Election Day, at
  - Your County Clerk's office, or
  - A Voter Service or Polling Center in your county of residence

Voters may check their registration at [www.govotecolorado.com](http://www.govotecolorado.com)

Mail-in forms are available at government offices, libraries, voter registration drives. Forms may also be accessed on the websites for the Secretary of State, County Clerk or the League of Women Voters of Colorado.

**IDENTIFICATION FORMS ACCEPTED**

Identification is required to vote at all polling locations. First time voters voting by mail may need to submit identification. Acceptable ID forms are:

- Valid Colorado driver's license
- Valid Colorado identification card

- Valid U.S. passport
- Employee ID card from a government agency with photo
- Valid U.S. military card
- Copy of current utility bill showing address
- Government paycheck or document with name and current address
- FAA photo pilot's license
- Certified naturalization document
- Valid Medicare or Medicaid card
- Certified copy of birth certificate
- Valid CO student ID card with photo
- Valid veteran's ID card
- Valid ID card from a recognized tribal government

**ALL BALLOTS ARE DUE BY 7 PM ON NOVEMBER 3, ELECTION DAY.**

**THE LEAGUE OF WOMEN VOTERS® OF COLORADO EDUCATION FUND** promotes informed participation in government by providing non-partisan educational information on topics of public concern and on the processes of government.

Contact the League's **VOTER HOTLINE at 303-863-VOTE (8683)** for: Voter information, Ballot information, Ballot Issue speakers.

Copyright © 2015

All rights reserved. This work may not be reproduced in whole or in part by any means without permission of the League of Women Voters of Colorado Education Fund.

## BALLOT ISSUES 2015



### LEAGUE OF WOMEN VOTERS® OF COLORADO EDUCATION FUND

1410 Grant Street, Suite B204  
Denver, CO 80203-1855  
[info@lwvcolorado.org](mailto:info@lwvcolorado.org)  
[www.lwvcolorado.org](http://www.lwvcolorado.org)

**VOTER HOTLINE  
303-863-VOTE (8683)**

**NOVEMBER 3 – ELECTION DAY**