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An Amendment to the Colorado Revised Statutes Providing for the Election of One Director for Each Director District for a Fifteen Member Board of Directors of the Regional Transportation District

Colorado General Assembly

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INITIATED BY THE PEOPLE

AN AMENDMENT TO THE COLORADO REVISED STATUTES PROVIDING FOR THE ELECTION OF ONE DIRECTOR FOR EACH DIRECTOR DISTRICT FOR A FIFTEEN MEMBER BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION DISTRICT.

The proposed initiated ACT TO AMEND THE LAWS OF THE STATE OF COLORADO (of which the foregoing title is hereby made a constituted part) is as follows:

Be it enacted by the People of the State of Colorado:

Section 1. 32-9-103, Colorado Revised Statutes 1973, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

32-9-103. Definitions. (3.5) "Director district" means that area within the district which is represented by one director.

Section 2. Article 9 of title 32, Colorado Revised Statutes 1973, as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

32-9-109.5. Board of directors - membership - powers. (1) Effective January 1, 1983, the governing body of the district shall be a board of directors consisting of fifteen persons, each of whom is a qualified elector residing within his director district.

(2) Members of the board of directors shall be elected as provided in section 32-9-111.

(3) The terms of members of the board serving on December 31, 1982, shall expire on January 1, 1983, and a new board, constituted pursuant to this section shall take office on January 1, 1983, after having been elected pursuant to section 32-9-111.

(4) All powers, duties, functions, rights, and privileges vested in the district shall be exercised and performed by the board; except that the exercise of any executive, administrative, or ministerial powers may be delegated by the board to officers and employees of the district.

Section 3. 32-9-111, Colorado Revised Statutes 1973, as amended, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

32-9-111. Election of directors - dates - terms. (1) After the federal census in 1980 and each federal census thereafter, the board of directors shall apportion the composition of the board into director districts so that the fifteen directors will represent, to the extent practical, the people of the district on the basis of population. Such apportionment shall be completed by July 1 of the second year following that in which the federal census is taken and shall be made only upon the affirmative vote of two-thirds of the total membership of the board.

(2) Such director districts shall be comprised of general election precincts established by the boards of county commissioners of those counties, all or part of which are within the district, and by the election commission of the city and county of Denver. No general election precinct may be split into two or more director districts.

(3) The regular district election shall be held concurrently with the state general election in every even-numbered year, and the first such election shall be held in 1982. Each director shall be elected by the registered electors residing within the director district.

(4) Except as provided in the subsection (4), the regular term of office of directors shall be four years. At the election held in 1982, eight members of the board shall be elected for two-year terms. The two-year terms shall be determined by lot at the first meeting of the board following the apportionment of director districts. Seven members shall be elected for four-year terms.

(5) (a) Except as provided in this subsection (5), nominations for directors shall be made in accordance with the general election laws of the state. Nominations for directors shall be made by petition in the manner provided for independent candidates pursuant to section 1-14-301, C.R.S. 1973. Petitions shall be filed in the office of the secretary of state prior to fifty-five days before the election required pursuant to subsection (3) of this section. Such petitions:

(I) Shall contain the name and address of any candidate for the office to be filled, and no petition shall contain the name of more than one person for the same office;

(II) Before they are filed, shall have endorsed thereon the acknowledged acceptance of the nomination by the candidate, together with an acknowledged statement that the candidate is a qualified elector of the director district named in the petition;

(III) Shall be signed by at least one hundred registered electors residing within the director district in which the officer is to be elected.

(b) To each petition shall be attached an affidavit of the person circulating the petition stating his name and address and stating that he is a registered elector residing within the director district in which he circulated said petition; that he circulated said petition; that each signature thereon was affixed in his presence; that each signature thereon is the signature of the person whose name it purports to be; and that, to the best of his knowledge and belief, each of the persons signing said petition was at the time of the signing a registered elector of the director district.

(c) Objections to nominations shall be made in the manner provided in section 1-14-212 (1), C.R.S. 1973.

(d) The order of the names of candidates on the ballot shall be established by lot.

(e) It is the intent of the people of the state of Colorado that the election of directors be conducted in the most efficient and economical manner which is practicable.

(6) Notwithstanding the provisions of sections 32-9-149 to 32-9-154, except as provided in this subsection (6), the regular district election shall be conducted in accordance with the primary and general election laws of the state; except that a separate ballot and a separate ballot box may be furnished in each precinct for use by the registered electors in the regular district election. The judges of election for the general election shall be designated as the judges of election for the election held pursuant to this section, and they shall receive such additional compensation, if any, as the board sets by resolution. The votes cast at such election shall be canvassed and the results thereof determined by the secretary of state in the same manner as the votes for state offices.

Section 4. 32-9-112, Colorado Revised Statutes 1973, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

32-9-112. Vacancies - appointments - recall. (1) A change of residence of a member of the board to a place outside the director district from which he was elected shall automatically create a vacancy on the board. Upon a vacancy occurring for any reason other than normal expiration of a term, the vacancy shall be filled by appointment for the balance of the term by the board of county commissioners of the county wherein the director district is located or, if a director elected in Denver, by the mayor of the city and county of Denver, with the approval of the city council of said city and county. In the case of a director district which contains territory in two or more counties, or in the city and county of Denver and in one or more counties, the vacancy shall be filled by appointment for the balance of the term by the board of county commissioners of the county wherein the largest number of registered electors of the director district reside; except that, if the largest number of registered electors of the director district reside in the city and county of Denver, the vacancy shall be filled by appointment for the balance of the term by the mayor of the city and county of Denver, with the approval of the city council of said city and county.

(2) Effective July 1, 1983, any member of the board may be recalled from office by the electors of the director district such member represents pursuant to the provisions of section 32-1-110.

Section 5. 32-9-117, Colorado Revised Statutes 1973, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

32-9-117. Compensation of directors. Effective January 1, 1983, each director shall receive a sum of three thousand dollars per annum. No director shall receive any compensation as an officer, engineer, attorney, employee, or other agent of the district. Nothing contained in this article shall be construed as preventing the board from authorizing the reimbursement of any director for expenses incurred which appertain to the activities of the district.

Section 6. **Repeal.** 32-9-109 and 32-9-110, Colorado Revised Statutes 1973, as amended, are repealed effective January 1, 1983.

NOTE: Vote on the above measure at the General Election held November 4, 1980.

For: 570,049

Against: 444,902

Effective upon proclamation of the Governor, December 19, 1980.