

RESOLUTION NO. 7-2018

REFERRING THE ISSUE OF EXTENDING TERM LIMITS FOR THE DISTRICT ATTORNEY, TWENTY-SECOND JUDICIAL DISTRICT TO THE NOVEMBER 2018 ELECTION BALLOT, AND CERTIFYING THE BALLOT TITLE

WHEREAS, voters statewide adopted an amendment to the state constitution in 1994 which imposed term limits on every state and local elected office (Article XVIII, Section 11, Colorado Constitution); and

WHEREAS, subsection 2 of that constitutional amendment, allows voters of a political subdivision to eliminate or modify the state-imposed term limits in a November election by a majority vote approving such a question referred to the ballot by the board of county commissioners (BOCC); and

WHEREAS, the Twenty-Second Judicial District is a political subdivision that includes Montezuma and Dolores Counties; and

WHEREAS, the elected District Attorney, William Furse, requested a question on the November 2018 election ballot seeking to modify term limits applicable to the office of District Attorney for the Twenty-Second Judicial District, to enable a person elected to the office to be nominated for and elected to the office for a maximum of three consecutive terms; and

WHEREAS, the BOCC previously approved the request of District Attorney William Furse regarding this 2018 ballot question; and

WHEREAS, pursuant to the provisions of Article XVIII, Section 11(2), the BOCC hereby refers to the November 6, 2018 election ballot the issue of modification of term limits for the elected office of the District Attorney, Twenty-Second Judicial District, to enable a person elected to the office to be nominated for and elected to the office for a maximum of three consecutive terms; and

WHEREAS, subject to any further amendments or modifications, the BOCC desires to proceed to certify the ballot measure and title to the County Clerk for publication and placement on the ballot for the November 6, 2018 election.

NOW THEREFORE BE IT RESOLVED by the Montezuma County Board of Commissioners that:

1. The following ballot title language should be set forth on the ballot:

SHALL THE TERM LIMITS IMPOSED BY STATE LAW AND IN ARTICLE XVIII, SECTION 11(2), OF THE COLORADO CONSTITUTION ON THE OFFICE OF DISTRICT ATTORNEY OF THE 22<sup>ND</sup> JUDICIAL DISTRICT, BE MODIFIED SO AS TO PERMIT AN ELECTED OFFICEHOLDER IN THAT OFFICE TO SEEK

AND TO SERVE A THIRD CONSECUTIVE TERM IF ELECTED?

2. Pursuant to the criteria for ballot titles set forth in C.R.S. § 31-11-111, in fixing this ballot title, the BOCC finds that the title is not misleading, clearly identifies the effect of a "yes" or "no" vote, does not conflict with the title of any other measure on the Montezuma County ballot, and correctly and fairly expresses the true intent and meaning of the measure.
3. Upon approval of this Resolution, the Clerk's Office shall prepare of placement of the ballot measure by title on the November 6, 2018 ballot, and all other constitutionally and statutorily required matters shall be performed in order to effectuate the submission of this measure to election.

Adopted this 18<sup>th</sup>, day of June, 2018.

BOARD OF COUNTY COMMISSIONERS,  
MONTEZUMA COUNTY, COLORADO

Ben Powell

County Clerk and Recorder  
Montezuma County, Colorado

James R. Lambert

James C. Lambert

