

or function, that is sponsored to facilitate, in whole or in part, the purchase, sale, offer for sale, or collection of firearms at which:

(a) twenty-five or more firearms are offered or exhibited for sale, transfer, or exchange; or

(b) not less than three gun show vendors exhibit, sell, offer for sale, transfer, or exchange firearms.

(4) "Gun show promoter" means a person who organizes or operates a gun show.

(5) "Gun show vendor" means any person who exhibits, sells, offers for sale, transfers, or exchanges, any firearm at a gun show, regardless of whether the person arranges with a gun show promoter for a fixed location from which to exhibit, sell, offer for sale, transfer, or exchange any firearm.

(6) "Licensed gun dealer" means any person who is a licensed importer, licensed manufacturer, or dealer licensed pursuant to 18 U.S. C. sec. 923, as amended, as a federally licensed firearms dealer.

12-26.1-107. Appropriation. The General Assembly shall appropriate funds necessary to implement this article.

12-26.1-108. Effective date. This article shall take effect March 31, 2001.

AMENDMENT 23
FUNDING FOR PUBLIC SCHOOLS

Ballot Title: An amendment to the Colorado Constitution concerning increased funding for preschool through twelfth-grade public education, and, in connection therewith, requiring the statewide base per pupil funding for public education and funding for specifically defined categorical programs to grow annually by at least the rate of inflation plus one percentage point for fiscal years 2001-02 through 2010-11 and annually by at least the rate of inflation for fiscal years thereafter; creating a state education fund and exempting appropriations from the fund and expenditures of said appropriations from constitutional and statutory limitations; requiring the state to deposit in the state education fund all revenues collected by the state from a tax of one-third of one percent on federal taxable income of every individual, estate, trust, and corporation and exempting those revenues from the constitutional limitation on fiscal year spending; limiting the use of moneys in the state education fund to increasing the statewide base per pupil funding for public education and funding for categorical programs and to funding specified education programs, including public school building capital construction; specifying that moneys appropriated from the state education fund shall not be used to supplant the level of general fund appropriations existing on the effective date of the measure for total

program education and categorical program funding; and, for fiscal years 2001-02 through 2010-11, requiring the general assembly to increase annually the general fund appropriation for total program funding under the "Public School Finance Act of 1994", or any successor act, by at least five percent of the prior year's general fund appropriation for total program, except in fiscal years in which personal income grows less than four and one-half percent between the two previous calendar years.

Text of Proposal:

As it Enacted by the People of the State of Colorado.

Article IX of the Constitution of the state of Colorado is amended BY THE ADDITION OF A NEW SECTION to read:

Section 17. Education - Funding. (1) Purpose. IN STATE FISCAL YEAR 2001-2002 THROUGH STATE FISCAL YEAR 2010-2011, THE STATEWIDE BASE PER PUPIL FUNDING, AS DEFINED BY THE PUBLIC SCHOOL FINANCE ACT OF 1994, ARTICLE 54 OF TITLE 22, COLORADO REVISED STATUTES ON THE EFFECTIVE DATE OF THIS SECTION, FOR PUBLIC EDUCATION FROM PRESCHOOL THROUGH THE TWELFTH GRADE AND TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS SHALL GROW ANNUALLY AT LEAST BY THE RATE OF INFLATION PLUS AN ADDITIONAL ONE PERCENTAGE POINT. IN STATE FISCAL YEAR 2011-2012, AND EACH FISCAL YEAR HEREAFTER, THE STATEWIDE BASE PER PUPIL FUNDING FOR PUBLIC EDUCATION FROM PRESCHOOL THROUGH THE TWELFTH GRADE AND TOTAL STATE FUNDING FOR ALL CATEGORICAL PROGRAMS SHALL GROW ANNUALLY AT A RATE SET BY THE GENERAL ASSEMBLY THAT IS AT LEAST EQUAL TO THE RATE OF INFLATION.

(2) Definitions. FOR PURPOSES OF THIS SECTION: (a) "CATEGORICAL PROGRAMS" INCLUDE TRANSPORTATION PROGRAMS, ENGLISH LANGUAGE PROFICIENCY PROGRAMS, EXPELLED AND AT-RISK STUDENT PROGRAMS, SPECIAL EDUCATION PROGRAMS (INCLUDING GIFTED AND TALENTED PROGRAMS), SUSPENDED STUDENT PROGRAMS, VOCATIONAL EDUCATION PROGRAMS, SMALL ATTENDANCE CENTERS, COMPREHENSIVE HEALTH EDUCATION PROGRAMS, AND OTHER CURRENT AND FUTURE ACCOUNTABLE PROGRAMS SPECIFICALLY IDENTIFIED IN STATUTE AS A CATEGORICAL PROGRAM.

(b) "INFLATION" HAS THE SAME MEANING AS DEFINED IN ARTICLE X, SECTION 20, SUBSECTION (2), PARAGRAPH (f) OF THE COLORADO CONSTITUTION.

(3) Implementation. IN STATE FISCAL YEAR 2001-2002 AND EACH FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE, AND SCHOOL DISTRICTS MAY ANNUALLY EXPEND, MONIES FROM THE STATE EDUCATION FUND CREATED IN SUBSECTION (4) OF THIS SECTION. SUCH APPROPRIATIONS AND EXPENDITURES SHALL NOT

BE SUBJECT TO THE STATUTORY LIMITATION ON GENERAL FUND APPROPRIATIONS GROWTH, THE LIMITATION ON FISCAL YEAR SPENDING SET FORTH IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER SPENDING LIMITATION EXISTING IN LAW.

(4) State Education Fund Created. (a) THERE IS HEREBY CREATED IN THE DEPARTMENT OF THE TREASURY THE STATE EDUCATION FUND. BEGINNING ON THE EFFECTIVE DATE OF THIS MEASURE, ALL STATE REVENUES COLLECTED FROM A TAX OF ONE THIRD OF ONE PERCENT ON FEDERAL TAXABLE INCOME, AS MODIFIED BY LAW, OF EVERY INDIVIDUAL, ESTATE, TRUST AND CORPORATION, AS DEFINED IN LAW, SHALL BE DEPOSITED IN THE STATE EDUCATION FUND. REVENUES GENERATED FROM A TAX OF ONE THIRD OF ONE PERCENT ON FEDERAL TAXABLE INCOME, AS MODIFIED BY LAW, OF EVERY INDIVIDUAL, ESTATE, TRUST AND CORPORATION, AS DEFINED IN LAW, SHALL NOT BE SUBJECT TO THE LIMITATION ON FISCAL YEAR SPENDING SET FORTH IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION. ALL INTEREST EARNED ON MONIES IN THE STATE EDUCATION FUND SHALL BE DEPOSITED IN THE STATE EDUCATION FUND AND SHALL BE USED BEFORE ANY PRINCIPAL IS DEPLETED. MONIES REMAINING IN THE STATE EDUCATION FUND AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE FUND AND NOT REVERT TO THE GENERAL FUND.

(b) IN STATE FISCAL YEAR 2001-2002, AND EACH FISCAL YEAR THEREAFTER, THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONIES FROM THE STATE EDUCATION FUND. MONIES IN THE STATE EDUCATION FUND MAY ONLY BE USED TO COMPLY WITH SUBSECTION (1) OF THIS SECTION AND FOR ACCOUNTABLE EDUCATION REFORM, FOR ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS, FOR CLASS SIZE REDUCTION, FOR EXPANDING TECHNOLOGY EDUCATION, FOR IMPROVING STUDENT SAFETY, FOR EXPANDING THE AVAILABILITY OF PRESCHOOL AND KINDERGARTEN PROGRAMS, FOR PERFORMANCE INCENTIVES FOR TEACHERS, FOR ACCOUNTABILITY REPORTING, OR FOR PUBLIC SCHOOL BUILDING CAPITAL CONSTRUCTION.

(5) Maintenance of Effort. MONIES APPROPRIATED FROM THE STATE EDUCATION FUND SHALL NOT BE USED TO SUPPLANT THE LEVEL OF GENERAL FUND APPROPRIATIONS EXISTING ON THE EFFECTIVE DATE OF THIS SECTION FOR TOTAL PROGRAM EDUCATION FUNDING UNDER THE PUBLIC SCHOOL FINANCE ACT OF 1994, ARTICLE 54 OF TITLE 22, COLORADO REVISED STATUTES, AND FOR CATEGORICAL PROGRAMS AS DEFINED IN SUBSECTION (2) OF THIS SECTION. IN STATE FISCAL YEAR 2001-2002 THROUGH STATE FISCAL YEAR 2010-2011, THE GENERAL ASSEMBLY SHALL, AT A MINIMUM, ANNUALLY INCREASE THE GENERAL FUND APPROPRIATION FOR TOTAL PROGRAM UNDER THE "PUBLIC SCHOOL FINANCE ACT OF 1994," OR ANY SUCCESSOR ACT, BY AN AMOUNT NOT BELOW FIVE PERCENT OF THE PRIOR YEAR GENERAL FUND APPROPRIATION FOR TOTAL PROGRAM UNDER THE, "PUBLIC SCHOOL FINANCE ACT OF 1994," OR ANY SUCCESSOR ACT. THIS GENERAL FUND GROWTH REQUIREMENT SHALL NOT APPLY IN ANY FISCAL YEAR IN WHICH COLORADO PERSONAL INCOME GROWS LESS THAN FOUR AND ONE HALF PERCENT BETWEEN THE TWO PREVIOUS CALENDAR YEARS.